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House of Representatives

The House met at 10 a.m.

The Reverend Hank Wilkins IV, St. James United Methodist Church, Pine Bluff, Arkansas, offered the following prayer:

Almighty God of love and mercy, God of power and God of might, today we pray the understanding to always seek Your wisdom and justice. It is through Your authority, righteously administered, that our leaders are enabled to govern this Nation with laws enacted for our betterment.

And so today we pray for Your spirit, that they might be properly guided by Your divine charity and an unassuming faithfulness.

Give both counsel and courage to the leaders of this great body and its Members, as well as other government leaders of these United States of America.

May they always seek Your purpose and the well-being of this great people. Grant now Your unfathomable protection, that they lead our country with the honesty of providence and the integrity of high ideals.

We ask all this through Christ our Lord. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Oregon (Mr. WALDEN) come forward and lead the House in the Pledge of Allegiance.

Mr. WALDEN of Oregon 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.

WELCOMING REVEREND HANK WILKINS, IV

The SPEAKER. Without objection, the gentleman from Arkansas (Mr. ROSS) is recognized for 1 minute.

There was no objection.

Mr. ROSS. Madam Speaker, today, I rise to recognize my dear friend, Rev. Dr. and State Senator Hank Wilkins IV, of Pine Bluff, Arkansas, who just delivered our opening prayer and is our guest chaplain of the day.

Rev. Dr. Wilkins' deep faith and dedication to his community and State is an inspiration to all of us who know him.

Throughout his 31 years in the ministry, Rev. Dr. Wilkins has emphasized the need for faith in our daily lives.

I'm proud to have had the distinct honor to serve with Hank in the Arkansas State legislature. As both senior pastor of St. James United Methodist Church and as an Arkansas State Senator, Reverend Wilkins puts the people he represents first and is a true ambassador for Arkansas.

It's been a blessing for me to know Hank and his wife, Phyllis, and their family, and I hope that this message of compassion, this prayer of compassion and respect for others will be one that we all strive to achieve.

As we go about doing the work of the people, let us remember the prayer Rev. Dr. State Senator Hank Wilkins delivered on the floor of the United States House of Representatives on this day.

CALENDAR WEDNESDAY

The SPEAKER. Today is the day of Calendar Wednesday. The Clerk will call the roll of committees.

The Clerk called the committees.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PASTOR). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

PASS THE FARM BILL

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

Mr. KAGEN. Mr. Speaker, during the past year, I had the high honor of working with Republicans and Democrats alike in the House Agriculture Committee to bring forward a new reform-minded bill, one that would be great for the health of the American people and Wisconsin's agricultural economy.

I'm pleased to be able to say the farm bill has the overwhelming support of Members of Congress, the farming communities everywhere, and business leaders alike.

The new farm bill we intend to pass today will be good for our health and our economy, and as a physician, I'm pleased to say that it will begin to move our children's diets away from carbohydrates and more towards the healthier choices, including fruits and vegetables.

It will also reward work instead of wealth by dramatically reducing income caps for those qualifying for direct payments.

More importantly, this bill will determine what farmers plant, what they grow, and ultimately, what we eat and what we look like.

The new farm bill also rewards the use of cellulosic biofuels which will help ease the strain on rising food prices.

I urge all of my colleagues to support it in the strongest fashion.

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COUNTY PAYMENTS FOR HARNEY COUNTY

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

Mr. WALDEN of Oregon. Mr. Speaker, by refusing to renew the county payments program, Congress, this Congress, has broken its pledge to rural areas all across this country, such as Harney County, Oregon.

County payments account for 70 percent of the road budget in Harney County, in part because 78 percent of Harney County is Federal land. That's an area nearly the size of New Jersey.

Now, imagine if the tax revenue from 78 percent of the land in New Jersey suddenly dried up. It would be paralyzing, just as paralyzing as the loss of county payments is proving in the rural West.

Harney County Judge Steve Grasty said, ''It is now so bad that we've got fewer road crew employees than snow removal equipment. Our road department is now 50 percent of its historic staffing level.''

H.R. 3058 would give some relief to this problem and would help keep the roads open in Harney County and schools open across the West.

Yet the Democratic leadership in the House has held this bill hostage on the Union Calendar since January 15. Today is day 120 that this bill could have been brought to the floor and voted on. It is a bipartisan bill. The lead sponsor is my colleague from Oregon (Mr. DEFAZIO).

Keep the commitment to these rural communities. Pass H.R. 3058.

HONORING ASIAN PACIFIC AMERICAN HERITAGE MONTH

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

Mr. SCOTT of Virginia. Mr. Speaker, I rise to speak in honor of Asian Pacific American Heritage Month. As a member of the Congressional Asian American Pacific American Caucus, and as the only Member of Congress with any Filipino ancestry, I'm pleased to speak on the floor today in honor of this great month.

Since the early 1800s, the AAPI community has played a vital role in the development and growth of this country. I'd like to take just a moment to highlight one of the many contributions that the AAPI community has played in American history, and that is, the accomplishments of the Filipino American veterans during World War II.

Members of the Commonwealth of the Philippines' military fought tirelessly for the United States during World War II. The invaluable service that the members of the military helped provide us the necessary support to defeat the Japanese empire in the Pacific.

Last year, Congressman FILNER introduced, and I cosponsored, the Filipino Veterans Equity Act, which will ensure that the Filipino veterans who served in World War II will receive the veterans benefits promised to them over 60 years ago. We need to pass this bill as soon as possible.

□ 1015

SECOND LIFE

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

Mr. KIRK. Mr. Speaker, Second Life, it's not just a new job or a new start, it's a virtual world online with over 6 million people. Run by the San Francisco company Linden Lab, Second Life allows anyone in their world to do anything. And the labs make $1 million each night.

And what is offered in Second Life? My staff found rooms leading people to commit suicide, satanic worship, buying assault weapons, leading human sacrifice, and rape rooms; game players choose to rape or be raped. This content is totally inappropriate and leads to the objectification lessons that are especially inappropriate for young boys.

Linden Lab claims that it provides a teen area, but the fine print of their user agreement clearly states that adults prowl in the children's area and children are in the adult area.

Second Life's K Street lobbyists say, ''Trust us,'' but I think we should trust informed and aware parents. I urge Members to join me in a letter to the Federal Trade Commission worrying about the dangers of Second Life.

NATIONAL TOURISM WEEK

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

Mr. FARR. I'd like to welcome our guests in the gallery today because this week is the 25th anniversary of National Tourism Week.

As co-chair of the Congressional Tourism Caucus, along with my co-chair JON PORTER of Nevada and nearly 100 Members of Congress, we recognize the importance of the tourism industry to our national economy and to our local communities.

It is the fastest growing industry in the world. From mom and pop restaurants to local unique shops to local State and national parks to this Capitol, which is a tourist attraction, there is so much to experience in this great country.

The tourism industry also shows America's best face. Travelers experience warm, friendly and compassionate people that make up our country. This person-to-person contact between different cultures can help dissolve stereotypes and misconceptions. As Mark Twain once said, ''Travel is fatal to prejudice, bigotry and narrow-mindedness.''

So remember that while our economy grows, tourism plays a multibillion-dollar aspect of that, employing more than 7.5 million people. I hope you will join me in welcoming the representatives of the tourism industry that are here this week and celebrating National Tourism Week.

The world is a book, and those who do not travel read only one page.

HONORING OUR WORLD WAR II VETERANS

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

Mr. PRICE of Georgia. Mr. Speaker, I am pleased today to welcome to Washington, DC, a special group of World War II veterans from Georgia's Sixth District. These proud patriots are here for one remarkable day as part of the Honor Flight Program.

Thanks to the generosity of the Roswell Rotary Club, these men and women will have the opportunity to visit the stirring World War II memorial built in their honor and to pay their respect to fallen comrades at Arlington National Cemetery.

As young Americans, these proud patriots showed courage and compassion, answering the call to serve at a time of great need. Through amazing sacrifice, they are responsible for the preservation of our treasured American way of life. Our community is extremely proud to be home to so many of the brave veterans who fought for freedom at a critical moment in our history.

Mr. Speaker, on behalf of Georgia's Sixth District, I offer our deepest appreciation. And I know that my colleagues will join me in welcoming our veterans to our Nation's capital and thanking them, these soldiers of the greatest generation, for their invaluable service.

MATERNAL MORTALITY

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

Mrs. CHRISTENSEN. Mr. Speaker, the fact that more than half a million women die in what is the most natural of processes and what should be one of the happiest, pregnancy and birth, is totally unacceptable and should call everyone in this world to action. But for simple and inexpensive medication, adequate trained providers, and because of poverty and poor sanitation, but mostly from the lack of an adequate global response to this tragedy, a mother somewhere dies every 60 seconds.

These same factors, in addition to lack of access and other social determinants of health, also cause maternal mortality rates among black women in

the United States to be three to four times higher than that of white women. Because of this, the United States ranks 41st in the world, with many poorer countries having lower mortality rates.

Reducing maternal mortality is the fifth Millennium Goal and we are so far from reaching it. Last year, Johnson & Johnson and the Government of Norway stepped up in a big way to help.

Just having celebrated Mother's Day, this is a good time for other companies and other countries, especially ours, to make sure we meet this goal and keep our, and all, mothers alive.

NATIONAL POLICE WEEK AND NATIONAL PEACE OFFICERS MEMORIAL DAY

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

Mr. CHABOT. Mr. Speaker, as we take time to recognize the contributions of more than 900,000 Federal, State and local law enforcement officials who serve this Nation and the more than 18,000 who have lost their lives over the years, I want to express my deep appreciation to the law enforcement officials who keep the residents of the First District of Ohio safe and secure.

Each day, police officers put their lives on the line to ensure that our laws are enforced and our communities are safe. Too often their critical work goes overlooked and underappreciated.

I would like to thank those who dedicate themselves each day, as well as honor those who have fallen in the line of duty, for their sacrifices and dedication to our families, our communities, and our Nation.

I urge my colleagues to recognize the efforts of law enforcement officials in their communities and nationwide by supporting National Police Week and National Peace Officers Memorial Day.

CALLING ATTENTION TO MATERNAL HEALTH

(Ms. MCCOLLUM of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today to add my voice in support for keeping women around the world alive by ensuring they have access to basic maternal health care services.

We are blessed to live in a country where women can access prenatal and obstetric care, but that's not the case everywhere. In fact, more than half a million women die every year of pregnancy-related causes, along with nearly 10 million newborns and infants. Most of these deaths are preventable and needless.

All women deserve the right to go through pregnancy and childbirth without fear of losing their life. Basic access to maternal health care is a human right that must no longer be ignored.

I want to thank Congresswoman CAPPS for sponsoring House Resolution 1022, which recognizes the need for quality health care for moms in the U.S. as well as around the world.

Mr. Speaker, I urge my colleagues to honor mothers by investing in the necessary health care to keep them healthy and alive.

COAL

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

Mr. LATTA. Mr. Speaker, our Nation's industrial revolution was powered by coal, and with the current state of our energy market, coal should receive the attention it deserves. It is an important energy source for our country.

Coal is the United States' most abundant and efficient fuel source, and we hold over one-quarter of the world's coal reserves. The energy content of the Nation's coal reserves exceeds that of all the world's known oil reserves. In my home State of Ohio, we have reserves that will last for 250 years.

Coal provides more than half the electricity consumed by Americans. And work is currently being done in my district to develop coal gasification, which is a process that increases the efficiency of coal within a closed system.

The current Democratic leadership in Congress refuses to invest money into the coal gasification process, while China at the same time is investing $24 billion into the same technology.

We must embrace all forms of energy to keep our economy and products competitive with the rest of the world.

IMPROVING MATERNAL HEALTH

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

Mrs. CAPPS. Mr. Speaker, this past weekend we celebrated Mother's Day. I was fortunate enough to celebrate with my children and grandchildren. Sadly, many women never get the chance to celebrate this day with their family.

Throughout the world, a woman dies every single minute in childbirth. I think most of our congressional colleagues would be shocked to learn that this problem isn't faced by women in developing nations alone. The United States ranks 41st in the world, lower than all other industrialized nations, when it comes to maternal mortality. Let us use this opportunity, while Mother's Day is fresh in our minds, to renew our commitment to improving maternal health both at home and abroad.

I thank the 117 of our colleagues in the House of Representatives for cosponsoring House Resolution 1022, a resolution underscoring our challenges and urging us all to support the goal of a safe and healthy childbirth for every mother and baby here in the United States and all around the world.

DOMESTIC FUEL PRODUCTION

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

Mr. PITTS. On April 24, 2006, while campaigning to become Speaker of the House, the Democrat leader said, ''Democrats have a commonsense plan to help bring down skyrocketing gas prices.''

On the day the Democrats took control of Congress in January of 2007, gas in my home State of Pennsylvania was averaging $2.37 a gallon. Today, it's averaging over $3.75 a gallon.

Many people have taken to calling this $1.38 increase the ''Pelosi premium.'' This Congress has yet to do anything substantive to help American families who are paying nearly $4 a gallon at the pump.

The Democrats in Congress have been voting against increasing domestic oil and natural gas production as well as domestic refining capacity for years. This is a matter of supply and demand. We have billions of barrels of oil in Alaska and in the deep waters off the Outer Continental Shelf right here in the United States. Yet, due mostly to the Democratic opposition, we have been unable to access these vast resources. We should take steps now to increase production.

IN HONOR OF ASIAN PACIFIC AMERICAN HERITAGE MONTH

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

Ms. MATSUI. Mr. Speaker, I rise today to commemorate May as Asian Pacific American Heritage Month.

There are over 15 million Asian Americans living in the United States, from the early Chinese, Japanese, Korean and Filipino immigrants to recent Vietnamese, Laotian and Hmong communities. The United States has benefited many ways from the contributions of these diverse cultures.

Through the telling of the Asian Pacific American experience, we illuminate the quality of opportunity that makes our country the wonderful place it is. From community involvement to business entrepreneurship, many Americans of Asian descent came to this country with very little and have been able to achieve the American Dream.

Asian Americans have also played a critical role in protecting our freedoms. During World War II, the Federal Government chose to intern 120,000 Americans of Japanese descent, including my mother and father and their entire families. The country learned the importance of balancing civil liberties

with national security, and today, more than ever, we must be aware of the significance of this fine balance.

I am proud to honor the courageous Americans who fight against injustice and recognize the strength and vibrance of our country.

FARM BILL

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

Mrs. MUSGRAVE. Mr. Speaker, today we're going to be talking about the farm bill. There will be many criticisms of the farm bill, but I proudly stand in support of this farm bill. Rural America is looking to us to make sure that there is a safety net for agriculture in this country.

Reforms were asked for by our Speaker and by people on both sides of the aisle. This farm bill increases funding to food banks when they're suffering—dire need right now—it increases funding by $1.2 billion.

The farm bill increases funding to conservation programs. These programs are very important to people around the Nation. And we know that farmers are the very best stewards of the land. It provides incentives for them when they implement innovative soil and water conservation programs.

The farm bill increases investment in alternative energy research. We know that one of the number one concerns of America right now is that we lessen our dependence on foreign oil. But I believe the most important thing about this farm bill is that it does provide Americans with a safe and reliable food supply.

MESSAGE FROM THE SENATE

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

H.R. 3121. An act to restore the financial solvency of the national flood insurance program and to provide for such program to make available multiperil coverage for damage resulting from windstorms and floods, and for other purposes.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

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

Ms. LEE. Mr. Speaker, as a proud associate member of the Congressional Asian Pacific American Caucus chaired by a great leader, Congressman MIKE HONDA of California, I rise today to join my colleagues in celebrating Asian Pacific American Heritage Month.

Countless Asian Pacific Americans have contributed to our history, culture and economy. We could not be the Nation that we are today without the contributions of the Asian Pacific American community.

My home State of California has the largest and fastest growing Asian American population with 4.6 million people. I represent a wonderful and diverse mix of Asian Pacific Americans who are proud of their cultural heritage and who share a strong link to people in their home countries. We have many festivals that share music, food, dance, culture, art and customs with the entire Bay Area.

On behalf of my constituents, I also want to take this moment to express my great sadness for the recent tragedies that just occurred in Burma and China. My heart and prayers go out to the millions of people who have been affected by these natural disasters.

I especially want to extend my condolences to the families who have lost loved ones. The people of my district and I will do everything we can to help with the relief and recovery efforts during this tragic time.

□ 1030

MAJOR GENERAL CHARLES D. BARRETT

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

Mr. KUHL of New York. Mr. Speaker, I rise today to recognize the life and astounding contributions of Major General Charles D. Barrett, a resident of the 29th Congressional District of New York, who recently died.

Major General Barrett began his military career early in life, enrolling in the ROTC program while a student at Cornell University. He entered active duty in 1956 and served as a shop officer and company commander for 17 months with the Eighth Army in Korea.

During his four-plus decades of service to this country, he accumulated many honors, including the Distinguished Service Medal, the Meritorious Service Medal, and the Army Commendation Medal. These medals exemplify the service, sacrifice, and the courage of this hero and represent Major General Barrett as a man who put his country before himself, a man who answered the call when the Nation needed him most, and a man who represented the best that America had to offer.

Major General Barrett served his country with pride, with honor, and with bravery, and there is nothing more noble than a person who is willing to commit themselves to a cause as important as defending our country.

Today I honor Major General Charles Barrett and all the brave men and women who volunteer to fight for what is good and right about our country.

FUND SCIENCE, NOT WEAPONS OF WAR

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

Mr. COHEN. Mr. Speaker, today or sometime this week, this House will vote on additional funds for the wars in the Middle East, Iraq and Afghanistan. I wish there was an opportunity for me to vote for funds to support our troops in Afghanistan, who are making an effort in defeating the Taliban and seeking out Osama bin Laden, the perpetrators of 9/11. However, the bills are drawn together; so I will vote ''no.''

And I feel at this time we know the war in Iraq is going in the wrong direction, but I also know that there are catastrophic illnesses and diseases on mankind and womenkind in our world, and a great country should use its resources for the best purposes, not weapons of war but use our science and our intelligence to find ways to conquer disease.

I had polio when I was a child, and if we had put more money into helping Jonas Salk, maybe I would not have had polio. It was months after Salk's vaccine was introduced.

I lost a friend to cancer last week, Thomas Boggs. There will be a time when people lose friends to cancer that could have been cured if we had put more money into research earlier. Diabetes, Parkinson's, heart disease. In Memphis we have St. Jude Children's Hospital looking for cures to illnesses and diseases.

A great country should do great things. I encourage us to not fund war but to fund science.

ISRAEL'S 60TH ANNIVERSARY

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

Mrs. BACHMANN. Mr. Speaker, it was 60 years ago today that nothing short of a miracle occurred. A nation arose in a day seemingly in fulfillment of the words of the Prophet Isaiah. That nation is the State of Israel.

In 70 A.D., Rome sacked Jerusalem, and the diaspora of the Jews occurred. History teaches that when a people are five generations removed from their homeland, the nation ceases. Yet after 2,000 years, Israel was reborn and today has reclaimed its language, people, and has once again become a land flowing with milk and honey.

May God bless Israel. Happy 60th birthday to the State of Israel and many, many more.

RECOGNIZING ASIAN PACIFIC AMERICAN HERITAGE MONTH

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

Mr. HONDA. Mr. Speaker, as Chair of the Congressional Asian Pacific American Caucus, I rise today to recognize

Asian Pacific American Heritage Month, the month of May.

As we celebrate the contributions and achievements of our community, I also want to pay special attention to the 250,000 Filipino World War II veterans President Roosevelt called into military service on July 26, 1941.

Of the 22,000 surviving Filipino veterans, I want to highlight Faustino ''Peping'' Baclig. Peping was one of the 75,000 Filipino and U.S. soldiers subjected to the 90-mile Bataan Death March. He survived the Japanese atrocities and fought side by side with the Americans only to have his service as a U.S. national and a veteran denied by the 1946 Rescission Act passed by Congress.

We now have a unique opportunity to undo the injustice of that act and give them recognition of a grateful Nation that their service to our country is just as equal as the soldiers with whom they stood shoulder to shoulder on the field of battle.

I urge my colleagues to join me in supporting the Filipino Veterans Equity Act.

ISRAEL'S 60TH ANNIVERSARY

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

Ms. SUTTON. Mr. Speaker, I rise today to offer my heartfelt congratulations to the State of Israel on the occasion of its 60th anniversary. Since its declaration of independence, Israel has stood as a strong ally and friend of the United States. This friendship stems from the commonalities that led to our respective foundings and our shared hopes for the future of the global community.

In forging a new nation, Israel established a home for people that were targeted for extermination and ostracism in other lands. From an arduous beginning, Israel's rise has come to mirror our own. Hailing from more than 100 countries on five continents, Israel's population exudes a diversity of culture and ideas. Israel has flourished through the development of a diverse and technologically advanced economy and has come to exemplify the best of what a democracy can be.

Our countries have stood by one another in peace and in war. And we will continue to stand together in fighting terrorism and threats from stateless actors and rogue nations.

I congratulate and celebrate with Israel and am proud to be part of the continued friendship between our countries.

THE FARM BILL

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

Mr. FLAKE. Mr. Speaker, I didn't plan to take any time today, but we will be debating the farm bill later today, and the rule that has come to the floor does not allow anyone to claim time in opposition to the bill; so those of us who are opposed to this $300 billion piece of legislation cannot even stand up and oppose the bill unless we get time, if they are generous enough to give it to us, from those who support the bill. Now, if I were wanting to hide what's in this bill, that's what I would do too.

This legislation allows multimillionaires to still collect farm subsidies. Under this legislation you can still make $2.5 million as a couple in farm and nonfarm income and still collect subsidies. I would have a closed rule or a highly structured rule as well if I had this in a bill and wanted to hide it.

This bill needs to be rejected today. I hope we will all vote against the farm bill.

HONORING ASIAN PACIFIC AMERICAN HERITAGE MONTH

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

Mr. FALEOMAVAEGA. Mr. Speaker, in honor of Asian Pacific Heritage Month in which our Nation pays a special tribute to the contributions of some 15 million of our fellow Americans who are of Asian Pacific descent, I want to honor in particular the thousands of our Asian Pacific Americans who serve in the Armed Forces of our Nation. In particular, Mr. Speaker, the sacrifices of some 10,000 nisei or Japanese American soldiers who fought for our Nation in the field of battle during World War II.

It was a time in our Nation's history when there was so much hatred, bigotry, and racism placed against Japanese Americans; yet despite all this, leaving their parents, their brothers and sisters, their wives behind barbed-wired fences in these concentration camps that were established, the White House accepted the request of over 10,000 Japanese Americans who volunteered to join the Army. As a result, two combat units were organized, the 100th Battalion and the 442nd Infantry Combat Group.

Mr. Speaker, the military records of the 100th Battalion and the 442nd Infantry are without equal. A 314 percent casualty rate, receiving over 18,000 individual declarations, most of them posthumously: some 20 Congressional Medals of Honor, 33 Distinguished Service Crosses, 560 Silver Stars, 9,480 Purple Hearts. That's quite a record, Mr. Speaker.

President Truman was so moved by their bravery in the field of battle as well as the contributions and the courage of the African American soldiers who fought during World War II that President Truman issued an executive order to finally desegregate all branches of the armed services.

MATERNAL MORTALITY

(Ms. MOORE of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to enthusiastically support House Resolution 1022, a resolution recognizing maternal health as a basic human right of all women. How appropriate it is to stand here a week after Mother's Day in support of this commonsense initiative.

One in eight women in Afghanistan die due to complications resulting from pregnancy in childbirth. One in eight. And it's the same story in many countries around the world.

But, unfortunately, this is not just a Third World problem. Although the United States is a leader in medical technology and innovation, it has one of the worst rankings for maternal mortality in all the industrialized nations. We come in at a dismal 41st place, which means that a mother and her baby have a greater chance of survival in Kuwait or Croatia than they do in the United States.

In a relatively wealthy country, pregnancy should not be a death sentence. There are inexpensive and effective solutions that can significantly reduce the rates of maternal mortality, and I look forward to working with the Women's Caucus.

CELEBRATING BOTH MOTHER'S DAY AND ASIAN PACIFIC AMERICAN HERITAGE MONTH

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

Mr. PERLMUTTER. Mr. Speaker, I feel very fortunate today to be able to celebrate both Mother's Day as well as the Asian Pacific American Heritage Month.

My mother-in-law was born on Molokai, has Filipino Hawaiian and Chinese ancestry and has 14 brothers and sisters spread from Hawaii to the Philippines. And she helped instill in my daughters the heritage and the values of family, hard work, and indomitable spirit. And I feel blessed to have those particular values from the Asian American community instilled in my children.

This is a great country. To have that kind of heritage and that kind of ancestry in my family now is what makes this country so great. So I get to celebrate Mother's Day and I get to celebrate Asian Pacific American Heritage Month.

IN SUPPORT OF ASIAN PACIFIC AMERICAN HERITAGE MONTH

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

Mr. WU. Mr. Speaker, I rise in support of Asian Pacific American Heritage Month, and some of the things I

want to talk about are personal and some are of a public policy nature.

I never cease to admire the courage of my parents in bringing our family to this country, to a new country, a new language, a new culture. And interestingly enough, I have never been really able to say that to them in person across the kitchen table, and it's easier for me to say it right here on the House floor.

There are other lessons that are important, and one of them has been referred to earlier, the internment of the Japanese Americans during World War II. It is not an old, cold, dead issue. We passed the Military Commissions Act just before the 2006 elections. It substantially restricted habeas corpus for all Americans. And just as we apologize to Japanese Americans for the internment during World War II, someday we'll be apologizing for actions taken under the Military Commissions Act.

So some of the lessons learned from the Asian Pacific American experience are positive ones, and others are cautionary ones that we should continue to remember.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2419, FOOD, CONSERVATION, AND ENERGY ACT OF 2008

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1189 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1189

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report without intervening motion except (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture and (2) one motion to recommit.

□ 1045

UNFUNDED MANDATE POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 1189 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the conference report which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated. Such a point of order shall be disposed of by the question of consideration.

The gentleman from Arizona and a Member opposed, the gentleman from California (Mr. CARDOZA), each will control 10 minutes of debate on the question of consideration.

After that debate, the Chair will put the question of consideration, to wit: ''Will the House now consider the resolution?''

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, I raise this point of order realizing that it is a bit of a stretch. The reason that we have this point of order in law is to guard against unfunded mandates being levied on the States. In this case, there are a lot of unfunded mandates being heaped upon taxpayers. I realize, as I said, this is a stretch. But I have to do this today because the rule that is before us does not allow anybody opposed to the bill to claim time in opposition to the bill.

Now how is it that a bill of this import, a bill that will spend over the next 10 years about $300 billion, is not important enough to allow those who are opposed to the bill to claim time in opposition to it? Instead, the structured rule before us today allows time to be split between the majority and the minority. Now those who will be controlling that time are people who are in support of the bill. How is it that we can discuss a bill this large, this important, that spends this much money, and that heaps this kind of burden on the taxpayer, yet again, without having a real discussion?

When we have a bill before the House, we have time called ''general debate.'' In this case, general debate is between those in the majority who support the bill and those in the minority who support the bill. Now how is that debate? Why is it that the Rules Committee can't see fit to actually allow people who are opposed to the bill to claim time in opposition to it?

With that, I would love to hear an explanation from the Rules Committee why we have a structured rule that does this.

I reserve the balance of my time.

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

This point of order is about whether or not to consider the rule and ultimately the underlying conference report. In my opinion, it is simply an effort to try to kill this bill without any debate, without an up-or-down vote on the conference report itself. It is nothing more than procedural roadblocks, something the other side has been using a fair amount recently. I don't believe it will work.

The gentleman has talked about the fact that he is not able to speak in opposition. The gentleman had an hour's worth of debate the other day on a motion to recommit. It is also my understanding that the chairman is working with the opposition to allow them time to discuss the bill within the rules that were set up.

This conference report is far too important, Mr. Speaker, to be blocked by a parliamentary tactic. We have worked on this bill for nearly 2 years and have accomplished what many of us thought was an impossible feat by bringing it to the floor.

Make no mistake about it. The Republican obstruction will ensure that a farm bill will not pass during this Congress. So despite whatever roadblocks the other side tries to use to stop this bill, we will stand up for America's hardworking farmers, for the hungry and for the millions of other Americans who will benefit from this farm bill.

We must consider this rule, and we must pass this important conference report without further delay.

Mr. Speaker, it is my understanding I have the right to close. But in the end, I will urge my colleagues to vote ''yes'' to consider this rule.

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

Mr. FLAKE. Again, I realize this bill has been in discussion for a couple of years. And I will come to that a little later as we talk about why earmarks had to be airdropped into the bill at the last minute. If we have been discussing this bill for 2 years, then couldn't we actually discuss these earmarks that were to be added to the bill instead of airdropping them into the conference report when nobody in the House or nobody in the Senate had even seen them? So it is hardly a defense to say that we have been discussing this for 2 years, nor is it a reason to deny those who are opposed to the bill an opportunity to actually claim time in opposition.

Let me read from the House rules. If the floor manager for the majority and the floor manager for the minority both support the conference report or a motion, one-third of the time for debate thereon shall be allotted to a Member, Delegate or Resident Commissioner who opposes the conference report or motion on demand of that Member, Delegate or Resident Commissioner.

We waived that. And we are not doing it. And let me tell you why I think that is the case. Now if I were supporting this bill, and I had been touting this bill as some big reform to our farm programs, I would flat be plumb embarrassed to bring this bill to the floor in its current form. I would be embarrassed.

What has got most of the attention, the problem that we all note, that everybody across the country realizes, is how in the world can we have a situation where multimillionaire farmers are collecting subsidies courtesy of the taxpayer?

And the real effort in here, what the President wanted, what others wanted, and what many of us here in the House argued for, was to put a cap on how much income you can have and still receive subsidies. The President suggested $200,000 adjusted gross income.

Remember, adjusted gross income is your income minus expenses. All of us here collect a salary of about $169,000. By the time we deduct things for mortgage interest, medical expenses and charitable contribution, it brings that down by at least one-third, maybe even one-half. Under this legislation, a farm couple can have farm income and nonfarm income totaling $2.5 million and still receive direct payments under this legislation.

Now, if I were bringing a bill to the floor and had touted this bill as reforming, man, I would want to hide that as well. I would not want somebody to be able to stand up and say, how is it that a multimillionaire farm couple can still collect subsidies from the taxpayers? So I commend the Rules Committee and those who are in support of the bill for actually putting a rule together that minimizes opposition that can be raised and that the only way people can stand up and oppose and be guaranteed time in opposition is to use a maneuver like raising a point of order against the bill.

I should mention there are other problems with this and other reasons why this rule should not go forward. We are waiving PAYGO rules. Now one thing the majority said when they came into power is we will not waive PAYGO. We are going to live by PAYGO. When we give money out, we have to make sure that that many money is in the Treasury or we won't do it.

This waives PAYGO because there is simply no way you can be in compliance with PAYGO and pass a $300 billion farm bill. And in this case, the writers of the legislation did something very creative. They actually went baseline shopping. What PAYGO says is that you have to take the current baseline, the most current baseline of spending, and total up your spending in the bill based on that current baseline.

Instead, what the authors of this legislation did was said, oh, let's go to last year's baseline because we spent less money then and it means we can spend more money in this legislation. Baseline shopping. It is as if I were to say, I don't want to pay so much in taxes this year. So I am going to use last year's wages that I was paid, and I am going to report that instead. Now if I did that, I would be thrown in jail. But we are allowed to do this here. We are allowed to say, we will take whatever baseline we want as long as it allows us to spend more money in the legislation. And then when the bill comes to the floor, we will just waive the rule that required us to be honest in terms of bringing legislation that complies with PAYGO.

I would love an explanation from the Rules Committee as to why PAYGO was waived in this regard.

And I would reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, I am happy to respond to my friend from Arizona with regard to the PAYGO issue, even though that is going to be addressed in the rule and not in this motion that he has brought forward now.

I didn't raise a point of order in your motion so you can have plenty of time to speak.

Let me tell you also that the chairman and the ranking member have, in my understanding, provided 10 minutes to both the Republic and Democratic opposition to this bill out of their time today. So we will be complying with the rules of the House. It is my understanding there will be 20 minutes in opposition.

With regard to PAYGO, the Senate and the House have adopted different rules. In the 1990s when the House and Senate had statutory PAYGO, both Chambers had the same rules with regard to PAYGO. The House rules talk about one issue with PAYGO. The Senate rules with another.

In this rule, we have tried to reconcile, we started this bill and actually passed it in a conference report, or we passed it out in chief from the Agriculture Committee to this floor and to a conference committee in 2007. That work was not completed in 2007, and thus we have this bill on the floor today.

There are many reasons why this bill didn't get finished in 2007. But because we have different rules in the House and Senate, we have decided that in order to make this bill work and achieve a conference report that we can bring to this floor that we will be discussing this further as we discussed the rule. But we have dealt with that in the rule.

I reserve the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Arizona has 3 minutes. The gentleman from California has 6½ minutes.

Mr. FLAKE. I will gladly yield to my colleague from California on the Rules Committee for a question.

Did we waive the PAYGO rules in this rule?

Mr. CARDOZA. We have accommodated the Senate PAYGO rules as we have moved forward. And it is my opinion that this is a technical situation because we started this bill and passed this bill off the floor in 2007.

Mr. FLAKE. Reading from the House rules after the beginning of a new calendar year——

Mr. CARDOZA. Mr. Speaker, I raise a point of order.

I believe we are supposed to be talking about the unfunded mandates in this bill. If the gentleman would like to talk about the PAYGO rules, we should talk about this when we bring up the rule which that is germane to.

The SPEAKER pro tempore. The gentleman should confine his remarks to the question of order.

Mr. FLAKE. I can well understand why the other side does not want to talk about PAYGO and why I should confine this debate to unfunded mandates because PAYGO was, in fact, waived here. PAYGO was waived. And were it not waived, it would be subject to a point of order, the same point of order that the gentleman is lodging against this debate right now. So I can understand that. And I guess we will have to go with the flow.

There is another point of order that will be raised shortly with regard to the waiver of the earmark rules that we have in place as well.

So let me get back. This is an unfunded mandate on the taxpayers, of course. According to the Environmental Working Group, the Federal Government handed out $13.4 billion in farm subsidies to 1.4 million recipients, $11.2 billion of which related to various commodity support programs, programs that the underlying bill simply does not change.

The taxpayers have a huge unfunded mandate here that we are going to be paying off for a very, very long time.

With that I will gladly yield the balance of my time to the gentleman from Wisconsin (Mr. KIND).

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 1½ minutes.

Mr. KIND. Thank you, Mr. Speaker.

I thank my friend and colleague for yielding me a little bit of time to speak on his motion.

There is one, I think, serious concern that many of us who have been advocating reform under the commodity title, the so-called commodity subsidy programs, and that is what was done with the two subsidy programs now where funding currently isn't going out. And the reason it is not going out under the loan deficiency program and the counter cyclical program is because market prices are high.

□ 1100

That's a good thing, because farm income is good, debt to asset ratio has never been better in farm country.

But what this bill proposes to do, instead of holding those programs constant, they are actually increasing the loan rate under the loan deficiency program and the target price under the countercyclical program, which means that if things do turn south in farm country, if prices do drop—and we know how cyclical agriculture can be, and these are safety net programs—those programs will trigger much sooner and at a much greater expense than what I fear is being accounted for right now in this bill.

That, I think, speaks to the unfunded mandate concern that the gentleman from Arizona and myself, and others included, have in regards to the so-called reforms that we are just not seeing under the commodity title, not when they go in the opposite direction with the LDP and the countercyclical programs by dialing up the loan rate and the target prices of those two programs and triggering them at a much earlier time and at a much greater expense for the taxpayers of this country.

There is a whole lot of other reform that we felt were justifiable and reasonable under the commodity title.

Quite frankly, we don't get there. In fact, if you look at the payment limitation caps that exist under the direct payments, it would only affect two-tenths of 1 percent of farmers in this country, hardly the type of reform we would like to see.

Mr. CARDOZA. Mr. Speaker, I would like to say that we will deal in the debate on the bill chiefly with regard to what the level of reforms is.

I would just like to tell my colleagues and my friends from both Arizona and Wisconsin that there are, in fact, significant reforms. In fact, if you take the ratio when this bill was first brought up in 2002, you have a situation where the nutrition part of this bill, versus commodities, was by a ratio of 2–1, $2 for nutrition for every dollar of commodity payments.

In this particular act that we are going to be bringing to the floor later today, it is my understanding, and my work with regard to the reforms, that there have been so many reforms put into this bill that the nutrition title versus the commodity payments is actually a 5–1 ratio at this point. I would say that indicates, as just one of many indicators, that you will see as we conduct this debate the significant reform that has happened in this bill.

I believe this is good work. I am very proud to be a part of bringing this bill to the floor. I believe it complies with the House Rules, and, I, again, want to urge my colleagues to vote ''yes'' on this motion to consider, so that we can pass this important piece of legislation today.

Mr. Speaker, I yield back the balance of my time and ask for an ''aye'' vote.

The SPEAKER pro tempore. The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 1189 under clause 9 of rule XXI, because the resolution contains a waiver of all points of order against the conference report and its consideration.

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates clause 9(b) of rule XXI.

Under clause 9(b) of rule XXI, the gentleman from Arizona and the gentleman from California each will control 10 minutes of debate on the question of consideration.

Following the debate, the Chair will put the question of consideration as follows: ''Will the House now consider the resolution?''

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, this second point of order, and I will be calling for a vote on this one, is raised because of earmarks that have been airdropped into the legislation.

As the gentleman mentioned, this is not a new bill. This is not something that just popped up last week and that there was a need to add $1 million for the National Sheep and Goat Industry Improvement Center, but that was something that had to come up at midnight and be dropped in when nobody had seen it in either the House or the Senate.

This bill has been under consideration for a long, long time, and yet, still, we have earmarks that have been airdropped into the legislation, a number of them. Now, the gentleman may say in defense, we have listed the earmarks that have been airdropped in.

It is true that some have been listed. If all of them were listed, why would we waive all points of order against the bill? If the majority was confident enough that all earmarks have been listed, then we wouldn't have waived the points of order against it. I will speak specifically about a few of these earmarks.

But let me just mention some of them that are in the bill. There is authorization language for a National Products Research Laboratory. Again, this was airdropped in at the last minute when it hadn't been in the House version of the bill, hadn't been in the Senate, it was airdropped into the conference report. There is authorization language for a Policy Research Center, authorization language for Housing Assistance Council.

Now, what that has to do with the farm bill, I am not sure, and the problem is, we will never know until the bill was passed because it was airdropped in at the last minute.

That's the problem that the majority party correctly identified when they took control of this body, that we have a problem with earmarks, and they are being dropped in at the last minute without notice.

That's why decent rules were actually put in place to try to curb this abuse. The problem is, in this rule, we are waiving those rules. We are waiving those rules so the old practice can continue on just like it always has.

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

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

As my colleague knows, this point of order is about whether or not to consider this rule and the underlying conference report for the farm bill. This point of order today is just another effort, in my opinion, by the other side of the aisle to block this critical legislation that we have worked on for nearly 2 years.

They don't want to debate, and they don't want to vote on this conference report. They simply want to obstruct through a parliamentary tactic.

I want to make it very clear that the farm bill fully complies with the earmark disclosure rules contained in clause 9 of rule XXI. I would suggest to those raising the point of order that they look in the statement of managers, and they will see a list of the earmarks. If they can't find that list, we will be happy to provide it for them.

Mr. Speaker, I urge my colleagues to vote ''yes'' and to consider this important rule.

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

Mr. FLAKE. Mr. Speaker, I find it ironic that we are being accused on this side of trying to stifle debate on the bill, that we don't want debate on the bill when I am here to argue against a rule that waives these points of order and a rule that also does not allow opposition to claim time.

Now, the majority will say, well, we will yield you time now. Now that we have been caught on this, we will yield you some time. That's not the same as controlling time.

When I control time, I can yield time to my colleagues. If I am yielded time, I can't do that. I don't control time in opposition.

Our House Rules say that if both the majority and the minority are in favor of the bill for the leadership, that somebody opposed to the bill has a right to claim time in opposition.

That was not done here. With a bill this important, you wonder why that has happened.

Back to the earmarks, the gentleman mentioned that there is a list of earmarks that was listed, it's right here, a number of them. Now why in the world we had to have more than a dozen earmarks airdropped into a bill that has been under consideration for the past 2 years, I simply don't know.

But when you read some of them, you kind of wonder why, like I said, Housing Assistance Council, Sun Grant Insular Pacific Sub-Center, Desert Terminal Lakes, Nevada. This is all we know about them.

If you dig into them, you might find something untoward, you might not, but the fact is we don't have time to do that. That's why we have earmark rules that give us time to actually vet them. Those rules are being waived here, and we should not be doing that.

Let me mention also, the gentleman said they are all listed. They aren't. There is quite a controversial earmark in this legislation that does not show up on the list. It's a $250 million tax refund to the Plum Tree Timber Company. Now, this is an earmark that allows the Nature Conservancy to purchase that from the Plum Tree Timber Company.

Now, the Plum Tree Timber Company, as I understand, is not mentioned in the legislation, it is simply described. It would be like saying I am going to give a subsidy to the gentleman who stands 6-feet tall, weighs 175 pounds, has blue eyes and his middle name is John, but we won't say the rest of it.

That's exactly what we are doing here. In an effort to get around the scrutiny that might come if somebody actually said now why is a subsidy actually going to the Plum Tree Timber Company.

It is no wonder that the rules have been waived here. If I had something like this in this bill, I would waive the rules too, because I wouldn't want anybody to talk about it. I would also not want anybody who is opposed to the bill to claim time in opposition to it.

If I were sponsoring this legislation that I said reformed the farm subsidy program to make sure that multimillionaire farmers don't continue to get subsidies on behalf of the taxpayer, I would hide it as well. I would do exactly what the Rules Committee has done here and the supporters of the legislation have done.

Because under this legislation, a farm couple earning as much as $2.5 million in adjusted gross income, that's your income after expenses are taken out, can still receive direct payments under this legislation.

Also, the other subsidy programs, rather than reform or to get rid of the loopholes that were allowing people to get extra subsidies, we simply waive the limits there. This is called reform?

I mean, is it any wonder that the rules have been waived and debate has been stifled here on this critical legislation?

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

Mr. CARDOZA. Mr. Speaker, I yield such time as he may consume to the chairman of the committee, who I believe has done a fabulous job in bringing this bill to the floor, COLLIN PETERSON of Minnesota.

Mr. PETERSON of Minnesota. I thank the gentleman.

Mr. Speaker, I haven't seen the entire list that's being talked about here, but a couple of the things that have been mentioned are not earmarks, and I don't know why the gentleman continues to characterize them as such.

First of all, this is not an earmark, it does not define Plum Creek. What it says is that these bonds can be used for any habitat conservation plans that protect native fish or any forest land covered by these habitat conservation plans.

We know of at least seven habitat conservation plans that would qualify under this provision. So, therefore, it's not an earmark. The Cedar River Watershed Habitat Conservation Plan in King County, Washington, the Plum Creek Timber plan, which is also in Washington, the Washington Department of Natural Resources Forest Practices Habitat Conservation Plan in Washington, the West Fork Timber plan in Washington, the Plum Creek Native Fish Habitat Conservation Plan in Montana and Idaho, Green Diamond and Pacific Lumber, both in California.

So this is not an earmark, because any of these would qualify. There are probably more that we don't know about. Now, this was in the Senate bill, so I don't know what you are talking about airdropped.

A couple of the others that I heard you mention were also in the Senate bill, and there is another one that you characterize as an earmark, which is not an earmark, and that's the salmon recovery disaster plan which was a plan that was actually first passed in the 2006 Congress by the Republican majority, was implemented in 2006. Fifty million dollars at that time was put out to the people that were in the commercial fishing industry, primarily off the coast of California.

At that time there was a partial shutdown of the salmon season. Now, this year, we have a complete shutdown of the salmon season all along the coast from California to Oregon to Washington State. So it's much broader, and it not only shut down the commercial fishing, it shut down the recreational fishing in those areas.

What we are doing is replenishing this disaster fund with money that is exactly similar to what was done, what was in the statute and it was actually disbursed in 2006, because the disaster is much bigger this year than it was in 2006 because we had a partial shutdown. Now we have an entire shutdown of three States.

So this is clearly not an earmark, this is in the disaster title of the farm bill that goes along with the other disaster provisions that are in the farm bill. You know, I don't know, I guess because apparently some people think that being against earmarks is popular and, whatever, they try to make this into an issue.

But a number of the provisions that were raised by the gentleman are clearly not earmarks. The House bill that passed out of here had no earmarks.

We had to deal with the other body, and we took some provisions from the other body, because that's how a conference works. You know, there is a lot worse stuff that was in that bill that we took out. I just want to clear the record that a number of things being talked about here are not earmarks, and I would encourage my colleagues not to support this point of order.

□ 1115

Mr. FLAKE. The gentleman mentioned the National Marine Fishery Service earmark. It was added at the last minute. It may have been in a 2006 bill, but it wasn't in this bill until it was air dropped into the conference report. Now $170 million, that may well be a disaster there, but why in the world, if it is a disaster, why isn't it covered?

Mr. PETERSON of Minnesota. Would the gentleman yield?

Mr. FLAKE. I would.

Mr. PETERSON of Minnesota. The House bill didn't have a paid-for disaster provision in it, the Senate bill did. And so when we molded these together, we put these disaster provisions in, and we paid for them, the first time that we actually paid for a disaster with pay-as-you-go money, and we included the California disaster in the process and paid for it.

This is not a new program. As I said, it is not an earmark, and it was brought in because we were dealing with a disaster. This is clearly a disaster. Any place that you have a complete shutdown of a commercial fishery, they are going to be in asking for help from the Federal Government. That is appropriate. This was brought in, the permanent disaster program from the Senate, and funded when we molded them together.

Mr. FLAKE. Reclaiming my time, I thank the gentleman for the clarification. I still would point out we have a $3.8 billion permanent disaster title added to the bill; and still, in addition to that, we are funding these kinds of programs directly and specifically.

The gentleman can argue that it is not an earmark. I think that a casual or a tortured reading of this would both say this is an earmark when you are naming a specific entity to receive a specific amount of money and when it wasn't in the House bill, that is an earmark. So there is a good reason for this point of order.

The gentleman said, and let me go back to the PAYGO issue. The gentleman mentioned that this rule he thinks is in compliance with PAYGO. Let me read what this conference report says and see if anybody can decipher this.

Mr. CARDOZA. Mr. Speaker, the gentleman raised a point of order with regard to earmarks, not with regard to the issue of PAYGO. That will be discussed in the rule itself. It will be germane to that later discussion.

The SPEAKER pro tempore. If the gentleman may confine his remarks to the question of order.

Mr. FLAKE. If I might respond, the gentleman, after he raised his last point of order went on to talk about the reforms in the bill which clearly didn't have anything to do with the unfunded mandates language that I had raised or that I had talked about or that he had raised a point of order for. Clearly, I understand that they don't want to talk about this. I understand that. That's why the rules are waived. But to stand now and to raise a point of order against my point of order because I am not addressing specifically the question that they want to address or that they would rather dispose of is, I think, a little spurious.

I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from California has 5 minutes and the gentleman from Arizona has 1 minute.

Mr. CARDOZA. Mr. Speaker, when the gentleman says we talked about other issues in the last point of order, I was trying to be gracious with regard to the time and the discussion and allow the gentleman to speak. I raised an issue on the point of order on PAYGO because we are going to discuss that in the rules discussion, in the discussion of the rule.

I would just remind the gentleman that in the time he has taken on these

two points of order, he will probably have discussed this bill more than any other Member on the floor, even after we agreed to give him 20 minutes of debate on this topic. So I think that the gentleman thus protests too greatly, and I reserve the balance of my time.

Mr. FLAKE. I thank the other side. You notice the words used, that we have graciously agreed to give them. Under the rules, the House rules, those who are opposed to the bill are required to be given the chance to claim time in opposition, not to be at the whims and graciousness of those who support the legislation. That's why we have rules, and that's why in this case the rules have been waived.

I understand completely if I had waived the PAYGO rules, when so many on that side of the aisle, bless their hearts, have been diligent sometimes on raising the issue of PAYGO and saying we shouldn't violate it, if I had violated PAYGO and waived it like this, I would want to waive every rule as well and stifle all the debate I could because it is embarrassing, frankly.

I don't have time to yield.

I would just say in my remaining 15 seconds, we have a bill that deserves a lot more debate than it is getting. This is important legislation. We are waiving PAYGO rules, and let me just say what this rule says: Therefore, while there is a technical violation of clause 10 of rule XXI, the conference report complies with the rule. It says there is a technical violation, but we have complied. It simply doesn't make sense.

I yield back the balance of my time.

Mr. CARDOZA. Mr. Speaker, I want to emphasize that this conference report fully complies with the earmark rule. In my opinion, it fully complies with the spirit of PAYGO.

Mr. Speaker, I would now like to yield to the chairman who would like to respond on that question as well.

Mr. PETERSON of Minnesota. I thank the gentleman, and I wasn't going to prolong this, but just like I had to take issue with saying earmarks were there that aren't there, I take very much issue with your saying we are waiving PAYGO. We are not waiving PAYGO. We are not waiving PAYGO in this bill. We are meeting PAYGO requirements based on the 2007 baseline which is what we started the bill under. This is what the rules are in the Senate.

Let me explain my point first, and then I will be happy to yield.

So the Senate has a rule that says under whatever baseline you start off with, that you continue under that baseline with the bill until a new budget resolution is passed by both the House and the Senate. For whatever reason, the House has a different rule when we adopted that, and it says once you file the Budget Committee report in the House, not when it is passed, if a new baseline comes along, you are supposed to use that. But clearly, we cannot write a bill of this magnitude and this scope having two different baselines. We can't have one baseline in the Senate and another baseline in the House. That is number one.

Number two, the common practice around this place has always been to follow this rule, that we always use the baseline that we started off with. That is what we have done for years. So all we are doing is complying with what the Senate rule is because we have to do that and it makes sense. We are not trying to waive anything. We are not trying to get around anything. This bill, it meets PAYGO requirements and it meets it under the 2007 baseline which is what we started the bill under. And we are not waiving PAYGO.

Mr. HASTINGS of Washington. Would the gentleman yield?

Mr. PETERSON of Minnesota. I would be happy to yield.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding, and I would just like to make this point. This rule provides for waivers of other rules. Last night when we were up in the Rules Committee——

Mr. CARDOZA. Mr. Speaker, I control the time under the remainder of my motion, and I believe the gentleman is discussing the rule.

I don't yield, and if the gentleman from Washington would just suspend for a moment, I just would like to say that I do not yield because we are talking about a whole different topic here. I would like to make sure that we consider the point of order that has been raised directly by the gentleman from Arizona and not make this a wide-ranging debate with regard to the rule.

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that each side receive an additional 2 minutes so we may discuss this issue.

Mr. CARDOZA. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. CARDOZA. Mr. Speaker, I urge my colleagues to vote ''yes'' on consideration on this point of order, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is, Will the House now consider the resolution?

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

Mr. FLAKE. 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 228, nays 189, not voting 16, as follows:

[Roll No. 309]

YEAS—228

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

NAYS—189

Aderholt	Carter	Frelinghuysen
Akin	Castle	Gallegly
Alexander	Chabot	Garrett (NJ)
Bachmann	Coble	Gilchrest
Bachus	Cole (OK)	Gingrey
Barrett (SC)	Conaway	Gohmert
Bartlett (MD)	Culberson	Goode
Barton (TX)	Davis (KY)	Goodlatte
Biggert	Davis, David	Granger
Bilbray	Davis, Tom	Graves
Bilirakis	Deal (GA)	Hall (TX)
Bishop (UT)	Dent	Hastings (WA)
Blackburn	Diaz-Balart, L.	Hayes
Blunt	Diaz-Balart, M.	Heller
Boehner	Doggett	Hensarling
Boozman	Doolittle	Herger
Boustany	Drake	Hobson
Brady (TX)	Dreier	Hoekstra
Broun (GA)	Duncan	Hulshof
Brown (SC)	Ehlers	Hunter
Brown-Waite, Ginny	Emerson	Inglis (SC)
Buchanan	English (PA)	Issa
Burgess	Everett	Johnson, Sam
Burton (IN)	Fallin	Jones (NC)
Buyer	Feeney	Jordan
Calvert	Ferguson	Keller
Camp (MI)	Flake	King (IA)
Campbell (CA)	Forbes	King (NY)
Cannon	Fortenberry	Kingston
Cantor	Fossella	Kirk
Capito	Foxx	Kline (MN)
	Franks (AZ)	Knollenberg

Kuhl (NY)	Pearce	Shadegg
Lamborn	Pence	Shays
Latham	Peterson (PA)	Shimkus
LaTourette	Petri	Shuster
Latta	Pickering	Simpson
Lewis (CA)	Pitts	Smith (NE)
Linder	Platts	Smith (NJ)
LoBiondo	Poe	Smith (TX)
Lucas	Porter	Smith (WA)
Lungren, Daniel E.	Price (GA)	Souder
	Pryce (OH)	Stearns
Manzullo	Putnam	Tancredo
Marchant	Radanovich	Terry
McCarthy (CA)	Ramstad	Thornberry
McCaul (TX)	Regula	Tiahrt
McCotter	Rehberg	Tiberi
McCrery	Reichert	Tierney
McHenry	Renzi	Turner
McHugh	Reynolds	Upton
McKeon	Rogers (AL)	Walberg
McMorris Rodgers	Rogers (KY)	Walden (OR)
	Rogers (MI)	Walsh (NY)
Mica	Rohrabacher	Wamp
Miller (FL)	Ros-Lehtinen	Weldon (FL)
Miller (MI)	Roskam	Westmoreland
Miller, Gary	Royce	Whitfield (KY)
Moran (KS)	Ryan (WI)	Wilson (NM)
Murphy, Tim	Saxton	Wilson (SC)
Musgrave	Scalise	Wittman (VA)
Neugebauer	Schmidt	Wolf
Nunes	Sensenbrenner	Young (AK)
Paul	Sessions	Young (FL)

NOT VOTING—16

Bonner	Cummings	Rush
Bono Mack	Gerlach	Sali
Carney	Hinojosa	Sullivan
Cramer	Lewis (KY)	Weller
Crenshaw	Mack	
Cubin	Myrick	

□ 1151

Messrs. HELLER of Nevada, CULBERSON, ADERHOLT, McHENRY, DOGGETT and Ms. GINNY BROWN-WAITE of Florida changed their vote from ''yea'' to ''nay.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. RYAN of Wisconsin. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. RYAN) is recognized.

Mr. RYAN of Wisconsin. Clause 10 of rule XXI, the so-called pay-as-you-go point of order says that it is not in order to consider a bill if it increases the deficit if applied today over a period of fiscal years 2008 through 2013 and the period of fiscal years 2008 through 2018. The effect on the deficit is determined by the Budget Committee relative to the most recent baseline supplied by the Congressional Budget Office ''used in considering a concurrent resolution on the budget.''

Mr. Speaker, according to the Congressional Budget Office relative to its March 2008 baseline, the Farm Bill will increase the deficit by $2.9 billion over the period of fiscal years 2008 through 2018. But if using last year's outdated 2007 baseline, CBO states that it would decrease the deficit by about $100 million over that same period, 2008 through 2017.

Mr. Speaker, under clause 10 of rule XXI, which baseline provided by CBO is the most recent and should therefore be used by the Budget Committee in order to determine pay-as-you-go compliance, the March 2007 baseline or the March 2008 baseline?

The SPEAKER pro tempore. Whichever one is required under clause 10 should be the one used by the Committee on the Budget.

Mr. RYAN of Wisconsin. Mr. Speaker, further parliamentary inquiry.

Does the rule not state that it is the most recent CBO baseline?

The SPEAKER pro tempore. Whichever one is required under the alternate branches of clause 10 shall be the one used by the Committee on the Budget.

Mr. RYAN of Wisconsin. Mr. Speaker, further parliamentary inquiry.

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

Mr. RYAN of Wisconsin. Mr. Speaker, according to clause 10(a) of rule XXI, in advising the Chair, the Budget Committee must use ''the most recent baseline estimates supplied by the Congressional Budget Office . . . used in considering a concurrent resolution on the budget.''

Mr. Speaker, has Congress considered the concurrent resolution on the budget this year?

The SPEAKER pro tempore. The answer is ''yes.'' The House has considered a concurrent resolution on the budget.

Mr. RYAN of Wisconsin. Further parliamentary inquiry, Mr. Speaker.

Isn't it true that the concurrent budget resolution on the budget for fiscal year 2009 considered by the Budget Committee and considered and passed by the House uses the most recent baseline which is the March 2008 baseline?

The SPEAKER pro tempore. The Chair is not aware of which baseline is current.

Mr. RYAN of Wisconsin. Further parliamentary inquiry.

The rule providing for the consideration of the conference report to accompany the Food Conservation and Energy Act of 2008 includes a waiver of all points of order against consideration.

Does that waiver include a waiver of clause 10 of rule XXI, the pay-as-you-go point of order, and in addition, to all points of order under the Congressional Budget Act? And does this mean that a Member of Congress may not raise a point of order against consideration of the bill even if it is in violation of the PAYGO rule, Budget Act points of order, or the concurrent resolution on the budget?

The SPEAKER pro tempore. That calls for an advisory opinion. The pending resolution proposes to waive any point of order, so this is a matter for debate.

Mr. RYAN of Wisconsin. Mr. Speaker, further parliamentary inquiry.

Does this waiver of these points of order mean that the PAYGO rule and the Budget Act points of order are also waived and therefore, a Member may not raise a point of order against consideration of the bill on those grounds?

The SPEAKER pro tempore. If the pending resolution were adopted, then any point of order would be waived.

Mr. RYAN of Wisconsin. Mr. Speaker, further parliamentary inquiry.

The Rules Committee report accompanying the rule provided for consideration of the conference report contains an explanation of waivers and states: ''While there is a technical violation of clause 10 of rule XXI, the PAYGO rule, the conference report complies with the rule.''

Mr. Speaker, my inquiry is this: Is it possible to be in violation of the PAYGO rule yet comply with the rule at the same time?

The SPEAKER pro tempore. The gentleman may engage his colleagues in debate on the pending resolution on that point.

Mr. RYAN of Wisconsin. We plan on doing that, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 1189.

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

There was no objection.

□ 1200

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

Mr. Speaker, House Resolution 1189 provides for consideration of H.R. 2419, the Food, Conservation, and Energy Act of 2008, the continuation of the Farm, Nutrition and Bioenergy Act of 2007 which we passed off this floor in September of 2007.

Mr. Speaker, the conference report rule waives all points of order against the conference report and against its consideration and provides that the conference report shall be considered as read.

The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, and it also provides one motion to recommit.

It should also be noted that despite the blanket waiver, the conference report does not violate clause 9 of rule XXI.

Furthermore, I want to point out that the conference report uses the CBO 2007 baseline, the year in which the bill passed both the House and the Senate, and under that baseline, CBO has determined that this conference report will not increase the deficit in either of the years 2008 through 2012 or in the years 2008 through 2017 scoring window.

Therefore, while there is a technical violation of clause 10 of rule XXI, this

conference report complies with the rule by remaining budget neutral with no net increase in direct spending. In other words, Mr. Speaker, this bill does not increase the deficit and it is PAYGO compliant.

Mr. Speaker, as chairman of a subcommittee on the House Agriculture Committee, and as a member of the Rules Committee, I'm pleased to offer the Farm, Conservation, and Energy Act conference report for consideration today. This bipartisan conference report represents the blood, sweat and tears of many Members of the House and Senate Agriculture Committees, including myself. I would be remiss if I did not single out a few individuals at this time.

First, I must recognize Chairman COLLIN PETERSON, without whom this farm bill would have never been completed. His unwavering dedication to seeing this bill through to completion should be an example to us all, and I am indeed grateful for his commitment, especially in the face of tremendous adversity.

I also want to thank Ranking Member GOODLATTE, Leader HOYER, and certainly, not least, our Speaker of the House, Ms. PELOSI, for their steadfast commitment to creating a farm bill that we can all be proud of and to stand behind, and because of her leadership, there is, in fact, significant reform in this bill.

It is hard to believe, but we actually started this process nearly 2 years ago, starting with traveling to nearly every corner of this country to hear directly from farmers and ranchers from all walks of life about what they needed in a modern farm bill. We took these wide-ranging comments to heart and crafted a fiscally responsible, equitable and unparalleled farm bill.

I wish I could say that it was all a walk in the park. The House and the Senate passed their respective bills in 2007, and since January of this year, Members of the House and the Senate have been hammering out a compromise. There have been many battles, but in the end, this conference report is something I believe this House should be very proud of.

While people didn't get everything they wanted, the country got what it needed. That speaks volumes about the quality of this bill and tells me we ended up in exactly the right place.

The Farm, Conservation, and Energy Act builds upon the past successes of Federal farm policy by maintaining the farm bill's safety net, while at the same time providing for substantial increases in conservation, nutrition and energy.

However, I'm most proud of the $2.3 billion in new Federal investments for specialty crops, an industry that has been uniformly neglected in previous farm bills despite comprising nearly 50 percent of total farm gate value.

Furthermore, this farm bill contains unprecedented reforms to commodity programs by revising program eligibility and strengthening payment limitations.

Through major changes to the crop insurance program, we have also increased government efficiency and reduced the waste, fraud and abuse identified in the current farm programs.

More importantly, this bill is completely paid for. Through PAYGO, Democrats are fulfilling our promise to live within our means like every household in America is forced to do, and I believe the PAYGO rules, Mr. Speaker, made this a leaner, meaner and better bill, despite the complexities that the new rules presented at times.

We pledged to stop writing blank checks with reckless abandon and shouldering our country's needs on the backs of our children and grandchildren. Make no mistake about it, Mr. Speaker, this legislation adheres to the spirit of PAYGO, proving that it can be done.

Mr. Speaker, our farmers have the capacity for immeasurable innovation and success, and they deserve the Federal Government's commitment that's included in this bill by supporting this farm bill.

Mr. Speaker, I look forward to telling my constituents of the 18th District of California that the United States Congress has accomplished what many thought was an impossible feat in coming to an agreement on a farm bill.

Mr. Speaker, I strongly and wholeheartedly urge my colleagues to support this rule and the underlying legislation.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend from California (Mr. CARDOZA) for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, this rule provides for consideration of a final farm bill, a farm bill that is over 7 months late. It was supposed to be completed last September when the old farm bill law expired. It's long past time for Congress to be voting on a final farm bill, and the one the House will consider today is far from perfect.

It spends billions more than it was supposed to. Mr. Speaker, in fact, despite this being called the farm bill, nearly 75 percent of the spending in this bill doesn't even go to agriculture or farming. It goes to pay for government food assistance programs. Mr. Speaker, let me repeat that. In fact, despite this being called a farm bill, nearly 75 percent of the spending in this bill doesn't even go to agriculture or farming. It goes to pay for government food assistance programs. To me, that is very concerning.

There's also considerable dissatisfaction with the income limitations being too high for farmers who may receive payments under this bill.

There are also concerns that while commodity prices in the marketplace have risen since the last farm bill, the guarantees in this farm bill have also gone up.

There are also special interest provisions that are unrelated to farming or food stamps that have been stuck on this bill.

Now, Mr. Speaker, I agree that this farm bill is very far from perfect, but like many of my colleagues in the House, I must measure this bill by the impact on my constituents in my district.

And as the representative of one of the most diverse and productive agricultural areas in this country, I will vote for the farm bill because it does more to support the specialty crops that are grown in my district than any other farm bill in history.

I must point out that the assistance provided for the specialty crops grown in my district are not direct subsidy payments or handouts. What matters most to farmers and growers in central Washington are research dollars and help in opening up new markets abroad. Specifically, I'm pleased that the farm bill includes a new initiative to fund research projects for these specialty crops.

The conference report also expands the successful fresh fruit and vegetable SNACK program to children in all 50 States. This worthwhile program provides fresh fruits and vegetables for schoolchildren.

The Market Access Program is also very important in central Washington and something that I've worked very hard on to support for many years. The Market Access Program, or MAP, assists our agriculture community in expanding access to markets overseas.

For far too long, American farm products have had difficulty getting into foreign countries, and sometimes are unfairly blocked outright. Fair market access and fair trade agreements help our farmers compete, and the MAP program has proven this to be very successful.

While I will vote to pass this farm bill, Mr. Speaker, I strongly oppose this unfair rule because it shuts down fair opportunities for debate and votes on the House floor and because, Mr. Speaker, it waives new anti-earmark and PAYGO rules written just last January, a year ago last January, by the Democrat majority.

And already today, Mr. Speaker, we have had a great deal of discussion on PAYGO and the ramifications. We heard it says it complies with the spirit of PAYGO and so forth.

Let me just make a point of what happened last night in the Rules Committee. In the Rules Committee, there is a provision in this rule that waives all points of order. We had discussion up there on PAYGO. So the ranking member of the Rules Committee, Mr. DREIER, offered an amendment to keep all the waivers, all the waivers in the farm bill with the exception of the

PAYGO provision that was adopted just a year ago last January by the new majority. That amendment simply said if there's no problem with PAYGO, then why not keep that provision in there. It was voted down, Mr. Speaker, on a direct party-line vote.

So it appears what has happened here in this instance—because I think the rules are very clear. I think Mr. RYAN from Wisconsin pointed out exactly where we are on this and what the procedures are. Apparently what we have done—and this to me I think is probably unprecedented—we have adopted Senate rules in the House for consideration of the farm bill. Maybe that's a pattern that we will see hopefully in other things that we'll debate, like, for example, maybe having more debate on issues because the Senate does have unlimited debate under their house rules. So, if we're going to start adopting Senate rules, maybe we ought to do that on the debate area.

Mr. Speaker, a conscious decision has been made to break the PAYGO rules to increase spending by several billions of dollars.

The farm bill, Mr. Speaker, is long overdue, and I'm disappointed that a bill that provides new levels of recognition to specialty crops, as I pointed out in my earlier remarks, from central Washington is coming before the House with so many other questionable provisions within the bill.

And with that, Mr. Speaker, I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, the gentleman from Washington complains that nearly 75 percent of this bill goes to a nutrition program. I would submit to the House that if Republican policies with regard to the economy weren't what they were we wouldn't have to be increasing the nutritional support for our citizens.

At this time, Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I want to thank the gentleman from California for yielding me time.

I rise today in strong support of the rule we are considering on the conference report to H.R. 2419, the Food, Conservation, and Energy Act.

Mr. Speaker, this important conference agreement outlines the funding for our country's agriculture policy, its conservation approaches, and its nutrition programs. These initiatives touch each of us in some way. Whether we're from a rural area, suburban or urban area, the farm bill has impact on every single one of us.

As a farmer's daughter, I understand how the food we produce is truly the backbone of our country. I am proud of our Nation's commitment to a strong farm economy and a long-standing tradition of providing a safe and secure food supply, not only for our country but for the world.

That is why I support this bill. From the $10 billion increase in nutrition programs to the $7.7 billion increase in conservation funding, this legislation provides for our entire country. I've spoken to our producers, and this legislation gives them the safety net they need to continue producing the food supply our Nation relies upon. I am pleased with the balance and vision in this bill, and that is why I will strongly support it.

I'd like to thank Chairman PETERSON and Ranking Member GOODLATTE for all of their work on this bill. The chairman has shown exceptional leadership and patience through this process. This bill turns the page and helps start a new era of farm and nutrition policy.

I also want to thank Chairman PETERSON and the committee for their inclusion of provisions of the House-passed Regional Water Enhancement Program. By including the Sacramento River Watershed as a national priority in the conference report, my region will be able to preserve farmlands, as well as provide a comprehensive approach to ground and surface water.

Our initial focus should be on building a strong consensus on conservation and its value for our region. We have a truly unique opportunity to shape the vision for the watershed from the beginning. This will help ensure that we build upon solid, local input.

Mr. Speaker, I am happy to be standing here today in support of this well-crafted bill. I ask my colleagues to support the rule and the final passage of the farm bill conference report.

□ 1215

Mr. HASTINGS of Washington. Mr. Speaker, I'm pleased to yield as much time as he may consume to the ranking member of the Rules Committee, Mr. DREIER of California.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. And I thank him for his very thoughtful statement, as always, in his management of the rule.

I want to begin by extending congratulations to all of those who have worked long and hard on this important conference report, Mr. CARDOZA, and I see Mr. HASTINGS here, I know are strong supporters of it. And I know that there is, in fact, some bipartisan support for this measure, but I will say that I personally am troubled with it and I am going to be voting ''no'' on the conference report when we get to that point for a number of reasons.

I do feel very strongly that as we look at the international food crisis that exists with over a billion people on the face of the Earth facing either malnutrition or out-and-out starvation, it seems to me that we need to take very strong and bold steps to address that. I don't think that dramatically expanding the food programs and feeding is the solution to the problem of a billion people who are facing malnutrition and starvation. I happen to think there are a number of very important factors that unfortunately this farm bill doesn't address.

First and foremost, it's key, as we look at the fact that developing nations in the world have failed to open up their markets so that they can get onto the first rung of the economic ladder, they are preventing us from having the opportunity to address that crisis of starvation and malnutrition. Similarly, we in the United States and the European Union have unfortunately provided two-thirds of the farm subsidies that exist in this world. And guess what? That creates a great distortion and further diminishes the opportunity for those developing nations to address this very important malnutrition and starvation crisis facing one billion human beings. And so I just don't believe in any way that this measure effectively addresses that.

And I think, again, as a number of people have said, if we were to see the European Union diminish its level of subsidization, then we would do that. I was very happy in the Rules Committee last night that for the first time our good friend from Minnesota, the distinguished chairman of the Agriculture Committee, did indicate that he would ultimately support that. In the past he hasn't, as I know he has said publicly and in conversations that I've had with him privately on that.

But nevertheless, it's imperative for us to show leadership on the issue of dramatic taxpayer subsidization of the agriculture sector of our economy. It is just plain wrong. And I hope very much that my colleagues, based on that, if they sincerely want to address this starvation crisis facing a billion people, they will oppose this measure.

Now, there was an interesting debate, Mr. Speaker, that took place earlier on and has been going on. And Mr. HASTINGS made a very, very compelling argument. Now, this is all inside baseball. I know our colleagues understand it, and there are maybe some outside of this Chamber who are following this debate. And it looks like it's very arcane. I mean, we've got copies of the rules manual and we're looking at this whole question of PAYGO and 2007 versus 2008. Well, this comes down to a very simple and easily understood issue, and let me put it this way:

Yesterday we had a debate on whether or not we should, in fact, prevent 70,000 barrels a day of oil from going into the Strategic Petroleum Reserve. And the idea behind that was, of course, if we do increase the supply of energy, prices might come down. Well, guess what? The people whom I represent in southern California would very much like to be able to pay maybe $2.50, $2.75 a gallon. And you know what? If you go to last year, they were able to pay significantly less than $4 a gallon for gasoline.

Well, how does that relate to the debate that we're having right here? Very simply. What is it that our colleagues in the majority are calling for? And that is, to use last year's numbers, to

use last year's numbers, not this year's numbers, in this debate. So that's what it comes down to, Mr. Speaker. It is just plain wrong. I would like to pay 2007 prices when I go to the pump and fill up, and unfortunately I can't. And you know what? This majority should recognize their responsibility in the exact same way.

Now, as Mr. HASTINGS said, last night in the Rules Committee I offered what I thought was a very thoughtful amendment to the rule. Everyone continued to say this is PAYGO-compliant, this complies with PAYGO. Well, in one single sentence in the report, Mr. Speaker, they, in fact, provide the most confusing explanation. It says, ''Therefore, while there is a technical violation of clause 10 of rule XXI, the conference report complies with the rule by remaining budget neutral with no net increase in direct spending.'' What does that mean? So it begins by saying there is a violation, and then it says there isn't. I mean, it is so confusing.

Now, the amendment that I offered said, okay, if the majority is, in fact, complying with the PAYGO requirements, what they should do is they should say that they don't need to protect the item, clause 10 of rule XXI, which very clearly states that they must be using this year's numbers. And so, Mr. Speaker, as you said in your ruling—or your predecessor in the Chair said, Mr. PASTOR, who was serving as acting Speaker at the time, we're having a debate on this. And it's obvious that it can be confusing. But I bring it right back to the issue of the desire that the people who we represent, that they would love to pay last year's gasoline prices, but it can't be done. And in the exact same way this is being mishandled. It is just wrong.

And so procedurally we're bringing up a bad conference report. And so I urge my colleagues to vote ''no'' on this rule, which, also, is a lockdown rule, I should say, and very, very unfair in its treatment of the rights of the minority—not that anyone cares about that. But procedurally and institutionally I think that there should be some concern about the fact that it's a lockdown rule, and if it does pass, it will allow us to bring up what I think is a bill that has some good things in it, but on an overall basis will not deal with the very important challenges that we face.

So I urge a ''no'' vote on the rule and a ''no'' vote on the conference report.

Mr. CARDOZA. Mr. Speaker, I appreciate the comments of my colleague from California. I would just like to reiterate that this bill and this rule fully complies with the Senate PAYGO rules and it is totally in keeping with the spirit of PAYGO by complying with the 2007 PAYGO baselines as my Republican colleague, Mr. NEUGEBAUER, said last night when he presented the rule to the committee as the Republican ranking member at that time, and his words were that this bill is fully PAYGO compliant.

Mr. Speaker, at this time, I would like to yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the gentleman for yielding and for his work on this bill.

Mr. Speaker, from my point of view the farm bill conference report is a mixed bag. There are many things in this farm bill that I don't like. I don't like what I consider to be an extravagant disaster assistance program. I don't like the minuscule cuts to direct payments, and I don't like the unnecessary subsidies. And I don't like the fact that this bill reduces the mandatory funding for the McGovern-Dole International Food for Education and Child Nutrition program by $756 million.

This is a program that is close to my heart, Mr. Speaker, a program that is proven to work. Named after George McGovern and Bob Dole, this program feeds hungry children around the world in a school setting. The only thing crueler than not feeding a hungry child is to feed that child for a while and then stop. And that's what has happened, unfortunately, in this process and it's flat wrong.

I would like to insert a recently published Washington Post Op-Ed written by both Senators McGovern and Dole into the CONGRESSIONAL RECORD at the end of my statement.

Let me be clear, this is not the end of our fight for funds for McGovern-Dole. And I look forward to working with the appropriators and the authorizers to ensure that there is proper funding for this program in the upcoming appropriations bill. I believe it is a moral imperative.

Mr. Speaker, this is not the bill that I would have written. And, Mr. Speaker, I suppose that I could find enough reasons to justify a vote against this conference report. But when I look at the whole bill, I have concluded that a ''no'' vote is the wrong vote to take today. And let me explain why I will vote for this bill today.

Thanks to the leadership of Speaker PELOSI and Congresswoman DELAURO and Chairman PETERSON, this bill includes the most sweeping expansion in the domestic anti-hunger safety net ever. This bill will do more to fight hunger in America over the next 5 years than anything Congress has done in decades. Over $10 billion will go to improve the food stamp benefit, to provide fresh fruits and vegetables to children in schools around this country, and to invest in America's food banks.

Over 73 percent of the spending in this bill will fund the anti-hunger safety net. Damage that has been done over the years, the erosion of both the food stamp benefit and the emergency food assistance system, for example, is fixed in this bill.

Mr. Speaker, the nutrition title of the farm bill is not perfect, but it is very, very good. I'm voting for this bill on the strength of these improvements, and I urge my colleagues on both sides of the aisle to do the same.

These enhancements will improve the lives of real people around the country, people who desperately need help putting food on their tables in this time of spiking energy costs and rising food prices. This bill will help more than 10 million people afford an adequate diet, including over 200,000 people in my home State of Massachusetts. Unfortunately, though, it will not end hunger in America, and it won't end hunger around the world.

Mr. Speaker, I believe strongly that hunger is a political condition. And I believe we can end hunger here at home and around the world if we find the political will to do so. But ending hunger will take leadership, leadership to stand up to the powerful special interests that don't care about ending hunger, leadership to stand up for the people whose interests aren't always represented here in the halls of Congress, leadership to simply do the right thing. And ending hunger is doing the right thing.

The face of hunger here in America is not one of sunken eyes and swollen bellies. No, the hungry in America are our neighbors, our children's classmates, and the seniors we see every day. Some serve in the military, and others take their kids to soccer and baseball practice all over this country.

The face of hunger is the face of too many in America, but that doesn't have to be the case any longer. This bill, the effort put forth by the anti-hunger community, that deserves such great credit, and by many Members of Congress is just a start. With a continued and dedicated effort, this can truly be the beginning of the end of hunger.

This bill is a solid down payment on our efforts to end the scourge of hunger in America once and for all, and for that reason alone it deserves our support.

[From the Washington Post, May 6, 2008]

A SLAP AT SCHOOLCHILDREN

(By George McGovern and Bob Dole)

How can the world's hungriest schoolchildren be denied meals while the farm bill being debated in a House-Senate conference provides millions in subsidies for wealthy farmers? That's what Congress proposes. In all fairness, it should not become law.

We are puzzled that Congress wants to increase overall farm bill spending by billions of dollars yet reduce by more than 90 percent the mandatory funding to feed hungry children. The program at issue saves lives and has a proven ability to break the cycle of poverty and hopelessness in poor countries.

We are not expressing disagreement because the program, supported by Presidents Bill Clinton and George W. Bush, bears our names. We believe, simply put, that a costly humanitarian mistake would be made. Funding for the program would go from $840 million over five years to $60 million this coming year. After that, there would be no guarantee of funding at all. The $840 million in funding represents less than 1 percent of the proposed total spending in the farm bill. At a time when increasingly high food prices are pushing millions of families around the globe deeper into poverty, we must step up, not reduce, our efforts to feed hungry schoolchildren.

For just a few cents a day per child, the McGovern-Dole Program has made a critical

difference in the lives of children and communities worldwide, promoted American values in the most positive terms, and helped achieve U.S. foreign policy and national security goals. By providing meals to children who attend school in the poorest countries, the program increases attendance rates and student productivity and gives hope to a new generation of impoverished children around the world. The impact on young girls is particularly important. As their school attendance increases, they marry later and birthrates are reduced.

During our careers in public service, we were honored to assist U.S. efforts to reduce hunger at home and abroad. Americans should be proud of the bipartisan progress our country has made. As a nation, we must not retreat from the compassion we've shown when the world's poorest children needed us most. We respectfully ask farm bill conferees to restore the $840 million in mandatory funding for the McGovern-Dole Program. Our nation must not turn its back on the world's poorest. On the contrary, we must demonstrate again that the United States will continue to be a nation of compassion.

As former senators, we both know how difficult it is to put together and pass sound farm legislation. We also know, as does every member of Congress, how important it is to help take care of the world's neediest and most vulnerable children. We believe that a vast majority of the proposed farm bill beneficiaries share our view. Americans care and will respond positively if this needed change is made.

George McGovern, a Democrat, was appointed a U.N. global ambassador on world hunger in 2001. Bob Dole, a Republican, is a former Senate majority leader.

Mr. HASTINGS of Washington. Mr. Speaker, I'm pleased my friend from California said we are complying with Senate rules, but I believe this is the U.S. House of Representatives, and the fact is we have waived the House PAYGO rules.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING).

(Mr. HENSARLING asked and was given permission to revise and extend his remarks.)

Mr. HENSARLING. Mr. Speaker, I rise today in opposition to this rule.

I find it fascinating that our Speaker, when she became our Speaker, said that we were going to have the most open democratic Congress in the history of America, and yet we have a rule coming to the floor that doesn't even allow dissenting voices to speak in general debate.

Our Speaker also at one time said the 110th Congress will commit itself to a higher standard, pay-as-you-go, no new deficit spending. But instead, we waive the PAYGO rule. And we baseline shop. I know that's inside baseball, but as the gentleman from California said, it's kind of like deciding you're going to pay last year's gasoline prices. Well, I wish we could do that.

And now we have the whole question of earmarks. Our Speaker at one time said that she would just as soon do without earmarks. Instead what we have are airdropped earmarks, secret earmarks coming in in a conference report that nobody can challenge, including one, apparently, according to press reports, that was requested by none other than the Speaker of the House.

And so for all of these reasons, Mr. Speaker, this rule ought to be defeated. This is too important of legislation to come before us to be treated in such a frivolous manner.

Now, let's talk about the matter at hand, the actual substance of the bill. At a time when we're looking at some of the worst food inflation in the last two decades, what do we have coming before us, Mr. Speaker? A bill that will pay out billions of dollars of taxpayer subsidies to a select group of farmers. You know, it kind of begs the question, Mr. Speaker: Why do we have a farm subsidy program?

You know, I'm thinking about all the people who are going to have to pay these billions of dollars in taxes to subsidize a select group of farmers. You know, I think about the auto mechanic in Mesquite, Texas; I think about the guy working at the grocery store in Mineola, Texas; I think about the school teacher or the factory worker in Garland; where is their government subsidy program? Why are we bestowing billions of dollars in subsidies on this one select group?

□ 1230

This is a relic of the New Deal. We are paying out money to millionaires. We are teaching more people to be reliant upon government programs. Now, Mr. Speaker, we need a farm program. We just don't need a farm subsidy program.

Let me tell you what farmers in the Fifth Congressional District of Texas that I have the honor of representing need. They need some relief in their energy cost. The energy that it takes to run their tractors, their combines, their farm equipment, and the cost of diesel, they need some relief there.

The SPEAKER pro tempore (Mr. SERRANO). The gentleman's time has expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HENSARLING. And yet there is absolutely nothing that our friends do on the other side of the aisle to produce any American energy, to get us any more independent, to have independent American energy.

Also, we benefit one set of farmers at the cost of another. This continues the ethanol mandates. It continues the tariff on imported ethanol. Now, if you've got a bunch of corn growers, it may be very good for them. I would say they're in high cotton, but I guess they're in high corn. But it's not too good for the cattle raisers, not too good for the poultry people. It's not too good for the hog farmers or the other livestock people who are all of a sudden seeing their feed prices almost triple. What are we doing for them?

Then let's talk about trade. Ninety-six percent of the world's consumers live outside of America, and yet this is an anti-trade Congress under Democrat leadership. You had the Colombian Trade Agreement totally one way. Farmers and ranchers want to export, and they're being disallowed the opportunity to do that.

The SPEAKER pro tempore. The gentleman's time has again expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the gentleman another 30 seconds.

Mr. HENSARLING. So we need a farm bill that promotes trade, Mr. Speaker.

Next, we need death tax relief for our farmers and ranchers. Somebody in the Fifth Congressional District worked his whole life building a farm and told me, ''Congressman, after the government takes theirs, there's just not enough to go around.'' You shouldn't work your whole life building a family farm only to have Uncle Sam take 55 percent. We need income tax relief. That's what a farm bill needs to help the true agricultural producers. Not a subsidy program, an assistance program for those who work hard.

Mr. CARDOZA. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank my good friend from California for yielding time.

Mr. Speaker, I rise today in vigorous support of this rule. I would like to thank Chairman PETERSON, Chairwoman DELAURO, Chairman RANGEL, and Mr. GOODLATTE, who I feel have crafted a sound bipartisan compromise bill for all of us to support, and they are to be complimented for their hard work during these fiscally challenging times.

The underlying legislation makes important reforms that benefit farmers across our Nation and assist many industries which are the economic engine of the congressional district that I'm privileged to serve. The bill before us today is an important achievement for the State of Florida and for the constituents that I serve.

As many of my colleagues know, I represent, along with my colleague from Florida (Mr. MAHONEY), the second largest sugar-producing district in the country. The Florida sugar industry has a $3.1 billion economic impact on the State of Florida, and I thank the committees for including the provisions that assist this important industry.

I also thank the committees for including the Pollinator Protection Act, which I authored and which was carried by Mr. CARDOZA, who is carrying this rule and working with me. This act authorizes funding to conduct research on colony collapse disorder to prevent the continuing decline of the pollinator population. People, if there ain't no bees, there ain't no food.

Finally, this bill addresses rising food prices here at home and overseas by substantially increasing funding for nutrition programs and food banks and promoting duty-free imports in the

Caribbean, thanks to Mr. RANGEL, and to Haiti, where citizens are forced now to eat mud cakes to survive.

Having worked as a boy in farms, I understand firsthand how food gets to the table. I am proud to say that this bill serves our farmers well.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Mr. Speaker, we've detailed many of the problems with this rule, one of the worst aspects of which is that, as has been mentioned, it allows a bit of time travel here for the purpose of going back and choosing another baseline that allows you to actually comply with PAYGO rules. That should not be allowed under the rule, and that's why the PAYGO rules are actually waived in this bill. For all the talk on the other side about PAYGO compliance, if this bill was PAYGO compliant, the PAYGO rule would not have been waived.

The same goes with earmarks. More than a dozen earmarks were added, airdropped into the bill; yet we still have a waiver because we know there are likely other earmarks added in the bill as well. So we want to protect against that.

Also, I mentioned about the rule. It stifles debate. I don't know of another example where a conference report has come to the floor, particularly one of this magnitude, where those who are opposed to the bill have not been given the opportunity to claim time in opposition. Instead, we have to rely on the good graces of those who support the bill to actually be yielded time to actually speak in opposition to the bill.

Finally, Mr. Speaker, we have a real problem in this country in terms of entitlements. We're going to have to reform Social Security and Medicare. Tell me how, tell me why anybody out there, outside of the beltway, should believe that we are capable of doing that kind of reform when we can't tell a farm couple making up to $2.5 million in adjusted gross income every year, that's income after expenses, if we can't tell them that the subsidy party is over? How are we ever going to reform entitlements? I asked that of my party; I ask that of the Democrats. How in the world can anybody take us seriously here if we can't have a farm bill that reforms the subsidy program?

Mr. CARDOZA. Mr. Speaker, I yield 1½ minutes to the gentleman from North Dakota (Mr. POMEROY), a member of the Ways and Means Committee, without which we could not have done this bill.

Mr. POMEROY. I thank the gentleman for yielding.

Mr. Speaker, the pride I want to express is, as being a member of the Agriculture Committee, which I also serve on, a day like today makes me especially proud of that membership because what is before us is a collaborative product, the majority, the minority, arm in arm, working this through to build the best farm bill we possibly could. A bill that attends to the nutrition needs of our country; a bill that provides the safety net for family farmers; and a bill that safeguards the highest quality, most affordable food supply in the Western world. This collaborative effort would not have been possible but for the leadership of Chairman PETERSON, who, at every step of the way, wanted to be inclusive in his leadership style, having not just the majority but the minority fully involved in writing this bill.

I also salute BOB GOODLATTE, ranking member of the committee, because he could have walked away, could have said we're just going to do the partisan thing on this bill, but, no, instead played a very important role substantially improving the product of this bill, by virtue of BOB GOODLATTE's contribution and the contribution of the members of his caucus on the Ways and Means Committee.

Our farmers are putting into the ground the most expensive crop in the history of U.S. agriculture. I had a farmer tell me last week that running three tractors to get his crop in was running a $10,000-a-day fuel bill. They've got horrific exposure. They need the protection of this farm bill. Please adopt it.

Mr. HASTINGS of Washington. Mr. Speaker, I am at this time pleased to yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I would like to join my colleague in a little colloquy.

I understand you're going to offer a previous question on this rule?

Mr. HASTINGS of Washington. If the gentleman would yield, I am going to urge my colleagues to vote against the previous question so that we can amend the rule, not replace the rule, amend the rule so that we can discuss energy prices and legislation to bring the price of gasoline at the pump down.

Mr. SHIMKUS. And I would assume a way in which we would do that would be to bring in more supply?

Mr. HASTINGS of Washington. It would be based on supply and demand. The gentleman is exactly correct.

Mr. SHIMKUS. I want to thank my colleague.

Mr. Speaker, one of the best things we can do for the family farmer in this economy is to lower energy costs. And that's why I'm coming to the floor because I am excited about my colleague's previous question to bring on more supply.

Now, I was pleased to see that my friends on the other side have accepted the supply debate, and we did that yesterday with great acclamation, saying that bringing in 70,000 barrels of crude oil onto the market would lower gasoline prices, your quote, not mine, between 5 cents to 25 cents.

Well, just imagine if we brought a million barrels of crude oil onto our market, a million barrels from U.S. territory. And I think that's what my colleague is going to bring in the previous question, because 1½ years ago, the price of a barrel of crude oil was $58. Today the price of a barrel of crude oil is $125.09. I'm telling you the public is starting to wake up. I'm hearing it from soccer moms. I'm hearing it from labor individuals. They understand that the cost of energy is too high. The price of diesel has doubled.

In an agricultural country, my farmers are trying to get their corn in. It's been really wet. And it's diesel fuel. Diesel fuel has doubled. We've got small local truckers going on strike because they can't afford to fill up the tractor-trailers because diesel costs are too high. Why are diesel costs too high? Because we won't open up any supply.

I think the previous question will be an opportunity to open up supply on U.S. soil, and maybe we will get a chance to talk about opening up supply on the Outer Continental Shelf.

You all agreed to it. Supply will lower prices, based upon our vote yesterday. But that was 70,000 barrels. Our challenge is to bring a million barrels, locally produced crude oil and natural gas. Because we can't sustain these high prices. We can't sustain them in the family farm.

And that's why I'm excited to be here today to continue to raise this debate on the price of a barrel of crude oil.

Another thing we could do is take our locally produced coal——

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. SHIMKUS. I want to thank my colleague for yielding.

Because we want to highlight the Arctic National Wildlife Refuge, a coastal plain the size of South Carolina, a drilling platform the size of Dulles Airport. We want to address the Outer Continental Shelf, both on the east coast and the western seaboard and the eastern gulf. We want to address coal-to-liquid technology, where we take coal underneath the soil or on our upper plain, build a refinery, U.S. jobs; operate a coal mine, U.S. jobs; build a pipeline, U.S. jobs; and lower the cost for jet fuel so that we can have U.S. jobs.

Mr. CARDOZA. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), who absolutely has been an undying advocate on behalf of those who need it the most, those who are going hungry in our country.

Ms. DELAURO. I thank the gentleman from California for yielding, and I thank him for his perseverance in this effort as well.

Mr. Speaker, I rise to support the rule and the underlying bill, historic change that will meet the nutritional needs of all Americans.

I want to thank the Speaker for her vision and clear priorities on this bill and Chairman PETERSON for his tireless leadership and perseverance. Thank you for welcoming my input on something so critical as the nutrition title.

Today, as the country faces rising food costs, food banks cannot handle the demand, and families struggle just to keep up. Today 35.5 million Americans live in households where not everyone has had enough food in the United States of America.

With this bill we are finally taking the right steps to provide people with a fighting chance, ending the erosion in food stamps by increasing the standard deduction and the minimum benefit, which has been frozen at $10 for the past 30 years, then indexing them to inflation. Commitments to help almost 11 million people, families with children, seniors, and people with disabilities.

Yet the current administration is looking for ways to undermine the legislation. The administration has argued against expanding eligibility by excluding retirement, education savings, and combat pay when determining that eligibility.

□ 1245

What does it say when our soldiers who fight so bravely for our Nation abroad are forced to scrape and scrounge for food upon their return?

And this bill does more. It increases funding for the Emergency Food Assistance Program, including an immediate infusion of $50 million to address supply shortages as more families than ever are relying on food banks, soup kitchens and food pantries for help. There is also a dramatic increase in funding for the fruits and vegetables snack program for our schools giving more children greater access to healthy fresh fruits and vegetables at school. And we are providing $84 million in funding for the McGovern-Dole program which helps reduce child hunger, promotes education and represents a powerful opportunity for our Nation to export goodwill around the world.

I urge my colleagues to support this bill. For too long we have failed to meet our obligations as a Congress and as a Nation, failed to act while too many Americans have gone without adequate food, healthy food, and are facing hunger in our Nation today. Today, we can begin to do something about it.

Mr. HASTINGS of Washington. Mr. Speaker, can I inquire again how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Washington has 7 minutes remaining. The gentleman from California has 11 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I will reserve my time to allow more equity in the time.

Mr. CARDOZA. Mr. Speaker, I was remiss when I introduced my colleague, ALCEE HASTINGS from Florida, for his undying support and work with regard to specialty crops. He was joined in this effort by the gentleman from Florida (Mr. MAHONEY) who has been just a stalwart in helping me get the specialty crop title into this bill. And I would like to yield 1½ minutes to the gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Thank you, Chairman CARDOZA.

Mr. Speaker, I would like to begin by thanking Chairman PETERSON and thanking Chairman CARDOZA for their tireless resolve to bring this historic legislation to a vote today. I also want to thank Commissioner Bronson and my good friends and colleagues, ALLEN BOYD and ADAM PUTNAM, for their work in delivering to the ranchers, farmers and growers of Florida the best farm bill in history.

This farm bill, in combination with the energy bill already signed into law, completes the foundation upon which Florida will build a biofuels industry that will power America's engines and make us more secure. It means more jobs for our State. It means our children will be able to stay in rural Florida and have jobs for the future. This farm bill, after more than 70 years, begins to give Florida's growers and farmers parity with commodity crops.

In Florida, we grow over 270 different varieties of specialty crops. I welcome this $1.3 billion investment in new programs that supports research, pest management, trade promotion and nutrition for the industry.

Finally, this bill makes an investment in our environment by making an additional $7.9 billion available for conservation programs. This bill brings farmers and environmentalists together to protect our land, our waters, and one of our Nation's greatest treasures, the Everglades.

As a Blue Dog Democrat, I am especially proud that we have been able to accomplish all of the above without having to raise taxes or go into debt. We don't have to mortgage the farm to pay for this farm bill.

Thank you, Mr. Speaker.

Thank you, Chairman CARDOZA, for all of your work on behalf of the farmers and growers of Florida.

Mr. HASTINGS of Washington. Once again I will continue to reserve, Mr. Speaker.

Mr. CARDOZA. Mr. Speaker, I yield 1½ minutes to the gentleman from New Hampshire (Mr. HODES).

Mr. HODES. Thank you, Mr. Chairman.

Mr. Speaker, I rise today to urge my colleagues to support the rule on the farm bill. Chairman PETERSON and Ranking Member GOODLATTE have worked hard to put together this bipartisan bill that helps working class families struggling with the soaring cost of food. On balance it is a good bill for nutrition and for the small farmers of the Northeast.

The bill will also help my home State of New Hampshire because it includes the Northern Border Regional Development Commission Act. I introduced this bill to help the struggling communities in the north country of New Hampshire and the region. The commission will help bring investment, leadership and focus to the north country's economic development efforts.

Thirty-six counties in four States that would become part of this commission have poverty levels above the national average, median household income that is more than $6,500 below the national average, persistent unemployment fed by constant layoffs in traditional manufacturing industries, and a significant out-migration and loss of younger workers.

The recent announcements of mill closures in Groveton, Gorham, Berlin and Littleton, New Hampshire, confirm a clear, persistent pattern of economic distress in this region and across the northern border.

The people of the north country need a new start and more resources to rebuild their communities for a new economy. The northern border commission, coupled with other efforts, will help revitalize the region and rebuild communities which need our help.

Mr. Speaker, I urge passage of this rule. The people of New Hampshire's north country, and the northeast northern border region are counting on us.

Mr. HASTINGS of Washington. I will continue to reserve, Mr. Speaker.

Mr. CARDOZA. Mr. Speaker, I would now like to yield 1½ minutes to the gentleman from Ohio (Mr. SPACE).

Mr. SPACE. I thank the gentleman from California for yielding his time. I would like to thank our chairman, COLLIN PETERSON, and Ranking Member GOODLATTE for their hard work on this good, bipartisan piece of legislation that does a lot of good things.

It enhances conservation. It provides a safety net that our farmers need to do the work that is so important to this country. It does some very exciting things with energy. And in the end, it allows these small family farms that make up most of southern and eastern Ohio to meet their margins in a very difficult profession. But it does something more than that. It helps meet the growing needs associated with poverty; rising food prices, a diminishing manufacturing base, rising costs of living.

Seventy-five percent of this bill is devoted toward nutrition, being mindful of the fact that most of those who will be fed pursuant to the nutritional programs of this bill constitute the working poor. In my district many of the counties have poverty rates exceeding 20 percent and unemployment rates at 6 or 7 percent. This means that thousands of people in my district alone are working full-time but can't afford to feed their families. This bill will help mitigate that crisis.

This bill is good for farmers. It helps diminish the effects of poverty and fight the ever-growing fight against poverty in this country and will allow for the farmers of this country to continue to provide the safest, cheapest

and most abundant source of agriculture on the planet.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise to talk about the energy issue also. There are some good things in this bill for our farmers. I especially think the dairy provision was well done. Dairy is very important to Pennsylvania.

I was in the food business 26 years of my life. I know how people struggle with their family budgets. But let me tell you, the farmers are reeling with fertilizer costs. Why are fertilizer costs doubling and tripling year after year? And why is 50 percent of our fertilizer now being imported? Because of natural gas costs. Ninety percent of the cost of ammonia fertilizer is natural gas, clean, green natural gas. This Congress refuses to produce natural gas in this country. There has never been a gas well that polluted a beach. Look at this chart. Off-limits. Off-limits. Off-limits. There should be another one in the middle. There should be one up here in Alaska.

We have said that we are not going to produce fossil fuel. Natural gas is a fossil fuel. We are not going to produce oil.

Our farmers need relief. They need affordable energy to drive their tractors, to dry their grain after they harvest it, and to buy their fertilizer.

Folks, this country's economic future, not just farming, but our ability to manufacture, our ability to heat our homes this winter—right today, we are putting $11.50 natural gas in the ground for next winter's use. Last year at this time, it was $6.50 to $7. Do the math. That's a 40 to 50 percent increase in natural gas costs.

We have lost half of the fertilizer factories in America. That's why our farmers are now using foreign fertilizer. That's why it is costing them 300, 400 and 500 percent more than it did just several years ago. Folks, we have to produce energy in America if we are going to farm and have affordable food, if we are going to manufacture products and if we are going to have an economy that competes in the global economy.

We are not in a sole economy any more. We are in a global economy. We have to compete.

In America, we pay $125 for oil. Everybody does. But we have had the highest natural gas prices in the world for 8 years. And the margin is increasing because we refuse to produce energy for America. All of these other debates are going to be academic. We won't have factories. We won't have successful farmers. We'll be buying foreign fertilizer to grow products in this country. We'll be buying foreign tractors to produce our farms. We'll be driving foreign cars because we won't have a manufacturing base left.

Clean, green natural gas is the answer.

And we need to open up. And we need to drill for oil, too. There has never been a natural gas well that has harmed us economically and environmentally. Clean, green natural gas.

Mr. CARDOZA. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

The committee has taken this bill as far as they can. There are some modest reforms, as they nibbled around the edges. But the fact is, with the passage of this bill, most farmers will still get no help. Most conservation needs will be unmet. And we are going to continue to give money to people who don't need it, up to $2.5 million of farm and unrelated farm income and as over the last 12 years, 75 percent of the direct payments went to just 10 percent of the largest farmers. We don't need to that.

To add insult to injury, section 1619 will hide information under the Freedom of Information Act so the American public won't even know the facts. This is wrong. We can do better. We can stop giving assistance to the richest of farmers. We can redirect it to further strengthen nutrition and the environment.

I strongly urge a rejection of the rule and the bill. And if the President has the fortitude to veto it, I hope people will join us in bipartisan support to sustain the veto.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Mr. CARDOZA. Mr. Speaker, I ask how much time is remaining on either side.

The SPEAKER pro tempore. The gentleman from Washington has 4 minutes remaining. The gentleman from California has 5½ minutes remaining.

Mr. CARDOZA. At this time I would like to yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding.

Mr. Speaker, despite a President that has been unwilling to negotiate in good faith, the Agriculture Committee, on both sides of the aisle, has produced a solid compromise. And for the first time, under Chairman COLLIN PETERSON's leadership, this House has provided authority for the agricultural interests of this country to lead America forward into a new energy age.

The committee also has provided $1 billion to secure specialty crop production in America for a change, to try to stunt foreign imports, while also providing critical increases for farmers markets to help empower local family farmers. And while there are some trade provisions that were airdropped into this bill, not by the Agriculture Committee that should have been considered in a different manner, the agriculture provisions of this bill are critical for transforming our economy into the 21st century.

In a world of increasing trade deficits and economic instability, the production of food, fiber, forestry and now fuel, are all critical for protecting America's economic independence, and her food security.

I want to congratulate Chairman PETERSON for his incredible leadership. He is the right man at the right place at the right time. I urge a ''yes'' vote on the rule and on the base bill. I thank the gentleman for yielding me the time.

Mr. HASTINGS of Washington. I reserve my time.

Mr. CARDOZA. Mr. Speaker, at this time I would like to yield 2½ minutes to the gentleman without whose leadership on the bill we simply would not be bringing the bill to the floor today, the chairman of the Committee on Agriculture, the gentleman from Minnesota (Mr. PETERSON).

□ 1300

Mr. PETERSON of Minnesota. I thank the gentleman.

Mr. Speaker, I rise today in support of the rule and the underlying bill. This has been a long, drawn-out process. It has been a long time since last July when we first passed this bill out of the House.

I want to first of all commend my ranking member and good friend and colleague, Mr. GOODLATTE, for the tremendous work that he did on behalf of this bill and his caucus. As was said earlier, this bill is a much better bill because of the involvement of Mr. GOODLATTE and the great work that he did. I very much thank him for sticking with us here to the end.

We obviously would have preferred to have been here earlier, but this was a difficult bill to work out because of all the competing interests, and the fact that we started off with $58 billion less in baseline than we had back in the 2002 bill.

In order to make all the accommodations for the different folks that were interested in improvements in this bill, we had to find additional resources outside of the Agriculture Committee, which caused additional problems. We had to deal with a much different bill in the Senate, where you had a lot of powerful committee chairmen that brought issues into the bill that were not in the House bill.

We have worked through all of that, and we have produced a product here that I think it isn't perfect, but satisfies, in most cases, the different interests in this bill. We maintain a safety net for farmers along the lines of what we have had in the past.

I, personally, would like the safety net to be stronger than it is, but it's what can be accomplished at this point. We have $10 billion of new spending above the baseline in this bill, and that $10 billion is—I guess money is fungible, but the increase in this bill for nutrition is $10.3 billion. You could say that we have improved the nutrition funding to the amount of new money that's put in the bill. This is money going into the food shelves, food

banks that right now are empty and very much needed. There is a new fresh food and vegetable snack program for kids in low-income schools, and there is improvement in food stamps.

We have a good bill that has a lot of other components. I urge my colleagues to support the rule and support the underlying bill.

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

Mr. CARDOZA. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank the gentleman for yielding.

Mr. Speaker, I realize how difficult it is to put a farm bill together in this place, but this truly represents a missed opportunity. The so-called reforms that are being advocated under the commodity subsidy title would only affect, at best, two-tenth's of 1 percent of farm entities throughout the country.

With an adjusted gross income limit of $2.5 million, these income limits don't even apply to the loan deficiency program or the countercyclical program, two of the three subsidy programs that exist today. At the end of the day we should produce a farm bill that's less market and less trade distorting and more responsible to the American taxpayer.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the ranking member of the Agriculture Committee, who, along with the chairman of the Agriculture Committee, their persistence was such to bring this product to the floor.

Mr. GOODLATTE. I thank the gentleman for yielding.

I just want to say to all of my colleagues that this has been, as the chairman described, a very long and arduous process that began more than 2½ years ago by listening to farmers and ranchers and other people all across the country and holding a multitude of hearings there, and here in Washington as well. It began under my chairmanship. I have never seen anybody who has pursued the passage of legislation as tenaciously and with such dedication, but also listening to so many different people, as the chairman of the committee has done.

Mr. Speaker, as a result, this is not your father's farm bill, nor is it even the farm bill that passed out of this House last summer. This farm bill has more reform than any farm bill that the Congress has ever taken up. It imposes payment limitations on farmers and those who own land and have substantial nonfarm income alike and is well worth consideration in this body, and I urge its passage.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this rule provides for a farm bill that is 7 months overdue, and I want to again commend Chairman PETERSON and Ranking Member GOODLATTE for their persistence in bringing this product to the floor.

But there is another concern for farmers in our country that this Democrat Congress is totally neglecting, and that's addressing skyrocketing gasoline, diesel and energy costs. The cost of running a tractor, trucking products to market, and running a farm has risen dramatically since Democrats took control of Congress, and they have done nothing to help farmers, truckers or millions of Americans hurt by rising fuel costs.

One of the principles of the farm bill is ensuring that America does not become dependent on foreign nations for our food supply. We, as a country, have fertile fields that can produce as much food as our country needs to eat and even export billions of dollars of foodstuffs overseas. But we, as a country, are not using our energy sources like farmers use our fields.

For decades, our country has been handicapped by not tapping into our existing oil reserves. The effort to develop just a tiny portion of ANWR has been fought and blocked to the detriment of America's energy independence and with high prices that we are now paying at the pump.

Today I urge my colleagues to defeat the previous question so this House can finally consider solutions to rising energy costs. By defeating the previous question, I will move to amend the rule, not rewrite it, just amend it, to allow for consideration of H.R. 5984, the Clean Energy Tax Stimulus Act of 2008, introduced by Mr. BARTLETT of Maryland, as well as ''any amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil by permitting the extraction of oil in the Arctic National Wildlife Refuge.''

With diesel and gasoline prices going up and American farmers having to cope with these skyrocketing costs, it's time for Congress to act. The Democrat majority has refused time and again to act. We can act by defeating the previous question.

Defeating the previous question will be simply to allow the House to debate rising energy prices. The farm bill will still be considered and voted upon.

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

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to do something about rising fuel costs, and the way to do that is by voting to defeat the previous question.

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

The SPEAKER pro tempore. The Chair will note that the gentleman from California has 90 seconds remaining.

Mr. CARDOZA. Mr. Speaker, this is a once-in-a-lifetime bill that will meet our country's needs. Every major group, commodities, specialty crops, nutrition groups, conservationists and others support this bill. A ''yes'' vote on this rule and the underlying bill is a vote for America's hungry, a vote for our environment, a vote for United States' energy independence, and a vote to deliver on our long-standing commitment to rural America.

Mr. Speaker, I ask all of our colleagues to support this rule and to support the underlying bill. I urge a ''yes'' vote on the rule and on the previous question.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 1189 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 2. That upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5984) to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall not exceed one hour equally divided and contolled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except any amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil by permitting the extraction of oil in the Arctic National Wildlife Refuge. Such amendments shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against

ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

Mr. CARDOZA. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of H. Res. 1189; motion to suspend the rules on H. Res. 1134; and motion to suspend the rules on H. Res. 1176.

The vote was taken by electronic device, and there were—yeas 232, nays 188, not voting 13, as follows:

[Roll No. 310]

YEAS—232

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

NAYS—188

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

NOT VOTING—13

Bono Mack
Cramer
Crenshaw
Cubin
Gerlach
Lewis (KY)
Mack
McDermott
Myrick
Rush
Schmidt
Stark
Weller

□ 1335

Messrs. LAMPSON and TIM MURPHY of Pennsylvania changed their vote from ''yea'' to ''nay.''

Messrs. INGLIS of South Carolina, SHAYS and JOHNSON of Illinois changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. McDERMOTT. Mr. Speaker, on rollcall No. 310, I missed the vote because I was talking to military officers from the U.S. Army War College. Had I been present, I would have voted ''yea.''

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 228, nays 193, not voting 12, as follows:

[Roll No. 311]

YEAS—228

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

NAYS—193

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

NOT VOTING—12

Bono Mack
Cramer
Crenshaw
Cubin
Gerlach
Lewis (KY)
Mack
Myrick
Paul
Rush
Schmidt
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain on this vote.

□ 1345

Mr. TIM MURPHY of Pennsylvania changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MENTAL HEALTH MONTH

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1134.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and agree to the resolution, H. Res. 1134.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 12, as follows:

[Roll No. 312]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crowley
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)
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
Hulshof
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)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
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
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
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
Scalise
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
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
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)
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Bono Mack
Cramer
Crenshaw
Cubin
Gerlach
Lewis (KY)
Mack
Myrick
Paul
Rush
Schmidt
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining on this vote.

□ 1353

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL TRAIN DAY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1176.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. CORRINE BROWN) that the House suspend the rules and agree to the resolution, H. Res. 1176.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 313]

YEAS—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crowley
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)
Giffords
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
Hoyer
Hulshof
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
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)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
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
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
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
Scalise
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
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
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)
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—18

Andrews
Bilbray
Bono Mack
Braley (IA)
Cramer
Crenshaw
Cubin
Gerlach
Gilchrest
Hooley
Kagen
Lewis (KY)
Mack
Myrick
Paul
Rush
Schmidt
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining on this vote.

□ 1401

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTING A MINORITY MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. PUTNAM. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1196

Resolved, That the following Member is, and is hereby, elected to the following standing committees:

(1) COMMITTEE ON NATURAL RESOURCES.—Mr. Scalise; and,

(2) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Scalise.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5534

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 5534.

The SPEAKER pro tempore (Mr. ROSS). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CONFERENCE REPORT ON H.R. 2419, FOOD, CONSERVATION, AND ENERGY ACT OF 2008

Mr. PETERSON of Minnesota. Mr. Speaker, I call up the conference report on the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1189, the conference report is considered read.

(For conference report and statement, see proceedings of the House of May 13, 2008, at page H3409.)

The SPEAKER pro tempore. Pursuant to House Resolution 1189, the gentleman from Minnesota (Mr. PETERSON) and the gentleman from Virginia (Mr. GOODLATTE) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield 10 minutes of my time to the gentleman from Wisconsin (Mr. KIND) and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, it's been a long road to get to this point, and I want to start off by thanking Mr. GOODLATTE, the ranking member of the committee, again for his great work; my subcommittee chairmen, who started this process off; the ranking members on the Republican side; my friends on the Ways and Means Committee, Mr. RANGEL especially, Mr. POMEROY, for their hard work to get to this point; the Speaker for backing us up and helping us keep on track here to get to a final consideration; and for all of my colleagues in the House for being patient and working with us and giving us your input.

We have come to a point where I believe we have a good bill that should be supported by all Members of this Congress from both urban, suburban and rural areas.

I have here a chart that shows how the current farm bill spending is going to be allocated on a 10-year basis, which is what we have to go by.

Nutrition in this new Food, Conservation, and Energy Act is 74 percent of the spending over the next 10 years in this food bill, commodities are 16 percent. Back in 2002, these numbers were 65 and 35 or something. Conservation is 7 percent; and energy and the specialty crops, the other items, are 3 percent.

This shows on another chart how we got to those numbers. We had a $58 billion reduction in our baseline. What happened, before we started because the prices were up and the amount of money going out to farmers was down, so we started off $58 billion in the hole. We were provided $10 billion from our friends in the Ways and Means Committee of additional spending over the baseline, and this is how that spending was allocated out.

Nutrition was more than the $10 billion of new money that was put in the bill, $10.3 billion; conservation, an additional $4 billion; specialty crops, $2.3 billion; and in the commodity title, we actually had a reduction. In addition to the $58 billion that we reduced, we had another $3.6 billion that we took out of the commodity title to help put money into these other areas.

Having done that, we still have an adequate safety net for farmers. It's very much like the current law that we have been operating under. We have made some minor changes, and we have brought the AGI limits down from $2.5 million to $500,000 on non-farm income, $750,000 on farm income. So we've made some reform, not as much as some people would like, but more than others would like. We got both sides a little bit upset so I think we're doing something pretty close to what we should.

And to show you how the allocation is based on what the 2002 bill was and what the current bill is, this shows in yellow the 2002 bill and in the kind of purple color the current bill. In nutrition, you can see there's a substantial increase. Conservation, the commodity title is down, and energy is up a little bit.

So we have I think a balanced bill that maintains a safety net. It includes a new disaster program that is paid for. This bill is paid for. The $10 billion comes out of a custom user fee extension which is not a tax increase, which has allowed us to have a bipartisan bill.

We've put a bill together here that I think addresses what people are concerned about in this country. It has a loan guarantee program for cellulosic ethanol.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. PETERSON of Minnesota. I yield myself an additional 1 minute.

It has a bioenergy reserve program to allow us to learn how to grow switch grass and how to harvest it and store it and move it; woody biomass so we can get cellulosic ethanol going.

We have for the first time significant money in for fruits and vegetables, which are 50 percent of the agriculture in the United States.

We have country-of-origin labeling. It's going to be mandatory on fruits and vegetables and meats starting September 30. We have interstate meat shipment, another issue that's been hanging on for 20 years.

We've solved a lot of problems in this bill. We have a bill I think that covers all the interests in the country, and we have a bill that we should all be proud to vote for in this House.

Again, I want to thank all my colleagues for their hard work and look forward to having a strong vote on this and encourage you all to support this bill.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that 10 minutes of the time allocated to me be granted to the gentleman from Arizona (Mr. FLAKE) so that he can manage that time.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself 2 minutes.

I rise today in support of the farm bill conference report. I thank the chairman and all of the other members of the Agriculture Committee on both sides of the aisle for working in such a bipartisan spirit to produce good legislation. I also thank my staff and the majority staff for their hard and, I know to them, seemingly endless work on this legislation.

This farm bill contains solid reforms while addressing a variety of issues including forestry, rural development, renewable energy, nutrition, conservation, research, specialty crops, and livestock and still maintains the safety net necessary to ensure a safe, reliable and affordable domestic food supply. This farm bill is a good work product, and I am proud of the work we have done.

The bill contains more reforms than any previous farm bill, eliminating payments to millionaire farmers, eliminating the three-entity rule, and increasing the efficiency of the crop insurance program among numerous other reforms.

It's 100 percent PAYGO-compliant and is fiscally responsible, scoring $4

billion less than the House bill and $5 billion less than the Senate bill. I think you would be hard-pressed, Mr. Speaker, to find a conference report in the history of this body that came back scoring less than the House and Senate bills. That is a significant achievement, and I think it would be foolish to overlook the positive changes this farm bill has undergone.

When we talk about the farm bill, many believe that the Congress is voting on a $288 billion bill that goes directly to farmers. The truth is that only 17 percent of the farm bill spending is devoted to farm programs, while nearly 70 percent goes to the nutrition title alone. In fact, there is very little farm in a farm bill anymore.

In 2002, the farm program funding comprised just three-quarters of 1 percent of the Federal budget. Today, farm program funding accounts for just one-quarter of 1 percent of the Federal budget, a twofold reduction in just 5 years.

Agriculture policy is essential to the lives of every American, and it is important that the policy we formulate is responsible, effective and at a low cost to the taxpayer.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. GOODLATTE. I yield myself an additional 30 seconds.

This bill meets those requirements. I support the farm bill because I believe American agriculture is vital to our national security, health and way of life, and I urge my colleagues to join me in supporting this important legislation.

I reserve the balance of my time.

Mr. KIND. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, it's planting season back home in Wisconsin. I still represent one of the largest agricultural producing districts in the entire Nation. Our farmers need a new farm bill. They need to know what the rules are that they have to work and live under.

But we need to do a farm bill the right way, not the wrong way, one that maintains an important safety net for family farmers across the country and is also responsible to the American taxpayer.

Unfortunately, I kind of feel like Paul Harvey here in the well today about to give the rest of the story. This farm bill could be summed up in simple words, it's a missed opportunity. In fact, it could be summarized by the phrase: Where's the beef? Where's the real reform?

Why do I say that? Let's take a look for a second at the so-called reforms under the commodity subsidy programs. By the time you include off-farm and on-farm income and allow double entities, dual entities on the same farm, and their adjusted gross income, you have adjusted gross income up to $2.5 million and you still qualify for taxpayer subsidies. That would constitute approximately two-tenths of 1 percent of farm entities throughout the country that might be affected by these so-called reforms under the direct payments.

Now let's remind ourselves, these direct payments are $25 billion, that go out over the next 5 years, regardless of price, regardless of production. It's not a safety net. It's an entitlement program that each and every one of us will have to go home and look our taxpayers in the eyes and try to explain to them why some of their tax dollars are going to go to a farm entity with an adjusted gross income of $2.5 million.

□ 1415

If you look at the loan deficiency program and the countercyclical, the two other subsidy programs that currently exist, we went in the wrong direction rather than the right direction with reform.

There will still be allowed double dipping under the loan deficiency program. And the loan rates are being increased rather than decreased. And under the countercyclical, the target prices are going to be increased. What does that mean? It means that they will be triggered much earlier and will cost the taxpayer much more if prices start to decline.

One of the reasons there is less funding under the commodity title is because we're at a record time of commodity prices throughout the country. In fact, since the last time the farm bill was on the floor last year for consideration, you look at the five major commodity titles, and they have gone up tremendously since that time: Wheat, an additional 126 percent; soybeans up 57 percent; corn up 45 percent; cotton, 32 percent; and rice, 31 percent. Those are the main subsidized crops that we have throughout the country. Yet, instead of going forward with some reasonable and imminently justifiable reform to tighten up these programs so it is more justifiable to the taxpayer, they're going in the opposite direction.

I always believed that we had the capability, in light of current market prices, to produce a farm bill that maintains an important safety net for our family farmers but in a way that's less market and less trade distorting and is also justifiable to the American taxpayer.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. KIND. I yield myself an additional 30 seconds.

Unfortunately, this farm bill falls short on that worthwhile goal. And unfortunately it's the American taxpayer who is currently facing increased costs of food and fuel that will be paying more over the next 5 to 6 or 7 years by the time we get a chance to look at the next farm bill and talk about the reforms that may be needed.

I led an effort 5 years ago under the last farm bill for some commonsense reforms. People back then said wait for the next one, it's coming. Well, I've been here long enough to understand that tomorrow never comes, and today is the opportunity we have, in light of current market prices, to do the right thing.

I would encourage my colleagues to vote ''no'' on the farm bill.

Mr. PETERSON of Minnesota. Mr. Speaker, I am going to recognize my good friend, Mr. RANGEL, but before I do I would like to recognize Mr. HALL for a colloquy.

Mr. HALL of New York. Thank you, Mr. Chairman, for recognizing me in a colloquy regarding this bill, which I do support.

Mr. PETERSON of Minnesota. I would be happy to engage in a colloquy with my friend from New York.

Mr. HALL of New York. I thank the chairman for his prior support of a muck soils conservation program. Unfortunately, this House language did not survive in conference.

Existing programs like CREP do not address the needs of muck farmers, like the black dirt farmers in Orange County, New York. In the Hudson Valley, this has led to full retirement of soil and rent inflation.

The needs that would have been addressed in the House bill remain. Proposed administrative changes in future CREP contracts will not address impacts of contracts that are in place today and will be for several years. These are ongoing challenges for farmers in my district and throughout the northeast, growers of specialty crops and producers of muck crops who have been thrice underserved by previous farm bills.

Again, I thank the chairman and ask if he would be willing to continue working with USDA on solutions that will meet conservation goals and address unintended economic consequences of existing programs.

Mr. PETERSON of Minnesota. I thank the Congressman from New York for his remarks and his work on this issue.

These are, indeed, some serious concerns about the implementation of the New York CREP and its impact on the gentleman's muck farmers. It is my understanding that USDA and the State of New York have taken steps to ensure that any new enrollments will not have such negative impacts.

The conference report under consideration directs the Secretary to work with the producers in New York's muck soil areas to use existing programs to help implement farm bill conservation programs on acres still under production.

I look forward to continuing to work with the Congressman from New York on this issue in the future.

With that, Mr. Speaker, I would like to yield 2 minutes to my good friend, the gentleman from New York, the chairman of the Ways and Means Committee, without whose tremendous work we wouldn't be here today. So, Mr. RANGEL, we very much appreciate, on the Agriculture Committee, your effort, and you, Mr. POMEROY, as well, to help us get this bill to the final end.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. I know that some of you may wonder why an old man like me from Harlem would have an interest in the ag bill, but when I hear my distinguished colleague from New York talk about muck farming, it's very important to us as a farm State that we be involved in those type of things. But the truth of the matter is that, while I recognize there are times to be quiet and to listen and look intelligent, I had Earl Pomeroy right there at my side asking, what are they talking about?

I've learned a lot about trust funds that I didn't even know existed—and some of you didn't know. But the truth of the matter is that, while I recognize that Mr. KIND was looking for a bill that, as a person that concerned themselves in agriculture, that at the end of the day we have to play the cards that have been given to us. And so I do know the good that has come out of this bill and the pride that I got as a Member of this Congress and seeing the work that Mr. PETERSON has been able to do, working with the Republicans on the other side, in all parts of the bill, in all parts of the leadership on the House and on the Senate side and with them. And I'm telling you, if all of us could have the optimism that he has displayed in the last few years about the salvation of our country, we would have no problems.

It was like a big jigsaw puzzle, and each time he told me we got the last piece there, and when he plugged it in, something even bigger dropped out. We buried this bill so many times, but I'm glad to see that, through the bipartisanship, the friendship, and the cooperation, we will be able to give this country and the world a product that we're proud of, a product that our farmers have worked on to be able to be the food basket not only of the world, with special provisions, but of the many people in our great country that are so in need of food. I'm proud to be a Member and proud to be a part of this.

Mr. FLAKE. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. I thank the gentleman for yielding.

Mr. Speaker, I say this regretfully, but this bill is an absence of leadership. This bill shows that we're not leading, that America is not leading, that the new majority is not leading.

Why do I say that? The new majority brought this bill to the floor and they waived PAYGO. They swept PAYGO under the rug and they're violating PAYGO in two places in this bill alone. They'll say, we're trying to conform with the Senate PAYGO rules. Well, that does so at the very expense of the House PAYGO rules. What I find interesting is, right after this bill is passed they're bringing up the new budget resolution, which if that passed before this bill passed would violate the Senate PAYGO rules. How convenient.

The point is this: We're sweeping money under the rug; this bill is hiding $23 billion in extra costs, it's not even measuring the amount of payment increases and price increases that are in here. But where this is really a loss in leadership is, I don't think the American taxpayer, who is having a hard time making ends meet today, who is stretching their paycheck really far with high gas and food prices, likes the idea that we're going to give couples earning $2.5 million subsidies for growing agriculture. Why are we giving agriculture subsidies to multimillionaires? This does not reflect the values that the taxpayers sent us here to achieve.

More to the point, Mr. Speaker, this will hurt the family farmers. That's what a farm bill ought to be about, helping family farmers, not corporate farmers. But by doing it this way, we're making it harder to open up markets for our family farmers so they can sell their corn, their beans, their dairy, and all their other products in foreign markets. Ninety-seven percent of the world's consumers don't live in this country, they're in other countries. We should open those markets for their products.

This bill, with its huge subsidies, closes those markets, it hurts the Third World from being able to lift their life out of poverty, and it wastes taxpayer dollars. And all you have to do is look at the rule that passed that says, ''Waive PAYGO one more time. The rules don't apply. Let's hide all this extra spending.''

This, among many other reasons, is why people should vote against this bill.

Mr. GOODLATTE. Mr. Speaker, at this time, I am pleased to yield 2 minutes to the gentleman from Oklahoma (Mr. LUCAS), a ranking member of one of our subcommittees.

(Mr. LUCAS asked and was given permission to revise and extend his remarks.)

Mr. LUCAS. Mr. Speaker, I rise today to offer a few brief observations about H.R. 2419, the farm bill.

Now, let me preface my comments by noting that this is a representative democracy. And while I may not always agree with the actions of this body, I am obligated to vote the will of my Oklahoma constituents.

My farmers and ranchers want a farm bill. They know how important it is to have a comprehensive Federal farm policy for both producers and consumers of American's food and fiber. They've watched as the majority leadership of this body ordered the cut of $300 million of direct farm commodity support. And soon they will figure out that a single—maybe earmark is not the proper phrase, a single project in this package will spend almost $250 million to subsidize the land purchased by a private entity.

They know that the committee had no new money to spend on production agriculture when we started to write this bill. And they will be amazed when they realize that the majority leadership of the House demanded and received $10 billion in new government nutrition programs.

They thrived under the flexibility of the last two farm bills. They understand that raising target prices and loan rates is a step back to the old days of Federal Government making planting decisions for them.

Mr. Speaker, it's not hard to read between the lines. The elected leaderships of my farm groups back home fear that this is the best that this body is capable of with this House leadership. And they are frightened of all the leading candidates for President.

I understand the fear my fellow farmers and ranchers in Oklahoma have for the future of agriculture, and at their request I will vote for this, as we would say back home in Oklahoma, ''half a loaf.'' But this process and this policy, I fear, aren't good for American food producers or American food consumers.

Mr. PETERSON of Minnesota. Mr. Speaker, I am pleased to yield 1 minute to my vice chairman and the distinguished chairman of the Conservation, Credit, Energy, and Research Subcommittee, Mr. HOLDEN from Pennsylvania.

Mr. HOLDEN. I thank the chairman for yielding to me and I rise in support of the conference report. But I also rise to congratulate and commend our chairman and ranking member for a job well done.

This is a bipartisan product. This committee, we very seldom have partisan disagreements, but we have regional differences, and this bill reflects those regional differences. It also reflects that all of us had to give, all of us had to compromise. Every title of this bill is a compromise that all of us worked together so that we can accomplish.

In title I, we were able to maintain the safety net at the same time to have reform written into this law. Title II on conservation, an increase of $4 billion of investment in conservation programs.

Everyone is talking about the price of energy in this country, and for the first time in an ag bill we have a significant investment in energy. We have a loan guarantee program for cellulosic ethanol that's going to allow us to begin to wean ourselves off dependency on foreign energy.

And the nutrition title in this bill is over a $10 billion increase in investment in nutrition programs in the Department of Agriculture. This is a good bipartisan agreement, and I urge its adoption.

Mr. KIND. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, as I indicated, I represent one of the largest agriculture districts in the Nation, western Wisconsin. We do a lot of corn, a lot of soybeans, a lot of beef cattle, obviously a lot of dairy. I've got a 200-acre farm myself, and we rotate corn and soybeans, have some beef cattle on it. One

of the additional concerns I have with the subsidy programs is how skewed it is to the very biggest entities.

Over two-thirds of these commodity subsidy programs are going to the 10 percent largest entities in agriculture today. Why is this a problem where I'm from? Well, a lot of these big entities are using the additional subsidy money to gobble up the family farms that exist around them. It's driving up land prices in Wisconsin and making it virtually impossible for new beginning farmers to enter agriculture.

If you look at the reforms that are being touted in this farm bill before us today, they just don't meet the test of time. The income limits that apply currently to direct payments, by the time you count dual incomes on the same farm go as high as 2.5 million in adjusted gross income. That's after expenses. That's after all the cost of doing business is deducted out. And according to last year's tax returns, for those who filed a Schedule F Farm Income Report for tax purposes, these reforms that are being touted today might affect two-tenths of 1 percent of farm entities throughout the country, two-tenths of 1 percent. Give me a break. And the income limits have been lifted for the other two subsidy programs, the loan deficiency program and the countercyclical program.

And to top it all off, they've created the granddaddy of all earmarks in this Permanent Disaster Fund, which we all know, based on past history, is going to be a very targeted, very regional dispersion of this new Disaster Relief Fund.

□ 1430

Now, when you think about the fact you've got three existing subsidy programs already, LDP, counter-cyclical, the direct payments, you throw on top of that the crop insurance subsidization that goes on in the farm bill, why do we need to add another layer of entitlement funding with this new disaster relief program? But we all understand how these farm bills come together. They usually go above baseline. They have to come to the Ways and Means Committee to find offsets in order to pay for it.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. KIND. Mr. Speaker, I yield myself an additional 30 seconds.

They come up with enough money to throw at enough groups, at enough individuals, at enough programs in order to buy people off around here. And it's the reform effort that's the first casualty in this entire process. We saw it 5 years ago. We're seeing it today. My fear is we're going to see it 6 or 7 years from now when the next farm bill is up for consideration.

It is a missed opportunity. The President is right. We ought not be giving taxpayer subsidies to wealthy individuals at a time of record-high commodity prices in the marketplace.

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

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

Mr. PETERSON of Minnesota. Mr. Speaker, I am pleased to recognize the chairman of the Specialty Crops, Rural Development and Foreign Agriculture Subcommittee, the gentleman from North Carolina (Mr. MCINTYRE) for 1 minute.

(Mr. MCINTYRE asked and was given permission to revise and extend his remarks.)

Mr. MCINTYRE. Mr. Speaker, this bill is a victory for farmers, a victory for communities, a victory for rural America.

As chairman of the Rural Development Subcommittee, I'm pleased that this conference report contains strong rural development title that supports small business, expands access to broadband, and addresses the critical infrastructure backlog at the USDA. I'm very excited that this conference report also authorizes regional development economic commissions across the country to put a Federal focus on jobs and economic development.

At a time when our economy is struggling, the authorization of the Southeast Crescent Authority, or called the Southern Regional Economic Commission in this bill, represents a great opportunity to help our rural communities thrive for generations to come. It will also help small business through the new Rural Entrepreneur and Microenterprise Assistance Program that will provide technical and financial assistance to businesses employing less than ten people, which are the fastest generators of new jobs.

Mr. Speaker, I am pleased that we have an opportunity to move rural America forward and no longer leave it behind with business and economic opportunity, and that's what this farm bill does. And may Congress follow suit to do the same.

Mr. FLAKE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, sometimes here in Washington, we tend to drink our own bath water and believe our own press releases. And to hear some of the debate here, you would think this is the best bill in the world and that everybody out there has got to support it.

Let me just read a couple of editorials from around the country to give you an idea of how this bill is being played outside of Washington:

The Columbus Dispatch: ''The current compromise version of the farm bill includes little retreat from the subsidy program that for decades has bled taxpayers, fattened the already fat, distorted market incentives, soured U.S. trade, hurt the environment, and done little for family farmers.''

The San Francisco Chronicle: ''From the fiscal watchdog perspective, this bill is a sign that the new Democratic leadership is as profligate as the Republican leadership it replaced. Make that more profligate . . . The $286 billion farm bill is good politics only because the millions of taxpayers who are paying the bill are not pushing as hard as the relatively few who benefit.''

The Albany Times: ''Corn prices are up. Same for flour. That means farmers are enjoying boom times . . . So why would Congress even think of giving more generous subsidies?'' That's a good question.

The Spartanburg Herald-Journal: '' . . . The fact that reform has failed, and Congress is about to pass a renewal of the same failed, wasteful subsidies, is a testament to all that's wrong with politics in Washington . . . Congress has reached a House/Senate compromise bill that will continue to take money from you and other families struggling with high food prices to further enrich big corporate farmers who are already earning record prices for their crops.''

The Dallas Morning News: ''The legislators negotiating the new farm bill evidently don't do their own grocery shopping. Otherwise, they'd have seen the dramatic rise in food prices. And they'd have done more than trim only $400 million from the $26 billion in direct-payment subsidies they're planning for farmers . . .''

We can do a lot better than this. I want to associate myself with the comments of Mr. KIND from Wisconsin. Taxpayers expect more.

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

Mr. GOODLATTE. Mr. Speaker, at this time it's my pleasure to yield 2 minutes to the distinguished gentleman from North Carolina (Mr. HAYES), a ranking member on the Agriculture Committee.

Mr. HAYES. I thank the gentleman for yielding.

Mr. Speaker, I rise today to support this farm bill and especially to thank Chairman PETERSON and Ranking Member GOODLATTE and really especially the incredible members of the House Republican and Democrat staff for their tremendous work on this very difficult legislation.

However, I must oppose a provision that should not be in this conference report.

Mr. Speaker, our Nation needs an agriculture policy for the 21st century. Anyone who is paying attention to their grocery bill lately can see that things are changing around the world and in this country. It's showing up in the price of food. If you're keeping up with the news, the changes we are seeing in higher prices are being played out as full-blown food shortages in other parts of the world. Sound agriculture policy is not just about our economy; it's a key component in our national security.

Mr. Speaker, we need this legislation, and I support the passage of the agriculture provisions. But there is a provision that was added late in the process that has nothing to do with agriculture, nothing to do with farmers or our food supply. It's a provision that will liberalize our current trade practices with Haiti.

Mr. Speaker, I don't know what the impact of this Haiti provision will be. Two of the leading textile groups say the impact will be minimal while the positive benefits of the farm bill will be

much greater. While I would reject this policy change under any procedure, this Haiti provision was added without hearings, without any debate. Mr. Speaker, out of principle I don't think this is the time or the place to add this trade provision with Haiti. And, therefore, to make that point, I am going to cast a ''no'' vote on the farm bill conference report today.

Mr. Speaker, let me be very clear. My vote today is to protest this Haiti provision, but my goal is to ensure passage of the farm bill. I know there's a veto threat from the White House. If the President decides to follow through, I will be there voting to override him because we need this update for our Nation's policy.

Mr. Speaker, after a very lengthy conference process, I am pleased to report significant victories in the ag portion of this bill. As the Ranking Member of Livestock, Dairy and Poultry, I worked with my colleagues to eliminate or water down many of the Livestock Competition issues that were included in the Senate passed Farm bill. Most importantly, we were able to defeat the inclusion of the ban on packer ownership. This ban would have been detrimental to North Carolina and the livestock industry across the nation.

The economic adjustment assistance program for textile mills is another significant provision included in this bill. This important provision will provide critical assistance to textile manufactures for the modernization of equipment and operations. This is a priority for our leading domestic textile organizations including the National Council of Textile Organizations, the Cotton Council and the American Manufacturing and Trade Action Coalition.

The White House or anyone else watching, should not read my ''no'' vote today as opposition to passage of the agriculture provisions in the Farm Bill. Our Nation needs updated agriculture policy. As a member of the Agriculture Committee and conferee to this bill, I had a hand in shaping these changes. We ultimately need to get this done, and I will be there to make sure it does.

Mr. PETERSON of Minnesota. Mr. Speaker, I am now pleased to recognize the distinguished chairman of the Livestock, Dairy, and Poultry Subcommittee, who is responsible for having the first-ever livestock title in the farm bill, the gentleman from Iowa (Mr. BOSWELL) for 1 minute.

(Mr. BOSWELL asked and was given permission to revise and extend his remarks.)

Mr. BOSWELL. Thank you, Mr. PETERSON, for the time.

Mr. Speaker, I rise in support of this conference report. And I would just say to my friend Mr. KIND, we all want the whole loaf of bread but sometimes we take a few slices, and you have to know that lots of reform has taken place.

As chairman of the Livestock, Dairy, and Poultry Subcommittee, working with my ranking member over here, Mr. HAYES, we have got the first-ever livestock title. It offers producers much-needed protections and ensures fairness and transparency within the marketplace.

I'm proud of this bipartisan bill. It also has a strong title for the dairy industry. Together we were able to bring producers and processors together on issues that have divided the industry for years. We were able to bring together the National Milk Producers Association and the International Dairy Food Association, with their excellent leadership, to avoid a very controversial issue in the dairy forward pricing program. Also, in the dairy title we ensure our dairy producers have an adequate safety net and our dairy industry continues to thrive.

The farm bill will provide a safety net for farmers and increase conservation efforts so that we can protect the land for future generations.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield the gentleman an additional 10 seconds.

Mr. BOSWELL. Everybody, every man, woman, and child, has a vested interest in the farm bill. We have access to the most plentiful, safest, least expensive food in the world. Mr. RANGEL gets it. Mr. ACKERMAN gets it. We should all get it.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, Indiana is agriculture, but Hoosiers on and off the farm also believe in fiscal discipline and reform. And it's for these reasons that I regretfully express my opposition to this farm bill, the Food, Conservation, and Energy Act of 2008.

During my years of service on the House Agriculture Committee, I have sought to be a voice for Indiana family farmers and an advocate for reform. I have worked to advocate changes in this legislation. And I want to express my profound appreciation to Chairman PETERSON and to Ranking Member GOODLATTE for including provisions in this farm bill that will save Indiana jobs and create new opportunities for farmers across the Midwest. While I differ ultimately in the support for the final product, I respect deeply these two men and am grateful for their work on behalf of these issues.

I'm opposing the farm bill because I believe it's fiscally irresponsible and does not contain the kind of reforms in American agriculture that these times demand. This bill fails to reduce government subsidies to farmers, fails to encourage market-based reforms to the Nation's agricultural policy, and fails to promote international trade. It also fails to meet our Nation's farm policy needs within our own budget guidelines.

The farm bill being considered today will actually increase the size and scope of government and will cost taxpayers more than $650 billion over the next 10 years. In comparison with the previous farm bill, this bill will cost $65 billion a year as opposed to the $45 billion before. It is in effect a 44 percent increase in spending.

And let me say I support family farming and I loathe the demagoguery of many who criticize farm subsidy programs, ignoring completely the real world input costs that American farmers face. But this bill still goes too far, in my judgment. It will continue to allow married couples with household incomes up to $2.5 million to receive subsidies. Subsidy payments oftentimes, under this legislation and previous bills, are concentrated in the hands of a few with the top 10 percent of recipients receiving nearly two-thirds of all farm payments.

There are other problems with this bill as well. It will allow farmers to lock in price support payments at the lowest possible market price and sell their crops at the highest price. And the bill also ignores the plight of consumers facing skyrocketing food prices by making a bad sugar program worse.

Mr. Speaker, I come to the floor with a sense of melancholy about this, having been on the Agriculture Committee during development of the last farm bill and coming from the great State of Indiana. It has always been my ambition to support Indiana farmers, to support them with Federal policy that enables farmers to sustain the American cutting edge in global agriculture. But I have always sought to do that in a way that protects our Federal budget and protects the American taxpayer at large.

It's for those reasons that I am opposing this farm bill legislation and urge my colleagues to do likewise.

Mr. GOODLATTE. Mr. Speaker, at this time I am pleased to yield 1 minute to the gentleman from Missouri (Mr. HULSHOF).

Mr. FLAKE. Mr. Speaker, I will yield 1 minute to the gentleman from Missouri (Mr. HULSHOF).

The SPEAKER pro tempore. The gentleman from Missouri is recognized for 2 minutes.

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. I thank the tag team here for allowing me this time.

Mr. Speaker, I rise in support of this conference report, and I commend my friend for his patience and his persistence in bringing to this body this consensus product.

I realize that fewer and fewer Americans have a direct connection to the land. One reason is because it's becoming quite tough to make a living in production agriculture. And certainly that disconnect to rural America is evident here on the floor of the House. Dwight Eisenhower once said, ''Farming looks mighty easy when your plow is a pencil and you're a thousand miles away from the cornfield.''

Or to put it another way, Mr. Chairman, I quote from the saying on the plaque in your office that says, ''If farming were easy, Congressmen would do it.''

Well, I am a farmer. I'm the son of a farmer. I'm the grandson of a farmer.

Agriculture runs in cycles, and sometimes those cycles are pretty volatile. In September of 2005 during our corn harvest after Hurricane Katrina, the price of corn at a river terminal in Southeast Missouri was $1.40, and I don't recall anybody other than yours truly coming to the floor to extol that fact.

□ 1445

Yesterday, that same bushel of corn would have brought $5.97 at least on the Chicago Board of Trade, and even that isn't a windfall. And because we know that it is 47 percent more this year to plant one acre of corn in Missouri than it was last year, fertilizer is up 112 percent. Grain contracts and loans are getting harder to come by. Debt has increased by 30 percent in the last 5 years. We know farming looks a lot today like it did before the crash of the 1980s.

And we also know with all respect to those who talk about profligate spending, that about three-quarters of the farm bill dollar in this bill will not go to farmers but to the equally noble goal of ensuring that Americans have enough to eat. And quite frankly I expect that most of the farm payments to production agriculture in this bill will never have to be paid because the market price is going to be above the trigger level.

Mr. Speaker, I rise in support of the farm bill. In doing so, I thank my good friend Chairman PETERSON for bringing a bill we can all support to the floor. I must say that without his leadership, we would have never reached this point.

This, Mr. Speaker, is the last farm bill I will vote on as a Member of this great House. And as I do so, I think of my dad, the founder of my family's farm. He built our farm using not Government handouts but hard work, business savvy and penny-pinching.

By creating this successful small business he was able to save just enough to plant the next year's crop and send his only son to college. Many who oppose this bill would probably point to my dad as one of those rich farmers who doesn't need a safety net. In response, I quote Dwight Eisenhower, ''farming looks mighty easy when your plow is a pencil and you're a thousand miles from the corn field.''

Those of us who actually farm, know farming isn't easy. We know that it now costs $534, or 47 percent more than last year, to plant 1 acre of corn in Missouri and we know fertilizer is up 112 percent from last year. We know that farming looks a lot like it did in the 1970s.

For those who don't remember, during the 1970s we had conditions much like today; healthy world demand took prices to all-time highs. Many farmers cashed in their land's equity and bought new land to chase these high prices. Then Government policies changed, including the grain embargo to the Soviet Union after their invasion of Afghanistan, and the market crashed.

I remember that policy well; it was the first time I realized that factors beyond our farm gate could determine the fate of our farm. I later learned that it nearly cost us our farm.

Ultimately, the crash of the 1980s caused thousands of farms to go under and when they did they took with them 300 agricultural banks, countless business that depended on farmers, and even some entire rural communities.

The similarities to today are striking. Today farm debt sets a new record every year, increasing 30 percent, or $52.8 billion, in the last 5 years. The price of land has once again risen to 1970s-esque highs, climbing 67 percent since 2003.

Now I am not saying that we can expect a crash, I don't know what the market will do over the next few years—no one does. What I am saying is that now is not the time to support irresponsible cuts to the safety net.

Now I know, the opponents of the farm bill will say they don't support irresponsible cuts, they only want ''reform.'' There is reform in this bill, there is a lower income cap, there are reforms to the loan programs and the bill does away with the three-entity rule.

I know, the reformers will counter by saying these reforms don't go far enough. But if their reform plan—the Kind-Flake Amendment—would have passed and prices would have declined during the life of the farm bill, then ''most of the farms and ranches would not be able to survive the erosion in farm income,'' according to the independent Agriculture and Food Policy Center at Texas A&M University.

The bottom line is that Chairman PETERSON has engineered an excellent compromise. It provides $209 billion for food stamps and school lunches. The bill also provides $25 billion for conservation programs, including enough funding to enroll nearly 13 million acres, or an area the size of West Virginia, into the Conservation Security Program. And the bill provides $35 billion to help farmers stay afloat.

The good news is if prices stay at their current level, most of those authorized dollars will never have to be paid. The safety net in the 2002 Farm Bill cost $20 billion less than what it was projected to cost, because commodity prices stayed high.

This bill is not a windfall; it is a basic safety net for our farmers. This safety net costs each taxpayer 6 cents a day. In return, farmers provide the safest, most abundant food supply at the lowest cost—just 11 percent of our income goes toward food, the lowest total in the world.

So I ask all of my colleagues to support this compromise. I am sure every Member can find things to oppose in this bill, there are certainly parts I oppose and I know there are even parts of the bill that Chairman PETERSON opposes. But at the end of the day, we cannot allow the perfect to be the enemy of the farmer. Support the farm bill.

Mr. PETERSON of Minnesota. Mr. Speaker, I am now pleased to recognize the chairman of the General Farm Commodities and Risk Management subcommittee, the outstanding chairman from North Carolina (Mr. ETHERIDGE) for 1 minute.

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, let me commend the chairman and ranking member for their hard work. And I stand in support of this conference report.

This truly is a bipartisan piece of legislation that the House Agriculture Committee has produced and one that affects every citizen in this country.

Agriculture is the number one industry in my home State of North Carolina. It is responsible for $66 billion in income and employs almost one-fifth of the State's workforce.

Mr. Speaker, it is critical that we have a stable farm policy in this country, not just for North Carolina, but for every child that participates in the nutrition program, for every food bank and for every school lunch program.

The bill increases the funding for the Nation's nutrition programs by over $10 billion, provides over $1.1 billion for renewable energy, and increases funding for conservation efforts by $6.6 billion.

And for new and growing sectors of agriculture like organic foods, we have included, for the first time, mandatory funding for specialty crop research and marketing.

And we are able to do all this while ensuring that the safety net for our farmers remains intact, ensuring that no matter what, our citizens will always have a stable food supply.

Mr. FLAKE. I yield 1 minute to the minority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague for yielding.

Mr. Speaker and my colleagues, I have been around the House Agriculture Committee for nearly 18 years. The chairman and I came together. We are good friends, and so is the ranking Republican, Mr. GOODLATTE. And I know they have worked hard to produce this bill.

But clearly, most Americans think that Washington is broken. And this farm bill frankly is another example of that. I know there is some reform in this bill. But when you begin to step back and look at the bill, we didn't get anywhere near the reform that I think most Americans would expect.

At a time when we have got the highest commodity prices that we have seen in a generation, you would think that we would take a slightly different approach to the farm bill. But unfortunately, because of the process, because of the negotiations, it didn't happen. I just want to point out what I would describe as the most egregious part of this.

I, or one of my designees, will have a motion to recommit this conference report. And it is no secret that politicians have traditionally used and abused the farm bill for their own pet projects. There are three pet projects in this bill that I am going to single out in my motion to recommit.

One, it would strip out the ''Trail to Nowhere,'' a land swap that was airdropped into the bill by the senior Senator from Vermont. The language would require the U.S. Forest Service to sell portions of the Green Mountain National Forest exclusively to Vermont's Bromley Ski Resort. And believe it or not, to accommodate this obscure demand, portions of the Appalachian National Scenic Trail may

have to be moved. They are actually going to move the Appalachian Scenic Trail, possibly have to move it, because we are going to sell this land to a ski resort. I don't think the taxpayers ought to have to bankroll this boondoggle.

Secondly, our motion will strip out a $170 million earmark for the salmon industry that was airdropped into this bill in secret. The provision was never considered in the House. It was never considered in the Senate. One hundred seventy million dollars to bail out salmon fisheries. Now you should also note that after Hurricane Katrina, when the entire gulf coast fishing industry was annihilated, they actually only got $126 million from the Federal Government to fix their fisheries. I don't think taxpayers ought to be required to put up the money for an airdropped earmark that was brought into this bill never having been considered in either body.

Finally, our proposal would strip out a $250 million earmark secured by the chairman of the Senate Finance Committee, the gentleman from Montana. This earmark, incredibly enough, is targeted for forests to house fish. Yes. We are going to target a forest that houses fish, incredibly, what we would call ''forest fish.'' Only one forest in the country happens to have fish in it. And it just happens to be based in Montana, located in Montana where the Senator is from. I don't think the taxpayers ought to have to pay $250 million to take care of forest fish.

Listen, the American people are struggling with the high cost of living, whether it is the cost of gasoline, the cost of food, trying to make sure that they have got health care, concerned about whether they have a job tomorrow or will be able to afford their home mortgage. And here we are moving a farm bill that has earmarks in it that just don't pass the straight-face test.

And so I would ask my colleagues, if you think that this is a wise use of taxpayer funds, you can go ahead and vote against this motion to recommit. But I would invite my colleagues on both sides of the aisle, if you think that taxpayer funds could be spent more wisely, vote for the motion to recommit, and let's make this bill a better bill. We can do better.

Mr. KIND. Mr. Speaker, at this time I would like to yield 2 minutes to a strong advocate of reform and for a strong conservation title in this farm bill, my good friend from Oregon, EARL BLUMENAUER.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy as I appreciate his leadership.

I heard my friend from Missouri talk about the lack of connection to rural America. And I think that is, in fact, the case. And we are missing an opportunity with this farm bill to try to strengthen it because this farm bill continues to shortchange most farmers. It will fail to fund the majority of the environmental programs that go lacking. And most farmers will continue to get nothing, nothing from this bill. The richest 10 percent will get two-thirds to three-quarters of the total direct farm payments.

There are a number of things in this bill that I like, that I have been working for since the last farm bill to help provide some support for people who grow food, not just the five big commodities. I am glad that there is an increase in nutrition. But the reason the President should, and I think will, veto this bill has nothing to do with the good stuff. It is time to reform the farm bill, to reduce to $200,000 limit on AGI to qualify for subsidy. That is what the President is arguing for. That is the right thing to do. It is something that we ought to be able to have a bipartisan majority to support.

It will save the taxpayers money. It will enable us to fully fund the environmental programs that are so critical, particularly for small and medium-sized farmers and ranchers. We don't have to shortchange nutrition. The nutrition provisions ought to be strengthened with money we save from unneeded payments to the rich.

We have lots of money that is flowing to the richest farmers in America who don't need it. That's wrong. In fact, they have assumed that this bill is so egregious, I invite any of my colleagues to look at section 1619. The authors of the bill carve out an exemption to the Freedom of Information Act so that the recent Circuit Court ruling that would open this up to a spotlight is off limits.

The SPEAKER pro tempore. The time of the gentleman from Oregon has expired.

Mr. KIND. I yield the gentleman 30 additional seconds.

Mr. BLUMENAUER. We should not drop a veil of secrecy over this bill. We should open it up. Let the American public know what is in it. If for no other reason, the notion that we are going to play a game of ''hide-the-marble'' with them, and not be honest about the true cost and the true benefits is another illustration of what is wrong with this bill, why the President should veto it, and why each and every Member should sustain that veto.

We can do a lot better for less money to help more farmers and ranchers. And I urge my colleagues to do so.

Mr. PETERSON of Minnesota. Mr. Speaker, I am now pleased to recognize the distinguished chairman of the Department Operations, Oversight, Nutrition, and Forestry Subcommittee, one of our outstanding chairmen, Mr. BACA of California.

Mr. BACA. Thank you very much, Mr. Chairman, for yielding. I want to thank our chairman, COLLIN PETERSON, for his leadership. I want to thank the minority ranking member, Mr. GOODLATTE, in supporting this historic farm bill which I strongly support. As Chair of the Department Operations, Oversight, Nutrition, and Forestry Subcommittee, I am strongly supportive of this bill that increases nutrition by $10.364 billion.

Right now, there are 38 million Americans who do not have enough food to eat. This farm bill helps these people. It fights hunger in America by making an historic investment in nutrition programs that will help 13 million American families. This will help an additional 10 million Americans, including 320,000 working poor families, 380,000 elderly and disabled, plus our veterans. This will help put food on the table for many individuals that don't have food.

This farm bill also ensures that low-income elementary school children will have access to fresh fruits and vegetables in schools by expanding the USDA snack program to all 50 States leaving no child behind who is left hungry.

I ask you to support this farm bill. It is an important farm bill. I urge everyone to vote for it.

Mr. FLAKE. I yield myself 1 minute.

We have mentioned the generous subsidies that still flow to multimillionaire farmers. Let me just put that in perspective in this legislation. With this legislation, a farm couple earning $2.5 million in combined on-farm and off-farm income is still eligible for hundreds of thousands of dollars in farm payments. Yet an urban couple earning a little more than $17,800 or owning more than one vehicle can become ineligible for food stamp benefits.

Now I am not making an argument that we should raise the threshold for food stamp benefits. But look at the difference here. How in the world can you justify having a farm couple with on-farm and off-farm income of $2.5 million still eligible for hundreds of thousands of dollars in subsidies? It is simply indefensible.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, may I ask how much time is remaining.

The SPEAKER pro tempore. The gentleman from Virginia has 12½ minutes remaining. The gentleman from Minnesota has 6¼ minutes remaining. The gentleman from Arizona has 15 seconds remaining. The gentleman from Wisconsin has 1½ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield myself 15 seconds to say to my friend from Arizona that if you know of the farm couple where each person has $500,000 in off-farm income and each has $750,000 in farm income, the two limits we have imposed, down from $2.5 million to $500,000 for nonfarm income and never before limited to $750,000, I would like to meet that couple, and then we will fix that problem.

I yield to the gentleman from New York 1 minute.

(Mr. KUHL of New York asked and was given permission to revise and extend his remarks.)

Mr. KUHL of New York. Mr. Speaker, I would like to join my colleagues in congratulating Chairman PETERSON and Ranking Minority Member GOODLATTE in bringing this bill to the floor in very difficult times. I rise in support of the farm bill conference agreement.

Agriculture is one of the most important industries in New York State, believe it or not. In the 29th District alone, there are over 6,000 farms covering more than 1.2 million acres and employing thousands of workers. Annually, the farm economy generates over $360 million in my district alone.

During the writing of the farm bill, I hoped to address some of the most pressing issues facing New York farmers without destroying important provisions for other States, districts or industries.

□ 1500

The committee held a field hearing in my district, where we heard about issues such as extending the MILC program, increasing funding for specialty crops such as apples and grapes, enhancing conservation programs such as FRPP and EQIP, augmenting nutrition and food assistance policy, and utilizing our crops to assist in developing a strong renewable energy portfolio.

This bill makes historic investments in priorities to strengthen the fruit and the vegetable industry and expands a variety of things like the snack program. I hope my colleagues will support it.

Mr. PETERSON of Minnesota. Mr. Speaker, I am now pleased to recognize one of the members of the conference committee, a valuable member of our committee, Mr. SCOTT of Georgia, for 1 minute.

Mr. SCOTT of Georgia. Mr. Speaker, let me just say, is this a perfect bill? No, but is it a good bill, yes. It's a good bill for the people of America in response precisely to their needs now.

The American people are concerned about high food prices, this brings it down. They are concerned about high gas prices, this bill brings it down. One of the most pressing areas that this bill does good on, it corrects a major injustice to African American farmers by passing a bill which includes $100 million to set up a fund so that these black farmers can have their day in court, something they fought for for years.

It also has money in here to set up research grants for predominantly African American land-grant colleges of 1890, Florida A&M University, agriculture, mechanical; Arkansas A&M University, agriculture, mechanical; North Carolina A&T, agriculture and technical. These schools were grounded in agriculture. But, yet, because of past discrimination, the black farmers and black colleges have been denied.

This good bill corrects that. We must pass this bill and make sure that this bill passes.

Mr. GOODLATTE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Texas (Mr. NEUGEBAUER) who is a subcommittee ranking member on the Agriculture Committee.

(Mr. NEUGEBAUER asked and was given permission to revise and extend his remarks.)

Mr. NEUGEBAUER. Mr. Speaker, I rise in support of the Food, Conservation, and Energy Act of 2008.

There have been a lot of figures and a lot of terms thrown around in this room today about payment limits and adjusted gross income, but let's really talk about what this bill is about, and what this bill is about is feeding and clothing the American people, to making sure that they continue to have access to the safest, highest quality products in the world. By the way, they are also the most affordable.

Now, one of the things that some people talk about is all of these rich farmers. Now, I will tell you it's very interesting. If it is as lucrative as everyone says, why is the number of farmers in America dropping? Go to a Farm Bureau meeting some evening in west Texas and see how many young farmers are dying to get into the farming business, or even have the capacity to get into the farming business.

I think it's also interesting, when we look at this bill, that about 70 percent of this bill has to do with providing an opportunity for those people that need a little extra helping hand to make sure that they do have a quality meal during the day, and that is in some of our food stamp and nutrition programs. Yet only 12 percent of this bill has anything to do with growing something.

Now, let me tell you that if you are going to feed and clothe people, I want everybody to know that those things just don't show up at the department store and the grocery store. Somebody actually has to produce it. We have hardworking farm families all over America that are fulfilling that commitment.

Let me tell you, it's difficult, the prices that some people have been talking about, well, the prices of these commodities are up. Yes, they are up, but let me tell you, look back 2 or 3 years ago when a lot of people wouldn't plant certain commodities because they couldn't make any money doing it.

The other question about this bill is, yes, it's about making sure Americans have quality agricultural products, but it's also about who is going to provide it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Speaker, I yield the gentleman an additional 15 seconds.

Mr. NEUGEBAUER. We have to make a decision today. In this energy situation this country is in, we are relying on other people to provide energy for America. Are we going to let American agriculture die so we have to let other countries feed and clothe America? I don't think the American people want that.

I urge my colleagues to vote for this bill.

Mr. GOODLATTE. Mr. Speaker, at this time I am pleased to yield 1 minute to the gentleman from Iowa (Mr. KING), a member of the committee.

Mr. KING of Iowa. I thank the gentleman from Virginia for his hard work and the chairman for his hard work.

Mr. Speaker, I will hit a quick list in my 1 minute. This bill cuts direct payments. We should not do that. That's green box, and that helps us stay in compliance with WTO.

It cuts a blenders' credit on ethanol. We should not do that, because that slows capital investment into ethanol production from corn.

It requires Davis-Bacon wage scales, which will reduce the numbers of ethanol plants we can build from five with the same money down to four. It imposes union scale in the countryside. We should not do that.

It has in it Pigford farms, which the gentleman spoke to, that's ripe with fraud. I will prove that over the months as it unfolds.

The other side of this coin is—you have to ask and answer this question—how does this bill get better if it fails here on the floor of this Congress? What comes out of the House and the Senate in a better configuration? Does it get better or does it get worse?

If you can paint a scenario by which it gets better, then you vote ''no.'' If you paint a scenario by which it gets worse, you vote ''yes.''

Mr. PETERSON of Minnesota. Mr. Speaker, I am now pleased to yield 1 minute to the gentlelady from South Dakota (Ms. HERSETH SANDLIN), a valuable member of our committee.

Ms. HERSETH SANDLIN. I want to congratulate the chairman and the ranking member of the full committee for this conference report.

Mr. Speaker, in addition to the important reforms and preserving the safety net and the commodity title as well as important increases in the nutrition and conservation titles, I worked with the chairman of the full committee during the House version of the markup to place an emphasis on beginning farmers and ranchers. This conference report includes a number of important provisions, including reauthorizing tax-exempt bonds to provide low-interest loans to beginning farmers and ranchers, increasing the loan limit for them from $250,000 to $450,000 and indexing that limit amount for inflation. There are also important provisions in the credit and research titles of this conference report for beginning farmers and ranchers.

The energy title is another area that as Mr. HOLDEN, the chairman of the Subcommittee on Conservation, Credit, Energy and Research, pointed out, the loan guarantees for advance biofuel production plants, reauthorizing the Rural Energy for America Program which provides the loans, loan guarantees and grants for producers to purchase and install on-the-farm renewable energy systems, establishing a forest bioenergy program; and, of course, championed by the chairman of the full committee, the biomass crop assistance program.

I encourage all of my colleagues for these reasons, as pointed out by many other colleagues, to support the conference report.

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

Mr. PETERSON of Minnesota. Mr. Speaker, I am pleased to recognize the gentleman from California (Mr. COSTA), another outstanding member of our committee, for 1 minute.

Mr. COSTA. I, too, want to congratulate the chairman and the ranking member for an effort that has extended now over 2½ years.

Mr. Speaker, certainly the measure before us, the Food, Conservation, and Energy Act of 2008, reflects a bipartisan compromise and consensus not easily gained.

I represent three of the country's most productive agricultural counties in the Nation. In my district alone, farmers grow over 300 various crops, which oftentimes are referred to as specialty crops, fruits, vegetables all sorts of diversified good food in America.

For the first time the important segment of American agriculture is being recognized, not in the form of subsidies, but in support of research, competitiveness programs, focusing on pest and disease prevention efforts. Not only does this help our growers, but it helps our consumers to ensure availability of safe, healthy fruits and vegetables for our citizens, a diet that's based upon good science.

Our farmers are working hard to implement better environmental stewardship programs, but they face continued challenges as it relates to air quality concerns and water shortages. This makes improvements in those areas as well.

Is this bill perfect? Certainly not, but it represents a hard-fought compromise.

I urge my colleagues to support the conference report.

Mr. GOODLATTE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, much has been said about whether or not there is reform in the legislation.

Let me point out that there is very substantial reform. We have caps on adjusted gross income limits on farmers and on nonfarmers. We require direct attribution of benefits. We reform the dairy and sugar support programs. We create revenue-based countercyclical programs. We address the beneficial interest problem. We reform the crop insurance program, and we eliminate the three-entity rule.

Those of you who are not in agriculture may wonder what some of those things are. They are all significant reforms resulting in this. For those who say we are not making cuts in the commodity programs, this orange bar represents payment for commodity programs under the last 3 years of the so-called Freedom to Farm Act, which some have touted as being more reform oriented in agriculture, $24.7 billion a year.

During the last farm bill, the 2002 to 2007 farm bill, it averages $12.1 billion per year. The projected average cost for the current farm bill that we are debating right now, $7.6 billion a year, less than one-third of what was spent per year under the Freedom to Farm program. This is real reform, these are real cuts in the commodity title for America's farmers and ranchers.

This gives you an illustration of what we are talking about, what we are debating about. This thing that looks like a pin, this little tiny slice of overall total Federal spending, is what goes to commodity programs, one-quarter of 1 percent of the Federal budget, down from three-fourths of 1 percent during the first year of the 2002 farm bill.

You might say we are dancing on the head of a pin when we have this much debate about reform for one-fourth of 1 percent of the farm programs.

I urge my colleagues to support this reform legislation.

Mr. FLAKE. Mr. Speaker, in my very short time remaining, let me simply say that we have a huge problem with entitlements in this country, one of which is the entitlement, direct payment system for farmers. This is not serious reform, when you are still paying farmers that make up to $2.5 million in subsidies from the taxpayer.

I urge a ''no'' vote on the bill.

Mr. KIND. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, with all due respect to the gentleman from Virginia, he really is an expert on these programs, but he knows as well as anyone the reason commodity spending is down is because commodity prices are up.

Two of the three subsidy programs are based on the amount farmers are getting in the marketplace. But that can all return in a heartbeat, and he knows it.

The fact is that you need a few Members of Congress here today to stand up and say the emperor has no clothes. As I said from the beginning, where's the beef, where's the real reform?

When you still allow taxpayer subsidies going to a farm couple with an adjusted gross of $2.5 million, that's not reform. When you lift the income limits under the LDP and the countercyclical program, that's not reform. When you increased the loan rate and the target price, it's not reform.

You have marginal reform with the crop insurance. Instead of having a farm bill today that has reasonable reform for taxpayers throughout the country, and has the great conservation title for the 21st century, or the healthy food bill of the 21st century, it's more status quo. It's more wait for 5 years, we will do it then.

Well, those 5 years never come. The time has never been better today, and the President is right. We should not be spending taxpayer subsidies for wealthy individuals at a time of record prices in the marketplace. When people are facing increased food and fuel costs, let us not do this to the American taxpayer and use their money needlessly.

I encourage my colleagues to vote ''no.'' We can do better. I know we can do better in producing a bill that provides a safety net for family farmers but is also responsible to the American taxpayer.

Mr. GOODLATTE. Mr. Speaker, at this time it's my pleasure to yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I certainly thank the gentleman for yielding and certainly appreciate his work and the chairman's very, very diligent work on this bill.

Mr. Speaker, I rise in very strong support of the 2007 farm bill. This bipartisan legislation will ensure a secure food supply and the continuance of a strong agricultural sector. A very important part of that agricultural sector in my district, actually, is the production of sugar beets, which is helped greatly by this bill.

□ 1515

The increase in sugar loan rates, the first since 1985, is widely supported by Michigan farmers.

Also including sugar producers in the development of alternative energies I think is very important and can help to make them an integral part of developing energy resources that will only help consumers and reduce our dependence on foreign sources of energy.

While the sugar program faces some criticism, which we have all heard on the floor today, I think it is important that Members be reminded that this program comes at little or no cost to the taxpayers.

As well, our specialty crop farmers will also be protected in this bill while ensuring that the wealthiest farmers are not receiving government subsidies.

I don't believe anyone understands more about how to strengthen our agricultural sector than farmers themselves, so I certainly listened, as I am sure all Members did, to our local farmers while this bill was being negotiated and I sought their input and their counsel, and I am glad that much of what they stated was needed was included in this legislation and they strongly support this final product.

I believe this bill is a great example of bipartisan compromise, and I also believe it is good for the future of American agriculture and thereby our entire Nation. I would urge my colleagues to support this critical legislation.

Mr. PETERSON of Minnesota. Mr. Speaker, I am now pleased to recognize for 1 minute the distinguished Speaker of the House without whose support and backing we wouldn't be here today. From the start when she came to Farm Fest a couple years ago until now, she has become an agriculture expert. We appreciate her involvement.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I want

to congratulate the distinguished chairman of our Agriculture Committee for his important work in bringing this legislation to the floor today. I also want to commend Mr. GOODLATTE for his leadership as well, so we can come to the floor with bipartisan legislation that will help lower food prices, invest in energy independence, support conservation, and recognize the importance of specialty crops.

I want to commend Mr. KIND also for his leadership. It is very important for us to reform the farm subsidy programs in our country. I think where we have a disagreement is I think this bill is a good first step in that direction. I don't think we will ever see another bill that will look this way. And when we come to the place where our situation is addressed again in a bipartisan way on the next farm bill, I think your work will be repaid. But I hope, Mr. KIND, that you take some satisfaction in the fact that from your leadership and advocacy, this farm bill is moving in the right direction. I too am not satisfied that it does enough in terms of farm subsidies, but I want to talk about what it does do.

And what it does do is much better because of the leadership of Mr. GOODLATTE, our distinguished chairman Mr. PETERSON, the work of the chairman of the Ways and Means Committee who just did a phenomenal job. Chairman RANGEL did a phenomenal job on his aspect of the bill. And Mr. POMEROY, who serves on both the Ways and Means Committee and the Agriculture Committee, was a wonderful bridge in terms of these initiatives. I also commend Congresswoman HERSETH SANDLIN for her leadership, and all of our colleagues who are here today, including Mr. HOLDEN who is number two on the Ag Committee. All across America, we are proud of the work that has been done.

In California, we are proud of the work of Dennis Cardoza, a member of the Ag Committee, representing some new ideas about fresh fruits and vegetables and how they should be part of this initiative. We on the coast, to my colleague Mr. SCOTT, we wanted to see some initiatives about fresh fruits and vegetables and specialty crops, and they are contained in here. And I commend Congresswoman ROSA DELAURO for her incredible work on the nutrition piece of this.

As part of the Agriculture Committee, Mr. BACA was a leader in terms of the nutrition piece, and Congresswoman DELAURO as Chair of the Appropriations Subcommittee on Agriculture was an important voice and strong leader and advocate for increasing the nutrition initiatives in this legislation. If there was one reason for Members to vote for this bill, it would be to support the nutrition piece of it, but there are other reasons as well.

I talked about how it could lower grocery prices. Time magazine recently had this on its Web site, four ways the farm bill could lower grocery bills. First with the disaster relief, a $3.8 billion program for farmers hit by drought and flooding could speed up compensation, allowing them to bring crops to market faster.

Cuts in ethanol subsidies. Demand for corn-based ethanol has increased corn prices. This bill cuts the producers' tax credit and creates a subsidy for more efficient cellulosic ethanol made from stalks, grass, and wood rather than from corn.

Food stamps. Payments to those on assistance will be more responsive to inflation. The minimum monthly benefit will increase from $10, where it has been since 1977, and may I say, probably since they put this out.

The final bill has strong support for the food pantries, food banks throughout America. Now if you go to a food bank, you will see a sign that says you can only come one time a month to pick up food because the shelves are bare in those food pantries. This bill will go a long way to filling those shelves. So for emergency food assistance, this program would supply food banks and pantries and could add up to $100 million more in funding per year as more Americans affected by the sluggish economy visit its distribution centers.

Some people in our country are concerned as our economy is in a downturn, they are concerned about losing their jobs. Many people are concerned about losing their homes; but almost everyone is concerned about losing his or her living standard. The purchasing power of middle-income families has been reduced while costs have gone up for necessities like gasoline and groceries and health care and education. The issue of gasoline and groceries are addressed somewhat, one more than the other, in this legislation.

In terms of energy, high energy costs are a contributing factor to our high food prices, which is why the Food and Energy Security Act, which this is, will help reduce gas prices and ensure that America's family farmers fuel America's energy independence. Think of this. We are talking about energy independence, and with this legislation we take a step for America's farmers to fuel America's energy independence, following up on the work we did last year in the energy bill.

It makes a $1 billion investment in energy independence. In addition to that, it takes a critical step in transitioning from biofuels, from corn as I mentioned, and creates a new tax credit that will provide a $400 million investment in cellulosic biofuels. These efforts will ensure that we send our energy dollars to the Midwest instead of to the Middle East.

In terms of conservation, the bill recognizes that those who work the land, America's farmers and ranchers, are great stewards of the land. The farm bill improves access to and funding for initiatives that take environmentally sensitive lands out of production. It encourages environmentally friendly practices on working lands, and it invests $5.4 billion to preserve farm and ranchland, improve our air quality, our water quality, and enhance soil conservation and wildlife habitats on working lands.

Others have mentioned the issue of specialty crops. For the first time, the farm bill makes an historic investment in specialty crops, especially important to my State of California, and as I have said, those of us living on the coast as well as in the rest of America. It provides $1.3 billion in mandatory spending. This investment was made possible by the leadership of Congressman DENNIS CARDOZA of California who has worked to ensure that the producers who account for more than half of all crop value in the United States are now represented in our farm policy. Producers who provide one-half of all crop value in the United States are now represented in our farm bill.

Specifically this bill invested $365 million in specialty crop block grants, $230 million to create a new dedicated research program for specialty crops, $377 million to create a new initiative for early detection prevention and eradication of emerging pest and disease. I know that Mr. THOMPSON of California has a special interest in this aspect of the legislation.

The bill takes a critical step toward reforming farm programs, not enough I agree, Mr. KIND, by eliminating payments to the ultra-rich and closing loopholes that for decades have allowed some to evade farm-payment limits. This is the most significant reform in farm policy in more than 30 years. This Food and Energy Security Act will ensure that future farm bills will never again look like this.

Thanks to the efforts of Chairman PETERSON and many others who have made this historic investment in energy independence and nutrition assistance, this bill's effects will also be felt far from farm country. As George Washington our first President whom we visit every day when we come to the Chamber said, ''I know of no pursuit in which more real and important services can be rendered to any country than by improving its agriculture.'' Well, we were an agrarian society then, but there is still a great deal of truth in that statement today.

With this legislation we will help families facing high food prices; fuel our Nation's energy needs with American-made, renewable energy; and be better stewards of the land and protect our environment. In addition to all of that, we will have fresh snacks, fresh fruit and vegetable snacks for our children in the schools.

I urge my colleagues to support this new direction in American farm policy. I urge an ''aye'' vote. Again, I salute Mr. PETERSON and Mr. GOODLATTE for their leadership. It is wonderful for us to have this bipartisanship on the floor today.

Mr. GOODLATTE. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Virginia has 4½ minutes remaining. The gentleman from Minnesota has 2¼ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent to give one of my minutes to the gentleman from Minnesota.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the Speaker just mentioned the bipartisanship in this legislation, and that is very true. But this legislation is not bipartisan because many Republicans will be supporting a Democratic bill, this legislation is bipartisan because it was crafted by both Republicans and Democrats throughout the conference process, and this legislation is very, very different than the legislation that passed the House last summer which I voted against primarily because there were tax increases to pay for the legislation. There are no more tax increases paying for this legislation. In fact, this legislation is paid for by a means that is acceptable to both sides and acceptable to the administration.

But there are more reforms in this legislation that Republicans prevailed upon our Democratic colleagues on in the conference. The effort to prohibit States, most particularly the State of Indiana, from being able to seek outside help to reform their flawed food stamp program was removed from this bill, and so now not just Indiana but all 50 States will be able to continue to use appropriate means to modernize their food stamp programs.

Davis-Bacon provisions in the Northern Border Economic Development Commission, the Southeast Crescent, and the Southwest Border Regional Commissions, those Davis-Bacon provisions have been removed from this legislation.

An effort to undermine the Welfare Reform Act of 1996 by providing increased food stamp benefits to adults, able-bodied adults without dependents was removed from this legislation.

And anticompetition livestock provisions, which were very troubling to many Members on this side of the aisle and on the other side of the aisle as well, were removed.

So while there are certainly advocates for each of those provisions in this bill, this bill is bipartisan because we worked together to give on both sides to make sure that we came up with a good farm bill that could command strong bipartisan support.

□ 1530

This bill promotes energy independence by expanding investment in cellulosic biofuels and helping move away from corn-based ethanol. It cuts the ethanol subsidy by 12 percent. It's fiscally responsible because it contains no tax increases and is PAYGO compliant. It boosts conservation programs benefiting our environment. It aids food banks and nutrition in our schools in its nutrition programs. It preserves the farm safety net and assures that we continue to have the safest, most affordable, most abundant food supply in the world. This is real reform. This is a real farm bill for the 21st century.

I urge my colleagues to support this bipartisan legislation.

I want to thank, again, the chairman of the committee, the chairmen of the subcommittees, the ranking members on my side of the aisle, but most importantly, the staff on both the majority and the minority side who worked many, many, many weekends over the last 2½ years, but particularly in the last few months, to craft this legislation, to address all of the concerns that were raised, to go down blind alleys, find that something didn't work, come back up, find a different way to make it work, and to reach this point today, the staff has helped make that possible.

I urge my colleagues to support this important legislation.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, I want to echo Mr. GOODLATTE's comments. I have a list of all of the staff members, majority and minority, that I would like entered into the RECORD to honor their work. You think we've been through a process here. It's nothing compared to what the staff has done, and so they deserve our thanks. And they're going to, hopefully, get a little bit of rest now once we get this over with.

To follow on Mr. GOODLATTE's comments, there's a lot of reform in this bill that I would call real reform, as opposed to ginned-up reform that's been done by different folks. We have made huge changes in the conservation programs that are going to make those programs work a lot better in the future, work for more different parts of the country.

We have a new revenue-based countercyclical program that we're going to try out on an optional basis for the next 5 years that may be the new future direction of the farm bill, depending on how it works out. So we've got a lot of reforms in this bill that never get talked about because all anybody wants to focus on is AGI.

Well, I don't have any problem putting an AGI limit on nonfarmers, because, frankly, I don't think they should be in farming in the first place. We've got enough capital in agriculture. We don't need folks from outside of agriculture coming in and being involved. That's my personal opinion.

But, you know, we've got a $500,000 limit. We'd have gone lower, but that's as far as we could get.

We put a limit on farmers, on farm income for the first time, in spite of the fact that this is the only part of business people in this country that are getting benefits from the Federal Government that are requiring an AGI, that I know of. I don't know why farmers get singled out and nobody else does, why we don't have an AGI on oil companies and whoever else is getting benefits from the Federal Government. That continues to mystify me.

But I just have to clarify, you know, people keep manipulating these statistics. We've fixed some of that in this bill as well, which I would call reform. But as to what Mr. GOODLATTE said earlier, we have a $500,000 hard cap on nonfarm income. So I suppose that if you earn $500,000 as a doctor or something, your wife earned $500,000 as a doctor, and then you had a farm and you earned $750,000 as a farmer, and your wife had a real farm and earned $750,000 you could get to $2.5 million. But I think you need to understand that, in order for you to qualify for that, you're going to have a real genuine farm, and it has to be your income, certified by a CPA or a lawyer, and if it's not, if they do it wrong they're going to go to jail and you are, too.

So I think the likelihood of anybody getting to this $2.5 million limit is almost nonexistent. That is a bogus argument that's being put out there, being ginned up by people that want to keep this fight going on.

So if you want to put a $200,000 cap on everybody that gets money from the Federal Government on AGI, then we'll be right there with you. But I don't think that's going to happen.

Just like we tried to put AGI limits on conservation. We had a revolt. Some of these conservation groups that have been pushing these payment limits, as soon as we said we're going to have the same limit on them as farmers, we had a revolt.

This is a good bill. It's got a lot of reform. I thank everybody. We'll appreciate a good vote to get this over with.

Majority Staff: Andy Baker, Christy Birdsong, Wynn Bott, Aleta Botts, Claiborn Crain, Jack Danielson, Nona Darrell, Adam Durand, Nathan Fretz, Alejandra Gonzalez-Arias, Chandler Goule, Tony Jackson, Craig Jagger, Tyler Jameson, Keith Jones, Martha Josephson, John Konya, Scott Kuschmider, Rob Larew, Merrick Munday, Clark Ogilvie, John Riley, Sharon Rusnak, Lisa Shelton, Anne Simmons, April Slayton, Cherie Slayton, Debbie Smith, Kristin Sosanie, and Jamie Weyer.

Minority Staff: Patricia Barr, Brent Blevins, Bryan Dierlam, Mike Dunlap, John Goldberg, Alise Kowalski, Kevin Kramp, Scott Martin, Josh Maxwell, Pam Miller, Rita Neznek, Bill O'Conner, Pelham Straughn, and Pete Thomson.

Fellow/Intern: Rob McAfee, Rachel Huhn, Randi Hughes, Jennifer Spraberry, Olivia Vickers, Melinda Cep, and J.D. Hale.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in support of H.R. 2419, the 2008 Farm Bill Conference Report. This bill provides a breakthrough for the Chesapeake Bay by providing an unprecedented level of funding to aid in the cleanup of this national treasure. H.R. 2419 provides, for the first time, a bay specific program to ensure that farmers in the watershed will get their fair share of conservation funding. The Conference Report provides $188 million,

over 5 years, in bay-specific conservation funding. Moreover, the bill includes a baseline of funding in the amount of $438 million over 10 years. This will enable the program to be extended at the expiration of this 5-year bill. Additionally, the Chesapeake Bay Foundation estimates that farmers in the bay watershed will be eligible for an additional $252 million in national program funding in working land programs in addition to conservation set-aside programs. This funding will be over and above the annual conservation funding in the last year of the previous farm bill that provided $80 million to the Bay watershed.

I want to thank the chairman of the Agriculture Committee, COLLIN PETERSON, and the chairman of the Conservation Subcommittee, TIM HOLDEN, for the programs and funding that they have provided to assist farmers in controlling sediment and nutrient runoff into the Chesapeake Bay. Moreover, the program would not have been possible without the support of the many Members of Congress on the Chesapeake Bay Watershed Taskforce. In addition, the work of the Chesapeake Bay Foundation, in providing technical assistance and grass roots support, was essential to the success of the establishment of this program. The Chesapeake Bay Commission also provided assistance in the crafting of an initial legislation, CHESSEA, that helped galvanize the support of Members who are committed to restoring the health of the Bay.

The Chesapeake Bay is the largest estuary in the U.S. Its watershed includes 66,000 farms with an estimated 8.5 million acres of land. The watershed contains 150 tributary streams and rivers. The watershed spans 6 States and the District of Columbia. Almost half of the nitrogen and phosphorus pollutant load in the bay is caused by agricultural runoff—from fertilizer and animal waste.

In 1987 there was the first attempt to clean up the bay with an agreement between the States and the Federal Government. The goal was to clean up the bay by 2000. When the deadline passed, a more detailed agreement was developed and the leaders of Maryland, Virginia, Pennsylvania, the District of Columbia, and the EPA pledged to fix the bay's water, its oyster population, its beds of underwater grass, and other environmental indicators by 2010—which will require the reduction of 110 million pounds of pollution.

Every environmental assessment indicates that the 2010 deadline will not be met and that the environmental condition of the bay is continuing to deteriorate. A recent report by the Chesapeake Bay Program's Health and Restoration Assessment found that most of the bay's waters are degraded, the bay's critical habitats, like grasses, are at risk and that many of the bay's blue crabs, striped bass and oyster populations are below historic levels. This bill provides the much needed resources to restore the Chesapeake Bay to its original vitality.

NATIONAL CONSERVATION

In addition to the conservation funding for the bay, this bill boosts conservation programs by $7.9 billion, to nationally reduce soil erosion, enhance water supplies, improve water and air quality, increase wildlife habitat and reduce damage caused by floods and other natural disasters. Moreover, fruit and vegetable producers will have their own place in the farm bill for the first time and will benefit from more than $1.3 billion for new programs that support research, pest management, and trade promotion to help the industry.

NUTRITION

Nearly three-fourths of the farm bill before us today, an additional $10.4 billion in new spending, goes to nutrition programs that help 38 million American families afford healthy food. These critical food stamp provisions will help about 11 million people by 2012. Households with children receive 77 percent of food stamp benefits. Moreover, during this time of fiscal austerity for many families in our Nation, this bill provides much-needed support to emergency feeding organizations, such as food banks, food pantries, and soup kitchens, by increasing funding for TEFAP by $1.25 billion—with $50 million for immediate shortages at food pantries. The farm bill also will assist schools in providing healthy snacks to students, with $1 billion for free fresh fruits and vegetables. Finally, it provides international nutrition assistance by providing $60 million, in addition to the existing Food for Peace international aid program, to purchase emergency food aid overseas and provides an additional $84 million for the McGovern-Dole International Food for Education and Child Nutrition Program for infant, child, and school nutrition programs in underdeveloped countries.

RENEWABLE FUELS

The farm bill we are considering today will assist Congress in promoting the development of biofuels from noncorn sources. The Renewable Fuels Standard that was part of the 2007 Energy law requires that two-thirds of our fuel needs be met by nonfood feedstocks for biofuels, such as switchgrass and woodchips. The farm bill takes another critical step in transitioning biofuels beyond corn—by reducing the current tax credit for corn-based ethanol by 6 cents per gallon and creating a new tax credit to promote the production of cellulosic biofuels. Moreover, the farm bill invests $1 billion in renewable energy, focusing on new technologies and new sources, including $320 million in loan guarantees for biorefineries that produce advanced biofuels and a new program to encourage the production of new biomass for cellulosic ethanol and other energy production, helping producers learn how to harvest, store, and transport biomass to bioenergy facilities.

CRITICAL REFORMS

The Conferees have made many reforms to commodity subsidies in this bill. Commodity programs account for less than 13 percent of the farm bill. This bill will reduce the cap for nonfarm income by 80 percent, to $500,000, and puts in place the first-ever cap for farm income at $750,000 for fixed direct payments. The bill reduces direct farm payments by $300 million; the Administration proposed increasing these fixed payments by $5.5 billion, even though they are paid out regardless of farm prices. The bill also closes a loophole (the three-entity rule) that for decades has permitted the collection of double the farm payment limits by collecting cash on more than one business. Moreover, it includes tax reforms to limit the use of farming losses to reduce their taxes on nonfarm income.

I applaud the Conferees for these reforms. Unfortunately, these measures do not go far enough. I would have preferred the elimination of subsidies to wealthy agri-business interests in their entirety. We need to continue to work to reduce the reliance of our farm program on commodity supports that often benefit the farmers who need support the least.

CONCLUSION

However, the Commodity Title is included in a comprehensive bill that contains many good programs, including: the Chesapeake Bay conservation provision, as well as significant funding for farm conservation across the Nation. Moreover, the robust nutrition program that aids the disadvantaged here and abroad, coupled with the recognition of specialty crops and the inclusion of the proper incentives to increase the production and refinement of renewable fuel from nonfood sources are extraordinary advancements that are worthy of support. I believe that, on balance, this bill provides many worthwhile benefits which prompt me to cast my vote in support of this Conference Agreement.

Mr. BACA. Mr. Speaker, the nutrition title in the Conference Report for the 2008 Farm Bill is a monumental achievement for the millions of Americans who struggle to put enough healthy, nutritious food on the table. I know it's not always easy to make ends meet and to put food on the table each day. I've walked in those shoes, and I've sat at that table. But with this bill we start to fulfill our responsibility to our neighbors. We have improved and strengthened food stamps and other important nutrition programs for our children and seniors. I want to take a few minutes to expand upon some of the accomplishments that are in this nutrition title.

First off, we have updated the name of the program. The new name will be SNAP: The Supplemental Nutrition Assistance Program. We needed a new name because there are no places left in this country where food stamps actually are ''stamps.'' Instead, like with other modern transactions, people swipe their cards at the store to access their benefits. This has been a huge success for reducing fraud and stigma in the program. We hope and expect that the new name and new image for the program will help us to continue to chip away at the stigma that keeps some proud people, especially senior citizens, from signing up for help in paying for their groceries and puts them at risk of hunger.

The name reflects the fact that the program provides a ''supplement'' to help people afford an adequate diet when their own resources are not quite enough. We also say ''nutrition,'' instead of ''food,'' because the program is about more than just food. It has got a vibrant nutrition education component to help our low-income population learn about healthy diets and make the choices that will improve their health status over their lifetimes. So I'm very proud of this new name for food stamps: an established program that is one of the best Government programs we've got. Let me be clear, however, that in changing the name and eliminating food stamp coupons we did not intend to make any other policy changes to the program.

I think the biggest single accomplishment in the nutrition title is to end the decades of erosion in the value of food stamp benefits. We're all aware of the rising gas and food prices of recent months and the bite they've taken out of the pocketbooks of most Americans. But for many low-income Americans the squeeze has been getting tighter for decades, as the value of their food stamps has been able to purchase less and less food with each passing year. Food stamp benefits average only $1

per person per day. It's not easy to purchase a healthy, nutritious diet on such a limited amount.

So in this bill we have addressed this problem. We made critical improvements, and, for the first time in the program's history, we have ensured that, in every aspect, the food stamp program keeps its purchasing power over time. We raise the standard deduction from $134 to $144 and index it for inflation. That is an important accomplishment. It helps about 10 million people afford more food—families, seniors, people with disabilities—all types of low-income food stamp recipients are helped by this change. We raise the minimum benefit, and index it for inflation. We uncap the dependent care deduction so that families can deduct the full cost of the child care they so desperately depend on to hold down their jobs. And we index the asset limits. We don't know what the future will hold. Hopefully, the high inflation of the past months will shortly subside as the country gets back on track. But we now can rest assured, as never before, that if there is substantial inflation our low-income families and senior citizens won't lose out on food.

For me what this bill really is about is people. It's about our senior citizens who have worked hard their whole lives and deserve better than to face the fear of hunger in their last years. It's about children, who come home from school and look to their parents to put a nutritious meal on the table.

One of the groups that will be most helped are our Nation's senior citizens. We were able to increase the minimum benefit, which goes predominantly to senior citizens, from $10 to about $14 a month. This is the first increase in almost 30 years in the minimum benefit. I would have liked to have increased it even more, but this change will help make it worthwhile for some of our seniors who qualify for a low benefit to participate in the program. We did this by setting the minimum benefit at 8 percent of the thrifty food plan for a single person. Because USDA adjusts the thrifty food plan every year for increases in food prices, so too will the minimum benefit now adjust. In addition, because of higher food prices in some places, like Alaska, Hawaii, and some of the territories, seniors in these places will now also see a modestly higher minimum benefit. For example in some parts of Alaska, the minimum benefit will be as high as $25 per month.

In this bill we've also excluded retirement accounts from assets and indexed the asset limits to inflation. These changes will help seniors and working families to save for the future. It makes no sense to require people who fall on hard times to virtually liquidate all of the savings they've managed to put away in order to get help paying for groceries for themselves and their families. Our seniors, especially, may have no ability to replace these savings, and as a result, no cushion to deal with unexpected expenses. And a working family who is forced to spend down savings now will be that much closer to poverty in their older years. So this is an important change for the long-term ability of low-income individuals to move toward financial independence and for our senior citizens to be able to retain an ability to support themselves in their retirement.

But I also want to reaffirm that we did not take away, as President Bush proposed, the State option in the food stamp program to design a more appropriate asset test at the State level. In my home State of California the legislature and Governor have been working together to design an ''expanded categorical eligibility'' program that will revise the asset limit for many food stamp recipients and make it easier for them to save for the future. I hope that other States consider this option, and I urge USDA to work with other States to promote this important policy.

In another major improvement for senior citizens, we have expanded to seniors a State option from the 2002 farm bill that dramatically reduces paperwork requirements. This policy is known as ''simplified reporting'' and it will allow seniors to participate without filing paperwork for 12-month periods, unless they have a major increase in their income that makes them ineligible for food stamps. I urge USDA to make this option as simple and streamlined for seniors and States as possible, and to find ways to insulate food stamp benefits from interactions with other programs that low-income seniors participate in, particularly Medicaid.

Finally, we have heard reports that despite the overwhelming success of the electronic benefits, some seniors can find the technology confusing. For those at the minimum benefit who receive maybe only $10 to $20 a month, we've heard concerns that if they don't use their benefits fast enough those benefits can be taken away—or moved ''offline''—sometimes in as short a period as 3 months, with the senior citizen not understanding why this has occurred. I don't think this is a very common problem, but it is understandable that a senior citizen might want to store up small benefits to use at one shopping trip every few months, rather than have to keep track of the card every month. This bill allows States to move benefits off-line after 6 months of inactivity, but requires them to notify the household and restore the benefits within 48 hours upon request. This benefit reinstatement should be a simple process, and States should aim to help seniors navigate it, so we don't have our seniors being bounced around an EBT call center trying to figure out what happened to their food stamp benefits.

For children and families, the biggest change we make is the increase and indexing of the standard deduction which will significantly boost the ability of low-wage workers to afford food for their families, especially over time. More than $5 billion of the nutrition title's 10-year investment go to this change, which primarily benefits families with children.

We also lift the limit on the dependent care deduction. This change will help about 100,000 families who pay out-of-pocket child care costs above $175 per child per month, or $200 for infants, by recognizing that money that is needed to pay for child care so that a parent can work is not available to purchase food. On average, families who are helped will receive an additional $40 a month, or $500 a year, according to the Congressional Budget Office. The dependent care cap has not been raised since the early 1990s, despite the increases in the costs of safe, reliable child care. Families incur all types of costs in order to secure child care for their children, and USDA should continue to allow all of these expenses to count toward the deduction—such as transportation costs to and from day care and the cost of informal care. Finally, as States roll this out to the 100,000 families currently on the program, it is important that they make it easy for eligible families to claim the new deduction. Families shouldn't have to make extra trips to the food stamp office or be at risk of losing benefits if they fail to claim a new higher deduction. A household should never have its benefits cut or reduced because of a failure to document child care expenses, but should be given a full opportunity to receive the higher deduction if they have expenses above the current capped amounts.

We hear all the time that despite the importance and success of the food stamp program, for most families the benefits run out before the end of the month. That is why it is so important that we provide more than $1.2 billion in this farm bill for additional food purchases for emergency food organizations, like church food pantries and soup kitchens, to feed our families and seniors. We provide $50 million in additional funds this year to help meet food banks' needs in light of rising food costs. And, we increase the basic Emergency Food Assistance Program annual funding level to $250 million. That amount will be adjusted for inflation in future years to ensure that this program does not lose any of its food purchasing power.

Another important provision for our children is a provision that ensures that children who receive food stamps can automatically, or ''directly'' be certified as eligible for free meals. The eligibility rules for the two programs overlap: Virtually every child who receives food stamps is eligible for free meals. So making that connection in an automated way can save the family from falling through the cracks or from having to file duplicative paperwork. Unfortunately, too many States and schools don't currently make the connection adequately. So this bill requires USDA to report to Congress annually on each State's progress in directly certifying food stamp recipients for free school meals, and asks for USDA to report on best practices among the various States and school districts. This is a provision that is about good Government—there is no reason the Government can't make these connections, instead of requiring school administrators and families to be responsible for duplicative paperwork.

In addition to my role as Agriculture's Subcommittee Chair on Operations, Oversight, Nutrition, and Forestry, I also have the great pleasure to assess this bill from the perspective of my role as the chairman of the Congressional Hispanic Caucus. More than 5 million Latinos, or more than 10 percent of the Latino population, receive food stamps each month. Food stamps constitute 25 percent of total monthly income for a typical Latino family that participates in the Food Stamp Program. All of the changes that I have just described will benefit low-income Latinos who rely upon this program.

I must take one moment to express my deep personal disappointment that we were not able to restore food stamp benefits to all legal immigrants who are currently ineligible for the program. Keeping food assistance from hard-working immigrants with whom we live side by side is simply wrong and I will not stop fighting until we fully repeal the benefit cuts to legal immigrants enacted in 1996.

In spite of this major setback, we have achieved a number of important improvements for the Latino community. First, USDA will conduct a study on the possibility of bringing

the Commonwealth of Puerto Rico back into the national Food Stamp Program. Since 1982 Puerto Rico has received a fixed block grant amount for food assistance, rather than be a part of the U.S. program like the 50 States, the District of Columbia, Guam, and the Virgin Islands. This block grant does not take into account changes in economic or demographic conditions, such as unemployment or the number of people who are in need of food assistance.

The poverty rate in Puerto Rico, 45 percent, is more than three times the national poverty rate. However, because of the block grant, Puerto Rico cannot afford to provide benefits to all households poor enough to qualify for benefits using Food Stamp Program standards. Instead, they have been forced to impose rigid eligibility criteria. For example, a family of four with net income above about $600 a month, or 34 percent of the Federal poverty level, cannot get any food assistance in Puerto Rico. The same family living in California, or any other State on the mainland, could have almost three times as much income and still be eligible for food assistance. An elderly person living alone faces an income limit of $192 per month—just 23 percent of the poverty level.

Clearly, some of our most vulnerable American citizens are at risk of being denied food assistance they greatly need. It seems just plain wrong to knowingly leave some Americans with insufficient food. With this study we hope to get a better understanding of what the local conditions are in Puerto Rico, in terms of food costs, poverty and other programmatic factors so that we can figure out how to address the issue in the next farm bill, or earlier if possible.

Another important achievement of the bill is to ensure that both Federal statute and regulations have the full force of law, ensuring that clients who do not receive adequate service under these rules and standards may bring suit. Recently, a district court in Ohio dismissed a case brought against the State to enforce the Department's regulations for serving people whose primary language is not English. I can't speak to whether the case had any merit, but my colleagues and I were surprised and disturbed to learn about the court's dismissal. We felt that it was critical to clarify in this bill that it has always been Congress's intent that the program's regulations should be fully enforceable and fully complied with to the same extent as the statute. The farm bill, therefore, clarifies that the Department's rules on serving non- and limited-English speaking people have the force of law and create rights for households.

Beyond the issue of bilingual access rules, this legislation makes clear that the Department's civil rights regulations are among those which have the full force of law and which households have the right to enforce. Discrimination is not acceptable in any form or at any point in the food stamp certification process. Households should not be assisted, or not assisted, approved or denied for any reason other than an individual assessment of their need for help or their eligibility by the state. I am pleased to be playing a role in making clear that the Committee and the Congress wish the program to be administered in compliance with the Food Stamp Act and its regulations.

I'd like to also talk about a somewhat related matter that we did not manage to agree to include in this farm bill, much to my disappointment. I worked hard to include in the House bill, and shepherd through the conference negotiations, a provision that would have strengthened the longstanding policy in the food stamp program that certification and eligibility decisions should be done by State employees, rather than private companies. We would have added to the traditional restrictions around merit systems and provided specific exceptions for certain activities, such as outreach. In recent years the Bush Administration has let two States, Texas and Indiana, experiment with using private companies to collect and review food stamp applications and conduct the sensitive eligibility interview. In my view, these projects are not consistent with current law or good sense. These experiments have been disastrous to the States' treasuries but, more importantly, to the vulnerable families and senior citizens who rely on food stamps and found their applications delayed or improperly denied. Some people even had their private, personal information shared inappropriately. The activities involved in determining eligibility—and ineligibility—for food stamps should be public functions and should not be governed by profit motive or a company's responsibility to its shareholders.

While the House voted to include this provision in the Conference agreement, the Senate did not because of opposition from the other party and a veto threat from President Bush, I regret this outcome and I am determined to not drop this issue until we have restored the proper balance to food stamp administration.

But I urge my colleagues to not forget, that separate from this ''privatization'' issue, in recent years States have been experimenting with a wide variety of changes to food stamp policies and practices that incorporate new technologies and modern business practices. For example, some States are using technology to create new pathways to apply for and retain benefits such as food stamps, health insurance, and child care, including online applications, online program redetermination or recertification, phone interviews, and call centers where changes in circumstances can be reported.

On the one hand, creating ways for families to participate in these programs without having to travel to a human service office can expand access and save time and money for States and families alike. In fact, in this bill we've created a new option for States to accept food stamp applications over the telephone. No doubt technology offers numerous opportunities for improved customer service and simpler application and retention processes.

On the other hand, if these processes are not well-designed, evaluated, and implemented, then families can face new access barriers. Moreover, some States are exploring these options at the same time that they are reducing human service staffing and closing local welfare offices. These steps can create new access barriers for certain groups of families and need to be carefully monitored. And I am concerned because neither States nor USDA appear to be asking the important questions about what has been the effect of these technological changes on access for food stamp households, particularly vulnerable populations like seniors, people with physical or mental disabilities, or people who do not speak English proficiently. The Government Accountability Office (GAO) last year published a report that found that USDA has not sufficiently monitored the States' ''modernization'' efforts in terms of their effects on program access, payment accuracy, or administrative costs.

So in this bill we have included several provisions to require that States that are eager to pursue modernized systems are pausing to ask the necessary questions about how to ensure that the new systems are designed in such a way that they are effective tools for connecting eligible families to benefits. In this bill we require USDA to establish standards for when States are making major changes in program operations and to monitor the effects on households, especially the types of households I just mentioned. I urge USDA to do this in a way that yields useful information so that States can refine and improve their systems to make them as accessible as possible to all clients.

Another provision requires States to adequately pilot test new computer systems before they go full-scale. This responds to situations where States have implemented new computer systems without adequate testing. This occurred even though some at USDA knew that there were weaknesses in the system and that serious benefit delays and errors were likely to occur. We also included a provision the Administration suggested to require States, instead of households, to repay any overissuances that occur because of one of these preventable major systems failures.

Finally, in light of all of the modernization changes and the potential access to sensitive information that new players may have, we strengthened the Act's privacy protections to ensure that anyone receiving confidential information for appropriate program purposes cannot then share that information with a third party. In addition to our fears that too many people may have access to private food stamp information as a result of new technology, we were also concerned that clients have not been able to access their private records. We heard about clients in Texas who had their benefits cut off, or who never were able to obtain benefits, and could not get access to their case records in order to pursue claims against the State. That is unacceptable. We also clarified that despite all of the changes in how States are storing and maintaining client records, clients can access these records in litigation. These changes are not in conflict because confidential records would continue to be unavailable to the general public and others not having a legitimate reason relating to program administration.

Another concern I have is about two new provisions that would disqualify certain people from food stamps for misusing their benefits. One relates to situations where a recipient of food stamps intentionally uses food stamp benefits to buy a product, like water, that is in a disposable container that can be redeemed for cash, then discards the product and redeems the container in order to obtain the cash deposit. The other new disqualification addresses individuals who intentionally purchase food with food stamp benefits in order to resell the food for a cash profit. I agree that both of these practices are contrary to the purposes of the food stamp program in assisting people in obtaining an adequate diet and it's appropriate to address them in this bill. However, I caution USDA to implement them in a way that ensures that only those who intended

to defraud the system in these manners be disqualified. I do not want to see innocent people—who may simply have bought groceries for a neighbor or relative be caught up as somehow engaging in fraud under this provision.

My concerns here are not completely without precedent. In this bill we are revisiting and clarifying a different disqualification rule that was enacted in 1996, and that has, in fact, ensnared innocent people and denied food stamp benefits in inappropriate ways. The intent of the law was to aid law enforcement and prevent criminals who are fleeing to avoid prosecution from receiving food stamps. Unfortunately, in practice, the provision has disqualified innocent people who had their identities stolen, or who have outstanding warrants for minor infractions that are many years old and where the police have no interest in apprehending and prosecuting the case.

So in this bill we direct USDA to clarify that people should only be subject to disqualification if they are actively fleeing law enforcement authorities who are, in fact, interested in bringing them to justice.

In addition to the very important changes we have made to the food stamp program and new funding for food banks through TEFAP, the bill would expand and improve the Fresh Fruit and Vegetable Program under the Richard B. Russell National School Lunch Act. This program has been receiving $9 million a year in mandatory funds and operates in 14 States. (Three Indian tribes also operate the program.)

Under the conference agreement, mandatory funding would increase to $40 million for the 2008–2009 school year and continue to grow. By 2012, the program would be funded at nearly eight times its current size: $150 million each year, with annual adjustments for inflation in years after that.

In addition to providing increased funding, the conference agreement takes important steps to target program funds to elementary schools with a significant share of low-income children. Our goal is to provide free fresh fruits and vegetables to all elementary schools in the country where more than half of the children are eligible for free or reduced price school meals. This program should expose a whole new generation of children to a healthy way of eating.

To sum up, I am extremely proud of the work that our Committee and our Congress have undertaken in the nutrition title of the farm bill. With these changes, we are building a healthier better fed population. As a result, we are taking a few important steps towards a stronger future for our children and our communities.

Mr. CARSON of Indiana. Mr. Speaker, I rise today in support of H.R. 2419, the Food and Energy Security Act of 2007. This bipartisan piece of legislation will better reflect our values, strengthening American agriculture to meet the 21st century needs of the United States and the world with a safe, stable food supply.

I want to commend the work of the chairman of the House Committee on Agriculture, COLIN PETERSON, as well as the Senate chairman, Mr. HARKIN. Both men diligently worked to reconcile the differences in both the House and Senate versions of the bill. All of that hard work has paid off. This bill will ease the strain of rising food prices for millions of families, take a first step on much-needed reforms to farm payments, and make a substantial commitment to land conservation and to the fruit and vegetable industry.

Mr. Speaker, while these are important and positive provisions of this bill, I am particularly pleased with the nutrition titles of the bill. An additional $10.4 billion in new spending will be allocated for nutrition programs that help 38 million American families afford healthy food. In addition, there are many updates in the food stamp programs that reflect the current state of our economy. These critical food stamp provisions will help about 11 million people by 2012.

In particular, the reforms found in this bill benefit those individuals who need help. The bill helps these individuals adequately cover food expenses and sustains participants in the Food Stamp Program for the entire month. It also increases the minimum benefit for food stamp recipients, which is especially important for our senior citizens in need. I am also particularly proud that the 2008 Farm Bill extends the Commodity Supplemental Food Program, CSFP, of which my grandmother, the late Representative Julia Carson, was a champion. It is important to help the many low-income elderly individuals in need of additional assistance who are reluctant to apply for food stamps.

The legislation also goes far in addressing the health and nutrition needs of our children by increasing funding by $1.02 billion for the USDA Snack Program. Aiding schools in providing healthy snacks to students during afterschool activities and expanding the program to all 50 States is something that Congress must do.

Mr. Speaker, I am also in support of the final bill because of its provisions addressing ethanol. It goes without saying that ethanol is helping to reduce fuel prices at the pump. The prices are almost 15 percent lower from where they might be if biofuel producers were not increasing output. The farm bill also invests $1 billion in renewable energy focusing on new technologies and new sources, including $320 million in loan guarantees for biorefineries that produce advanced biofuels and a new program to encourage the production of biomass for cellulosic ethanol and other energy production, helping producers learn how to harvest, store, and transport biomass to bioenergy facilities.

I am also highly supportive of the bill's increased funding for the Emergency Food Assistance Program, TEFAP, by $1.26 billion. I believe in providing commodities and other resources to States to help stock food banks. It is important that Congress continue to provide much-needed support to emergency feeding organizations, such as food banks, food pantries, and soup kitchens by increasing this funding for TEFAP.

Mr. Speaker, from increasing conservation programs by $7.9 billion, to containing provisions that help us meet global food shortages, this is a good bill. The bill is fully paid for and prevents further increases to the national debt. It expands food security programs, protects our vital natural resources, promotes healthier foods and local food networks, and reforms commodity and biofuel programs to reflect the priorities of the Nation.

Mr. UDALL of Colorado. Mr. Speaker, I rise today in support of the farm bill conference report. I would like to commend conference committee members for tackling the tough issues, offsetting costs, and producing a conference report that I can support.

To be sure, this is not a perfect bill. Yet, in my estimation, no amount of negotiation could produce a conference report that all would agree is perfect. Rather, what has emerged is a farm bill that is good for my home State of Colorado and good for the country.

For starters, this bill will provide millions of American families with access to healthy food. Nearly three-quarters of the bill's cost will support nutrition programs, including food stamps and emergency food assistance programs, as well as an initiative to provide fresh fruit and vegetables as healthy snack alternatives for a generation of schoolchildren currently battling an epidemic obesity problem.

This farm bill will help Colorado continue to lead in the development of homegrown energy programs that we need to help free us from our national addiction to oil and protect our environment. It increases investments in renewable energy technologies, while reducing the burdensome tax credit for corn-based ethanol and creating a new tax credit for the production of more efficient cellulosic biofuels.

Rural America can plant their fields with confidence, thanks to the farm bill's new disaster relief program, and this provision of the bill also might significantly lower future grocery bills by speeding up compensation for farmers subject to natural disaster and allowing them to bring crops to market faster.

In addition, American consumers will have added confidence knowing that this farm bill mandates critical food labeling for our meat supply, including country of origin, and improves oversight of USDA's enforcement of rules governing meat packers and stockyards.

Along with promoting safe food and renewable energy production, this legislation increases spending for conservation programs by nearly $8 billion. These programs will help protect agricultural lands from urban sprawl; enhance and protect our natural resources; encourage public access to private land; and protect sensitive wetlands and grasslands, areas that are especially vulnerable in Colorado's eastern plains.

Of particular interest to Colorado is that the farm bill includes provisions similar to those in a bill—H.R. 1182—I introduced dealing with the tax treatment of exchanges of mutual ditch stock. Mutual ditch companies are unique to Colorado and are organized for the mutual benefit of shared water rights rather than for profit. This provision allows for tax-free exchanges of shares of these mutual ditch companies.

Another measure included in the farm bill, which I supported during consideration in the House Natural Resources Committee, will protect domestic timber producers by stopping the flow of illegally logged foreign timber imported into the United States.

This bill will also help bolster America's international standing by helping to meet global food shortage demands. America is already the world's largest provider of food aid, but recent riots in developing nations around the world have shown that we must increase our efforts. This legislation will provide additional funding to purchase emergency food aid overseas, and reauthorizes the McGovern-Dole International Food for Education and Child Nutrition Program for infant, child and school nutrition programs in underdeveloped countries.

As I said before, this bill is not perfect. I applaud the conference committee for trimming subsidies for already wealthy farmers, but I would prefer tighter reform of these programs, especially at a time when consumers must sacrifice to afford increasing food costs. And any legislation of this size and scope—especially when it is developed as a compromise between the two Chambers—is likely to include provisions that might not deserve to pass on their own.

Taken in whole, however, the farm bill conference report successfully addresses the most important food and agricultural issues facing the Nation today, and fully pays for all new spending initiatives. I agree with the editorial board of the Denver Post, which wrote, ''this latest version of the Farm Bill is good for the entire country,'' and I urge my colleagues to support it.

Mr. MCHUGH. Madam Speaker, I rise today in support of the conference report to H.R. 2419, the Food, Conservation and Energy Act of 2008. At this time, I would like to recognize the hard work of the Gentleman from Minnesota, Mr. PETERSON, the gentleman from Virginia, Mr. GOODLATTE, and the other conferees that culminated in the conference report before the House today. I also would like to take a moment to mention several items of interest to my constituents in northern and central New York.

Very simply, I could not overstate the importance of dairy farming to the economy of New York's 23rd Congressional District, which I represent. In fact, its importance is readily apparent when one considers that the 2002 Census of Agriculture reported there were 1,989 dairy farms with 188,305 milk cows in the 11 counties that comprise the district. Accordingly, I am pleased that the conference report extends and expands the Milk Income Loss Contract, MILC, Program, continues the Dairy Price Support and Dairy Indemnity Programs, and reauthorizes the Dairy Export Incentive Program.

The conference report also includes a provision to create a Northern Border Regional Commission, which I have been working on a bipartisan basis with the gentleman from Maine, Mr. MICHAUD, and others to enact because it will help further economic development. There is no question this assistance is needed, particularly when one considers that in 2000, seven of the 11 counties I have the privilege of representing had poverty rates in excess of the national rate of 12.4 percent and three—Franklin, Oswego and St. Lawrence counties—had poverty rates in excess of 14 percent. Similarly, from 2004 to 2006, eight of my constituent counties had unemployment rates in excess of the national average.

I was also pleased that the conference report will provide $466 million for the Specialty Crop Block Grant Program, $10 million annually for efforts to address colony collapse disorder in honey bees, grants and guaranteed loans for broadband development, tax incentives for agricultural businesses to enhance chemical security, and at least $1.19 billion for the Emergency Food Assistance Program. Finally, the conference report increases the amount available for direct loans to farmers and authorizes $120 million to fund pending rural infrastructure programs of importance to my constituents such as the Water and Waste Disposal Grants and the Rural Water and Wastewater Circuit Rider Programs.

Mr. OBERSTAR. Mr. Speaker, I commend my good friend and colleague from Minnesota (Mr. PETERSON), chairman of the Committee on Agriculture, for his leadership in bringing the Conference Report on H.R. 2419, the ''Food, Conservation, and Energy Act of 2008,'' to the House. His outstanding work and dedication over the past year and a half have culminated in this important legislation, which includes critical authorizations for farm programs and addresses vital nutrition, conservation, and economic development needs across the Nation.

This Conference Report makes great strides in the fight against hunger by providing an additional $10.4 billion for nutrition programs, which help 35 million low-income families. For the first time in 30 years, the legislation increases the minimum benefit under the Food Stamp Program, which keeps 26 million of our Nation's poorest individuals from going hungry, and indexes the benefit amount to inflation. The Conference Report also provides an additional $1.3 billion for the Emergency Food Assistance Program to provide food banks, soup kitchens, and other emergency feeding sites with much needed resources. The Conference Report also includes $50 million for 2008, which is available immediately to address food shortages at a number of food banks.

The Conference Report also contains a number of provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure, particularly economic and infrastructure development, which I strongly support. The House-Senate agreement voted on today represents a major step forward in delivering critical economic and infrastructure development assistance to the most chronically poor and economically distressed regions of the country. The Conference Report reauthorizes two existing regional economic development commissions and establishes three new regional economic development commissions in economically distressed areas of the Nation.

Section 6026 of the Conference Report reauthorizes the Northern Great Plains Regional Authority through fiscal year 2012 and provides $30 million per year to fully establish this Commission and fulfill the mission Congress intended when it was first authorized in FY 2002. The counties eligible for assistance under the Northern Great Plains Regional Authority, including those in my district, will greatly benefit from the grant funds and planning provisions included in the Conference Report. Section 6025 reauthorizes the Delta Regional Authority, DRA, through FY 2012 at current funding levels of $30 million per year, and includes 12 additional Louisiana parishes and Mississippi counties in the DRA.

The Conference Report also authorizes three new commissions—the Northern Border Regional Commission, the Southeast Crescent Regional Commission, and the Southwest Border Regional Commission—through FY 2012, at an authorization level of $30 million per year for each Commission. I commend Congressman HODES, Congressman MICHAUD, Congresswoman SHEA-PORTER, and other Members representing the Northeast region of the United States for their strong support of regional economic development and for their persistence in bringing this important issue to the attention of Conferees on the farm bill.

These three Commissions are established under a unified administration and management structure as developed in the Regional Economic and Infrastructure Development Act of 2007 (H.R. 3246). We moved this bill expeditiously through the Committee on Transportation and Infrastructure to the House floor, where, on October 4, 2007, it passed by a strong vote of 264–154. These administrative and management procedures are modeled after the highly successful Appalachian Regional Commission, provide for a consistent method for distributing economic development funds, and ensure a comprehensive regional approach to address problems of systemic poverty in the Nation's most severely distressed areas.

The Conference Report on H.R. 2419 also makes a number of important improvements to conservation programs, including increasing investment in conservation programs that take environmentally sensitive land out of farming and encourage environmentally friendly practices on working farmland. Water conservation provisions under the jurisdiction of the Committee on Transportation and Infrastructure in the final legislation include the creation of a new Chesapeake Bay Watershed Program, which provides a commitment of resources from the Department of Agriculture to restore, improve, and protect water quality throughout the Chesapeake Bay watershed; and reauthorization of the Watershed Protection and Flood Prevention Act through 2012.

I am also pleased that the Conference Report includes a provision which I strongly support to assist small logging companies who are facing bankruptcy because they are not able to pay off their contracts on National Forest System land. The language contained in Section 8401 gives the Chief of the Forest Service the right to cancel or redetermine a qualified timber contract, and will help a number of small businesses who are suffering, particularly in light of the current housing downturn.

I am proud to lend my support to this important effort and commend Chairman PETERSON for his commitment and determination in getting this legislation to the President's desk.

Mr. BUTTERFIELD. Mr. Speaker, I rise today to strongly support the Food and Energy Security Act of 2007 and I congratulate the Committee on providing a bill that includes needed and critical reforms that improve access to food and nutrition, provide more equitable access to research funding and renew America's commitment to conservation.

This bill correctly focuses on the people who need the most help. In fact, nearly three-quarters of the bill will be directed to nutrition programs that will assist 38 million American families afford healthy food. It updates that Food Stamp program and increases funding for food banks, food pantries and soup kitchens.

I am particularly encouraged that the bill increases agricultural research funding for Historically Black Colleges. This is important because minority institutions are usually left out when it comes to Federal research funding. As an example, I point to a Government Accountability Office study conducted in 2003 which indicated that 1890 Land Grant institutions received less than 2 percent of the competitive funding available from the U.S. Department of Agriculture. This bill represents a step in the right direction.

The bill also provides for mandatory funding of the 2501 Socially Disadvantaged Farmers and Ranchers Outreach Program. This should

help to slow the troubling trend of significant land loss by African American and other socially disadvantaged producers.

Additionally, the bill significantly boosts spending for conservation programs to reduce soil erosion, enhance water supplies, improve water and air quality, increase wildlife habitat and reduce damage caused by floods and other natural disasters.

Of particular interest to my home State of North Carolina, fruit and vegetable producers will have their own place in the Farm Bill for the first time. The bill includes more than $1.3 billion to support research, pest management, trade promotion and nutrition for the industry.

Also of interest to North Carolina, this bill takes another important step in moving biofuels beyond focusing on corn. It reduces the current tax credit for corn-based ethanol by 6 cents per gallon and creates a new tax credit to promote the production of cellulosic biofuels.

While the Farm Bill may not be perfect, the good far outweighs any shortcomings.

Mr. LANGEVIN. Mr. Speaker, I rise today in support of H.R. 2419, the Farm, Nutrition, and Bioenergy Act of 2007, better known as the Farm Bill. This measure, which reauthorizes federal agriculture and nutrition programs for five years, reflects Rhode Island's priorities: protecting our farmers and surrounding environment and caring for the most vulnerable members of our society.

There has been much discussion about reforming the Farm Bill, particularly with regard to how payments are structured to producers of certain commodities like cotton, rice and sugar. H.R. 2419 begins this process by lowering the annual adjusted gross income of farmers eligible for subsidies from $2.5 million to $750,000 and also excludes farmers making more than $500,000 from non-farm income. This structure will prevent millionaires from receiving farm subsidy benefits, and will also make payments transparent. While I believe we should go further with reform, I look forward to building on this restructuring in future legislation.

This legislation increases funding by nearly $8 billion for the conservation title, which includes programs important to Rhode Island, such as the Environmental Quality Incentive Program, the Farm and Ranchland Protection Program, and the Wildlife Habitat Incentive Program. I am also pleased that H.R. 2419 includes funding for specialty crops, which will benefit our fruit, vegetable and nursery crop farmers. These farmers, who make up a large percentage of Rhode Island's farming landscape, will now receive equal assistance and access to conservation programs.

H.R. 2419 includes over $10 billion in increased funding for the nutrition title, which includes food stamps and other programs aimed to combat hunger and improve nutrition for children, the elderly and low-income Americans. Unfortunately, these members of our society face a stigma when they realize they must turn to the government for assistance, and this Farm Bill works to end that by renaming the Food Stamp Program as the Supplemental Nutrition Assistance Program and replacing food stamp coupons with Electronic Benefit Transfer cards. This bill also reauthorizes programs such as the Community Food Projects program, which awards grants to nonprofit groups that establish community food projects targeted to low-income individuals, and the Senior Farmers Market Nutrition Program, which provides vouchers for low-income seniors to purchase fruits and vegetables at farmers' markets.

This measure also increases funding for school nutrition programs, including the Fresh Fruit and Vegetable Program, which will help purchase fruits, vegetables and nuts, and create more avenues for produce to flow from local farmers to schools. This is especially important in Rhode Island, where state lawmakers and local organizations have already taken the initiative in improving the eating habits of our students. In 2007, 26 of 38 RI school districts participated in the Farm to School Program, where produce is purchased from local farms. This Farm Bill will help those school districts continue in a healthy direction.

H.R. 2419 also helps northeast dairy farmers, including those in Rhode Island, by extending the Milk Income Loss Contract Program, which compensates dairy producers when domestic milk prices fall below a certain level. Further, this measure encourages the expansion of renewable energy research and production, contains a new section for horticulture and organic agriculture, and includes funding to make sure our food supply is safe and stable.

Mr. Speaker, this is not a perfect bill; however, this Farm Bill helps farmers meet growing environmental challenges, gives consumers more healthy food choices, and promotes critical renewable energy development. It was also imperative that the Farm Bill take into consideration the country's current economic state. This bill will help stock food banks across our country by increasing funding to the Emergency Food Assistance Program by $1.26 billion. I look forward to passing this measure into law.

Mr. STARK. Mr. Speaker, I rise today in opposition to a Farm Bill Conference Report (H.R. 2419) that will continue our wasteful agricultural policy for another five years. It is a rare day indeed that I agree with President Bush, but he is absolutely right to have issued a veto threat of this bill.

With farm income and food prices at or near record highs, now is the perfect time for reform. Unfortunately, this conference report, while masquerading as a reform package, simply tinkers around the edges of our bloated agri-business subsidies. Our current ''farm policy'' is little more than corporate welfare, with benefits flowing to large corporate operations at the expense of small farmers, both here and abroad, who actually need help. Under current policy the top 10 percent of recipients received 75 percent of all subsidies, while 67 percent of farms receive nothing. This is not good for rural communities, small farms, or taxpayers.

At best, this conference report represents ''half a loaf,'' as the group Bread for the World has said. The conferees got the nutrition title right and I commend them for it. There are important changes to the eligibility rules for the food stamps program as well as a raise in the minimum benefit. These changes, along with increases in funding for emergency food aid will have a real impact on the millions of families who are struggling to put food on their tables. If all this bill contained were the nutrition title, I would proudly support it. For all the conference accomplished on nutrition, they failed in greater measure on reforming farm subsidies.

Proponents of the conference report argue that it represents ''reform.'' They can't be serious. Under this so-called reform, farmers filing jointly could have an adjusted gross income, AGI, of $2.5 million, or $1 million if their only source of income is farm-related and they could still receive subsidies. This amounts to cutting off only 0.3 percent of farmers from the dole. The report does nothing to means test countercyclical payments. Furthermore, the report creates an entirely new $4 billion permanent disaster program that is not only wasteful and redundant, but will also encourage pushing marginal and environmentally sensitive land into production. This is not reform.

Real reform would mean eliminating all subsidizes for corn-based ethanol, which have driven up food costs around the world. Real reform would mean ending direct payments except for farmers who actually need assistance. By passing this bill, Congress is missing a golden opportunity to enact real reform. We should not wait another five years to make our farm policy equitable and responsible. By rejecting the conference report we can begin the important work of enacting a fair Farm Bill. I urge all of my colleagues to vote no.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of the Conference Report on H.R. 2419, the Food and Energy Security Act of 2007.

With the U.S. economy faltering and food prices rising, this conference agreement takes critical steps to reduce hunger, ensure that healthy foods are included in federal nutrition programs, and meet the nutritional needs of many low-income Americans.

To help low-income families hit especially hard by high food prices, this legislation invests more than $7.8 billion in the food stamp program, now renamed the Supplemental Nutrition Assistance Program.

This commitment will slow the erosion of food stamp benefits caused by increasing food prices, provide food assistance to recipients without requiring them to spend down their education savings accounts and retirement plan assets, and increase food assistance to households with high child care expenses.

The bill also invests $1.25 billion in commodity purchases for food banks, which will strengthen emergency food assistance programs' efforts to serve needy families.

Our nation is facing a growing child obesity epidemic—an issue that demands strong efforts to improve the quality and nutritional value of foods offered through school meal programs.

H.R. 2419 includes important provisions that will expand children's access to healthy foods during the school day, and that will help inform our efforts to reauthorize the nation's child nutrition programs next year.

I am also pleased that this report increases the volume of fresh fruits and vegetables available through federally-supported domestic nutrition programs, and, as part of that, invests more than one billion dollars in expanding the fruit and vegetable snack program.

Thanks to this significant investment, the snack program, targeted primarily to low- income children and to schools that disproportionately serve low-income families, will now provide thousands of students in every state with greater access to healthy foods.

This bill also supports local food systems and farm-to-school programs by encouraging child nutrition programs to use a geographic

preference when purchasing foods—allowing schools and other programs to select more nutritious agricultural products such as fresh fruits and vegetables, dairy products, eggs and meat.

In addition, it will require the U.S. Department of Agriculture to conduct a national survey of the foods purchased by the school lunch programs.

Science and research overwhelmingly tell us that providing our children with healthy, nutritious foods from the earliest years on is one of the best things we can do to help our children succeed.

I am very pleased that all of the child nutrition provisions throughout this bill retain a focus on providing healthier foods and nutritional benefits as supported by scientific research.

When we last reauthorized the child nutrition programs in 2004, we required children in low-income households receiving food stamps to be automatically enrolled for free meals at school through a process known as ''direct certification.''

This simplification reduces work for school administrators, eliminates a duplicative application process for low-income families, and improves the accuracy of the school meal enrollment process.

We had hoped that school districts, states, and the USDA would do everything in their power to make sure that every eligible low-income child would benefit from this simplification. Unfortunately, the evidence to date indicates that the implementation of this provision has been inconsistent.

The USDA must act more aggressively to help states and school districts reach all children who could benefit from this coordination of efforts. This bill will ensure that we get information from USDA that will allow us to monitor this progress and promote best practices through their new annual reports on direct certification.

While this conference report contains many positive accomplishments, I am disappointed that it does not include a proposal from the House-passed bill that would ensure that public employees conduct eligibility determinations for food stamp benefits.

Without this proposal, the food stamp determination process will now be open to for-profit companies, many of which may be more focused on boosting efficiency and revenue than serving the best interests of vulnerable Americans.

The House provision would have re-established longstanding and productive public-private partnerships that help ensure that the right balance of private contractors and public employees are included in this process. It is frustrating that this was excluded from what is otherwise a very strong conference report.

By making the right investments to strengthen the quality of foods provided to our Nation's children, this bill is a down payment on a healthier future for this country.

I would especially like to thank Chairman PETERSON, Congressman GOODLATTE, and Senators HARKIN and CHAMBLISS for their hard work on this conference agreement.

The House Education and Labor Committee is committed to building on this effort to improve child nutrition in this country, and to ensure that the National School Lunch Program, the School Breakfast program, and the special supplemental nutrition program for women, infants and children (WIC) are available to all eligible children and families.

I urge the passage of this bill.

Mr. HOYER. Mr. Speaker, I want to commend Chairman PETERSON for working tirelessly over the past year and a half to craft this farm bill—legislation that may not be perfect, but which takes our Nation in a new direction in agriculture policy.

This farm bill makes important reforms in the commodity title, while continuing to provide a safety net for our small- and mid-sized farmers—farmers like those I represent in southern Maryland.

The bill tightens payment limits, eliminates loopholes that have been exploited to get around those limits, and makes payments transparent by requiring direct attribution to a single individual.

I am proud that this bill takes important steps to ensure that our children and those in need will have the resources they need to live healthy lives.

Its nutrition title includes more than $10 billion to better stock food banks and pantries, provide healthy snacks to schoolchildren, and reform the food stamp program by tying it to inflation.

It is important to note that this bill also makes record investments in conservation, renewable energy, and rural development, which will enable our producers to better protect our environment and bolster economic development in our rural communities.

I am particularly pleased that this legislation includes $438 million in direct assistance over the next 10 years to help our farmers in their ongoing efforts to be good stewards of the Chesapeake Bay.

While we have been able to make some strides in our efforts to restore this magnificent estuary, it is clear that there is much work to be done.

Recently, the University of Maryland Center for Environment Science issued a report card which rated the bay's health a C-minus.

Ironically, this slight improvement over the previous year was largely due to drought conditions that limited nutrient and sediment runoff into the bay.

The funds included in this farm bill will help farmers throughout the watershed control erosion and reduce sediment and nutrient levels. Their efforts will help enhance, restore, and conserve this ecologically significant habitat.

The legislation also directs the Secretary of Agriculture to give special consideration to producers in specific, targeted river watersheds, including those of the Potomac and the Patuxent.

Our concerted effort to restore these significant tributaries will go a long way to bolstering the health of the great body of water into which they all empty—the Chesapeake Bay.

Finally, I want to express my support for the Enhanced Use Lease Authority Pilot Program. This program seeks to create a national model at the National Agricultural Library and our Nation's flagship agricultural research facility—the Beltsville Agricultural Research Center. This program will enable them to partner onsite with public and private facilities to enhance the mission of USDA–ARS and address much needed facilities upgrades in a timely and efficient fashion.

Again, I want to congratulate Chairman PETERSON on this bill—a farm bill that will be noted for putting America's agricultural policy on the right track and laying the foundation for more far reaching reforms in the future.

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

Mr. SKELTON. Mr. Speaker, as a representative of rural Missouri, let me take this opportunity to share my support for the 2008 farm bill.

I commend Chairman PETERSON and Ranking Member GOODLATTE for producing a balanced and bipartisan bill that would bring a level of stability to commodity markets and ensure farmers throughout the United States can make long-term business decisions.

Important to farm families in the Show-Me State, the 2008 farm bill would extend the farm program safety net for producers while also reforming eligibility requirements and strengthening payment limitations for those who receive farm program payments. While I cannot overemphasize the importance of having a safety net in place to help farmers recoup some expenses associated with agricultural production and to ensure they are not put out of business if markets collapse, I am pleased that reforms were made to address some concerns of the administration and other farm program critics.

In addition to ensuring a strong safety net, the farm bill would make historic commitments to food security and nutrition, expand conservation, promote rural development, streamline agricultural research, and invest in renewable energy.

The farm bill would make essential commitments to the health of the American people and would help families in need by boosting nutrition funding by over $10 billion. In Missouri and elsewhere, food pantries are short of food and low-income Americans are having a difficult time affording groceries. The legislation would allocate resources to food banks, modernize the food stamp program, expand farmers' markets, extend food programs for low-income senior citizens and pregnant women, promote student health, and fight obesity.

The farm bill would expand popular conservation programs designed to preserve farmland, improve water quality, and enhance soil conservation, air quality, and wildlife habitat. In Missouri, the Conservation Reserve Program, the Environmental Quality Incentives Program, and the Wetlands Reserve Program, among others, have allowed farmers to more easily address conservation problems and comply with expensive, but important, environmental regulations.

By expanding USDA rural development loans and grants, the farm bill would foster critical investments in small town America. The measure would improve rural Internet broadband access, expand first responder and emergency medical services in rural areas, and authorize grants for weather radio transmitters to alert rural citizens about coming storms. It would also provide grants for drinking water and wastewater improvements, foster rural small business development, and provide for greater value-added loans and grants for small farmers.

With respect to research and development, the farm bill would create a National Institute of Food and Agriculture within the U.S. Department of Agriculture, USDA, to maximize coordination throughout USDA's research

agencies. The bill would also create the Agriculture and Food Research Initiative to stimulate business development and access to capital in rural America and create the Energy Research Program to improve research on the production and sustainability of biofuels, like ethanol and biodiesel. Additionally, the bill would address concerns raised by livestock producers and others regarding the high cost of corn by slightly reducing the corn ethanol producers' tax credit and creating a subsidy to accelerate commercialization of advanced biofuels, like cellulosic ethanol.

Also important to Missourians, the farm bill would continue price supports for dairy farmers and increase funding for fruit and vegetable producers. It also contains the first-ever Livestock Title, which would increase market access for small, state-inspected meat processing plants, better protect producers who have contracts with livestock firms, and better enforce the Packers and Stockyards Act. Additionally, the legislation would require that all meat sold to American consumers have a country-of-origin label. But, importantly, this labeling agreement represents a compromise that would simplify record keeping and other requirements associated with the law.

The farm bill would also prohibit the closure or relocation of county Farm Service Agency offices for 2 years, would encourage additional funding directed to Historically Black Colleges, like Lincoln University in Jefferson City, and would establish an Office of Homeland Security within USDA to better protect our Nation from terrorist attacks aimed at America's agricultural sector.

The people of Missouri and Americans from all walks of life do well by the 2008 farm bill. I am pleased to lend my support to it and hope it will pass the House with broad, bipartisan support. I further hope that the President of the United States will reconsider his threat to veto the farm bill, which would be a disservice to rural Americans and to low-income citizens of our Nation who would benefit from the bill's commitment to food security.

Mr. BERMAN. Mr. Speaker, I rise in strong support of the nutrition title of the pending conference report. It includes many urgently needed improvements to our food assistance programs for low-income people.

As a senior member of the Judiciary Committee, I am particularly pleased to see this title includes language to correct a couple of problems that have arisen relating to the enforceability of the act and to ensure that no further problems exist.

The Food Stamp Act has long been recognized as fully enforceable on behalf of active and prospective participants. This history of enforceability is comparable to that of securities regulations, which the courts have long accepted. When, many years ago, a panel of the Fifth Circuit found no private right of action under the Food Stamp Act in a case brought by a pro se plaintiff, several other circuits, and ultimately the Fifth Circuit en banc, rejected that conclusion. Had they not done so, I have no doubt we would have intervened.

Recently, a couple of Federal courts cast doubt on this long-held principle, one by finding the Department's regulations on bilingual service unenforceable and another by forcing plaintiffs to meet the high standards for supervisory liability when suing a State to enforce the act and regulations against local agencies. I am pleased that this legislation overrules both of those decisions.

More broadly, the legislation recognizes that lawsuits by individual households or classes of household to enforce their rights under the act and regulations are an important part of the program. There now should be no doubt, if there ever was any, that all provisions of the act and regulations that help individuals get food assistance, or that protect them from burdens in their pursuit of food aid, are intended to create enforceable rights, with corrective injunctions or back benefits, the latter subject to the limitations in the act, as appropriate.

The act does not require States or the Department only to exercise reasonable efforts or to substantially comply with its requirements and those in the regulations: it gives each individual a right to be treated as the act and rules provide. The act and regulations have an unmistakable focus on the benefited class of participants and prospective participants, they are written in mandatory, not precatory terms, and they are concerned with the treatment of individuals as much as they are with aggregate or system-wide performance.

I cannot imagine how Congress could be any clearer in this regard. I anticipate that we will have no further confusion concerning the enforceability of the act and regulations.

Mr. BACHUS. Mr. Speaker, because I believe that this legislation represents a missed opportunity to modernize the regulation of our Nation's futures and securities markets, I am unable to sign this conference report.

Section 13106 of the conference report directs the members of the President's Working Group on Financial Markets, the Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve, the Chairman of the Securities and Exchange Commission, SEC, and the Chairman of the Commodity Futures Trading Commission, CFTC, to work to ensure that by September 30, 2009, the SEC and CFTC take action under their existing authorities to permit risk-based portfolio margining for security options and security futures products. Depending on when this bill is approved and signed into law, the agencies would have roughly 16 months to achieve this directive. Because the SEC and CFTC have a fundamental disagreement over how to proceed, there is no guarantee that a legislative directive to reconcile their differences will yield a breakthrough in what has become a longstanding turf battle between the two agencies over this issue.

Chairman FRANK, Mr. KANJORSKI and I proffered a solution to this regulatory impasse during conference that would create a clear pathway the agencies must follow in order to realize a state-of-the-art portfolio-based margining system for customers of broker-dealers. Our targeted amendment to the Securities Investor Protection Act, SIPA, would extend Securities Investor Protection Corporation, SIPC, insurance to futures positions held in a portfolio margining account under an SEC-approved program, thereby significantly advancing the goal of risk-based portfolio margining.

Our amendment is consistent with recent recommendations by the Treasury Department in its Blueprint for a Modernized Financial Regulatory Structure, which found that ''the realities of the current marketplace have significantly diminished the original reason for the regulatory bifurcation between the futures and securities markets.'' As Treasury has recognized, there are many policy issues—portfolio margining included—where a lack of action has placed U.S. markets at a competitive disadvantage to other markets that do not draw the same artificial distinctions between securities and futures products.

Portfolio margining recognizes the risk-reducing effects of offsetting or hedged positions in calculating customer margin. Thus, a portfolio margin system should align a customer's total margin requirement, the amount of money they have to put up in order to fund their investment positions, with the actual risk the customer is taking.

Today, the portfolio margin rules already allow futures positions on broad-based securities indexes such as the S&P 500 to be used to hedge offsetting securities positions such as options and exchange traded funds on the same index. There is uncertainty about how these existing portfolio margin rules fit within the regime that protects investors in the event of the liquidation of their broker-dealer. SIPA governs such liquidations, which specifically excludes futures from the definition of a ''security.'' Single stock securities futures are not excluded as they are both futures and securities.

Consequently, if a broker-dealer carrying portfolio margin accounts failed, its customers' net equity claims would not include the value of futures positions in a portfolio margin account. This could result in situations where gains in the futures positions are not allowed to offset losses in the securities positions, thereby reducing the protection the customer would be entitled to under SIPA. It also would create severe operational challenges as the customers' futures positions would need to be unwound separately from the offsetting securities positions.

Some have argued that the Financial Services Committee's approach to solving this problem would somehow prejudice the so-called ''one-pot/two-pot'' debate over whether futures should be allowed to be kept in a securities account. It does not. Allowing futures into a securities account would still require action by the CFTC. Our language would simply provide uniform investor protection in the event of a liquidation of a broker-dealer with portfolio margin accounts for whatever assets are in the securities account.

I am disappointed that the CFTC and the Agriculture Committee rejected the Financial Services Committee's proposal, the adoption of which would enhance the competitiveness of the U.S. markets and streamline financial services regulation. While I will not be able to sign a conference report that does not incorporate our language, I will continue to work with Mr. KANJORSKI and other members of the Financial Services Committee to eliminate inefficiencies and redundancies in our current financial regulatory regime that place U.S. firms at a competitive disadvantage internationally.

Mr. HALL of New York. Mr. Speaker, I thank the chairman and congratulate him on successfully bringing this conference report to the floor after many months of hard work and committed effort. I also thank him for his prior support for inclusion of a muck soils conservation program to address serious challenges being faced by the farmers in my district and throughout the country. Although such language was included in the version of this bill passed by the House, it was unfortunately not able to survive the conference negotiations.

Currently available conservation programs have shown that they do not specifically address the needs of farmers who produce crops

on muck soil. The existing Conservation Reserve Enhancement Program, CREP, seeks to prevent erosion and protect water quality through a voluntary retirement program. In areas like the Hudson Valley, this has created unintended consequences including the full retirement of productive soil and inflationary pressures on rental rates.

The program included in section 2303 of the House version of the bill, which would have sought to meet conservation goals with practices that would also keep these lands active and address local rent pressures, will not become law as part of this bill, but the needs it was meant to address remain. Similarly, efforts to make changes in future CREP contracts at the administrative level will not address the rent inflation that has been created in places like Orange County, NY, by contracts that are in place today and will have standing for several years.

The issues of unintended land retirement and rent inflation are ongoing challenges for farmers in my district, who as farmers in the Northeast, growers of specialty crops, and producers of muck land crops have been thrice underserved by previous farm bills.

The chairman has been extraordinarily understanding and supportive of efforts to address these challenges. Again, I thank him for his efforts and ask if he would be willing to continue our work on this issue and to work with USDA on solutions that will meet the conservation goals of farmers on muck soils and address the unintended economic consequences of existing programs.

Mr. STEARNS. Mr. Speaker, I rise today to urge my colleagues to oppose H.R. 2419, a $289 billion bill which will subsidize wealthy farmers and agribusiness, increase welfare benefits, violate pay-go rules, and will not dent our current energy needs, all paid for by the American taxpayer.

Folks, this country is facing an impending entitlement crisis. In the next few years millions of baby boomers will begin to retire and begin collecting Social Security and Medicare benefits. However, the Congressional Budget Office projects that Social Security will begin to pay out more in benefits than it takes in payroll taxes by 2020, and Medicare spending, that is already 13 percent of our Nations budget, will double over the next 10 years. Yet, this Democrat lead Congress sees fit to grant farm subsidies to farmers who are making up to $2.5 million in income per year.

As crop prices soar, American farm incomes are achieving record highs. Since enactment of the last farm bill in 2002, key crop prices have grown as much as 281 percent, and total farm income has more than doubled. More and more farmers are now multimillionaires. With $20 billion in increased spending, this bill irresponsibly wastes taxpayer dollars by subsidizing an industry whose profits are soaring. The evidence is clear; the Department of Agriculture estimates that the 2007 farm income was $87.5 billion, which totals a 48 percent increase from the previous year's level of $59 billion.

The search for alternative energy sources is vital to our country's national and economic security. However, this farm bill will extend tax and tariff subsidies for ethanol, while keeping in place the Federal ethanol mandate. This has directly resulted in the price of a bushel of corn in this country to triple and has failed to ease our energy crisis. The ethanol mandate to produce alternative energy has pushed up the prices not only of corn, but also of crops such as soybeans that have been abandoned by many farmers during this current corn-planting bonanza. Despite these steep price increases, large subsidies for these crops will continue under this wasteful bill and rising food costs will continue to be thrown upon our citizens.

I support our country's farmers and agree that a Federal farm program should be in place to alleviate farming poverty. However, with crop prices rising to record-breaking levels, and farm incomes doubling over the past 7 years, I cannot support a bill that seeks to subsidize multimillionaire farmers on the backs of tax paying Americans.

Mr. CONYERS. Mr. Speaker, section 12017 of H.R. 2419, the Food, Conservation, and Energy Act of 2008, amends the Federal Crop Insurance Act. Among other things, the changes provide that, during periodic renegotiations with USDA's Federal Crop Insurance Corporation regarding the standard reinsurance agreement for the FCIC's crop insurance program, approved insurance companies may consult with each other, and collectively with the FCIC.

As chairman of the Judiciary Committee, I would like to provide a bit of background, and to sound a cautionary note.

For a number of years, insurance companies participating in providing reinsurance to the FCIC—that is, providing back-up insurance to the insurance being provided by the FCIC—did indeed consult with each other, and collectively with the FCIC. This occurred most recently in the 1997 renegotiation. In fact, the insurers apparently used a common agent to negotiate the terms of the agreement on their behalf.

I understand that that experience may have led USDA's Risk Management Administration, which runs the FCIC, to begin reconsidering whether joint discussions were a good idea from a competitive standpoint, in achieving the best result with the taxpayers' dollars that the FCIC was spending in the reinsurance marketplace. In any event, the RMA evidently discussed the matter at some length with the Justice Department's Antitrust Division, and came away with the clear conviction that joint negotiations are anticompetitive—as experience under the antitrust laws confirms time and time again.

As a result of its new understanding, the RMA restricted the kinds of collaborative consultations it would permit during the 2004 renegotiation.

Some may believe that the RMA either went further than it needed to in 2004, or that it may go further in future renegotiations, prohibiting consultation even on aspects of the renegotiation that not only are not competitively sensitive, but where the antitrust laws recognize that cost-saving efficiencies can be gained without harm to competition. To the extent that that has been a concern, the new language being added to the Federal Crop Insurance Act may help clear the way for that kind of competitively benign consultation.

I wish to emphasize, however, that the new language does not create an antitrust exemption, or alter the antitrust laws in any way. The Supreme Court has aptly referred to the antitrust laws as the Magna Carta of our free enterprise system, and has said repeatedly that exceptions to those laws are not to be lightly inferred. Therefore, any insurer wishing to engage in consultations pursuant to this new authorization should be careful to do so in compliance with the antitrust laws.

Some observers have raised the question whether some of the conduct that could be at issue here might be covered under the McCarran-Ferguson Act's antitrust exemption for the business of insurance, to the extent that such business is regulated by State law. It is far from clear, however, that reinsurance being provided to the USDA's FCIC for its federally administered crop insurance program is in fact regulated by State law. And even if it were, the McCarran-Ferguson Act does not apply to the antitrust prohibitions against boycott, which can all-too-easily be implicated when competing firms start coordinating their negotiation-related activities and strategies. These are serious violations of the law, and those who would seek to avoid the pitfalls here would be well advised to seek appropriate antitrust guidance.

Mr. HILL. Mr. Speaker, I have sponsored legislation to allow farmers who grow fruit and vegetables for processing to opt out of farm programs on an acre for acre basis without limitation. That legislation would reduce farm program costs and improve the environment by allowing more extensive crop rotations. I am very pleased that the conference report takes a step toward that proposal by establishing a pilot project to allocate 75,000 acres of new authority for production of fruit and vegetables for processing in specified Midwestern states. USDA has broad discretion in administration of this pilot project to meet the objectives of the pilot project. The conference report does not specify a procedure for allocation of the pilot project acreage or other administrative matters, such as reallocation of unused acreage allocations among States. However, USDA is clearly required to establish rules to assure that this additional fruit and vegetable production authority will not be abused. Only fruit and vegetables under contract for processing are to be produced under this authority. USDA is to assure that all of the crop produced is delivered to a processor and that the quantity of crop delivered under the original contract, the contract in existence upon Farm Service Agency certification, does not exceed the quantity that is produced on the contracted acreage. Further, the effects of the pilot project and FAV restrictions on the specialty crop industry, both fresh and processed, are to be evaluated. These restrictions are intended to ensure protection of the objectives of the pilot project, not to compel food waste or excessive regulatory burden. Further, the conference report includes an important statement of policy indicating that in the next recalculation of base acreage, fruit and vegetable production will not cause a reduction in farmer's base acreage. While this is a timid step in reducing restrictions on production of fruits and vegetables, I commend this step in the right direction.

Ms. LEE. Mr. Speaker, I rise in support of H.R. 2419, the Food, Conservation, and Energy Act of 2008.

Mr. Speaker I must state from the beginning—I have never been a strong supporter of the previous farm bills that we have considered.

I and many of my constituents have long believed that the Federal Government wastes far too much taxpayer money on subsidizing farmers and farm programs.

While it is true that many small scale farmers should be protected during cyclical downturns, far too much Federal funding is spent subsidizing large scale agribusiness and wealthy farmers who don't need our support.

That being said, I appreciate the efforts of the committee to address some of the unnecessary spending in this bill. However I had hoped they would have gone further to reform farm bill programs.

The reason I am able to support the conference report is because it does include a very robust nutrition title that provides $10.361 billion in funding which will support 38 million families to purchase healthy foods.

Among the key nutrition items included in the bill:

The food stamp program is modernized to help an additional 11 million people by 2012.

The Emergency Food Assistance program is expanded and indexed for inflation to help support food banks, soup kitchens and homeless shelters.

The bill also provides $1 billion to help schools provide free fruits and vegetables to schoolchildren.

These and other improvements to nutrition programs in the farm bill will provide much needed funding to groups like the Alameda County Community Food Bank and the Berkeley Food and Housing Project in my district.

The conference report is also supported by a number of organizations, including the California Association of Food Banks, California Food Policy Advocates, California School Employees Association, National Council of Jewish Women, Congressional Hunger Center, AARP, ACORN, Families USA, National Association of Social Workers, National Association of Counties, and the Center for Law and Social Policy.

Mr. Speaker, despite my concerns about continuing unnecessary subsidies, I believe the robust nutrition title in the conference report deserves our support.

The SPEAKER pro tempore. Pursuant to House Resolution 1189, the previous question is ordered on the conference report.

MOTION TO RECOMMIT OFFERED BY MR. CANTOR

Mr. CANTOR. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. CANTOR. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Cantor moves to recommit the conference report to accompany the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, to the committee on conference of the disagreeing votes of the two Houses on the Senate amendment to strike (1) section 8303, relating to the sale and exchange of National Forest System land, Vermont, (2) section 12034, relating to fisheries disaster assistance, and (3) section 15316, relating to qualified forestry conservation bonds.

Mr. UDALL of Colorado. Mr. Speaker, I think Congress should act to reform the earmark process.

That's why I have introduced H.R. 595, the Stimulating Leadership in Limiting Expenditures (or 'SLICE') Act, which would provide the president with a constitutionally-sound version of a line-item veto that could be used to force Congress to vote separately on any specific spending earmark.

That's why I am a cosponsor of legislation (H. Res. 727) to put a moratorium on considering any bill with any congressional earmarks until a bipartisan panel has been set up and made recommendations for that reform.

And that's why I am also cosponsoring the Earmark Transparency and Accountability Act (H.R. 631) which would require any earmark, to be effective, to be included in a bill's text—not just in a committee report—so it would be subject to amendment.

But I cannot support this motion to recommit.

If we were considering this legislation for the first time, it might make sense to consider sending it back to the Agriculture Committee for revisions.

But we first considered this bill a year ago. Since then, the Senate has also acted and the differences between their version and the one we passed last year have been resolved by a committee of conferees appointed for that sole purpose.

That purpose was fulfilled when the conferees filed their report, and at that point the conference committee ceased to exist.

So, this motion would not really send the conference report back for more work—it would send it into oblivion.

And while I know the conference report has flaws, I think they are not so great as to require us to in effect tear it up completely.

So I urge rejection of this motion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on adoption of the conference report, and motion to suspend the rules on House Resolution 1133.

The vote was taken by electronic device, and there were—yeas 193, nays 230, not voting 11, as follows:

[Roll No. 314]

YEAS—193

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

NAYS—230

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

Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Rehberg
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—11

Bono Mack
Cramer
Crenshaw
Gerlach
Lewis (KY)
Mack
Myrick
Pickering
Rush
Schmidt
Weller

□ 1601

Messrs. PALLONE, HOYER, BERRY, FARR, FOSTER, HODES and LARSON of Connecticut changed their vote from ''yea'' to ''nay.''

Messrs. WELDON of Florida, BACHUS, MORAN of Virginia, BURGESS and TIM MURPHY of Pennsylvania changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

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

RECORDED VOTE

Mr. PETERSON of Minnesota. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 318, noes 106, not voting 10, as follows:

[Roll No. 315]

AYES—318

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Camp (MI)
Capito
Capps
Cardoza
Carnahan
Carney
Carson
Carter
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Costa
Costello
Courtney
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Gallegly
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Hastings (FL)
Hastings (WA)
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
King (IA)
Kingston
Klein (FL)
Kline (MN)
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Snyder
Solis
Souder
Space
Speier
Spratt
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Whitfield (KY)
Wilson (OH)
Wittman (VA)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOES—106

Akin
Bachmann
Barrett (SC)
Bean
Biggert
Bilbray
Blackburn
Blumenauer
Boehner
Broun (GA)
Burgess
Burton (IN)
Calvert
Campbell (CA)
Cannon
Cantor
Capuano
Castle
Chabot
Cooper
Culberson
Davis, Tom
Deal (GA)
Dent
Dreier
Duncan
Ehlers
Feeney
Ferguson
Flake
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Goode
Granger
Harman
Hayes
Heller
Hensarling
Hobson
Hunter
Inglis (SC)
Inslee
Issa
Johnson, Sam
Jordan
Keller
Kind
King (NY)
Kirk
Knollenberg
Kucinich
Lamborn
Lewis (CA)
Linder
LoBiondo
Lungren, Daniel E.
Matheson
McCarthy (CA)
McCrery
McDermott
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Mitchell
Moore (WI)
Moran (KS)
Nunes
Paul
Pence
Petri
Pitts
Price (GA)
Pryce (OH)
Ramstad
Reichert
Rohrabacher
Roskam
Royce
Ryan (WI)
Saxton
Scalise
Sensenbrenner
Sessions
Shadegg
Shays
Smith (NJ)
Smith (WA)
Stark
Stearns
Tancredo
Terry
Tiahrt
Tiberi
Wamp
Waxman
Weldon (FL)
Westmoreland
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—10

Bono Mack
Cramer
Crenshaw
Gerlach
Lewis (KY)
Mack
Myrick
Rush
Schmidt
Weller

□ 1607

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report to accompany H.R. 2419.

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

There was no objection.

CONGRESSIONAL SHOOTOUT

The SPEAKER pro tempore. Without objection, the gentleman from Wisconsin (Mr. RYAN) is recognized for 1 minute.

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to talk about the event conducted by the bipartisan Congressional Sportsmen's Caucus yesterday.

Mr. Speaker, last year the Democrats won the Congressional Shootout, the Congressional Sportsmen's Caucus trophy, between sporting clays, trap and skeet, and the Democrats thought that there was a realignment occurring in Congress, in America. They thought they were on a good run for a long time.

Mr. Speaker, it is my privilege to say this year that the Republicans reclaimed the trophy and won the Congressional Sportsmen's Caucus Shootout this year. The realignment was very short-lived.

In particular, Mr. Speaker, I would like to, on behalf of my co-chairman Mr. KIND from Wisconsin; the vice chairmen, Mr. PEARCE from New Mexico and Mr. BOREN from Oklahoma, I would like to give particular note to the people who really shot straight yesterday.

Top gun: Congressman HAYES only dropped a few clays all day.

Top Republican: Congressman JOHN KLINE, Minnesota.

Top Democrat: Congressman BENNIE THOMPSON.

Top Sporting Clays: Congressman MIKE ROSS.

Top Trap: Congressman DON YOUNG.

And Top Skeet: MIKE THOMPSON.

All together, a good bipartisan effort, but more to the point, the Republicans reclaimed the trophy and reversed the realignment.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

CONGRATULATING WINONA STATE UNIVERSITY ON WINNING THE 2008 DIVISION II MEN'S BASKETBALL CHAMPIONSHIP

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1133, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 1133, as amended.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 20, as follows:

[Roll No. 316]

YEAS—413

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
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
Hulshof
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)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
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
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
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
Scalise
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
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
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—20

Andrews
Bachmann
Bono Mack
Carnahan
Cramer
Crenshaw
DeGette
Ellison
Feeney
Gerlach
Gordon
Lewis (KY)
Mack
Myrick
Rush
Schmidt
Smith (NJ)
Walden (OR)
Weller
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining on this vote.

□ 1618

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TEMPORARY EXTENSION OF FARM PROGRAMS

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that the Committees on Agriculture and Foreign Affairs be discharged from further consideration of the bill (H.R. 6051) 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 May 16, 2008, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6051

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AGRICULTURAL PROGRAMS AND SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.

Effective May 16, 2008, section 1 of Public Law 110–196 (122 Stat. 653) (as amended by Public Law 110–200 (122 Stat. 695), Public Law 110–205 (122 Stat. 713), and Public Law 110–208 (122 Stat. 720)) is amended—

(1) in subsection (a), by striking ''May 16, 2008'' and inserting ''the earlier of May 23, 2008, or the date of the enactment of the Food, Conservation, and Energy Act of 2008''; and

(2) in subsection (d), by striking ''May 16, 2008'' and inserting ''the earlier of May 23, 2008, or the date of the enactment of the Food, Conservation, and Energy Act of 2008''.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 14, 2008.

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

DEAR MADAM SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Ms. Deborah M. Spriggs, Deputy Clerk and Mr. Robert F. Reeves, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 110th Congress or until modified by me.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

PROVIDING FOR ADOPTION OF S. CON. RES. 70, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1190 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1190

Resolved, That the House hereby (1) takes from the Speaker's table the concurrent resolution (S. Con. Res. 70) setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013, (2) adopts an amendment in the nature of a substitute consisting of the text of House Concurrent Resolution 312, as adopted by the House, (3) adopts such Senate concurrent resolution, as amended; (4) insists on its amendment; and (5) requests a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington, my very, very good friend, Mr. HASTINGS. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. MCGOVERN. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

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

Mr. Speaker, H. Res. 1190 provides for the adoption of the Senate budget resolution, S. Con. Res. 70, with an amendment consisting of the House-passed budget resolution, H. Con. Res. 312. It also provides that the House request a conference with the Senate.

This rule simply allows the House to move quickly and efficiently to a conference on the budget resolution. Let me be clear, the minority still has the right to offer a motion to instruct conferees, and they still have the ability to defeat this rule, denying the opportunity to begin a conference on the budget resolution.

It's a simple and straightforward rule that allows the House to do what the American people sent us here to do, legislate. The American people don't want the partisan infighting that is being perpetrated by the minority in this Chamber. Time after time the American people have spoken, and their voices are being heard loud and clear. They want action, not disruption. They want us to do our job. And this rule will allow us to do just that.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my very, very, very good friend from Massachusetts (Mr. MCGOVERN) for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, this rule is redundant and totally unnecessary. The House doesn't need to pass this rule to go to conference with the Senate. Democrats already have all the power they need to go to conference on the budget. The Budget Committee chairman already has the ability to make a motion to go to conference, and a rule that this House passed 2 months ago also provides that authority. We have already done this with the rule, H. Res. 1036, which my very, very, very good friend, Mr. MCGOVERN, managed only a couple of months ago. There is no reason for the House to be considering this rule, except perhaps one, Mr. Speaker, and that's so that the Democrat majority can deny Republicans their rights as the minority party.

Democrats are going to get their way at the end of the day; majorities always do that. But in putting this rule on the floor, Democrats are saying that they needn't even bother with respecting minority rights. This rule exists solely as an abuse of power.

Mr. Speaker, when Democrats won control of the Congress in 2006, they promised the American people that they would run the most open and honest House in history. They would seek to work in a bipartisan manner. Instead of keeping that promise, the Democrat majority has stooped to depths and gone to extremes that no previous majority in the House has ever dared. When it comes time to shutting down debate, silencing ideas, restricting minority rights, ignoring rules they themselves wrote, and running the House in a top-down, shut-up, sit-down manner, this Democrat majority has no peer.

The Democrat promise to run the most open, honest House in history has been revealed as a hollow charade. They have passed more closed rules that block all amendments and debate than any House in history. They wrote new rules to prohibit votes from being held open to change the vote's outcome, and then violated that rule time after time. They passed new rules to ensure House and Senate conference committees are more open and public, but instead they turn around and retreat even further behind closed doors. They almost totally abandon even holding conference committees.

Mr. Speaker, why is this rule suddenly on the House floor today? Why the sudden interest of Democrats in the House to go to conference with the Senate on a budget? The House passed their version of the budget on March 13. The Senate passed their version on March 14. Today is May 14. Why didn't we go to conference 2 months ago? Never mind, of course, that the law sets April 15 as the deadline for Congress to pass a final budget resolution. The facts are that this House could and should have gone to conference 2 months ago. But Democrats have instead hid behind closed doors to negotiate, bargain and cut deals to write a final budget.

By reading media reports, Mr. Speaker, it appears the Democrat majority in the House and Senate have reached a final agreement on the final budget for fiscal year 2009. That agreement will apparently increase spending by billions of dollars and include the largest tax increase in history. So now they apparently are going to go to a phony conference after all the true tax and spend work has been done in secret. Mr. Speaker, they aren't doing this to be more open and honest. They are doing this to force through their plan to massively increase taxes and increase government spending.

Mr. Speaker, the news media also reports that the Democrat majority has abandoned another of their promises it made to the American people when they wrote the new law for the House that is known as PAYGO. This is a rule that was sought by the Blue Dog Democrats. This rule places a blanket requirement that any bill that lowers taxes or increases spending must be correspondingly offset. Under the secret budget agreement, it appears that the Democrat PAYGO rule was jettisoned.

Blue Dog Democrats have given up on their rule and their PAYGO principle. They traded an enforceable House rule for a meaningless promise from a Senator. It's meaningless because everyone knows that this one Senator will in all likelihood be overridden by his Senate colleagues. Mr. Speaker, one can respect my colleagues

on the other side of the aisle for standing on principle, but this is a principle that's being abandoned.

This rule isn't necessary. The Democrats already have all the power they need to go to conference. So the only reason we are here is because the majority is trying to restrict the rights of the minority to be heard and for the Republicans to have a fair opportunity to offer alternative proposals to legislation Americans care about most, taxing and spending.

We are being blocked, shut down, and unfairly restricted in our rights. And as a result, our constituents will potentially be subjected to higher taxes and more government spending. I really don't think Americans want that.

When it comes to Democrat plans for billions of dollars in new government spending, Republicans have the right to protest, to demand votes in the House, to have the voices of Members representing almost half of this country to be heard.

□ 1630

We especially have the right to protest the Democrat majority's writing of a $200 billion appropriations bill that just completely skips over any hearing or markup in the Appropriations Committee. Instead of passing a bill to fund our troops who are fighting to protect America, Democrats are short-circuiting the legislative process, shutting out Republicans and larding the bill up with billions and billions of dollars of unrelated spending.

Right now, Mr. Speaker, upstairs in the Capitol on the third floor, the House Rules Committee is meeting to consider this massive $200 billion supplemental spending bill. The text of this bill was just released an hour before the committee met. It never went before the Appropriations Committee. Republicans have obviously just had minutes to read the bill. This is wrong and is abuse of power by the Democrat majority. The American people deserve to have a more open process on how their tax dollars are spent.

So, Mr. Speaker, I repeat again that this rule is totally unnecessary. Democrats already have the power to go to conference. They're just 2 months late in doing so. The Democrats have broken their promise to the American people to operate the House in an open and honest manner. They are conspiring in secret to write a budget that increases taxes by the largest amount in history and use a vital troop funding bill to try to pass billions and billions of new dollars in unrelated government spending.

So for these reasons, Mr. Speaker, I urge my colleagues to oppose this rule.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee (Mr. DAVID DAVIS).

Mr. DAVID DAVIS of Tennessee. I would like to thank the gentleman for yielding time.

Mr. Speaker, I'm glad we're talking about the budget, but I will tell you the budget I want to talk about right now is the budget of the American family and small businesses and the middle class across America.

I was just in Elizabethton, Tennessee, over the weekend back at Whitson's Barber Shop, and I can tell you the issue that is on people's minds right now is not more taxes and more spending; it's the need for a true energy policy in America. An energy policy that actually uses American energy. We need a policy that will stop taxing and spending. We need an energy policy that will break our dependence on foreign oil.

Right now we're buying our energy from people that hate us, hate our freedoms, and, quite frankly, hate our religion. We need to go back to the drawing board and have an energy plan that uses American energy. I'm talking about clean coal technology. I'm talking about drilling off the Outer Continental Shelf. I'm talking about drilling in ANWR. I'm talking about wind technology. I'm talking about building safe nuclear plants. Those are the things that will bring down the cost at the pumps.

We have moms and dads right now that are worried about how they're going to get their children to school in the mornings. They're worried about how they're going to put food on their kitchen table. That's the budget that the American people are concerned about. The American people are looking for solutions. They are not looking for big government, inside the beltway in Washington. The American people are looking for solutions to make sure that we keep government as small as possible, and they're looking to make sure that we pass an energy policy that actually uses American energy. It's time for no more excuses. It's time for us to pass an energy bill that will give some relief to the American family.

It's basic economics. I talk to schools all across my district when I go home, and it's basic economics. You can talk to any high school student. They will understand supply and demand. If you have a lot of a supply and a little bit of demand, the cost will go down; and, conversely, if you have a lot of demand for a limited supply, cost will go up. Right now we have a demand for a lot of energy, a lot of oil. And right now we're dependent on the Middle East, on Venezuela, on Russia, other countries; and we're actually begging the Middle East to increase their energy production. And we have policies here in Washington that won't allow us to use our own American natural resources in energy.

The American people want solutions. They want solutions now. And they don't want it in taxing and spending. It's time for no more excuses. We need an energy plan that uses American energy.

Mr. HASTINGS of Washington. Mr. Speaker, I would inquire from my very good friend from Massachusetts if he has any more requests for time on his side.

Mr. MCGOVERN. Thank you for inquiring. I'm it.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of my time.

I would like to ask my good friend from Massachusetts just a very straight-up question, and I will be happy to yield to him.

Why are we addressing and debating this redundant rule today?

I yield to my friend.

Mr. MCGOVERN. Thank you for yielding.

We are debating this rule today to do the people's business, to expedite the process so we can move to a conference on the budget resolution.

Mr. HASTINGS of Washington. Reclaiming my time, Mr. Speaker, of course, which we already did on H. Res. 1036, which my good friend managed on the floor here just a couple of months ago.

Mr. Speaker, let me talk about an issue that's been talked a great deal about here on the House floor by colleagues on both sides of the aisle, and I certainly hear about it when I go home.

Mr. Speaker, since the Democrats took control of Congress in January of 2007, the cost of gasoline has risen to record-setting prices. In fact, the cost of gasoline has gone up more in 16 months than it had gone up in the prior 6 years. According to a report from just 2 days ago by AAA in my State of Washington, the price for a gallon of gasoline is at a record $3.80. That's 26 cents higher than it was just last month. The average price of a gallon of diesel is $4.53, which is $1.46 higher than a year ago.

Speaker PELOSI made a promise that the Democrats had a ''commonsense plan'' to ''lower the price at the pump.'' But this Congress has done nothing and has only seen fuel prices rise.

Mr. Speaker, I really believe it's time for the House to act. It's time for the House to debate ideas for lowering prices, and it's time for the Democrats to reveal their promised plan.

So by defeating the previous question, this House can finally consider solutions to rising energy costs. When the previous question is defeated, I will move to add a section to the rule, not rewrite the entire rule, just to add a section to the rule, that would allow the House to consider H.R. 5984, the Clean Energy Tax Stimulus Act of 2008, introduced by Representative BARTLETT of Maryland, as well as ''any amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil by permitting the extraction of oil in the Outer Continental Shelf.''

Mr. Speaker, the United States is the only developed nation in the world that

forbids safe energy production on its Outer Continental Shelf. This puts our country and economy at a disadvantage to other countries. According to the U.S. Minerals Management Service, America's deep seas on the Outer Continental Shelf contain 420 trillion cubic feet of natural gas and 86 billion barrels of oil. Let me repeat that, Mr. Speaker. The Outer Continental Shelf contains 420 trillion cubic feet of natural gas and 86 billion barrels of oil. That's 86 billion barrels of American oil that sits waiting while we import a little over 4½ billion barrels from foreign countries each year.

So, Mr. Speaker, if we are serious about addressing gas prices and energy costs in America, we need to get serious about accessing our country's energy resources.

Some will declare that it's unsafe to produce energy from reserves beneath the ocean in the Outer Continental Shelf. But other countries do it safely all around the world. As a matter of fact, our country utilizes deep sea production in the Gulf of Mexico.

Mr. Speaker, this technology was severely tested, severely tested, and proven safe when two back-to-back category five storms hit the Gulf of Mexico in 2005. Almost 3,000 offshore platforms were in the direct path of Hurricanes Katrina and Rita. Some experienced 5 to 6 hours of sustained winds at 170 miles per hour and gusts over 200 miles per hour.

Now, to be sure, production was halted and platform workers were evacuated during these terrible hurricanes; so there was no loss of life.

But, Mr. Speaker, do you know how many of these rigs ruptured? The answer is zero. Zero. Some tops fell off but no platforms ruptured. So I think we must make a distinction between concerns that production can be done safely and scare tactics that oppose efforts to make use of America's resources and reduce imports from foreign nations.

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

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to defeat the previous question so that we can consider this vitally important issue for America's families; workers; truckers; small businesses; and, for that matter, our entire economy.

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

Mr. MCGOVERN. Mr. Speaker, I always appreciate hearing from my very good friend from Washington State explain his rationale on various issues. But let me just say a couple of things.

If we want to have a serious discussion about the cost of energy in this country, let's understand one thing. The Republicans had been in control of this Congress for 12 years and the Republicans have controlled the White House for nearly 8 years. When George Bush went into office on January 22, 2001, the cost of a gallon of gas was $1.47. As of last week, it was $3.61. It's gone up since last week, and part of that is because of the failed, the failed policies of this administration and the Republican Congress.

Yesterday, thanks to the leadership of Speaker PELOSI, we voted on a bill to instruct the President not to continue putting oil in the Strategic Petroleum Reserve. And guess what. President Bush said he's going to veto it. He's going to veto a measure that will bring down prices for oil and gas in the short term. That's where their priorities are. Siding with Big Oil against the consumer. So enough is enough.

And I would say, Mr. Speaker, that what we're trying to do here today is expedite consideration of a budget resolution. After nearly 8 years, the Bush legacy is the highest deficits in our Nation's history. That is what he has left our children and our grandchildren, the greatest amount of national debt in our Nation's history. Future generations, our kids and our grandchildren, will be forced to pay the price for this unprecedented rise in debt and the Republicans' fiscally reckless and irresponsible policies.

The budget resolution that Chairman SPRATT, our leader here in the House, has fashioned and the one that he is going to conference with is a budget with a conscience. That's something we had not had when the Republicans were in control of this Congress. It is a budget that doesn't cut Medicare and doesn't cut Medicaid and doesn't cut the Community Development Block Grant program and doesn't cut LIHEAP. It is a budget that understands that average people have suffered under the 12 years that Republicans controlled this Congress and under the 8 years that George Bush has been in office. It is a budget that protects priorities like SCHIP, infrastructure needs, homeland security, innovation, energy, education, health care, veterans, and the environment. It protects middle class tax relief, including the alternative minimum tax, the child tax credit, and the marriage penalties. In short, what the Democrats are trying to do is get a budget passed that charts a new direction for a stronger, safer, more compassionate America, a direction very different from the one that this President and the previous Republican Congress has brought us down.

Let me finally say, Mr. Speaker, this will be the first budget resolution conference report to be considered in an election year since Bill Clinton was in office. So for all the talk about process, the fact of the matter is we have a Congress, a Democratic Congress, that is actually committed to getting things done, including a budget resolution.

□ 1645

And again, when we bring the budget resolution to the floor, it will be the first budget resolution conference report to be considered in an election year since Bill Clinton was in office. And that is something I think we all can be proud of and the American people can be proud of a finished product which will be a budget that will reflect their priorities.

So, Mr. Speaker, I would urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 1190 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 2. That upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5984) to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law. The first reading of the bill shall he dispensed with. All points of order against consideration of the bill are waived. General debate shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except any amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil by permitting the extraction of oil in the Outer Continental Shelf. Such amendments shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on

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

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

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

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

Mr. MCGOVERN. I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of H. Res. 1190; and motion to suspend the rules on H. Res. 1173.

The vote was taken by electronic device, and there were—yeas 225, nays 187, not voting 21, as follows:

[Roll No. 317]

YEAS—225

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

NAYS—187

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

NOT VOTING—21

Andrews
Bono Mack
Cramer
Crenshaw
Cubin
DeGette
Gerlach
Gohmert
Hinojosa
Lewis (KY)
Mack
Meeks (NY)
Musgrave
Myrick
Neugebauer
Rush
Schmidt
Shuler
Weller
Wilson (NM)
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining in this vote.

□ 1711

Messrs. UPTON, CANNON, SMITH of Nebraska, CAZAYOUX, YOUNG of Alaska and SESSIONS changed their vote from ''yea'' to ''nay.''

Mr. KIRK, Ms. SCHWARTZ, Mr. JOHNSON of Illinois, Ms. CLARKE and Ms. ROS-LEHTINEN changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 317, I was unavoidably detained. Had I been present, I would have voted ''yea.''

Stated against:

Mr. NEUGEBAUER. Mr. Speaker, on rollcall No. 317, I was unavoidably detained. Had I been present, I would have voted ''nay.''

PERSONAL EXPLANATION

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I wish to clarify my vote on Ordering

the Previous Question on the Rule for the Conference Report on S. Con. Res. 70, the Budget Resolution.

I have always strongly supported the current ban and worked to protect Florida's beaches by helping to enact Public Law 109–432. With the energy needs our Nation is facing, other States may decide to explore for more energy sources and I support their right to drill off of their coasts if that is what they choose to do.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 214, nays 203, not voting 17, as follows:

[Roll No. 318]

YEAS—214

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

NAYS—203

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

NOT VOTING—17

Andrews
Bono Mack
Cramer
Crenshaw
Cubin
DeGette
Gerlach
Honda
Lewis (KY)
Mack
Meeks (NY)
Myrick
Pickering
Rush
Schmidt
Wilson (NM)
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1719

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 1190, Senate Concurrent Resolution 70, as amended, is considered as adopted and the House is considered to have insisted on its amendment and requested a conference with the Senate thereon.

Without objection, House Concurrent Resolution 312 is laid on the table.

There was no objection.

The text of the Senate concurrent resolution is as follows:

S. CON. RES. 70

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

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2009 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2009.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Postal Service discretionary administrative expenses.
Sec. 104. Major functional categories.

TITLE II—BUDGET PROCESS

Subtitle A—Direct Spending and Receipts

Sec. 201. Senate point of order against legislation increasing long-term deficits.
Sec. 202. Point of order—20 percent limit on new direct spending in reconciliation legislation.

Subtitle B—Discretionary Spending

Sec. 211. Discretionary spending limits, program integrity initiatives, and other adjustments.
Sec. 212. Point of order against advance appropriations.
Sec. 213. Senate point of order against provisions of appropriations legislation that constitute changes in mandatory programs with net costs.
Sec. 214. Discretionary administrative expenses of the Postal Service.

Subtitle C—Other Provisions

Sec. 221. Application and effect of changes in allocations and aggregates.
Sec. 222. Adjustments to reflect changes in concepts and definitions.
Sec. 223. Debt disclosure requirement.
Sec. 224. Debt disclosures.
Sec. 225. Exercise of rulemaking powers.
Sec. 226. Circuit breaker to protect social security.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund to strengthen and stimulate the American economy and provide economic relief to American families.
Sec. 302. Deficit-neutral reserve fund for improving education.
Sec. 303. Deficit-neutral reserve fund for investments in America's infrastructure.
Sec. 304. Deficit-neutral reserve fund to invest in clean energy, preserve the environment, and provide for certain settlements.

Sec. 305. Deficit-neutral reserve fund for America's veterans and wounded servicemembers and for a post 9/11 GI bill.
Sec. 306. Deficit-neutral reserve fund to improve America's health.
Sec. 307. Sense of the Senate regarding Medicaid administrative regulations.
Sec. 308. Deficit-neutral reserve fund for judicial pay and judgeships.
Sec. 309. Deficit-neutral reserve fund for reforming the alternative minimum tax for individuals.
Sec. 310. Deficit-neutral reserve fund for repealing the 1993 increase in the income tax on social security benefits.
Sec. 311. Deficit-neutral reserve fund to improve energy efficiency and production.
Sec. 312. Deficit-neutral reserve fund for immigration reform and enforcement.
Sec. 313. Deficit-neutral reserve fund for border security, immigration enforcement, and criminal alien removal programs.
Sec. 314. Deficit-neutral reserve fund for science parks.
Sec. 315. Deficit-neutral reserve fund for 3-year extension of pilot program for national and state background checks on direct patient access employees of long-term care facilities or providers.
Sec. 316. Deficit-neutral reserve fund for studying the effect of cooperation with local law enforcement.
Sec. 317. Deficit-neutral reserve fund to terminate deductions from mineral revenue payments to States.
Sec. 318. Deficit-neutral reserve fund for the establishment of State Internet sites for the disclosure of information relating to payments made under the State Medicaid program.
Sec. 319. Deficit-neutral reserve fund for traumatic brain injury.
Sec. 320. Deficit-neutral reserve fund to improve animal health and disease program.
Sec. 321. Deficit-neutral reserve fund for implementation of Yellow Ribbon Reintegration Program for members of the National Guard and Reserve.
Sec. 322. Deficit-neutral reserve fund for reimbursing States for the costs of housing undocumented criminal aliens.
Sec. 323. Deficit-neutral reserve fund for acceleration of phased-in eligibility for concurrent receipt of benefits.
Sec. 324. Deficit-neutral reserve fund for increased use of recovery audits.
Sec. 325. Deficit-neutral reserve fund for food safety.
Sec. 326. Deficit-neutral reserve fund for demonstration project regarding Medicaid coverage of low-income HIV-infected individuals.
Sec. 327. Deficit-neutral reserve fund for reducing income threshold for refundable child tax credit to $10,000 with no inflation adjustment.
Sec. 328. Sense of the Senate regarding the diversion of funds set aside for USPTO.
Sec. 329. Deficit-neutral reserve fund for education reform.
Sec. 330. Deficit-neutral reserve fund for processing naturalization applications.
Sec. 331. Deficit-neutral reserve fund for access to quality and affordable health insurance.
Sec. 332. Deficit-neutral reserve fund for a 9/11 health program.
Sec. 333. Deficit-neutral reserve fund to ban medicare advantage and prescription drug plan sales and marketing abuses.
Sec. 334. Sense of the Senate regarding extending the ''Moving to Work Agreement'' between the Philadelphia Housing Authority and the U.S. Department of Housing and Urban Development under the same terms and conditions for a period of one year.
Sec. 335. Sense of the Senate regarding a balanced budget amendment to the constitution of the United States.
Sec. 336. Sense of the Senate regarding the need for comprehensive legislation to legalize the importation of prescription drugs from highly industrialized countries with safe pharmaceutical infrastructures.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2008 through 2013:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2008: $1,871,888,000,000.
Fiscal year 2009: $2,012,123,000,000.
Fiscal year 2010: $2,198,259,000,000.
Fiscal year 2011: $2,404,151,000,000.
Fiscal year 2012: $2,488,673,000,000.
Fiscal year 2013: $2,613,013,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2008: –$7,652,000,000.
Fiscal year 2009: –$85,001,000,000.
Fiscal year 2010: $15,395,000,000.
Fiscal year 2011: –$23,874,000,000.
Fiscal year 2012: –$164,642,000,000.
Fiscal year 2013: –$141,727,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2008: $2,579,255,000,000.
Fiscal year 2009: $2,533,754,000,000.
Fiscal year 2010: $2,555,400,000,000.
Fiscal year 2011: $2,687,858,000,000.
Fiscal year 2012: $2,731,412,000,000.
Fiscal year 2013: $2,860,070,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2008: $2,476,755,000,000.
Fiscal year 2009: $2,575,733,417,000.
Fiscal year 2010: $2,616,367,415,000.
Fiscal year 2011: $2,709,059,134,000.
Fiscal year 2012: $2,722,339,034,000.
Fiscal year 2013: $2,852,077,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2008: $604,867,000,000.
Fiscal year 2009: $563,610,417,000.
Fiscal year 2010: $418,108,415,000.
Fiscal year 2011: $304,908,134,000.
Fiscal year 2012: $233,666,034,000.
Fiscal year 2013: $239,064,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2008: $9,618,792,000,000.
Fiscal year 2009: $10,278,552,417,000.
Fiscal year 2010: $10,805,195,832,000.
Fiscal year 2011: $11,215,113,966,000.
Fiscal year 2012: $11,580,563,000,000.
Fiscal year 2013: $11,934,375,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2008: $5,418,643,000,000.
Fiscal year 2009: $5,803,409,417,000.
Fiscal year 2010: $6,032,754,832,000.
Fiscal year 2011: $6,129,282,966,000.
Fiscal year 2012: $6,141,593,000,000.
Fiscal year 2013: $6,153,706,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2008: $666,705,000,000.
Fiscal year 2009: $695,876,000,000.
Fiscal year 2010: $733,571,000,000.
Fiscal year 2011: $772,468,000,000.
Fiscal year 2012: $809,798,000,000.
Fiscal year 2013: $845,044,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2008: $463,746,000,000.
Fiscal year 2009: $493,607,000,000.
Fiscal year 2010: $520,158,000,000.
Fiscal year 2011: $540,487,000,000.
Fiscal year 2012: $566,249,000,000.
Fiscal year 2013: $595,544,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2008:
(A) New budget authority, $5,160,000,000.
(B) Outlays, $4,989,000,000.
Fiscal year 2009:
(A) New budget authority, $5,473,000,000.
(B) Outlays, $5,476,000,000.
Fiscal year 2010:
(A) New budget authority, $5,623,000,000.
(B) Outlays, $5,581,000,000.
Fiscal year 2011:
(A) New budget authority, $5,788,000,000.
(B) Outlays, $5,759,000,000.
Fiscal year 2012:
(A) New budget authority, $5,962,000,000.
(B) Outlays, $5,932,000,000.
Fiscal year 2013:
(A) New budget authority, $6,147,000,000.
(B) Outlays, $6,115,000,000.

SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2008:
(A) New budget authority, $250,000,000.
(B) Outlays, $237,000,000.
Fiscal year 2009:
(A) New budget authority, $258,000,000.
(B) Outlays, $258,000,000.
Fiscal year 2010:
(A) New budget authority, $267,000,000.
(B) Outlays, $267,000,000.
Fiscal year 2011:
(A) New budget authority, $275,000,000.
(B) Outlays, $275,000,000.

Fiscal year 2012:
(A) New budget authority, $284,000,000.
(B) Outlays, $284,000,000.
Fiscal year 2013:
(A) New budget authority, $293,000,000.
(B) Outlays, $293,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2008 through 2013 for each major functional category are:
(1) National Defense (050):
Fiscal year 2008:
(A) New budget authority, $693,273,000,000.
(B) Outlays, $604,289,000,000.
Fiscal year 2009:
(A) New budget authority, $612,502,000,000.
(B) Outlays, $645,437,000,000.
Fiscal year 2010:
(A) New budget authority, $550,414,000,000.
(B) Outlays, $607,033,000,000.
Fiscal year 2011:
(A) New budget authority, $557,026,000,000.
(B) Outlays, $577,925,000,000.
Fiscal year 2012:
(A) New budget authority, $565,800,000,000.
(B) Outlays, $561,666,000,000.
Fiscal year 2013:
(A) New budget authority, $576,223,000,000.
(B) Outlays, $570,503,000,000.
(2) International Affairs (150):
Fiscal year 2008:
(A) New budget authority, $38,608,000,000.
(B) Outlays, $33,771,000,000.
Fiscal year 2009:
(A) New budget authority, $38,609,416,000.
(B) Outlays, $39,449,416,000.
Fiscal year 2010:
(A) New budget authority, $35,663,000,000.
(B) Outlays, $37,040,000,000.
Fiscal year 2011:
(A) New budget authority, $36,322,000,000.
(B) Outlays, $35,932,000,000.
Fiscal year 2012:
(A) New budget authority, $36,866,000,000.
(B) Outlays, $35,705,000,000.
Fiscal year 2013:
(A) New budget authority, $37,024,000,000.
(B) Outlays, $35,243,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2008:
(A) New budget authority, $27,407,000,000.
(B) Outlays, $26,456,000,000.
Fiscal year 2009:
(A) New budget authority, $30,536,000,000.
(B) Outlays, $28,987,000,000.
Fiscal year 2010:
(A) New budget authority, $30,369,000,000.
(B) Outlays, $30,490,000,000.
Fiscal year 2011:
(A) New budget authority, $30,848,000,000.
(B) Outlays, $31,167,000,000.
Fiscal year 2012:
(A) New budget authority, $31,332,000,000.
(B) Outlays, $31,650,000,000.
Fiscal year 2013:
(A) New budget authority, $31,816,000,000.
(B) Outlays, $31,635,000,000.
(4) Energy (270):
Fiscal year 2008:
(A) New budget authority, $3,548,000,000.
(B) Outlays, $1,681,000,000.
Fiscal year 2009:
(A) New budget authority, $7,026,000,000.
(B) Outlays, $2,843,000,000.
Fiscal year 2010:
(A) New budget authority, $6,935,000,000.
(B) Outlays, $4,533,000,000.
Fiscal year 2011:
(A) New budget authority, $6,916,000,000.
(B) Outlays, $5,481,000,000.
Fiscal year 2012:
(A) New budget authority, $6,895,000,000.
(B) Outlays, $5,981,000,000.
Fiscal year 2013:
(A) New budget authority, $6,858,000,000.
(B) Outlays, $6,159,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2008:
(A) New budget authority, $32,560,000,000.
(B) Outlays, $34,440,000,000.
Fiscal year 2009:
(A) New budget authority, $39,835,000,000.
(B) Outlays, $36,309,500,000.
Fiscal year 2010:
(A) New budget authority, $34,730,000,000.
(B) Outlays, $37,039,000,000.
Fiscal year 2011:
(A) New budget authority, $35,424,000,000.
(B) Outlays, $37,217,875,000.
Fiscal year 2012:
(A) New budget authority, $36,111,000,000.
(B) Outlays, $37,394,875,000.
Fiscal year 2013:
(A) New budget authority, $36,812,000,000.
(B) Outlays, $37,756,875,000.
(6) Agriculture (350):
Fiscal year 2008:
(A) New budget authority, $22,423,000,000.
(B) Outlays, $21,495,000,000.
Fiscal year 2009:
(A) New budget authority, $21,377,000,000.
(B) Outlays, $21,127,000,000.
Fiscal year 2010:
(A) New budget authority, $21,532,000,000.
(B) Outlays, $20,501,000,000.
Fiscal year 2011:
(A) New budget authority, $21,665,000,000.
(B) Outlays, $20,659,000,000.
Fiscal year 2012:
(A) New budget authority, $21,994,000,000.
(B) Outlays, $21,176,000,000.
Fiscal year 2013:
(A) New budget authority, $22,307,000,000.
(B) Outlays, $21,513,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2008:
(A) New budget authority, $11,516,000,000.
(B) Outlays, $5,441,000,000.
Fiscal year 2009:
(A) New budget authority, $9,350,000,000.
(B) Outlays, $3,764,000,000.
Fiscal year 2010:
(A) New budget authority, $11,133,000,000.
(B) Outlays, $3,562,000,000.
Fiscal year 2011:
(A) New budget authority, $7,713,000,000.
(B) Outlays, $824,000,000.
Fiscal year 2012:
(A) New budget authority, $8,028,000,000.
(B) Outlays, $492,000,000.
Fiscal year 2013:
(A) New budget authority, $8,254,000,000.
(B) Outlays, $195,000,000.
(8) Transportation (400):
Fiscal year 2008:
(A) New budget authority, $87,289,000,000.
(B) Outlays, $81,370,000,000.
Fiscal year 2009:
(A) New budget authority, $75,131,000,000.
(B) Outlays, $83,311,000,000.
Fiscal year 2010:
(A) New budget authority, $78,075,000,000.
(B) Outlays, $85,504,000,000.
Fiscal year 2011:
(A) New budget authority, $78,913,000,000.
(B) Outlays, $86,779,000,000.
Fiscal year 2012:
(A) New budget authority, $79,763,000,000.
(B) Outlays, $88,515,000,000.
Fiscal year 2013:
(A) New budget authority, $80,640,000,000.
(B) Outlays, $90,534,000,000.
(9) Community and Regional Development (450):
Fiscal year 2008:
(A) New budget authority, $20,029,000,000.
(B) Outlays, $27,819,000,000.
Fiscal year 2009:
(A) New budget authority, $15,195,000,000.
(B) Outlays, $24,486,700,000.
Fiscal year 2010:
(A) New budget authority, $15,265,000,000.
(B) Outlays, $22,115,400,000.
Fiscal year 2011:
(A) New budget authority, $15,503,000,000.
(B) Outlays, $18,240,900,000.
Fiscal year 2012:
(A) New budget authority, $15,746,000,000.
(B) Outlays, $16,186,800,000.
Fiscal year 2013:
(A) New budget authority, $15,979,000,000.
(B) Outlays, $15,872,800,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2008:
(A) New budget authority, $91,381,000,000.
(B) Outlays, $90,912,000,000.
Fiscal year 2009:
(A) New budget authority, $94,679,670,000.
(B) Outlays, $91,253,020,000.
Fiscal year 2010:
(A) New budget authority, $103,891,000,000.
(B) Outlays, $98,615,482,000.
Fiscal year 2011:
(A) New budget authority, $106,486,000,000.
(B) Outlays, $103,806,534,000.
Fiscal year 2012:
(A) New budget authority, $108,255,000,000.
(B) Outlays, $104,904,034,000.
Fiscal year 2013:
(A) New budget authority, $101,660,000,000.
(B) Outlays, $103,626,000,000.
(11) Health (550):
Fiscal year 2008:
(A) New budget authority, $286,108,000,000.
(B) Outlays, $287,211,000,000.
Fiscal year 2009:
(A) New budget authority, $313,109,000,000.
(B) Outlays, $310,603,000,000.
Fiscal year 2010:
(A) New budget authority, $324,863,000,000.
(B) Outlays, $325,576,000,000.
Fiscal year 2011:
(A) New budget authority, $345,558,000,000.
(B) Outlays, $344,795,000,000.
Fiscal year 2012:
(A) New budget authority, $368,273,000,000.
(B) Outlays, $367,110,000,000.
Fiscal year 2013:
(A) New budget authority, $393,283,000,000.
(B) Outlays, $391,805,000,000.
(12) Medicare (570):
Fiscal year 2008:
(A) New budget authority, $390,458,000,000.
(B) Outlays, $390,454,000,000.
Fiscal year 2009:
(A) New budget authority, $420,389,000,000.
(B) Outlays, $420,150,000,000.
Fiscal year 2010:
(A) New budget authority, $445,380,000,000.
(B) Outlays, $445,513,000,000.
Fiscal year 2011:
(A) New budget authority, $494,477,000,000.
(B) Outlays, $494,305,000,000.
Fiscal year 2012:
(A) New budget authority, $491,399,000,000.
(B) Outlays, $491,163,000,000.
Fiscal year 2013:
(A) New budget authority, $551,039,000,000.
(B) Outlays, $551,161,000,000.
(13) Income Security (600):
Fiscal year 2008:
(A) New budget authority, $393,591,000,000.
(B) Outlays, $394,613,000,000.
Fiscal year 2009:
(A) New budget authority, $414,369,000,000.
(B) Outlays, $419,023,200,000.
Fiscal year 2010:
(A) New budget authority, $416,322,000,000.
(B) Outlays, $418,871,200,000.
Fiscal year 2011:
(A) New budget authority, $425,435,000,000.
(B) Outlays, $426,242,100,000.
Fiscal year 2012:
(A) New budget authority, $411,468,000,000.
(B) Outlays, $411,597,000,000.
Fiscal year 2013:
(A) New budget authority, $426,718,000,000.
(B) Outlays, $426,611,400,000.
(14) Social Security (650):

Fiscal year 2008:
(A) New budget authority, $19,378,000,000.
(B) Outlays, $19,378,000,000.
Fiscal year 2009:
(A) New budget authority, $21,308,000,000.
(B) Outlays, $21,308,000,000.
Fiscal year 2010:
(A) New budget authority, $23,794,000,000.
(B) Outlays, $23,794,000,000.
Fiscal year 2011:
(A) New budget authority, $27,330,000,000.
(B) Outlays, $27,330,000,000.
Fiscal year 2012:
(A) New budget authority, $30,342,000,000.
(B) Outlays, $30,342,000,000.
Fiscal year 2013:
(A) New budget authority, $33,162,000,000.
(B) Outlays, $33,162,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2008:
(A) New budget authority, $86,365,000,000.
(B) Outlays, $83,551,000,000.
Fiscal year 2009:
(A) New budget authority, $93,319,584,000.
(B) Outlays, $92,397,584,000.
Fiscal year 2010:
(A) New budget authority, $95,615,000,000.
(B) Outlays, $95,399,000,000.
Fiscal year 2011:
(A) New budget authority, $100,959,000,000.
(B) Outlays, $100,749,000,000.
Fiscal year 2012:
(A) New budget authority, $97,782,000,000.
(B) Outlays, $97,064,000,000.
Fiscal year 2013:
(A) New budget authority, $103,241,000,000.
(B) Outlays, $102,521,000,000.
(16) Administration of Justice (750):
Fiscal year 2008:
(A) New budget authority, $46,282,000,000.
(B) Outlays, $44,322,000,000.
Fiscal year 2009:
(A) New budget authority, $49,432,330,000.
(B) Outlays, $46,896,297,000.
Fiscal year 2010:
(A) New budget authority, $48,018,000,000.
(B) Outlays, $49,714,333,000.
Fiscal year 2011:
(A) New budget authority, $48,907,000,000.
(B) Outlays, $50,113,500,000.
Fiscal year 2012:
(A) New budget authority, $49,819,000,000.
(B) Outlays, $50,089,000,000.
Fiscal year 2013:
(A) New budget authority, $50,768,000,000.
(B) Outlays, $50,706,000,000.
(17) General Government (800):
Fiscal year 2008:
(A) New budget authority, $56,407,000,000.
(B) Outlays, $56,920,000,000.
Fiscal year 2009:
(A) New budget authority, $24,477,000,000.
(B) Outlays, $24,435,000,000.
Fiscal year 2010:
(A) New budget authority, $19,972,000,000.
(B) Outlays, $20,172,000,000.
Fiscal year 2011:
(A) New budget authority, $20,395,000,000.
(B) Outlays, $20,407,000,000.
Fiscal year 2012:
(A) New budget authority, $20,796,000,000.
(B) Outlays, $20,940,000,000.
Fiscal year 2013:
(A) New budget authority, $21,107,000,000.
(B) Outlays, $20,991,000,000.
(18) Net Interest (900):
Fiscal year 2008:
(A) New budget authority, $349,462,000,000.
(B) Outlays, $349,462,000,000.
Fiscal year 2009:
(A) New budget authority, $335,110,000,000.
(B) Outlays, $335,110,000,000.
Fiscal year 2010:
(A) New budget authority, $372,253,000,000.
(B) Outlays, $372,253,000,000.
Fiscal year 2011:
(A) New budget authority, $409,810,000,000.
(B) Outlays, $409,810,000,000.
Fiscal year 2012:
(A) New budget authority, $435,762,000,000.
(B) Outlays, $435,762,000,000.
Fiscal year 2013:
(A) New budget authority, $451,980,000,000.
(B) Outlays, $451,980,000,000.
(19) Allowances (920):
Fiscal year 2008:
(A) New budget authority, $9,500,000,000.
(B) Outlays, $9,500,000,000.
Fiscal year 2009:
(A) New budget authority, −$14,941,000,000.
(B) Outlays, –$4,099,300,000.
Fiscal year 2010:
(A) New budget authority, −$8,179,000,000.
(B) Outlays, −$10,713,000,000.
Fiscal year 2011:
(A) New budget authority, −$8,466,000,000.
(B) Outlays, −$9,360,775,000.
Fiscal year 2012:
(A) New budget authority, −$8,916,000,000.
(B) Outlays, −$9,295,675,000.
Fiscal year 2013:
(A) New budget authority, −$9,110,000,000.
(B) Outlays, −$10,206,075,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2008:
(A) New budget authority, −$86,330,000,000.
(B) Outlays, −$86,330,000,000.
Fiscal year 2009:
(A) New budget authority, −$67,060,000,000.
(B) Outlays, −$67,060,000,000.
Fiscal year 2010:
(A) New budget authority, −$70,645,000,000.
(B) Outlays, −$70,645,000,000.
Fiscal year 2011:
(A) New budget authority, −$73,364,000,000.
(B) Outlays, −$73,364,000,000.
Fiscal year 2012:
(A) New budget authority, −$76,104,000,000.
(B) Outlays, −$76,104,000,000.
Fiscal year 2013:
(A) New budget authority, −$79,691,000,000.
(B) Outlays, −$79,691,000,000.

TITLE II—BUDGET PROCESS

Subtitle A—Direct Spending and Receipts

SEC. 201. SENATE POINT OF ORDER AGAINST LEGISLATION INCREASING LONG-TERM DEFICITS.

(a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill and joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), and amendments thereto and conference reports thereon, an estimate of whether the measure would cause, relative to current law, a net increase in deficits in excess of $0 in any of the 4 consecutive 10-year periods beginning with the first fiscal year that is 10 years after the budget year provided for in the most recently adopted concurrent resolution on the budget.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in deficits in excess of $0 in any of the 4 consecutive 10-year periods described in subsection (a).

(c) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels of net deficit increases shall be determined on the basis of estimates provided by the Senate Committee on the Budget.

(e) SUNSET.—This section shall expire on September 30, 2017.

(f) REPEAL.—In the Senate, subsections (a) through (d) and subsection (f) of section 203 of S. Con. Res. 21 (110th Congress) shall no longer apply.

SEC. 202. POINT OF ORDER—20 PERCENT LIMIT ON NEW DIRECT SPENDING IN RECONCILIATION LEGISLATION.

(a)(1) In the Senate, it shall not be in order to consider any reconciliation bill, joint resolution, motion, amendment, or any conference report on, or an amendment between the Houses in relation to, a reconciliation bill pursuant to section 310 of the Congressional Budget Act of 1974, that produces an increase in outlays, if—

(2) the effect of all the provisions in the jurisdiction of any committee is to create gross new direct spending that exceeds 20 percent of the total savings instruction to the committee; or

(3) the effect of the adoption of an amendment would result in gross new direct spending that exceeds 20 percent of the total savings instruction to the committee.

(b) A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(1) Paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(2) If a point of order is sustained under paragraph (1) against a conference report in the Senate, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

Subtitle B—Discretionary Spending

SEC. 211. DISCRETIONARY SPENDING LIMITS, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2008, $1,055,478,000,000 in new budget authority and $1,093,343,000,000 in outlays; and

(2) for fiscal year 2009, $1,008,482,000,000 in new budget authority and $1,108,449,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering

of an amendment thereto or the submission of a conference report thereon—

(A) the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

(A) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $264,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to $240,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $240,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $6,997,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to $490,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $490,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates up to $198,000,000 to the Health Care Fraud and Abuse Control program at the Department of Health and Human Services, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $198,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and provides an additional appropriation of up to $40,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $40,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(E) COMPARATIVE EFFECTIVENESS RESEARCH AT THE AGENCY FOR HEALTHCARE RESEARCH AND QUALITY.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $30,000,000 for comparative effectiveness research as authorized under section 1013 of the Medicare Prescription Drug, Improvement and Modernization Act of 2003, and provides an additional appropriation of up to $70,000,000 for that purpose, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $70,000,000 in budget authority for fiscal year 2009 and the outlays flowing therefrom.

(F) REDUCING WASTE IN DEFENSE CONTRACTING.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates up to $100,000,000 to the Department of Defense for additional activities to reduce waste, fraud, abuse, and overpayments in defense contracting; achieve the legal requirement to submit auditable financial statements; or reduce waste by improving accounting for and ordering of spare parts; subject contracts performed outside the United States to the same ethics, control, and reporting requirements as those performed domestically, then the discretionary spending limits, allocation to the Committee on Appropriations of the Senate, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $100,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(3) ADJUSTMENTS FOR COSTS OF THE WARS IN IRAQ AND AFGHANISTAN.—The Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, allocations to the Senate Committee on Appropriations, and aggregates for one or more—

(A) bills reported by the Senate Committee on Appropriations or passed by the House of Representatives;

(B) joint resolutions or amendments reported by the Senate Committee on Appropriations;

(C) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Senate Committee on Appropriations; or

(D) conference reports;

making appropriations for fiscal year 2008 or 2009 for the wars in Iraq and Afghanistan, by the amounts provided in such legislation for those purposes (and so designated pursuant to this paragraph), up to $108,056,000,000 in budget authority for fiscal year 2008 and the new outlays flowing therefrom, and up to $70,000,000,000 in budget authority for fiscal year 2009 and the new outlays flowing therefrom.

(d) OVERSIGHT OF GOVERNMENT PERFORMANCE.—In the Senate, all committees are directed to review programs within their jurisdictions to root out waste, fraud, and abuse in program spending, giving particular scrutiny to issues raised by Government Accountability Office reports. Based on these oversight efforts and committee performance reviews of programs within their jurisdictions, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

(e) SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008.—If legislation making supplemental appropriations for fiscal year 2008 is enacted, the Chairman of the Senate Committee on the Budget shall make the appropriate adjustments in allocations, aggregates, discretionary spending limits, and other levels of new budget authority and outlays to reflect the difference between such measure and the corresponding levels assumed in this resolution.

(f) INAPPLICABILITY.—In the Senate, subsections (a), (b), (c), (e), and (f) of section 207 of S. Con. Res. 21 (110th Congress) shall no longer apply.

SEC. 212. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2009 that first becomes available for any fiscal year after 2009, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2010, that first becomes available for any fiscal year after 2010.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2010 and 2011 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $29,352,000,000 in new budget authority in each year; and

(2) for the Corporation for Public Broadcasting.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 206(a) of S. Con. Res. 21 (110th Congress) shall no longer apply.

SEC. 213. SENATE POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS WITH NET COSTS.

(a) IN GENERAL.—In the Senate, it shall not be in order to consider any appropriations

legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, that includes any provision which constitutes a change in a mandatory program producing net costs, as defined in subsection (b), that would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002) were they included in legislation other than appropriations legislation. A point of order pursuant to this section shall be raised against such provision or provisions as described in subsections (e) and (f).

(b) CHANGES IN MANDATORY PROGRAMS PRODUCING NET COSTS.—A provision or provisions shall be subject to a point of order pursuant to this section if—

(1) the provision would increase budget authority in at least 1 of the 9 fiscal years that follow the budget year and over the period of the total of the budget year and the 9 fiscal years following the budget year;

(2) the provision would increase net outlays over the period of the total of the 9 fiscal years following the budget year; and

(3) the sum total of all changes in mandatory programs in the legislation would increase net outlays as measured over the period of the total of the 9 fiscal years following the budget year.

(c) DETERMINATION.—The determination of whether a provision is subject to a point of order pursuant to this section shall be made by the Committee on the Budget of the Senate.

(d) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) GENERAL POINT OF ORDER.—It shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those provisions (including provision of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(f) FORM OF THE POINT OF ORDER.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(g) EFFECTIVENESS.—This section shall not apply to any provision constituting a change in a mandatory program in appropriations legislation if such provision has been enacted in each of the 3 fiscal years prior to the budget year.

SEC. 214. DISCRETIONARY ADMINISTRATIVE EXPENSES OF THE POSTAL SERVICE.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Postal Service.

Subtitle C—Other Provisions

SEC. 221. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Senate Committee on the Budget.

SEC. 222. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Senate Committee on the Budget may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 223. DEBT DISCLOSURE REQUIREMENT.

(a) IN GENERAL.—It shall not be in order to consider a budget resolution in the Senate unless it contains a debt disclosure section including all, and only, the following disclosures regarding debt:

''SEC. ___. DEBT DISCLOSURES.

''(a) IN GENERAL.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise/fall by $_____ from the current year, fiscal year 20___, to the fifth year of the budget window, fiscal year 20___.

''(b) PER PERSON.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise/fall by $_____ on every United States citizen from the current year, fiscal year 20___ to the fifth year of the budget window, fiscal year 20___.

''(c) SOCIAL SECURITY.—The levels assumed in this budget resolution project that $_____ of the Social Security surplus will be spent over the 5-year budget window, fiscal years 20___–20___, on things other than Social Security which represents ___ percent of the projected Social Security surplus over this period.''.

(b) SOCIAL SECURITY.—If any portion of the Social Security surplus is projected to be spent and/or the gross Federal debt in the fifth year of the budget window is greater than the debt projected in the current year, as described in the debt disclosure section described in subsection (a) of this section, the report, print, or statement of managers accompanying the budget resolution shall contain a section that—

(1) details the circumstances making it in the national interest to allow Federal debt to increase rather than taking steps to reduce the debt; and

(2) provides a justification for allowing the surpluses in the Social Security Trust Fund to be spent on other functions of Government even as the baby boom generation retires, program costs are projected to rise dramatically, the debt owed to Social Security is about to come due, and the Trust Fund is projected to go insolvent.

(c) DEFINITIONS.—The term ''gross Federal debt'' described above represents nominal increases in gross Federal debt measured at the end of each fiscal year during the period of the budget, not debt as a percentage of gross domestic product, and not levels relative to baseline projections.

SEC. 224. DEBT DISCLOSURES.

(a) IN GENERAL.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by $2,000,000,000,000 from the current year, fiscal year 2008, to the fifth year of the budget window, fiscal year 2013.

(b) PER PERSON.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by $6,440 on every United States citizen from the current year, fiscal year 2008, to the fifth year of the budget window, fiscal year 2013.

(c) SOCIAL SECURITY.—The levels assumed in this budget resolution project $800,000,000,000 of the Social Security surplus will be spent over the 5-year budget window, fiscal years 2009–2013, on things other than Social Security, which represents 70 percent of the projected Social Security surplus over this period.

SEC. 225. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

SEC. 226. CIRCUIT BREAKER TO PROTECT SOCIAL SECURITY.

(a) CIRCUIT BREAKER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit (excluding Social Security) for the budget year or any subsequent fiscal year covered by those projections, then the concurrent resolution on the budget for the budget year shall reduce on-budget deficits relative to the projections of Congressional

Budget Office and put the budget on a path to achieve on-budget balance within 5 years, and shall include such provisions as are necessary to protect Social Security and facilitate deficit reduction, except it shall not contain any reduction in Social Security benefits.

(b) POINT OF ORDER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any conference report thereon that fails to reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years.

(c) AMENDMENTS TO BUDGET RESOLUTION.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider an amendment to a concurrent resolution on the budget that would increase on-budget deficits relative to the concurrent resolution on the budget in any fiscal year covered by that concurrent resolution on the budget or cause the budget to fail to achieve on-budget balance within 5 years.

(d) SUSPENSION OF REQUIREMENT DURING WAR OR LOW ECONOMIC GROWTH.—

(1) LOW GROWTH.—If the most recent of the Department of Commerce's advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth (as measured by the real gross domestic product) for each of the most recently reported quarter and the immediately preceding quarter is less than zero percent, this section is suspended.

(2) WAR.—If a declaration of war is in effect, this section is suspended.

(e) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsections (b) and (c) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(f) BUDGET YEAR.—In this section, the term ''budget year'' shall have the same meaning as in section 250(c)(12) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN AND STIMULATE THE AMERICAN ECONOMY AND PROVIDE ECONOMIC RELIEF TO AMERICAN FAMILIES.

(a) TAX RELIEF.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide tax relief, including extensions of expiring tax relief, reinstatement of expired tax relief, such as enhanced charitable giving from individual retirement accounts, including life-income gifts, and refundable tax relief and incentivizing utilization of accumulated alternative minimum tax and research and development credits, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) MANUFACTURING.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, including tax legislation, that would revitalize the United States domestic manufacturing sector by increasing Federal research and development, by expanding the scope and effectiveness of manufacturing programs across the Federal government, by increasing efforts to train and retrain manufacturing workers, by increasing support for development of alternative fuels and leap-ahead automotive and energy technologies, or by establishing tax incentives to encourage the continued production in the United States of advanced technologies and the infrastructure to support such technologies, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(c) HOUSING.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide housing assistance, which may include low income rental assistance, or establish an affordable housing fund financed by the housing government sponsored enterprises or other sources, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(d) FLOOD INSURANCE REFORM.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for flood insurance reform and modernization, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(e) TRADE.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to trade agreements, preferences, sanctions, enforcement, or customs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(f) ECONOMIC RELIEF FOR AMERICAN FAMILIES.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which—

(1) reauthorizes the Temporary Assistance for Needy Families supplemental grants or makes improvements to the Temporary Assistance for Needy Families program, child welfare programs, or the child support enforcement program;

(2) provides up to $5,000,000,000 for the child care entitlement to States;

(3) provides up to $40,000,000 for the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.);

(4) improves the unemployment compensation program; or

(5) reauthorizes the trade adjustment assistance programs;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(g) AMERICA'S FARMS AND ECONOMIC INVESTMENT IN RURAL AMERICA.—

(1) FARM BILL.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the programs of the Food Security and Rural Investment Act of 2002 or prior Acts, authorize similar or related programs, provide for revenue changes, or any combination of the preceding purposes, by the amounts provided in such legislation for those purposes up to $15,000,000,000 over the period of the total of fiscal years 2008 through 2013, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) COUNTY PAYMENTS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393), make changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94–565), or both, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING EDUCATION.

(a) FEDERAL PELL GRANT.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would make higher education more accessible or more affordable, which may include increasing funding for the Federal Pell Grant program or increasing Federal student loan limits, facilitate modernization of school facilities through renovation or construction bonds, reduce the cost of teachers' out-of-pocket expenses for school supplies, or provide tax incentives for highly-qualified teachers to serve in high-needs schools, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018. The legislation may include tax benefits and other revenue provisions.

(b) IMPROVING EDUCATION.—The Chairman of the Senate Committee on the Budget may

revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would improve student achievement during secondary education, including middle school completion, high school graduation and preparing students for higher education and the workforce, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for a robust federal investment in America's infrastructure, which may include projects for transit, rail (including high-speed passenger rail), airport, seaport, public housing, energy, water, highway, bridge, or other infrastructure projects, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY, PRESERVE THE ENVIRONMENT, AND PROVIDE FOR CERTAIN SETTLEMENTS.

(a) ENERGY AND THE ENVIRONMENT.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would decrease greenhouse gas emissions, reduce our Nation's dependence on imported energy, produce green jobs, or preserve or protect national parks, oceans, or coastal areas, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018. The legislation may include tax legislation such as a proposal to extend for 5 years energy tax incentives like the production tax credit for electricity produced from renewable resources, the biodiesel production tax credit, or the Clean Renewable Energy Bond program, to provide a tax credit for clean burning wood stoves, a tax credit for production of cellulosic ethanol, a tax credit for plug-in hybrid vehicles, or provisions to encourage energy efficient buildings, products, and power plants. Tax legislation under this section may be paid for by adjustments to sections 167(h)(1) of the Internal Revenue Code of 1986 as it relates to integrated oil companies.

(b) SETTLEMENTS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would fulfill the purposes of the San Joaquin River Restoration Settlement Act or implement a Navajo Nation water rights settlement and other provisions authorized by the Northwestern New Mexico Rural Water Projects Act, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND WOUNDED SERVICEMEMBERS AND FOR A POST 9/11 GI BILL.

(a) VETERANS AND WOUNDED SERVICEMEMBERS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which would—

(1) enhance medical care, disability evaluations, or disability benefits for wounded or disabled military personnel or veterans;

(2) provide for or increase benefits to Filipino veterans of World War II, their survivors and dependents;

(3) allow for the transfer of education benefits from servicemembers to family members or veterans (including the elimination of the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation);

(4) providing for the continuing payment to members of the Armed Forces who are retired or separated from the Armed Forces due to a combat-related injury after September 11, 2001, of bonuses that such members were entitled to before the retirement or separation and would continue to be entitled to such members were not retired or separated; or

(5) enhance programs and activities to increase the availability of health care and other veterans services for veterans living in rural areas;

by the amounts provided in such legislation for those purposes, provided that such legislation does not include increased fees charged to veterans for pharmacy co-payments, annual enrollment, or third-party insurance payment offsets, and further provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) POST 9/11 GI BILL.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which would enhance educational benefits of service members and veterans with service on active duty in the Armed Forces on or after September 11, 2001, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 306. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE AMERICA'S HEALTH.

(a) SCHIP.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to $50,000,000,000 in outlays over the period of the total of fiscal years 2008 through 2013 for reauthorization of SCHIP, if such legislation maintains coverage for those currently enrolled in SCHIP, continues efforts to enroll uninsured children who are already eligible for SCHIP or Medicaid but are not enrolled, or supports States in their efforts to move forward in covering more children or pregnant women, by the amounts provided in that legislation for those purposes, provided that the outlay adjustment shall not exceed $50,000,000,000 in outlays over the period of the total of fiscal years 2008 through 2013, and provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) MEDICARE IMPROVEMENTS.—

(1) PHYSICIAN PAYMENTS.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that increases the reimbursement rate for physician services under section 1848(d) of the Social Security Act and that includes financial incentives for physicians to improve the quality and efficiency of items and services furnished to Medicare beneficiaries through the use of consensus-based quality measures, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) OTHER IMPROVEMENTS TO MEDICARE.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that makes improvements to the Medicare program, which may include improvements to the prescription drug benefit under Medicare Part D, adjustments to the Medicare Savings Program, and reductions in beneficiary cost-sharing for preventive benefits under Medicare Part B, or measures to encourage physicians to train in primary care residencies and attract more physicians and other health care providers to States that face a shortage of health care providers, by the amounts provided in such legislation for those purposes up to $10,000,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(3) ELECTRONIC PRESCRIBING.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote the deployment and use of electronic prescribing technologies through financial incentives, including grants and bonus payments, and potential adjustments in the Medicare reimbursement mechanisms for physicians, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(4) RURAL EQUITY PAYMENT POLICIES.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that—

(A) preserves existing Medicare payment provisions supporting America's rural health care delivery system; and

(B) promotes Medicare payment policies that increase access to quality health care in isolated and underserved rural areas,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(5) MEDICARE LOW-INCOME PROGRAMS.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this

resolution for a bill, joint resolution, amendment, motion, or conference report that makes improvements to the Medicare Savings Program and the Medicare part D low-income subsidy program, which may include the provisions that—

(A) provide for an increase in the asset allowance under the Medicare Part D low-income subsidy program so that individuals with very limited incomes, but modest retirement savings, can obtain the assistance that the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 was intended to deliver with respect to the payment of premiums and cost-sharing under the Medicare part D prescription drug benefit;

(B) provide for an update in the income and asset allowances under the Medicare Savings Program and provide for an annual inflationary adjustment for those allowances; and

(C) improve outreach and enrollment under the Medicare Savings Program and the Medicare part D low-income subsidy program to ensure that low-income senior citizens and other low-income Medicare beneficiaries receive the low-income assistance for which they are eligible in accordance with the improvements provided for in such legislation,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(c) HEALTH CARE QUALITY, EFFECTIVENESS, EFFICIENCY, AND TRANSPARENCY.—

(1) COMPARATIVE EFFECTIVENESS RESEARCH.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that establish a new Federal or public-private initiative for comparative effectiveness research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) IMPROVING THE HEALTH CARE SYSTEM.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that—

(A) creates a framework and parameters for the use of Medicare data for the purpose of conducting research, public reporting, and other activities to evaluate health care safety, effectiveness, efficiency, quality, and resource utilization in Federal programs and the private health care system; and

(B) includes provisions to protect beneficiary privacy and to prevent disclosure of proprietary or trade secret information with respect to the transfer and use of such data;

provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal 2008 through 2018.

(3) HEALTH INFORMATION TECHNOLOGY AND ADHERENCE TO BEST PRACTICES.—

(A) HEALTH INFORMATION TECHNOLOGY.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that provide incentives or other support for adoption of modern information technology, including incentives or other supports for the adoption of electronic prescribing technology, to improve quality and protect privacy in health care, such as activities by the Department of Defense and the Department of Veterans Affairs to integrate their electronic health record data, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(B) ADHERENCE TO BEST PRACTICES.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that provide incentives for Medicare providers or suppliers to comply with, where available and medically appropriate, clinical protocols identified as best practices, by the amounts provided in such legislation for that purpose, provided in the Senate that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(d) FOOD AND DRUG ADMINISTRATION.—

(1) REGULATION.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that authorizes the Food and Drug Administration to regulate products and assess user fees on manufacturers and importers of those products to cover the cost of the Food and Drug Administration's regulatory activities, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) DRUG IMPORTATION.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(e) MEDICAID.—

(1) RULES OR ADMINISTRATIVE ACTIONS.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that includes provisions regarding the final rule published on May 29, 2007, on pages 29748 through 29836 of volume 72, Federal Register (relating to parts 433, 447, and 457 of title 42, Code of Federal Regulations) or any other rule or other administrative action that would affect the Medicaid program or SCHIP in a similar manner, or place restrictions on coverage of or payment for graduate medical education, rehabilitation services, or school-based administration, school-based transportation, or optional case management services under title XIX of the Social Security Act, or includes provisions regarding administrative guidance issued in August 2007 affecting SCHIP or any other administrative action that would affect SCHIP in a similar manner, so long as no provision in such bill, joint resolution, amendment, motion or conference report shall be construed as prohibiting the Secretary of Health and Human Services from promulgating or implementing any rule, action, or guidance designed to prevent fraud and protect the integrity of the Medicaid program or SCHIP or reduce inappropriate spending under such programs, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

(2) TRANSITIONAL MEDICAL ASSISTANCE.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that extend the Transitional Medical Assistance program, included in title XIX of the Social Security Act, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

(f) OTHER IMPROVEMENTS IN HEALTH.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which—

(1) make health insurance coverage more affordable or available to small businesses and their employees, through pooling arrangements that provide appropriate consumer protections, and through reducing barriers to cafeteria plans;

(2) improve health care, provide quality health insurance for the uninsured and underinsured, and protect individuals with current health coverage;

(3) reauthorize the special diabetes program for Indians and the special diabetes programs for Type 1 diabetes;

(4) improve long-term care, enhance the safety and dignity of patients, encourage appropriate use of institutional and community-based care, promote quality care, or provide for the cost-effective use of public resources; or

(5) provide parity between heath insurance coverage of mental health benefits and benefits for medical and surgical services, including parity in public programs;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(g) PEDIATRIC DENTAL CARE.—The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that would provide for improved access to pediatric dental care for children from low-income families, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 307. SENSE OF THE SENATE REGARDING MEDICAID ADMINISTRATIVE REGULATIONS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Medicaid program provides essential health care and long-term care services to approximately 60,000,000 low-income children, pregnant women, parents, individuals with disabilities, and senior citizens. It is a

Federal guarantee that ensures the most vulnerable will have access to needed medical services.

(2) Medicaid provides critical access to long-term care and other services for the elderly and individuals living with disabilities, and is the single largest provider of long-term care services. Medicaid also pays for personal care and other supportive services that are typically not provided by private health insurance or Medicare, but are necessary to enable individuals with spinal cord injuries, developmental disabilities, neurological degenerative diseases, serious and persistent mental illnesses, HIV/AIDS, and other chronic conditions to remain in the community, to work, and to maintain independence.

(3) Medicaid supplements the Medicare program for about 7,500,000 low-income elderly or disabled Medicare beneficiaries, assisting them with their Medicare premiums and coinsurance, wrap-around benefits, and the costs of nursing home care that Medicare does not cover. The Medicaid program spends over $100,000,000,000 on uncovered Medicare services.

(4) Medicaid provides health insurance for more than one-quarter of America's children and is the largest purchaser of maternity care, paying for more than one-third of all the births in the United States each year. Medicaid also provides critical access to care for children with disabilities, covering more than 70 percent of poor children with disabilities.

(5) More than 21,000,000 women depend on Medicaid for their health care. Women comprise the majority of seniors (64 percent) on Medicaid. Half of nonelderly women with permanent mental or physical disabilities have health coverage through Medicaid. Medicaid provides treatment for low-income women diagnosed with breast or cervical cancer in every State.

(6) Medicaid is the Nation's largest source of payment for mental health services, HIV/AIDS care, and care for children with special needs. Much of this care is either not covered by private insurance or limited in scope or duration. Medicaid is also a critical source of funding for health care for children in foster care and for health services in schools.

(7) Medicaid funds help ensure access to care for all Americans. Medicaid is the single largest source of revenue for the Nation's safety net hospitals, health centers, and nursing homes, and is critical to the ability of these providers to adequately serve all Americans.

(8) Medicaid serves a major role in ensuring that the number of Americans without health insurance, approximately 47,000,000 in 2006, is not substantially higher. The system of Federal matching for State Medicaid expenditures ensures that Federal funds will grow as State spending increases in response to unmet needs, enabling Medicaid to help buffer the drop in private coverage during recessions.

(9) The Bush Administration has issued several regulations that shift Medicaid cost burdens onto States and put at risk the continued availability of much-needed services. The regulations relate to Federal payments to public providers, and for graduate medical education, rehabilitation services, school-based administration, school-based transportation, optional case management services.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that administrative regulations should not—

(1) undermine the role the Medicaid program plays as a critical component of the health care system of the United States;

(2) cap Federal Medicaid spending, or otherwise shift Medicaid cost burdens to State or local governments and their taxpayers and health providers, forcing a reduction in access to essential health services for low-income elderly individuals, individuals with disabilities, and children and families; or

(3) undermine the Federal guarantee of health insurance coverage Medicaid provides, which would threaten not only the health care safety net of the United States, but the entire health care system.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR JUDICIAL PAY AND JUDGESHIPS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would authorize salary adjustments for justices and judges of the United States or increase the number of Federal judgeships, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE ALTERNATIVE MINIMUM TAX FOR INDIVIDUALS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reinstate the pre-1993 rates for the alternative minimum tax for individuals, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR REPEALING THE 1993 INCREASE IN THE INCOME TAX ON SOCIAL SECURITY BENEFITS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would repeal the 1993 increase in the income tax on Social Security benefits, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ENERGY EFFICIENCY AND PRODUCTION.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would encourage—

(1) consumers to replace old conventional wood stoves with new clean wood, pellet, or corn stoves certified by the Environmental Protection Agency;

(2) consumers to install smart electricity meters in homes and businesses;

(3) the capture and storage of carbon dioxide emissions from coal projects; and

(4) the development of oil and natural gas resources beneath the outer Continental Shelf in areas not covered by a Presidential or Congressional moratorium.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR IMMIGRATION REFORM AND ENFORCEMENT.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports, by the amounts provided in such legislation for the purposes described in paragraphs (1) through (7), that—

(1) provide for increased border security, enforcement of immigration laws, greater staffing, and immigration reform measures;

(2) increase criminal and civil penalties against employers who hire undocumented immigrants;

(3) prohibit employers who hire undocumented immigrants from receiving Federal contracts;

(4) provide funding for the enforcement of the employer sanctions described in paragraphs (2) and (3) and other employer sanctions for hiring undocumented immigrants;

(5) deploy an appropriate number of National Guard troops to the southern or northern border of the United States provided that—

(A) the Secretary of Defense certifies that the deployment would not negatively impact the safety of American forces in Iraq and Afghanistan; and

(B) the Governor of the National Guard's home State certifies that the deployment would not have a negative impact on the safety and security of that State;

(6) evaluate the Federal, State, and local prison populations that are noncitizens in order to identify removable criminal aliens; or

(7) implement the exit data portion of the US–VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the legislation described in subsection (a) would not increase the deficit over—

(1) the total period comprised of fiscal years 2008 through 2013; or

(2) the total period comprised of fiscal years 2008 through 2018.

SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT, AND CRIMINAL ALIEN REMOVAL PROGRAMS.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution by the amounts authorized to be appropriated for the programs described in paragraphs (1) through (6) in 1 or more bills, joint resolutions, amendments, motions, or conference reports that funds border security, immigration enforcement, and criminal alien removal programs, including programs that—

(1) expand the zero tolerance prosecution policy for illegal entry (commonly known as ''Operation Streamline'') to all 20 border sectors;

(2) complete the 700 miles of pedestrian fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note);

(3) deploy up to 6,000 National Guard members to the southern border of the United States;

(4) evaluate the 27 percent of the Federal, State, and local prison populations who are noncitizens in order to identify removable criminal aliens;

(5) train and reimburse State and local law enforcement officers under Memorandums of Understanding entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); or

(6) implement the exit data portion of the US–VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the appropriations in the legislation described in subsection (a) would not increase the deficit over—

(1) the 6-year period comprised of fiscal years 2008 through 2013; or

(2) the 11-year period comprised of fiscal years 2008 through 2018.

SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR SCIENCE PARKS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR 3-YEAR EXTENSION OF PILOT PROGRAM FOR NATIONAL AND STATE BACKGROUND CHECKS ON DIRECT PATIENT ACCESS EMPLOYEES OF LONG-TERM CARE FACILITIES OR PROVIDERS.

If the Senate Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides for a 3-year extension of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers under section 307 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395aa note) and removes the limit on the number of participating States under such pilot program, the Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution by the amounts provided in such legislation for those purposes up to $160,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR STUDYING THE EFFECT OF CO-OPERATION WITH LOCAL LAW ENFORCEMENT.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports, by the amounts provided in such legislation for the purposes described in this subsection, that would require an assessment of the impact of local ordinances that prohibit cooperation with the Department of Homeland Security, with respect to—

(1) the effectiveness of law enforcement, success rates of criminal prosecutions, reporting of criminal activity by immigrant victims of crime, and level of public safety;

(2) changes in the number of reported incidents or complaints of racial profiling; or

(3) wrongful detention of United States Citizens and Lawful Permanent Residents.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the legislation described in subsection (a) would not increase the deficit over—

(1) the total period comprised of fiscal years 2008 through 2013; or

(2) the total period comprised of fiscal years 2008 through 2018.

SEC. 317. DEFICIT-NEUTRAL RESERVE FUND TO TERMINATE DEDUCTIONS FROM MINERAL REVENUE PAYMENTS TO STATES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would terminate the authority to deduct certain amounts from mineral revenues payable to States under the second undesignated paragraph of the matter under the heading ''ADMINISTRATIVE PROVISIONS'' under the heading ''MINERALS MANAGEMENT SERVICE'' of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2109).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR THE ESTABLISHMENT OF STATE INTERNET SITES FOR THE DISCLOSURE OF INFORMATION RELATING TO PAYMENTS MADE UNDER THE STATE MEDICAID PROGRAM.

If the Senate Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides for States to disclose, through a publicly accessible Internet site, each hospital, nursing facility, outpatient surgery center, intermediate care facility for the mentally retarded, institution for mental diseases, or other institutional provider that receives payment under the State Medicaid program, the total amount paid to each such provider each fiscal year, the number of patients treated by each such provider, and the amount of dollars paid per patient to each such provider, and provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Senate Committee on the Budget may make the appropriate adjustments in the allocations and aggregates to reflect such legislation if any such measure would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR TRAUMATIC BRAIN INJURY.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide at least $9,000,000 for fiscal year 2009 to funds traumatic brain injury programs under sections 393A, 393B, 1252, and 1253 of the Public Health Service Act, if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 320. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ANIMAL HEALTH AND DISEASE PROGRAM.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would ensure that the animal health and disease program established under section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is fully funded.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 321. DEFICIT-NEUTRAL RESERVE FUND FOR IMPLEMENTATION OF YELLOW RIBBON REINTEGRATION PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one more bills, joint resolutions, amendments, motions, or conference reports that would provide for the implementation of the Yellow Ribbon Reintegration Program for members of the National Guard and Reserve under section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2008 through 2013.

SEC. 322. DEFICIT-NEUTRAL RESERVE FUND FOR REIMBURSING STATES FOR THE COSTS OF HOUSING UNDOCUMENTED CRIMINAL ALIENS.

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would reimburse States and units of local government for costs incurred to house undocumented criminal aliens, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 323. DEFICIT-NEUTRAL RESERVE FUND FOR ACCELERATION OF PHASED-IN ELIGIBILITY FOR CONCURRENT RECEIPT OF BENEFITS.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for changing the date by which eligibility of members of the Armed Forces for concurrent receipt of retired pay and veterans' disability compensation under section 1414 of title 10, United States Code, is fully phased in from December 31, 2013, to September 30, 2008, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 324. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASED USE OF RECOVERY AUDITS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieves savings by requiring that agencies increase their use of recovery audits authorized under subchapter VI of chapter 35 of title 31, United States Code, (commonly referred to as the Erroneous Payments Recovery Act of 2001) and uses such savings to reduce the deficit, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 325. DEFICIT-NEUTRAL RESERVE FUND FOR FOOD SAFETY.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would expand the level of Food and Drug Administration and Department of Agriculture food safety inspection services, develop risk-based approaches to the inspection of domestic and imported food products, provide for infrastructure and information technology systems to enhance the safety of the food supply, expand scientific capacity and training programs, invest in improved surveillance and testing technologies, provide for foodborne illness awareness and education programs, and enhance the Food and Drug Administration's recall authority, by the amounts provided in such legislation for such purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 326. DEFICIT-NEUTRAL RESERVE FUND FOR DEMONSTRATION PROJECT REGARDING MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that provide for a demonstration project under which a State may apply under section 1115 of the Social Security Act (42 U.S.C. 1315) to provide medical assistance under a State Medicaid program to HIV-infected individuals who are not eligible for medical assistance under such program under section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

SEC. 327. DEFICIT-NEUTRAL RESERVE FUND FOR REDUCING INCOME THRESHOLD FOR REFUNDABLE CHILD TAX CREDIT TO $10,000 WITH NO INFLATION ADJUSTMENT.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would reduce the income threshold for the refundable child tax credit under section 24 of the Internal Revenue Code of 1986 to $10,000 for taxable years 2009 and 2010 with no inflation adjustment, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 328. SENSE OF THE SENATE REGARDING THE DIVERSION OF FUNDS SET ASIDE FOR USPTO.

It is the sense of the Senate that none of the funds recommended by this resolution, or appropriated or otherwise made available under any other Act, to the United States Patent and Trademark Office shall be diverted, redirected, transferred, or used for any other purpose than for which such funds were intended.

SEC. 329. DEFICIT-NEUTRAL RESERVE FUND FOR EDUCATION REFORM.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote flexibility in existing Federal education programs, restore State and local authority in education, ensure that public schools are held accountable for results to parents and the public, and prevent discrimination against homeschoolers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 330. DEFICIT-NEUTRAL RESERVE FUND FOR PROCESSING NATURALIZATION APPLICATIONS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for the adjudication of name check and security clearances by October 1, 2008 by the Federal Bureau of Investigation for individuals who have submitted or submit applications for naturalization before March 1, 2008 or provide for the adjudication of applications, including the interviewing and swearing-in of applicants, by October 1, 2008 by the Department of Homeland Security/U.S. Citizenship and Immigration Services for individuals who apply or have applied for naturalization before March 1, 2008, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 331. DEFICIT-NEUTRAL RESERVE FUND FOR ACCESS TO QUALITY AND AFFORDABLE HEALTH INSURANCE.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) promotes choice and competition to drive down costs and improve access to health care for all Americans without increasing taxes;

(2) strengthens health care quality by promoting wellness and empowering consumers with accurate and comprehensive information on quality and cost;

(3) protects Americans' economic security from catastrophic events by expanding insurance options and improving health insurance portability; and

(4) promotes the advanced research and development of new treatments and cures to enhance health care quality;

if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR A 9/11 HEALTH PROGRAM.

If the Chairman of the Senate Committee on Health, Education, Labor, and Pensions reports out legislation to establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001 attacks, and if the Committee on Health, Education, Labor, and Pensions makes a finding that previously spent World Trade Center Health Program funds were used to provide screening, monitoring and treatment services, and directly related program support, the Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution, if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 333. DEFICIT-NEUTRAL RESERVE FUND TO BAN MEDICARE ADVANTAGE AND PRESCRIPTION DRUG PLAN SALES AND MARKETING ABUSES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would limit inappropriate or abusive marketing tactics by private insurers and their agents offering Medicare Advantage or Medicare prescription drug plans by enacting any or all of the recommendations agreed to by leaders of the health insurance industry on March 3, 2008, including prohibitions on cold calling and telephone solicitations for in-home sales appointments with Medicare beneficiaries, free meals and inducements at sales events, cross-selling of non-health products, and up-selling of Medicare insurance products without prior consent of beneficiaries, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 334. SENSE OF THE SENATE REGARDING EXTENDING THE "MOVING TO WORK AGREEMENT" BETWEEN THE PHILADELPHIA HOUSING AUTHORITY AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE SAME TERMS AND CONDITIONS FOR A PERIOD OF ONE YEAR.

(a) FINDINGS.—The Senate makes the following findings:

(1) The current ''Moving to Work Agreement'' between the Philadelphia Housing Authority and the U.S. Department of Housing and Urban Development is set to expire on March 31, 2008.

(2) The Philadelphia Housing Authority has used this agreement to leverage private and public resources to develop mixed-income communities that address the needs of the very poor while reshaping entire communities, and estimates that it will lose $50,000,000 as a result of the agreement expiring.

(3) The U.S. Department of Housing and Urban Development has refused to grant Philadelphia Housing Authority a 1-year extension of its current agreement under the same terms and conditions.

(4) The U.S. Department of Housing and Urban Development alleges that Philadelphia Housing Authority is in violation of fair housing requirements.

(5) The Philadelphia Housing Authority denies this assertion and is challenging the matter in Federal District Court.

(6) That there is a suspicion of retaliation with regard to the U.S. Department of Housing and Urban Development's refusal to grant a one-year extension of Philadelphia Housing Authorities current agreement under the same terms and conditions.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that it was discovered that two senior level officials at the U.S. Department of Housing and Urban Development had the following email exchange, referring to Philadelphia Housing Authority Executive Director Carl R. Greene—

(1) Then-Assistant Secretary for Public and Indian Housing Orlando J. Cabrera wrote, ''Would you like me to make his life less happy? If so, how?''

(2) Assistant Secretary for Fair Housing and Equal Opportunity Kim Kendrick wrote, ''Take away all of his Federal dollars?''

(3) Then-Assistant Secretary for Public and Indian Housing Orlando J. Cabrera wrote, ''Let me look into that possibility.''

(A) That these emails were the subject of questioning by Senator Casey to U.S. Department of Housing and Urban Development Secretary Alphonso Jackson at a March 12, 2008 hearing before the Senate Committee on Banking, Housing and Urban Affairs; and by Senator Specter to Secretary Jackson at a March 13, 2008 hearing before the Senate Appropriations Subcommittee on Transportation, Housing and Urban Development and Related Agencies.

(B) That the Philadelphia Housing Authority's allegation of retaliation appears to be substantiated by these newly discovered emails.

(C) That the expiration of the current agreement is imminent and will negatively impact 84,000 low-income residents of Philadelphia.

(4) It is the sense of the Senate that Philadelphia Housing Authority should be granted a one-year extension of its ''Moving to Work Agreement'' with the U.S. Department of Housing and Urban Development under the same terms and conditions as the current agreement.

SEC. 335. SENSE OF THE SENATE REGARDING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

(a) FINDINGS.—The Senate finds that—

(1) On January 26, 1996, the House of Representatives passed H.J. Res. 1, the Balanced Budget Amendment to the Constitution of the United States, by the necessary two-thirds majority (300–132);

(2) On June 6, 1996, the Senate fell three votes short of the two-thirds majority vote needed to pass the Balanced Budget Amendment; and

(3) Since the House of Representatives and Senate last voted on the Balanced Budget Amendment, the debt held by the public has grown from $3,700,000,000,000 to more than $5,000,000,000,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that a Balanced Budget Amendment to the Constitution of the United States should be voted on at earliest opportunity.

SEC. 336. SENSE OF THE SENATE REGARDING THE NEED FOR COMPREHENSIVE LEGISLATION TO LEGALIZE THE IMPORTATION OF PRESCRIPTION DRUGS FROM HIGHLY INDUSTRIALIZED COUNTRIES WITH SAFE PHARMACEUTICAL INFRASTRUCTURES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States is the world's largest market for pharmaceuticals, yet consumers still pay the world's highest prices.

(2) In 2000, Congress took action to legalize the importation of prescription drugs from other countries by United States wholesalers and pharmacists, and before such a program can go into effect, the Secretary of Health and Human Services (HHS) must certify that the program would have no adverse impact on safety and that it would reduce costs for American consumers.

(3) Since 2000, no Secretary of HHS has made the certification required to permit the implementation of a program for importation of prescription drugs.

(4) In July 2006, the Senate approved by a vote of 68–32 an amendment to the Department of Homeland Security Appropriations Act, 2007, that prohibits Customs and Border Protection from preventing individuals not in the business of importing prescription drugs from carrying them across the border with Canada.

(5) In July 2007, the Senate adopted language similar to the 2007 amendment in the Department of Homeland Security Appropriations Act, 2008.

(6) In October 2007, the Senate adopted language in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008, that prohibits anti-reimportation activities within HHS.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the leadership of the Senate should bring to the floor for full debate in 2008 comprehensive legislation that legalizes the importation of prescription drugs from highly industrialized countries with safe pharmaceutical infrastructures and creates a regulatory pathway to ensure that such drugs are safe;

(2) such legislation should be given an up or down vote on the floor of the Senate; and

(3) previous Senate approval of 3 amendments in support of prescription drug importation shows the Senate's strong support for passage of comprehensive importation legislation.

The text of the Senate concurrent resolution, as amended, is as follows:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009.

(a) DECLARATION.—The Congress determines and declares that the concurrent resolution on the budget for fiscal year 2008 is revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2009, including appropriate budgetary levels for fiscal years 2010 through 2013.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2009.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House of Representatives.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund for SCHIP legislation.
Sec. 302. Deficit-neutral reserve fund for veterans and servicemembers.
Sec. 303. Deficit-neutral reserve fund for education benefits for servicemembers, veterans, and their families.
Sec. 304. Deficit-neutral reserve fund for infrastructure investment.
Sec. 305. Deficit-neutral reserve fund for renewable energy and energy efficiency.
Sec. 306. Deficit-neutral reserve fund for middle-income tax relief and economic equity.
Sec. 307. Deficit-neutral reserve fund for reform of the alternative minimum tax.
Sec. 308. Deficit-neutral reserve fund for higher education.
Sec. 309. Deficit-neutral reserve fund for affordable housing.
Sec. 310. Deficit-neutral reserve fund for medicare improvements.
Sec. 311. Deficit-neutral reserve fund for health care quality, effectiveness, and efficiency.
Sec. 312. Deficit-neutral reserve fund for Medicaid and other programs.
Sec. 313. Deficit-neutral reserve fund for trade adjustment assistance and unemployment insurance modernization.
Sec. 314. Deficit-neutral reserve fund for county payments legislation.
Sec. 315. Deficit-neutral reserve fund for San Joaquin River restoration and Navajo Nation water rights settlements.
Sec. 316. Deficit-neutral reserve fund for the National Park Centennial Fund.
Sec. 317. Deficit-neutral reserve fund for child support enforcement.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Program integrity initiatives.
Sec. 402. Oversight of government performance.
Sec. 403. Point of order against advance appropriations.
Sec. 404. Overseas deployments and emergency needs.
Sec. 405. Budgetary treatment of certain discretionary administrative expenses.
Sec. 406. Application and effect of changes in allocations and aggregates.
Sec. 407. Adjustments to reflect changes in concepts and definitions.
Sec. 408. Exercise of rulemaking powers.

TITLE V—POLICY

Sec. 501. Policy on middle-income tax relief.
Sec. 502. Policy on defense priorities.

TITLE VI—SENSE OF THE HOUSE

Sec. 601. Sense of the House on the Innovation Agenda and America Competes Act.
Sec. 602. Sense of the House on servicemembers' and veterans' health care and other priorities.
Sec. 603. Sense of the House on homeland security.
Sec. 604. Sense of the House regarding long-term fiscal reform.
Sec. 605. Sense of the House regarding waste, fraud, and abuse.
Sec. 606. Sense of the House regarding extension of the statutory pay-as-you-go rule.
Sec. 607. Sense of the House on long-term budgeting.
Sec. 608. Sense of the House regarding the need to maintain and build upon efforts to fight hunger.
Sec. 609. Sense of the House regarding affordable health coverage.
Sec. 610. Sense of the House regarding pay parity.
Sec. 611. Sense of the House regarding subprime lending and foreclosures.
Sec. 612. Sense of House regarding the importance of child support enforcement.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2008 through 2013:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2008: $1,879,540,000,000.
Fiscal year 2009: $2,027,124,000,000.
Fiscal year 2010: $2,205,864,000,000.
Fiscal year 2011: $2,442,025,000,000.
Fiscal year 2012: $2,669,315,000,000.
Fiscal year 2013: $2,771,740,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be adjusted are as follows:

Fiscal year 2008: $0.
Fiscal year 2009: −$70,000,000,000.
Fiscal year 2010: $23,000,000,000.
Fiscal year 2011: $14,000,000,000.
Fiscal year 2012: $16,000,000,000.
Fiscal year 2013: $17,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2008: $2,556,254,000,000.
Fiscal year 2009: $2,529,246,000,000.
Fiscal year 2010: $2,564,161,000,000.
Fiscal year 2011: $2,698,039,000,000.
Fiscal year 2012: $2,740,065,000,000.
Fiscal year 2013: $2,866,862,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2008: $2,462,616,000,000.
Fiscal year 2009: $2,563,380,000,000.
Fiscal year 2010: $2,622,295,000,000.
Fiscal year 2011: $2,716,979,000,000.
Fiscal year 2012: $2,728,965,000,000.
Fiscal year 2013: $2,857,394,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2008: $583,076,000,000.
Fiscal year 2009: $536,256,000,000.
Fiscal year 2010: $416,431,000,000.
Fiscal year 2011: $274,954,000,000.
Fiscal year 2012: $59,650,000,000.
Fiscal year 2013: $85,654,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the debt subject to limit are as follows:

Fiscal year 2008: $9,567,484,000,000.
Fiscal year 2009: $10,199,551,000,000.
Fiscal year 2010: $10,724,264,000,000.
Fiscal year 2011: $11,103,954,000,000.
Fiscal year 2012: $11,295,107,000,000.
Fiscal year 2013: $11,495,218,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2008: $5,396,807,000,000.
Fiscal year 2009: $5,753,900,000,000.
Fiscal year 2010: $5,981,334,000,000.
Fiscal year 2011: $6,047,654,000,000.
Fiscal year 2012: $5,885,687,000,000.
Fiscal year 2013: $5,744,120,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2008 through 2013 for each major functional category are:

(1) National Defense (050):
Fiscal year 2008:
(A) New budget authority, $590,686,000,000.
(B) Outlays, $576,173,000,000.
Fiscal year 2009:
(A) New budget authority, $542,497,000,000.
(B) Outlays, $573,362,000,000.
Fiscal year 2010:
(A) New budget authority, $550,414,000,000.
(B) Outlays, $560,726,000,000.
Fiscal year 2011:
(A) New budget authority, $557,026,000,000.
(B) Outlays, $560,099,000,000.
Fiscal year 2012:
(A) New budget authority, $565,800,000,000.
(B) Outlays, $556,699,000,000.
Fiscal year 2013:
(A) New budget authority, $576,223,000,000.
(B) Outlays, 568,829,000,000.

(2) International Affairs (150):
Fiscal year 2008:
(A) New budget authority, $32,648,000,000.
(B) Outlays, $32,843,000,000.
Fiscal year 2009:
(A) New budget authority, $37,111,000,000.
(B) Outlays, $35,702,000,000.
Fiscal year 2010:
(A) New budget authority, $38,516,000,000.
(B) Outlays, $36,918,000,000.
Fiscal year 2011:
(A) New budget authority, $39,433,000,000.
(B) Outlays, $37,679,000,000.
Fiscal year 2012:
(A) New budget authority, $40,247,000,000.
(B) Outlays, $38,154,000,000.
Fiscal year 2013:
(A) New budget authority, $40,677,000,000.
(B) Outlays, $38,346,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2008:
(A) New budget authority, $27,407,000,000.
(B) Outlays, $26,456,000,000.
Fiscal year 2009:
(A) New budget authority, $29,934,000,000.
(B) Outlays, $28,700,000,000.
Fiscal year 2010:
(A) New budget authority, $31,165,000,000.
(B) Outlays, $30,604,000,000.
Fiscal year 2011:
(A) New budget authority, $32,474,000,000.
(B) Outlays, $32,201,000,000.
Fiscal year 2012:
(A) New budget authority, $33,853,000,000.
(B) Outlays, $33,564,000,000.
Fiscal year 2013:
(A) New budget authority, $35,298,000,000.
(B) Outlays, $34,477,000,000.

(4) Energy (270):
Fiscal year 2008:
(A) New budget authority, $3,548,000,000.
(B) Outlays, $1,681,000,000.
Fiscal year 2009:
(A) New budget authority, $4,674,000,000.
(B) Outlays, $2,192,000,000.
Fiscal year 2010:
(A) New budget authority, $4,645,000,000.
(B) Outlays, $2,878,000,000.
Fiscal year 2011:
(A) New budget authority, $4,712,000,000.
(B) Outlays, $3,371,000,000.
Fiscal year 2012:
(A) New budget authority, $4,803,000,000.
(B) Outlays, $3,738,000,000.
Fiscal year 2013:
(A) New budget authority, $4,895,000,000.
(B) Outlays, $4,020,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2008:
(A) New budget authority, $32,560,000,000.
(B) Outlays, $34,440,000,000.
Fiscal year 2009:
(A) New budget authority, $38,651,000,000.
(B) Outlays, $35,576,000,000.
Fiscal year 2010:
(A) New budget authority, $33,782,000,000.
(B) Outlays, $36,192,000,000.
Fiscal year 2011:
(A) New budget authority, $34,670,000,000.
(B) Outlays, $36,420,000,000.
Fiscal year 2012:
(A) New budget authority, $35,568,000,000.
(B) Outlays, $36,745,000,000.
Fiscal year 2013:
(A) New budget authority, $36,490,000,000.
(B) Outlays, $37,299,000,000.

(6) Agriculture (350):
Fiscal year 2008:
(A) New budget authority, $22,456,000,000.
(B) Outlays, $21,528,000,000.
Fiscal year 2009:
(A) New budget authority, $21,529,000,000.
(B) Outlays, $21,279,000,000.
Fiscal year 2010:
(A) New budget authority, $21,719,000,000.
(B) Outlays, $20,680,000,000.
Fiscal year 2011:
(A) New budget authority, $21,891,000,000.
(B) Outlays, $20,876,000,000.
Fiscal year 2012:
(A) New budget authority, $22,263,000,000.
(B) Outlays, $21,435,000,000.
Fiscal year 2013:
(A) New budget authority, $22,621,000,000.
(B) Outlays, $21,816,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2008:
(A) New budget authority, $11,216,000,000.
(B) Outlays, $5,381,000,000.
Fiscal year 2009:
(A) New budget authority, $9,560,000,000.
(B) Outlays, $3,722,000,000.
Fiscal year 2010:
(A) New budget authority, $13,887,000,000.
(B) Outlays, $5,835,000,000.
Fiscal year 2011:
(A) New budget authority, $8,998,000,000.
(B) Outlays, $2,193,000,000.
Fiscal year 2012:
(A) New budget authority, $9,246,000,000.
(B) Outlays, $1,735,000,000.
Fiscal year 2013:
(A) New budget authority, $9,642,000,000.
(B) Outlays, $1,648,000,000.

(8) Transportation (400):
Fiscal year 2008:
(A) New budget authority, $79,794,000,000.
(B) Outlays, $77,795,000,000.
Fiscal year 2009:
(A) New budget authority, $73,444,000,000.
(B) Outlays, $80,443,000,000.
Fiscal year 2010:
(A) New budget authority, $77,507,000,000.
(B) Outlays, $83,861,000,000.
Fiscal year 2011:
(A) New budget authority, $78,534,000,000.
(B) Outlays, $86,062,000,000.
Fiscal year 2012:
(A) New budget authority, $79,485,000,000.
(B) Outlays, $88,134,000,000.
Fiscal year 2013:
(A) New budget authority, $80,478,000,000.
(B) Outlays, $90,443,000,000.

(9) Community and Regional Development (450):
Fiscal year 2008:
(A) New budget authority, $20,029,000,000.
(B) Outlays, $27,819,000,000.
Fiscal year 2009:
(A) New budget authority, $14,553,000,000.
(B) Outlays, $24,251,000,000.
Fiscal year 2010:
(A) New budget authority, $14,826,000,000.
(B) Outlays, $21,816,000,000.
Fiscal year 2011:
(A) New budget authority, $15,134,000,000.
(B) Outlays, $17,874,000,000.
Fiscal year 2012:
(A) New budget authority, $15,450,000,000.
(B) Outlays, $15,817,000,000.
Fiscal year 2013:
(A) New budget authority, $15,755,000,000.
(B) Outlays, $15,561,000,000.

(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2008:
(A) New budget authority, $90,077,000,000.
(B) Outlays, $90,729,000,000.
Fiscal year 2009:
(A) New budget authority, $95,235,000,000.
(B) Outlays, $90,947,000,000.
Fiscal year 2010:
(A) New budget authority, $102,594,000,000.
(B) Outlays, $98,345,000,000.
Fiscal year 2011:
(A) New budget authority, $105,612,000,000.
(B) Outlays, $103,135,000,000.
Fiscal year 2012:
(A) New budget authority, $107,828,000,000.
(B) Outlays, $104,397,000,000.
Fiscal year 2013:
(A) New budget authority, $101,690,000,000.
(B) Outlays, $103,490,000,000.

(11) Health (550):
Fiscal year 2008:
(A) New budget authority, $285,101,000,000.
(B) Outlays, $286,688,000,000.
Fiscal year 2009:
(A) New budget authority, $306,795,000,000.
(B) Outlays, $305,334,000,000.
Fiscal year 2010:
(A) New budget authority, $323,767,000,000.
(B) Outlays, $324,138,000,000.
Fiscal year 2011:
(A) New budget authority, $344,749,000,000.
(B) Outlays, $343,718,000,000.
Fiscal year 2012:
(A) New budget authority, $367,766,000,000.
(B) Outlays, $366,312,000,000.
Fiscal year 2013:
(A) New budget authority, $393,085,000,000.
(B) Outlays, $391,326,000,000.

(12) Medicare (570):
Fiscal year 2008:
(A) New budget authority, $390,458,000,000.
(B) Outlays, $390,454,000,000.
Fiscal year 2009:
(A) New budget authority, $420,191,000,000.
(B) Outlays, $419,974,000,000.
Fiscal year 2010:
(A) New budget authority, $445,225,000,000.
(B) Outlays, $445,349,000,000.
Fiscal year 2011:
(A) New budget authority, $494,370,000,000.

(B) Outlays, $494,193,000,000.
Fiscal year 2012:
(A) New budget authority, $491,353,000,000.
(B) Outlays, $491,110,000,000.
Fiscal year 2013:
(A) New budget authority, $552,389,000,000.
(B) Outlays, $552,503,000,000.
(13) Income Security (600):
Fiscal year 2008:
(A) New budget authority, $389,865,000,000.
(B) Outlays, $394,100,000,000.
Fiscal year 2009:
(A) New budget authority, $411,699,000,000.
(B) Outlays, $414,032,000,000.
Fiscal year 2010:
(A) New budget authority, $417,519,000,000.
(B) Outlays, $418,617,000,000.
Fiscal year 2011:
(A) New budget authority, $426,924,000,000.
(B) Outlays, $427,541,000,000.
Fiscal year 2012:
(A) New budget authority, $412,355,000,000.
(B) Outlays, $412,831,000,000.
Fiscal year 2013:
(A) New budget authority, $427,988,000,000.
(B) Outlays, $427,703,000,000.
(14) Social Security (650):
Fiscal year 2008:
(A) New budget authority, $19,378,000,000.
(B) Outlays, $19,378,000,000.
Fiscal year 2009:
(A) New budget authority, $21,308,000,000.
(B) Outlays, $21,308,000,000.
Fiscal year 2010:
(A) New budget authority, $23,794,000,000.
(B) Outlays, $23,794,000,000.
Fiscal year 2011:
(A) New budget authority, $27,330,000,000.
(B) Outlays, $27,330,000,000.
Fiscal year 2012:
(A) New budget authority, $30,342,000,000.
(B) Outlays, $30,342,000,000.
Fiscal year 2013:
(A) New budget authority, $33,162,000,000.
(B) Outlays, $33,162,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2008:
(A) New budget authority, $86,365,000,000.
(B) Outlays, $83,551,000,000.
Fiscal year 2009:
(A) New budget authority, $93,268,000,000.
(B) Outlays, $92,443,000,000.
Fiscal year 2010:
(A) New budget authority, $96,000,000,000.
(B) Outlays, $95,710,000,000.
Fiscal year 2011:
(A) New budget authority, $101,800,000,000.
(B) Outlays, $101,475,000,000.
Fiscal year 2012:
(A) New budget authority, $99,115,000,000.
(B) Outlays, $98,271,000,000.
Fiscal year 2013:
(A) New budget authority, $105,094,000,000.
(B) Outlays, $104,266,000,000.
(16) Administration of Justice (750):
Fiscal year 2008:
(A) New budget authority, $46,237,000,000.
(B) Outlays, $44,282,000,000.
Fiscal year 2009:
(A) New budget authority, $48,104,000,000.
(B) Outlays, $47,936,000,000.
Fiscal year 2010:
(A) New budget authority, $49,101,000,000.
(B) Outlays, $49,602,000,000.
Fiscal year 2011:
(A) New budget authority, $50,338,000,000.
(B) Outlays, $50,596,000,000.
Fiscal year 2012:
(A) New budget authority, $51,622,000,000.
(B) Outlays, $51,501,000,000.
Fiscal year 2013:
(A) New budget authority, $52,967,000,000.
(B) Outlays, $52,542,000,000.
(17) General Government (800):
Fiscal year 2008:
(A) New budget authority, $56,407,000,000.
(B) Outlays, $56,920,000,000.
Fiscal year 2009:
(A) New budget authority, $23,520,000,000.
(B) Outlays, $23,890,000,000.
Fiscal year 2010:
(A) New budget authority, $19,961,000,000.
(B) Outlays, $19,987,000,000.
Fiscal year 2011:
(A) New budget authority, $20,611,000,000.
(B) Outlays, $20,496,000,000.
Fiscal year 2012:
(A) New budget authority, $21,319,000,000.
(B) Outlays, $21,332,000,000.
Fiscal year 2013:
(A) New budget authority, $22,007,000,000.
(B) Outlays, $21,787,000,000.
(18) Net Interest (900):
Fiscal year 2008:
(A) New budget authority, $349,296,000,000.
(B) Outlays, $349,296,000,000.
Fiscal year 2009:
(A) New budget authority, $334,233,000,000.
(B) Outlays, $334,233,000,000.
Fiscal year 2010:
(A) New budget authority, $370,534,000,000.
(B) Outlays, $370,534,000,000.
Fiscal year 2011:
(A) New budget authority, $406,997,000,000.
(B) Outlays, $406,997,000,000.
Fiscal year 2012:
(A) New budget authority, $427,954,000,000.
(B) Outlays, $427,954,000,000.
Fiscal year 2013:
(A) New budget authority, $436,292,000,000.
(B) Outlays, $436,292,000,000.
(19) Allowances (920):
Fiscal year 2008:
(A) New budget authority, $1,000,000,000.
(B) Outlays, $531,000,000.
Fiscal year 2009:
(A) New budget authority, $0.
(B) Outlays, $307,000,000.
Fiscal year 2010:
(A) New budget authority, −$150,000,000.
(B) Outlays, −$53,000,000.
Fiscal year 2011:
(A) New budget authority, −$200,000,000.
(B) Outlays, −$164,000,000.
Fiscal year 2012:
(A) New budget authority, −$200,000,000.
(B) Outlays, −$178,000,000.
Fiscal year 2013:
(A) New budget authority, −$200,000,000.
(B) Outlays, −$200,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2008:
(A) New budget authority, −$86,330,000,000.
(B) Outlays, −$86,330,000,000.
Fiscal year 2009:
(A) New budget authority, −$67,060,000,000.
(B) Outlays, −$67,060,000,000.
Fiscal year 2010:
(A) New budget authority, −$70,645,000,000.
(B) Outlays, −$70,645,000,000.
Fiscal year 2011:
(A) New budget authority, −$73,364,000,000.
(B) Outlays, −$73,364,000,000.
Fiscal year 2012:
(A) New budget authority, −$76,104,000,000.
(B) Outlays, −$76,104,000,000.
Fiscal year 2013:
(A) New budget authority, −$79,691,000,000.
(B) Outlays, −$79,691,000,000.
(21) Overseas Deployments and Other Activities (970):
Fiscal year 2008:
(A) New budget authority, $108,056,000,000.
(B) Outlays, $28,901,000,000.
Fiscal year 2009:
(A) New budget authority, $70,000,000,000.
(B) Outlays, $74,809,000,000.
Fiscal year 2010:
(A) New budget authority, $0.
(B) Outlays, $47,407,000,000.
Fiscal year 2011:
(A) New budget authority, $0.
(B) Outlays, $18,251,000,000.
Fiscal year 2012:
(A) New budget authority, $0.
(B) Outlays, $5,176,000,000.
Fiscal year 2013:
(A) New budget authority, $0.
(B) Outlays, $1,775,000,000.

TITLE II—RECONCILIATION

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) CHANGES IN MANDATORY SPENDING.—Not later than September 12, 2008, the House Committee on Ways and Means shall report a reconciliation bill making changes in laws within its jurisdiction sufficient to reduce direct spending by $750,000,000 for the period of fiscal years 2008 through 2013.

(b) CHANGES IN REVENUE.—Not later than July 15, 2008, the House Committee on Ways and Means shall report a reconciliation bill making changes in laws within its jurisdiction that will reduce total revenues by $70,000,000,000 for fiscal year 2009 and will increase total revenues by $70,000,000,000 for the period of fiscal years 2010 through 2013.

(c) ADJUSTMENTS TO ALLOCATIONS AND AGGREGATES.—

(1) Upon the reporting to the House of any bill that has complied with reconciliation instructions, the chairman of the Committee on the Budget may file with the House appropriately revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates.

(2) Upon the submission to the House of any conference report recommending a reconciliation bill in which a committee has complied with its reconciliation instructions, the chairman of the Committee on the Budget may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION.

In the House, the chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report, which contains matter within the jurisdiction of the Committee on Energy and Commerce that expands coverage and improves children's health through the State Childrens Health Insurance Program (SCHIP) under title XXI of the Social Security Act and the program under title XIX of such Act (commonly known as Medicaid) and that increases new budget authority that will result in no more than $50,000,000,000 in outlays in fiscal years 2008 through 2013, and others which contain offsets so designated for the purpose of this section within the jurisdiction of another committee or committees, if the combined changes would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR VETERANS AND SERVICEMEMBERS.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) enhances medical care for wounded or disabled military personnel or veterans;

(2) maintains affordable health care for military retirees and veterans;

(3) improves disability benefits or evaluations for wounded or disabled military personnel or veterans, including measures to expedite the claims process;

(4) expands eligibility to permit additional disabled military retirees to receive both disability compensation and retired pay;

(5) eliminates the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation; or

(6) provides or increases benefits for Filipino veterans of World War II or their survivors and dependents;

by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR EDUCATION BENEFITS FOR SERVICEMEMBERS, VETERANS, AND THEIR FAMILIES.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that enhances education benefits or assistance for servicemembers (including Active Duty, National Guard, and Reserve), veterans, or their spouses, survivors, or dependents by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR INFRASTRUCTURE INVESTMENT.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for increased investment in infrastructure projects by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR RENEWABLE ENERGY AND ENERGY EFFICIENCY.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency; encourages investment in emerging energy or vehicle technologies or carbon capture and sequestration; provides for reductions in greenhouse gas emissions; or facilitates the training of workers for these industries (''green collar jobs'') by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 306. DEFICIT-NEUTRAL RESERVE FUND FOR MIDDLE-INCOME TAX RELIEF AND ECONOMIC EQUITY.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for tax relief for middle-income families and taxpayers or enhanced economic equity, such as extension of the child tax credit, extension of marriage penalty relief, extension of the 10 percent individual income tax bracket, elimination of estate taxes on all but a minute fraction of estates by reforming and substantially increasing the unified credit, extension of the research and experimentation tax credit, extension of the deduction for small business expensing, extension of the deduction for State and local sales taxes, and a tax credit for school construction bonds, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR REFORM OF THE ALTERNATIVE MINIMUM TAX.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for reform of the Internal Revenue Code of 1986 by reducing the tax burden of the alternative minimum tax on middle-income families by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable or accessible through reforms to the Higher Education Act of 1965 or other legislation by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR AFFORDABLE HOUSING.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for an affordable housing fund, offset by reforming the regulation of certain government-sponsored enterprises, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE IMPROVEMENTS.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves the Medicare program for beneficiaries and protects access to care, through measures such as increasing the reimbursement rate for physicians while protecting beneficiaries from associated premium increases and making improvements to the prescription drug program under part D, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE QUALITY, EFFECTIVENESS, AND EFFICIENCY.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides incentives or other support for adoption of modern information technology, including electronic prescribing, to improve quality and protect privacy in health care;

(2) establishes a new Federal or public-private initiative for research on the comparative effectiveness of different medical interventions; or

(3) provides parity between health insurance coverage of mental health benefits and benefits for medical and surgical services, including parity in public programs;

by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICAID AND OTHER PROGRAMS.

(a) REGULATIONS AND ADMINISTRATIVE ACTIONS.—In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that prevents or delays the implementation or administration of regulations or other administrative actions that would affect the Medicaid, SCHIP, or other programs by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

(b) TRANSITIONAL MEDICAL ASSISTANCE AND QUALIFYING INDIVIDUALS.—In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that extends the transitional medical assistance program or the qualifying individuals program, which are included in title XIX of the Social Security Act, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE ADJUSTMENT ASSISTANCE AND UNEMPLOYMENT INSURANCE MODERNIZATION.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that reauthorizes the trade adjustment assistance program to better meet the challenges of globalization or modernizes the unemployment insurance system to improve access to needed benefits by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY PAYMENTS LEGISLATION.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106–393) or makes changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94–565) by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR SAN JOAQUIN RIVER RESTORATION AND NAVAJO NATION WATER RIGHTS SETTLEMENTS.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would fulfill the purposes of the San Joaquin River Restoration Settlement Act or implement a Navajo Nation water rights settlement as authorized by the Northwestern New Mexico Rural Water Projects Act by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR THE NATIONAL PARK CENTENNIAL FUND.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment,

or conference report that provides for the establishment of the National Parks Centennial Fund by the amounts provided in such measure for that purpose if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018

SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD SUPPORT ENFORCEMENT.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves Federal child support collection efforts or results in more collected child support reaching families by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for the period of fiscal years 2008 through 2013 or for the period of fiscal years 2008 through 2018.

TITLE IV—BUDGET ENFORCEMENT

SEC. 401. PROGRAM INTEGRITY INITIATIVES.

(a) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) CONTINUING DISABILITY REVIEWS AND SUPPLEMENTAL SECURITY INCOME REDETERMINATIONS.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates $264,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to $240,000,000, and the amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates $6,997,000,000 to the Internal Revenue Service and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986 and provides an additional appropriation of up to $490,000,000, and the amount is designated to improve compliance with the provisions of the Internal Revenue Code of 1986, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates up to $198,000,000 and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(4) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—In the House, prior to consideration of a bill or joint resolution making appropriations for fiscal year 2009 that appropriates $10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to $40,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2009.

(b) PROCEDURE FOR ADJUSTMENTS.—

(1) IN GENERAL.—In the House, prior to consideration of a bill, joint resolution, amendment, or conference report, the chairman of the Committee on the Budget shall make the adjustments set forth in subsection (a) for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in subsection (a), except that no adjustment shall be made for provisions exempted for the purposes of titles III and IV of the Congressional Budget Act of 1974 under section 404 of this resolution.

(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to—

(A) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(B) the budgetary aggregates as set forth in this resolution.

SEC. 402. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the House, all committees are directed to review programs within their jurisdiction to root out waste, fraud, and abuse in program spending, giving particular scrutiny to issues raised by Government Accountability Office reports. Based on these oversight efforts and committee performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committee on the Budget.

SEC. 403. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House, except as provided in subsection (b), a bill or joint resolution making a general appropriation or continuing appropriation, or an amendment thereto or a conference report thereon, may not provide for advance appropriations.

(b) EXCEPTIONS.—In the House, an advance appropriation may be provided for fiscal year 2010 for programs, projects, activities, or accounts identified in the report to accompany this resolution or the joint explanatory statement of managers to accompany this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $27,558,000,000 in new budget authority, and for 2011, accounts separately identified under the same heading.

(c) DEFINITION.—In this section, the term ''advance appropriation'' means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution continuing appropriations for fiscal year 2009 that first becomes available for any fiscal year after 2009.

SEC. 404. OVERSEAS DEPLOYMENTS AND EMERGENCY NEEDS.

(a) OVERSEAS DEPLOYMENTS AND RELATED ACTIVITIES.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2008 or fiscal year 2009 for overseas deployments and related activities, and such amounts are so designated pursuant to this subsection, then new budget authority and outlays resulting therefrom shall not count for the purposes of titles III and IV of the Congressional Budget Act of 1974.

(b) EMERGENCY NEEDS.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts, and such amounts are designated as necessary to meet emergency needs, then the new budget authority and outlays resulting therefrom shall not count for the purposes of titles III and IV of the Congressional Budget Act of 1974.

SEC. 405. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) SPECIAL RULE.—In the House, for purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

SEC. 406. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—In the House, for purposes of this resolution, the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget.

SEC. 407. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

In the House, upon the enactment of any bill or joint resolution providing for a change in concepts or definitions, the chairman of the Committee on the Budget may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 408. EXERCISE OF RULEMAKING POWERS.

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules of the House only to the extent that they are inconsistent with other such rules of the House; and

(2) with full recognition of the constitutional right of the House to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House.

TITLE V—POLICY

SEC. 501. POLICY ON MIDDLE-INCOME TAX RELIEF.

It is the policy of this resolution to—

(1) minimize fiscal burdens on middle-income families and their children and grandchildren;

(2) provide immediate relief for the tens of millions of middle-income households who would otherwise be subject to the alternative minimum tax (AMT) under current law, in the context of permanent, revenue-neutral AMT reform; and

(3) support extension of middle-income tax relief and enhanced economic equity through policies such as—

(A) extension of the child tax credit;

(B) extension of marriage penalty relief;

(C) extension of the 10 percent individual income tax bracket;

(D) elimination of estate taxes on all but a minute fraction of estates by reforming and substantially increasing the unified tax credit;

(E) extension of the research and experimentation tax credit;

(F) extension of the deduction for State and local sales taxes;

(G) extension of the deduction for small business expensing; and

(H) enactment of a tax credit for school construction bonds.

This resolution assumes that the cost of enacting such policies is offset by reforms within the Internal Revenue Code of 1986 that promote a fairer distribution of taxes across families and generations, economic efficiency, higher rates of tax compliance to close the ''tax gap,'' and reduced taxpayer burdens through tax simplification.

SEC. 502. POLICY ON DEFENSE PRIORITIES.

It is the policy of this resolution that—

(1) the Administration's budget requests should comply with section 1008, Public Law 109–364, the John Warner National Defense Authorization Act for Fiscal Year 2007, and the Administration should no longer attempt to fund overseas military operations through emergency supplemental appropriations requests;

(2) the Department of Defense should exclude nonwar requirements from its funding requests for Iraq and Afghanistan;

(3) implementing the recommendation of the National Commission on Terrorist Attacks Upon the United States (commonly referred to as the 9/11 Commission) to adequately fund cooperative threat reduction and nuclear nonproliferation programs (securing ''loose nukes'') is a high priority and should receive far greater emphasis than the President's budget provides;

(4) readiness of our troops, particularly the National Guard and Reserve, is a high priority, and that greater emphasis needs to be placed on mitigating equipment and training shortfalls;

(5) TRICARE fees for military retirees under the age of 65 should not be increased as the President's budget proposes;

(6) military pay and benefits should be enhanced to improve the quality of life of military personnel;

(7) improving military health care services continues to be a high priority and adequate funding to ensure quality health care for returning combat veterans should be provided;

(8) higher priority defense needs could be addressed by funding missile defense at an adequate but lower level, not providing funding for development of space-based missile defense interceptors, and by restraining excessive cost and schedule growth in defense research, development and procurement programs;

(9) the Department of Defense should reassess current defense plans to ensure that weapons developed to counter cold war-era threats are not redundant and are applicable to 21st century threats;

(10) sufficient resources should be provided for the Department of Defense to do an aggressive job of addressing as many as possible of the 1,260 unimplemented recommendations made by the Government Accountability Office (GAO) over the last 7 years to improve practices at the Department of Defense, including investigation of the billions of dollars of obligations, disbursements and overcharges for which the Department of Defense cannot account;

(11) savings from the actions recommended in paragraphs (8) and (10) of this section should be used to fund the priorities identified in paragraphs (3) through (7);

(12) the Department of Defense report to Congress on its assessment of cold war weapons and progress on implementing GAO recommendations as outlined in paragraphs (9) and (10) by a time determined by the appropriate authorizing committees; and

(13) the GAO report to the appropriate congressional committees by the end of the 110th Congress regarding the Department of Defense's progress in implementing its audit recommendations.

TITLE VI—SENSE OF THE HOUSE

SEC. 601. SENSE OF THE HOUSE ON THE INNOVATION AGENDA AND AMERICA COMPETES ACT.

It is the sense of the House that—

(1) the House should provide sufficient funding so that our Nation may continue to be the world leader in education, innovation and economic growth;

(2) last year, Congress passed and the President signed the America COMPETES Act, bipartisan legislation designed to ensure that American students, teachers, businesses, and workers are prepared to continue leading the world in innovation, research, and technology well into the future;

(3) this resolution supports the efforts authorized in the America COMPETES Act, providing substantially increased funding above the President's requested level for 2009, and increased amounts after 2009 in Function 250 (General Science, Space and Technology) and Function 270 (Energy);

(4) additional increases for scientific research and education are included in Function 500 (Education, Employment, Training and Social Services), Function 550 (Health), Function 300 (Environment and Natural Resources), and Function 370 (Commerce and Housing Credit), all of which receive more funding than the President's budget provides;

(5) because America's greatest resource for innovation resides within classrooms across the country, the increased funding provided in this resolution will support initiatives within the America COMPETES Act to educate tens of thousands of new scientists, engineers, and mathematicians, and place highly qualified teachers in math and science K–12 classrooms; and

(6) because independent scientific research provides the foundation for innovation and future technologies, this resolution will keep us on the path toward doubling funding for the National Science Foundation, basic research in the physical sciences, and collaborative research partnerships, and toward achieving energy independence through the development of clean and sustainable alternative energy technologies.

SEC. 602. SENSE OF THE HOUSE ON SERVICEMEMBERS' AND VETERANS' HEALTH CARE AND OTHER PRIORITIES.

It is the sense of the House that—

(1) the House supports excellent health care for current and former members of the United States Armed Services—they have served well and honorably and have made significant sacrifices for this Nation;

(2) this resolution provides $48,150,000,000 in discretionary budget authority for 2009 for Function 700 (Veterans Benefits and Services), including veterans' health care, which is $4,888,000,000 more than the 2008 level, $3,602,000,000 more than the Congressional Budget Office's baseline level for 2009, and $3,232,000,000 more than the President's budget for 2009; and also provides more discretionary budget authority than the President's budget in every year after 2009;

(3) this resolution provides funding to continue addressing problems such as those identified at Walter Reed Army Medical Center to improve military and veterans' health care facilities and services;

(4) this resolution assumes the rejection of the health care enrollment fees and pharmaceutical co-payment increases in the President's budget;

(5) this resolution provides additional funding above the President's inadequate budget levels for the Department of Veterans Affairs to research and treat veterans' mental health, posttraumatic stress disorder, and traumatic brain injury; and

(6) this resolution provides additional funding above the President's inadequate budget levels for the Department of Veterans Affairs to improve the speed and accuracy of its processing of disability compensation claims, including funding to hire additional personnel above the President's requested level.

SEC. 603. SENSE OF THE HOUSE ON HOMELAND SECURITY.

It is the sense of the House that—

(1) this resolution assumes additional homeland security funding above the President's requested level for 2009 and every subsequent year;

(2) this resolution assumes funding above the President's requested level for 2009, and additional amounts in subsequent years, in the four budget functions—Function 400 (Transportation), Function 450 (Community and Regional Development), Function 550 (Health), and Function 750 (Administration of Justice)—that fund most nondefense homeland security activities; and

(3) the homeland security funding provided in this resolution will help to strengthen the security of our Nation's transportation system, particularly our ports where significant security shortfalls still exist and foreign ports, by expanding efforts to identify and scan all high-risk United States-bound cargo, equip, train and support first responders (including enhancing interoperable communications and emergency management), strengthen border patrol, and increase the preparedness of the public health system.

SEC. 604. SENSE OF THE HOUSE REGARDING LONG-TERM FISCAL REFORM.

It is the sense of the House that—

(1) both the Government Accountability Office and the Congressional Budget Office have warned that the Federal budget is on an unsustainable path of rising deficits and debt;

(2) using recent trend data and reasonable policy assumptions, CBO has projected that the gap between spending and revenues over the next 75 years will reach 6.9 percent of GDP;

(3) publicly held debt will rise from 36 percent today to 400 percent of GDP by the decade beginning in 2050 under CBO's alternative policy scenario;

(4) the most significant factor affecting the long-term Federal fiscal landscape is the expectation that total public and private health spending will continue to grow faster than the economy;

(5) the House calls upon governmental and nongovernmental experts to develop specific options to reform the health care system and control costs, that further research and analysis on topics including comparative effectiveness, health information technology, preventative care, and provider incentives is needed, and that of critical importance is the development of a consensus on the appropriate methods for estimating the budgetary impact and health outcome effects of these proposals; and

(6) immediate policy action is needed to address the long-term fiscal challenges facing the United States, including the rising costs of entitlements, in a manner that is fiscally responsible, equitable, and lasting, and that also honors commitments made to beneficiaries, and that such action should be bipartisan, bicameral, involve both legislative and executive branch participants, as well as public participation, and be conducted in a manner that ensures full, fair, and timely Congressional consideration.

SEC. 605. SENSE OF THE HOUSE REGARDING WASTE, FRAUD, AND ABUSE.

It is the sense of the House that—

(1) all committees should examine programs within their jurisdiction to identify wasteful and fraudulent spending;

(2) title IV of this resolution includes cap adjustments to provide appropriations for agencies that control programs that accounted for a significant share of improper payments reported by

Federal agencies: Social Security Administration Continuing Disability Reviews, the Medicare/Medicaid Health Care Fraud and Abuse Control Program, and Unemployment Insurance Program Integrity;

(3) title IV also includes a cap adjustment for the Internal Revenue Services for tax compliance efforts to close the $300,000,000,000 tax gap;

(4) the resolution's deficit-neutral reserve funds require authorizing committees to cut lower priority and wasteful spending to accommodate any new high-priority entitlement benefits; and

(5) title IV of the resolution directs all committees to review the performance of programs within their jurisdiction and report recommendations annually to the Committee on the Budget as part of the views and estimates process required by section 301(d) of the Congressional Budget Act.

SEC. 606. SENSE OF THE HOUSE REGARDING EXTENSION OF THE STATUTORY PAY-AS-YOU-GO RULE.

It is the sense of the House that to reduce the deficit, Congress should extend the PAYGO rules originally enacted in the Budget Enforcement Act of 1990.

SEC. 607. SENSE OF THE HOUSE ON LONG-TERM BUDGETING.

It is the sense of the Congress that the determination of the congressional budget for the United States Government and the President's budget request should include consideration of the Financial Report of the United States Government, especially its information regarding the Governments net operating cost, financial position, and long-term liabilities.

SEC. 608. SENSE OF THE HOUSE REGARDING THE NEED TO MAINTAIN AND BUILD UPON EFFORTS TO FIGHT HUNGER.

It is the sense of the House that—

(1) 35.5 million Americans (12.6 million of them children) are food insecure—uncertain of having, or unable to acquire, enough food, and that 11.1 million Americans are hungry because of lack of food;

(2) despite the critical contributions of the Department of Agriculture nutrition programs (particularly the food stamp program), which significantly reduced payment error rates while providing help to partially mitigate the effects of rising poverty and unemployment, significant need remains, even among families that receive food stamps;

(3) nearly 25 million people, including more than nine million children and nearly three million seniors, sought emergency food assistance from food pantries, soup kitchens, shelters, and local charities last year;

(4) legislation that passed the House with bipartisan support was an appropriate first step toward ensuring that nutrition assistance keeps up with inflation and rising food prices; and

(5) Department of Agriculture programs that help us fight hunger should be maintained and that the House should continue to seize opportunities to reach Americans in need and to fight hunger.

SEC. 609. SENSE OF THE HOUSE REGARDING AFFORDABLE HEALTH COVERAGE.

It is the sense of the House that—

(1) nearly 47 million Americans, including nine million children, lack health insurance;

(2) people without health insurance are more likely to experience problems getting medical care and to be hospitalized for avoidable health problems;

(3) most Americans receive health coverage through their employers, and a major issue facing all employers is the rising cost of health insurance;

(4) small businesses, which have generated most of the new jobs annually over the last decade, have an especially difficult time affording health coverage, because of higher administrative costs and fewer people over whom to spread the risk of catastrophic costs;

(5) because it is especially costly for small businesses to provide health coverage, their employees make up a large proportion of the Nation's uninsured individuals; and

(6) legislation consistent with the pay-as-you-go principle should be adopted that makes health insurance more affordable and accessible, with attention to the special circumstances affecting employees of small businesses, and that lowers costs and improves the quality of health care by encouraging integration of health information technology tools into the practice of medicine, and by promoting improvements in disease management and disease prevention.

SEC. 610. SENSE OF THE HOUSE REGARDING PAY PARITY.

It is the sense of the House that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

SEC. 611. SENSE OF THE HOUSE REGARDING SUBPRIME LENDING AND FORECLOSURES.

It is the sense of the House that—

(1) over the last six months, the Nation has experienced a significant increase in the number of homeowners facing the risk of foreclosure with estimates of as many as 2.8 million subprime and other distressed borrowers facing the loss of their homes over the next five years;

(2) the rise in foreclosures not only has an immediate, devastating impact on homeowners and their families, but it also has ripple effects—

(A) local communities experiencing high levels of foreclosures experience deterioration as a result of the large number of vacant foreclosed and abandoned homes;

(B) rising foreclosure rates can accelerate drops in home prices, affecting all homeowners; and

(C) home mortgage default and foreclosure rates increase risk for lenders, further restricting the availability of credit, which can in turn slow economic growth; and

(3) the rise in foreclosures is not only a crisis for subprime borrowers, but a larger problem for communities as a whole, and considering the multi-layered effects of increasing foreclosures, the House should consider steps to address this complex problem.

SEC. 612. SENSE OF HOUSE REGARDING THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.

It is the sense of the House that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

AMERICORPS WEEK

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1173.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1173.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 344, nays 69, not voting 20, as follows:

[Roll No. 319]

YEAS—344

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Fossella
Foster
Frank (MA)
Frelinghuysen
Gallegly
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam

Rahall	Sensenbrenner	Tierney
Ramstad	Serrano	Towns
Rangel	Sestak	Tsongas
Regula	Shays	Turner
Rehberg	Shea-Porter	Udall (CO)
Reichert	Sherman	Udall (NM)
Renzi	Shimkus	Upton
Reyes	Shuler	Van Hollen
Reynolds	Shuster	Velázquez
Richardson	Simpson	Visclosky
Rodriguez	Sires	Walden (OR)
Rogers (AL)	Skelton	Walsh (NY)
Rogers (KY)	Slaughter	Walz (MN)
Rogers (MI)	Smith (NE)	Wasserman Schultz
Ros-Lehtinen	Smith (NJ)	Waters
Ross	Smith (TX)	Watson
Rothman	Smith (WA)	Watt
Roybal-Allard	Snyder	Waxman
Ruppersberger	Solis	Weiner
Ryan (OH)	Souder	Welch (VT)
Ryan (WI)	Space	Weldon (FL)
Salazar	Speier	Weller
Sánchez, Linda T.	Spratt	Wexler
Sanchez, Loretta	Stupak	Whitfield (KY)
Sarbanes	Sutton	Wilson (OH)
Saxton	Tanner	Wilson (SC)
Scalise	Tauscher	Wittman (VA)
Schakowsky	Taylor	Wolf
Schiff	Terry	Woolsey
Schwartz	Thompson (CA)	Yarmuth
Scott (GA)	Thompson (MS)	Young (FL)
Scott (VA)	Tiahrt	
	Tiberi	

NAYS—69

Akin	Foxx	Miller (FL)
Bachmann	Franks (AZ)	Miller, Gary
Bachus	Garrett (NJ)	Musgrave
Barrett (SC)	Gingrey	Neugebauer
Bartlett (MD)	Gohmert	Paul
Barton (TX)	Goode	Pearce
Boehner	Goodlatte	Pitts
Brady (TX)	Hensarling	Poe
Broun (GA)	Herger	Radanovich
Burgess	Hunter	Rohrabacher
Burton (IN)	Inglis (SC)	Roskam
Buyer	Issa	Royce
Campbell (CA)	Johnson, Sam	Sali
Cannon	Jones (NC)	Sessions
Carter	Jordan	Shadegg
Conaway	King (IA)	Stearns
Culberson	Kingston	Sullivan
Davis, David	Kline (MN)	Tancredo
Deal (GA)	Lamborn	Thornberry
Duncan	Latta	Walberg
Feeney	Marchant	Wamp
Flake	McHenry	Westmoreland
Forbes	Mica	Young (AK)

NOT VOTING—20

Andrews	DeGette	Rush
Bishop (UT)	Doggett	Schmidt
Blackburn	Gerlach	Stark
Bono Mack	Lewis (KY)	Wilson (NM)
Cramer	Mack	Wu
Crenshaw	Meeks (NY)	Wynn
Cubin	Myrick	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are less than 2 minutes remaining on this vote.

□ 1728

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

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON S. CON. RES. 70, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

Mr. RYAN of Wisconsin. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Ryan of Wisconsin moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the concurrent resolution on the budget, S. Con. Res. 70, be instructed to increase negative budget authority and outlays in section 101(19), function 920 (Allowances) of the House amendment, by $2.02 billion over the period of fiscal years 2009 through 2013.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from South Carolina (Mr. SPRATT) will be recognized for 30 minutes each.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

First off, Mr. Speaker, I would like to celebrate the fact that we are here in this well talking about this motion to go to conference, and I want to compliment our chairman of the Budget Committee, Mr. SPRATT, the gentleman from South Carolina. And I mean this in a very sincere way.

The budget process doesn't work if you don't have a budget, and I want to compliment the gentleman from South Carolina for making it 2 years in a row for actually bringing forward and getting through a budget resolution. It looked like it wasn't going to happen. We won't be supporting it, but the fact that the budget chairman is keeping the budget process intact speaks very good to this institution, good to the process, and I want to compliment the gentleman from South Carolina for doing that.

Now, on to the motion to instruct. Everyone agrees, Mr. Speaker, that we need to reduce our reliance on foreign oil. But frankly, if we really want to move forward with greater energy independence, we should increase our petroleum supply by increasing our domestic production of oil. The motion accomplishes just that.

The Republican motion calls on the conferees to increase the receipt levels in the final budget resolution by expanding leasing in Federal areas in the West, in the Outer Continental Shelf and in the Arctic National Wildlife Refuge in an environmentally sound manner.

Yesterday, the House voted overwhelmingly to suspend the purchase of the Strategic Petroleum Reserve as a means to increase oil supply and reduce gasoline prices. It's unclear whether this will have any impact on oil prices, much less gas prices.

This motion would accomplish that result. It would, No. 1, increase domestic oil production and put downward pressure on oil prices and gasoline prices; No. 2, it would reduce our reliance on foreign oil; and, No. 3, it would reduce the deficit.

More than a year ago, the Democratic majority pledged to bring gasoline prices down. On January 4, 2007, the day the Democratic majority took control of the House, the price of gas was an average of $2.33 a gallon. Today Americans are paying an average of $3.76 per gallon to put fuel in their cars. Just 2 days ago in Kenosha, Wisconsin it was $3.95. It's $4 in some areas. This is an increase of at least $1.43 a gallon.

Republicans are seeking to tap into America's great natural resources in an environmentally sound and effective way to provide the consumers the relief at the pump that they deserve, while reducing our reliance on foreign oil.

This Republican motion is a step in the right direction to enhance our energy security and put in place a long-term plan to provide relief at the pump. These are the steps we need to take to assist families, communities, small businesses, those that are suffering with soaring prices of oil and gasoline.

With that, I would like to yield 5 minutes to the distinguished gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. I thank the chairman for yielding.

This is about energy and about the budget, and this is about the Arctic wildlife range in Alaska.

We have voted 12 times on this floor; in fact, I think Mr. SPRATT voted for it, Mr. DINGELL voted for it, or will vote for it, to try to open the last great known elephant in oil fields in the continental United States. If we were to do so today, we would deliver to the American public 1 million barrels of oil for 30 continuing years—a day. Thirty years, 1 million barrels a day. That's the very minor estimate.

But more than that, it would provide, this year, if we were just to lease it, $191 billion in revenue for the budget, $191 billion for the lease and the development of ANWR. And in 3 years I can deliver to the American public 1 million barrels a day or more. That's more than Venezuela. That keeps Venezuela from jacking the prices around.

If we were to do it, my good friends, it would drop the price of oil about $10 a barrel immediately; not because we're delivering it, but it would be the first time this Congress has worked on the supply side, and the speculators would stop speculating if they saw that Congress was serious about developing our national and our Federal lands in fossil fuels. Why we don't do that I cannot understand.

Yes, we do have to change our modes of transportation in a period of time. But there's no way you can bridge the ability of not using fossil fuels in the short-term.

Now, you think about the consumer today in Alaska, and you think about the consumer in the rest of the Nation and what they have to do at $4 a gallon, maybe $5. And I have estimates it may go as far as $10 by the end of the year, and that's going to be on your watch.

We're here talking about the budget. But if we want to solve the budget problems, let's create some dollars. But more than that, let's create less dependency on foreign oil.

How we can sit here as a body and send dollars overseas, and the billions of dollars; to give you some idea, the average tax for every man, woman and child, everybody listening to this station tonight is paying $2,085 per every man, woman and child in tax to the foreign countries, burning their oil. Seventy percent of their oil.

And some people say, well, it's the oil companies. Nonsense. This is about demand globally and supply. We're not the only buyers anymore. America's not the only ones that have automobiles. America's not the only one using fossil fuels. China is burning more barrels of fuel today than we are, and that drives the price up. We're no longer the only buyer, and the seller can ask for the price they're going to get.

The only way you can relieve that is start developing our national, on Federal lands, our oil for the good of the American people. Why we're not doing this, I don't know.

And remember, you heard me before on this, well it's not your fault, it's not our fault, it's this fault, the body of this Congress. We've got to stop pandering for those who say no to developing our fossil fuels. We have to stop pandering for those saying it's going to be a total climate change because it is going to happen in this world. They will be burning oil, and we'll be unable to take and support our people until we develop our fields as we should develop them.

I'm hoping America's listening. I hope America will wake up to the fact. We have the ability to do it here today. We have the ability to solve the budget problem, but we have a better ability to solve the energy problem in America.

I'm asking my fellow colleagues, let's do it. Let's do it today. Let's do it in the future. Let's solve the problems of energy in this Nation.

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

Mr. Speaker, on March 13, we passed the budget resolution. It's a good resolution. It moves the budget to balance by the Year 2012 and, along the way, it accumulates less debt than the Bush budget. It limits spending to a reasonable level.

But I can truthfully say that this bill does more for education, more for the environment, more for energy, more for science and innovation than the President's budget or the Republicans' resolution. And also, critically important, it avoids the deep cuts in Medicare and Medicaid that are provided for, called for in the President's budget. And it protects the middle income tax cuts; provides AMT relief for middle income families for whom it was never intended.

Therefore, we have the outline of a good budget for the coming fiscal year, and we need to pass it, send it to conference, bring the conference report back. We have an excellent chance, I think, of passing the first conference report, back to back, since the year 2000.

What my friends on the other side of the aisle have introduced is, to my way of thinking, a distraction, a red herring. ANWR is never mentioned in our resolution. And to my recollection it was not mentioned in your resolution. So the topic here is wholly out of the scope of the resolution on either side, particularly ours, and wholly outside the jurisdiction of our committee. We don't assume ANWR revenues, we don't preclude ANWR revenues because we don't have the authority to prescribe that.

The most we can provide for in a budget resolution is a certain revenue floor, a certain amount of revenues be collected over the year to be applied against the expenditures that we broadly distribute in something called the 302(a) section of our bill and the 302(b), providing for 302(b) allocations.

So this budget resolution, this resolution to instruct, motion to instruct conferees, goes off on a tack that is totally different from what the resolution's all about, what the committee's jurisdiction is. If you want to debate this, there's another forum for debating it. There's another committee, the Resources Committee.

We don't have the authority to do what you would call upon us to do. We don't take a position for ANWR or against ANWR in the budget resolution because it's not the place for that kind of policy resolution. There are other places here for that to be established.

So we've got a good budget resolution. We do not need this resolution, this motion to instruct conferees, to do anything towards balancing the budget. You've got a very nominal sum of money in here when it comes to a 5-year period of time.

And one question I would leave with you, is you call for an increase in negative budget authority and outlays. If I didn't know what that meant, I wouldn't know what it meant when I first saw it on the printed page here. But I would take it that not only does oil revenues fall under this rubric, but so would forest products, national parks and things of that nature.

So it's not clear exactly what you're calling for here. I can only say it's a distraction. It's a red herring, it's not needed, and it does not really belong in the budget resolution process.

I retain the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, may I inquire as to how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Wisconsin has 23 minutes. The gentleman from South Carolina has 26½ minutes.

Mr. RYAN of Wisconsin. I will yield myself 30 seconds simply to say, using the chairman's argument, then there's no money in this budget for veterans, no money in this budget for science, no money in this budget for education if you use that line of argument. There's only money for discretionary spending in here.

A budget resolution is a series of numbers, and we're saying, let's adjust the numbers to accommodate the policy we're talking about here, drilling for oil in the Arctic National Wildlife Refuge, the Outer Continental Shelf, the Intermountain West.

At this time I'd like to yield 4 minutes to the distinguished ranking member of the Commerce Committee, the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I thank the distinguished ranking member of the Budget Committee.

Before I speak in favor of the Ryan motion to instruct conferees on the budget, let me give you a post-SPR suspension update. The price of oil went up $1.73 on the mercantile market yesterday after we voted to suspend shipments into the SPR. At some point in time I sure hope it does come down and we'll work together, hopefully, in a bipartisan basis to bring oil and energy prices down. But our symbolic vote yesterday had the opposite effect of what it was intended because prices went up.

Let me speak now in favor of this motion to instruct. I would point all the Members in the body to the quote above the Speaker's rostrum by Daniel Webster. It says, the very first part of that quote, ''Let us develop the resources of our land.'' And this motion to instruct is a direct descendant of that sentiment.

We are not helpless, we are not hopeless in this country in terms of energy. If we will develop the resources of our land, we could, in all probability, within 5, maybe 6, 7 years, double the amount of oil or oil equivalent that we're producing right now in the United States.

We're currently producing somewhere between 6 and 7, maybe a little over 7 million barrels. As Congressman YOUNG has just pointed out, if we were to drill in ANWR, it would start out with a production capacity, in all likelihood, of about 300,000 barrels a day. And in the optimum case, it could be ramped up to about 2 million barrels a day within 5 or 6 years.

We have over a million barrels a day of production off the coast of California. We have 2 trillion barrels of oil equivalent in the shale oil deposits in Wyoming and Colorado.

□ 1745

We haven't even inventoried what is off the coast of the east coast of the United States. We have the Chinese drilling between Cuba and Florida, and yet we're not allowed, because of moratoria, to drill there.

So we're not hopeless. We can also develop our coal resources. Congressman SHIMKUS has a bill on coal-to-liquids that is very helpful, and yet we stand here and refuse to adopt any supply-side policies at all as prices go higher and higher and higher.

If you live in an urban area where you don't depend on an automobile, you may not feel those high prices. But if you live in a suburban or rural area, well, you have to drive to work and drive to shop. If you work for a trucking company, if you work for an airline company and you see the price of diesel and the price of aviation fuel go higher and higher and higher, you feel it. It's not an academic exercise.

This motion to instruct simply says let's have some domestic development of our resources. Let's try to bring those prices down not with just the conservation component, but with the supply component. And with world markets where they are today, production of oil is somewhere around 85 million barrels a day. The consumption of oil is somewhere around 85 million barrels a day. The demand for oil in the United States in the last 2 months in a row has gone down, but the demand for oil in the rest of the world has gone up. And it's gone up more in the rest of the world than it's gone down here in the United States.

But if we were to be producing another 1 million, 2 million, 3 million barrels of oil a day in the United States, that would create a cushion that would take some of the heat out of the market and the price would go down.

I can't imagine any Member of this body that doesn't have a constituency that's concerned about higher food prices, higher energy prices, and higher prices of living.

Let's vote for the motion to instruct and try to get a supply component to our energy policy.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. There is a certain absurdity to this debate that the poor oil companies have had their hands tied. We've had a President from Texas, an oil man; a Vice President from Texas, an oil man; the chairman of the Energy and Commerce Committee was from Texas; the chairman of the subcommittee on energy was from Texas; the majority leader was from Texas, all over the time that the Republicans controlled the House, the Senate, and the Presidency.

So during that time, by the way, and this is the good news, the Bush administration actually gave to the oil and gas industry 268 million acres of American land to drill on for oil and gas. Said, You just go and drill there. And guess what we got? Last year, ExxonMobil, the other four big companies, they reported $142 billion worth of profits. Pretty good tipping the American people upside down.

How much of it do they put into renewables? How much do they put into the supply side, the new energy sources: wind, solar, all of the new technologies? ExxonMobil: $10 million. They made $42 billion. They put $10 million into renewables. And what else do they say? When we come and say, How about giving back some of those tax breaks so we can give them over to wind and solar, the oil executives said, You can't touch our tax breaks, and by the way, we're also not going to invest in renewables.

Well, there's our future. Our future is saying let's go to the most pristine parts of the country. Let's go drill there. Let's not invest in solar; let's not invest in wind; let's not reinvest. That's the plan.

By the way, the price of oil under the Bush watch has gone from $30 a barrel to $126 a barrel. It's gone from $1.45 a gallon to $3.72 a gallon. And the Strategic Petroleum Reserve, when the Strategic Petroleum Reserve is filled and ready to go so we can deploy it, the President says he doesn't want to use it.

Well, here's the spigot, Mr. President. It's on top of the White House. You just have to turn it, deploy the Strategic Petroleum Reserve, the price of a barrel of oil will begin to drop immediately.

This is a phony debate.

Mr. RYAN from Wisconsin. At this time, Mr. Speaker, I yield 3 minutes to the gentleman from Illinois, a member of the Energy and Commerce Committee, Mr. SHIMKUS.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. I always love following my friend from Massachusetts.

You know, most countries view their resources as a strategic advantage. But we in this country in the majority view our resources as an environmental hazard. This motion to instruct is critical. If we can get a million barrels out of ANWR at today's prices, do you know how much money goes into the Federal Treasury? $192 billion. Go tell that to your Blue Dogs who are holding up emergency supplemental bills because of PAYGO.

That's just ANWR. Let's talk about the other resources that we have.

Here is the reality. It wasn't President Bush that promised in 2006 that the Democrats have a plan to lower gas prices. That was Speaker PELOSI. In fact, she made the same mistake today. She claimed numerous times that the ag bill would lower prices, gas prices.

Now, I voted for it. I'm an ethanol guy. I'm a cellulosic guy. But if we don't bring more supply into the market, we're not going to lower prices. The demand from China and the demand from India and the demand from Europe just overwhelms us and is overwhelming the market. It was $58 when this majority came into power, $125 today.

I haven't used this for a while, but the Pelosi Premium, $2.33 when you came into the majority, Speaker PELOSI said, We're going to lower gas prices. $3.77 today. Chairman DINGELL is here. He's pulled this bill off the table, but climate change would add 50 cents a gallon. $4.20 is what we would be paying under climate change and current gas prices.

What's the solution? The great Outer Continental Shelf. Billions of barrels of oil, trillions of cubic feet of natural gas. There are. You can't deny it. The eastern gulf, off-limits by appropriation bill. Not resources bill. It's an appropriation bill that puts this off-limits. It's the OCS off the western coast. Billions of barrels of oil, trillions of cubic feet; we can't have it.

What would we do with the $192 billion from ANWR royalties? Let's go and take American coal, United Mine Worker jobs, let's build coal-to-liquid refineries, operating engineer, building-trade jobs. Let's build pipelines. Major organized labor jobs. And let's use it to lower the cost of jet fuel so we don't have the aviation industry going bankrupt. $192 billion would go a long way to do the solar, to do the wind power, to do everything we want to do.

We want more supply, not less. Environmental resources is a national advantage for our country, but we won't take use of it.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it doesn't really surprise me that our good friends on the other side of the aisle have yet another drilling solution to our energy problems. Because it seems that with every energy problem, they have never found an energy problem that drilling won't solve. When will our colleagues in the minority get it into their heads that we cannot drill our way out of our energy problems?

What I think is amazing is that they have actually finally realized that there is a problem that needs to be addressed. Some of them have finally acknowledged that global warming is a problem. But they still refuse to let go of the tired direction that they continue to want to travel in, which is to prop up their wealthy corporate interests, prop up the oil industry, which is the most profitable industry in this country, with billions of dollars in oil subsidies.

And today's solution, in this motion to instruct, is that we should drill for more oil in a pristine environmental track in Alaska, go off the coast of Florida and the Outer Continental Shelf, drop some oil drills so that we can really severely negatively impact the tourism across the coastal regions instead of trying to make sure that we can truly invest in alternative energy research. Which part of ''No, we need an alternative'' don't they understand?

Well, consistently the voters have said they want to move this country in a new direction. They want to make sure that we invest in alternative energy research and wean ourselves truly off of our dependence on oil. Not just hear more talk about it.

Mr. Speaker, drilling is not the answer. It is inappropriate to suggest that we should have more drilling in ANWR, in Wyoming, off the coast of Florida. We need to make sure that we

can finally step up and make a bipartisan commitment that we will invest in alternative energy research so that we can finally end this energy crisis that we find ourselves in.

I'm glad to see that the Republicans finally acknowledge it's a problem.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I appreciate this opportunity.

Let's look at this in perspective.

We just learned from Mr. SHIMKUS that over the lifetime of ANWR, if we just opened up that area to produce, that we could provide revenues of up to $192 billion on the lease bids and royalties. And we always seem to be looking, at least the bills that keep coming forward from our friends from the other side of the aisle, from the majority, always seem to be trying to raise revenues. And certainly the $6 billion per year that we could get just from the ANWR royalties in bids would pay for the GI Bill that they're going to raise taxes for tomorrow.

Not only is this a bonus that we raise revenue. By the way, we have a deficit that we're running. So I think where we can raise revenues without raising taxes is somewhere we could look.

But over the weekend, I had the opportunity to sit down with a trucking company in Omaha. They were telling me that the average price of diesel across the Nation is $4.50. It's costing them almost a dollar per mile. What does that mean to the consumers? Well, it means that your family budget is going in the tank, literally. That means that when you go to the grocery store, that you're paying higher prices for food, not because some portion of corn is being used for ethanol; what it means is that the transportation costs of the food from the farm to the grocery stores is so high and is being absorbed in the prices at the grocery store.

So that's why your milk is going up, that's why the eggs have gone up, that's why your grain-related foods, like cereals and bread, have gone up. Yes, we need to focus on demand here. But we can also win-win by focusing on supply.

Let's do the right thing. And good job, Mr. RYAN.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman for yielding and his work on putting forward a budget that brings us to balance and that is fiscally responsible.

Mr. Speaker, what we have here is a repeat of what we heard during the 12 years that our friends on the Republican side of the aisle tried to push forward a very failed policy as our friend, Mr. MARKEY from Massachusetts, mentioned with regard to ANWR.

This is a policy that was tried over the years by a Republican Congress with a Republican President, and never once did it pass because of the flaws and challenges that it would present.

What I think we have here is a classic case of what many of us will recall from the George Foreman-Muhammad Ali fight: a case of rope-a-dope where you're trying to deflect what's really going on on this floor tonight. And that is the fact that this budget presented by this Congress will bring us to a balanced budget faster than the President's budget at the same time that it's providing for some fiscal responsibility when it comes to tax cuts, energy policy, how we treat our kids in school, what we do for our kids when it comes to health care. All of that's done in a way that not only brings us to a point of having fiscal sanity in the way we do things, but it does it without having to deal with these gimmicks that we have now with ANWR.

The reality is that if you don't divert the American public's attention to what's going on in this budget, they would be very happy. The fact that we are restoring fiscal responsibility by making sure that anything we propose to do that costs money will be paid for so that we don't continue to see rising budget deficits is phenomenal and it's new.

What we see here is an effort to devote resources to energy that's renewable sources that provides with renewable sources on energy, that provides us with efficient sources of energy that moves us towards solar, towards wind; and we put money there, and we do it in a fiscally responsible way.

□ 1800

We don't cut the moneys that the President never provided for his No Child Left Behind education program. We provide the money. We do all those things, and we do them in fiscally responsible ways.

That's the story in this budget. You don't need to do rope-a-dope to get past that. This is a time for us to move in a different direction. We intend to do so. I urge Members to vote against this motion to instruct.

Mr. RYAN of Wisconsin. Mr. Speaker, let me inquire as to how much time remains on each side.

The SPEAKER pro tempore (Mr. ALTMIRE). The gentleman from Wisconsin has 13½ minutes. The gentleman from South Carolina has 20½ minutes.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. SPRATT. I yield 2½ minutes to the gentleman from West Virginia (Mr. RAHALL), the chairman of the Resources Committee.

Mr. RAHALL. I thank the chairman of the Budget Committee, Mr. SPRATT, for yielding me the time.

While the Republicans continue to argue that opening more land is essential to lowering gasoline prices, the facts prove otherwise. We simply cannot drill our way to lower prices at the pump, and let's look at those facts.

Since 2000, the amount of drilling on Federal lands has steadily increased. Between 1999 and 2007, drilling permits on public lands has increased more than 361 percent; yet gas prices, as we all know too acutely, have risen dramatically. There is simply no correlation between the two.

Despite the Federal Government's willingness to make public lands available to energy production, of the 42 million acres of onshore Federal lands currently being leased by oil and gas companies, that's the red column here, only about 12 million are actually in production or producing oil and gas. The industry has this much available to them, and this is all they're using right here. They are obviously stockpiling these leases, and it's been evident for at least the past decade.

In 2007, for example, the government issued 7,561 permits to drill. Yet only 4,704 wells were started. Over the past 4 years, there have been 9,800 more permits issued than the wells drilled.

Today, the oil and gas industry holds in excess of 3,000 permits for onshore oil and gas development that they are not using to increase domestic production.

Now, here's the most important point for my colleagues on the other side of the aisle. Some would argue that the entire Outer Continental Shelf should be opened to oil and gas development. This is a specious argument as drilling off the coasts of California, Florida or Virginia has been consistently and repeatedly opposed by both parties.

And for those on the minority side who may want to vote for this motion to recommit, just remember: This will be viewed as a vote to allow oil and gas drilling off your shores.

According to the Department of the Interior, the parts of the OCS, primarily the Gulf of Mexico, that are currently open to drilling contain 79 percent of the oil and 82 percent of the natural gas that exists on the entire OCS.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SPRATT. I yield the gentleman 1 additional minute.

Mr. RAHALL. And as is the case with onshore, out of the 40 million acres currently being held by oil and gas companies, under lease, in the Outer Continental Shelf, the oil and gas industry has put less than 7 million of those acres into production. It's already there. It's available to them. Yet they're not using it, and they want to go elsewhere to drill.

In a nutshell, the industry has access to most of the estimated technologically recoverable natural gas that's occurring in the Federal OCS, in fact four times as much as is estimated by the Minerals Management Service to occur in the moratoria areas, but the industry is not developing it.

You cannot drill your way to lower gas prices at the pump. The industry has plenty available to them. Let them use what they already have before going into other pristine areas like ANWR.

Mr. RYAN of Wisconsin. I continue to reserve my time.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I thank the gentleman for yielding me time.

I hope we will defeat this motion to recommit. I sit on the Energy and Commerce Committee. I've done a lot of work on oil and gas, and I was in my office when I heard all these myths coming from the other side, and I thought we had to come down and refute this.

My friends on this side of the aisle keep saying Congress needs to open more areas to domestic drilling. The U.S. has already increased domestic drilling, and gas prices have continued to climb.

Since 2000, the number of wells drilled on Federal lands has increased by 66 percent, from 3,000 to nearly 5,000 wells. During that same time, the price of gas has doubled.

According to the Federal Government, 79 percent of the oil in the Outer Continental Shelf is already available for leasing. Eighty-two percent of the gas in the Outer Continental Shelf is available for leasing. And still, we open up more lands to leasing in 2006. The U.S. cannot drill its way out of high energy costs.

The other fact that my friends always try to put forth is that environmental laws are stopping oil companies from building refineries. Completely false. In the 2005 Energy Policy Act, we actually put in there a section that, as Secretary of Energy Bodman said, eases the constraints that have strangled new refinery construction. We put that in in 2005; yet no one has ever come forward and said we want to use that provision to put forth more refineries.

The U.S. has actually shut down its refineries. Since 1981, there were 324 refineries. Now, there are only 149 refineries. As chairman of Oversight and Investigations, we have the memos from Texaco, Chevron, Mobil that all said in order to raise our prices we have to shut down refineries, and they've shut them down.

Mergers in the oil industry have affected prices. In 2004, the Government Accountability Office found more than 2,600 mergers in the U.S. petroleum industry since the 1990s.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SPRATT. I yield the gentleman 1 additional minute.

Mr. STUPAK. Gasoline inventories actually have a surplus. March 7, 2008, we had a surplus of 22 million barrels of gas more than the previous year. Gas supplies are up. Oil gas demand is actually down. And what do we have? We have a 51 percent increase in that same period of time. Gas went from $3.10 to $3.61 since April 1.

Look, we've had mergers. We've had refineries not being built. We have more exploratory. We have more supply. Supply is up, demand is down, the prices have gone sky-high. Why is that? Look at the profits.

ExxonMobil, first quarter of 2008, $10.9 billion; Royal Dutch Shell, $9.1 billion; BP, $7.6 billion, up 63 percent from last year; Chevron, $5.2 billion; Conoco Phillips, $4.1 billion. That is almost $40 billion in their first quarter. That's why gas prices are so high. That's why this Congress must act to lower gas prices.

Mr. RYAN of Wisconsin. At this time, Mr. Speaker, I'd like to yield 2 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Well, I don't know what it's going to take, Mr. Speaker. Indiana is right up there with the rest of the country pushing about $4 a gallon. We'll get people out on the road for vacations this summer, and I don't know what it's going to take for Congress to take dramatic action to lessen our dependence on foreign oil.

I've got to tell you I was little bit encouraged last night, Mr. Speaker. The Democrat majority brought a bill to the floor that actually endorsed the idea that the cost of oil and gasoline is affected by supply and demand. We voted to suspend purchases by the Strategic Petroleum Reserve, therefore lessening the demand on global oil, believing that the price would come down.

Well, today, this motion to instruct conferees is all about increasing the supply. Look, we hear a lot about oil profits; we always have. And no one respects the previous speaker more than me. But who in the world thinks that raising taxes on oil companies is going to lower their prices at the pump?

I mean, for heaven's sakes, we understand as Americans that commodities and the price of commodities are dictated by supply and demand. We simply have to take those measures in an environmentally responsible way to explore and further exploit the resources that we have in the ground, and I speak specifically of the Alaska National Wildlife region and the other areas that are affected by this motion to instruct conferees.

As long as we are going to continue to look at the most volatile area of the world for the majority of our energy needs, we are going to continue to see the extraordinary per barrel prices that we're seeing today, and Americans and Hoosiers are going to be suffering at the pump.

Let's get real. Let's do something about the supply. Let's lessen our dependence on foreign oil. Vote for this motion to instruct conferees so that America can begin to realize on the vast natural resources that this country has.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, a number of folks have mentioned on the other side, brought up stories about talking about the Speaker and what Democrats claim.

In 2005, when the Republican Congress passed the President's energy bill, let me tell you what some folks said. The minority leader at that time says, ''This will lower energy prices for consumers.'' The minority whip, Mr. BLUNT, said, ''Vote for lower gas prices and increase energy independence for America.'' This is what was offered and was sold when you did your energy bill. That's what you claimed.

My colleague from Illinois, Congressman SHIMKUS, says, ''I do believe that it will help us become more independent of foreign oil, will expand our use of renewable fuels, and will make our electricity production and transmission more reliable. All of which will help slow price increases.''

That hasn't been accomplished by any stretch of the imagination. When you passed it at that point, gasoline was at $59 a barrel. Today, as you know, it's 124 bucks a barrel. So it hasn't accomplished any of that goal. This is all what you claimed in your marketing at that point when you had an energy bill on the floor in 2005 because you only had one strategy. You didn't want to do anything about conservation. You didn't want to do anything about renewable energy sources and investment in future technologies. And you didn't want to do anything, as my colleague from West Virginia told you, that there were over 9,800 permits out there, force American companies to start drilling in those permits rather than holding those permits here in the United States where we have some of the energy. There's plenty of that to go around.

What we've done is put a budget together that breaks with the past. It offers a change in the sense it puts our budget in balance. It invests in education over what the President does. It invests in energy technologies for the future, and also, it ensures that the middle class gets a tax cut. This is a budget that's not only in balance but is in balance with our values and our priorities here.

Now, you all have come up with a unique slogan, change you deserve. That's what you've marketed. All you've offered is more of the same, more of the same of $3 trillion of debt, the largest increase in debt in the shortest period of time in American history. That's the change America deserves?

You've offered 10 million children without health care to go walking. Is that change you can deserve?

You've offered an energy policy that has continued to rely on just drilling without looking at conservation, without looking at future technology. Is that change you can deserve?

The American people deserve better, and they're offered here in a budget that is in balance with our priorities, balance with our economic goals. We put resources towards our education,

towards energy technology and towards, in fact, making sure the middle class get a tax cut.

In 2005, when you controlled the House, the Senate and the White House, you put together an energy bill that led America to where it is today. I think the American people deserve a change.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I'd like to yield 4 minutes to a senior member of the Commerce Committee, Mr. UPTON from Michigan.

□ 1815

Mr. UPTON. I thank my friend, Mr. RYAN.

You know, gas prices yesterday in Kalamazoo, Michigan hit $3.99 a gallon. You know, I can remember when our imports from other countries for oil and gas crossed the 50 percent threshold. And then it was 60 percent. In a few years, it's going to be 88 percent of the oil that we consume is going to come from overseas. Sadly, I report that this country is woefully unprepared for the future for a country that's going to need 50 percent more energy by the year 2030.

Now, we've done some things on conservation. We've done some CAFE standards, but that's not overnight, it's going to take a number of years. We've done some things on building standards and appliance standards, lighting. Those things kick in a few years from now. But you know what? I think all of us here, based on last night's vote, believe in the theory of supply and demand.

Worldwide, the demand is going up dramatically. China and India, 10, 15 percent annual growth rates. Our demand has actually declined because of the price by about a percent over the last year, but the supply has stayed the same. Yes, you can talk about more wells drilled, but the old existing wells aren't producing the oil that they used to. From the nineties to now, Alaskan oil has declined by 50 percent. And yet Bill Clinton, when he vetoed the ANWR bill 10 years ago, said, that's 10 years off, we don't need that now. Well, guess what? Ten years later, we need that oil. We need greater supply.

Last night's vote, taking oil out of SPR, 60,000 barrels a day, a lot of us voted for it because that means that the supply is going to go up for consumers by 60,000 barrels a day. So we're onto that. That passed overwhelmingly here in the House. But whether it's Alaska, whether it's offshore drilling—I don't know how many of you here know that China is drilling off Cuba, 45 miles off the Florida coast. China is drilling off Florida, yet we can't do that. I think we have a limit of 100 miles. Eighty-five percent of our offshore drilling is off-bounds. We need to reverse that.

Last year in this House, we had a vote that prevailed by six votes that took land in our BLM lands, public lands out in Colorado, Utah, and Wyoming, it took it off so that we can't allow the permits to get oil shale. The oil shale reserves there are expected to exceed a trillion barrels. That's more than the Saudis. And we can't even allow the permitting for companies to go in and explore and perhaps increase the supply so that we can decrease the price with such a provision. I look forward to a revote on that same amendment perhaps this year.

The Canadians. I met with a Canadian Minister of Energy a couple of weeks ago, with a Canadian ambassador. They are now successfully extracting a million barrels a day from oil shale in Alberta. And because of a certain section that was in the energy bill offered successfully last year, we can't take that in this country. If you want to increase the supply so that the price can come down, we have to look at domestic resources, whether they be off our shores, whether they be in our own lands and we know that we can produce it safely, or in Alaska as well, ANWR.

We want the oil here. And we want to help have some decreasing pressure on that price that is costing consumers in lots of ways, not only their transportation, but food and all those different things.

So I would like to think that we can adopt this resolution, looking for more receipts for the domestic industry.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Well, here we have the Republicans engaging in fuzzy math again.

Unlike the eight budgets submitted by George Bush, which are taking this country toward bankruptcy, they're so incredibly out of balance, unlike the 12 budgets given to us by the Republican majority here, this budget gets us to balance by 2012. And guess what? It has nothing to do with the Alaskan National Wildlife Refuge, it's not an issue in the budget. You want to have that debate, let's have that debate in the Resources Committee and other appropriate venues.

But if you want to have that debate, I've got a few things to say. I serve on the Resources Committee. We have 6,669 leases that are out there with the oil and gas industry that aren't producing; 30 million acres of land that's covered by that and offshore. We have nearly a quarter of a million acres in the Naval Petroleum Reserve. Bill Clinton leased our Naval Petroleum Reserve to the oil industry. Guess what? They're not yet developing the Naval Petroleum Reserve. There is a tremendous amount to be developed there. But you want to jump and leapfrog somewhere else for imaginary bits of oil.

Under the most optimistic estimates, there's 100 days in ANWR. Now, we could do better if every American properly inflated the tires on their cars and their trucks and their SUVs. Try and find an air pump these days, they're darn hard to find. You want to do something? Let's have a Federal program to put air pumps out there and get people to fully inflate their tires. There is a sustainable way to cut demand. But the fantasy of ANWR, which the Republicans want to engage in, is to distract us from the speculation, the profiteering by the oil companies, speculation of the commodity markets driving up prices 50 cents a gallon—legislation they passed for Enron, now bankrupt and defunct. And then we have the issue of the Strategic Petroleum Reserve. We have come together on a bipartisan basis to say let's lower the price of gas at the pump by not buying the most expensive oil in history. They don't agree with us on going after the OPEC countries.

So, you know, let's not talk about something that's potentially 10 years out, that doesn't have anything to do with the budget. Let's talk about real measures on energy. And let's talk about a real budget to get this country back on the path to fiscal sustainability and responsibility.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I would like to yield 3 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. I'm delighted today that we're talking about energy. I think it's vital because I want to tell you something; if we don't get a lid on energy prices in America, there will be no level of government with a budget that will balance. The cost to heat our schools, the cost to heat our hospitals, the cost to do everything is going to explode. The cost to move goods and services is exploding. And it's about time, Americans.

I had a young lady say to me last week, she said, Mr. PETERSON, I make $320 a week. I used to spend $90 to drive to work, now I'm spending $140. How do I pay my bills? What she doesn't know is she heats her home with natural gas, and the natural gas that we're putting in the ground today for next winter's heating is $11.50. Last year, it was running between $6.50 and $7. She's looking at a 50 percent increase in home heating costs next year, which she cannot meet.

Folks, the average working American is struggling to pay their bills because of energy costs. Our State governments, our county governments and our hospitals and our schools are going to take money away from the classroom to heat those facilities. If this Congress does not address the energy issue, we're going to collapse the economic viability of this country.

Energy runs this country. We've had $2 gas and $10 oil most of our lifetime, with a few spikes in the seventies, eighties and nineties. Folks, we have $125 oil, $11.50 gas. We have not had a storm in the gulf in 2 years that always causes spike prices. We've not had a major country that supplies oil to us all tip over or have a coup that took away the government and took away that supply of oil.

I'm predicting that countries like China, who are amassing energy all around the world, we'll read one of these days where they have purchased all the oil and gas that one of the major contributing countries can produce for the next decade and we won't get any of it.

Folks, if we have a storm in the gulf this summer like they're predicting, and they're predicting them, if we have any kind of terrorist attack on a supply system, $125 oil will seem cheap to us. I'm not sure this economy can handle $125 oil.

I am for every renewable there is, but let's look at the Energy Department's prediction: Oil, gas, coal, nuclear, renewables, hydro and non-hydro, that's their prediction. We've spent $30 billion for renewables. Folks, if we double wind and solar—and I wish we could double it every year—but if we double it, we will still be less than three-quarters of 1 percent of our energy needs.

Where is the renewable coming? The renewable that's grown the fastest is wood waste. With pellet stoves heating hundreds of homes, with factories heating their factories with wood waste, wood waste has been the fastest growing energy renewable.

Folks, America better get serious. And we'd better open our Outer Continental Shelf, we'd better do ANWR, we'd better do the Midwest. Coal-to-liquid, coal-to-gas, wind, solar, we need it all, folks. America is in an energy crisis.

Mr. SPRATT. Mr. Speaker, let me say again, but say more emphatically, what I said at the outset, and that is that ANWR is never mentioned, never mentioned in the budget resolution, never mentioned in the report that accompanies the resolution. So it's wholly out of scope; it has nothing to do with the budget resolution before us, And it's also outside the jurisdiction of our Budget Committee. The jurisdiction over this drilling in Alaska, or wherever in the continental United States, belongs to the Resources Committee, not to the Budget Committee. So if you want to do what they're proposing to do here, you're in the wrong place before the wrong committee with the wrong proposal.

Revenues from ANWR are not provided for in this budget resolution, they're not precluded in this resolution. The Budget Committee does not have the jurisdiction, as my good friend, Mr. RYAN, knows to tell the Ways and Means Committee or any other committee that has the power to produce revenues exactly how to do it. We simply tell them how much, not by what policy. We don't make policy prescriptions as to revenues in our committee. We simply tell the Budget Committee, the Ways and Means Committee, or the other committees that have the capacity to raise revenues or offsetting receipts, or what we have here called negative budget authority.

In addition, if you read the cryptic language of this resolution, you will find it doesn't mention oil, or ANWR either, anywhere in it. You have to make some mighty extrapolations to get to the conclusion that this is talking about ANWR drilling and ANWR oil. It simply says we should issue instructions to increase negative budget authority, which could apply, in my estimation, to selling parkland, selling other assets of the United States which would be negative budget authority just like the revenues coming from a lease for drilling in ANWR.

In any event, this is a red herring when it comes to the resolution before us. It has nothing to do with our budget resolution. Our budget resolution should be looked upon on its own four legs, and let it stand or fall on those merits. I think we've got a budget resolution.

As I also said at the outset, we come to balance by the year 2012. And along the way we accumulate less debt than the President's budget. We limit spending in a reasonable fashion, but we provide more for education, more for the environment, more for energy, more for science and innovation than the President's budget. We protect the income tax cuts for middle-income Americans, we provide tax relief from the AMT for middle-income Americans, for whom it was never intended.

This is a good budget outline for our country and will move us over time, if we adhere to it—and we do adhere to the PAYGO rule throughout the resolution—if we further adhere to it, it will move us to a balanced budget within the foreseeable future.

Therefore, we do not have to vote for this motion to instruct conferees. It's not necessary. We need to go to conference and come back next week with a conference report that we can put to work so the House can get on with its business.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself the remainder of the time.

I'll begin by stating what I said in the beginning, which is, as a person who believes in having a strong and intact budget process, I want to compliment the chairman for getting us to a Budget Resolution, for doing it 2 years in a row. It's not an easy accomplishment. So on behalf of the institution, it's important that we pass these budget resolutions.

□ 1830

The problem is we're not going to pass a good budget resolution. The reason the gentleman's budget resolution achieves a balanced budget is because it contains the largest tax increase in American history. It cuts the child tax credit in half. It repeals the relief for the marriage penalty, raises income taxes across the board, raises capital gains and dividends taxes, brings the death tax back in, and puts us on a path for the largest tax increase in American history by replacing the alternative minimum tax. So, yes, the gentleman's budget does balance because it only increases spending by $280 billion while it increases taxes by $683 billion. That's how the gentleman balances the budget.

But more to the point here, today the House voted to waive PAYGO to give farm subsidies to millionaires. Tomorrow the House is going to support PAYGO. They're going to enforce PAYGO to raise taxes on small businesses.

So this is what we're doing here in this Congress. Whenever it's time to keep PAYGO in place to control spending, it's out the door. It's waived. It's swept under the rug. It's baseline shopping, number cooking, gimmicking, cliffs. But whenever the time comes to raise taxes, that's when we enforce PAYGO.

Mr. Speaker, PAYGO doesn't exist. PAYGO is not in place. It is not being enforced. It is a sham. The only thing that PAYGO does today is give the majority an excuse to raise taxes. It doesn't cut spending. It doesn't reduce the deficit. It just raises taxes to fuel more spending.

Watch what happens tomorrow. Today millionaires get agriculture subsidies because we waived PAYGO; tomorrow, taxing small businesses to create a new entitlement program.

But to the point of this motion to instruct, what we are trying to achieve with this motion to instruct is to try to make this budget a little bit better, a little bit better by talking about the issue of the day, which is people are not being able to spread their paychecks as far as they were before. They can't get as much out of their paychecks because of $4 gasoline.

Why do we have $4 gasoline? Because we don't have an energy policy in this country. And what we are simply saying is one of the reasons is we have so much supply we're not getting: 16 billion barrels at ANWR; 2 trillion barrels in oil shale in Wyoming and Montana; 86 billion barrels in the Outer Continental Shelf.

Let me say that one more time: 16 billion barrels in Alaska, 2 trillion barrels in shale in the Intermountain West, and 86 billion barrels in the Outer Continental Shelf. All off-limits.

If we just did ANWR, according to the CRS, the Federal Government would see a surge in revenues, no new taxes, not even cutting spending, $191 billion; $191 billion, according to the CRS, from just doing ANWR. That's the smallest of all of our reserves. Think what we could do with $191 billion. We could reduce the deficit. We could create a Manhattan Project for research and development for renewable energies to put fossil fuels out of business.

But, no, we're doing none of this. So this is the economic equivalent of shooting yourself in the foot, of cutting off your nose to spite your face. This is not an energy policy.

This is a bad budget resolution that raises taxes on the American workers

and families and businesses. The worst time we should be raising taxes is when we are possibly in an economic recession, and the last thing we ought to be doing is raising taxes on people. Furthermore, with high food prices, high gas prices, we shouldn't be raising people's taxes. That's what this budget does.

So to try to make it a little bit better, let's get some of our own oil and gas from our own country instead of being so reliant on foreigners for it. We're giving the wrong people our money, people who are not our friends overseas.

So pass this motion to instruct. Make this budget a little bit better, and open up production so we can actually truly do something to lower the price of oil and make us less dependent on foreign oil.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

Mr. RYAN of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

APPOINTMENT OF CONFEREES ON H.R. 4040, CONSUMER PRODUCT SAFETY MODERNIZATION ACT

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4040) to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. WHITFIELD OF KENTUCKY

Mr. WHITFIELD of Kentucky. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Whitfield of Kentucky moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4040 be instructed to insist upon the provisions contained in the House bill.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from Michigan (Mr. DINGELL) will be recognized for 30 minutes each.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

On December 19 of last year, this body spoke with a resounding voice of approval for our Consumer Product Safety Modernization Act. The measure passed by a unanimous vote of 407–0.

I would like to thank Chairman DINGELL; Ranking Member BARTON; Chairman RUSH; and my predecessor, Mr. STEARNS, for the great job that they did in getting this bill through the House.

H.R. 4040 is a bipartisan product. We worked for 4 months and in the end came up with a stringent but reasoned approach to strengthen the Consumer Product Safety Commission and to vastly improve the safety of our children's products. The result was a bill that creates the toughest lead standard in the world and imposes mandatory safety standards on products for young children. To ensure such standards are met, we require third-party testing and certification of children's products and we nearly double the Consumer Product Safety Commission budget over 4 years to ensure both the new safety standards and the testing and certification requirements are met.

All the new standards and increased enforcement in the world will not help parents unless they also know about dangerous products. We therefore require improved public notice of recalls as well as tracking labels on all children's products so parents can identify recalled toys when they hear about them. We also loosened restrictions to allow the Consumer Product Safety Commission to release critical product safety information to the public when people face an imminent health and safety standard.

Mr. Speaker, I strongly support H.R. 4040. I know that this is a work product that will maximize our opportunity to protect children from dangerous toys and products, and I urge and hope that the House managers will stand by the provisions which passed this Chamber unanimously only 5 months ago and insist upon the measures of H.R. 4040, as passed by the House.

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

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the motion to instruct under consideration.

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

There was no objection.

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

Mr. Speaker, I am pleased to rise to speak on behalf of the thoroughly bipartisan legislation underlying this motion. I begin with a commendation to my good friend from Kentucky (Mr. WHITFIELD) and to my colleagues on both sides of the aisle, including Mr. BARTON, the ranking minority member, and the other members of the subcommittee and full committee who have worked so hard on this legislation on both sides of the aisle.

I would observe that this is a thoroughly bipartisan piece of legislation. It passed out of the committee 51–0, and it passed the House 407–0. It is one of the most important consumer protection bills to come before this House in this Congress. It is crucially important for us to have such legislation signed into law this year. And I want to point out that without it, people will remain at risk from dangerous products and from an important Federal regulator who will remain both underfunded and incapable of acting properly to take care of consumers' legitimate concerns with regard to the safety of all manner of products from toys from the very beginning of life right through the time that we enter the graveyard.

On December 19, 2007, the House passed this legislation then without a dissenting vote. It represents extraordinary work by the Committee on Energy and Commerce, and it shows how bipartisanship can function, and it shows how an excellent staff on both sides of the aisle working together can bring before us legislation that is in the broad overall public interest. The Senate substituted its version of the bill on March 6, 2008. Some elements of the Senate bill are problematic, but others are indeed worthy of serious consideration by the conference committee. The differences between the two bills are outweighed by their similarities. There is no reason why the House conferees should not return here in short order with a workable, balanced, and strong conference report deserving the full support of the House and upon which I intend to work closely with my good friends on the minority side, as we have so far.

I want to remind my colleagues what the House bill does. It bans lead beyond the most minute amount in products intended for children under 12 years of age. It mandates premarket testing by certified laboratories for lead and other hazards in children's products, and it sees that those laboratories are properly qualified and able to carry out their important responsibilities. It places requirements on manufacturers to enhance recalls. It empowers the Consumer Product Safety Commission, CPSC, to share information about dangerous products immediately. It requires CPSC to provide public access to a database of serious injuries and deaths caused by consumer products, but it does so requiring also that the information be truthful, correct, and properly verified. It prohibits the sale and export of recalled products. It ensures that CPSC effectively shares information with the States. And it bans industry-sponsored travel by CPSC Commissioners and their staff.

I want to observe that the motion is a good one. I support it. I commend my

good friend from Kentucky for his offering of it and for his leadership in the handling of this legislation.

I again want to pay my respects and compliments to my colleagues on the Republican side and to my colleagues on this side for the outstanding way in which they have put together this legislation.

I urge that the House support the motion to instruct offered by my good friend from Kentucky.

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

Mr. WHITFIELD of Kentucky. Mr. Chairman, I want to thank you for those kind remarks.

And, Mr. Speaker, I would just reiterate I think we have a great product. I think we have a wonderful opportunity in conference to come out with a great product.

Mr. RUSH. Mr. Speaker, on December 19, 2007, the last day of the session before the holiday season, the House of Representatives passed H.R. 4040, the Consumer Product Safety Modernization Act. The vote was 407–0. Today, with this Motion to Instruct Conferees, we are taking yet another step towards fulfilling our pledge to the American people to protect their children from dangerous products and overhaul the Consumer Product Safety Commission. I am confident that in the coming weeks, we can resolve all of the differences between the House and Senate versions of their respective bills and send a strong piece of legislation to the President that he will sign into law.

We have much to be proud of in the House version of consumer product safety reform legislation. H.R. 4040 was introduced by Chairman DINGELL, Ranking Member BARTON, Ranking Member STEAMS, and me. This historic bill, of which I am the lead sponsor, authorizes desperately needed resources to the Commission and dramatically rewrites the Consumer Product Safety Act, as well as the Federal Hazardous Substances Act, both of which are administered by the CPSC. After decades of neglect, the House bill restores the CPSC to its rightful place of prominence and gives it the necessary tools to grapple with the global marketplace and protect American consumers, particularly children, from dangerous and defective products.

The House bill is the culmination of a deliberative, bipartisan process that entailed countless meetings with consumer groups, industry, and staff of the Consumer Product Safety Commission. In the Subcommittee on Commerce, Trade, and Consumer Protection, we held five hearings before our subcommittee markup. The full-committee reported H.R. 4040 as amended with a vote of 51–0. As Chairman of the Subcommittee, I am extremely proud of our collective efforts during this process.

H.R. 4040 has two titles. Title I specifically addresses children's products by establishing the strictest lead standard in the world for children's products and requiring certification and testing. Title II overhauls the CPSC itself, giving the beleaguered agency much needed resources and strengthening its underlying organic statutes. At both the Subcommittee and Full Committee mark-ups, the bill underwent significant changes: We strengthened the lead standard, raised the age requirement for mandatory testing to 12, required CPSC to appropriately tailor their corrective action plans to fit consumer needs, granted emergency recall authority to CPSC, bestowed enforcement authority to state Attorneys General, banned corporate-sponsored travel for Commission employees, and preserved state common law rights of action.

All of these excellent changes were made at the behest of members of the Energy and Commerce Committee who offered their valuable input on how to make the underlying bill better. The House bill is much stronger than the Senate bill in numerous ways, and it is my hope that our friends on the other side of the Capitol will agree to adopt those provisions in the final version that becomes law. Of course, likewise, the Senate bill has provisions absent in the House bill that are worthy of consideration and adoption. Indeed, the final product of a good conference should reflect the very best work of both bodies of Congress.

Mr. Speaker, I cannot emphasize enough that ours is a bipartisan bill that, from the very beginning, we drafted in consultation with Democratic and Republican members, the Consumer Product Safety Commission, consumer groups, and industry. I want to sincerely thank the distinguished Chairman of the Energy and Commerce Committee, my dear friend, JOHN DINGELL, for his unparalleled leadership. This bill simply would not be possible without his guidance. Of course, I also want to thank my friends, the distinguished Ranking Member of the Committee, JOE BARTON, and the former Ranking Member of the Subcommittee, CLIFF STEARNS, for their leadership and unwavering cooperation.

I hope H.R. 4040 returns to the floor in a few weeks in the form of a conference report that the House can pass in unanimous fashion, just as we did on the last day of session last year. If we continue our deliberative approach of bipartisan cooperation, I am confident that we can do so and will eventually send to the President's desk a bill that will become law. I am confident that all of us will be able to go home to our constituents and tell them that we have done our job to protect American consumers and their families from dangerous and defective products.

I urge my colleagues to vote ''yes'' on the Motion to Instruct Conferees.

Mr. BURGESS. Mr. Speaker, as a physician, parent, and policy maker, I understand that we need to work together to protect our children. I'm proud to say we have done that. The House crafted and passed a comprehensive, commonsense bill that boosts CPSC funding and personnel, bans lead in children's products, requires third-party product testing, and increases penalties for those who break the law.

I went to the U.S. Consumer Product Safety Commission labs. I saw first hand the need for more resources.

I went to the International Toy Fair in New York City. I saw first hand the increasing number of toys coming into this country, as well as the measures that industry is taking to keep toys safe.

Our bill takes into account the needs the Consumer Product Safety Commission, the needs of consumers, the needs of the industry, but most importantly, the need to keep our children safe.

The House was able to put politics aside to keep children safe. While also providing more resources in a pragmatic, bipartisan approach. This Motion to Instruct recognizes these efforts and will help this important bill to be enacted into law.

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

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to instruct conferees on H.R. 4040 will be followed by 5-minute votes on the Ryan motion to instruct conferees on S. Con. Res. 70; and the motion to suspend the rules and adopt House Resolution 789, as amended.

The vote was taken by electronic device, and there were—yeas 405, nays 0, not voting 28, as follows:

[Roll No. 320]

YEAS—405

Abercrombie	Cantor	Ellsworth
Ackerman	Capito	Emerson
Aderholt	Capps	Engel
Akin	Capuano	English (PA)
Alexander	Cardoza	Eshoo
Allen	Carnahan	Etheridge
Altmire	Carney	Everett
Andrews	Carson	Fallin
Arcuri	Carter	Farr
Baca	Castle	Fattah
Bachmann	Castor	Feeney
Bachus	Cazayoux	Ferguson
Baird	Chabot	Filner
Baldwin	Chandler	Flake
Barrett (SC)	Clarke	Forbes
Barrow	Clay	Fortenberry
Bartlett (MD)	Cleaver	Fossella
Barton (TX)	Clyburn	Foster
Bean	Coble	Foxx
Becerra	Cohen	Frank (MA)
Berkley	Cole (OK)	Franks (AZ)
Berman	Conaway	Frelinghuysen
Berry	Conyers	Gallegly
Biggert	Cooper	Giffords
Bilirakis	Costa	Gilchrest
Bishop (GA)	Costello	Gillibrand
Bishop (NY)	Courtney	Gingrey
Bishop (UT)	Cuellar	Gohmert
Blackburn	Culberson	Gonzalez
Blumenauer	Cummings	Goode
Blunt	Davis (AL)	Goodlatte
Bonner	Davis (CA)	Granger
Boozman	Davis (IL)	Graves
Boren	Davis (KY)	Green, Al
Boswell	Davis, David	Green, Gene
Boucher	Davis, Lincoln	Grijalva
Boustany	Davis, Tom	Gutierrez
Boyd (FL)	Deal (GA)	Hall (TX)
Boyda (KS)	DeFazio	Hare
Brady (PA)	Delahunt	Harman
Brady (TX)	DeLauro	Hastings (FL)
Broun (GA)	Dent	Hastings (WA)
Brown (SC)	Diaz-Balart, M.	Hayes
Brown, Corrine	Dicks	Heller
Brown-Waite, Ginny	Dingell	Hensarling
Buchanan	Doggett	Herger
Burgess	Donnelly	Herseth Sandlin
Burton (IN)	Doolittle	Higgins
Butterfield	Doyle	Hill
Buyer	Drake	Hinchey
Calvert	Dreier	Hinojosa
Camp (MI)	Duncan	Hobson
Campbell (CA)	Edwards	Hodes
Cannon	Ehlers	Hoekstra
	Ellison	Holden

Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
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)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
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
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
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
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
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
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 (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—28

Bilbray
Boehner
Bono Mack
Braley (IA)
Cramer
Crenshaw
Crowley
Cubin
DeGette
Diaz-Balart, L.
Emanuel
Garrett (NJ)
Gerlach
Gordon
Hall (NY)
Hirono
Issa
Lewis (KY)
Mack
Miller, George
Myrick
Paul
Ross
Rush
Schmidt
Shimkus
Westmoreland
Wynn

□ 1907

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HALL of New York. Mr. Speaker, on rollcall No. 320, I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 4040: Messrs. DINGELL, WAXMAN, RUSH, Ms. DEGETTE, Ms. SCHAKOWSKY, Messrs. BARTON of Texas, WHITFIELD of Kentucky, and STEARNS.

There was no objection.

MOTION TO INSTRUCT CONFEREES ON S. CON. RES. 70, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on S. Con. Res. 70 offered by the gentleman from Wisconsin (Mr. RYAN) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 185, nays 229, not voting 19, as follows:

[Roll No. 321]

YEAS—185

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Cazayoux
Chabot
Coble
Cole (OK)
Conaway
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Gene
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Hulshof
Hunter
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Ortiz
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Royce
Ryan (WI)
Sali
Scalise
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NAYS—229

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

NOT VOTING—19

Bilbray
Bono Mack
Braley (IA)
Cramer
Crenshaw
Cubin

DeGette
Gerlach
Gordon
Hirono
Lewis (KY)
Mack
Myrick
Paul
Rush
Ryan (OH)
Schmidt
Shimkus
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining in this vote.

□ 1916

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

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. HIRONO. Mr. Speaker, on rollcall Nos. 320 and 321, had I been present, I would have voted "yea" on No. 320 and "nay" on No. 321.

PERSONAL EXPLANATION

Mr. BRALEY of Iowa. Mr. Speaker, on rollcall Nos. 320 and 321, I was unavoidably detained. Had I been present, I would have voted "yea" on No. 320 and "nay" on No. 321.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on Senate Concurrent Resolution 70: Mr. SPRATT, Ms. DELAURO, Messrs. EDWARDS, RYAN of Wisconsin, and BARRETT of South Carolina.

There was no objection.

HONORING PUBLIC CHILD WELFARE AGENCIES

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 789, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 789, as amended.

The question was taken.

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

RECORDED VOTE

Mr. LATHAM. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 414, noes 0, not voting 19, as follows:

[Roll No. 322]

AYES—414

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
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)
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
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
Hoyer
Hulshof
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)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
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
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
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
Scalise
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
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
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
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—19

Becerra
Berman
Bono Mack
Cramer
Crenshaw
Cubin
Davis, Tom
DeGette
Gerlach
Gordon
Hooley
Lewis (KY)
Mack
Myrick
Paul
Rush
Schmidt
Shimkus
Wynn

□ 1924

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2642, SUPPLEMENTAL APPROPRIATIONS ACT, 2008

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–636) on the resolution (H. Res. 1197) providing for consideration of the Senate amendment to the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken tomorrow.

NATIONAL WOMEN'S HEALTH WEEK

Mrs. CAPPS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 331) supporting the goals and ideals of National Women's Health Week, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 331

Whereas women of all backgrounds have the power to greatly reduce their risk of common diseases through preventative measures, such as engaging in regular physical activity, eating a nutritious diet, and visiting a healthcare provider to receive regular check-ups and preventative screenings;

Whereas significant disparities exist in the prevalence of disease among women of different backgrounds, including women with disabilities, African-American women, Asian/Pacific Islander women, Latinas, and American Indian/Alaskan Native women;

Whereas healthy habits should begin at a young age;

Whereas preventative care saves Federal dollars designated for health care;

Whereas it is imperative to educate women and girls about key female health issues;

Whereas it is recognized that offices of women's health within the Department of Health and Human Services, the Food and Drug Administration, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the National Institutes of Health, and the Agency for Healthcare Research and Quality are vital in providing critical services that support women's health research, education, and other necessary services that benefit women of all ages, races, and ethnicities;

Whereas the annual National Women's Health Week begins on Mother's Day and celebrates the efforts of national and community organizations working with partners and volunteers to improve awareness of key women's health issues; and

Whereas in 2008, the week of May 11 through May 17 is designated National Women's Health Week: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the importance of preventing diseases that commonly affect women;

(2) supports the goals and ideals of National Women's Health Week;

(3) calls on the people of the United States to use National Women's Health Week as an opportunity to learn about the health issues women face;

(4) calls on the women of the United States to observe National Women's Check-Up Day by receiving preventative screenings from their health care providers; and

(5) recognizes the importance of federally funded programs that provide research and collect data on common diseases in women.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Pennsylvania (Mr. TIM MURPHY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of House Concurrent Resolution 331. National Women's Health Week is celebrated annually during the week following Mother's Day. The purpose of this week is twofold.

First, we can use it to raise awareness about the health risks all women face, especially the risks that are unique to women. We use it to learn that, for example, heart disease is the number one killer of women, and half a million women die every year in childbirth.

But the second purpose is so we can take proactive measures to improve women's health. We can use this opportunity to remind our sisters, our mothers, our daughters and our friends to get annual checkups and screenings that are recommended for them at their age. And we can use this opportunity to adopt healthier lifestyles that are essential to preventing chronic disease.

As co-chair of the Women's Caucus, I am very proud of several bills that have been introduced and/or passed out during this Congress to address women's health issues.

Last year, we reauthorized the National Breast and Cervical Cancer Early Detection Program to provide low-income women with access to these essential screenings.

We also passed the Genetic Information Nondiscrimination Act. And nearly every woman in the House is cosponsor of the Heart for Women Act, H.R. 1014, as well as H. Res. 1022 regarding maternal health.

But we are also fortunate to have a few good men, actually more than a few good men working with us, such as the ranking member on this bill, and MAURICE HINCHEY who has taken the lead by introducing this resolution for a few years now, along with MARY BONO MACK.

□ 1930

I urge my colleagues to support the resolution in the House today, and also to have a conversation with the women in their lives about what steps they can take to improve their health.

I reserve the balance of my time.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I also thank the gentlewoman from California (Mrs. CAPPS) for her thoughts and input on this bill, which I'm pleased to be a cosponsor today.

Appropriately, National Women's Health Week began this Monday, May 12, the day after Mother's Day, and this past Monday was National Women's Checkup Day. To this end, we encourage all women to discuss with their doctor the importance of regular checkups, self exams.

We also should note that the government has a Web site on this; it's *www.womenshealth.gov/whw*. There they recommend several tests that women should get on a regular basis.

Also like to mention, as we're focusing on women's health, as my colleague, my friend from California stated, this is also of interest and importance to men. Whether you're fathers or spouses or relatives, it's important to also be supportive of women's health and be supportive of exams they may need to have.

As we focus on this, I want to mention a few other conditions that impact women and the importance of Federal research funding. Fibromyalgia, for example, is a chronic pain illness characterized by widespread musculoskeletal aches, pains and stiffness, soft tissue tenderness, general fatigue and sleep disturbances.

Depression is another very important condition to highlight. Women, during and after pregnancy, for example, are at much greater risk to develop depression, and folks who have a chronic illness are at risk to develop depression.

Oftentimes, we neglect these important symptoms and aspects of health care when meeting with a physician. It is very important to review any concerns that anyone has, that women have when they have their annual exams, such as sleep problems, changes in appetite, mood changes, persistent sadness and other things. These are treatable conditions and not ones to shun in bringing up and discussing openly and honestly with their physician.

We have other things to comment on this, but at this point I will reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I'm very pleased to yield 3 minutes at this time to the gentleman from New York, MAURICE HINCHEY.

Mr. HINCHEY. Mr. Speaker, as the initiator of this resolution, I would first like to take a moment to thank Chairman DINGELL for supporting the resolution and for bringing, being instrumental, rather, in bringing it to the floor today.

I would also like to thank Speaker PELOSI and Mr. HOYER for their determination in bringing this measure to the floor during National Women's Health Week, despite the very crowded legislative schedule.

I would also like to thank Chairman PALLONE and all of the fine members of the Health Subcommittee and their resolve in getting this through the committee and to the floor.

Finally, I'd like to thank my good friends, Congresswoman LOIS CAPPS and Congresswoman MARY BONO MACK for taking the lead with me on this resolution for the third time in a row.

This resolution has the bipartisan sponsorship of 114 Members of this House. Also, the National Council of Women's Organizations fully endorsed this bill on behalf of their 230 member organizations who represent 11 million women across our country.

National Women's Health Week begins annually on Mother's Day. This

year marks the 9th Annual National Women's Health Week.

National Women's Health Week is a week celebrated across America. During this week, families, communities, businesses, government, health organizations and other groups work together to help educate women about steps that they could take to improve their physical and mental health, and to prevent various disease.

This week is also used as an opportunity to educate our population about important health issues that women face.

This resolution recognizes the importance of several things, including preventing diseases that commonly affect women; federally funded programs that provide research and collect data on common diseases in women, and it also calls on women to observe National Women's Checkup Day by receiving preventive screenings.

It is vitally important that women have knowledge about the health risks that confront them, and that they know they can greatly reduce those risks through preventive measures such as a healthy lifestyle and regular medical screening.

Healthy habits should begin at a young age. It is imperative that we take the time to educate young girls on the benefits of exercise and eating right. If these habits start at a young age, it is more likely that they will continue through their life.

It is important and essential we do everything we can to prevent disease. In this spirit, I encourage women to use this week to focus on the necessary checkups and preventive screenings from their health care providers so that they can live long, healthy and productive lives.

I urge full support and passage of this very important measure on behalf of the women of our country.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I now yield as much time as she may consume to the gentlewoman from Tennessee (Mrs. BLACKBURN), a leader and advocate on women's health issues.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. TIM MURPHY) for the leadership that he brings to our Health Subcommittee.

I also want to thank the gentlewoman from California (Mrs. CAPPS) for her attentiveness to women's health issues. She is an effective advocate.

And to the gentleman from New York (Mr. HINCHEY) for his leadership on the issue, and for honoring us, all women, with the resolution and bringing the resolution forward to the body as a whole.

Mr. Speaker, as has been discussed, this is House Concurrent Resolution 331, and I do join my colleagues in encouraging all of us, not only to support the resolution, but to be effective spokespeople for what the resolution means; that we move forward, actively, to encourage women to gather the information that they need, because indeed, one of the purposes is to encourage women to seek information, to become health conscious and as the gentleman from New York said, to develop those healthy habits.

And it is not only adult women that we are speaking to, but it is to young girls also as they look at diet, as they look at exercise, as they gather information about how to best take care of themselves. And we do encourage them to seek that information, to get regular checkups, to become knowledgeable of the preventive screenings that will help them to stay healthy and to enjoy a better quality of life.

One thing that we also do is encourage women to have that relationship with their primary care physician, somebody that they can go to to gather the information about how to become knowledgeable on taking care of their bodies.

We've talked a little bit about some of the diseases that affect women, fibromyalgia, depression and, of course, postpartum depression, which concerns us all with the young women and those in the child-bearing years.

Heart disease also and some of the screenings that are important for that. And as the gentleman from Pennsylvania said, there is the website where individuals can access this information.

But we do stand together to promote prevention and awareness for disease management so that the women of this Nation are certainly taking better care of themselves, and are knowledgeable on the diseases that could impair their quality of life and their productivity.

Again, I join my colleagues and thank them for the leadership on Resolution 331. And I appreciate the opportunity to stand and speak on the importance of this, and again, encourage all Members, not only to support it, but to actually be certain that we disseminate this information to our constituents.

Mr. TIM MURPHY of Pennsylvania. Seeing as we have no more speakers, we're willing to close at this point and again draw attention and thank Mr. HINCHEY for his support on this resolution. I ask all Members to be supportive of it.

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

Mrs. CAPPS. I want to thank again the authors of this resolution, Mr. HINCHEY, who is here, and MARY BONO MACK, who is also the other coauthor; and to thank the speakers on behalf of this resolution. And again, to remind us all the importance of Women's Health Week, setting aside the time to call attention to the importance of women taking care of their own health and providing the resources so they can do this, because it's women's health at stake, but also, often since the woman is the primary instigator within the family, and often the community as well, of the health of every member, that this serves a purpose that is very important to the health of our Nation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURPHY of Connecticut). The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 331.

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

A motion to reconsider was laid on the table.

CELEBRATING THE 60TH ANNIVERSARY OF THE STATE OF ISRAEL

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

Mr. HARE. Mr. Speaker, I rise today to celebrate the 60th anniversary of the modern State of Israel. Since its founding in 1948, Israel has flourished as the only true democracy in the Middle East, and established itself as America's greatest ally in the region.

Mr. Speaker, last August I had the pleasure of visiting Israel with several of my colleagues, where I met with top officials and I toured the country. While I have many fond memories of my trip, I was particularly moved by the people's steadfast devotion to their homeland.

In the town of Sderot, a constant target of rocket attacks from neighboring Gaza, I met a woman who simply said to me, ''We can't move from here. This is our home.'' Her resilience and perseverance is indicative of the spirit of the Israeli people.

Amid constant threat from surrounding countries and terrorist groups, it is critical that the United States stand in solidarity with Israel as she fights to protect her people.

Mr. Speaker, my experience in Israel is one that I will never forget, and I look forward to the day when Israel can live in peace with its neighbors.

COMMEMORATING THE 60TH ANNIVERSARY OF THE STATE OF ISRAEL

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

Mr. DENT. Mr. Speaker, I rise today to commemorate the 60th anniversary of the State of Israel, like my colleague just before me.

The State of Israel has held out the promise of hope for many who have endured centuries of oppression. It was established by those who sought peace, but has had to endure perpetual conflict.

From the date of its inception, Israel's neighbors declared war upon the country and attempted to destroy it. Two major wars erupted after the initial conflict of 1948, and even today

it must suffer through terrorist attacks orchestrated by those who continue to deny its right to exist.

And yet Israel endures and it flourishes. It has made its part of the desert bloom. It is a model of democracy that the rest of that region would do well to emulate, and it has been a great partner to us in the war on terror, cooperating with us on homeland security matters so that we can be better prepared to counter the kinds of attacks that the Israelis have had to endure for three generations.

I've had the privilege of visiting Israel on two separate occasions, experiences that I will never forget.

And to Israel I say, ''Le Chaim.''

RECOGNIZING ISRAEL'S 60TH ANNIVERSARY

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I too rise to recognize the 60th anniversary of the independence of the State of Israel, and to reaffirm the steadfast friendship between our two strong democratic nations.

Sixty years ago today, on May 14, 1948, the State of Israel declared sovereignty and independence as a homeland for the Jewish people. With little resources and seemingly insurmountable obstacles, Israel has become a thriving and prosperous democracy, and has made worldwide contributions in technology, medicine, agriculture and environmental innovation.

When we speak about Israel, too often we focus on Israel's troubles and not on her beauty and her spirit. But what I want to focus on today is her resolve. Since independence, Israel has continually overcome every conceivable roadblock. She has beaten back hostile neighbors during war, and now endures terrible emotional and economic hardship from terrorist cowards who perpetrate hideous violence against innocent victims.

As a critical partner in the fight against terror, and as the only democracy in the region, Israel's strength and security is paramount. Therefore, I encourage this House to continue to pass bipartisan bills in support of Israel and her ability to protect herself from antagonistic neighbors.

The blossoming of a nation that grew from desert sand into a thriving example of democracy, economic progress and cultural diversity is a magnificent achievement for this strong and vibrant country.

I congratulate Israel on all she has achieved in just 60 years, and I look forward to a bright future for this extraordinary nation.

□ 1945

HALLIE ELIZABETH POE—NEW TEXAN

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

Mr. POE. Mr. Speaker, as the sun came up this morning bringing a new spring day in America, a new Texan was born at 8:27 a.m. and took her first breath of life. Hallie Elizabeth Poe, a 7-pound, 19½-inch girl was born in The Woodlands, Texas.

Hallie's parents, Kurt and Suzy, are happy with boastful pride, but they can't be prouder than I am because I'm the grandfather!

The miracle of birth is the Good Lord's gift to the people of the world and renews a spirt of hope and freshness. A baby girl is one of the most amazing miracles of life, one of the great joys of life, and one of the reasons why there is a little extra sunshine, laughter, and happiness in life.

Little girls are special. They bring a delight and innocence into the world of ours. I know that Hallie will have the forcefulness of Margaret Thatcher and the southern grace of Lady Bird Johnson.

Mr. Speaker, we pause for this moment in time for this most happy of all events, the birth of a new baby girl.

So there's a new yellow rose in Texas tonight that will obviously bring more warmth and beauty to our world. After all, Mr. Speaker, there is nothing like a little girl.

And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MURPHY of Connecticut). 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.

MERIDIA INITIATIVE

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

Mr. POE. Mr. Speaker, as a former prosecutor and long-time judge in Texas, I'm concerned about, of course, drugs and corruption, especially on the international border between the United States and Mexico. I have great sympathy and compassion for the Mexicans living just south of the border, especially those that have had the problem of dealing with the drug cartels. It's an epidemic that occurs on our southern border with Mexico.

According to the DEA, 500 people were murdered in Nuevo Laredo recently. Most of those cases were never solved, and many of those individuals were peace officers. There have been 400 kidnappings in Nuevo Laredo; 41 of them were Americans, and none of them, not one of those cases, have ever been solved. And we understand now that behind most of those crimes of violence of murder and kidnappings are the drug cartels. What you might be surprised, Mr. Speaker, to find out is that many of those people involved in the drug cartels are former individuals in the Mexican military that were trained in the United States.

The Department of Homeland Security has reported that in the last 10 years also, there have been 250 documented cases of incursions by suspected Mexican military units into the United States. Most of them in Texas, California, and Arizona. Recently, I have been in a place called Neely Pass in Hudspeth County where the Mexican military was photographed coming into the United States.

In order to gain control of access corridors into the United States, drug cartels are hiring hit men from the elite Mexican military force, and this group is known as the Zetas. The Zetas are military deserters that are trained in the United States at the School of the Americas in Fort Benning, Georgia, as an elite force of anti-drug commandos. But unfortunately, after they were trained by Americans, they went over to the dark side. They were sent by the Mexican government to the U.S.-Mexico border to combat drug trafficking, but they switched sides, deserted the Mexican military, and worked for the drug cartels. Officials suspect that there are more than 200 Zetas, including former Mexican police officers.

And the problem isn't just at the border, either. The Zetas operate in the United States. Authorities have believed that the drug cartels and the Zetas are responsible for murders in the United States.

And there's a second group. The second group is called the Kaibiles. The Kaibiles were a special operations force in the Guatemalan military. Like the Zetas, many of them received training in the United States in counter-insurgency operations. And like the Zetas, many of them deserted the special forces and began to help the drug cartels.

Mr. Speaker, I have here a photograph taken by sheriff's deputies on the Texas-Mexico border, and this is a group of the Kaibiles. You notice they are all in uniform; they all have hoods on them. You notice the first person in the front is carrying an AK–47, and they're bringing cocaine into the United States in backpacks, and this is what has happened to these individuals that were trained in the United States and switched sides.

Now, the reason I bring all of this up, Mr. Speaker, is there is an initiative called the Meridia Initiative where the United States government is proposing to send $1.5 billion in training and equipment south of the American border into Mexico to help combat drug trafficking. While this may sound well and good, unfortunately, the truth of the matter is that we cannot trust the local officials on the Mexican side of the border because of the high rate of corruption because of these individuals that continue to switch sides. And it would be very unfortunate indeed if we sent equipment to the northern portion of Mexico, south of the American border, turned over this military equipment to the Mexican military to have it used against us as shown in this photograph.

It would be better money spent in training to send this $1.5 billion to the southern border to the second front where there is a war going on but keep it on the American side. Let the local officials, the State officials, let the sheriffs along the border use this equipment. Many of them don't even have enough equipment. As one of them has told me, they're outmanned and they're outgunned by the drug cartels.

So keep that equipment, keep that training on the American side of the border. Support the American cause before we turn this equipment and turn this training capability to the other side. And it's a sad fact of life that we can't trust sending money, equipment, and training south of the United States border because of the corruption that occurs in northern Mexico.

So I would hope that Congress, when this initiative comes up, that we have lively debate about this $1.5 billion; and before we send it all south of the border, that we rethink that and maybe spend part of that money, half of that money or most of that money, on the American side and let the border sheriffs of Brownsville, Texas, to San Diego use that equipment to fight the drug cartels, fight the crime on the American side of the border. I think that would be better money spent, American taxpayer money spent.

And that's just the way it is.

NORMALCY IS NOT RETURNING TO IRAQ

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

Ms. WOOLSEY. Mr. Speaker, the American people have begun to receive their recovery rebate checks. Families will use this assistance to deal with the rising cost of food, of gas, and for just hard times in general. So Congress did the right thing when we wrote those checks. But if we want to give our economy another boost, there is one check that we should not write, and that's the check we will soon be asked to write for the continued occupation of Iraq.

This occupation has already cost taxpayers over $1 trillion in direct and indirect costs. And Joseph Stiglitz, the Nobel Peace Prize winner, has calculated that the cost could soar, could, probably will soar to $3 trillion or more. Think what that money could do for our economy if we invested it wisely in job training, education, health care, child care, green technology, and so many other critically important domestic needs.

Some believe that the occupation of Iraq is more important than all of these other needs combined. They believe that the billions of dollars we're spending in Iraq are making things better. The President actually told us recently that normalcy is returning back to Iraq. But Iraq cannot be returning to normalcy when the fighting and dying continues without any letup.

Over 3,000 Iraqi civilians and 170 of our brave troops have been killed so far this year: 3,000; 170. Over 1,100 of our troops have been wounded. Mr. Speaker, does that sound like normalcy to anyone? It doesn't to me. I can't say it, actually.

Iraq cannot be returning to normalcy when over 5 million of its citizens remain refugees. That number equals more than 20 percent of the entire Iraqi population at the beginning of our invasion in the year 2003.

Iraq cannot be returning to normalcy when tens of thousands of armed military contractors roam its streets terrifying the people and accountable to no one.

Iraq can't be returning to normalcy when we're planning for a 50-year foreign occupation, and some voices, in fact, are even calling for a 100-year occupation.

And Iraq cannot be returning to normalcy when fear and destruction continue to grip its people. The International Herald Tribune described the Iraqi people's nightmare in an article published on April 23. It said, ''A simple decision to run an errand or choose an alternate route to work takes on life-altering consequences as the car bombs, stray bullets, rockets, and mortars claim those who merely happen by.''

So, Mr. Speaker, as the war carries into its 6th year, nearly every family is touched by the death of a member of a close friend.

Iraq can only become normal again when it gets its sovereignty back. It can only become normal when it has the chance to rebuild and heal in peace, and that can only happen when we responsibly redeploy our troops and then lead a regional and international effort to bring social, economic, and political reconciliation to that devastated country.

So when we review supplemental funding like we will tomorrow, let's insist on a bill that fully funds the safe withdrawal of our troops but does not include one more cent for an occupation that isn't making us or the Iraqi people any safer.

Mr. Speaker, recovery rebate checks are great, but blank checks for the occupation of Iraq must stop.

AMERICAN RELIGIOUS HERITAGE

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

Ms. FOXX. Mr. Speaker, I rise today to honor the long American legacy of religious freedom and religious expression that we have inherited as a result of the wise foresight of our Nation's founders.

Throughout our history, we've been a Nation eager to rally to the cry of the motto, ''In God We Trust,'' in times of peace and prosperity or in war and upheaval. This phrase, etched not only on our coins and here in this Chamber but also on our hearts, has captured a truly American sentiment that our great historic experiment in democracy was founded on, and today, thrives in a robust sense of religious freedom.

Religious freedoms were specifically included in our Constitution as a reflection of the colonial experience of religious tolerance and free expression. Yet as religions' detractors would have it, the Constitution's enumeration of American religious freedoms is a paltry clause intended to merely protect us from the forced religion of a repressed central government.

This is a far cry from our Founders' full intentions. America's Founders were indeed careful to ensure that the government did not establish an official religion, but while they were at it, they crafted protection that would ensure our natural religious life would not falter under the machinations of those who would infringe on citizens' religious expression.

The first amendment is clear: Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. This amendment does not establish the freedom from religion. Rather, it grants every American freedom of religion.

□ 2000

It is upon this freedom that our land was founded, and it is this freedom that undergirds our strength and national character today.

As founding father John Adams wrote in 1776 on the eve of our independence, ''Statesmen . . . may plan and speculate for Liberty, but it is Religion and Morality alone, which can establish the Principles, upon which Freedom can securely stand end.''

By allowing for and encouraging the free exercise of religion, the Constitution set the stage for a vigorous national religious life. Most Americans are nothing if not a people of religion, committed to lives of quiet reverence to God, the practice of prayer and the exercise of their religion.

Our culture of religious life informs the way we raise families, conduct business and serve our neighbors. Throughout the centuries this culture also illuminated those who governed and served to temper our laws and governmental practices with the timely wisdom of Judeo-Christian ethics.

George Washington recognized that America would succeed if she adhered to the long legacy of religious values informing our public life and policy. In his first inaugural address, he said that ''the foundation of our national policy will be laid in the pure and immutable principles of private morality, and the preeminence of free government be exemplified by all the attributes which can win the affections of its citizens, and command the respect of the world.''

George Washington knew what we know today. A healthy culture of free religious expression keeps our Nation on the right track and our government's policies rooted in the values

that we hold dear: life, liberty and the pursuit of happiness. My continual prayer for America is that we never forsake the Judeo-Christian values that ensure these freedoms remain a centerpiece of our great Nation.

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

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

IRAQ

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

Mr. HOLT. Mr. Speaker, recently I met with veterans in New Jersey, some of whom had served in the Second World War, and earlier in the day that I met with them, I had returned from a fact-finding trip to Iraq with Representative THOMPSON of California, a colleague on the House Permanent Select Committee on Intelligence.

I told these veterans that they would not recognize this war in Iraq. From a technological standpoint, the kind of battlefield sensors and intelligence analysis capabilities available to our troops in Iraq are so far beyond anything that was fielded by the military in the Second World War or, in fact, even in more recent conflicts. That's the good news.

The other thing that they would not recognize, the not-so-good news, is that unlike say the Second World War, the United States cannot control the outcome in Iraq or achieve success because we do not know who the enemy is and what constitutes success.

While part of our trip involved classified briefings in which we examined how the intelligence community is supporting our troops, we also had the opportunity to meet at length with General David Petraeus and Ambassador Crocker to discuss the situation on the ground, including the status of the political reconciliation among Iraq's warring factions. The two gave a positive report and spoke of a great deal of progress.

Two outstanding patriots, a good general, a good diplomat, but the presentation that America is making progress toward a successful outcome in Iraq makes sense only if we continually redefine what we mean by success. And for over 5 years, we've been redefining both our rationale for invading Iraq and how we propose to measure success.

First, it was to go after those responsible for 9/11. Then it was to remove Saddam Hussein from power and track down his WMDs. And then it was to bring stability to the region. And then it was to bring free elections and bring all the warring factions together in a model of democracy for the Middle East. Then it was to create a road to peace in Israel through Iraq. And then it was to give the Iraqis more time to organize their government. Now, it seems to be to reduce the number of members of al Qaeda in Iraq, the AQI, which was, of course, zero before it all started.

These repeated rationalizations and redefinitions serve no one's interests, particularly the interests of our men and women of our Armed Forces who we've sent in harm's way in Iraq.

In Baghdad, I met with active duty soldiers, including some from New Jersey. American troops are performing superbly in Iraq under difficult conditions. As I told them, they, and the New Jersey National Guard members who will be deploying later this year, deserve not just our gratitude, but all the support they need to do their job, the wherewithal they need to do their job, and I would say just as much support when they return home as veterans.

Of course, we want our soldiers to succeed. We want the Iraqis to be peaceful and prosperous. We want terrorists and other enemies of the United States to be defanged and defeated. But for that to happen, it must be in Iraq, at least the Iraqis, the Iraqi political factions who must take the lead in ending their civil war.

It's impossible to hide the fact that the limited security gains achieved since last fall have not been matched by political reconciliation on the part of the Iraqis.

Unfortunately, Iraq's central government continues to lack legitimacy in the eyes of its people, as the recent combat in Basra and Baghdad have clearly shown. It is clear that the Iraqi government is, so far anyway, unwilling or unable to take the steps necessary to reach a political settlement that will end the violence.

One of the reasons I voted against the war resolution to go into Iraq in the first place was that Iraq was not a threat to the United States in the wake of the 9/11 attacks and that attacking Iraq would unleash forces we could not control. I was not alone in making those arguments, which tragically have been validated by events.

My latest trip to Iraq has, sadly, reinforced my belief that success is being redefined only once again, and what we need to do is to take decisive action to end our combat involvement in Iraq and refocus our efforts on destroying al Qaeda and eliminating the conditions that breed international terrorism and refocusing our resources on pressing domestic and international needs.

The SPEAKER pro tempore (Ms. RICHARDSON). Under a previous order of the House, the gentleman from Florida (Mr. KELLER) is recognized for 5 minutes.

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

FARM BILL

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

Mr. MORAN of Kansas. Madam Speaker, today, the House of Representatives debated the conference report on what we in Kansas call the farm bill. Here in Washington, it's now called the Food, Conservation, Energy Security Act, and I note that the word ''farm'' is now missing from the farm bill.

As I indicate to Kansans, there probably is no more important piece of legislation that this Congress will consider than the 2008 farm bill from a Kansas perspective. Certainly, not every Kansan is a farmer, not every Kansan is a rancher, but agriculture is the backbone of the Kansas economy, and policies that we determine here today in the House of Representatives and tonight later in the Senate affect the Kansas economy and a way of life that we have revered in our State for generations.

Agriculture is not only a business. It's not only a way of earning a living. In fact, it's a very difficult way of earning a living. It is the opportunity that we have in our State for sons and daughters to work side-by-side with moms and dads. It's the opportunity for us to pass on values from one generation to the next.

And today, Madam Speaker, I worry that the legislation that we will soon be sending to the President is inadequate to meet the needs of Kansas producers and American agriculture.

In the 2002 farm bill, we passed a security net, a safety net for our farmers, and it's a three-pronged approach to making certain that our farmers are secure and have an opportunity to survive in difficult times, whether those times are difficult because of low commodity prices or difficult because the weather does not cooperate.

And today, Madam Speaker, we chose to reduce that security, that safety net that provides Kansans a future.

I had two criteria in trying to determine whether or not the farm bill was something I should vote for. One: Is this farm bill better? Is the 2007, now 2008, farm bill better than the one that was adopted by Congress in 2002? And clearly, the answer to that is no.

And the second criteria comes from listening to farmers for the last 2 and 3 years about what a new farm bill should look like. In fact, I listened to American producers from across the country. Since the passage of the last farm bill, I've chaired or been the ranking Republican, Republican leader on the subcommittee responsible for all farm programs and participated in 15 hearings across the country. And what I heard time and time again, especially from the folks back home is, whatever you do, JERRY, make certain that we don't lose the direct payment and make certain that crop insurance remains a viable option for us to protect

ourselves from risk. And unfortunately, once again, those two criteria were not met today.

So Madam Speaker, I pledge to my colleagues in the House of Representatives, and particularly my friends on the House Agriculture Committee, to continue to work in a very strong and bipartisan way to see if we can't improve the lives of farmers in Kansas and States across the country.

I served on the conference committee that provided the report that we have had before us today, and I offered amendments and supported amendments that I think would make significant improvements in the 2008 farm bill. They were rejected on straight, party-line votes, and it's a sad day for me because I've always enjoyed my work in the Agriculture Committee because I care about farmers and ranchers, and I care about their way of life. But never has our committee been partisan, and again, I pledge myself to work with my colleagues to see if we can restore the days in which we were in this together on behalf of American agriculture.

Madam Speaker, it's my belief that if we're going to spend as much money as we spend in this farm bill, which is a significant sum of money, we ought to spend it in much more wise and prudent ways than this conference report provides. We owe it to farmers across the country, and we owe it to the taxpayers of this Nation.

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

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

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

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

FIGHTING CRIME

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

Mr. DENT. Madam Speaker, fighting crime is an issue that is important to most Americans. That is because it is an issue that has a tremendous impact on a community's quality of life.

I think most Members of Congress recognize this simple fact. However, this Congress needs to take action in order to address this problem. On our side of the aisle, we've tried to do our part. Republicans have offered some 100 bills to help fight crime, but so far, only three have been considered on this floor.

These legislative efforts should not be piecemeal, but should instead be part of a grand strategy, to wit: we need to aggressively target those individuals who are responsible for promoting criminal activity in our society.

Our focus should not be on promoting efforts to decriminalize certain drugs, but instead on targeting and jailing drug dealers.

Our focus should not be on protecting the rights of criminals, but instead on protecting the rights of their child victims. More needs to be done, for example, to combat the scourge of predators who stalk young people over the Internet.

Finally, our focus should not only be on adult offenders, but on youthful ones as well. Gang members, some of whom are as young as 12 and 13, and we see intergenerational gangs as well, are extorting money, dealing drugs, and committing acts of violence. They need to be stopped, and that is where my bill, H.R. 3157, the Anti-Gang Task Force Act of 2007, comes into play.

H.R. 3157 will help our local law enforcement communities combat the scourge of gang violence. It authorizes $20 million for each of fiscal years 2008 through 2011 to establish new multijurisdictional anti-gang task forces, bringing together State and local prosecutors with Federal officials from the FBI, DEA, the Bureau of Alcohol, Tobacco, Firearms and Explosives, DHS, and others.

Gangs are mobile, and they often cross jurisdictional lines in order to facilitate the dealing of drugs or to avoid detection by local law enforcement authorities. Thus, a multijurisdictional approach is clearly necessary in order to stop the proliferation of gang violence and gang activity.

My district encompasses a good portion of what is called the Route 222 corridor.

□ 2015

This corridor bisects five cites—Easton, Bethlehem, Allentown, Reading and Lancaster—located in four southeastern Pennsylvania counties. It is uniquely situated in that it is linked directly to New York City, approximately 80 miles away via Interstate 78 and through other easily accessible roads, including Route 222 to Philadelphia, which is 60 miles to the southeast.

So gang violence along the Route 222 corridor, primarily involving drug trafficking and armed robberies, dates back more than a decade and has been a chronic problem affecting each of the five cities within this corridor. The roadways that have allowed commerce to thrive in the region have also strongly benefited the gangs, who can move between the cities with relative ease, thereby making their operations much more difficult to detect and to track. As a result, the 222 corridor has been plagued by gang activity.

Fortunately, we're not standing idly by and letting the gangs take over. The Route 222 corridor is one of six sites around the country that has received funds under the Project Safe Neighborhoods program. This Project Safe Neighborhoods (PSN) initiative involves a cooperative law enforcement effort between the counties and cities along the corridor, and there have been some notable successes.

First, there have been successful prosecutions of members of the Mafia El Don Gang, which has conspired to distribute more than 50 kilograms of cocaine in the Lehigh Valley. Meanwhile, two members of the 314 and a half Gang, allegedly responsible, according to the U.S. Attorney's Office, for approximately 15 to 20 bank robberies in the Valley, have been indicted. In addition, the initiative is committing extensive resources to outreach of both at-risk youth and their parents in order to discourage young people from joining such gangs. And we have seen intergenerational gang activity in my community.

The Congress would do well to emulate the efforts of the U.S. Attorney's Office and the local District Attorney's offices and law enforcement agencies that are working hard to fight the gang problem in my area. More than talk is required if we want to curb gang activity and end gang-related violence, we need action. That action should take the form of legislation, legislation that targets criminals, promotes Federal-State cooperation, and that comes from both sides of the aisle.

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.)

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

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

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

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

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

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

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

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

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

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PORK-BARREL SPENDING

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

Mr. HENSARLING. Madam Speaker, we come tonight to speak about the subject of pork barrel spending at a time when hardworking, middle-income American families are having to cut back on their spending. They're having to cut back on their spending because their paychecks are shrinking; they're shrinking with the high cost of energy; they're shrinking because of the high cost of food.

Since the Democrat majority took control of the economic policies of our Nation almost 18 months ago, gasoline has now approached $4 a gallon. Milk is already over $4 a gallon. And all over America people are driving to their convenience stores or driving to their grocery stores, making a decision about gasoline and milk.

It's tough times for hardworking, struggling, middle-income families. And yet, the Democrat majority, in their Budget Resolution, the conference report—which, of course, is the agreement between the Senate and the House—their budget today was passed that included a tax increase on these very same families of $3,000 for the average family of four to be phased in over the next 3 years, Madam Speaker. Again, while they're struggling to send their kids to college, struggling to make their mortgage payments, struggling to fill up their cars, this is what's happened.

Well, what is fueling the tax increase that the Democrat majority has imposed upon middle-income families throughout our Nation? Well, there's a culture of spending. They presented a budget that represents the highest amount spent in the history of America. There is a culture of spending, and it is fueled by irresponsible pork barrel spending, also known as ''earmarks.''

Now, when the Democrat majority was in the minority, they made a number of promises. They said earmarks were out of control under the Republican majority. And Madam Speaker, you know, to some extent they were right. But this is a Republican Conference that has learned its lesson. But commitments were made by the Democrat majority that have not been kept.

First of all, the Speaker of the House said we're going to come and we're going to cut earmarks in half. But instead, Madam Speaker, what did we get? Last year, 11,610 items of pork barrel spending put into spending bills by the Democrat majority, the second highest level ever in American history, totaling approximately $17 billion. Now, some people say, well, $17 billion isn't a whole lot of money. Well, Madam Speaker, I hope I'm never in Washington so long that I think $17 billion is not a lot of money. Millions of Americans could pay their annual gasoline bills with the money that's being spent on the pork barrel spending in Washington, DC. That's enough money to preserve the child tax credit, which under the Budget Resolution passed by the Democrat majority is going to disappear. And so I think that is a lot of money. And not only is it a lot of money, it represents waste.

And too often what we see in this pork barrel spending promulgated by the Democrat majority is that we see a triumph of secrecy over transparency, and we see a triumph of the special interests over the national interests, and we see a triumph of seniority and privilege over merit. Now, again, the Democrat majority said they were going to do things differently. Madam Speaker, then minority leader, now Speaker NANCY PELOSI said in USA Today that there has to be transparency. ''I would just as soon do away with all the earmarks,'' right here, USA Today, late 2006. And instead, if we read the spending bills, what we find out is, out of 435 Members of Congress, she's in the top 20, top 20 of pork barrel spending.

Then, chairman of the Democrat Congressional Campaign Committee, RAHM EMANUEL, said, ''Well, for far too long business as usual has involved individual Members doling out favors in appropriations and other bills through earmarks. The American people deserve to know more than who sponsored special interest legislation. They deserve earmark reform that puts an end to special interest earmarking and prevents the practice of earmark abuse.''

Now, Madam Speaker, that's what they said before they became the majority party here. But what do we see now? And don't just take my word for it, but let's look at what just happened today. Today, as the farm bill was passed, what do we have in there? We have, again, pork barrel spending that apparently appears out of nowhere. We have slush funds for ski slopes. We had the language slipped by the Democrat majority into the farm bill that would benefit a Democrat Senator in Vermont. It would require the U.S. Department of Agriculture Forest Service to sell portions of the Green Mountain National Forest exclusively to the Bromley Ski Resort. And the ski resort advertises, ''Bromley's grooming and snowmaking are second to none, and with our 44 trails of varied terrain, from treed glades & true New England cruisers to sun soft expert mogul fields, everyone in your family will be smiling all day long.'' Well, Madam Speaker, I'm not sure the American people, who have to put up with this kind of earmark abuse, I don't think they're smiling. Now, maybe the people who own the Bromley Ski Resort in Vermont, they're smiling, you know, they got a nice little deal in the agricultural bill.

Then we had a quarter of a billion dollars slipped in for the Senate Finance Committee Chairman, MAX BAUCUS, to help the Plum Creek Timber Company in Montana sell a parcel of land to the environmental group called The Nature Conservancy. Now, technically, they get to claim a $250 million tax refund even though they're a nonprofit institution and they don't actually pay taxes.

Now, the language was quite careful, Madam Speaker. It was very careful and clever. They wrote this language, they didn't name this particular earmark, but they wrote it in such a way that it only applies to one parcel of land in the entire United States of America, and that is that belonging to the Plum Creek Timber Company in Montana.

And then, Madam Speaker, we have $170 million for the salmon earmark requested apparently by our own Speaker, NANCY PELOSI. Clearly, there is something fishy in the farm bill.

Now, we were told again that we wouldn't have these earmarks, this pork barrel spending that just kind of drops down from the heavens in these conference reports. We never had a chance to vote on this in the House, Madam Speaker, it just kind of drops down. And so for a Speaker who is supposed to lead by example, who tells the American people that she would just as soon do without earmarks, that she wants an open and ethical and transparent process to slip a $170 million fishy earmark into the farm bill, this is something the American people need to know.

Why are their taxes being raised by $3,000 per family of four over the next 3 years? Well, part of the reason is, Madam Speaker, to pay $170 million for the salmon earmark in the farm bill, to help subsidize the Plum Creek Timber Company, to help the Bromley Ski Resort. So much for cleaning up the earmark process.

You know, we were also told that there certainly wouldn't be any more secrecy in this earmark process.

You know, the former chairman of the Democratic Congressional Campaign Committee told us that. Yet, that's not the case. Let me quote from the New York Times, not exactly a bastion of conservative thought, on one of the bills that came to this floor last year. ''Despite promises by Congress to end the secrecy of earmarks and other pet projects, the House of Representatives has quietly funneled hundreds of millions of dollars to specific hospitals and health care providers.'' ''Instead of naming the hospitals, the bill describes

them in cryptic terms so that identifying a beneficiary is like solving a riddle. Most of the provisions were added to the bill at the request of Democrat law makers.''

''Some Republicans have complained about what they call 'hospital pork.' '' This is the New York Times reporting this. This, from a Democrat majority who said there would be no more secrecy. And instead, out of all the hospitals throughout the Nation that I'm sure can all use help, somehow the special privilege and secret pork barrel process practiced by the Democrat majority manages to somehow favor a special privileged few and does it in a cryptic secret manner. One more reason that hardworking, middle-income families who are trying to get that paycheck to go a little further are instead seeing that paycheck shrink to pay for more Democratic pork.

And, Madam Speaker, I'm very happy tonight that I am joined by one of the great leaders of fiscal responsibility in this House, one of the most principled Members, one of the most active Members, one of the most courageous Members that I have met in my congressional career. And I am proud that he is a fellow member of the conservative caucus, the Republican Study Committee, a man I am proud to call my friend.

And at this time, I would be happy to yield to the gentleman from Georgia, Dr. PRICE, for his comments.

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Mr. PRICE of Georgia. I thank my good friend from Texas for organizing this period of time and for highlighting what Americans all across this land are concerned about, and that is the culture of spending that you talked about, and you mentioned these wonderful promises that were going to be enacted with this new majority.

And there is a culture of spending that continues and persists, but there's also a culture of hypocrisy. It's saying one thing and doing another. It's saying one thing on the campaign trail, and then when you come to Washington, you do something exactly the opposite. And when I go home to the Sixth District of Georgia, that's what I hear about. I hear people say, ''Why on Earth can't people live up to their word? Why can't they do what they said they were going to do when they ran for office?''

And the spending is one of the things that gets them so terribly irritated and so terribly annoyed because they see it. My good friend from Texas talked about selling a piece of the Green Mountains in Vermont to a specific entity. That's using hard-earned taxpayer money to benefit one entity. Madam Speaker, that's wrong. That's not the way we ought to do business here.

In fact, it hasn't been the way forever. There are some wonderful quotes about pork barrel spending, about earmarks. One from Thomas Jefferson, who said that, in essence, if we allow the process of earmarking, pork barrel spending, to go forward, ''it will be a scene of eternal scramble among the Members, who can get the most money wasted in their State; and they will always get most who are the meanest,'' which is a phenomenal quote when you think about it, Madam Speaker, because what we have now are individuals in this House of Representatives who have been so successful in getting earmarks, getting pork barrel money back to their districts that we now have defense contractors in this Nation who are moving their headquarters to one specific district in Pennsylvania because they believe it will benefit them to a greater degree in getting contracts from the Federal Government. A phenomenal thing.

Madam Speaker, this process is corrupt and it's corrupting. When I talk to folks back home about why it's imperative that we stop the earmarking process, something that I believe we must do, and I tell them that it's corrupt and it's corrupting, that didn't have the resonance until I put a face on that, a face that we have seen in this House by so many individuals but it's most championed in a corrupt way by a gentleman by the name of Duke Cunningham.

Duke Cunningham now sits in a Federal prison in California. He does so because he earmarked money for a personal company, that benefited one company, one company, and then they, in turn, benefited him politically. And it's happened on both sides of the aisle. But it's a process that's corrupt and it's corrupting.

Now, why do I mention Duke Cunningham by name, Madam Speaker? I do so because when he came to Washington, he was the individual who was the inspiration for the ''Top Gun'' movie. He was a war hero. He was an American hero. And what happened with the process of Washington was that the corruption and the corrupting influence of Washington spending that is being perpetrated and continued and expanded by this majority, that process corrupted that individual. Now, there were certainly some personal characteristic flaws, but the process itself that remains in place right now and, in fact, is being championed by this majority is a corrupt process and it's corrupting.

Madam Speaker, I would suggest to all of my colleagues that this is a process and a system that has got to end. It's got to end. The American people want fiscal responsibility. They want to make certain that they have financial security and peace of mind. That peace of mind will never come when we have a process that is this sordid, that is this offensive to the American people.

So I want to commend my good friend from Texas for his remarkable leadership in this and so many areas in Congress, a conservative stalwart, an individual who understands the importance of being fiscally responsible at the Federal level and the consequences of not being fiscally responsible, which means that middle class Americans all across this Nation are having more of their hard-earned taxpayer money taken out of their back pocket, out of their wallet, and out of their purses in order to fund the reckless spending, irresponsible spending, culture of spending, and culture of hypocrisy that this majority has brought to Washington.

So I want to commend my good friend from Texas, and thank you so very much for the opportunity and the privilege of joining you tonight. I thank you for your leadership in this area.

Mr. HENSARLING. I thank the gentleman from Georgia for joining us tonight. And, again, I thank him for his leadership here in the House of Representatives in the area of earmark reform, clearly one of the great champions against pork barrel spending and for family spending.

Again, Madam Speaker, I think it's important for us to reflect upon what the Democrat majority said they were going to do and what they have actually done. One of the prominent Members of the Democrat leadership, the gentleman from Illinois, who was, in the last election, the chairman of the Democrat Congressional Campaign Committee, where his job, obviously, is to find things for the Democrats to say to get elected. Well, one of the things that he said on behalf of the Democrat Party was, ''For far too long, business as usual has involved individual Members doling out favors in appropriations and other bills through earmarks. The American people deserve to know more than who sponsored special interest legislation. They deserve earmark reform that puts an end to special interest earmarking.''

But yet, Madam Speaker, the system appears to be alive and well. Now that the Democrats have become the majority party, what do we figure out? Well, let's read from a recent column in the New York Times dated January of this year:

''Representative John Murtha has procured eye-popping chunks of pork for contractors that he helped put in business in Johnstown, Pennsylvania. Every one of the 26 beneficiaries of Mr. Murtha's earmarks in last year's defense budget made contributions to his campaign kitty, a total of $413,250, according to the newspaper Roll Call.'' This is the New York Times. Again, not exactly a bastion of conservative thought.

Now, Madam Speaker, I'm not here to imply that there is anything illegal about that activity. I'm not here to even imply that this in any way, shape, or form breaches House ethics rules. Now, perhaps it should. Maybe that's a debate for a different day. But you know what, Madam Speaker? It doesn't pass the taxpayer smell test. It doesn't do what the Democrats claimed they would do when they were in the minority. And now that they've been elected

to the majority, now that they've controlled this institution for almost 18 months, they are not practicing what they are preaching.

Here's another example. I quote from the newspaper Roll Call: ''A new political action committee, BEST PAC, created by the brother of House Intelligence Committee Chair Representative Silvestre Reyes, raised $50,000 this spring almost entirely from staff and clients of powerhouse lobbying shop PMA Group, and within weeks those same donors reaped millions of dollars in earmarks from Reyes and other Members of Congress closely affiliated with PMA . . . Most of the donations were made on May 7, 4 days before the intelligence panel approved the 2008 intelligence authorization bill, which included earmarks for several donors to the PAC . . . ''

Again, Madam Speaker, I don't imply that this was illegal. I don't imply that this somehow breached House ethics rules. And I'm familiar with the gentleman from Texas, and I believe him to be an honorable gentleman. But far too often what the American citizen sees is he sees his paycheck shrinking to pay for earmarks so that some Member of Congress can preserve his paycheck. And at a time when they are struggling to fill up their gas tanks, at a time when they are struggling to put bread on the table, it is an outrage, it is an outrage that this pork barrel spending continues on. And, unfortunately, Madam Speaker, what we are seeing under the Democrat majority is Members of Congress passing pork barrel spending, earmarks, whether recipients get it, and I guess they're showing their gratitude, and all of a sudden they come up with a campaign donation, and then the campaign donation ends up inuring to the benefit of that particular Member of Congress, and the cycle goes on and on and on. And, again, it may be legal. It may pass the House ethics test. It does not pass the American taxpayer smell test. And even though I've been a Member of Congress now for almost 6 years, I haven't lost my ability to be outraged, and this, Madam Speaker, is outrageous.

And now I'm very happy to say, Madam Speaker, that we have been joined by a distinguished member of our leadership, the chief deputy whip, a great leader in the earmark reform movement in the House, a man I am also very proud to call my friend, and I would be happy to yield now to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the distinguished gentleman from Texas for yielding, and I thank him for his leadership on the issue of the Federal budget and what we should be doing to ensure that we are stewards of the Federal budget just as all the families across this country are expected to be stewards of their own family budget.

Now, Madam Speaker, as a proud Virginian, I would like to point to a few of the origins of the earmark discussion that occurred many, many years ago, frankly, shortly after the founding of this country. And that great Virginian Thomas Jefferson, he wrote a letter to James Madison, another great Virginian, dated March 6, 1796, challenging Madison's proposition for improvements to roads used in the system of national mail delivery, and it was directed at the idea that we should be, as Members, actually directing public funds, taxpayer dollars, into our States.

President Jefferson wrote, in the context of directing Federal dollars, ''It will be a scene of eternal scramble among the Members, who can get the most money wasted in their State; and they will always get most who are meanest.''

I think this shows that the debate around earmarks is not a new one, and I think also that the impression of then Mr. Jefferson is something that we ought to pay attention to and something that we ought to, frankly, pay heed when we are talking about the challenges that we are facing today in this country.

The gentleman from Texas talked about the tremendous lack of confidence that the American public has in this Democrat-controlled Congress. It is stunning to see the public opinion numbers of what the American public thinks about the performance of this Congress. Nothing to be proud of.

I believe that that dissatisfaction, frankly, is grounded, first of all, in the inability of this Congress and this majority to solve the problems that real people are facing in their lives each and every day in their communities. All they hear are solutions based on the premise that this government in Washington somehow needs more of their hard-earned dollars. And over and over again, we continue to hear the message, and we know that this town, that this Congress, and this majority is broken. We are not rising to the occasion, fixing the problems facing the American people. And yet we continue to see a steady stream of bills making their way to the floor where we continue to see proposals to raise taxes, to take people's hard-earned money, and then we see those dollars turned around and appropriated into the earmark process.

My friend from Texas was very accurate in his quotes, right on point. We have heard over and again Members of the majority leadership, when they were in the minority, when they have become the majority leadership, continue to pledge, ''We pledge to make this the most honest, ethical, and open Congress in history.'' That was from then minority leader Ms. PELOSI in 2006.

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She then went on to say, ''This is a place where we really need to throw up the shades and pull back the curtains.'' And she said, ''We have to have the fullest possible disclosure, and it has to be on earmarks in appropriations, in authorizations and in taxation. And it has to be across the board, with no escape hatches.''

There was another remark made, ''There has to be transparency. I'd just as soon do away with all earmarks, but that probably isn't realistic.''

Now, again, we need to dedicate ourselves to fixing the problems that this country has to try to address their distrust of this government. And the first thing that we ought to do is be mindful that the many, many earmarks that make their way through this Congress frankly are not out, shone in the light of day as the majority had promised. They are not being held accountable for some of these expenditures that are being made. This is at the crux of the public's distrust of Washington.

And again, while we are facing the prospects of $4 and $5 a dollar gas at the pump, while families have real issues and their pocketbook is being pinched, we continue to see the unbelievable, unprecedented torrent of billions of dollars going into special interest projects and into pork that, frankly, most American people don't approve of.

It should not be about pork. It should be about paychecks. We should be focusing our attention and we should be focusing the investment of taxpayer dollars towards job creation. We ought to be rewarding those people who invest their dollars and give them back more of their hard-earned money so that we can see more jobs created, because we do know that more jobs, longer lasting jobs and a stronger economy will stem from a strong private sector and a free-market system.

And with that, I want to again thank the gentleman from Texas for organizing this Special Order tonight on the very important topic of earmarks. And I yield back.

Mr. HENSARLING. Again, I thank the gentleman from Virginia for coming down tonight and talking again about how the Democrat majority, unfortunately, seems to speak out of both sides of their mouth when it comes to pork barrel spending that is taking away from the paychecks of hard-working middle-income families so that Members of Congress can somehow keep their paychecks.

It is unfair.

And there's a big difference between the two parties. The Democrat party said they would do something about it. And they did. They put the pork barrel spending factory into high gear. The Republicans made mistakes when it came to earmark spending. That is one of the reasons that we lost in 2006.

But, Madam Speaker, we have learned our lesson. And that's why the Republican Conference supports a moratorium, a moratorium on this pork barrel spending, do away with this system and come up with a system that is more transparent and more accountable to the American people.

The Democrat majority hasn't called for anything like that. They are just

doing fine taking money away from middle-income families struggling to put food on the table, struggling to fill up their cars and pickup trucks, take that money away and spend it on monuments themselves and spend it on special interest favors for special interest groups. It has got to stop.

Madam Speaker, another great leader we have in the earmark reform movement in the United States House of Representatives, another fellow member of the Conservative Caucus of the Republican Study Committee is the gentlelady from North Carolina.

And I am happy to yield time to her at this time.

Ms. FOXX. Thank you, Congressman HENSARLING. I appreciate very much the leadership that you have provided to do this special order tonight.

As you've said, the system is broken. The earmark and pork barrel system is broken. And we have to do something about it.

I will have to confess that in my first 2 years in Congress, I did ask for earmarks. And my earmarks were very transparent. I felt that every project I asked for was very valid and very worthy. They were all designed to help with economic development in my district. The requests came from county commissioners, airport commissions and economic development groups. They all came very legitimately and very openly from the people in the counties that I represented in the Fifth District of North Carolina. And I have no problem at all defending those.

However, what I learned in the process is that this earmark system is badly broken. Not everybody who was requesting special funding was being as transparent as I was being. And I have come to the conclusion that we must have a moratorium on earmarks until we can fix the system.

I believe the American people have become very, very cynical about the Congress and about Washington in general. And I didn't come here to feed that cynicism. I came to Washington because I believe that I have a limited amount of talents that I can use on behalf of the people of my district and on behalf of the people of the United States of America.

And I want to do that. I am very much in love with this country and with what we stand for. And I want to make sure that I have done everything that I can to help this country succeed. It is the greatest country in the world. I have no doubt about that. And we have done enormously good things in the little over 200 years that this country has been formed.

And it is my goal to keep us as a beacon of hope for the world, to keep us as the beacon of freedom for the world, and to do everything that we can to keep the government going in a positive way.

But as I said, we have made mistakes. Democrats and Republicans have made mistakes. But I will have to say that Republicans never promised to make the kinds of reforms that the Democrats promised to make. The Democrats said in 2006 a lot of things to get elected and to take over the majority.

We have all kinds of charts to show they made many, many promises which they have not kept. But I think this one, this promise about earmarks and pork barrel spending, and they are broken promises related to that, has made the American people even more cynical about Washington and about elected officials than they were before. And I frankly don't want to be a part of that.

If we are going to maintain our freedom, if we are going to maintain the type of country that we want, we have to get people engaged in our political process. We have to have people who want to run for office, who want to get out and vote and who want to make sure that we can continue this republic in all the positive ways that it has existed. And frankly, we can't do that as long as we allow people to use the money paid into the Treasury by hardworking Americans for projects that they deem are important.

I don't believe that any Member of Congress should ever be able to appropriate money to have any kind of facility, road or anything named for him or her. That, to me, is one of the worst things that can be done, because it is not our money. It is the money of the hardworking taxpayers. And we have no right to take that money and use it, particularly, again, in these very, very difficult times, as my colleague from Texas said, when gas prices are going up, grocery prices are going up, and the hardworking American families are really struggling to make ends meet.

We came up with a phrase for what the Democrats have done since they got elected in 2006: The House of Hypocrisy. Some of my colleagues are uncomfortable with that because it is a blotch on the House of Representatives which most of us love dearly. But they have turned it into the House of Hypocrisy because they have not kept the promises that they made.

They made lots of promises. And again, I am going to quote some of them because I think we need to do that over and over and over again.

Speaker PELOSI, then Minority Leader PELOSI: ''We pledge to make this the most honest, ethical and open Congress in history,'' Christian Science Monitor, 11/14/2006.

''We will bring transparency and openness to the budget process and to the use of earmarks, and we will give the American people the leadership they deserve.'' This was in a press release issued by Speaker PELOSI 12/11/2006.

Minority Whip STENY HOYER said, ''We are going to adopt rules that make the system of legislation transparent so that we don't legislate in the dark of night, and the public and other Members can see what is being done,'' the Washington Times, 11/25/2006.

Mr. HOYER, again, ''Words will not do it. I have a good relationship with Representative Roy Blunt. I have a good relationship with Representative John Boehner. We'll work together. We'll include them in the decision making.'' ''To the extent we create an atmosphere of mutual respect, the American public will feel more comfortable with Congress,'' Hoyer website, 12/10/2006.

That is what the American people expected from the Democrats when they gave them the majority in 2006. And frankly, many of us were happy to hear the kinds of pledges that they made. And we thought, great, they have been out of power for 12 years. They have learned some things, and things will be better.

DCCC Chairman RAHM EMANUEL, ''Earmark reform must do more than identify an earmark's sponsor. We need to curb the proliferation of unnecessary and suspect earmarks,'' townhall.com 9/12/2006, before the election.

But what has happened is that the Democratic leadership believes they don't have to keep their promises. But House conservatives are going to stand with hardworking Americans and continually demand it. We continue to offer amendments to bills that say, you cannot hide these earmarks. They have been done over and over and over again. Every promise that the Democrats made has been broken. None of them has been kept as it relates to earmarks and pork barrel spending.

We have to hold them accountable. The American people expect us to be accountable. I am accountable to the people that I represent. My work is an open book. The Democrats have found more devious ways to hide earmarks than any of us could ever have thought possible. But we are going to continue to try to ferret out those earmarks and make them public so that the American people will know what they are.

We may not be able to make the Democrats keep their promises. But we are going to reveal when they break those promises and what the consequence of breaking those promises is. We do not need to continue this broken earmark process. We need to stop it. We need to stop pork barrel spending. If we did that, we could reduce spending. We could reduce taxes. We could help the average American family cope with the increase in prices that they are coping with and help them meet those challenges more readily.

I again want to thank Mr. HENSARLING, Chairman HENSARLING, for organizing this special order on the earmark process, for bringing to light the problems that the Democrats have brought to us, and the broken promises that they have before us every day.

And I yield back to my friend from Texas.

Mr. HENSARLING. Again I thank the gentlelady from North Carolina for coming here tonight to participate in this Special Order and to try to stand up for the hardworking middle-income American families that are seeing their paychecks shrink. And one of the great

reasons their paychecks are getting ready to shrink even further is because of a budget resolution conference report passed today that includes the single largest tax increase in American history, passed courtesy of the Democrat majority that will pose a $3,000 average tax increase on a family of four of America while they are struggling to fill up their cars and while they are struggling to put food on the table.

Why are taxes having to be increased? Well, Madam Speaker, part of the reason is because of the culture of spending fueled by these wasteful, pork barrel spending earmarks.

□ 2100

They continue to proliferate and explode under the Democrats.

I mean, what kinds of earmarks are the American taxpayer having to pay for? Well, one includes a monument that a single Member of Congress decided to dedicate to himself. It's called the monument to me, to benefit the chairman in the House Ways and Means Committee, CHARLES RANGEL.

Let me quote from the Wall Street Journal. ''New York's Charlie Rangel provided smirks this week when news emerged that the Harlem congressman was humbly seeking a $2 million earmark to celebrate the 'Charles B. Rangel Center for Public Service' at the City College of New York,'' that much money so that one Member of Congress can build a monument to himself. These are tax increases on hard-working American families so that Democrat Members of Congress can build monuments to themselves.

Here is another one, let me quote from the Pittsburgh Post-Gazette. ''Representative Mike Doyle, a Forest Hills Democrat and staunch Murtha ally is an eager apprentice. One major achievement is the Doyle Center for Manufacturing Technology based in South Oakland. Mr. Doyle helped launch the center with a $1.5 million grant.'' Interesting. Here is another monument to another Democrat Member of Congress, and the list goes on and on and on.

Now, as the gentlelady from North Carolina said, not every earmark is bad, but the system is bad. The system fuels a culture of spending that is bankrupting hard-working American families as they are struggling to make that paycheck stretch. It is waste. It's an insult to these families to abuse their earnings in such a fashion.

I am very happy tonight also to see that we have been joined by one of the great conservative leaders in America, a former chairman of the House conservative caucus known as the Republican Study Committee and somebody who has been a mentor to me, a man I am proud to call my friend.

I am happy now to yield time to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. I thank my friend and colleague from Texas. I want to compliment him for conducting this special order on earmarks tonight. It's an issue where the American people need to understand what is going on in the government that they elect.

I think most of them, if they harken back to their civics class in high school or grade school, would be stunned at what happens here and would find it, quite frankly, disgusting, because it is. It is a perversion of a system.

We use the term earmark, and we try to describe it. I am not certain that many people at home fully understand how the process works. To some degree, if you don't understand how the process works, you can't understand why some of us think it is so outrageous.

I want to get kind of down to some basics. Let me talk about the equity of the earmark process. Some of us think that we were each elected to come here to represent our congressional districts, and we were also elected in representing them to look at the good of the Nation.

Some of us don't believe that we were elected primarily to come to Washington and take as much money as humanly possible from the other taxpayers around the country and rip it out of their taxpayers' pockets and put it in our congressional districts. I don't remember being taught that in my civics book. Yet, the way the earmark system works in this Congress today, it is outrageously inequitable.

You might say, well, you know my congressman knows the needs of my district, so why shouldn't he get a couple of projects in your district. Every one of your congressmen who gets earmarks come back and say, look, I got you this bridge, or I got this business in our community, this money, and they say, aren't I great.

But, you know what they don't tell you? They don't tell you how much somebody else got. They don't tell you that the congressman three States over got 100 times as much money. They come and say, look, I got us $2 million for this project right in our town. But they don't tell you that the congressman from the State two States over was more powerful than your congressman, and he didn't get $2 million, he got $800 million.

So the taxpayers, you, the taxpayer and the congressman whose district brought home $2 million, you got fleeced to the tune of the $800 million that went to the powerful congressman, and that's how it works. Earmarks in this Congress today go to powerful Members. So if you are the chairman of a powerful committee, or you are in the right position to get it done, you get, literally hundreds of millions of dollars, maybe even billions of dollars for projects that you get to direct.

But, if you were a poor American taxpayer who lives in a district where you don't have a mega powerful congressman, well, your junior congressman, your fairly new congressman, your less-than-powerful congressman, he brings home next to nothing, but he brags about what he brought home. He just doesn't tell you that it was a fraction of what was taken out of their pockets to pay for somebody else.

Mr. HENSARLING. Would the gentleman yield?

Mr. SHADEGG. I would be happy to yield.

Mr. HENSARLING. You know, it's interesting, we sit here and assume that a lot of people know what an earmark is and what pork barrel spending is. Probably the best way to define it is money that Congress takes out of their pocket to give to a specific entity that doesn't have to be competitively bid. It can go to one particular corporation. It can go to only one entity, and it doesn't go through any competitive bidding process whatsoever.

As the gentleman said, well, some Members of Congress say I know my district the best, and I am supposed to bring the pork home.

Well, the people in the Fifth District of Texas, they are not so interested in me bringing the bacon home, they want to make sure that Congress doesn't take it out of their smokehouse in the first place.

As the gentleman ably points out, when somebody is getting something for nothing, there is somebody else who is getting something for nothing.

Mr. SHADEGG. I am glad the gentleman brought that up. I am going to go through a description that I think will help people understand what we mean by earmarks and by the kind of a simple earmark that you might think about, and then the more complex, the more subterfuge, the more hidden ones.

First of all, you have powerful Members of Congress get billions, not-so-powerful Members of Congress get next to nothing, but taxpayers pay for it all. The other fascinating process that goes on here with earmarks is the at-risk Members, that is a Member who is in a competitive district and might lose, and their political party wants to help them, oh, they bulldoze money to that Member's district.

But if you have some other congressman who is secure in her District or secure in his district, well, too bad. So you better hope that your congressman is an at-risk Member of Congress because then billions of dollars will be steered to your congressman's congressional district and to your community and to the business and the jobs in that community.

But if you have a secure congressman who gets re-elected each year easily, and he is not powerful, you get a fraction amount of that money or you get zero, once again. Once again, money is coming out of your pocket and being distributed on a completely inequitable basis. It goes to the powerful Members of Congress, it goes to the at-risk Members of Congress to get them reelected.

Let's see if we understand this, my tax dollars go to fund my Federal Government, but they aren't distributed on the basis of merit to the good projects.

They aren't distributed on the basis of need, to people who are in need. They aren't distributed to the Nation's needs. They are distributed to some congressional district because that Member is powerful or to some other congressional district because that Member is at risk of losing his or her seat.

Now if you like your money being distributed on that kind of an unfair basis, then you are for earmarks. Let's talk about kind of an explanation of what earmarks are, as my colleague from Texas just mentioned.

You know, there is the kind of mundane earmark, the routine earmark. A Member of Congress gets asked to do a community project. I happen to like one, they have got a harbor in their district, that harbor needs to be dredged every few years and so they say, look, I just want to go get an earmark to get that dredged. It's asked for by the community, it's needed by the community, and it looks like a pretty innocent fair-minded earmark.

If they were all like that, we might not have any problem as long as they were allocated equally to all 435 districts in the country. Then no one would be taken advantage of. But, guess what, that's not what most earmarks are, at least that's not what many of them are. Many of them are an earmark that goes to a local college or a university or an earmark that goes to a private business. That's my favorite, earmarks that go to private businesses.

I am a congressman, I have a business in my district, and it is not quite making it, or it's a startup, so they come and see me and they say, hey, Congressman, we would like an earmark. Give us some taxpayer dollars because we can't survive in the marketplace. So I steer some money to that small business or that big business in my district.

You know what happens? This is just surprising. Do you know what happens? I would ask the gentleman to join me for a moment. Do you know what often happens? Do you know that often the executives of the company that get that earmark money, your Federal tax dollars, do they make donations to that congressman?

Mr. HENSARLING. Well, as a matter of fact, we have clearly documented that earlier this evening, and it's not just us saying it, The New York Times has said it, and I quote again, ''Representative JOHN MURTHA has procured eye-popping chunks of pork for contractors he helped put in business in Johnstown, Pennsylvania.''

''Every one of the 26 beneficiaries of Mr. MURTHA's earmarks in last year's defense budget made contributions to his campaign kitty, a total of $413,250,'' this from the New York Times.

If the gentleman will allow me, again, under this Democrat majority, what we see too often is that Members of Congress direct earmarks to special interest recipients. They turn around and give campaign donations to the campaign, and then the campaign helps re-elect the Member of Congress, and the cycle goes over and over under this Democrat majority.

Mr. SHADEGG. Taking back my time, I think it's stunning, but I don't like the words ''special interest,'' because that makes you think it might be some kind of a public interest, maybe it's for hungry children or maybe it's for needy families or maybe it's for dental care? No. This is for a private for-profit corporation, a huge business advantage for them and, interestingly, the executives of that corporation just suddenly decide that they like that congressman and send him contributions.

Well, that's pretty interesting, but what about the next level of corruption in earmarks, what about could it have ever happened that a Member of Congress creates a for-profit corporation or creates a nonprofit corporation himself and puts his friends and cronies on the board of directors of that nonprofit corporation or that for-profit corporation and then earmarks money to them? Shocked. Tell me it wouldn't be so.

We are taking earmark money, we are taking taxpayer money, hard-earned money by American citizens, taking it away from them and giving that money to an entity that we created that we incorporated, and we put all the Members on its board of directors and, shock of shock, they donate money back to our campaign or, in some instances, they might hire the congressman's wife or his daughter or his son or some other needy family member.

That's very appropriate. That ought to happen with our taxpayer dollars. That's what we expected when we sent our taxes to Washington that a congressman would take that money and donate it through an earmark, direct it, force it through an earmark, not debate it on the floor of this House, to go to a for-profit or a nonprofit corporation that a congressman created that employs his son or daughter that makes donations back to him.

We haven't even talked about the lobbyist who used to work for the congressman who then went to work for a lobbying firm that seeks earmarks who, by the way, shock of shocks, asked for the earmark, got the earmark, got paid by the for-profit business or the nonprofit business for getting the earmark, and then both executives of that for-profit or nonprofit corporation and the lobbyist, former staffer, donate to the Member of Congress. This is all above board, all wonderful, all that the American taxpayers ought to think happening with their dollars.

Mr. HENSARLING. If the gentleman would yield, it's a good time to point out again what a difference there is between the two political parties on this issue. The Democrats claim they would cut these earmarks in half but they didn't do it. Instead we end up with the second highest number of pork-barrel spending earmarks that we have seen in the history of America. They claim no more secrecy in the process. Yet we know that we have secret earmarks come in to benefit a select number of hospitals.

It has been well documented. They claim they would bring integrity to the system, and yet we continue to see earmarks coming out of this end of Washington D.C., and we see campaign contributions coming in the other end. How convenient.

Then they claimed that we can't continue to tax, we can't continue to have bridges of nowhere for America's children to pay for, but apparently we can have museums to honor Democrat Members of Congress, apparently we can have money going to the so-called Hippie Museum. Apparently we can send money to help the L.A. fashion district with their signage and streetscape improvements.

□ 2115

The Republican Party has called for a moratorium on earmarks. This process needs to be reformed. The Democrat Party likes the status quo as it is. The leader of our party takes no earmarks. The leader of their party claims she would just as soon do without them; and instead, she is in the top 20 recipients of earmarks.

The Republican presidential candidate says I will veto any spending bill with an earmark. And you look at their two presidential candidates, one is in the top 10, and the other, although only in the bottom half, has still managed $91 million of pork-barrel spending.

To add her perspective, I am happy we are joined by the gentlewoman from Tennessee (Mrs. BLACKBURN), and I yield to her at this time.

Mrs. BLACKBURN. I thank the gentleman from Texas for yielding, and for his leadership on this issue.

Getting our hands around waste, rooting out waste, fraud and abuse is something our freshmen class when we came to Congress said we were going to be committed to. And certainly pushing forward earmarks and the issue of pork-barrel spending is something we have committed much of our time in this Congress to.

Madam Speaker, I think it is so appropriate as we talk about this issue that we realize yes, indeed, we have called for a moratorium on earmarks and would encourage all Members to join us, doing so partly because this is an issue that over time has grown and grown and grown.

When you go back and look historically, the first correspondence on this that we could find was Thomas Jefferson writing a letter to James Madison March 6, 1796, and Jefferson wrote commending to Madison did he think of all of the consequences that would come from the proposition of using public money as a bottomless pit, if you will. It is a great quote.

There are quotes from President Monroe in 1822 when he argued that Federal money should be limited to great national works since if it was unlimited, it would be liable to abuse and might be productive of evil. That's 1822, how interesting.

As we look at the period of time through the 1950s and the 1960s and 1970s and 1980s, how this body repeatedly increased spending every single year and increased the use of those earmarks every single year, and how the practice became commonplace.

Well, some of us feel like enough is enough, that the American taxpayer deserves greater consideration. Now is the time for an earmark moratorium.

DEMOCRATS WORKING TO SOLVE AMERICA'S PROBLEMS

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

Mr. YARMUTH. Madam Speaker, it is a pleasure to be here once again speaking on behalf of the majority makers, the freshmen Democrats elected in 2006 to bring change to Washington and who have worked very diligently over the last 16 months to begin to reverse the damage done to this country over the last 7½ years.

It is interesting, I was planning to talk about what I saw as a very encouraging sign over the last few days, the encouraging sign that we had actually solid bipartisan participation in trying to come up with solutions to some of the very daunting challenges that face this country today, including energy prices.

We had a bipartisan vote, an overwhelming bipartisan vote, to restrict additions to the strategic petroleum reserve, something which the President opposes but which overwhelming numbers of both bodies of Congress supported. And I was going to talk about the farm bill in which we had significant Republican participation in coming to grips with a new solution to our farm policy in this country. And I was going to talk about our housing initiatives, how we had significant Republican support last week in trying to craft policies that would help alleviate the serious housing situation we have and to try to keep things from getting worse.

But after listening to the partisan attack that I just heard, I have to respond because what we have heard is something that is almost in a parallel universe. It is interesting that my colleagues from the other side speak as if the last 7 or 8 years didn't exist, as if the Republicans weren't in charge of the entire government from 2001 until 2007, as if the national debt did not increase by $5 trillion during their stewardship of this government, as if earmarks had not been developed into an art form under Republican leadership. It is almost as if there is no history that they choose to remember.

I can understand why they don't want to remember what went on from 2001 to 2006, and before that many of the policies that were developed under Republican leadership in this Congress prior to George Bush's presidency because they don't want the American people to be reminded.

But we know from all of the polls and the voter turnout that we have seen in the last few months, we know that the American people remember what has gone on in these last few years. We know because, as we have seen in a poll over the weekend, when asked which party does the American people trust to deal with the challenges we face as a country, the American people prefer the Democratic policies by a margin of 20 percent, one of the largest margins ever recorded. It is not hard to understand why. What we have seen are failed policies from people well meaning, no question about it, but people who do not believe that government has a role in solving our problems.

We see it when people come to the government, when the average citizen comes to the government for help. We see them in our offices every day, and we talk to them at home on weekends. We know that the American people are hurting. They come to us for help. We know that nurses come to us for help. Teachers come to us for help. Social workers come to us for help. They are dealing with the pain of average American citizens every day, and we are trying to do what we can to help them.

We know that the other side does want to come to the help of American citizens from time to time if they happen to be the CEO of ExxonMobil, if they happen to be the CEO of Chevron, if they happen to be the insurance executives. Those people can always find assistance from the Republicans. But when the average citizen comes for help, no, no, no, we don't want to do that. Government is not in that business.

Well, that's why the American people turned to the Democratic Party in 2006 and said, We have had enough, it is time for a change. We believe that the Democratic Party can help working Americans solve some of the problems that face them.

I think we have made a very, very good start. From the very beginning of our leadership in the 110th Congress last January, we took steps immediately to raise the minimum wage which had not been raised in 10 years. We took steps to change the rules under which drug companies dealt with Medicare. We took steps to end the subsidy of oil companies with huge tax breaks when they are making more money than they had ever made in their history. We worked very diligently, and we talked about earmarks.

My colleagues on the other side want to make it sound like we invented earmarks, which we certainly didn't. We actually provided for the first time some transparency in earmarks. We said if you are going to put an earmark into a bill, then you have to identify that you sponsor that earmark and you have to attest and swear that you did not reap any personal benefit. You had no personal connection with the recipient of that earmark. Those were not the policies under the Republican Congress when they had in their last budget year 16,000 earmarks. No, you could slip them in there. Nobody knew you got the earmark. You could take credit for it if you wanted to, but if you tried to find out who gave money for XYZ, you couldn't find that unless the person actually took credit for it. We changed that. We required accountability in the earmark process.

So it is interesting to listen to my colleagues talk about the horrible leadership that they contend of this Democratic Congress as if the last decade had not occurred. I think the American people have seen through that. I think there is no question that the recent results, not just in polls but in special elections for Congress, reflect the fact that the American people understand that the Republicans are out of ideas. They just are out of ideas. The idea that government will play no role in solving some of the challenges that we have has proven to be a bankrupt idea. They persist in that philosophy, and they persist as of earlier today, and we have to call the attention of the American people that these are not the facts and that there is a very distinct difference between our policies, the Democratic majority, in which we are trying to use government to help the American people while maintaining fiscal responsibility, while maintaining our PAYGO rules so we make sure that we don't add to the Federal deficit and the national debt and that we pay for what we do when we do it.

Now, there is a huge exception to that policy, as we all know. We are going to see it on the House, on this floor in the next few days. We are being asked once again to allocate billions and billions of dollars to the wars in Iraq and Afghanistan. We are being asked by the President, who now has the lowest job approval in modern history, we are being asked by him to give him a blank check, once again no constraints on his activities in Iraq and Afghanistan, no restrictions on his troops, no new regulations regarding the deployment of troops, just give him the money and let him try to accomplish the mission which he said was accomplished 5 years ago but which has not only not been accomplished in 2008 but which is something, a mission which we still can't define.

I would like to ask the administration, and we have on many occasions, if you want our support, if you want us to continue to fund this failed policy in Iraq, tell us what the mission is. Tell us once and for all what the clear objectives are, and we will listen and we will use our judgment and see if that is the type of thing that the American people will support.

But as always, we still don't have a clear idea what the mission in Iraq is. It changes on a day-to-day basis. We are being asked once again to spend billions and billions of American taxpayer dollars for a policy which no one really can explain.

I think my colleagues, and several have joined me here now, are in the same situation as I am. On a daily basis I speak to people from my district, Louisville, Kentucky, and they say, we need money for this. We have been cut this way. We are going to have to cut services, why can't we just spend a little less in Iraq. Every day I get that question. I probably got it six times today. Why can't we take some of that money we are flushing down the toilet in Iraq and spend it on the American people who are in desperate need of the things that government needs to do. These are some of the issues we are confronted with today.

It is my great pleasure to be joined by two of my colleagues from the class of 2006, the majority makers, Mr. KEITH ELLISON from Minnesota and Dr. STEVE KAGEN from Wisconsin, and I am going to yield to Mr. ELLISON and have him continue this discussion about what we in the majority makers and we in the Democratic majority are trying to do on behalf of the American people.

Mr. ELLISON. Madam Speaker, I thank my good friend from the great State of Kentucky. He has been helping to lead our majority-maker class in this leg of our two-term service, and has been doing a fine job of it.

As I start, I want to invoke the memory of two young men, one Robert Dixon and another one, Quising Lee.

□ 2130

These are two young men who are from Minneapolis who were killed in Iraq. There have been 64 Minnesotans killed in Iraq, and Robert Dixon and Quising Lee are two gentlemen who lived in my district.

I'll never forget when I went to go see Quising Lee's family after he was killed. He went to North High School. He was 20 years old when he died, and he was killed in a roadside bomb in Iraq.

Robert Dixon was killed in a roadside bomb in Iraq as well. I wasn't able to go to see Robert Dixon's funeral. I was here. My wife went for me. Kim, thank you for doing that. And she sat there and listened to stories about Robert Dixon and his life and his service to our country and the things he hoped for and wanted.

But I did get a chance to visit the family and go to the funeral of Quising Lee. Quising Lee, 20 years old when he was killed, went to North High School, had his whole life in front of him. Only 20 years old.

It's in the memory of those two young men from Minneapolis that I offer remarks tonight, and on behalf of those 64 Minnesotans that have been killed, and on behalf of those 4,500-some individuals, Americans who've been killed in Iraq, and on behalf of those, probably as many as perhaps 600,000, perhaps even 1 million Iraqis who've lost their lives in Iraq.

That's the spirit in which I approach tonight, my fellow majority makers, because, as you know, tomorrow is the big day we're going to be voting on Iraq appropriation once again.

Just for the facts, I think it's important to point out this will be a three-tier vote. One will be on appropriation for Iraq. I'll be voting ''no.'' The second will be on certain terms and conditions to get out of Iraq. I'll be voting ''yes'' on that. And the third will be appropriations for GI bill and things like that, and I expect to be voting ''yes'' on that.

And so I want to just lay this out tonight because I think people that are listening should know that tomorrow is a big deal. Tomorrow is a big day. We're all going to be casting votes, votes, I pray, of conscience, votes that are not based on licking a finger and sticking it in the wind, votes that we earnestly believe in. No matter what you may conclude about how you should vote tomorrow, I pray that you do it based on your conscience, consistent with your conscience.

And as we sit here tonight, you know, I reflect on the fact that I've been to Iraq once, been to Afghanistan once, look forward to going back. I think it's the responsibility of every Member of Congress to see the place that we have these soldiers struggling to survive in. I don't think it's right to just send somebody there and then just expect that they're going to be fine. We should at least go there, eat with them, sit with them, listen to them, their hopes, dreams, aspirations, what they hope to do if they make it out of there.

I think it's important for us, as Members of Congress, to go to the VA hospitals in our local communities and here in Washington, DC.

I think that what we're dealing with is serious issues, life and death. And more importantly, perhaps most importantly for me, we're dealing with issues of how our Nation works in relation with other nations in the world.

I believe that the United States should aspire to be a good neighbor in the world. I believe that our country, blessed with tremendous economic power, blessed with tremendous democracy, meaning not just elections, but the power to respect minority rights, the power to respect religious diversity, ethnic diversity. In America, we're not saying that people don't discriminate, but it's illegal if you do it, and good people fought and even died to make it so.

So I hope that tonight, as we reflect upon our great Nation, we reflect upon our role in the world, reflect upon not only the hard power but the soft power of America; that we all reflect on the sacrifices that were made to make it that way; and that we say that American history is not written yet, and that greater things are left for us to do.

And the greatness of this country is not bound up in guns and bombs, but, my friends, it's bound up in the goodness of the people and our desire to say that we cannot rest on having a democracy at home, but we should model it for the world, but not impose it or inflict it upon the world; and that we are not the world's police officer, but we could be a good example for what people might want to emulate, and that we should use our power to beat swords into plowshares and make war no more.

I'll be voting ''no'' on that appropriation tomorrow. And so I just want to turn it back, as we reflect tonight, as I reflect on the lives of Robert Dixon and Quising Lee. I know my friends from Kentucky and Wisconsin have some young people, or not so young people who they're remembering tonight as well.

Thank you. I yield back.

Mr. YARMUTH. I thank the gentleman. And now it's a pleasure to welcome Dr. KAGEN from Wisconsin, someone who has been a steadfast advocate for not just the veterans of this country, but for working families everywhere, and has been a champion in trying to bring attention to the serious flaws and opportunities in our health care delivery system.

I yield to the gentleman.

Mr. KAGEN. Thank you for yielding, and thank you for carrying on for the first few minutes before I was able to attend. Our Committee on Transportation just ended its subcommittee meeting at 9:20 this evening where we were hearing some testimony about the possible merger between Delta and Northwest. And it was a very educational seminar, to say the least.

But it's still an example of how we are working hard to gain oversight over these mega mergers, and taking a look at big business and big insurance and big corporations and the big war machine that's now costing Americans millions and millions of dollars every day.

And if you like numbers, my friend, it's $14 million an hour that we're spending in Iraq instead of here at home. It's $338 million per day, $2.4 billion per week, and $10 to $12 billion per month that we have our hard-earned tax money going over to the sands of Iraq and not investing here at home in our own infrastructure, in our roads and our bridges, in our schools and in our social system.

Now, if you like numbers, and I like numbers, I've got a head for numbers. I'll give you the number 300, 200 and 13. 300 percent is the increase in the gasoline price since the current administration took office in 2001; three times as much as what you're paying at the pump as when they started.

Now, my friend, Mr. ELLISON, the right honorable sir, mentioned Iraq and some Iraq tragedies. On Mother's Day I had the occasion, in Wisconsin, to dial up and wish a happy Mother's Day to a fallen soldier's mother, and I spoke

with Donna Opicka. She had lost her son, Dean. And in her words, quote, ''It's not working.''

She's been against our involvement in Iraq from the start. She has two sons that are there. And we will always support our troops, but not a failed policy. And in her words, ''It's just not working.''

They told us oil prices would go down. They've gone up 300 percent.

The Number 200, it's 200 percent, the increase in fuel oil that many people in Northeast Wisconsin rely on to heat their homes. And it was a long winter this year.

And what about the number 13? 13 percent increase in your cost for groceries. Your food went up 13 percent.

My friends, if the cost of our food went up 200 and 300 percent, we'd see a revolution in this country. And so earlier today we passed a farm bill that will fundamentally and dramatically change the way we're feeding ourselves. This farm bill determines what farmers will plant, what they're going to grow and, ultimately, what we're going to eat and what we're going to look like.

That farm bill had the overwhelming support of over 300 Members of Congress, and it's a very good example of how Congress really ought to work, in a bipartisan way, Republicans and Democrats together putting their minds together and working out a way in which we can feed not just our own families but continue to feed the world.

Now, as this increase in energy for food and energy for oil has gone skyrocketing, the food prices have held their own until recently, when the energy cost has crept into our food supply.

At the same time as these costs are going up, your income is going down. The median income went down 2 percent since 2001. So at the very same time that middle class Americans are having a hard time keeping their head above water with the escalation in the cost for energy, both food and oil, their income is not going up.

And so I think people watching tonight have to ask a fundamental question. Whose side are we on? Are we on the side of big business? Are we on the side of big insurance, big oil companies? I think not. We're not sitting in a boardroom. We're standing on the people's floor here in the House. And I'm very honored to work with my Class of 2006, the class I brand America's hope for a real positive and a new direction; not just in our farm policy, not just in our foreign policy, but our domestic policy as well, as we pay attention to and continue to work hard for the American people to give them a fair shake in our future.

And I yield back.

Mr. YARMUTH. I thank the gentleman.

I want to pick up on two of the things that he mentioned because I think these are fascinating contrasts and put into perspective some of the challenges that we face.

First, on the subject of oil prices and gasoline prices, he mentioned that 300, the price of gasoline has gone up 300 percent since 2001. What's interesting is, when you look at what we're now paying in Iraq for gasoline, this is one of the truly astounding and very disturbing aspects of our involvement there.

And again, as my colleague, our colleague, Mr. ELLISON said, we're going to be voting on more funding for the Iraq war tomorrow. The American people need to know that right now we are spending $153 million a month on gasoline in Iraq, $153 million a month. And we're paying $3.23 a gallon for that gasoline. It's probably up since then, but the time that we have the statistics, $3.23 we're paying for gasoline in Iraq.

Meanwhile, the Iraqi people, and Iraq is sitting on one of the largest oil reserves in the world, the Iraqi people are paying a subsidized cost of $1.30 a gallon. Now, wouldn't we all love to pay $1.30 a gallon?

Now, that's unrealistic, but it's interesting that we're paying for the entire reconstruction cost of Iraq, we have up to this point; we're spending all this money to try and stabilize their country, and we're paying $2 more per gallon for gasoline than the Iraqi people are. That's just one of the strange quirks of our involvement there.

Mr. KAGEN. Would the gentleman yield?

Mr. YARMUTH. I would be happy to yield.

Mr. KAGEN. Does it bother you at all that we don't have any oversight in Iraq, where 20 percent of the money we're putting in, no receipts, no oversight at all, and it's a culture of corruption? Does that bother you at all?

Mr. YARMUTH. Well, certainly. And again, I referenced the fact that not only are we being allowed to, or being asked to write a blank check for hundreds of billions of dollars, as we've been writing for some time now, somewhere over $500 billion total in direct appropriations for the war in Iraq, but we're also being asked to give the Iraqi government a blank check; do whatever you want, no accountability, you get to it when you get to it, you'll decide when things are right for us to be able to leave. It's all up to you. We're helpless.

It's a very uncomfortable position for us to be in.

Mr. KAGEN. Will the gentleman yield again for another question?

Mr. YARMUTH. Of course.

Mr. KAGEN. Does it not astound you that the administration today, and our opposing party, has no answer when we say, look, we are budget red. We have a budget deficit and Iraq has a budget surplus. Isn't it time that they paid for their own reconstruction?

Isn't that a reasonable question?

Mr. YARMUTH. It's a reasonable question which we are addressing in legislation. And I think the American people are totally justified in demanding that the Iraqi people pick up some of the tab when they're running a $70 billion surplus per year.

And I was actually encouraged to hear one of the representatives of the government over the weekend talk about the fact that they intend to do that. But just their intentions don't seem to be much because, again, as you said, there is no accountability method in place.

But I want to reference one other thing. And it's getting off on a little tangent, but you talked about the merger between Delta and Northwest, and that's being examined by the Transportation Committee now, and I'm glad it is.

One of the things that I've been talking about more and more when I'm talking to the good people of Louisville, Kentucky is, you know, we've allowed, over the last couple of decades, maybe 3 decades, companies to get bigger and bigger and bigger in this country. We really haven't enforced the anti-trust laws in this country in 30 years. And we did it because they said, oh, you know, it's a global economy. We need to be able to get big so we can compete.

Well, unfortunately, what they generally mean when they say they want to get big is they want to get big in revenues. They don't want to get big in job creation. They don't want to get big in many things that are the goals that we hold for this country. And when they want to get big, it generally means they want to save money. So they merge, and then they eliminate jobs, and they close facilities, and they destabilize communities, all in the name of being able to compete in the global economy.

□ 2145

And what concerns me is—and we had a hearing not too long ago in the Oversight Committee in which we talked to several of the CEOs of very large corporations, and this was about corporate executive compensation. And I asked three of the executives, When you have these compensation committee meetings when you're deciding what your CEO is going to be paid and what your top management is going to be paid, do you ever talk about the impact of these huge salaries and compensation packages on the morale of your employees? Do you ever talk about how you could make life better for your working people, your employees? Do you ever talk about how you can improve the communities that you occupy, that you serve?

And the answer was very candid, and they said, No. It's always about just how we get the stock price up and how we compensate our executives.

So the question I ask, and it's one that I hope we continue to ask in this Congress, if you want to get big, we need to make sure that your goals are the same as the American people's goals; and I think people on both sides of the aisle would say we have the same goals for the American people.

We want good jobs, we want stable communities, and we want secure families. And if we have a corporate world that has goals that are antithetical to that, then we need to revise our policy on anti-trust allowing these mergers and try to say if you want permission from us to get big and you want to operate in a certain way, we want you to operate in a way that benefits the American people and not just your CEOs and your stockholders.

Mr. ELLISON. Will the gentleman yield?

Mr. YARMUTH. Absolutely.

Mr. ELLISON. As we talk about this merger of Northwest Airlines and Delta, I have a number of serious concerns I'd like to point out. One is that Northwest has a pilots' union, has a mechanics' union, has an airline attendants' union. Delta only has an airline pilots' union. And the fact is that Delta is the bigger entity. And so when they merge, what will happen with these organizations that are designed to make sure working people have some rights? I'm very concerned about that.

And I think that's one of the reasons why I think—and I hope and pray we can pass the Employee Free Choice Act, which we already passed through this House, but we have not yet been able to make into law.

I'm also concerned that Delta and Northwest in the future, if they merge, will never compete based on price or based on product. They will never compete because they will be one entity. They won't make each other better, and they won't make each other more efficient. They're just going to bond together and make some money. And of course, they're quite candid, and they tell you they are going to merge so they can get efficiencies. So what is that? Well, that means somebody is getting fired. That means somebody's got to go. You can't have two Employee Relations offices; you can't have two H.R. offices. Can't have two of everything. Somebody is going to go. And at the end of the day, a lot of folks who are paying property taxes, who are raising families, who are doing well, are going to be out of work and lose their jobs.

So I'm very concerned about this. I'm concerned about what consumers are going to pay in terms of ticket prices. I'm concerned about loss of jobs. I'm concerned about the fact that this Justice Department has never seen a merger that it didn't like, and we are seeing an increasing monopolization, oligopolization of our, what should be, competitive markets.

And I would love to see some of these free-market advocates get out there and fight for a competitive market. They seem to not be in favor of competitive markets. They seem to be in favor of really big business, not competitive markets, not free enterprise. These are things that are on my mind, and I think Americans want to know what is this Justice Department going to be about.

Because as I wrap up and toss it back to you, I would like to ask you gentlemen a question. Did you know that in 1980, the average CEO made about 42 times the average worker; but in 2005, which is the last year I have data, the average CEO made about 411 times the average worker? That is a problem. What do you guys think of that?

Mr. KAGEN. It wouldn't be so bad if everybody else was doing that good. The reason it's bad is because we didn't get lifted up at the same time.

Mr. ELLISON. Did the rising tide lift our boats?

Mr. KAGEN. Not the boats in my district, but median income might be $28,000 to $32,000 a year.

When I was home in northeast Wisconsin, I was at a diner, Tina's Roost, in Oconto. And I was meeting with some workers there, and I said, well, listen. We're about to take up this discussion about an economic stimulus package to revitalize our economy and get us out of this upcoming recession; and one of the city workers stood up and took apart some of the six layers of clothing because it was still pretty cold in northern Wisconsin, and he said, KAGEN, look out the window. You can see it right there. The price of gas. You drop the price of gasoline, I have got more money in my pocket. And while you're at it, knock down my health care bills. Those are the two things we could do immediately to put more money in people's pockets.

But my response was very direct and very honest. We're working hard to do that, but it's hard to do it when you have a President who's an oil person and you have a vice president who's an oil person and a Secretary of State who is an oil person. So if you've got oil in the White House, it's hard to move it out until we look forward to that date in November when we get that real positive change that we really need.

So we can drive our economy, but we have to have an energy policy that makes sense, one that is designed in the open and not behind closed doors; an energy policy that will be fashioned towards renewable sources of energy, away from fossil fuels, and it has to make sense for our environment at the same time.

But fundamentally, people are like back home in Wisconsin. A lot of people are like turtles on their back. They just want to get back on their feet and get started. And that's what we did with the energy stimulus bill, and we're also doing that with this housing bill that we put forward, trying to find a pricing floor in the housing market.

Mr. YARMUTH. The gentleman makes some very good points, and one of the things I just mentioned before you arrived was that over the past few days, we've actually done three things in a bipartisan way; and you mentioned one of them. We passed a farm bill with substantial Republican support. The housing bill, we had a number of Republicans join us; and when we dealt with the Strategic Petroleum Reserve in which we said we don't need to be adding any more fuel to the Strategic Petroleum Reserve, taking it off the market, decreasing supply when we're at 98 percent capacity; we've never been, in recent history, below 600 million gallons of our 727-gallon capacity; and the bill, the freshman class, we asked the President to do it by himself. The President refused.

So what happened? The Senate yesterday voted 97–1; the House voted 385–25. I think it shows it was a pretty solid idea. There can't be that many people who have bad judgment. Maybe there are. But 97–1, 385–25 are pretty good odds. So we spoke to the President in a bipartisan way.

So there are situations in which we have found ways to work together, and as you said, that's the way it should be; and I think that's a very encouraging sign. Unfortunately, we have a President who doesn't recognize this body as having any say in policy in this country. He believes he is the decider, and despite provisions in the Constitution in article 1 to the contrary which says the American people are the deciders of policy and the laws through their representatives of Congress.

I think we are doing the people's business, and we're doing it in a very responsible way. And I agree totally that it will be wonderful to have a new chief executive in the White House who maybe understands that government is a partnership and the Constitution was written so that it would be—we would have three branches who are not constantly in conflict but who are working together for the American people.

Mr. ELLISON. I think you're right, Mr. YARMUTH, and I appreciate you pointing that point out.

The article 1, that's kind of our theme this year, isn't it? Reasserting the power of the legislative branch.

I want to pick up on a theme that Dr. KAGEN mentioned a moment ago as he was laying out how he was speaking with some workers in northern Wisconsin.

I was talking with some workers in Minneapolis recently, and we're kind of like cousins, Minnesota and Wisconsin. Folks had talked about how their pay has been stagnant and they haven't seen much of a pay increase except in the late nineties. But the prices of everything seems to be going up: health care, housing prices, and all of that. And what people did in the early part of this decade is they were able to get money out of their houses, right, which has led us into the foreclosure crisis.

But what are people doing now that housing prices are flat? Well, they're turning to credit cards. Charge it. They're putting it on the plastic. And I think this is a big deal because I think we need to know that people are essentially consuming not out of savings, they're consuming out of pay-day loans, credit cards. They used to do it out of the equity of their houses. And this is a serious problem, and people cannot consume out of their savings but have to consume out of debt.

And what it has caused us in our economy today, gentlemen, is that we have seen the credit card debt jump from 6.7 percent in the first quarter of this year, a credit card increase of 6.7 percent in the first quarter of this year to a whopping $957.2 billion. This is a very serious issue for our economy.

That's why we need a high-wage strategy. We need to put more money in people's pockets by reducing the costs of education, housing, health care, gasoline, and by saying that folks are going to have a fair, decent wage that they're going to be able to earn; and we need a strategy to pull those things together for the American people.

Mr. KAGEN. What we did the other day in terms of trying not to put more petrol into the Strategic Petroleum Reserve is to increase the supply. And the President said what we should be doing is increasing supply by drilling more. But there's a fallacy in that argument. There are thousands of acres available for drilling on public land, and they're not drilling.

So the fallacy is the price of oil is going to shoot up and up and up as long as we have fewer and fewer oil companies that are chasing down the oil. But we cannot drill our way out of this energy crisis. We can't drill and burn and drill and burn. We're going to end up choking on our own exhaust. We're going to inflate the temperature so much in this globe that we're going to melt not just the ice caps but our future at the same time.

So we need to have that energy policy that is not based on increasing supply but finding alternative sources of energy.

Mr. ELLISON. What do you think about an energy policy that would incentivize the production of cars that get 100 miles to the gallon? They're out there. The technology is there. There are a lot of things that we're looking at here in Congress that could help people go a long way. You plug that thing in at night when the load is a little lower, nonpeak hours. What about getting some of these light bulbs that don't use as much energy? What about converting some of these old windy buildings so they don't waste as much energy?

Mr. KAGEN. We're doing that with the Department of Energy building because our Transportation Committee has decided that the energy building, the Department of Energy, should be led with some solar power. It's called future fitting. And if you future fit your home, put up solar cells, not to take it off the electrical grid but knock down your electric footprint, your carbon footprint, you will save much in your electric bill and also in terms of the CO_2 production in the atmosphere.

These are the little things that when they add up, when thousands of homes across the country begin to future fit their homes, we can gain a great deal of energy independence and stimulate the economy. People underestimate the millions of jobs that can be created by future fitting their home, and we have to help them out here in Congress to create that legislation to incentivize that.

Mr. YARMUTH. Exactly.

I would say you made the right statement. We will never drill our way out of the energy crisis, but we can invent our way out of the energy crisis; and the private sector is in the process of doing that. We need to give them the boost. We need to give them the incentives. We need to provide the tax credits, and in fact, we have tried to do that. And if anything, I think, represents a clear distinction—there is probably nothing that represents a clear distinction between the President's party and ours than the way we have handled the ideas of incentives.

The Republican Congress in 2005 voted a 15—well, the number is vague—but it's around $15 billion a year in tax incentives to the oil companies to drill. We've tried to take that tax incentive away, that subsidy, and put it into the types of innovative technologies that will be the answer to our energy crisis, will make us independent of imported oil, and oil totally, and will stimulate and create new economies and new economic opportunity in this country.

□ 2200

Mr. ELLISON. I've got to ask the gentleman to yield on this one.

What is the opinion of you two esteemed gentlemen on the $40.7 billion ExxonMobil cleared? I mean, that's not revenue, that's profit, and yet and still, this President does not want to take away their incentives, their oil subsidies. What kind of sense does that make? Can somebody please rescue me from my ignorance?

Mr. YARMUTH. That didn't make since in 2006 when they made $38- or $39 billion. It didn't make sense last year when they made $40 billion. It doesn't make sense when they made over $40 billion. Record profits every year since we gave them this huge tax subsidy.

Mr. ELLISON. Well, let me ask you this, do you think there will come a day when the folks in the White House might just say, they might not need that subsidy after all?

Mr. YARMUTH. Well, ironically, in a way, this President did say that because in 2004, when he was campaigning for reelection, he said once oil passes $55 a barrel, the oil companies will not need any incentive to drill. That was his campaign statement in 2004.

Mr. ELLISON. That's the problem. He just doesn't know that oil is not $55 a barrel, but actually hit about $126 a barrel. He just doesn't know. Somebody ought to send him a news flash.

Mr. KAGEN. Let me put it in a different perspective, if you will allow me to. It's not about profits. I'm in favor of profits. We have a capitalistic marketplace. I'd like people to be profitable. It certainly beats the alternative of being negative in red ink.

But let me submit to you that the oil that we're pulling up out of the ground hasn't changed in millions of years. The gold we're mining out of these mines, it's the same gold as it has been for millions of years but it costs more. It costs more because the purchasing power of your United States dollar has declined.

So there's a decline, a reevaluation south of everything you own and everything you do. Every working man and woman today is earning money that has less purchasing power than before, and it's because of our failed economic policy of this administration and the Republican party, the philosophy of borrow and spend and borrow and spend.

You cannot borrow your way into national prosperity. You cannot spend your way into prosperity. We have to have a fiscally responsible and socially progressive House and Nation, and when we do that, when we reinstill these values, we'll begin to grow our way out of this current recession and restore some balance to our economy, wherein an oil company may not have to make that much money at the expense of every consumer who is struggling just to keep their head above water.

Mr. ELLISON. You put your finger on a very important issue. You used the word ''philosophy,'' and I think it's a good time to talk about the philosophical framework that I believe is crumbling before our eyes.

The idea that the middle class doesn't matter, that the wealthiest among us—and let me just tell you, I'm one who says, thank God that you were able to do really, really well. I'm not against people in the top 1 percent. I mean, I'm like great. But I think people in the top 1 percent say, you know what, I climbed up the ladder and I'm going to leave it there so other people can climb up the ladder, too.

But the philosophy that I think we have seen over the last 8 years is the philosophy that says, you know what, we're going to give every opportunity, every incentive to the people at the very tiptop; we're not going to make sure people in the middle are making it. And what eventually happens is that those people there in the middle don't have anymore money to spend. They are now spending out of debt, and then what happens is that they can't even afford the basic necessities of life, which then is going to have an impact on the consumer sector and on corporate America.

Seventy percent of the whole GDP is what we spend, consumer spending, but we ain't got no money. And so the point is, we are literally killing the goose that laid the golden egg. We need to say that we need new politics where the market is a part of our life but not a holy, sacred grail. The market helps to propel productivity, but is not all there is. But we have alongside the market, a regulated market, a market that makes sure that competition is

present, a market that says that consumers cannot just get stuck and gouged and pinched and pulled and taken advantage of, and a market that says that we want to have innovation and room for small producers so that there's this competition over goods and services and brand and innovation and, of course, price.

We need a new market that has the middle class as the VIP of this economy, not the CEO.

Mr. KAGEN. I think that you're headed toward the philosophy that I think America really believes in, getting back to the basics and putting the letters U–N–I–T–Y, unity, back into community.

Mr. ELLISON. Oh, yeah.

Mr. KAGEN. We can do that by helping to evolve our health care system back to community-based ratings so there is no discrimination against any citizen, not just because of the color of their skin but their skin chemistry, not just the content of their heart but the arterial content of their heart.

So we have to get back to a place, again, where American traditional values are reinforced here in Congress. I think that's the hard work, the working ethic. That's the hard work we have been doing here during these past 15 months that we got here.

Mr. YARMUTH. There's another element to the philosophy that I think we need to talk about now, and I see it in discussions that we have in our caucus meetings, and I think it's a growing realization that we have to embrace as a philosophy in this body that we can't think just to the next election cycle. We have to start thinking very long-term, and we have to start thinking about investment and investments that will pay off over the long run but will not get us any immediate gratification or recognition so that we can get votes at the next election.

And you mentioned health care, and that's certainly an area in which we have to start investing because every dollar we spend on early childhood health care we know pays off 10, 20 times down the road. You can't see it today. The CBO, the Congressional Budget Office, won't score it and say, okay, you can take credit for that, but we know that it happens. If children are tended to early on, preventive care, diagnostic work, we catch a hearing problem, a sight problem, you catch them before they get obese, we know how much that returns in savings down the road.

The same way with infrastructure. We've neglected infrastructure in this country for far too long. We know we have to make investments in infrastructure, but those are the types of investments that do pay off. It's not like Iraq where every dollar, once you shoot a bullet, once you shoot a rocket, that's money gone. There's no investment there, no return on investment.

But infrastructure, health care, medical research, if we could spend, let's say we spent $100 billion over the next 10 years and we were to cure cancer and diabetes, you're the doctor, it would save trillions of dollars long-term.

Mr. KAGEN. Absolutely.

Mr. YARMUTH. And so we have to start thinking I think in that long-term, let's invest money now. You're right, you can't spend your way to solve these problems, but you can invest your way. And I think there's sound, solid, predictable results that we can get from these types of investments.

Mr. KAGEN. But that requires judgment. It requires good judgment at every level of our government, not just a mayor or a county board member, but here in Congress and in the White House. And this is why this next election, I'm looking forward to having the opportunity to work with a President who has good judgment and a philosophy that believes in prevention, not just in health care, but by preventing going to war, you prevent human tragedy and you save tremendous amounts of money.

Mr. ELLISON. That's why I really believe that we need a philosophy and a President who believes in the philosophy of the common good. The common good because, you know, as Representative YARMUTH refers to infrastructure, that's another word for our common wealth. That's our common wealth. That's what we all own together. That's the roads, the bridges, the dikes, the levees, the transit. That's the universities, the public school system. That could be a health care system that we own together, that's ours. And that's all of these things that when we invest in them, they pay dividends back.

Like you just said, that military spending is a one-way good. You shoot that bullet, and it's gone. But when you build that road, all of us who use it for even just our businesses, just to truck stuff over it, are using it, that's a return on investment. Those of us who go to school on it, that's a return on investment. Those of us who use it just for recreation, that's a return on our investment.

It's our common wealth, and we need to get back to the idea that, you know, America is a country where we have our common good and we share it, and we believe it and we have a common wealth that we share and we keep and we promote. And our market is a part of the common wealth, but it's in service to the people of the country. It's in service to tap into the creativity and the productive power of the people so that they can produce goods and services for the people of this country.

Our markets are another, not just to produce goods and services, but to improve our social life because in that way, when I'm allowed to do my thing, right, I can be more happy, more productivity, more creative. And if I had health care and if I had a pension and if I had a school system that my kids could go to, boy, I could sit in that garage and come up with all kind of cool stuff.

The fact is we've got to get back to this place where it's about the common good, it's about the common wealth, and not about just me for me and I don't care about anybody else. Greed essentially elevated to a political philosophy, we've got to get away from that. It has not served us well.

Mr. YARMUTH. Well, the gentleman makes a wonderful point, and I'm reminded in a very kind of maybe indirect way of a movie that came out back in the early seventies, and it was called ''Rollerball.'' It was remade several years ago in a very different way. But the movie early in the 1970s was a science fiction movie, futuristic, looking to an era in which geopolitical boundaries had ceased to exist. And the world, instead of being divided into countries, was divided into economic entities.

So James Caan, who starred in that movie, played Rollerball, a futuristic game, for the Energy Corporation, and they played against the Communications Corporation. And then there was the Food Corporation, and that's the way the world was divided.

And sometimes when you see ExxonMobil with its volume of revenue and profits and some of these other enormous corporations, you say maybe we're not too far from that.

So we have to decide, as a Nation, it's one thing to say the world is flat, but that doesn't mean the world has lost its distinctions yet and its delineations into Nations that have souls and have people who believe in their commonness, their common mission, their common ambitions. And that's something that I think every American wants to retain. We don't want to lose that.

And I think when we essentially wash our hands in Washington and say corporate America, corporate world just go at it, do what you want to do and we'll take whatever you give us, we're not too far from that unfortunate scenario in ''Rollerball.''

Mr. KAGEN. Let me make a comment about that if I may, and many people would like to say, well, why can't government run itself like a business. And in one sense, we can because in business there are three questions you have to ask yourself: Will it work? Will it be profitable? And the third most important question is, is it the right thing to do?

These are the three questions we can ask ourselves as well here as we begin to fashion legislation. Will it really work? Is it going to have the outcomes that we hoped that it would, whether it's health care or a housing bill or a farm bill? Will it work?

Secondly, is it going to be profitable? Will it be something for generations to come? Seven generations forward will feel that was a good investment of your time and your natural and national resources?

And finally, is it the right thing to do? Is it the ethical thing to be doing?

These are the three questions that apply to business. These are the three questions I think apply to our government, and I'm happy to say what we've been working on here in the 110th Congress, all three of these questions have been asked and answered, and we're doing the right thing for America. We're really moving it in a very positive direction.

Mr. ELLISON. I would say, and we have about maybe 5 or 6 more minutes to go tonight. I just want to say it's always a pleasure to be on the floor with the difference makers, the majority makers. It's an honor to be able to stand in front of the American people and to project a progressive vision that includes us all, that allows us to share in a common good and a common wealth together and also allows us to, you know, embrace the fact that we are an economy, that our society embraces the free market as well, that we look at these two things as complementary and not one superior to the other, that we see them as something that enhances our life together.

□ 2215

And I just want to say, as you mentioned, Mr. YARMUTH, that I don't think Americans want to be under a corporatocracy. I think we like our national identity.

And I'll say that you should know that before the 1870s, the corporate entity was nothing close to what it is today. As a matter of fact, you couldn't even own one unless the charter was issued by the State, the same as it is today. That's the thing; we think of these things as somehow natural or inevitable, but corporations are creatures of the State. Without a State charter, they don't exist. And we should say that corporations should ask, does it work, does it make money, and is it the right thing to do? That is a perfectly legitimate question. And I look forward to the day when that question is asked by all of us.

So with that, I again thank you two gentlemen, and also salute the majority makers. And I look forward to a day when we have a cooperative and productive relationship with the executive.

Mr. YARMUTH. That will be a nice day. And, you know, just following up a little bit on that thought, the image that I get in my mind when I look out over the economic landscape sometimes is that we have a lot of very wealthy, very powerful people who are just playing Monopoly with America, that this is just a game for them. And there are the little houses and the little trains and all the little pieces that are on the Monopoly board, and it's funny money. Unfortunately, it's funny money that many people are being deprived of because of the great concentrations of wealth in this country.

And I don't want to sound like somebody who's saying, oh, we've got to redistribute the wealth, we've got to make sure everybody has the same thing. That's not what any of us are talking about. But as Mr. ELLISON pointed out before, we have seen the greatest separation of wealth, disparity in wealth in this country than we've seen in almost 100 years. And we've let the pendulum swing much too far to one side so that we've allowed the very wealthiest people to become incredibly wealthy, and almost everybody else has been treading water.

As we said, we have not been floating everybody's boat; in fact, we've been drowning a lot of people. And we've got to make sure that everybody has a boat. And I think that's one of the things that this Congress is committed to.

So I would like to yield to my friend, Dr. KAGEN, for some closing remarks as we wind down this version of the majority makers.

Mr. KAGEN. Well, I would close by thanking you for the opportunity. It's been a long day, another 15-hour day for both of us. And I want to thank the American people for tuning in tonight. And you can guarantee one thing, that we're working hard for you. We're on your side. We're going to protect our country. We're going to grow our economy, expand the middle class, and defend our planet against global climate change. And on that positive note, I yield back my time.

Mr. YARMUTH. Thank you, Dr. KAGEN. It's wonderful to be here with you tonight, and also with Mr. ELLISON.

And one of the things, I guess if I could capsulize what we've said tonight and what the majority makers feel more than anything else, that in this country every person matters. Every individual matters, and every individual deserves our attention, our concern, and our action. And that's what we've been doing for 16 months and pledge to be doing for the rest of our tenure in office.

So with that, once again, thank you for joining me tonight.

MAN-MADE GLOBAL WARMING

The SPEAKER pro tempore (Mr. SPACE). Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, I preface my remarks with a personal statement that, while I am opposed to the advocates of man-made global warming theories, I am committed to a clean and healthy environment, to purifying our air, our water, and our soil; all of this for the sake of the people of this planet, including my three children, Anika, Tristan and Christian. I do this not because of some paranoid theory that humans are changing the climate of the world, but instead, I am very concerned about the health of the people of the world and, thus, committed to clean air, clean soil, and clean water.

Thus, we have, today, to take a look at the issues of global warming and pollution that confront our society because there are enormous implications to this whole discussion of what has been called ''man-made global warming.''

Only 18 months ago the refrain ''Case closed: Global warming is real,'' was repeated as if the mantra from some religious zealots. It was pounded into the public consciousness over the airwaves, in print, and even at congressional hearings, ''Case closed.'' Well, this was obviously a brazen attempt to end open discussion and to silence differing views by dismissing the need for seriously contrary arguments and seriously listening to both sides of an argument. And rather than hearing both sides of the argument, this was an attempt to dismiss arguments even though the person making the arguments might have a very impressive credential or might be a very educated scientist or someone else who should be listened to.

And yes, there are dozens, if not hundreds, of prominent scientists and meteorologists, the heads of science departments at major universities, and others, who are highly critical of the man-made global warming theory. There is Dr. Richard Lindzen of the Massachusetts Institute of Technology. He has been adamant in his opposition, as has a Bjarne Andresen of the University of Copenhagen, Adreas Prokoph, a professor of earth sciences at the University of Ottawa, Dr. William Gray, a famous hurricane expert and former President of the American Meteorological Association, and Dr. Kevin Trenberth, the head of the Climate Analysis Section at the National Center of Atmospheric Research. All of these are respected scholars, all skeptical of the unwarranted alarmism that we are being pressured to accept.

But their views and those of so many more prominent scholars and scientists don't matter. The debate is over. Al Gore has his Nobel Prize, and the film, ''An Inconvenient Truth,'' its Academy Award. So shut up and get your mind in lockstep with the politically correct prevailing wisdom, or at least what the media tells us is the prevailing wisdom. And no questions, please, the case is closed. We heard that dozens and dozens of times.

So what is this theory that now is so accepted that no more debate is needed or even tolerated? The man-made global warming theory may be presented as scientific truism, but it is not. It is a disturbing theory that the Earth began a warming cycle 150 years ago that differed greatly from all the other warming and cooling cycles in the Earth's past. This warming cycle of 150 years ago, we keep being told, is tied directly to mankind's use of fossil fuels, basically oil and coal, which, of course, oil and coal and these fuels, these so-called fossil fuels, have powered our industries and made modern civilization possible.

Fossil fuels, we are told, puts an ever-increasing so-called level of greenhouse gases into the atmosphere, and

the most prevalent of these gases, of course, being carbon dioxide, CO_2. This increase in CO_2 causes the warming that we are supposedly experiencing today. This man-made warming cycle, according to the theory, is rapidly approaching a tipping point when the world's temperatures will abruptly jump and accelerate with dire and perhaps apocalyptic consequences for the entire planet.

For skeptics of this hypothesis, the consequence of accepting this theory, the consequences are far more dire than any of the consequences we're supposed to be suffering out of a predicted rise in temperature. And by the way, that rise in temperature, of course, isn't really happening, which we will discuss a little bit later.

If one accepts this as fact rather than theory, this idea that man-made global warming is overwhelming our planet, then one would be expected to also accept controls, regulations, taxation, international planning and enforcement, mandated lifestyle changes, lowering expectations, limiting consumer choice, as well as personal and family sacrifices that are all going to be necessary for us to save the planet from—well, from us.

It really takes a lot to frighten people into accepting such personally restrictive mandates that would result from implementing a global warming-based agenda. People's lives will change if we decide to implement a global warming-based agenda. Yes, people's lives will change, but not for the better if we have to end, for example, discount airline tickets and cheap travel.

Most people who listen to the global warming advocates don't understand that the global warming advocates believe that jet planes are some of the worst CO_2 polluters, and thus they have to be restricted, according to the theory. So how many people really do want to end the cheap airline tickets that can be had over the Internet?

Obviously one of the goals will be to severely restrict the use of private automobiles. Sure. Now, we know that. The fact that the automobile has been targeted for the last 20 years certainly suggests that automobiles are on the hit list. But don't worry, we may have to give up our automobiles, but the rich and the government officials will still have their private jets, their Suburbans, and even their limousines. But the rest of us, of course, will be relegated to public transportation. And we will have very limited travel rights unless we can, of course, afford the higher and higher prices.

Global warming predictions appear designed to strike fear into the heart of those malcontents who just won't willingly accept the mandates in their lifestyle changes that are needed in order to save the planet. These people, of course, won't accept things like higher food prices, which will come with an implementation of global warming mandates. And of course they certainly won't accept less meat in their diet. That's right, part of the manmade global warming theory and how we're going to solve this is to wean mankind away from meat.

A 2006 report entitled ''Livestock's Long Shadow'' to the United Nations mentions livestock emissions and grazing, and it places the blame for global warming squarely on the hind parts of cows. Livestock, the report claims, accounts for 18 percent of the gases that supposedly cause the global warming of our climate. Cows are greenhouse-emitting machines. Fuel for fertilizer and meat production and transportation, as well as clearing the fields for grazing, produce 9 percent of the global CO_2 emissions, according to the report. And also, cows produce ammonia, causing acid rain, of course.

Now, if that's not bad enough, all of these numbers are projected in this report to double by the year 2050. Well, not only are we then going to have to cut personal transportation, which will keep us at home, but when we stay at home, we can't even have a bbq. And heck, they won't even let us have a hamburger.

I would like to point out that before the introduction of cattle, millions upon millions of buffalo dominated the Great Plains of America. They were so thick you could not see where the herd started and where it ended. I can only assume that the anti-meat, manmade global warming crowd must believe that buffalo farts have more socially redeeming value than the same flatulence emitted by cattle. Yes, this is absurd, but the deeper one looks into this global warming juggernaut, the weirder this movement becomes and the more denial is evident.

Ten years ago, for example, the alarmists predicted that by now we would be clearly plagued by surging temperatures. In testimony before Congress 20 years ago, now, says James Hansen, a man who has repeatedly challenged people who simply want to make sure that his views are balanced off at NASA, but NASA's James Hansen 20 years ago predicted CO_2 would shoot up and global temperatures would shoot up by more than one-third of a degree Celsius during the 1990s.

So a rise in temperature was predicted, and it would lead to what? Rising sea levels. In the end, we'll have rising sea levels, perhaps even cities under water, droughts and famines, and of course an increase in tropical diseases. Yes, tropical diseases. Sometimes it's difficult for me to hear it when certain environmentalists use that as an example, considering the fact that tropical diseases, namely malaria, has killed millions of children in the Third World because the environmentalists have been successful in banning DDT. But that's another issue.

□ 2230

But the point is there are serious consequences, perhaps unintended consequences to following nonsensical extremism in the arena of the environment.

So were the predictions of global heating correct? Forget ''case closed.'' The question needs to be answered. Were all of these predictions correct? Mr. Hansen said it would rise by a third of a degree just a little over a decade ago. And the answer is that the predictions of a decade ago have turned out to be dramatically wrong. Temperatures during that decade rose only one-third of the jump predicted by Hansen, a modest 0.11, one-third of what he had predicted.

Furthermore, numerous and powerful hurricanes that were forecast by the National Hurricane Center, for example, at NOAA and others, well, by now we haven't seen such a trend, and by now we were led to believe there would be a drought and a melting of the ice caps would be clearly upon us. My beautiful Sierra Nevada Mountains in California were due to heat up, dry up, brown up, and burn, burn, burn. Yep, during the entire Clinton administration, we heard these predictions over and over again. During the Clinton administration, we saw scientists produce study after study predicting the horrific impact of the unstoppable onslaught of man-made global warming, which we were led to believe would be overwhelming us right now. Right now. Of course, if there was even a hint that the conclusion of their research wouldn't back up the theory of man-made global warming, these scientists wouldn't have seen one red cent from the Federal research pool during the Clinton administration.

In a September, 2005, article from Discovery Magazine, Dr. William Gray, now an emeritus professor of atmospheric science at Colorado State University and a former president of the American Meteorological Association, was asked if funding problems that he was experiencing and has been experiencing could be traced to his skepticism of man-made global warming. His response: ''I had NOAA money for 30 years, and then when the Clinton administration came in and Gore started directing some of the environmental stuff, I was cut off. I couldn't get any money from NOAA. They turned down 13 straight proposals from me.'' This man is one of the most prominent hurricane experts in the world, cut off during the Clinton-Gore administration because he had been skeptical of global warming.

In fact, Al Gore's first act as Vice President was to insist that William Harper be fired as the Chief Scientist at the Department of Energy. Now, why was that? Well, that's because William Harper had uttered words indicating that he was open minded to the issue of global warming. So off with his head. They didn't want someone who was open minded. They wanted someone who was going to provide grants based on people who would verify this man-made global warming theory. Now, that was 1993 when Mr. Harper

was relieved, the first year of the Clinton-Gore administration. So for over a decade, all we got was a drumbeat of one-sided research, setting the stage for the false claim that there is a scientific consensus about whether or not man-made global warming is real.

Unfortunately, for all those scientists who went along with the scheme, now, over a decade later, there is a big problem. Contrary to what all those scientists living on their Federal research grants predicted, the world hasn't been getting warmer. In fact, for the last 7 years, there has been no warming at all, which has been verified even by, for example, Michel Jarraud of the World Meteorological Organization. He's their Secretary General. He reluctantly admitted that global temperatures have not risen since 1998, according to a BBC article. Global snowfall is at record levels and there are fewer, not more, hurricanes.

Furthermore, there is some melting in the Arctic. We all know that there is some melting in the Arctic because we hear about it over and over again. In fact, NBC did some special on the melting of the Arctic and how bad it is and showed the pictures of penguins sitting on a diminishing piece of ice in the Arctic. Except there was a problem with that story. You see, penguins don't live in the Arctic; they live in the Antarctic. There are no penguins in the Arctic. So NBC had it wrong. Somebody must have told them that the penguins from the Arctic were being victimized by global warming. In fact, in the Antarctic, where the penguins are, there is a buildup of ice. It is getting cooler. And in the Arctic, of course, we do recognize there has been a warming in the Arctic, likely due to ocean currents that have changed in the last few years and not due to CO_2 that comes from somebody's SUV.

After hearing about the extinction of the polar bear, which has been drummed into our heads, we now hear that—and by the way, just today the polar bear was put on an endangered species list. But are the polar bears really disappearing? We now hear from Dr. Mitchell Taylor from the Department of the Environment under the Canadian territory of Nunavut and other experts, I might add, who suggest, yes, all but one or two species of the polar bears are flourishing. Yes, of the twenty-odd species, there are perhaps one or two that are suffering and not doing well, but all the rest of the species of polar bear are expanding. In fact, we don't have a situation with fewer polar bears; we've got more polar bears. Yet our government is putting the polar bear on an endangered species list, saying that if the ice cap melts, the polar bears will all be going away because their habitat has been destroyed.

Unfortunately, the debate on this case is not closed. So explaining emerging obvious differences between the reality and the theory needs to be addressed by the people who have been advocating global warming. The case is not closed. The gnomes of climate theory now have to come up with explanations for us of why it was predicted that the weather would be this way at this time and it is not. Why is it that basically we've had stable weather, if not a little cooler weather, for the last 8 years?

The first attempt to basically cover their tracks about this noticeable dichotomy in what they predicted and what was happening happened a few years ago, and it went very slowly but very cleverly. The words ''climate change'' have now replaced the words ''global warming.'' Get that? Every time you hear it now, half the time they are going to be using the words ''climate change'' where those very same people were so adamant about ''global warming'' only 4 or 5 years ago. So no matter what happens now, now that they've changed it to ''climate change'' rather than global warming, whatever happens to the weather pattern, whether it's hotter or cooler, it can be presented as further verification of human-caused change. If you just had ''human-caused warming,'' it would have to be at least warming for them to actually have any verification of what they were trying to say. But right now by using ''climate change,'' they can bolster their right to be taken seriously upon recommending policies, even though no matter what direction the climate goes, it is justified by how they are labeling themselves.

I'm sorry, fellows. Do you really think the world is filled with morons? When it comes to bait and switch, used car salesmen are paragons of virtue compared to this global warming crowd. Excuse me. It's not the ''global warming'' crowd now; it's the ''climate change'' crowd. Of course, they don't want any of us to own automobiles; so what the heck. They can act like used car salesmen because there will be more jobs for them as being advocates in the climate change arena.

We just need to ask ourselves, if a salesman gives a strong pitch and claims something that is later found to be wrong, totally wrong, when does one stop trusting that salesman? Then if he starts playing word games, changing the actual words that he's using about the same product rather than just admitting an error, isn't it reasonable to stop trusting him?

Yes, Al Gore and company, we have noticed that you are now saying ''climate change'' rather than ''global warming.'' I know that people tried to slip it in, but we have noticed, and there is something behind this that the American people should take note of. Why has that changed? Well, that's because the world has not been getting warmer in these last 7 years, as they predicted it would be.

So instead of word games, what these advocates need to explain is what is happening in the real world today and why it doesn't match what they said was going to happen based on their ''case closed, man-made global warming is real.'' They must realize that someone is bound to notice that last winter was unusually cold and that chilly weather seems to be the trend. It actually snowed in Denver just less than a month ago, and people have commented on the chilliness of the weather this year.

So now we see a beehive of activity going on. Those federally funded scientists are trying to save some modicum of credibility by adjusting their computers and coming up with some explanations that keep man-made global warming as a theory but explains away the current dichotomy between what they said would happen and what is actually happening. Of course, computer models were used to justify their hysteria and their hysteric warming predictions to begin with. So now the computer's information input is readjusted and we can see all these things coming out of it.

Well, there's a lot of questions that need to be answered and a lot of things that were told to us that obviously are not true and are not consistent with what's been going on and what we see happening around us today.

And why is this of such concern to us? Why are we concerned that global warming as a theory has been presented and that it's false, and why should we be so concerned that it's being accepted? What could be the negative results of just accepting it from some people who might be very sincere, very sincere and concerned about the planet?

Well, what happens in such cases as this is that we have situations that occur and people then actually come to the point where they are focused on aspects of what's going on in the world that will not make it better but instead have terrible consequences in and of themselves.

For example, a deadly cyclone just brought death and destruction to Burma, and it was a horrible thing. Burma is a country that is run by a vicious dictatorship, and after the cyclone went through Burma, the dictatorship wouldn't even permit our supplies to be given to those people of Burma. Well, Al Gore is so committed to this idea of global warming, which, of course, most people call ''climate change,'' that when commenting on Burma, instead of talking about the monstrous nature of the Burmese regime, instead he had to say, ''The trend toward more category five storms—the larger ones and the trend toward stronger and more destructive storms appears to be linked to global warming and specifically to the impact of global warming on higher ocean temperatures in the top couple of hundred feet of the ocean, which drives convection energy and moisture into these storms and makes them more powerful.''

What should Al Gore's reaction have been? Well, what it should have been was ''The Burmese regime is despicable. The Burmese people are suffering. They are dying by the hundreds

of thousands. It is despicable for this dictatorship not to permit our aid in.'' But instead that was ignored, and what Al Gore did focus on ''This is a chance for me to explain global warming,'' as the quote I just gave suggested.

□ 2245

Well, the Burmese cyclone hit Burma. If you take a look at what Al Gore's words were, he is trying to say that it is because of the warming of the water. I have in front of me, which I will submit as part of the RECORD, a satellite image of ocean temperatures taken by NOAA on May 5 which suggests the ocean in the area of the Burmese cyclone is one of the coldest water areas on Earth.

So what the heck is Mr. Gore talking about? What is all this mumbo jumbo? Again, he is warning about global warming because he is grasping at an attempt to try to verify in some way his predictions that have been all wrong for the last 5 years.

Dr. William Gray, for example, as I mentioned, the former chairman of the American Meteorological Association, a pre-eminent hurricane expert, has noted ''there is no reliable data available to indicate increased hurricane frequency or intensity in any of the globe's seven tropical cyclone basins.'' So hurricanes and cyclones are not a product of global warming. Dr. Gray, I think, has more credentials than Mr. Gore. But most convincingly, the most convincing part of this is that no matter what Al Gore says about the warming of this water, that is not what we are hearing from other sources.

I will now submit for the RECORD indications that actually the water temperature is not warming and is expected to cool, especially in the northern areas of the world.

So what is really important here is that we take a look and we see that the world is not warming and that those people who have been advocating this are grasping to try to find a way out of the fact that they are telling us that we need to adopt the policies that they want for our country, yet their predictions on the weather were wrong.

What is happening is, and the articles that I will submit for the RECORD show, is that some of the organizations that were predicting that we would be in global warming now are telling us that, yes, there will be global warming. We are not giving it up. But it is going to be 10 to 15 years from now and not in the last 10 years, as was predicted.

In fact, as I said, we actually have this article that suggests that the sea around Europe and North America will cool slightly during the next decade, and the Pacific will be about the same. And the article suggests that it will be a ''10-year time-out for global warming.'' This is based on studies that were conducted by organizations that only a few years ago were predicting that global warming would be so evident to us today. Well, they have to say something I guess.

To understand all of this nonsense, you have to go back and look at the basic assumptions that are being used by global warming alarmists. They believe that excessive amounts of manmade CO_2 are being deposited into the air which causes a greenhouse effect that warms the atmosphere. They call this the ''carbon footprint.'' That is what we are led to look for. We don't want to look in Burma for this vicious dictatorship causing the death of hundreds of thousands of people because of the repression. They won't even let our supplies in. We have to blame it on global warming causing a cyclone which hit Burma. No. I don't think so. But carbon footprinting is now what we should look at.

The global warming analysts want us to judge everything by its carbon footprint. What that means is how much CO_2 is being released because of that activity, because they believe it is CO_2 that causes the planet to warm.

This concept, just like these other extrapolations that we get from computers, is wrong. It is dead wrong. A rise in CO_2 comes after global temperature increases, not before. This has been observed in ice cores by prominent scientists, yet ignored by those screaming their warnings at us. That's right. Ice cores indicate that there have been periods, many periods, of warming and cooling in the history of the world. But the warming that has happened preceded the increase in the level of CO_2 in the world. That is why we have warming. That is why we can't say that if we control CO_2 that it is going to prevent the climate from warming.

Obviously, if the CO_2 increase comes as a result of the warming, by changing that, the warming is still going to be with us. Well, that is getting things to the core. And I don't mean a pun by that in terms of the ice core, but the fact is that this evidence is confirmed by ice cores.

So take note that the very argument upon which global warming is built has been proven to be false and that manmade global warming advocates will not address that issue. I have been in hearing after hearing. I have been involved with debates on this thing. When you tell them ''no,'' and you name several scientists, and I will be happy to do that for the RECORD, who are indicating that the CO_2 increases come after the warming of the planet, well, that issue just isn't addressed.

After all, the case is closed. We don't need to discuss any of those type of details. To cite one example of experts' findings on this, by the way, is Tom Scheffelin of the California Air Resources Board who stated on November 5, 2007, that ''CO_2 levels track temperature changes between 300 to 1,000 years after the temperature has changed. CO_2 has no direct role in global warming; rather, it responds to biological activity, which responds to climate changes.''

The fact is that the global warming community is jumping through hoops and bending over backwards struggling to find one little glint of new information to cover their arrogant attempt to stampede humankind into draconian policies and to cut off the debate and dismiss the debate without addressing the issues. The government-financed propaganda campaign to convince us that manmade global warming has been and continues to be a major threat, this propaganda is a cacophony of gibberish presented as a scientific explanation.

Go back and look at what Mr. Gore's words were about that cyclone. That same sort of putting together of pseudoscience wording in order to impress people is seen time and again. There are facts now evident, of course, that this can't be ignored. And Mr. Gore's mumbo jumbo notwithstanding, the predictions have been wrong. And the CO_2 premise is wrong. The methodology that has been used has been wrong. The observations have been wrong. And the attempt to shut up those people who disagree has been wrong.

I remember Al Gore labeling me a Stalinist because when I chaired the subcommittee on Research and Science Education, I insisted that both sides be presented. There was a study on research and the environment, a subcommittee of the Science Committee. And I insisted when I was chairman of the committee that expert witnesses on both sides be present at hearings and that they address each other's contentions. Well, to him, that is Stalinism. Well, I would suggest that the propaganda campaign of the manmade global warming alarmists has far more in common with Stalinism than does insisting that both sides of an argument be heard.

One has to really believe that he or she has a corner on the truth to make such a complaint as the one that he was making against me. He must feel really safe in saying that he knows the truth and that is in order to justify not having both sides of an argument presented at a hearing. Of course, Mr. Gore's documentary, ''An Inconvenient Truth'' by its own title suggests that it should be taken as the truth. And I won't go into the numerous debatable points and outright errors that are presented in the film. Something far worse has recently emerged concerning the fundamental veracity and truthfulness of Vice President Gore's film.

In the film, there are numerous film segments of climate and environmental incidents to add credibility to the alleged scientific points that were being documented in the film. However, what we see is not necessarily what we are getting. The audience is being given questionable information and questionable views because what they are seeing is not necessarily a documentary view but, instead it is a special effects creation in an attempt to convince the viewers that they are watching an actual occurrence of something.

Specifically, let me note that the film portrays a huge cracking and

breaking away of a large portion of the polar ice cap. I have not seen the film, but I am told the scene is awesome and somewhat overwhelming, leaving the audience feeling that they are witnessing a massive occurrence, and this massive occurrence, of course, Mr. Gore conveniently ties to human activity, the human activity he wants to regulate and of course the human activity that he will profit from if we have this carbon credit scheme instituted by the various governments of the world.

Unfortunately, that view of the breakaway of the ice there in the Arctic is a total fake. It is not National Geographic footage of a huge breaking away of a portion of the ice cap. It is not firsthand, grand photographic evidence of the ice breaking. Instead, what the audience is looking at is an example of special effects. It was not the ice cap that was being looked at. It was Styrofoam. That's right. Styrofoam.

And the real sin of all of this was not only the sin of presenting Styrofoam and trying to trick people into thinking they are watching something real, the ice breaking away, but that we haven't heard about it. I have only seen this in one or two publications. We haven't heard about it.

If such a trick and attempt to deceive was done by a conservative, I could tell you that that conservative would be tarred and feathered in the media. In fact, if there is anything wrong, I am sure that one or two points that I have in this speech are debatable, and I am sure that those will be looked at with a microscope. And if I am wrong, even a little bit, they will try to use that to just say ''don't listen to anything he says.'' But Mr. Gore can present the breaking away of Styrofoam and present it to us as if it is really happening. And he doesn't even apologize or comment on it when it is found out. Al Gore has no comment on this deception.

Maybe it is inconvenient for him to comment because, yes, it might hurt his credibility. And after all, the world is getting warmer in these last 7 years, which is just the opposite of what he predicted. And of course, maybe his predictions were based on a Styrofoam computer model. But we will go into that later.

Well, the first time I met President Gore was during my first term in Congress back in 1989 and 1990. Al Gore then was a United States Senator. And he marched into the Science Committee room followed by a platoon of cameras and reporters. He sat in front of the Science Committee, and he demanded that President Bush, that is George W.'s father, declare an ozone emergency. And he waved in his hand a report of evidence that an ozone hole was opening up over the Northeast United States.

A few days later, the report touted by the Senator was found to have been based on faulty data, data collected by one so-called researcher flying a single-engine Piper Cub with limited technology and not much expertise. Senator Gore was demanding emergency shutdowns of factories and manufacturing plants in the Northeast. It would have had dire consequences for the American economy and for those people who worked in those plants. But they be damned, because we are out to save the planet.

Now does anyone here see any type of a pattern here, the ozone hole that wasn't there and then we are going to have this drastic action in order to save the planet? The scare tactics, the Chicken Little-ism and all the rest of these types of things that are trying to create hysteria, this isn't a new tactic.

Let's look at some of the past examples of the nonsense being portrayed as science.

□ 2300

Cranberries, yes, cranberries, shield your children from Ocean Spray. That's right, the cranberry industry suffered a loss of nearly $20 million back in 1957 when it was determined that perhaps cranberries, there was something wrong with the cranberries. In fact, later on it was admitted to be just a mistake.

But the cranberry industry went to hell for 2 or 3 years. But if you are not growing cranberries, what do you care about cranberry farmers? No, you care about people. Many peoples' lives were destroyed because over a 2- or 3-year period, cranberries were basically labeled as something that they should not have been labeled, and it was a catastrophe for them, just like perhaps those people that worked in factories that would have been closed up had we taken that ozone scare seriously.

Then there was the scare over cyclamate. Cyclamate was used in everyday items like soda, jams, ice cream. It was a sweetening element, it's very low in calories, that industry, it was a very fine product and generated an enormous profit. In the early 1970s, the FDA banned cyclamates. I remember very well.

People spent billions of dollars building this industry. It was a great industry, but it was labeled as a cancer hazard after someone, some kind of a researcher, force-fed rats the equivalent of 350 cans of soda a day. By giving these rats the equivalent of 350 soda cans a day, 8 out of 240 got sick.

Well, even that was a faulty test, and eventually the truth prevailed and cyclamates were labeled okay, they were given an okay. That was after about 10 years. Canada, by the way, never banned cyclamates, but in order to protect us and save us, and it was a terrible situation, yes, the cyclamate industry never recovered.

The damage, however, was done. This episode has had serious consequences, because when the cyclamates were banned, that led to the introduction of what, high fructose corn syrup, so, yes, and with all of the obesity and problems that come with high fructose corn syrup. That first got its hold in the food business at a time when cyclamates were thought to be the answer, but they were banned.

So we have had examples of this over and over again, another American industry that was decimated by a rotten theory that had hazardous consequences for implementing.

The next example of fear mongering, of pseudoscience, happened in 1989. February 26, 1989, that evening thousands of Americans tuned into ''60 Minutes'' and heard Ed Bradley say the most potent cancer-causing agent in our food supply is a substance sprayed on apples to keep them on the trees longer and make them look better. That's the conclusion of a number of scientific experts. And who is at risk? Children who may someday develop cancer.

That one story, by the way, snowballed into a media blitz, a feeding frenzy, Meryl Streep testified before Congress, spouting off, again, pseudoscientific nonsense. Parents tossed apples out the window, schools removed applesauce from the cafeteria and, of course, replaced that with much safer nutritious substances like ice cream and pudding.

Of course, there was only one problem, the Alar didn't cause cancer, the apples definitely didn't and even the Alar didn't. The study was based on bad science, and 20,000 apple growers in the United States suffered major financial harm.

Okay, so by now such alarmism has become a political tool that scares people to try to get them to do things. That's what we are facing with global warming, excuse me, climate change.

The Three Mile Island incident is another example of this. You remember Three Mile Island, a near disaster in Pennsylvania which, basically, coupled with the movie ''The China Syndrome'' led to a total halt in the development of nuclear energy as a means for producing energy in the United States.

The Jane Fonda movie, ''The China Syndrome,'' coupled with a mishap at a nuclear power plant, that was, I might add, a mishap that no one suffered any health consequences, no one died, no one was hurt. Yet it was presented to the public as this catastrophe, and that led to a shutdown of the efforts of building any new nuclear power plants.

Ironically, of course, nuclear power is the most effective means of producing power with no carbon footprint. Again, it was a total con job on the nuclear energy industry.

What about the ozone hole over the Antarctic? We are told that it would grow and grow for decades, and it was totally out of control.

Well, Boyce Rensberger, Director of the Knight Fellowship of Massachusetts Institute of Technology says that ozone depletion is a cyclical event, expanding and contracting throughout the eons of history. Here is a scientist from MIT telling us that the current

ozone depression has been simply part of a reoccurring cycle, not as a result of the use of chlorofluorocarbons, meaning your aerosol cans.

So, what we have got is a situation where at a gigantic shift of expense, of shifting away from aerosol, we have basically accomplished nothing because the ozone hole opens and closes on its own. I might add, we know now, of course, there have been many cycles of warming and cooling, and is this a natural thing? Well, if you consider the sun being natural, yes.

Instead of saying that CO_2 that's coming out of the use of fossil fuels is causing our climate to change now, as compared to all the other times it changed in the past, maybe these people should look at the sun, and maybe there are natural cycles where you have sunspots and it causes warming and cooling on the Earth.

Could that be an explanation? Well, let's think about it. Otherwise, how do we explain the fact that on Jupiter and Mars we have cooling and warming cycles that seem to be matching some of the cycles here on Earth. Well, maybe there are some SUVs up there on Mars.

Well, the last example, one of the last examples, of course, that I have in my memory of people trying to be frightened into supporting policy with this kind of alarmism has been acid rain. The acid rain was supposed to decimate our forests, destroy our fresh water bodies and roads, our buildings and sidewalks, and, what happened? That was just an onslaught that was going on, I worked for Ronald Reagan at the time, he was just beaten without mercy for his unwillingness to take costly action aimed at thwarting acid rain. He insisted on waiting for an in-depth study to be completed.

While he waited, of course, he was vilified as if he doesn't care about the environment, he doesn't really care about whether or not our environment is being destroyed by acid rain which is being caused by us. Well, a 10-year study was going on, Reagan knew about it. He waited, as he well should have, and there was a study by the Nation Acid Precipitation Assessment Project and was submitted to Congress in the 1990s. It minimized the human impact on the acidity on the water and especially the rain in America's northeast. The issue died quickly after that report, and it just went away.

After all of the intense attacks on Ronald Reagan, once that report was in, it just sort of went away. Well, one reason it went away, maybe there was another alarmist scheme to go to.

Yes, there was, one was emerging about this time, and it was on the cover of Time Magazine 30 years ago. This was probably the most pitiful of all of these alarmist attempts. It was, three decades ago, the scientists were warning us about global cooling. We were told early that we were on the edge of another ice age.

Well, unfortunately, that one went away very quickly because the temperatures immediately didn't do what they said it was going to do, and the temperatures actually did not go down dramatically or freeze. It did get a little bit warmer during those days. It was one of those warming cycles, it went up for a few years and it went down.

It was getting warmer, so even as those predictions of frozen gloom and doom, they just changed the words, those same people were making the predictions of frozen gloom and doom now were sort of talking about global warming gloom and doom. You guessed it, so global cooling became global warming almost overnight. Now, after global warming, climate change comes almost overnight.

So the scare tactics are nothing new. It is tied to a tried-and-true method of how to try to manipulate people to accept things they wouldn't otherwise accept. Unfortunately, there are long-term negative consequences that will be very clear to our future generations. Of course, they are being lied to all the time.

I often asked students from my district, who are here visiting in Washington, whether they believe the air in southern California is better now or worse now than when I went to high school in southern California 40 years ago. A huge percentage, maybe 80 percent of these students, believe that the air quality of 40 years ago was dramatically better than today. Of course, that's not just a lie, that's a big lie.

This generation has every reason to be optimistic about the future, and they are being lied to, being told that they are poisoned, and things are getting worse and worse. In fact, man-made global warming is going to devastate the whole planet any way. No, these kids now, when I tell them that, no, when I went to high school, the air pollution in southern California was much worse than it is today, they are incredulous.

What is all this lying about? Why are all these children being lied to? Why are we all being lied to?

I remember as a college student, the first Earth Day—I am quoting someone here—''I remember as a college student at the first Earth Day being told that it was a certainty that by the year 2000, the world would be starving and out of energy,'' writes Dr. John Christy, a professor of atmospheric science at University of Alabama.

Dr. Christy goes on to say ''Similar pronouncements today about catastrophes due to human-induced climate change sound all too familiar and all too exaggerated to me as someone who actually produces and analyzes climate information.''

So, we are told that polar bears are dying, but they aren't. As we have known that we have all of these other predictions, we are told that the polar ice caps are melting, but now we know that the polar ice caps are melting yes, only in the Arctic, but in the Antarctic, ice is actually growing.

Hurricane Katrina, we were told would only be the first of many horrendous hurricanes to hit the United States in the next few years but, of course, no hurricane equal or close to has been on the horizon. In fact, a hurricane that was just as strong as Katrina hit the United States 100 years earlier, long before this effective ''global warming.'' So when you look at facts like this, an honest debate is long overdue but yet we see an attempt to shut down an honest debate.

I will submit an advertisement, the Hill newspaper from the Environmental Defense Action Fund, and it says ''What's next? The Bond-Voinovich Cigarettes Aren't Addictive Act?'' What they are saying, it's a cute way of saying, anybody who questions global warning, it is the equivalent of saying that cigarettes aren't addictive. Well, that's a great way to dismiss someone's arguments without addressing them. It says here, ''Some senators,'' this is in the add, ''are asking you to ignore . . . an international scientific consensus.''

Well, let's put it this way, we hear that, there is a consensus over and over again. There is no consensus. The world is not getting warmer, and I would submit a list of 400 members of the scientific community who do not agree with a man-made global warming theory and, I might add, I quoted numerous very prestigious members of the scientific community already in this speech. So what we have is alarmism at its worst, and the consequences will be very, very severe if we let these people get away with this.

Now, what we have done is we have, again, permitted people to make their case without having to defend their case. This is never more evident than in the dealings with the Intergovernmental Panel on Climate Change, which is the United Nations panel.

I will submit several statements that indicate that the IPCC was wrong in its approach, in its entire methodology in trying to determine whether or not global warming, whether there is global warming and whether or not it is caused by man-made activity.

So with this said, we need to look and say, What is the negative impact of all of this lack of truthful information? What could possibly happen? If someone says well, aren't we all against pollution? So what if someone is making a claim that global warming exists and it is caused by humankind and in reality it is just the pollution that we are both trying to get it at. Well, that just doesn't work.

The fact is if we accept this theory of man-made global warming, we will be focusing our activities on trying to eliminate CO_2 rather than eliminate toxic substances from our air. If I am concerned about my children, my three triplets, Christian, Anika and Tristan, I am concerned about their health, that is something that I think I share with every parent. Their health is not in any way threatened by CO_2. CO_2 is

nontoxic. It is threatened by NO_X and other toxin materials that come out of engines in cars and other sources. So if we only focus on CO_2, we will end up focusing on the wrong target.

What we need to do is make sure that we develop clean energy sources, not because of global warming but because of the health of our children. And also, we need to be independent of foreign sources. The fact is that foreign sources of oil, because we are not developing our own oil resources as a result of the dynamics created by the global warming juggernaut that we have been experiencing, the fact is that we have not drilled for our own oil. We have not focused on real alternatives to energy like nuclear energy. The fact is that we need to make sure right now that we do our very best not to be captured by this, what I consider to be one of the greatest hoaxes that I have seen in my lifetime, but instead focus our efforts on accomplishing something that is real and positive for the people of the world and the people of the United States of America. We should be drilling for oil so that the terrorists overseas are denied the revenue when we are forced to buy oil from countries that are allied with these terrorists.

We need to make sure that we develop better engines, and make sure that those engines are not putting pollutants into the air and forget about the CO_2, go to the pollutants.

Mr. Speaker, I thank you and I will submit these articles for the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUMMINGS (at the request of Mr. HOYER) for today until 1 p.m.

Ms. RICHARDSON (at the request of Mr. HOYER) for May 13, 2008.

Mrs. SCHMIDT (at the request of Mr. BOEHNER) for today on account of a family medical emergency.

Mr. WELLER of Illinois (at the request of Mr. BOEHNER) for today before 5:15 p.m. on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. NEAL, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, May 21.

Mr. JONES of North Carolina, for 5 minutes, May 21.

Mr. PETERSON of Pennsylvania, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Thursday, May 15, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

6563. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement Vice Admiral Mark J. Edwards, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6564. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's notification of payment-in-kind compensation negotiated with Germany for the return of U.S.-funded improvements at 30 small sites, pursuant to Public Law 101-510, section 2921(g); to the Committee on Armed Services.

6565. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting a report to Congress on the use of Aviation Continuation Pay (ACP) for Fiscal Year 2007, pursuant to 37 U.S.C. 301b(i); to the Committee on Armed Services.

6566. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 04-08 informing of an intent to sign the Memorandum of Understanding Between the Secretary of Defense on Behalf of the Department of Defense of the United States of America and the Department of National Defence of Canada Concerning Operation and Support of Advanced Extremely High Frequency Military Communications, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

6567. A letter from the Secretary, Department of the Treasury, transmitting as required by Executive Order 13313 of July 31, 2003 a six-month periodic report on the national emergency with respect to Burma declared by Executive Order 13047 of May 20, 1997, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

6568. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

6569. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08–31 concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Australia for defense articles and services; to the Committee on Foreign Affairs.

6570. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting determination and memorandum of justification for suspending prohibitions on certain sales and leases, pursuant to Public Law 103-236, section 564; to the Committee on Foreign Affairs.

6571. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

6572. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6573. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6574. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6575. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6576. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6577. A letter from the Chairman, Federal Labor Relations Authority, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6578. A letter from the Deputy General Counsel, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6579. A letter from the Deputy General Counsel, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6580. A letter from the Attorney General, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the six months ended June 30, 2007, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

6581. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the annual report of the Office of Justice Programs' Bureau of Justice Assistance for Fiscal Year 2006, pursuant to 42 U.S.C. 3712(b); to the Committee on the Judiciary.

6582. A letter from the Chairman, United States Sentencing Commission, transmitting a report of amendments to the sentencing guidelines, policy statements, and official commentary, together with the reasons for these amendments, pursuant to 28 U.S.C. 994(o); to the Committee on the Judiciary.

6583. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-55, DC-8F-54, and DC-8F-55 Airplanes; and Model DC-8-60, DC-8-70, DC-8-60F, and DC-8-70F Series Airplanes [Docket No. FAA-2007-0216; Directorate Identifier 2007-NM-122-AD; Amendment 39-15435; AD 2008-06-23] (RIN: 2120-AA64) received May 12, 2008, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6584. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes [Docket No. FAA-2007-0346; Directorate Identifier 2007-NM-202-AD; Amendment 39-15436; AD 2008-06-24] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6585. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-200 Series Airplanes [Docket No. FAA-2007-0396; Directorate Identifier 2007-NM-282-AD; Amendment 39-15438; AD 2008-06-26] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6586. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 Series Airplanes and Airbus Model A300-600 Series Airplanes [Docket No. FAA-2007-28944; Directorate Identifier 2006-NM-239-AD; Amendment 39-15430; AD 2008-06-18] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6587. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10 and DC-10-10F Airplanes, Model DC-10-15 Airplanes, Model DC-10-30 and DC-10-30F (KC-10A and KDC-10) Airplanes, Model DC-10-40 and DC-10-40F Airplanes, Model MD-10-10F and MD-10-30F Airplanes, and Model MD-11 and MD-11F Airplanes [Docket No. FAA-2007-0201; Directorate Identifier 2007-NM-163-AD; Amendment 39-15433; AD 2008-06-21] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6588. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0070, 0100, 1000, 2000, 3000 and 4000 Airplanes [Docket No. FAA-2007-29030; Directorate Identifier 2006-NM-284-AD; Amendment 39-15432; AD 2008-06-20] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6589. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Corporation, Ltd Model 750XL Airplanes [Docket No. FAA-2008-0034 Directorate Identifier 2007-CE-097-AD; Amendment 39-15428; AD 2008-06-16] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6590. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Goodrich Evacuation Systems Approved Under Technical Standard Orders (TSOs) TSO-C69, TSO-C69a, TS0-C69b, and TSO-C69c, Installed on Various Boeing, McDonnell Douglas, and Airbus Transport Category Airplanes [Docket No. FAA-2007-28370; Directorate Identifier 2003-NM-239-AD; Amendment 39-15349; AD 2008-06-27] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6591. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model EC130 B4 Helicopters [Docket No. FAA-2007-28229; Directorate Identifier 2006-SW-23-AD; Amendment 39-15434; AD 2008-06-22] (RIN: 2120-AA64) received May 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6592. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes [Docket No. FAA-2008-0303; Directorate Identifier 2008-NM-047-AD; Amendment 39-15441; AD 2008-06-29] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6593. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; APEX Aircraft Model CAP 10 B Airplanes [Docket No. FAA-2008-0057 Directorate Identifier 2007-CE-102-AD; Amendment 39-15445; AD 2008-07-04] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6594. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, -300F, and -400ER Series Airplanes [Docket No. FAA-2007-0203; Directorate Identifier 2007-NM-105-AD; Amendment 39-15384; AD 2008-04-12] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6595. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Wheatland, WY [Docket No. FAA-2007-28649; Airspace Docket No. 07-ANM-10] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6596. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited Model DHC-6 Series Airplanes [Docket No. FAA-2007-27192; Directorate Identifier 2007-CE-008-AD; Amendment 39-15350; AD 2008-03-01] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6597. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. TFE731-2C, -3B, -3BR, -3C, -3CR, -3D, -3DR, -4R, -5AR, -5BR, -5R, -20R, -20AR, -20BR, -40, -40AR, -40R, and -60 Series Turbofan Engines [Docket No. FAA-2007-27891; Directorate Identifier 2007-NE-14-AD; Amendment 39-15349; AD 2008-02-19] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6598. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes; and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2008-0051; Directorate Identifier 2008-NM-001-AD; Amendment 39-15352; AD 2008-03-03] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6599. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS 355 F2 and AS 355 N Helicopters [Docket No. FAA-2008-0043; Directorate Identifier 2007-SW-31-AD; Amendment 39-15340; AD 2008-02-10] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6600. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Model 45 Airplanes [Docket No. FAA-2006-25174; Directorate Identifier 2005-NM-007-AD; Amendment 39-15328; AD 2008-01-03] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6601. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No. FAA-2007-0183; Directorate Identifier 2007-NM-146-AD; Amendment 39-15376; AD 2008-04-04] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6602. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200, -200PF, and -200CB Series Airplanes [Docket No. FAA-2008-0226; Directorate Identifier 2008-NM-016-AD; Amendment 39-15404; AD 2008-05-10] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6603. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2007-28382; Directorate Identifier 2006-NM-179-AD; Amendment 39-15382; AD 2008-04-10] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6604. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Airplanes [Docket No. FAA-2007-0333; Directorate Identifier 2007-NM-236-AD; Amendment 39-15379; AD 2008-04-07] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6605. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 707 Airplanes and Model 720 and 720B Series Airplanes [Docket No. FAA-2007-0264; Directorate Identifier 2007-NM-212-AD; Amendment 39-15378; AD 2008-04-06] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6606. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2007-0335; Directorate Identifier 2007-NM-292-AD; Amendment 39-15380; AD 2008-04-08] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6607. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Taylorcraft A, B, and F Series Airplanes [Docket No. FAA-2007-0286; Directorate Identifier 2007-CE-086-AD; Amendment 39-15381; AD 2008-04-09] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6608. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Boeing Model 707 Airplanes, and Model 720 and 720B Series Airplanes [Docket No. FAA-2007-28381; Directorate Identifier 2006-NM-164-AD; Amendment 39-15383; AD 2008-04-11] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6609. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, A300 B4-600R, A300 C4-600R, and A300 F4-600R Series Airplanes [Docket No. FAA-2007-0172; Directorate Identifier 2007-NM-225-AD; Amendment 39-15353; AD 2008-03-04] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6610. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR Model ATR42 and ATR72 Airplanes [Docket No. FAA-2007-0334; Directorate Identifier 2007-NM-206-AD; Amendment 39-15385; AD 2008-04-13] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6611. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model Falcon 2000, Falcon 2000EX, Mystere-Falcon 900, Falcon 900EX, Fan Jet Falcon, Mystere-Falcon 50, Mystere-Falcon 20, Mystere-Falcon 200, and Falcon 10 Airplanes [Docket No. FAA-2007-28941; Directorate Identifier 2006-NM-276-AD; Amendment 39-15386; AD 2008-04-14] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6612. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E5 Airspace; Eagle Pass, TX [Docket No. FAA-2008-027; Airspace Docket No. 08-ASW-3] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6613. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Skowhegan, ME [Docket No. FAA-2007-0244; Airspace Docket No. 07-ANE-94] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6614. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; State College, PA [Docket No. FAA-2007-29375; Airspace Docket No. 07-AEA-06] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6615. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tappahannock, VA. [Docket No. FAA-2007-29264; Airspace Docket No. 07-AEA-04] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6616. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to Class E Airspace; Du Bois, PA [Docket No. FAA-2005-22489; Airspace Docket No. 05-AEA-017] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6617. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Muncy, PA [Docket No. FAA 2007-0023, Airspace Docket No. 07-AEA-08] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6618. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Montrose, PA. [Docket No. FAA-2007-0165; Airspace Docket No. 07-AEA-11] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6619. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lewiston, ME [Docket No. FAA-2007-0245; Airspace Docket No. 07-ANE-95] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6620. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Pottsville, PA. [Docket No. FAA-2005-22490; Airspace Docket No. 05-AEA-018] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6621. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; St. Marys, PA. [Docket No. FAA-2005-22492; Airspace Docket No. 05-AEA-020] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6622. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E5 Airspace; Black River Falls, WI [Docket No. FAA-2008-0024; Airspace Docket No. 08-AGL-4] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6623. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Springfield, CO [Docket FAA No. FAA-2007-27430; Airspace Docket No. 07-ANM-4] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SLAUGHTER: Committee on Rules. House Resolution 1197. Resolution providing for consideration of the Senate amendment to the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–636). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. JONES of North Carolina:

H.R. 6047. A bill to amend the Federal Food, Drug, and Cosmetic Act to mandate early access by desperately ill patients to treatment use of new drugs under clinical investigation for a serious or immediately life-threatening disease condition for whom no comparable or satisfactory drug or other therapy is available; to the Committee on Energy and Commerce.

By Mr. TURNER:

H.R. 6048. A bill to amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces deployed in support of a contingency operation; to the Committee on Veterans' Affairs.

By Mr. RANGEL (for himself, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. POMEROY, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. CROWLEY, Mr. VAN HOLLEN, Mr. MEEK of Florida, Mr. DAVIS of Alabama, Mr. ARCURI, Ms. GIFFORDS, Mr. HALL of New York, Mr. HODES, Mr. MCNERNEY, Ms. SHEA-PORTER, and Mr. WELCH of Vermont):

H.R. 6049. A bill to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes; to the Committee on Ways and Means.

By Mr. REICHERT:

H.R. 6050. A bill to amend title 18, United States Code, to provide mandatory imprisonment for life for persons raping young children; to the Committee on the Judiciary.

By Mr. PETERSON of Minnesota:

H.R. 6051. A bill 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 May 16, 2008; to the Committee on Agriculture, and in addition to the Committee on 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 Mr. OBERSTAR (for himself, Mr. MICA, and Mr. DEFAZIO):

H.R. 6052. A bill to promote increased public transportation use, to promote increased use of alternative fuels in providing public transportation, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Wisconsin (for himself and Mr. FORTUÑO):

H.R. 6053. A bill to require the Board of Governors of the Federal Reserve System to focus on price stability in establishing monetary policy to ensure the stable, long-term purchasing power of the currency, to repeal the Full Employment and Balanced Growth Act of 1978, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Education and Labor, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAHUNT:

H.R. 6054. A bill to establish a United States Human Rights Commission to monitor compliance by the United States with international human rights treaty obligations; to the Committee on Foreign Affairs.

By Ms. HARMAN:

H.R. 6055. A bill to require the Federal Communications Commission to establish requirements and issue a nationwide public safety broadband license, to establish a grant program to fund administrative and operational costs of the licensee, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HINCHEY (for himself, Mr. CANNON, Mr. NADLER, Mr. BISHOP of Georgia, Mr. TOWNS, Mrs. MALONEY of New York, Mr. MCHUGH, Mr. ISRAEL, Mr. ENGEL, Mr. CROWLEY, Mr. MCDERMOTT, and Mr. MCGOVERN):

H.R. 6056. A bill to authorize the Archivist of the United States to make grants to States for the preservation and dissemination of historical records; to the Committee on Oversight and Government Reform.

By Mr. INSLEE (for himself and Mr. HINCHEY):

H.R. 6057. A bill to amend the Outer Continental Shelf Lands Act to prohibit preleasing, leasing, and related activities in the Beaufort and Chukchi Sea Planning Areas unless certain conditions are met; to the Committee on Natural Resources.

By Mr. MURPHY of Connecticut:

H.R. 6058. A bill to amend title 18, United States Code, to provide Federal penalties for home invasions, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY of Connecticut:

H.R. 6059. A bill to clarify the use of Edward Byrne Memorial Justice Assistance Grants for corrections and community corrections programs, to enhance the data made available by the National Adult and Juvenile Offender Reentry Resource Center, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mr. CHABOT, Mr. EMANUEL, and Mr. MURPHY of Connecticut):

H.R. 6060. A bill to amend title 18, United States Code, to enable increased federal prosecution of identity theft crimes and to allow for restitution to victims of identity theft; to the Committee on the Judiciary.

By Mr. COSTELLO (for himself, Mr. SHIMKUS, Mr. LIPINSKI, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. JACKSON of Illinois, Mr. GUTIERREZ, Mr. EMANUEL, Mr. ROSKAM, Mr. DAVIS of Illinois, Ms. BEAN, Ms. SCHAKOWSKY, Mr. KIRK, Mr. WELLER, Mrs. BIGGERT, Mr. FOSTER, Mr. HARE, Mr. MANZULLO, and Mr. RUSH):

H.R. 6061. A bill to designate the facility of the United States Postal Service located at 219 East Main Street in West Frankfort, Illinois, as the ''Kenneth James Gray Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. ROS-LEHTINEN (for herself, Mrs. MALONEY of New York, Mr. PENCE, and Mr. KLEIN of Florida):

H.J. Res. 84. A joint resolution expressing the commitment of Congress to continue to make it a priority to fight anti-Semitism and to promote tolerance at home and abroad; to the Committee on Foreign Affairs.

By Mr. MARKEY:

H.J. Res. 85. A joint resolution expressing the disfavor of the Congress regarding the proposed agreement for cooperation; to the Committee on Foreign Affairs.

By Mr. SHADEGG:

H. Con. Res. 349. Concurrent resolution honoring past and current members of the Armed Forces of the United States and their families by encouraging every American to wear a red poppy on Memorial Day as a sign of admiration and thanks to those individuals who died to preserve freedom and democracy in the United States; to the Committee on Armed Services.

By Mr. RAHALL (for himself, Ms. BORDALLO, Mr. DELAHUNT, Mr. KILDEE, Mr. GONZALEZ, Mr. FALEOMAVAEGA, Mr. SHAYS, Mr. ROTHMAN, and Mr. HINCHEY):

H. Con. Res. 350. Concurrent resolution expressing the sense of the Congress that the United States, through the International Whaling Commission, should use all appropriate measures to end commercial whaling in all of its forms, including scientific and other special permit whaling, coastal whaling, and community-based whaling, and seek to strengthen the conservation and management measures to facilitate the conservation of whale species, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BERMAN (for himself, Mr. ACKERMAN, Mr. ISSA, and Mr. WEXLER):

H. Res. 1194. A resolution reaffirming the support of the House of Representatives for the legitimate, democratically-elected Government of Lebanon under Prime Minister Fouad Siniora; to the Committee on Foreign Affairs.

By Mr. WU (for himself, Mr. HOYER, Mr. CLYBURN, Mr. BLUNT, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. FALEOMAVAEGA, Mr. PAYNE, Ms. LEE, Mr. LAMPSON, Ms. JACKSON-LEE of Texas, Mr. SCOTT of Georgia, Mr. BURTON of Indiana, Mr. MEEKS of New York, Mr. KIRK, Mr. LARSEN of Washington, Mr. GENE GREEN of Texas, Mr. EMANUEL, Mr. LARSON of Connecticut, Mr. TERRY, Mr. SCHIFF, Mr. CROWLEY, Mr. DREIER, and Ms. FALLIN):

H. Res. 1195. A resolution expressing condolences and sympathy to the people of the People's Republic of China for the grave loss of life and vast destruction caused by the earthquake of May 12, 2008 in Sichuan Province; to the Committee on Foreign Affairs.

By Mr. PUTNAM:

H. Res. 1196. A resolution electing a Minority Member to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. GALLEGLY (for himself and Mr. WEXLER):

H. Res. 1198. A resolution commending the people of the Montenegro on holding free and fair presidential elections on April 6, 2008, the North Atlantic Treaty Organization's decision at the Bucharest Summit to invite Montenegro to enter into an Intensified Dialogue, and the reforms and progress undertaken by Montenegro since its declaration of independence; to the Committee on Foreign Affairs.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. CALVERT, Mr. CAMPBELL of California, Mr. GARY G. MILLER of California, Mr. ROHRABACHER, and Mr. ROYCE):

H. Res. 1199. A resolution commending the Orange County Water District and its employees for their sound financial management and innovative groundwater management, water quality, water efficiency, and environmental programs, on its 75th anniversary; to the Committee on Natural Resources.

By Ms. SUTTON:

H. Res. 1200. A resolution honoring the dedication and outstanding work of military support groups across the country for their steadfast support of the members of our Armed Forces and their families; to the Committee on Armed Services.

ADDITIONAL SPONSORS

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

H.R. 82: Mr. RAMSTAD.

H.R. 154: Mr. ROSS and Ms. LINDA T. SÁNCHEZ of California.

H.R. 303: Mr. CANTOR.

H.R. 368: Mr. PAYNE, Mr. KNOLLENBERG, Mr. MICA, and Mr. BROWN of South Carolina.

H.R. 522: Mrs. CHRISTENSEN and Ms. KILPATRICK.

H.R. 981: Mr. LEVIN.

H.R. 1069: Mr. GENE GREEN of Texas.

H.R. 1185: Mr. FATTAH, Mr. BOSWELL, Mr. ROTHMAN, and Ms. NORTON.

H.R. 1589: Mr. MCNERNEY.

H.R. 1647: Ms. SLAUGHTER, Mr. KUHL of New York, and Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 1665: Mr. ORTIZ and Mr. DAVIS of Illinois.

H.R. 1738: Mr. SCOTT of Virginia, Mrs. SCHMIDT, Mr. OBERSTAR, and Mrs. TAUSCHER.

H.R. 1881: Mr. GONZALEZ and Mr. RYAN of Ohio.

H.R. 1888: Mr. BARTON of Texas.

H.R. 2021: Mr. CARSON.

H.R. 2032: Mr. DOYLE.

H.R. 2472: Mr. HASTINGS of Washington, Mr. SCOTT of Georgia, Ms. BERKLEY, and Mr. ENGLISH of Pennsylvania.

H.R. 2493: Mrs. DRAKE and Mr. MANZULLO.

H.R. 2506: Ms. HIRONO.

H.R. 2717: Mr. SHAYS.

H.R. 2744: Mr. SCHIFF.

H.R. 2762: Ms. SPEIER and Mr. RAHALL.

H.R. 2802: Mr. SCOTT of Georgia, Ms. WASSERMAN SCHULTZ, and Ms. LEE.

H.R. 2818: Mr. NADLER and Mrs. BLACKBURN.

H.R. 2991: Mr. SKELTON.

H.R. 3089: Mr. ROGERS of Kentucky.

H.R. 3186: Mr. SOUDER, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Mr. ENGLISH of Pennsylvania, and Mr. BISHOP of Georgia.

H.R. 3187: Mr. LINCOLN DIAZ-BALART of Florida and Mr. BISHOP of Georgia.

H.R. 3202: Mr. MCDERMOTT.

H.R. 3232: Mr. MARIO DIAZ-BALART of Florida, Ms. WATERS, and Mrs. NAPOLITANO.

H.R. 3245: Mr. ROGERS of Kentucky.

H.R. 3282: Mr. RUPPERSBERGER.

H.R. 3622: Mr. GRIJALVA.

H.R. 3681: Mr. HALL of New York.

H.R. 3700: Mrs. CAPPS.

H.R. 3800: Mr. SESTAK.

H.R. 3817: Mr. BRALEY of Iowa.

H.R. 3819: Ms. GINNY BROWN-WAITE of Florida.

H.R. 3961: Mr. CONYERS.

H.R. 4059: Mr. GRIJALVA.

H.R. 4199: Mr. HOBSON.

H.R. 4218: Mr. JEFFERSON and Mr. GENE GREEN of Texas.

H.R. 4221: Mr. ENGEL and Mr. HILL.

H.R. 4304: Mr. BARRETT of South Carolina.

H.R. 4318: Mr. NUNES.

H.R. 4335: Mr. ALLEN.

H.R. 4461: Mr. SCOTT of Virginia and Mr. BOOZMAN.

H.R. 4544: Mr. ORTIZ.

H.R. 4789: Ms. WASSERMAN SCHULTZ, Mr. HODES, Mr. COHEN, Mr. SHERMAN, Ms. ESHOO, Mr. SCHIFF, Mr. JOHNSON of Georgia, Ms. LINDA T. SÁNCHEZ of California, Mr. WEXLER, Mr. TOWNS, Ms. SLAUGHTER, Mr. NADLER, and Mr. WEINER.

H.R. 4836: Mr. CLEAVER, Mr. GENE GREEN of Texas, and Mr. ENGEL.

H.R. 4900: Mr. HILL, Mr. PLATTS, Mr. BERRY, Mrs. BACHMANN, Mr. JOHNSON of Illinois, Mr. DONNELLY, Mr. BRADY of Texas, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. WOLF.

H.R. 4926: Ms. DEGETTE, Mr. BARROW, Mr. INSLEE, Mr. ALTMIRE, Mr. MURPHY of Connecticut, Ms. LINDA T. SÁNCHEZ of California, Mr. BRALEY of Iowa, and Mr. SNYDER.

H.R. 5134: Mr. DAVIS of Kentucky.

H.R. 5268: Mr. MCGOVERN, Mr. CUMMINGS, Mr. SESTAK, Mr. CONYERS, and Mr. RUPPERSBERGER.

H.R. 5426: Mr. BRALEY of Iowa.

H.R. 5444: Mr. BERMAN, Ms. SCHAKOWSKY, and Mr. CARSON.

H.R. 5450: Mr. LINCOLN DIAZ-BALART of Florida, Mr. GORDON, and Mr. WITTMAN of Virginia.

H.R. 5454: Mr. MCGOVERN, Mr. BISHOP of Utah, Mrs. MALONEY of New York, Mr. DAVIS of Illinois, Mr. OBERSTAR, and Mr. HALL of Texas.

H.R. 5515: Mr. CAMPBELL of California.

H.R. 5534: Mr. PATRICK MURPHY of Pennsylvania.

H.R. 5580: Mr. PRICE of Georgia.

H.R. 5606: Mr. ABERCROMBIE, Mr. PLATTS, Mr. KELLER, and Mr. ALLEN.

H.R. 5629: Mr. SHIMKUS.
H.R. 5632: Mr. HILL.
H.R. 5674: Mr. WU and Mr. DOGGETT.
H.R. 5684: Mr. LATHAM.
H.R. 5686: Mr. ALTMIRE.
H.R. 5700: Mr. GONZALEZ.
H.R. 5705: Mr. GRIJALVA.
H.R. 5731: Mr. NEUGEBAUER.
H.R. 5740: Mr. STARK.
H.R. 5775: Mr. KINGSTON.
H.R. 5784: Mr. TERRY.
H.R. 5804: Mr. BACA and Mr. POMEROY.
H.R. 5838: Mr. SERRANO.
H.R. 5846: Mr. THOMPSON of Mississippi.
H.R. 5857: Mr. HALL of Texas, Mr. DANIEL E. LUNGREN of California, and Mr. CRENSHAW.
H.R. 5869: Mr. PRICE of North Carolina.
H.R. 5873: Ms. CORRINE BROWN of Florida and Ms. BERKLEY.
H.R. 5898: Mr. Fortuño.
H.R. 5902: Mr. COHEN.
H.R. 5906: Mr. LOBIONDO.
H.R. 5908: Mr. PAUL.
H.R. 5924: Mr. PUTNAM and Mrs. MCCARTHY of New York.
H.R. 5941: Mr. KAGEN.
H.R. 5944: Mr. BURGESS and Mr. HASTINGS of Washington.
H.R. 5950: Mr. CONYERS, Mr. GRIJALVA, and Mr. FARR.
H.R. 5958: Mr. SCHIFF.
H.R. 5960: Mr. SPACE.
H.R. 5965: Mr. COHEN.
H.R. 5971: Mr. TERRY, Mr. GARY G. MILLER of California, and Mr. KINGSTON.
H.R. 5978: Mrs. LOWEY and Mr. HIGGINS.
H.R. 5984: Mr. LEWIS of Kentucky, Mrs. BONO MACK, Mr. CASTLE, and Mr. HELLER.
H.R. 5995: Mr. BARRETT of South Carolina.
H.R. 5998: Mr. PASCRELL.
H.R. 6009: Mr. JONES of North Carolina.
H.R. 6026: Mr. PETERSON of Pennsylvania.
H.R. 6029: Ms. WOOLSEY and Mr. HARE.
H.J. Res. 79: Mr. ROTHMAN and Mr. STARK.
H. Con. Res. 134: Mr. CLYBURN.
H. Con. Res. 216: Mr. LUCAS and Mr. WALBERG.
H. Con. Res. 244: Mr. FORTUÑO and Ms. BERKLEY.
H. Con. Res. 296: Mr. PRICE of Georgia and Mr. KINGSTON.
H. Con. Res. 299: Mr. GORDON.
H. Con. Res. 305: Mr. CUMMINGS.
H. Con. Res. 332: Ms. SCHAKOWSKY.
H. Con. Res. 334: Mr. GARY G. MILLER of California.
H. Con. Res. 336: Mr. LANGEVIN, Mr. PORTER, and Mr. HELLER.
H. Con. Res. 341: Mr. GRIJALVA, Mr. BISHOP of New York, Mr. PALLONE, Mr. MCCAUL of Texas, Mr. KING of New York, Mr. LEWIS of Kentucky, Mr. BISHOP of Georgia, Mr. MITCHELL, Mr. VISCLOSKY, Mr. REHBERG, Mrs. BACHMANN, Mr. KILDEE, Mr. JONES of North Carolina, Mr. SESSIONS, Mr. TERRY, Mr. KELLER, Mr. RYAN of Ohio, Mr. DEFAZIO, Mr. SIMPSON, Mr. BOYD of Florida, Mr. CHANDLER, Mr. CULBERSON, and Mr. COSTA.
H. Res. 111: Mr. UDALL of Colorado.
H. Res. 389: Mr. JACKSON of Illinois, Mr. BISHOP of Georgia, Mr. CLYBURN, Mr. TOWNS, and Mr. MEEKS of New York.
H. Res. 896: Mr. BARROW, Mrs. CAPPS, Mr. ROSS, Mr. STUPAK, and Mr. WEINER.
H. Res. 937: Mr. CHABOT.
H. Res. 977: Mr. ALLEN.
H. Res. 1010: Mr. CHANDLER, Mr. BERRY, Mr. ETHERIDGE, Mr. KANJORSKI, and Mr. CAPUANO.
H. Res. 1019: Mr. CARSON.
H. Res. 1022: Ms. ESHOO and Ms. GRANGER.
H. Res. 1028: Mr. LEWIS of Georgia.
H. Res. 1078: Mr. PAYNE.
H. Res. 1110: Mr. BUYER.
H. Res. 1122: Mr. GARY G. MILLER of California.
H. Res. 1137: Mr. RAHALL.
H. Res. 1144: Mr. YOUNG of Florida.
H. Res. 1177: Mr. HINCHEY, Mr. CONYERS, and Mr. KAGEN.
H. Res. 1179: Mr. WELLER, Mr. STEARNS, Mr. ROHRABACHER, and Mr. BURTON of Indiana.
H. Res. 1185: Mr. STARK, Mr. WELLER, Mr. LEWIS of Georgia, Mrs. BACHMANN, Mr. COOPER, Ms. DELAURO, Mr. MEEK of Florida, Mr. DAVIS of Alabama, Mr. CARDOZA, and Mr. FATTAH.
H. Res. 1191: Mrs. GILLIBRAND, Ms. TSONGAS, Mr. DAVIS of Illinois, Mr. ACKERMAN, Mr. BRALEY of Iowa, Ms. HOOLEY, Mr. UDALL of Colorado, Mr. SHERMAN, Mrs. DAVIS of California, Ms. ESHOO, Ms. SHEA-PORTER, Mr. BUTTERFIELD, Mr. THOMPSON of Mississippi, Mr. BISHOP of Georgia, Mr. JACKSON of Illinois, Mr. WATT, Mr. EMANUEL, Ms. BERKLEY, Ms. BALDWIN, Ms. VELÁZQUEZ, Mr. HARE, Ms. WATERS, Mr. GUTIERREZ, Mr. JOHNSON of Georgia, Mr. COURTNEY, Mr. LOEBSACK, Mr. PATRICK MURPHY of Pennsylvania, Mrs. BOYDA of Kansas, Mr. ELLSWORTH, Mr. SPACE, Mr. BERMAN, Mr. HILL, Ms. SCHWARTZ, Ms. SOLIS, Mr. KAGEN, Mr. CONYERS, Mrs. CAPPS, and Mr. PALLONE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. OBEY

Earmark Disclosure Statement for the House amendments to the Senate amendment to H.R. 2642—the Military Construction and Veterans Affairs Appropriations Act, 2008. Neither the House amendments nor the explanatory statement contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives. However, the following tables are submitted disclosing those earmarks included at the request of the administration:

MILITARY CONSTRUCTION

[Dollars in thousands]

Project name	Location	Amount	Request by
Child Development Center	AK: FortWainwright	17,000	Administration
Child Development Center	CA: Fort Irwin	11,800	Administration
11th Marine Regiment HQ, Amory, BEQ	CA: Camp Pendleton	34,970	Administration
5th Marine Regiment Addition, San Mateo	CA: Camp Pendleton	10,890	Administration
Armory Intelligence Battalion, 16 Area	CA: Camp Pendleton	4,180	Administration
Armory, Regiment & Battalion HQ, 53 Area	CA: Camp Pendleton	5,160	Administration
BEQ & Mess Hall HQ (13) Area	CA: Camp Pendleton	24,390	Administration
EOD Operation Facility	CA: Camp Pendleton	13,090	Administration
ISR Camp—Intelligence Battalion	CA: Camp Pendleton	1,114	Administration
JIEDDO Battle Courses	CA: Camp Pendleton	9,270	Administration
Military Police Company Facilities	CA: Camp Pendleton	8,240	Administration
Public-Private Venture, Phase 6B	CA: Camp Pendleton	10,692	Administration
Public-Private Venture, Phase 2A	CA: Twentynine Palms	1,074	Administration
Regimental Combat Team HQ Facility	CA: Twentynine Palms	4,440	Administration
JIEDDO Battle Courses	CA China Lake NAWS	7,210	Administration
JIEDDO Battle Courses	CA: Point Mugu	7.250	Administration
Child Development Center	CA: San Diego	17,930	Administration
Recruit Barracks	CA: San Diego MCRD	43,200	(1)
JIEDDO Battle Courses	CA: Twentynine Palms	11,250	Administration
Child Development Center	CA: Beale AFB	17,600	Administration
Child Development Center	CO: Fort Carson	8,400	Administration
Soldier Family Assistance Center	CO: Fort Carson	8,100	Administration
JIEDDO Battle Courses	FL: Whiting Field NAS	780	Administration
Child Development Center	FL: Eglin AFB	11,000	Administration
Classrooms & Battalion Dining Facilities	GA: Fort Benning	30,500	(1)
AIT Complex I, Phase I	GA: Fort Gordon	32,000	(1)
Child Development Center	GA: Fort Gordon	7,800	Administration
Soldier Family assistance Center	GA: Fort Stewart	6,000	Administration
Hospital Repalcement	GA: Fort Benning	350,000	(1)
Child Development Center	HI: Schofield Barracks	12,500	Administration
Transitioning Warrior Support Complex	KS: Fort Riley	50,000	Administration
Hospital Replacement	KS: Fort Riley	404,000	(1)
Child Development Center	KY: Fort Campbell	9,900	Administration
Soldier Family Assistance Center	KY: Fort Campbell	7,400	Administration
Child Development Center	KY: Fort Knox	7,400	Administration
Soldier Family Assistance Center	LA: Fort Polk	4,900	Administration
Starbase Complex 6, Phase 1	MO: Fort Leonard Wood	50,000	(1)
JIEDDO Battle Courses	MS: Gulfport NCBC	6,570	Administration
Child Development Center	NC: Camp Lejeune	16,000	Administration
JIEDDO Battle Courses	NC: Camp Lejeune	11,980	Administration
Maintenance/Operations Complex 2/9	NC: Camp Lejeune	43,340	Administration
Child Development Center	NC: Fort Bragg	8,500	Administration
Hospital Addition/Alteration	NC: Camp Lejuene	122,000	(1)
JIEDDO Battle Courses	NJ: McGuire AFB	6,200	Administration
Child Development Center	NM: Cannon AFB	8,000	Administration
Warrior in Transition Facilities	NY: Fort Drum	38,000	Administration
Child Development Center	OK: Fort Sill	9,000	Administration
Student Barracks	SC: Fort Jackson	27,000	(1)
Recruit Barracks	SC: Parris Island MCRD	19,900	(1)

MILITARY CONSTRUCTION—Continued

[Dollars in thousands]

Project name	Location	Amount	Request by
Child Development Center	TX: Fort Bliss	5,700	Administration
Child Development Center	TX: Fort Bliss	5,900	Administration
Child Development Center	TX: Fort Bliss	5,700	Administration
Child Development Center	TX: Fort Hood	7,200	Administration
Warrior in Transition Unit Ops Facilities	TX: Fort Hood	9,100	Administration
AIT Barracks	TX: Fort Sam Houston	47,000	[1]
Child Development Center	TX: Fort Sam Houston	7,000	Administration
Burn Rehabilitation Center	TX: Fort Sam Houston	21,000	Administration
JIEDDO Battle Courses	VA: Yorktown NWS	8,070	Administration
AIT Complex 1, Phase 1	VA: Fort Eustis	50,000	[1]
Child Development Center	VA: Fort Lee	7,400	Administration
Administrative Building	Afghanistan: Bagram AB	13,800	Administration
Aircraft Maintenance Hangar	Afghanistan: Bagram AB	5,100	Administration
Ammunition Supply Point	Afghanistan: Bagram AB	62,000	Administration
Bulk Fuel Storage and Supply, Phase 3	Afghanistan: Bagram AB	23,000	Administration
Bulk Fuel Storage and Supply, Phase 4	Afghanistan: Bagram AB	21,000	Administration
New Roads	Afghanistan: Bagram AB	27,000	Administration
Power Plant	Afghanistan: Bagram AB	41,000	Administration
East Side Helo Ramp	Afghanistan: Bagram AB	44,400	Administration
ISR Ramp	Afghanistan: Bagram AB	26,300	Administration
Parallel Taxiway Phase 2	Afghanistan: Bagram AB	21,400	Administration
Strategic Ramp	Afghanistan: Bagram AB	43,000	Administration
Rotary Wing Parking	Afghanistan: Ghazni	5,000	Administration
Consolidated Compound	Afghanistan: Kabul	36,000	Administration
Counter IED Road—Route Alaska	Afghanistan: Various Locations	16,500	Administration
Counter IED Road—Route Connecticut	Afghanistan: Various Locations	54,000	Administration
Hot Cargo Ramp	Iraq: Al Asad AB	18,500	Administration
Landfill	Iraq: Al Asad AB	3,100	Administration
South Airfield Apron (India Ramp)	Iraq: Al Asad AB	28,000	Administration
Water Supply, Treatment & Storage Ph III	Iraq: Baghdad IAP	13,000	Administration
Convoy Support Center Relocation, Phase II	Iraq: Camp Adder	39,000	Administration
Multi-Class Storage Warehouse	Iraq: Camp Adder	17,000	Administration
POL Storage Area	Iraq: Camp Adder	10,000	Administration
Wastewater Treatment & Collection System	Iraq: Camp Adder	9,800	Administration
Hazardous Waste Incinerator	Iraq: Camp Anaconda	4,300	Administration
Landfill	Iraq: Camp Anaconda	6,200	Administration
Fighter Ramp	Iraq: Balad AB	11,000	Administration
Foxtrot Taxiway	Iraq: Balad AB	12,700	Administration
Helicopter Maintenance Facilities	Iraq: Balad AB	34,600	Administration
Juvenile TIFRIC	Iraq: Camp Constitution	11,700	Administration
Landfill	Iraq: Camp Marez	880	Administration
Landfill	Iraq: Camp Ramadi	880	Administration
Aviation Navigation Facilities	Iraq: Camp Speicher	13,400	Administration
Landfill	Iraq: Camp Speicher	5,900	Administration
Military Control Point	Iraq: Camp Speicher	5,800	Administration
Rotary Wing Parking Apron	Iraq: Camp Speicher	49,000	Administration
Landfill	Iraq: Camp Taqqadum	880	Administration
Landfill	Iraq: Camp Warrior	880	Administration
Landfill	Iraq: Fallujah	880	Administration
North Entry Control Point	Iraq: Qayyarah West	11,400	Administration
Perimeter Security Upgrade	Iraq: Qayyarah West	14.600	Administration
Entry Control Point	Iraq: Scania	5,000	Administration
Water Storage Tanks	Iraq: Scania	9,200	Administration
Landfill	Iraq: Victory Base	6,200	Administration
Level 3 Hospital	Iraq: Victory Base	13,400	Administration
Wastewater Treatment & Collection System	Iraq: Victory Base	9,800	Administration
Water Treatment & Storage Phase II	Iraq: Victory Base	18,000	Administration
Facilities Replacement	Iraq: Various Locations	72,0000	Administration
Overhead Cover-eGlass	Iraq: Various Locations	135,000	Administration
CJTF–HOA HQ Facility	Djibouti: Camp Lemonier	29,710	Administration
Dining Facility	Djibouti: Camp Lemonier	20,780	Administration
Fuel Farm	Djibouti: Camp Lemonier	4,000	Administration
Full Length Taxiway	Djibouti: Camp Lemonier	15,490	Administration
Network Infrastructure Expansion	Djibouti: Camp Lemonier	6,270	Administration
Water Production	Djibouti: Camp Lemonier	19,140	Administration
Western Taxiway	Djibouti: Camp Lemonier	2,900	Administration
Communication Center	Kuwait: Camp Arifjan	30,000	Administration
Strategic Ramp	Kyrgyzstan: Manas AB	30,300	Administration
Expeditionary Beddown Site	Oman: Masirah AB	6,300	Administration
Facility Replacements	Qatar: Al Udeid AB	40,000	Administration
Northwest (CAS) Ramp	Qatar: Al Udeid AB	60,400	Administration
Logistics Storage Warehouse	Qatar: Al Udeid AB	6,600	Administration

[1] The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

ARMY CORPS OF ENGINEERS

[Dollars in thousands]

Project name	State	Amount	Request by
Repair and restore authorized protection and floodwalls.	LA	393,000	Administration
Complete authorized protection.	LA	359,000	Administration
Plaquemines Parish-non-Federal levees.	LA	456,000	Administration
Outfall Canals—pumps and closures.	LA	704,000	Administration
Inner Harbor Navigation Canal protection.	LA	53,000	Administration
Armoring	LA	459,000	Administration

ARMY CORPS OF ENGINEERS—Continued

[Dollars in thousands]

Project name	State	Amount	Request by
Reinforce and replace floodwalls.	LA	412,000	Administration
Storm-proof pumping stations.	LA	90,000	Administration
Lake Pontchartrain and Vicinity (100-year protection).	LA	1,077,000	Administration
Westbank and Vicinity (100-year protection).	LA	920,000	Administration
Southeast Louisiana (interior drainage).	LA	838,000	Administration

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 5534: Mr. ALEXANDER.

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PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, WEDNESDAY, MAY 14, 2008 *No. 79*

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the giver of every good and perfect gift, thank You for the favor which You have given to humanity. We are grateful, Lord, for the nobility You have placed in human hearts that enables us to toil until we pass the breaking point and still not break. Thank You that You have enabled us to love until even self is forgotten. Thank You also for those who willingly sacrifice even life itself for the things they hold dear. Thank You that goodness always haunts us and sin ever brings its remorse.

Thank You for the Members of this legislative body who labor to be Your ambassadors of reconciliation in a divided world. May they commit their time, effort, and resources to formulate public policy in keeping with Your will for our beloved Nation.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN 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, May 14, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader time, there will be a period of morning business for up to 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half. Following morning business, the Senate will resume consideration of H.R. 980, the collective bargaining legislation. Rollcall votes are expected to occur throughout the day.

Debate on this legislation has been exemplary. All amendments to this point that have been offered relate to labor issues. That is important. This is a bipartisan bill. We should be able to legislate on this, hopefully get it completed in the near future. There is a lot of pent-up desire on both sides to offer amendments on all different issues, but I think we would get more done if we could focus on this legislation.

I indicated to Senator ENZI, who was so involved in this, how we would proceed. He has been, as he always is, a gentleman. Senator KENNEDY and Senator ENZI didn't get everything worked out on this piece of legislation that they wanted prior to coming to the floor; therefore, Senator ENZI feels an obligation to offer some amendments to take care of some of the issues he believes are important, and I support him on that.

MEASURE PLACED ON THE CALENDAR—S.J. RES. 32

Mr. REID. Mr. President, S.J. Res. 32 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the resolution by title for the second time.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 32) limiting the issuance of a letter of offer with respect to a certain proposed sale of defense articles and defense services to the Kingdom of Saudi Arabia.

Mr. REID. I object to any further proceedings with respect to the joint resolution.

The ACTING PRESIDENT pro tempore. Objection having been heard, the joint resolution will be placed on the calendar.

FARM BILL CONFERENCE

Mr. REID. Mr. President, before turning this over to the Republican leader, we have worked long and hard on the farm bill. It is a bipartisan bill. It has been a struggle to get where we are. I so appreciate the work done by Senators who are responsible for bringing this to the floor, Senators HARKIN and CHAMBLISS, BAUCUS, GRASSLEY, and a lot of other players who are involved. It is a very important piece of legislation. We expect to turn to the farm conference report as soon as we receive it from the House. We even will try to do it before it comes here, if we can get a consent agreement. We hope we can limit debate on this matter and get it out of here.

Remember, this week we have to hopefully dispose of the collective bargaining legislation. We have to take

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care of the farm bill. We have to appoint conferees on the budget. We also have to dispose of, because we have a statutory problem, the media cross-ownership issue. There are 10 hours of debate on that. I hope we can limit that significantly. Those are the items we need to complete this week—this week—and it is already Wednesday.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

COMMEMORATING 60 YEARS OF ISRAELI STATEHOOD

Mr. MCCONNELL. Mr. President, more than a hundred years ago, the Hungarian journalist Theodore Herzl set into motion a political movement that would change the world.

Herzl's vision for a Jewish homeland would not be realized in his own lifetime, but the nation that would become the modern State of Israel would have exceeded even his dreams of a prosperous home for the descendants of Abraham, Isaac, and Jacob.

In the nearly 2,000 years that had passed since the exile, the Jewish people had remained faithful to their traditions, praying and hoping for their eventual return. That right was acknowledged in the Balfour Declaration of 1917 and reaffirmed by the mandate of the League of Nations in 1922. The horrors of the Nazi Holocaust made Israel's establishment all the more urgent, and had created among the American people a deep sympathy for the aspirations of the Jewish people. At the stroke of midnight, on this day in 1948, the modern State of Israel was born, and just eleven minutes later, here in the U.S., President Truman recognized the new state, solidifying for all time the bond between our two countries.

A deep friendship between America and Israel is natural, given the many political and moral values we share. But our strong diplomatic ties were far from inevitable. Historians tell us that recognition was strenuously opposed by Secretary of State George Marshall, a foreign policy realist who valued strategic interests over humanitarian concerns. In this case, Marshall was overridden by his Commander in Chief, who, following the Holocaust, saw the moral and humanitarian imperative of the Jewish people having their own state. Despite President Truman's deep respect for Marshall, it was a decision that Truman would never regret.

The U.S. Congress, it should be noted, had spoken out on the issue long before recognition was sought. As far back as 1922, Congress expressed its sympathy for a sovereign homeland for the Jewish people. It would take two more decades for that state to come about, but when it did Congress and the American people were ready once again to express overwhelming support.

In the decades since the birth of the modern State of Israel, much has changed. This desert land has in many ways become ''a land that floweth with milk and honey.'' In this, it reflects the ingenuity and the resourcefulness of the Israeli people.

Over time, the U.S.-Israeli relationship has only grown stronger. A bond that was originally based largely on moral grounds and shared values has been fortified by shared strategic interests.

While some Arab states recognize Israel, most do not. And Israel faces numerous threats, including an existential threat from Iran.

Yet on this day of celebration, it is my fervent hope that Israel will soon celebrate its birth as a state that is recognized by all its Arab neighbors, safe from the threat of terror. Until then, I know my colleagues and I will do everything in our power to ensure that the U.S.-Israeli relationship is robust, and that the Jewish state has all it needs to defend itself.

On this anniversary, we send our best wishes and every expression of heartfelt goodwill and congratulations to the Jewish people.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for up to 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Ohio.

COLOMBIA FREE TRADE AGREEMENT

Mr. BROWN. Mr. President, in a little more than 2 hours, I will join members of the United States and Colombian labor organizations at a news conference speaking out against human rights abuses in Colombia, speaking out against the pending free-trade agreement that would ignore those abuses and, in some sense, excuse them. Much of the talk about this agreement centers around the violence and impunity in Colombia, especially as it relates to trade unionists. And for good reason. International organizations, human rights and religious groups look at Colombia's record with alarm and urgency. Human rights defenders, trade unionists, community leaders, and religious leaders are today, in too many cases, receiving death threats from rearmed paramilitary groups such as the Black Eagles and are reeling from a new wave of violence.

Before, during, and after a countrywide rally on March 6, 2008, against paramilitary and all forms of violence, at least two march organizers were killed. Union leaders Carlo Burbano and Carmen Cecilia Carvajal were killed for simply trying to voice their views. Three other social leaders were killed in events that also were associated with the march. March organizers all over the country received death threats. One organizer's house was attacked with gunfire on February 29. Those human rights issues are serious. Yet the administration takes them in stride, barely acknowledging the Colombian culture of violence and then impunity, in too many cases, for those who committed those violent acts.

In a short while, I will stand with nearly a dozen brave women and men who have come to Washington to give witness to the horrific danger they and their loved ones face every day. These brave men and women face threats to their jobs, their families, their homes, and their lives. They are under threat because they have taken a stand. They have fought for labor and human rights in Colombia.

One message I want them to take back to Colombia is that we are not taking lightly what is happening to them. The administration may be taking it lightly, but an awful lot of people in the House and Senate and an awful lot of Americans don't take this lightly. We will push the Bush administration to take a stand against the violence occurring in Colombia instead of glossing over it.

The President must not forsake our Nation's values, our profound respect for the rule of law, and our Nation's hard-won progress on behalf of labor and human rights and basic rights. Again, the President must not forsake our Nation's values and our profound respect for the rule of law or our hard-won progress to establish labor, human, and basic rights. The President must not forsake our values or dismiss the sacrifices of so many.

The Colombian Government has taken steps to strengthen legal institutions and processes—I acknowledge that—but the bottom line is the violence is not subsiding. Murders of labor leaders continued at a pace of one per week already this year.

Some newspapers have said the violence is down—and although it was down last year, now it is back up—and we should move on with this Colombia trade agreement because the violence is down. But when there is one labor activist killed every single week, it is hard to say that is an acceptable level. That is what people in the administration are saying. That is what some newspapers are saying, that that is an acceptable level of violence. No, we should not approve a trade agreement when that kind of violence is aimed at too many labor activists.

For the sake of both our nations, the United States should not sign a trade

deal with Colombia that shortchanges workers, that rewards polluters, that gives businesses the same power as sovereign governments. Later, I will talk more about a part of this trade agreement and how it does reward polluters and gives businesses the same power as sovereign governments. In many cases, corporations will be able to override the democratically attained rule of law, rules, and regulations. More on that later.

Back to the issue at hand with Colombia, we absolutely should not sign a trade deal that forgives treachery toward labor leaders, that says it is OK that these labor leaders are murdered. We in this body will fight alongside our Colombian labor friends for fair trade, and we will fight for their efforts to end the violence.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

FARM BILL

Mr. TESTER. Mr. President, I rise today not only as a U.S. Senator from Montana but also as a farmer who is actively engaged in agriculture, family farm agriculture. It truly is a family farm that we operate in north central Montana. Not only do my wife Sharla and I farm, but when we need help, my brother, my son-in-law, my son, and my daughter all step to the plate and help us.

We just finished spring planting in north central Montana, and with it comes hopes for a great year. We all know the commodity prices right now are very good, but the rest of the story is this: Diesel prices are double what they were last year. Chemical prices have gone through the roof. Fertilizer is becoming unaffordable because the cost is so high.

That is where the farm bill steps in—this farm bill which just came out of conference committee which we will vote on, hopefully, later today. In this farm bill, we raise the target price. We have a disaster program that Senator BAUCUS fought so hard to get into this bill so that farmers, when they do have a disaster, do not have to come back to Washington, DC, with hat in hand. They will have a safety net. We have country-of-origin labeling in this farm bill with some teeth in it that I hope the next administration takes by the horns and adopts so people know where their food comes from. It allows for the interstate shipment of meat so small meatpackers can ship their products across State lines, which has not been available before, to add value to meat products throughout this country. It has a nonfood biofuel section of which a part of that is a camelina pilot program, which I am very proud of, which offers farmers another crop for their rotation and helps this country become more energy independent. It also has a very aggressive nutrition program to help people who need help buying food, which is very important.

This bill is about rural development, about making rural America all it can be, creating jobs, and helping meet this country's energy needs, creating a level of energy independence.

This bill is also about food security for this country. We have been very fortunate in the United States. We have not suffered the lack of food that other countries have. I believe it is because of farm bills of the past, and it is because family farmers have done such a great job meeting this country's food demands.

We need to have a farm bill that helps support those family farmers, and that is exactly what this farm bill does. Is it perfect? No. But is it pretty darn good? Yes. This farm bill does things for people in production agriculture that it needs to do to make sure they remain in business, to make sure this country's food security needs are met.

So when I read editorials in newspapers on the east coast, west coast, in the Washington Post, Boston Herald, Dallas Morning News, Los Angeles Times—and the list goes on and on—that talk about this farm bill being loaded with waste and giveaways and lard, I ask the folks who write these editorials to come out to Montana and talk to somebody who has their hands in the dirt. Go out to the Midwest and see the kinds of challenges these folks have and ask yourself: Is this farm bill really full of the kind of waste you are talking about? Because it is not. It is a farm bill that meets the needs of America's family farmers. As I have said many times before, if we lose this country's family farmers, this country will change forever, and not for the better.

So I applaud the folks who worked on the conference committee from both parties, from all corners of this country, to develop a farm bill that meets the needs of this country. I hope the Members of this Senate join me later on today in voting for this farm bill and sending it to the President's desk. I hope the President signs it because it is the right thing to do.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll of the Senate.

The 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, it has now been 10 days since the devastating tropical cyclone hit the country of Burma. The cyclone, which brought sustained winds of 130 miles an hour, with gusts as high as 160 miles an hour, really caused widespread destruction across this Asian nation.

As you can see from the before and after satellite photographs that are on this chart, the devastation was particularly severe in the country's low-lying delta area. A 12-foot wall of water swept away entire villages, leaving thousands dead and homeless. Bodies floated in floodwaters, and survivors tried to reach dry ground on boats, using blankets as sails. Fights broke out around the few shops that were able to provide any kind of food to the hungry people.

The United Nations has estimated that between 1.2 million and 1.9 million people have been severely affected and that cyclone-related deaths could reach over 100,000. Already, more than 200,000 people are reported missing.

Immediately after the cyclone, countries around the world, including the United States, offered emergency supplies and assistance. We offered help in transporting badly needed food, water, and medicine. In fact, U.S. Navy ships that by coincidence were in the region for training exercises have remained in the vicinity to offer help. Yet almost 2 weeks after the cyclone, this natural disaster has been made worse by the reluctance of the Burmese military government to even accept international aid on the scale that is necessary. Instead, they have ignored the plight of their own people, as the entire world watches. Not only have they refused most outside assistance, they broadcast shameless propaganda showing the military handing out aid to the people. Yet reports from the ground indicate the government has done little or nothing to really help. In fact, there are reports that the government's military has confiscated some of the limited aid that has been allowed to enter into the country.

Not only has the military ignored the suffering of its own people, but it tried to push through a sham referendum at the same time. Can you imagine a national election in the midst of this devastation? Critical time and resources were used to intimidate people to the polls—time and resources that should have been spent for helpless and suffering victims.

U.N. Secretary Ban Ki-moon summed up the situation when he said:

> This is not about politics; it is about saving people's lives. There is absolutely no more time to lose.

He continued:

> Unless more aid gets into the country very quickly, we face an outbreak of infectious diseases that could dwarf today's crisis.

In a country that already has one of the worst health care systems of the world, it is even harder for people who need medical attention to find it. The environment is a rich breeding ground for infection and contagious disease. We are hearing disturbing reports of badly injured people trying to dress their own wounds. The government has repeatedly forced humanitarian organizations such as Doctors Without Borders to leave the hardest hit areas. Bodies are decomposing. The contamination is spreading. The immediate

risk of waterborne disease is acute. The risk of other diseases, such as malaria and dengue fever, is growing as mosquitoes rapidly reproduce in the flooded areas.

Existing malnutrition among children, which affects up to half the population in Burma, is even worse because of the flooding and cyclone.

Mr. President, perhaps the world should not be so surprised with this military's outrageous reaction to this disaster. This is, after all, a government with a long, well-documented history of brutality to its own people.

In eastern Burma, the military has destroyed 3,000 villages over the past 10 years. It has widely used forced labor and has recruited up to 70,000 child soldiers—far more than any other country in the world. Today, Burma has an estimated 1.5 million internal and external refugees.

It is a country with a well-documented history of political repression and torture. Two years after the Burmese people protested conditions in 1988, the government held an election. Aung San Suu Kyi, a leader in human rights around the world, was placed under house arrest before the election and has suffered mightily since. Despite her party's victory she was subjugated and imprisoned in her own home for most of the last 18 years. Suu Kyi has been awarded the Congressional Gold Medal—recognition by this Congress of her singular efforts in Burma to bring a new day and a new government. Last September, thousands of monks peacefully protested for change in Burma. Many of them were hunted down, imprisoned, and killed. This military junta has ignored global calls for dialog and an end to the violence.

Earlier this week, ADM Timothy Keating, who leads the U.S. Pacific Command, and USAID Administrator Henrietta Fore landed with an American relief flight in Rangoon. They met directly with the Burmese military officials to offer help. I hope this visit does help.

Last week, I spoke of the world taking definitive action to halt the genocide in Darfur. Today, we face a mounting humanitarian crisis in Burma.

Some, including French Foreign Minister Bernard Kouchner, have said the United Nations should invoke the responsibility to protect—a provision that allows the world community to help those left unprotected by their governments. Others argue that China, which also has suffered a horrible natural disaster this week, should use its friendship with Burma to help open the country to outside assistance. At a minimum, Burma should view China's response to its earthquake, in which it immediately and proactively stated its willingness to accept emergency aid, as an important way to work with the global community. Whatever the route, the world community, with American leadership and generosity, must do more to address this humanitarian crisis.

HEALTH CARE

Mr. DURBIN. Mr. President, free market fundamentalism tells us that all we have to do is get Government out of the way and the miraculous powers of competition and supply and demand will solve all our problems. This is a cardinal principle of the administration now in power. They have had 7½ years to test their theory, and the results—for our economy and America's working families—has been a disaster. They have put their theory to work, and it has thrown Americans out of work. The middle class in America is shrinking and suffering. Today, more Americans are falling out of the middle class than are working their way into it.

A new poll by the respected Kaiser Family Foundation provides a sobering look at the economic situation and the reality of economics in America today. The Kaiser Foundation asked people about seven economic trends or changes that they considered serious problems. Forty-four percent of Americans said problems paying for gasoline is a serious problem for their family's financial well-being. Twenty-nine percent said problems getting a good-paying job or a raise are serious. Twenty-eight percent of Americans said problems in paying for health care and health insurance were serious and hurting their economic well-being. Those are the top three economic strains on family budgets: The price of gasoline, jobs—good-paying jobs—and paying for health care.

They also rated serious problems when they were asked about the strains and problems their families face. Problems paying for mortgage or rent: One out of five. Problems paying for food and credit card debt: One out of five. Losing money in the stock market: About one out of six.

We have heard a lot said about the strain the record gas prices are placing on families and our economy. Yet in the midst of all this, with the knowledge of what it is doing to our economy, to families, to businesses, to farmers, big oil companies continue to rake in record profits at the expense of the American economy.

I wish to take a few minutes to talk about another economic problem that is hurting America's families and businesses: out-of-control health care costs. A recent essay in Newsweek magazine contained an eye-opening title: ''The Myth of the Best in the World.''

I ask unanimous consent that the full article be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Newsweek, Mar. 22, 2008]

THE MYTH OF 'BEST IN THE WORLD'—A SPATE OF NEW RESEARCH SHOWS THE U.S. BEHIND OTHER COUNTRIES IN CANCER SURVIVAL AND DIABETES CARE

(By Sharon Begley)

Not to be heartless or anything, but let's leave aside the dead babies. In international comparisons of health care, the infant mortality rate is a crucial indicator of a nation's standing, and the United States' position at No. 28, with seven per 1,000 live births worse than Portugal, Greece, the Czech Republic, Northern Ireland and 23 other nations not exactly known for cutting-edge medical science—is a tragedy and an embarrassment. Much of the blame for this abysmal showing, however, goes to socioeconomic factors: poor, uninsured women failing to get prenatal care or engaging in behaviors (smoking, using illegal drugs, becoming pregnant as a teen) that put fetuses' and babies' lives at risk. You can look at 28th place and say, yes, it's terrible, but it doesn't apply to my part of the health-care system—the one for the non-poor insured.

That, in a nutshell, is why support for health-care reform is fragile and shallow. Yes, many people of goodwill support extending coverage to the 47 million Americans who, according to the Census Bureau, had no insurance for all or part of 2006. An awful lot of the insured, though, worry that messing with the system to bring about universal coverage, even if it allows more newborns to survive, might also hurt the quality and availability of care that they themselves get (''If I have trouble getting my doctor to see me now, what will happen when 47 million more people want appointments?''). This is where you start getting the requisite genuflection to the United States' having ''the best health care in the world.'' One problem: a spate of new research shows the United States well behind other developed countries on measures from cancer survival to diabetes care that cannot entirely be blamed on the rich-poor or insured-uninsured gulf. None of this implies a specific fix for the U.S. health-care system. It does, however, say that ''the best in the world'' is a myth that should not be an impediment to reform.

How widespread is the ''best in the world'' view? In a survey of 1,026 U.S. adults, the Harvard School of Public Health and Harris Interactive reported last week, 55 percent said they thought the United States has the best quality care of any country. (Fewer called the U.S. system the best overall, due to poor access and high costs.) ''Health-care reform has failed before and will fail again if middle-income people with insurance think it will make quality go down,'' says Harvard's Robert Blendon.

One thing Americans love about their system is the availability (for the insured) of high-tech equipment and the latest procedures. But there is abundant evidence that these are not necessarily beneficial. I remember breast-cancer patients screaming bloody murder in the 1990s when they were denied access to bone-marrow transplants. Sadly, once the treatment was subjected to rigorous study, it was shown not to extend life. But it made women who worked the system to get it (some private insurers agreed to cover it) suffer even more than they already were. In a centralized system such as Medicare, science more than the market shapes what treatments are available. ''Some of the things patients scream for,'' says Blendon, ''aren't going to help them.'' Though they do run up the U.S. medical bill. At $6,697 per capita in 2007, it is the highest in the world (20 percent more than Luxembourg's, the next highest) and more than twice the average of the 30 wealthy countries in the Organization for Economic Cooperation and Development.

If only it bought better care. Only 55 percent of U.S. patients get treatments that scientific studies show to work, such as beta blockers for heart disease, found a 2003 study in The New England Journal of Medicine. One reason is that when insurance is tied to employment, you may have to switch doctors when you change jobs. In the past three

years, says Karen Davis, president of the Commonwealth Fund, 32 percent of Americans have had to switch doctors. The result is poor continuity of care—no one to coordinate treatment or watch out for adverse drug interactions. Such failures may contribute to the estimated 44,000 to 98,000 annual deaths from medical mistakes just in hospitals, and to ''amenable mortality''—deaths preventable by medical care. Those total about 101,000 a year, reports a new study in the journal Health Affairs. That per capita rate puts America dead last of the study's 19 industrialized countries.

Other data, too, belie the ''best in the world'' mantra. The five-year survival rate for cervical cancer? Worse than in Italy, Ireland, Germany and others, finds the OECD. The survival rate for breast cancer? You'd do better in Switzerland, Norway, Britain and others. Asthma mortality? Twice the rate of Germany's or Sweden's. Some of the U.S. numbers are dragged down by the uninsured; they are twice as likely to have advanced cancer when they first see a doctor than are people with insurance, notes oncologist Elmer Huerta of Washington Hospital Center, president of the American Cancer Society. But the numbers of uninsured are too low to fully explain the poor U.S. showing.

It isn't realistic to expect America to be the best in every measure of medical quality. And none of this tells us how to reform the U.S. system. But it does say the ''best in the world'' is misguided medical chauvinism that should not block attempts at reform.

Mr. DURBIN. This column points out that the United States spent almost $7,000 per person on medical care last year—$6,697 per capita. That is the highest in the world. It is 20 percent more per person than the next highest spending nation of Luxembourg, and it is more than twice as much as the 30 wealthiest countries around the world.

In a survey of over 1,000 adults, the Harvard School of Public Health and Harris Interactive found that 55 percent thought the United States had the best-quality care in the world.

The fact that we spend so much per person may lead people to that conclusion—that we have the best care. After all, we spend the most money. Yet the facts tell us otherwise. The highest cost doesn't mean the highest quality. We rank below other nations in many critical health outcomes. There is no doubt in my mind if I were seriously ill in any part of the world, I would try to find my way to the United States. There is no question we have the very best doctors, the very best medical professionals, hospitals, and medical technology.

But when you take a step back and look at the outcomes for the American people, it tells a different story. The 5-year survival rate for cervical cancer in the United States—cervical cancer—is worse than Italy, Ireland, Germany, and many others. The survival rate for breast cancer in the United States is worse than the survivor rate in Switzerland, Norway, Britain, and other nations. Our asthma mortality rate is twice the rate of Germany and Sweden. True, we have the best hospitals but not the best outcomes, in many instances.

Only 66 percent of U.S. patients receive treatments that scientific studies show to work, such as beta blockers for heart disease, according to the New England Journal of Medicine.

According to a 2007 survey by the Independent Commonwealth Fund, adults in the United States are more likely to forgo needed health care than adults in Australia, Canada, Germany, Netherlands, New Zealand, and the United Kingdom. Nearly one out of five American adults surveyed said they have serious problems paying medical bills. That is more than double the rate in the next highest country. Nearly a third of those surveyed had spent more than $1,000 out of pocket in the last year on medical costs not covered by insurance. Only one out of five Australians and one out of eight Canadians spent that much money on out-of-pocket health expenses. No other nation came even close.

Seven years ago, the World Health Organization made the first major effort to rank the health systems of 191 nations. The top two nations in the world: France and Italy. The United States did not even make the top 10; not even the top 20. We ranked 37th in the world, according to the World Health Organization, when it came to our health care systems. We have this vanity in the United States that because we spend so much money on health care, we must be the best in the world. It is not true.

More people die each year from medical and surgical mistakes in the United States than in any other industrialized nation. Incidentally, more Americans die of medical mistakes each year than die from AIDS, breast cancer, and automobile accidents combined.

In health information technology, we lag far behind. By 2005, the United Kingdom had invested 450 times more per person in public funding of health information than the United States. We rank the highest in infant mortality among 23 nations and near the bottom in healthy life expectancy at age 60. We are 15th among 19 countries in deaths from a wide range of illnesses that would not have been fatal if treated timely and in an effective way. We do well in reducing smoking, but we still have the worst rates of obesity.

When you get beyond the myths and look at the studies, it becomes clear. The quality of a nation's health care is determined not by how much we spend but by whether we provide universal care that works. The United States is the only major industrialized nation without universal health coverage. We cannot give an assurance to every single American that they will have a doctor at hand when they need one. We can't give them the assurance that they can have basic access to needed health care when they absolutely need it for their family. Other nations have met that responsibility. We have not.

Ironically, the persistent and unfounded belief that Americans receive the best health care is a major reason why we don't move toward change and don't move toward providing the peace of mind which every American and every American family deserves. The health care and insurance companies spend millions of dollars to frighten Americans into thinking that covering everyone with health insurance will somehow mean less coverage for others and less choice for Americans who already have health insurance. That is a scare tactic. Look at all the other countries in the world that have better health care at much lower cost. By the way, when it comes to health care choice—especially choice of doctors—a third of Americans with health insurance say they had to change doctors in the last 3 years because their insurance company insisted on it. One out of three Americans. So the idea that consumers are in charge of their own health care choices is belied by that statistic.

There is no reason why we can't build a better health care system in America that lowers costs, covers everybody, and makes us a healthier nation. One of the first steps is to get beyond the myths and the vanity and actually look at the facts.

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. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNIZING ISRAEL'S 60TH ANNIVERSARY

Mr. CORNYN. Mr. President, I want to join others of my colleagues in helping the nation of Israel celebrate its 60th anniversary.

The nation of Israel was founded, of course, on May 14, 1948. I think it is appropriate that we honor this ally of the United States and reaffirm the bonds of close friendship and cooperation between our two countries. This alliance, this friendship, has never been more important to the mutual security and safety of our people than it is today. This friendship, of course, spans oceans and is based on shared values.

I was pleased when Congress recently reaffirmed our commitment to preserving and strengthening that alliance by passing a concurrent resolution honoring Israel and recognizing its important mission and its history.

In the face of common threats, our relationship with Israel today is as important as ever. We have mutual goals in defeating radical Islamic terrorism, fostering Middle East stability, and promoting freedom.

Israel has shown an unwavering conviction in democracy, justice, security, and peace. The nation of Israel and its people deserve not only our friendship and our support but our admiration as

well. I extend my warmest congratulations to the State of Israel and the Israeli people for this important anniversary.

SENATE INACTION

Mr. CORNYN. Mr. President, I want to turn to an important vote that we had yesterday in the Senate. Unfortunately, yesterday morning, we saw only 42 Senators voted to do anything significant about the high price of gasoline at the pump. This is just the latest example, I am afraid, of congressional intransigence and turning a deaf ear to the cries of the American people for Congress to do something to help bring relief at the gas pump. Unfortunately, it is just the latest example.

I know most of us came to Washington to serve in the Congress to try to solve problems. Unfortunately, the mentality inside the beltway seems to be that we ought to spend more time shooting at each other on a partisan political basis and not working together to solve problems. Unfortunately, there are more examples than just high gas prices to demonstrate this mentality.

I will just point to four areas where we have seen significant delays in congressional action that have had tremendous consequences on the American people. First and foremost is on our national security. It was 89 days ago that the Foreign Intelligence Surveillance Act basically expired. The most recent authorization would have allowed us to continue to listen in to foreign terrorists communicating with each other on the telephone in a way that would allow us to detect and deter terrorist activity and defeat terrorist activity.

Why the House of Representatives and Speaker PELOSI would refuse to allow this important piece of legislation to come to the floor after it passed the Senate on a strong bipartisan vote is, frankly, beyond me. But it has been 89 days now since we have had the ability to detect new terrorist threats, when the Foreign Intelligence Surveillance Act basically went dark and expired.

Secondly, it has been 540 days since we have failed to act on the Colombia Free Trade Agreement. Free-trade agreements should not be partisan affairs. It is good, in fact, for us to have free-trade agreements because it opens markets to American farmers and American manufacturers and producers for their goods in other countries. In fact, Colombia does about $2.3 billion in trade with the State of Texas each year, which is very important to my State. Unfortunately, when Texas sells goods and produce to Colombia, they carry large tariffs, which disadvantages my manufacturers, my producers, and my farmers in Texas, while Colombian goods that are sold in the United States, because of other agreements, basically come in duty free.

Why Speaker PELOSI would fail to allow this important free-trade agreement to be taken up and voted on in the House of Representatives, again, escapes me. This is in the best interest of the United States. It is in the best interest of my State and the people who work there. At a time when we are dealing with stimulus packages because we are concerned about the softening of our economy, what better stimulus could we enact than to pass this free-trade agreement, which would strengthen the robust markets in Colombia for American goods and produce? But here we are 540 days later, and it is bogged down in partisan disagreements.

The next number is another important number. I think one of the most important jobs the Senate has is to take up and consider the nominations of individuals who have been proposed for service on the Federal bench and to serve in that important branch of Government. But we have seen that because of inaction in the Judiciary Committee, on some nominees such as Peter Keisler—nominated more than 685 days ago—and we have seen nominees out of North Carolina pass the 300-day mark without even so much as a hearing in the Judiciary Committee.

This is another example of partisan delays that, frankly, I think frustrates the American people. It certainly frustrates me. It is an example of where we ought to act and find an opportunity to come together to solve a problem, and the problem is particularly in the Fourth Circuit Court of Appeals, where many litigants simply cannot find access to the courts because there are not enough judges sitting on those benches to listen to cases. Whether you are a crime victim or a small business man or woman or whether you are just a regular citizen in that Fourth District, we have a judicial emergency with about one-third of the seats vacant. Frankly, that creates a lack of access to justice. So, again, it has been 685 days without a vote on some of the nominees in the Judiciary Committee. We need to do better.

Of course, it was 751 days ago when Speaker PELOSI,—then running for election, and before the 2006 election, where Democrats were given the majority status in both the House and Senate, said: Elect us and we will produce a commonsense plan to help bring down the price of gasoline at the pump. Unfortunately, the price of gasoline at about the time that she took office as Speaker of the House was about $2.33 a gallon, I believe. And now, of course, it is about $3.75 a gallon.

Yesterday, as I mentioned, we had an opportunity to help provide relief for American families, to help them deal with their family budgets when it comes to the cost of gasoline. But I think we took a half step that did not do very much. What I mean by that is we did vote to quit filling the Strategic Petroleum Reserve, but if you look at how much oil that represents that would then be available in the open market, it is roughly 70,000 barrels of oil a day. Now, 70,000 barrels of oil a day sounds like a lot of oil, unless you consider the amount of oil consumed globally by all the countries on the planet. That is 85 million barrels of oil a day. How much of an impact do you think it will have on gasoline at the pump to provide an additional 70,000 barrels of oil, when worldwide consumption is 85 million? You don't have to be a Ph.D. in mathematics to figure that out. It will not be big. As a matter of fact, it will be minuscule—not completely insignificant but not very much.

On the other hand, we had an opportunity to vote to reduce our dependence upon imported oil and gas from dangerous enemies of the United States, countries such as Iran and Venezuela, both of whom are members of OPEC, the Organization of Petroleum Exporting Countries.

Unfortunately, the Senate turned down that opportunity to produce as much as 3 million barrels of oil a day from the U.S. reserve because we would not allow or authorize Alaskans to produce oil in Alaska. We would not authorize the States along the Outer Continental Shelf to be able to develop their oil reserves in the Outer Continental Shelf, and we would not allow States in the West to develop the oil shale that could produce massive amounts of oil right here in America, reducing our dependency on imported oil from dangerous countries such as Iran and Venezuela.

What I don't understand is, if our friends across the Senate—and I believe there was only one vote against the decision to stop putting oil in the Strategic Petroleum Reserve. But if everybody in the Senate virtually agrees that adding 70,000 barrels of oil to the worldwide supply of oil would help bring down the price of gas at the pump—however minuscule that figure may be—how much more would it be likely to bring down the price of gas at the pump to add 3 million additional barrels to worldwide supply? Of course, this would not be from Saudi Arabia or Iran or Venezuela. It would be from the good old USA.

Again, how many new jobs would that create at home, when our economy has turned soft? It would create a lot of jobs in Texas. I know it would create jobs in Louisiana and, frankly, all over the country.

Instead of taking an opportunity to take a bold move on a bipartisan basis to increase the supply of American oil and gas, we find ourselves with half steps and relatively insignificant votes to increase production. I am glad that, finally, the Congress has recognized that the laws of supply and demand are not inapplicable in the District of Columbia. As a matter of fact, for a long time, it seemed that we outright refused to recognize the economic laws that apply across the planet right here in Washington, DC.

So I ask my friends and colleagues, if you are unwilling to allow us to open

American oil reserves when the price of gasoline is $3.75 a gallon and the price of a barrel of oil is $125, will you allow us to do it when gasoline hits $4 a gallon? How about when it hits $4.50 a gallon or $5 a gallon or $10 a gallon? How about when the price of oil hits $150 a barrel or $200 or $250?

We know because of the geopolitical situation with countries such as Iran, which are no friend to the United States and are major oil producers and are part of OPEC, that causes speculation on the spot market to push the price of oil higher. I believe it would have a dramatic impact on those prices and, ultimately, because oil represents 70 percent of the price of a gallon of gasoline, I believe it would ultimately bring down the price of gasoline and provide some much needed relief to the average American family.

Congress's failure to act on a strong bipartisan basis to do it is, frankly, inexplicable to me, just as it is inexplicable to me why we would not allow our intelligence officials to listen to the conversations of new targets of foreign terror surveillance, and why we would continue to let American businesses and farmers be disadvantaged by tariffs on goods and produce sold to the nation of Colombia, and why we would wait more than 685 days to consider the nominations of judicial nominees and allow crime victims and small businesses and others to go without their day in court.

Just for the same reasons those delays are inexplicable, why are we still waiting 751 days after Speaker PELOSI made the statement that she would produce a commonsense plan to bring down the price at the pump?

It is inexplicable to me why we have to wait with no real solutions in sight.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I ask that I be notified when I have consumed 6 minutes.

The ACTING PRESIDENT pro tempore. The Chair will so advise.

Mr. VITTER. Mr. President, I also rise on the Senate floor today to talk about the crisis we face in terms of gasoline and energy prices and the need for us to act in terms of this true crisis that affects every Louisiana family I represent and every American family this body represents.

When this new Congress, led by Democratic leadership, took office, energy prices, gasoline prices were supposed to be a top priority. At the time, the price at the pump was $2.31. Yet today it has risen to $3.76 a gallon. That is a 61-percent increase.

If this was such a priority at $2.31, if we have had this dramatic increase, the fastest, the most dramatic, the most onerous on the consumer in history, why isn't this leading to action? The simple reality is that it is not.

This Congress has been tangled in inaction, unable to take significant action on this issue, and that has to end for the good of the American people.

As my colleague from Texas reiterated, this is not overly complicated. Price is set by the equation of where supply meets demand. That is economics 101. That is the first lesson of economics. So we need to do everything we can to reduce demand, mitigate worldwide demand, which is clearly increasing, particularly from rapidly growing countries such as China and India, and we can do that through conservation, fuel efficiency, and new sources of energy. But we also need to increase supply. We need to do both at once because our energy picture is so challenging and so dire.

So I rise to join my colleagues who are saying we need to act, we need to break out of this gridlock, we need to act on energy prices which affect all American families.

Unfortunately, we had that opportunity in the last several weeks and, once again, the Senate passed on the opportunity, shut down the opportunity to take real action.

Again, this is an enormous challenge, and we need to do everything we can, both on the demand side—and I support those measures: increased energy efficiency, increased levels of conservation, development of new technology and new energy sources. We have done a little bit of that, but we need to do more. But we also need to act on the supply side, increasing our supply of energy, particularly our domestic supply which increases our energy independence, lessens our dependence on unfriendly foreign nations.

Several weeks ago, we were on an FAA bill, and I had an amendment at the desk that would constitute real, meaningful action. It was very simple. It would have established a trigger at the price of $126 per barrel of oil. When the price reached that mark—and we are, unfortunately, perilously close already—then the trigger would have been pulled, and we would have been able to explore and produce off America's Outer Continental Shelf, where we have vast resources of energy. But we would only do that with two significant caveats, with two significant demands.

The first is that the host State involved, wherever we were proposing drilling, would have to want that activity. The Governor and the State legislature would both have to affirm that they wanted to produce off their coast. It is very important, very fair, respecting State sovereignty and States rights.

Secondly, my amendment would have built on provisions we passed several years ago to give those host States significant royalty sharing so anything produced off their coast, 37.5 percent of that royalty would go to the State for the State to use on its top priorities, whether they be highways or higher education or, in the case of Louisiana, coastal restoration, hurricane protection, hurricane evacuation routes. That was a very sound, sensible policy we set a couple years ago as we opened new areas of the gulf.

My amendment, which I had at the desk for the FAA reauthorization bill, would have expanded on that good policy initiative. Unfortunately, we couldn't have a full debate on that amendment. We couldn't have any vote on that amendment because the Democratic majority leader filled the amendment tree, took up all opportunity for amendment for himself and blocked all other amendments from coming to the floor.

That is unfortunate on any issue. It is particularly unfortunate, again, on the top concern of the American people, when prices at the pump are skyhigh and continuing to rise, when they have risen from $2.31 a gallon at the beginning of this Democratic Congress to $3.76 a gallon today—a dramatic, onerous, 61-percent increase.

Yesterday, we had another opportunity to break through the gridlock and act, and it was by adopting the McConnell-Domenici amendment. That amendment proposed a number of measures, including something very similar to my Vitter amendment regarding the Outer Continental Shelf.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator has used 6 minutes.

Mr. VITTER. I thank the Chair. That McConnell-Domenici amendment included a number of measures, something very similar to my proposal with regard to the Outer Continental Shelf. It would have dramatically expanded our domestic supply. It would have done something real, concrete and meaningful and have a significant impact over time on the price at the pump.

Yet again, the Senate refused to act, refused to move forward with that significant proposal that would do major things on the supply side and would couple it with other actions we are taking and further actions we need to take on the demand side.

Instead, we did something extremely modest. We said: For now, we are not going to continue to fill the Strategic Petroleum Reserve. I supported that move. It is true that will free up 70,000 barrels of oil to put into the open market versus pumping into the Strategic Petroleum Reserve, but that is very modest. That is hardly going to make a dent on the price at the pump.

In contrast, all the provisions of the McConnell-Domenici amendment, all that extra supply domestically would have meant 3 million barrels in contrast to 70,000. Yet again, the Democratic leadership and the Senate overall refused to act, refused to address this issue, the most serious that Americans are facing today, the one that hits their pocketbook over and over, causing them real concern about their family budget and how they are going to make it.

I urge the Senate to get out of this do-nothing attitude. I urge the Senate

to act on this crucial issue for all American families.

Again, this is not brain surgery. This is economics 101, supply and demand. It is not either/or. We need to do everything we can to lessen demand, and I support those measures to increase efficiency, to increase efforts at conservation, to increase new technology efforts that will lead us to new fuel sources. That is absolutely necessary. But it needs to be coupled with action to increase supply, particularly domestic supply, by tapping those vital reserves, particularly on our Outer Continental Shelf.

I join the Senator in Texas in asking, if we are not going to do it now at $3.76 a gallon, when are we going to act? Are we going to wait for $4? Are we going to wait for $5? We need to act now. This is a serious issue for all Americans. This hits the pocketbook of every American family. We need to act now. We need to act not with political demagoguery, not with pure rhetoric. We need to act with measures that have an impact, both on the demand side and the supply side. I hope the Senate and the Congress move to do that.

ISRAEL'S 60TH ANNIVERSARY

Mr. VITTER. Mr. President, I wish to also speak on Israel's 60th anniversary. It is a very important date for a truly remarkable country and a remarkable people who, in a mere six decades of existence, have built a vibrant, successful, modern democracy out of almost nothing.

When I was still a student, I had the opportunity to visit Israel with my sister. She had a college friend who had moved to Israel after graduation. Even back then—I was very young—I couldn't help be impressed by the determination and perseverance of all the people I met and their effort to build a vibrant, democratic state, to create a safe, secure homeland for all Jews, no matter where they may have originally been from around the world.

I had a second opportunity to visit Israel as a Member of Congress many years later. It was a very different sort of trip, very different itinerary, a very different set of meetings than when I was a student. But I left with the same strong feelings of respect and admiration for all the people of Israel, the same recognition of their determination and unflagging faith in their nation and countrymen. Their belief in the importance of their mission had not faded at all in the years between my visits.

What makes today especially notable is it is the 60th anniversary of the founding of the State of Israel. There is wonderful hope in this celebration of the 60th anniversary, and there is also sober appreciation of the challenges that remain.

On the hopeful side, on the impressive side, is that in a mere 60 years, as I have said, Israel has created a nation characterized by strong democratic principles, a compassionate and determined people, innovative industry, especially in technology, medicine, and science, a competitive global economy.

In a mere six decades, Israel has built all that tremendous innovation, tremendous economic prosperity and progress virtually out of nothing, virtually out of the sands of the desert. It has become a beacon of freedom and democracy in a region that has very few examples to speak to. Israel is the only fully developed democracy in that sense. It represents to all peoples what can be achieved when people come together in a common cause, set aside differences, work together in a very determined way to make life better for them and their children. I recognize this important anniversary.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 980, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 980) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

Pending:

Reid (for Gregg-Kennedy) amendment No. 4751, in the nature of a substitute.

Hatch amendment No. 4755 (to amendment No. 4751), to provide for a public safety officer bill of rights.

Alexander amendment No. 4760 (to amendment No. 4751), to guarantee public safety and local control of taxes and spending.

Leahy amendment No. 4759 (to amendment No. 4751), to reauthorize the bulletproof vest partnership grant and provide a waiver for hardship for the matching grant program for law enforcement armor vests.

Corker amendment No. 4761 (to amendment No. 4751), to permit States to pass laws to exempt such States from the provisions of this act.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I see my friend and colleague, Senator ENZI. I will now make a comment about the pending legislation. I thought we did have some good discussion and debate on yesterday. A number of important issues were raised. I will try this morning at least to respond to some of those matters to clear up what I think are some questions we had. Obviously, we are interested in moving this process forward, considering amendments, and getting to the Senate's business.

Once again, I will mention two organizations that support our Public Safety Employee Cooperation Act: the International Association of Firefighters and the Union of Police Associations. We pointed out this week is set aside in our Nation, and has been set aside since 1962, to give special honor to our men and women in the police organizations who have lost their lives in the line of duty. It is a very special, solemn ceremony in which they participate. We are mindful of their service every day but especially this week. We are grateful for their strong support for this legislation. They have studied it, analyzed it, looked into it, and support it.

The National Association of Police Organizations and a great many other organizations have supported this legislation—our first responders. These are the organizations that speak for firefighters, speak for police officers, speak for the first responders.

Yesterday we had a good debate about the bill. I think we are off to a good start. I would like to take some time today to set the record straight as to what the bill does do and what the bill does not do. Fundamentally, this bill is about choice, who should make the choice whether public safety workers get a union—the Federal Government, State government, or the workers themselves.

Right now we have a system where the Government makes the choice—26 States give workers the ability to form a union if they want one; 24 States deny workers that option. These 24 State governments think they know better than the workers themselves what is best.

I disagree. Our public safety officers are on the front lines every day fighting fires, stopping crimes, saving lives. They know best how to protect the public. They know best how to keep safe on the job. They know best whether they need a union to represent their interests.

The Cooperation Act gives this choice to the workers. It says the States have to provide a path that workers can use if they decide they want a union. If the workers do not want a union, fine, they do not have to walk down that path. But the State has to make it available and let the workers choose, just as it is with the right to vote. Individuals do not have to vote, but they have the right to vote. This is the State making that judgment. We recognize that as a fundamental right there and here.

Under current law, States make the judgment decision. With the Alexander amendment it will allow the States to make the judgment and decision. Under the Corker amendment, that is it. Under our Cooperation Act it is the workers themselves who make the judgment—do they want it, don't they want it—and we abide by the outcome. That is a basic, fundamental difference.

It is not going to be hard for the States to build this path. All they have to do is provide for four core rights: No. 1, the right to form and join a union; No. 2, the right to sit down and

talk at the table; No. 3, the right to sign a contract if both parties agree; and, No. 4, the right to go to a neutral third party when they have disputes.

They can make the judgment whether they want arbitration, whether they want mediation, whether they want fact finding. There are no requirements. They can make those judgments; they can make those decisions. They make the judgments.

Apart from these four things, all other details of the collective bargaining system are left up to the States. States have the flexibility to decide whether to exempt small communities. They decide how workers can select a union—through card check, elections, or both. Do we understand? The States make those judgments and decisions.

States can decide how workers and employers should resolve disputes—through arbitration, mediation, fact finding, or some other mechanism. If a State decides not to pass a law providing a framework for bargaining, or if the State law does not provide for the four core rights, the Federal labor relations authority will step in to ensure that workers have these rights. But that is only if the State refuses to act.

We heard a good deal of discussion about the role of this authority and how we do not understand what this is all about and how this is going to change federalism. It is very simple what this legislation does do and what it does not permit. Our first responders sacrifice so much for us each day, the least we owe them is the ability to choose for themselves whether they want a union. We owe them at least that much dignity and respect, and that is what the Cooperation Act provides.

I hope this explanation will ease the minds of many of my colleagues. I think there have been a lot of misconceptions about this bill floating around. I hope this explanation can alleviate some of those concerns. We heard a lot of talk yesterday about this bill imposing Washington's will on the States. Of course that is not true. I happen to think that unions are good for workers, but nothing in this bill imposes my opinion or the opinion of my colleagues on public safety officers. Under this bill, Congress does not make the decision whether public safety officers have a union. Instead, firefighters, police officers, have the choice. That is where the decision will be made.

Several amendments were filed yesterday that would give the State and local governments, the employers, the opportunity to opt out of the requirements of this bill. But these opt-out provisions actually block the rights of the first responders. They would allow the State and local governments to cut off public safety officers' rights. We should let police and firefighters decide whether they want to exercise their rights to have a union. That is what this bill would do.

Senator ALEXANDER and Senator ENZI said people in their States are happy without unions. If that is true, then it is likely nothing will change. If those public safety officers believe their voices are being heard and their concerns are being addressed, then they will choose not to form unions. Nothing in this bill forces them to make a different choice.

Senator ALEXANDER and Senator ENZI should put their assertions to the test and pass this legislation. If they are right, nothing will change. But if they are wrong, public safety officers in Tennessee and Wyoming will vote for unions and get a voice in the workplace.

We also heard that Washington was imposing a one-size-fits-all federal system on the States. This is another misconception. At every turn in drafting this legislation, Senator GREGG and I went out of our way to give States the flexibility to adopt a collective bargaining law that works for them. Under this bill, Congress will not tell Tennessee or Wyoming or any other State how to implement the law. States can choose how to comply.

As I mentioned, States only have to provide the most basic rights. Other than those basic rights, States have the flexibility to adopt the system that works best for them.

I would note that several of the amendments filed yesterday would take these basic choices away from the States and mandate a Federal rule on issues such as right to work or card check. That is not what this bill should be about. The flexibility for States is important as long as the core rights are there.

States also have the flexibility to completely control costs under this bill. This control means there is no risk of unfunded mandates. My colleagues across the aisle love to talk about charges of unfunded mandates, but it simply does not fit.

This bill comes with no—I repeat no—price tag. Nothing in this bill tells the State and local governments to spend any money. Nothing says they have to raise wages. Nothing says they have to improve benefits or shift money from local priorities into public safety. Governments are free to write their own contracts. At the bargaining table, State and local governments are free to offer bargaining proposals that are consistent with their local fiscal needs. They cannot be forced to agree to any terms they do not want or cannot afford.

In addition to being able to protect their interests at the bargaining table, State and local governments can also safeguard their financial interests through the legislative process. The bill explicitly allows State and local legislative bodies to retain the right to approve or disapprove funding for a contract by requiring an agreement be presented to a legislative body as part of the process for approving such contract or memorandum of understanding.

That simply means elected Representatives have the final say on spending. Do we understand that? The bill explicitly allows the State and local legislative bodies to retain the right to approve or disapprove funding for a contract by requiring an agreement ''be presented to a legislative body as part of the process for approving such contract or memoranda of understanding.'' Elected Representatives have the final say on spending.

Remember also that under this bill, public safety officers have no right to strike and no requirement of binding arbitration. That means no one can force a contract on a State and local government under this bill.

The other side's additional argument that there will be costs associated with just implementing any new State law is a red herring. The costs will be minimal. All State and local governments already have human resource departments in place. In addition, collective bargaining often creates new efficiencies that actually save money. In Miami, FL, the local firefighter union worked with the community to reconfigure EMS services and ended up saving taxpayers a great deal of money.

On top of all these safeguards for State and local governments, we have adopted an additional safeguard for the States' smallest communities. In addition to the protections I have just outlined, the bill allows State governments to exempt these smaller communities if they want. If a town has fewer than 5,000 residents or employs fewer than 25 workers, the State can say: Our law does not apply to you.

You can see this bill is a reasonable way to extend the choice of whether to have a union for our Nation's public safety officers. We have taken extensive steps to protect State and local flexibility to ensure they will not be burdened by these procedures.

A final argument that we have heard about States rights yesterday was that this bill violates States rights under the Constitution. This argument is simply false. The bill has been carefully crafted to comply with the current Supreme Court cases on the ability of Congress to regulate State governments. Throughout our history, our Federal Government has set core labor standards, such as minimum wage and overtime rules, that apply also to State workers. Do we understand that? Minimum wage, overtime apply to State workers. They apply to them in Massachusetts. They apply in Tennessee.

Bargaining rights are no different. I do not think anyone in this Chamber would argue that the State government should not have to comply with the basic standards prohibiting them from discriminating against workers based on race or gender. The same is true for collective bargaining rights. Bargaining rights are civil rights too.

Moreover, there is a strong Federal interest in the performance of State and local first responders. We have an

increasingly Federal approach to national security. We have created a Department of Homeland Security and appropriated $40 billion for that—$40 billion, for homeland security.

The last time I looked at the map, all the States fell within that criterion, in terms of being protected. In our post-9/11 world, this national response to terrorism increasingly depends on coordination with State and local public safety officers. It is more appropriate than ever for the Federal Government to ensure that public safety officers are working as efficiently and as effectively as possible. By encouraging strong partnerships between public safety officers and the cities and States they serve, this bill advances the Government's interests in improving homeland security.

Finally, my colleagues have tried to scare even those States that have good, solid collective bargaining laws into believing that their laws are on the line. In truth, more than half of the States in the country will not be affected by this bill.

As I described a minute ago, the bill does not require that State laws have specific provisions, only that they provide the basic protections I outlined. The Federal Labor Relations Authority, which will make those determinations, is not some secret society. It is a longstanding Federal agency staffed by dedicated career servants and Presidential appointees who are confirmed by the Senate—not greatly different from the National Labor Relations Board, for example.

In summary, you can see that this bill is not the aggressive intrusion into State government that was portrayed yesterday.

In addition, I wish to address some of the other individual concerns raised about the bill that are misleading and misplaced.

First, this bill will not encourage strikes. In fact, this bill provides additional safeguards to prevent strikes. It specifically says that a public safety officer may not engage in a strike, work slowdown, or any action that will measurably disrupt the delivery of emergency services. There is no room for interpretation. That is an ironclad ban on any action that will impair public safety. This language specifically says that a public safety officer may not engage in a strike, work slowdown, or any other action that will measurably disrupt the delivery of emergency services. More importantly, it creates a mechanism for public safety officers and their employers to communicate and build strong bipartisanship that enhances cooperation, decreasing the likelihood of strikes.

It is an insult—it is an insult to public safety officers to suggest that they will strike. It has been decades since there has been a police or firefighters strike in this country. Police and firefighters in most States already have the right to bargain, and there has been no problem with strikes. These brave men and women take their duty to serve the public very seriously, so seriously they are willing to die for it. The suggestion that they would shirk their duty in order to argue over a contract dishonors them and dishonors their sacrifices.

Next, I wish to underscore that this bill will not harm communities that rely on volunteer firefighters. This legislation expressly applies only to employees, which means volunteers are excluded. Any suggestion that cities and towns are going to be forced to bargain with and possibly pay their volunteer firefighters is wrong. What is more, we included language supported by the National Volunteer Firefighter Council to ensure that professional firefighters can continue to volunteer in their off-duty hours. This language outlaws contract provisions that would prohibit an employee from engaging in part-time employment or volunteer activities during off-duty hours. That includes part-time or volunteer firefighting. Senator ENZI says that is not clear, but it seems pretty clear to me.

My colleagues across the aisle also attacked this bill yesterday as hypocritical because it is inconsistent with how our Federal Government treats its own workers. Again, this criticism is untrue and misleading. Federal workers have bargaining rights. They also have a say in their wages. The law allows them to petition the Government each year.

Federal law enforcement offices are an example of how well collective bargaining rights and public safety go together. Whether Congress should give Federal public safety officers the right to directly bargain over wages is an issue for another day. We do not need to resolve that question in order to do the right thing for the State and local offices.

We also heard complaints about the process that brought us to this point. Listening to the debate, you might think this bill was a new idea never explored or never debated. That again is simply false. This bill has been around for a long time. It was introduced in 1999, almost 10 years ago, by Senator DeWine, and then by Senator GREGG. It has also had strong bipartisan support.

My colleagues across the aisle would have us go through more hearings and debate before we act. We do not need more hearings. We have already had a hearing in the HELP Committee. In fact, we have marked this bill up twice, once in 2001 and once in 2003. We even voted on this bill before in 2001. Our Nation's first responders have waited long enough for the basic rights in this bill. We should not make them wait any longer. They do not make us wait when we need them. We should not have them wait any longer.

I yield the floor

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, we did have a brief time yesterday to begin exploring the multiple flaws and deception in this legislation. I believe it would be useful today to begin by touching on a few of those flaws.

I have taken the suggestion of my colleague and friend from Massachusetts, Senator KENNEDY, and looked very carefully at the RECORD of yesterday's proceedings, and here are a few things worth noting.

In response to my remarks and those of Senator ALEXANDER, we were repeatedly told yesterday that it was perfectly all right to federalize the programs of State and local labor relations of States like mine and Senator ALEXANDER's and at least 20 others to, in effect, tell those States that the Democratic decisions of their sovereign governments and their citizens simply did not count, that the Federal Government knows best, that the Federal Government will tell those States what their law must be and how they must conduct their labor relations with their own employees. In essence, the citizens and legislators of a near majority of States are being told by the proponents of this bill that they know better what will work for those States.

As Senator ALEXANDER put it so well yesterday, this bill is really about States like Massachusetts or New Jersey telling States like mine or his, and at least 20 others, how best to deal with their employees and how to fashion their own State laws in the total absence of any need to do so. Now, I completely reject that. However, for those who support it, they owe it to themselves to at least be consistent in their approach. They are not. While they would deny a near majority of States the right to determine what they believe to be the best approach to public sector labor relations within their States, they staunchly defend the right of a small minority of States to deny public employees the most fundamental democratic rights in the workplace.

Five States—New York, New Jersey, Illinois, New Hampshire, and Massachusetts—all home to the sponsors of this bill, have card check laws for their public workers. Those States have decided this is the way they intend to conduct the labor relations among their employees. I respectfully disagree. I believe that approach to be antidemocratic, and it is certainly contrary to the Federal labor policy which preserves for workers in the private sector the right to a democratic secret ballot in deciding the question of unionization.

However, we are told by the proponents of this bill that this fundamental workplace issue is a matter of State choice, while at the same time being told that any State's choice to elect a different system of labor law than that imposed by H.R. 980 is not. Denying workers a secret ballot election on unionization is somehow a matter of local choice, but deciding to utilize and meet and confer on a system of labor management relations or to decide the issue by local option is not.

The inconsistency and hypocrisy of that position is nothing short of stunning. It is utterly indefensible.

At least that issue is addressed by Senator HATCH's amendments. That amendment will at least end that hypocrisy by expressly overturning antidemocratic card check laws for public sector employees in New York, New Jersey, New Hampshire, Illinois, and Massachusetts. While we should not impose Federal law on States at all, if we ought to do it, we ought to do it consistently.

Now, lastly, I want to note that yesterday my colleague and great friend from Massachusetts indicated that if the bill were half as bad—he reiterated it again today—half as bad as I had indicated in my remarks, he would be against it as well. I take my friend at his word but do not ask that he take me at mine.

Late yesterday, the leaders received a letter from Michael Bloomberg, the mayor of New York, regarding H.R. 980.

I wish to remind everyone that New York has a full collective bargaining statute covering public safety officers. I also wish to remind everyone that we are told by all of the proponents of this bill that because of this, New York would not be affected by this law.

Here is what Mayor Bloomberg had to say in his letter to Leaders REID and MCCONNELL:

I am writing to express my serious concerns about legislation before the Senate which would alter the current state of collective bargaining between the City of New York and a number of its unions. The legislation has the potential to harm both New York City and New York State labor relations.

As you are aware, the Public Safety Employer-Employee Cooperation Act of 2007 is a bill that would significantly expand the jurisdiction of the Federal Labor Relations Authority, FLRA, into the labor relations between State and local governments and their public safety officers.

Though the bill may be well intentioned, its fundamental problem from the point of view of New York is that it does not clearly distinguish States like New York that have long provided collective bargaining rights to their employees from States that have not.

Under the bill, States with long histories of collective bargaining face the risk of having their labor relations with public safety officers Federalized to the detriment of long-established public policies.

For over 40 years, the New York City Collective Bargaining Law and the New York State Public Employees Fair Employment Act, also referred to as the Taylor Act, have provided a legal framework for public sector collective bargaining in the City of New York. There has been extensive administrative and judicial review of virtually every aspect of this legal framework. The bill has the potential to undermine this long-established framework.

One problem is the bill's treatment of the ability of public safety employees to strike. The New York State Taylor Law currently contains a clear and unequivocal prohibition on all strikes by public sector employees and explicit penalties, such as substantial fines against the individual members for violations of the no-strike provision.

The language in the proposed language before the Senate is less clear. The City is very concerned that section 6 of this bill can be read to prohibit only a strike that would measurably disrupt the delivery of emergency services.

This language, while it may not be intended to limit the prohibition in this way, is an invitation to misinterpretation and litigation. In addition, the same section could encourage employees to refuse to carry out services that many believe are not required under the mandatory terms and conditions of employment in situations where the public safety might be immediately affected by such a refusal.

The mayor of New York goes on to say:

Another serious problem with the bill is that it gives FLRA the authority to decide what must be collectively bargained. New York has longstanding legal precedent regarding what are mandatory, permissive and prohibited subjects for collective bargaining. Under section 4 of the bill, such long-established legal precedent could be overturned by the FLRA.

A notable example is that disciplinary procedures for police officers and firefighters, including due process, are provided for in the New York City Charter and administrative code and are prohibited subjects of bargaining. The New York Court of Appeals confirmed as recently as 2006 that these procedures may not be subject to bargaining, but the bill would give the FLRA the authority to decide otherwise.

I think that is a point we made yesterday.

A decision by the police commissioner, for example, as to whether or not discipline should be brought against a police officer involved in a shooting incident is something for which he remains fully accountable to the public. It is of grave concern to the City that it could be forced to bargain over such procedures as a result of an improper finding by the FLRA, and such public accountability would thereby be lost.

Even if the FLRA does not interfere with precedent that restricts bargaining in sensitive areas like discipline, the bill at a minimum would provide an additional means for such precedent to be challenged repeatedly in Federal court, resulting in an extended period of uncertainty.

In the final analysis, the bill could significantly affect the ability of the City of New York to ensure the safety of the public in the integrity of essential government services, and is likely, at a minimum, to involve the city in costly and disruptive litigation in Federal court.

Any remedy of these concerns should be achieved in statutory language, not merely in legislative history. Given the serious concerns the proposed bill raises for the City of New York, I oppose the bill in its current form.

Sincerely, Michael R. Bloomberg, Mayor.

As I showed yesterday, there are more than 20 States that will have their laws overturned by this, and 12 more whose laws could be challenged in court.

They recognize that. Calls we are getting, letters we are having shared with us indicate that is a concern of those out there who have to deal with these kinds of problems and the gaps the bill language leaves and the new authority of this Federal Labor Relations Authority which hardly anybody has had to deal with in the past. It is not even equipped to handle what is in the bill.

This is an ill-conceived and badly drafted bill that would not only overturn the law in a near majority of States and disregard the democratic will of the legislatures and people in other States, it would plainly disrupt the law and labor relations policies of every State. This is the price that is paid when the proponents of a bill pander to special interests and circumvent the regular order of this body in an attempt to advance fundamentally flawed legislation. The sad truth is, I do not believe this bill can be fixed. I certainly do not believe it can be fixed on the floor of the Senate. It should have been addressed in committee, but we are left with no choice. So we will continue today to take up the floor time of the Senate trying to fix an irretrievably broken, totally unnecessary piece of special interest legislation. Is it any wonder the American public holds Congress in such low disregard?

I haven't had a chance yet to even talk specifically on the employee bill of rights amendment and the unfunded mandate option. I will take that opportunity at this point in time. Yesterday, the Senator from Utah, Mr. HATCH, offered a public employee bill of rights amendment. Many of my colleagues have spoken about the tremendous service America's public safety employees give to the public. I believe 100 Senators believe that and want to help, in every way possible, the public safety employees do their job. I am a little concerned that occasionally we think that only through collective bargaining will anybody listen to a suggestion of a public service employee. I have never seen that happen. I am not saying it couldn't happen somewhere in America, but if they are suggesting something for safety, I think people will listen.

A lot of times we don't think of things for safety until after a tragedy such as Charleston. Then we think about what could have been done, and it is shared with the Nation. A lot of that is put into place, not through collective bargaining, through common sense. You want to protect the lives of the people who work for you; that is, the people who work for the people of the United States, work for the people in the communities. The toughest job in America is being a mayor because you are right there with the people. They can grab you by the shirt collar—you usually don't have any kind of security—and explain in no uncertain terms what they are thinking. Usually, they have a pretty good idea, not just a complaint but a complaint coupled with a suggestion.

I know, on any given day, one of these officers could be asked to put his or her life on the line, and they do so courageously. I agree with my colleagues that individuals who choose these careers deserve respect, gratitude, and special treatment. But the underlying amendment would actually

result in diminishing the rights of public safety employees who are not currently unionized. Once a workforce is unionized, even employees who do not wish to be a part of the union will have pay deducted from their paychecks and spent in a manner outside their control. They will have little ability to question or alter the legal representation established with or without their support. The Hatch amendment merely balances that diminution of self-determination by establishing a public bill of rights. The amendment will do three things. It guarantees the right to vote by a secret ballot. It guarantees to limit the right of public unions' dues collection authority to nonpolitical uses. It guarantees that financial transparency will be there. By ensuring that public safety employees in all States have the right to vote on whether they unionize by secret ballot, the Hatch amendment guarantees for public safety employees the same right private employees now have in many States. In a democratic society, nothing is more sacred than the right to vote. It is undeniable that nothing ensures truly free choice more than the use of a private ballot.

The possibility of coercive or threatening behavior toward employees who may not wish to form a union is even more concerning in the context of public safety employees who rely on coworkers to reduce the deadly risks they face routinely in the course of their work. The amendment would also limit the right of public unions' dues collection authority to nonpolitical uses. Those who choose public service often accept lower pay than they might make in the private sector because they are dedicated to public service. Let's not insult that choice by allowing labor bosses to take money from paychecks and spend it on purely political causes the employee does not support. I believe public employees should have the same protections from fraud and abuse as private employees. This amendment would empower public employees by allowing them to observe how their dues are being spent and the other financial dealings of their unions. It does this by bringing public unions under the requirements of the Labor Management Reporting and Disclosure Act. That is a 1959 law enacted with bipartisan support, including then-Senator John F. Kennedy. Public employees who pay union dues, especially those who are compelled to do so against their wishes, are no less entitled to financial transparency and fraud protections than private sector employees covered under the law today.

In regard to the Alexander amendment, I don't think there is any doubt that the bill's mandates would increase costs for States and localities that are either now unionized or do not allow bargaining to the extent required under the law and will, therefore, be subject to new rules. We have heard the argument that this has to be approved by a legislative body. There is also the clause in there about what the Federal Labor Relations Authority can do with any agreements that come up. I assume that would be if they didn't think they were tough enough. The costs I am concerned about go far beyond any increased pay or work scheduling costs.

The bill's most burdensome mandate falls on small towns that will have to assemble collective bargaining resources and capability on short notice. We keep looking at the 5,000 figure like it is magic. Five thousand is a very small town, and many of them already have difficulty complying with current Federal unfunded mandates. But we are going to impose one more on them. I don't want people to think the small town exemption is really just set at 5,000 population. The bill says 5,000 population or 25 employees. Towns have to hire a lot of people to run the facilities that we take for granted. We expect to turn on our faucet and have the water there. We expect to flush the toilet and have it disappear. We expect to set our garbage out and have somebody pick it up. We expect the streets to be in good condition so they are safe. A lot of places we expect sidewalks to be there so pedestrians don't have to be on the street. We even have in some municipalities the provision of electricity.

Gillette, WY, was so isolated and had so few people at one time that nobody wanted to provide electricity. So the city provided it. That has been a growing entity with employees. But it always required quite a few employees for doing the pole work and the meter work and the electrical work that was necessary. So 25 employees is a pretty easy threshold to get to in a small town. So 5,000 population or 25 employees, don't forget the 25 employees part.

The costs I am concerned about go beyond increased pay and work scheduling costs. This bill will also require them to assemble collective bargaining resources and capability, and on very short notice. I think that means that since the union will be able to bring in a negotiator, the city, the town—in Wyoming, 5,000 is a first-class city—will have to bring in different legal and bargaining experts to help with the negotiations, at least to train them to know how to negotiate. That will happen on both sides.

So this requires actions such as hiring labor law experts and establishing contracts with arbitrators, all resources that may be in short supply since small towns all across the country will be facing the same mandate at the same time.

As the former mayor of Gillette, I know what it is like to balance a municipal budget. When the Federal Government imposes costly new mandates and provides no funds to pay for them, it is frustrating for the mayor and the council and anybody who works for the city. When I became mayor, it was a boom town. The town had recognized the need to have better sewer treatment facilities. We had applied to the Federal Government. We had received a grant. Just as I took office, this new sewer treatment facility went on line. The inspector showed up and said: Your town has grown so much, you are violating the capacity of your sewer system. Since we provided the money for it, we are going to fine you.

So I needed a new sewer treatment facility. I needed several million dollars' worth of new sewer treatment facility. So I went back to the source. The Federal Government said: That one wasn't adequate because of the growth you have had. They said: Sorry, you already got one grant. You wind up at the bottom of the list now. So thousands of communities across the United States, probably rightfully, got to be ahead of my community. But that didn't stop the fines. Fortunately, I got a judge who said:. Yes, we have to fine you, but we are going to make you pay that money into a fund to build a new sewer treatment plant. That helped a little bit because we still had the money to do something, but we were still being put under this Federal mandate, which is a good idea. You need to do adequate sewer treatment. That is very important. But how do these small towns afford that? There are thousands of them, and they are all going to be put under that law at the same time. There aren't enough people trained to help them do this. So the burden falls on the taxpayers. The taxpayers elect local officials who will pursue their priorities and collect taxes at a level to cover the cost of those priorities. That is partly right. You don't always have the right to increase taxes. There are State limits in many of the States that say how much a municipality can tax. So that option may be closed down. This bill upsets the democratic order by imposing Federal priorities on local taxpayers with no way to pay for them. Local governments don't have ''funny money'' gimmicks like the Federal Government. Increased costs have to result in increased taxes, such as sales tax, property tax or decreased services. So which of those 25 employees are we going to get rid of in order to meet the costs of this bill? You can say it is not a Federal mandate because we have some definitions that explain what a true Federal mandate is, but I think the towns will consider it to be a Federal mandate. So will the people who are taxed or lose services or who are taxed and lose their jobs.

This is a choice I believe we should leave to local government. The Alexander amendment would leave it up to them by allowing localities to opt out of the bill's requirements, if they determine it will increase local property taxes, compromise public safety or constitute an unfunded mandate.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from South Carolina.

AMENDMENT NO. 4763

(Purpose: To improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces)

Mr. GRAHAM. I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Mr. KENNEDY. Mr. President, I am sure I will not object, but I would like to see the amendment. If the Senator will give us a moment to see the amendment, we have not seen it.

The PRESIDING OFFICER. Consent is not needed.

The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina (Mr. GRAHAM), for himself, Mr. BURR, and Mr. MCCAIN, proposes an amendment numbered 4763.

Mr. GRAHAM. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

CLOTURE MOTION

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I send a cloture motion to the desk on a first-degree amendment and ask unanimous consent that reading of the motion be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. I object.

The PRESIDING OFFICER. Objection is heard.

The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment No. 4763 to H.R. 980, the Public Safety Employer-Employee Cooperation Act of 2007.

Mitch McConnell, Michael B. Enzi, Johnny Isakson, David Vitter, Jim DeMint, Robert F. Bennett, Pat Roberts, John Ensign, Thad Cochran, Roger F. Wicker, Richard Burr, Larry E. Craig, Lindsey Graham, Saxby Chambliss, Mel Martinez, Kay Bailey Hutchison.

The PRESIDING OFFICER. The Republican leader.

AMENDMENT NO. 4764 TO AMENDMENT NO. 4763

(Purpose: To improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces)

Mr. MCCONNELL. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4764 to amendment No. 4763.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

Mr. KENNEDY. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue.

The legislative clerk continued with the reading of the amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I thought things were too good to be true, that we would have a debate on a bipartisan bill. There are a lot of things we could do to bring the Presidential politics into what is going on here on the floor. I think this is untoward.

This is a bill that has been worked on for a long time. Senator KENNEDY and Senator GREGG have worked in good faith to bring this up to help firemen and police officers. I had a group of police officers in my office today. They were so excited about this bill because we are doing something to help them.

We have been through this before. I told MIKE ENZI last Friday, through staff, that I would not fill the tree on this. I wanted to see if we could work in good faith for once without the Republicans playing their petty politics. But, obviously, we cannot do that.

Now, is it any wonder—I ask: Is it any wonder—that the Republicans have lost three special elections for House seats? It is no wonder. The American people understand what this Republican-led Congress has done, led by this man in the White House.

Now, is it any wonder that in a poll yesterday in the Washington Post, the Democrats have a 21-percent lead on the Republicans on being better able to handle the problems of this country? It is no wonder because this is what we have. They are not serious about anything.

We have had 71 filibusters that have been filed this Congress we have tried to break—we have had to break them—71 filibusters.

So I tell my friend, Chairman KENNEDY, and Ranking Member ENZI, it is obvious we cannot complete this legislation. It is obvious that games are being played.

Now, can you imagine on this bill dealing with people who are first responders—on 9/11, who were the people rushing into that building to die? Firefighters and police officers. They have asked for some help from us. For example, in Nevada, we have a situation where the State legislature said local law enforcement officers can bargain collectively. But isn't it interesting, the State cannot. Highway patrol officers cannot, those people who are capital policemen in Nevada cannot.

That is what this legislation would do. It would direct attention to some of the problems law enforcement has in this country, and we are not going to be able to do it because we are working now and are going to have to vote on whether there should be a holiday on gas prices. I talked to a woman in Pahrump, NV, yesterday, 50 miles out of Las Vegas. She moved to Pahrump because it would be cheaper to live. She works in Las Vegas. Well, that was a bad bet she made because she has a diesel vehicle. Yesterday, it cost almost $130 to fill it with diesel fuel, and she has to fill it once a week.

So we have a situation here where now we are going to start debating the energy policies of this country. We are happy to enter into that debate because we know the energy policy in this country has been set by Dick Cheney. He met with oil companies. It was all secret. They protected themselves, even through the Supreme Court, that we would not know whom they met with and what they met with. But it is obvious the policies they came up with have been a real big boon to the energy companies, making more money than any companies in the history of the world.

So if my Republican colleagues want to debate energy, we are happy to do it. What we wanted to work on is something to help police and fire. I am very disappointed. We on this side wanted to finish this legislation. But we have a cloture motion filed on the McCain proposal, and I am forced to acknowledge that probably he is trying to do anything he can. He is a flawed candidate, and he is wrong on the war, and he is wrong on the economy. But it is too bad he is still interfering with what we are trying to do here to start doing some serious legislating, ''he,'' meaning JOHN MCCAIN.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, before the leader departs the floor, I wish to thank him again for his strong support for this legislation that is so important to our first responders, to our firefighters, and our police officers in this country.

We have seen this parliamentary gimmick that has taken place offered by the Republican leadership that is a slap in the face to every firefighter and police officer and first responder in the country.

We have bipartisan support for this legislation. We have four amendments that are now pending. We had some understanding that we would have an opportunity to address those amendments during the course of the day. They are all related to this legislation. But oh, no—oh, no—the games are going to be played, and we are saying to the firefighters of this Nation and to the police officers of this Nation and the first responders of this Nation: Your interests, the safety and security of our communities across this Nation,

should be put aside in favor of some political gimmick by the Republican leader in the Senate.

That is what this is about. Make no mistake about it. Every firefighter ought to understand that. We are here now at noontime, ready to do the public's business, ready to take a vote on these issues, but oh, no, the Republican side says: No, you can't do it. You can't do it.

Look, the underlying position the Republicans are talking about is help for our GI bill. Senator WEBB has his proposal. I am all in support of what Senator WEBB is doing. Why not have that done after this bill is over? Why not have it done after then? Why didn't the Republican leader come on up and speak to the Democratic leader and propose: Let's do that at the end of the week. Do it Friday, Saturday, Sunday, and Monday. Maybe Senator MCCAIN will come back for it; maybe he won't. Do it after we finish this bill. But, no, we are going to insult—and this is an insult, make no mistake about it. I have been around here long enough to know when the insults are being played, and this is it. This is saying: Your interests are not as important as a political hit. That is what is happening. That is what is happening.

Who are these individuals? Forty billion dollars we spend on homeland security. Forty billion we are spending on homeland security. Who are the people who implement homeland security? They are our firefighters, our police officers, and first responders in all 50 States. They believe they have ways of doing it better than it is being done at the present time. I do too. So do Democrats and so do a few Republicans. We want to work through the political process to give the opportunity to have that done. But oh, no—oh, no—we are not going to do that. We are going to play games. It is Wednesday. It is noontime. We are just going to play some more games. We did it with you guys in the Senate last week on energy. We are going to do it here.

Listen, we are glad and willing to vote. I have been doing that for 45 years, and I am glad to do that now. But make no mistake about it who the target is—who the target is. The Republicans are saying: We will not take the time. We will not take the time to let the Senate work its will in terms of the firefighters and policemen of this country. That is outrageous. It is a gross insult to each and every one of them. It is a slap in the face to each and every one of them. Make no mistake about it, that is what is going on here. That is what is going on here.

Well, we are not giving up. We are not giving up on them. Maybe the other side wants to give up, but we are not giving up on them. We believe their service—their service—is too important to this country, their lives too important to this country. When are we going to be threatened again? Too important to this country.

Maybe the leadership on the other side can tell us whether Senator MCCAIN approved this strategy. Maybe we can find that out. I think the police and firefighters of the country would like to know whether Senator MCCAIN—we have Senator MCCAIN's proposal here. It is difficult to believe an effort would be made to bring this up without his approval. I think firefighters and policemen ought to understand whether Senator MCCAIN supports this proposal. You cannot get away without believing that he does and that he has been an architect. You don't just go around and get 16 Senators. You have to go around here and get all those. This thing has been in the cooking for a period of time. This just did not happen, although it looks—they duck in the cloakroom, and then they run out and do that—all that business.

This has been going on. This is a conscious act, and one will have to assume Senator MCCAIN is absolutely against it. I hope he is able to talk to the firefighters and the police officers and the first responders. Why are you interrupting this bill—this bill—that is so essential to the security, homeland security? Why interrupt this bill when we are in the process—at least we thought so—that we were going to be moving ahead to get some votes on these particular measures? Why? No, no effort at all to try and talk to the leadership, certainly not to—I do not expect—although, for the first 20 years or so I was in this body, people used to do that. They used to talk to people and tell them what was going to come on up. But I do not expect that anymore. But you would have thought: At least talk to the leadership who has responsibility.

So I hope each and every one of the firefighters, police officers, first responders who have been working on this legislation for years—I wish to mention about how long they have been working on this. It was introduced on May 12, 1999. On July 25, 2000, we had a Health Committee hearing. On September 19, 2001, we had a committee markup and reported it out. On November 6, 2001, we had a Senate vote, No. 323. On November 24, we had a HELP Committee markup. On February 4, 2004, it was offered as an amendment to S. 1017. On November 13, 2007, it was offered as amendment No. 2419.

For 8½ years this has been before the Senate—8½ years. Two committees, one chaired by the Senator from New Hampshire, the HELP Committee, and the other one by myself, and we supported this bill out. We finally have a chance to debate this. We had a good debate yesterday, and we are prepared to deal with the amendments on a matter of vital national security for our country and for respect for those who are our first responders who have done so much. But the answer is, no.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, all except the 9—10 new Senators we have remember the time that I lived on the Senate floor. For 6 years I was here from the time we came in session until we left, with no exceptions. I tried at that time to be as fair to the Republicans as the Democrats. If someone asked for more time on our side, with the Republicans not being here, they automatically got that time.

That is what took place today—I want Senator KENNEDY to hear this. I want Senator KENNEDY to hear this. Here this morning I congratulated you and the ranking member, Senator ENZI, because we were having a good debate and we were going to be working from the idea that we would try to improve this bill. I said specifically that Senator ENZI said he wished he had more time to do some committee work, and he wanted to do some work out here.

More power to him. That is what he should be able to do. I complimented everyone for the way this bill was being handled. Do you know the sad part about it, I say to my friends. Senator MCCONNELL was standing right there. We had a conversation walking out the door. Shouldn't he have said to me: Well, maybe you shouldn't feel that way; I am going to file cloture on the McCain amendment to get the tax holiday on gas.

But I am so surprised. I never try to avoid a phone call from my Republican counterpart. I always try to be available. I would say this: I would never do to him what he did to me this morning. It is untoward.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called 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. Because we had so much notice on this, I thought it was the McCain tax holiday amendment. But, no, it is the McCain effort to change the Jim Webb bipartisan GI bill of rights because it is too generous. So this idea is about the same as the gas tax holiday. He doesn't like the GI bill of rights because it is too generous. Now I am wondering if we want to debate Iraq on this bill because we are happy to do it. We are happy to debate an intractable civil war that is costing the American people $5,000 a second every day of the week, every week of the month, every month of the year, $5,000 a second. No weekends off, no holidays, $5,000 a second of borrowed money.

Do we want to debate the Iraq war? Is that what we want to do on this bill that was set aside to deal with firefighters, police officers, and first responders?

Those people came to my office today, some in uniform, some in plain clothes, because that is what they do. Some of them wear their uniform to work every day. Some do other work so they can't wear the uniform. They are

undercover. But no—I apologize to everyone. I thought we were on the McCain tax holiday. But, no, we are now on the GI bill of rights McCain effort because it is too generous.

The bipartisan bill of JIM WEBB that he wrote himself, bipartisan in nature, is too generous according to JOHN MCCAIN. We are happy to debate that. If that is what this body needs to do is to start the supplemental debate a week early, we can do that too.

I note the absence of a quorum.

Mr. KENNEDY. Would the Senator withhold that request?

Mr. REID. Yes.

Mr. KENNEDY. As I understand what the majority leader is saying, he is prepared to see the Senate vote on the McCain amendment as well as have a vote on the Webb amendment, and do it in a timely way. Is that what I am gathering here?

Mr. REID. Yes. We are going to do it next week anyway. Do you want to do it a week early? Fine.

Mr. KENNEDY. The majority leader has indicated they are prepared to go for a time limit on the McCain amendment, a time limit on the Webb amendment, and then have a vote so Members can do it here, and do it in a prompt way. I also understand that we would be able to continue the consideration of this matter but, as I understand, we are not getting any cooperation from the other side.

Mr. REID. I say to my friend not only was an amendment filed, but untoward cloture was filed at the same time on that amendment. Now, what would happen if on every piece of legislation around here, when you offer an amendment, a person walks in and files a cloture motion at the same time? That is a little funny way to do it. But maybe the Republicans love this filibustering so much—they broke the record, the filibuster record, in 10 months. Maybe they really want to in effect break Hank Aaron's record big in the way of filibusters. It is not enough to break it in 10 months, they want to really break it big, so now they are going to start filing cloture motions on their own amendments.

So I think what we need to do is just relax a little bit. We are going to suggest the absence of a quorum in just a second, and we will talk a little bit to see if there is a way out of this. I hope there is a way out of it for the benefit of the police and firefighters and first responders of this country. They are in town this week because there is going to be a memorial for those who were killed this year, police officers who were killed this year in service to their counties, their cities, and their States. They are here. Part of the reason they are here and the reason we scheduled this at this time is because they were going to be here.

So I suggest the absence of a quorum.

Mr. GREGG. Will the majority leader yield for a question?

Mr. REID. I yield for a question without losing the right to the floor.

Mr. GREGG. Mr. President, I would ask the majority leader if I might be recognized to speak after he completes his speech and his statement because I would like to speak.

Mr. REID. As I said, Mr. President, we are going to go into a quorum call and huddle down here and find out if there is a way out of this.

Mr. GREGG. Will the majority leader yield for a further question?

Mr. REID. Yes.

Mr. GREGG. I think the majority leader has made his case as to the status of the situation. But I do believe we should not shut off debate in the sense of not allowing for those of us who would like to express the way we see the situation to also be able to speak. That is why I would like to have an opportunity to speak.

Mr. REID. I say to my friend, and he is my friend, we are not going to have any more discussion on this piece of legislation until we figure out a way to help the police and firefighters. The decision was made by the Republican leader to debate the GI bill of rights, OK? That is where we are now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the quorum call be set aside.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GREGG. Mr. President, I ask unanimous consent that the quorum call be set aside.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

Mr. GREGG. Mr. President, I ask unanimous consent that the quorum call be set aside.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ENZI. Mr. President, I ask unanimous consent to set aside the quorum call so that I can answer some of the questions that have been asked on the other side.

Mr. REID. I object.

The PRESIDING OFFICER (Mr. MENENDEZ). Objection is heard.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I appreciate the patience of all Senators. I am going to, in a couple minutes, move to table the Graham first-degree amendment. That vote will take place shortly. Following that, I have asked Senators KENNEDY and ENZI to sit down and see if there is a way we can finish this important legislation. We have other things to do this week. We have the farm bill that will be here within the hour from the House. We have the budget conferees we have to appoint. Senator DORGAN is pushing hard on the media cross-ownership. That is something we need to complete this week. I want all Senators to see what they can do to exert influence on their friends to finish this bill. I have talked to the head of the firefighters. He is tremendously troubled that we ran into this roadblock. The underlying bill is very important. I would hope everyone understands that. We have all next week to do whatever needs to be done on the supplemental appropriations bill. We will get into a lot of discussion on the war in Iraq and what is going to happen to returning veterans.

In the meantime, it is my understanding the matter before the Senate is the Graham first-degree amendment. I move to table Graham amendment No. 4763 and ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN, I announce that the Senator from New York (Mrs. CLINTON) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necesarily absent: the Senator from Arizona (Mr. MCCAIN.)

The PRESIDING OFFICER (Mrs. MCCASKILL). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 127 Leg.]

YEAS—55

Akaka	Hagel	Nelson (NE)
Baucus	Harkin	Pryor
Bayh	Inouye	Reed
Biden	Johnson	Reid
Bingaman	Kennedy	Rockefeller
Boxer	Kerry	Salazar
Brown	Klobuchar	Sanders
Byrd	Kohl	Schumer
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Specter
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Lieberman	Voinovich
Conrad	Lincoln	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Mikulski	Wyden
Feingold	Murray	
Feinstein	Nelson (FL)	

NAYS—42

Alexander	Craig	Kyl
Allard	Crapo	Lugar
Barrasso	DeMint	Martinez
Bennett	Dole	McConnell
Bond	Domenici	Murkowski
Brownback	Ensign	Roberts
Bunning	Enzi	Sessions
Burr	Graham	Shelby
Chambliss	Grassley	Smith
Coburn	Gregg	Stevens
Cochran	Hatch	Sununu
Coleman	Hutchison	Thune
Corker	Inhofe	Vitter
Cornyn	Isakson	Wicker

NOT VOTING—3

Clinton	McCain	Obama

The motion was agreed to.

Mr. KENNEDY. Madam President, 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.

Mr. KENNEDY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WEBB. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Madam President, may we have order? The Senator is entitled to be heard.

The PRESIDING OFFICER. The Senate is in a quorum call.

Mr. KENNEDY. I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator cannot reserve the right to object.

Is there objection?

Mr. GREGG. Then I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KENNEDY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Madam President, I ask unanimous consent that the next hour be evenly divided between the two parties for the purposes of debate only and at the end of that time, a quorum call be in order.

Mr. MCCONNELL. Madam President, reserving the right to object, and I am not going to, but I wish to explain that Members on this side of the aisle are prepared to go forward with the amendments Senator ENZI has been suggesting we vote on. We are having some difficulty achieving that, but we would like to have some more votes on the underlying bill today.

Having said that, I do not object.

Mr. GREGG. Madam President, reserving the right to object, I am happy to agree to this because I have been trying to speak now for 4 or 5 hours, and the last three times I rose to speak, the majority leader would not allow me to speak. I understood his concern and his pique about what he perceived as to what was happening on the floor, but independent of that, I still think I should have the right to speak. Therefore, since I sought the floor initially and was seeking the floor the last time this exercise took place, I would request that the unanimous consent request be adjusted so that I be recognized first and that I be given 5 minutes to speak.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. KENNEDY. I so modify, with the understanding that following the Senator from New Hampshire, the Senator from Virginia be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts is recognized.

Mr. KENNEDY. I just want to say in terms of the voting that we are prepared to vote on our side on the underlying amendments, but we were notified by the other side that we would not be permitted to vote. There was objection from the Republican side to voting on a Democratic amendment, and we insist on getting that worked out so we can move ahead.

Hopefully, we can put aside the games and get moving on this underlying legislation, which is so important. Madam President, I ask unanimous consent further that after Senator WEBB, the speakers be rotated from side to side and the time, as mentioned earlier, be evenly divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Hampshire is recognized for 5 minutes—the Senator from Virginia.

Mr. WARNER. Madam President, I ask unanimous consent that I be recognized on this side after Senator WEBB.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, I wanted to rise earlier to put into context what the exercise we were involved in was about and the fact that the issue of the Graham amendment, in my humble opinion, did not, in any way, adversely affect the capacity to pass and proceed on the underlying bill, which is the firefighter initiative here that I and Senator KENNEDY have brought forward.

I think there were representations from the majority leader that the Graham amendment was some sort of attempt to basically sidetrack the firefighter bill. It was not that at all. It was simply the Senate doing its natural business, which is to amend bills on the floor of the Senate and get votes on those amendments. The Republican leader, in his absolute right, set the matter so it would be voted on. If he had not done what he did, there probably would have been no vote on the Graham amendment because the majority would have been able to sidetrack that amendment.

I think Senator GRAHAM had every right to come forward with whatever amendment he wanted. Every Member has that right when a bill is open to amendment. That has been a huge debate for quite a while. The majority party, for some reason, has decided to try to run the Senate as if it were the House of Representatives, which means they are trying to proceed in an autocratic way, where they decide for the minority party what amendments will be brought forward. That is not appropriate. That is not the tradition or the purpose of the Senate. The minority party has an absolute, sacred right to bring forward amendments, and there is no right in the majority party to ban the capacity of the minority party to do that, unless the majority party has the capacity to basically bring down the entire operation of the Senate, which is what it consistently has been doing—filling the tree time and time again in an attempt to shut off our party, the minority, from making its points and bringing forward amendments, which can be debated and voted on, and then you can get to the underlying bill—which is the way the Senate worked, by the way, for over 200 years.

Now, another action is occurring here which required Senator GRAHAM to offer this amendment. He didn't, by choice, pick this bill out of his interest in the bill to offer the amendment on. He had to offer it because the majority party is using the rules of the Senate to shut off all amendments to the bill being proposed by the Senator from Virginia.

The bill of the Senator from Virginia will be marked up in a manner that will bring it to the floor so that it would not be amendable. That has been public knowledge around here for weeks—that we were not going to be given the opportunity to amend the Senator's bill. That is inappropriate also. So the only way Senator GRAHAM could protect his rights was to bring this amendment forward at this time. It did nothing to undermine the movement of this bill forward. If this bill doesn't move forward—the firefighter bill—it will be because the Democratic leadership has not been able to schedule the floor in an efficient enough way to get the bill across the floor. That is the reason. It is not the failure of the minority to move this bill across the floor. It is failure of the majority to bring forward the bill in a proper procedure and allow for a proper amendment process to occur.

I think that point needs to be made. It is like the story of the guy who kills his parents and throws himself on the jury's mercy because he claims he is an orphan. The majority party has killed its parents. They are trying to deny the right of the minority to offer amendments to the Webb measure. It is inconsistent with the way the Senate should act.

I think we had a legitimate case with the Graham amendment. I think the Republican leader did the right thing in filing cloture to force a vote on that amendment. We have now had a vote, which was a vote to table. As a practical matter, it hasn't slowed down the firefighter bill. The bill has not been prejudiced by this action. Rather, the activity of the Senate, which is to give the minority the right to amend, has occurred in a proper way. It took work to get it done and huffing and puffing from the other side of the aisle, saying it should not be done. The proper order was done, and I congratulate the Republican leader for following this course.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WEBB. Madam President, I ask unanimous consent that I be allowed to engage in a colloquy with the senior Senator from Virginia and the senior Senator from Nebraska.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEBB. Madam President, I wish to speak for a few minutes about our bill that the senior Senator from Virginia, the Senator from Nebraska, and 58 Members of this body in total have cosponsored because I regret this vote that has just occurred.

I personally did not think it was appropriate that the amendment of the Senator from South Carolina be placed into this particular legislation, particularly at a time when there had been a good bit of discussion about how any suggestions that were viewed as appropriate to our legislation were welcome. They have been welcome for 16 months.

So I don't want the Members of this body, or other people in our country, to think that in any way our GI bill legislation is a partisan measure or a piece of legislation that simply is being driven by the majority party. In fact, as I said, we have 58 sponsors in the Senate—11 of them Republicans—including the senior Senator from Virginia, who, other than myself, is the only person who has served in a policy position in the Pentagon and who is a former chairman of the Armed Services Committee, and including the former chairman of the veterans committee, a Republican, and also including the current chairman of the Armed Services Committee and the chairman of the veterans committee.

This is a strongly bipartisan bill. It is an attempt to give those people who serve and have served since 9/11 equitable opportunities for the future on a level of the people whom we have come to call the ''greatest generation,'' the World War II veterans. That is all this is. I hope the other Members of this body will come together with us to pass this legislation.

With respect to amendments to this legislation, I wish to say a couple things. One, we have worked with all the major veterans groups over a period of 16 months. We have worked with other Members of this body over a period of 16 months—Democrats and Republicans. We have incorporated many different suggestions. This is a bill that I believe will be dramatically helpful to those who have served, and it will be something of which the American people can be proud.

In that regard, I say, first of all, on the House side, we have 295 sponsors of this identical legislation, including 91 Republicans. So let's all get together and let's set partisan bickering aside and do something affirmative that will allow the people who have been serving in these arduous times to have a true first-class shot in the future.

With that, I yield to the senior Senator from Virginia, whose advice and counsel on this bill has been greatly appreciated and whose support I also appreciate.

The PRESIDING OFFICER. The senior Senator from Virginia is recognized.

Mr. WARNER. Madam President, I stand before this Senate, which I have been in now almost 30 years, with a great sense of humility. I simply say that I would not be here had it not been for previous GI bills. I volunteered and served in the last year of World War II as a young sailor, 17 years old. Subsequently, I volunteered to go into the Marine Corps in 1948 and served on active duty during the Korean conflict, 1950–1952. That modest World War II service gave me a GI bill to get my undergraduate degree then, and my modest service in the Marine Corps on Active Duty—and I stayed in the Reserves for many years afterward—gave me a second GI bill enabling me to get my law degree. I am here because of that education given to me and many other by a generous Nation.

I have joined my distinguished colleague, and dear friend, the junior Senator from Virginia, Mr. WEBB, who was a part of my staff when I was Under Secretary and Secretary of the Navy. We have known each other for many years and have worked together prior to coming to the Senate. I have the greatest admiration for him. He is too modest to talk of his military career, his service in the Department in the Defense, as Assistant Secretary of Defense for Reserve Affairs, and later as Secretary of the Navy. We have collaborated with the Senator from Nebraska, who is another distinguished veteran of the Vietnam period. I think the three of us are highly conscious of what we want to do for today's generation of young men and women in uniform and their families.

In the aftermath of World War II, the first GI bill was passed in 1944. Sixteen million men and women were given that educational opportunity, of which 7.8 million veterans availed themselves of these GI bill benefits.

All those individuals, including this humble Senator, were given the option to go to that university or that college of their choice, and that university or college, because of their academic credentials, would accept them. The dollars were not a subject, because the GI bill largely paid for all the expenses incurred by the veterans.

That is the purpose of the Webb bill, to now give to this very courageous generation the same opportunities my generation had beginning in 1944. I think today's generation will be judged by history as just as great, or greater, than the World War II generation. We should give to this generation nothing less.

I can assure you that, based on my experience—and I think my colleagues will agree—this will be an inducement to bring more high-quality individuals into uniform, knowing that for that service, their Nation would recognize it with the opportunity for them to pursue further education.

Madam President, I will soon ask to have printed in the RECORD a part of the law as it exists today. Much has been said about the transferability of the GI bill rights to a spouse or a child. The Committee of the Armed Services on which I serve, put into law the first option by which a service person could have what is known as transferability of their GI bill to a spouse or child. It is still the law of the day.

I think my distinguished colleague from Virginia, having recognized this as existing law, might well consider it as a part of his legislation. That is a decision he will make and one I will support.

With that, I will yield the floor at this time.

Mr. WEBB. Madam President, first of all, I say to the senior Senator from Virginia, I have raised this piece of existing law a number of times when the individuals who introduced the measure that was just tabled talked about the need for transferability. This option is available to service Secretaries at their discretion under the existing law that the senior Senator from Virginia introduced more than 6 years ago. It would be, I believe, logical and proper to extend that law to the new GI bill.

Mr. WARNER. I thank my distinguished colleague. Might that be in the form of an amendment to the Senator's existing bill?

Mr. WEBB. We would be happy to discuss that as soon as we can meet.

Mr. WARNER. Madam President, I admire the Senator's willingness to accept that. It was my hope that perhaps Senators could have worked together with those who sponsored the bill we just voted to table. But certainly Republicans exercised their right to have this vote on the measures put in by Senator BURR and Senator GRAHAM.

Mr. WEBB. Madam President, the Senator from Nebraska is getting ready to speak. I will point out a couple things. One is that he has served our country with great distinction as an infantry sergeant in Vietnam and was wounded. He has been a great friend for many years, 30 years. He and I came up together working on veterans laws years ago.

Just as importantly, when I mentioned the senior Senator from Virginia and myself were the only ones who served in policy positions in the Pentagon, I believe Senator HAGEL is probably the only Member of this body who has served in a senior policy position in the Department of Veterans' Affairs.

If anyone is looking at the sense of fiduciary responsibility and the wisdom that has gone into our bill, I hope they will consider those sets of experiences.

With that, I yield to the senior Senator from Nebraska.

Mr. HAGEL. Madam President, I thank both of my distinguished colleagues for their service to our country and for their leadership on one of the most important efforts we can make on behalf of those we ask to do so much for our country.

The reality is, today we are asking less than 1 percent of our society to bear all the burden, to carry that burden with tremendous sacrifice, not just for themselves but also a sacrifice called for from their families. They do it willingly, they do it because they love their country, and they care about the future of their country.

What this bill is about, as much as any one thing, is supporting our troops in a time of peace, just as we support our troops in a time of war. These are men and women who have earned this benefit. Every generation of veterans since World War II has been acknowledged by a grateful nation, acknowledged in many ways. Maybe the most important way is a set of educational benefits they have been given in appropriate recognition of their service to our country.

Just as Senator WEBB noted, what we are doing is rotating these benefits forward into the 21st century so they are relevant to the realities of the costs of education today, giving these veterans the same kinds of opportunities and options that Senator WARNER, all of our World War II veterans have had—our Korean war veterans in the Congress, and our Vietnam war veterans, all of them have had.

This is not a new program. This is not a welfare program. At a time when we have no difficulty finding the money to go to war, to place these men and women in war, we are having some debate over whether we have the resources, the commitment in this country to find the resources to do not only what is right but what our Nation has always done since 1944.

Is that the debate? If that is the debate, we should have a debate because it is about the prioritization of our people. These young men and women are expected to go to war, fight and die, many will come back with tremendous scars, ruined families, and then we disconnect? It is not enough to slap a bumper sticker on your car and say, ''I support the troops,'' or for us to stand in the Senate or the House and speak in abstractions about supporting the troops. This is about supporting the troops.

My goodness, what is a wiser investment in our society, in our future, in our country than giving these special men and women the same opportunities we had to make a better world, not just for themselves but for our country, through helping to educate these men and women.

We have missed some points in this debate so far. I hope the points I have covered briefly will come back into some clarity, in some framework of understanding by the American people as to what this is about because, as I note again, if this is about not having the resources to fulfill the commitments we have made for almost 70 years to America's veterans, if that is the case, then that debate needs to be ongoing throughout this Nation because I think the American people will want to say something about this, will want to have something to say about this, and they should. It is their Nation, their sons and daughters we send off to war.

This, as Senator WEBB has noted, should be an effort to bring our country together, not divide our country, not divide us between Republicans and Democrats or between States. This should be some consensus of purpose to acknowledge these men and women who do so much, who bear all the burden. That is what this is about.

There will be more debate, and there needs to be more debate. I am as proud to be part of this effort with my colleagues from Virginia, Senator WEBB and Senator WARNER, with 57 other colleagues in the Senate, and almost 300 in the House, as I have ever been since I have been in the Senate on behalf of a piece of legislation. This should be an effort to unite our country, and I believe the American people will see it that way.

I appreciate very much an opportunity to express some of these points and for the continued leadership of my friend, JIM WEBB.

Mr. WARNER. Madam President, I say to my good friend and the leader of this effort, and Senator HAGEL, let's clarify what I recommend we consider. That is the insertion of a provision, if it is so decided by Senator WEBB, on transferability, which would be for an individual to serve a second tour of service upon the completion of the first tour of service. This tracks with the 2001 legislation.

Will the Senator from Virginia concur?

Mr. WEBB. Madam President, I say to the senior Senator that I have read the existing law, and the understanding I have of it is, at the discretion of a Service Secretary for military occupational specialities, that as they determine with a reenlistment, that transferability in increments would be allowed. That is in keeping with the statements of concern by the Senator from South Carolina about wanting to use transferability as a retention incentive. It is in existing law. It has not really been used extensively by the Service Secretaries. But I agree with the senior Senator that we should look for a way to continue that in our legislation as well.

Mr. WARNER. Madam President, I thank my distinguished colleague. I am proud to note that on the Webb bill I think it remains correct at this time that there are 11 Republican Senators who are cosponsors of the bill. This clearly indicates that Senator WEBB has devised legislation which is bipartisan, and does reflect, as our colleague from Nebraska said, the will of the people of the United States to recognize the extraordinary heroism and commitment of the individual in uniform and their family and loved ones at home.

Madam President, I ask unanimous consent to have printed in the RECORD current law enacted in 2001, to which I referred earlier.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FY2002 NDAA

Subtitle E—Other Matters

SEC. 654. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL BY MEMBERS OF THE ARMED FORCES WITH CRITICAL MILITARY SKILLS.

(a) AUTHORITY TO TRANSFER TO FAMILY MEMBERS.—(1) Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces with critical military skills

''(a) IN GENERAL—Subject to the provisions of this section, each Secretary concerned may, for the purpose of enhancing recruitment and retention of members of the Armed Forces with critical military skills and at such Secretary's sole discretion, permit an individual described in subsection (b) who is entitled to basic educational assistance under this subchapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such individual's entitlement to such assistance, subject to the limitation under subsection (d).

''(b) ELIGIBLE INDIVIDUALS.—An individual referred to in subsection (a) is any member of the Armed Forces who, at the time of the approval by the Secretary concerned of the member's request to transfer entitlement to basic educational assistance under this section—

''(1) has completed six years of service in the Armed Forces;

''(2) either—

''(A) has a critical military skill designated by the Secretary concerned for purposes of this section; or

''(B) is in a military specialty designated by the Secretary concerned for purposes of this section as requiring critical military skills; and

''(3) enters into an agreement to serve at least four more years as a member of the Armed Forces.

''(c) ELIGIBLE DEPENDENTS.—An individual approved to transfer an entitlement to basic educational assistance under this section may transfer the individual's entitlement as follows:

''(1) To the individual's spouse.

''(2) To one or more of the individual's children.

''(3) To a combination of the individuals referred to in paragraphs (1) and (2).

''(d) LIMITATION ON MONTHS OF TRANSFER.—The total number of months of entitlement transferred by an individual under this section may not exceed 18 months.

''(e) DESIGNATION OF TRANSFEREE.—An individual transferring an entitlement to basic educational assistance under this section shall—

''(1) designate the dependent or dependents to whom such entitlement is being transferred;

''(2) designate the number of months of such entitlement to be transferred to each such dependent; and

''(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

''(f) TIME FOR TRANSFER; REVOCATION AND MODIFICATION.—

''(1) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to basic educational assistance under this section may transfer such entitlement at any time after the approval of the individual's request to transfer such entitlement without regard to whether the individual is a member of the Armed Forces when the transfer is executed.

''(2)(A) An individual transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

''(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

''(g) COMMENCEMENT OF USE.—A dependent to whom entitlement to basic educational assistance is transferred under this section may not commence the use of the transferred entitlement until—

''(1) in the case of entitlement transferred to a spouse, the completion by the individual making the transfer of six years of service in the Armed Forces; or

''(2) in the case of entitlement transferred to a child, both—

''(A) the completion by the individual making the transfer of 10 years of service in the Armed Forces; and

''(B) either—

''(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

''(ii) the attainment by the child of 18 years of age.

''(h) ADDITIONAL ADMINISTRATIVE MATTERS.—(1) The use of any entitlement to basic educational assistance transferred under this section shall be charged against the entitlement of the individual making the transfer at the rate of one month for each month of transferred entitlement that is used.

''(2) Except as provided under subsection (e)(2) and subject to paragraphs (4) and (5), a dependent to whom entitlement is transferred under this section is entitled to basic educational assistance under this subchapter in the same manner and at the same rate as the individual from whom the entitlement was transferred.

''(3) The death of an individual transferring an entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

''(4) Notwithstanding section 3031 of this title, a child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

''(5) The administrative provisions of this chapter (including the provisions set forth in section 3034(a)(1) of this title) shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible veteran for purposes of such provisions.

''(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

''(i) OVERPAYMENT.—(1) In the event of an overpayment of basic educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the individual making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of this title.

''(2) Except as provided in paragraph (3), if an individual transferring entitlement under this section fails to complete the service agreed to by the individual under subsection (b)(3) in accordance with the terms of the agreement of the individual under that subsection, the amount of any transferred entitlement under this section that is used by a dependent of the individual as of the date of such failure shall be treated as an overpayment of basic educational assistance under paragraph (1).

''(3) Paragraph (2) shall not apply in the case of an individual who fails to complete service agreed to by the individual—

''(A) by reason of the death of the individual; or

''(B) for a reason referred to in section 3011 (a)(1)(A)(ii)(I) of this title.

''(j) APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The Secretary concerned may approve transfers of entitlement to basic educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of title 10 in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of basic educational assistance attributable to increased usage of benefits as a result of such transfers of entitlement in that fiscal year.

''(k) REGULATIONS.—The Secretary of Defense shall prescribe regulations for purposes of this section. Such regulations shall specify the manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2) and shall specify the manner of the applicability of the administrative provisions referred to in subsection (h)(5) to a dependent to whom entitlement is transferred under this section.

''(l) ANNUAL REPORT.—(1) Not later than January 31 each year (beginning in 2003), the Secretary of Defense shall submit to the Committees on Armed Services and the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the transfers of entitlement to basic educational assistance under this section that were approved by each Secretary concerned during the preceding fiscal year.

''(2) Each report shall set forth—

''(A) the number of transfers of entitlement under this section that were approved by such Secretary during the preceding fiscal year; or

''(B) if no transfers of entitlement under this section were approved by such Secretary during that fiscal year, a justification for such Secretary's decision not to approve any such transfers of entitlement during that fiscal year.

''(m) SECRETARY CONCERNED DEFINED.—Notwithstanding section 101(25) of this title, in this section, the term 'Secretary concerned' means—

''(1) the Secretary of the Army with respect to matters concerning the Army;

''(2) the Secretary of the Navy with respect to matters concerning the Navy or the Marine Corps;

''(3) the Secretary of the Air Force with respect to matters concerning the Air Force; and

''(4) the Secretary of Defense with respect to matters concerning the Coast Guard, or the Secretary of Transportation when it is not operating as a service in the Navy.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3019 the following new item:

''3020. Transfer of entitlement to basic educational assistance: Armed Forces with critical military skills.''.

(b) TREATMENT UNDER DEPARTMENT OF DEFENSE EDUCATION BENEFITS FUND.—Section 2006(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) The present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance under subchapter II of chapter 30 of title 38 attributable to increased usage of benefits as a result of transfers of entitlement to basic educational assistance under section 3020 of that title during such period.''.

(c) PLAN FOR IMPLEMENTATION.—Not later than June 30, 2002, the Secretary of Defense shall submit to Congress a report describing the manner in which the Secretaries of the military departments and the Secretary of Transportation propose to exercise the authority granted by section 3020 of title 38, United States Code, as added by subsection (a). The report shall include the regulations prescribed under subsection (k) of that section for purposes of the exercise of the authority.

(d) FUNDING FOR FISCAL YEAR 2002.—Of the amount authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2002 by section 421, $30,000,000 may be available in fiscal year 2002 for deposit into the Department of Defense Education Benefits Fund under section 2006 of title 10, United States Code, for purposes of covering payments of amounts under subparagraph (D) of section 2006(b)(2) of such title (as added by subsection (b)), as a result of transfers of entitlement to basic educational assistance under section 3020 of title 38, United States Code (as added by subsection (a)).

Mr. WARNER. I yield the floor.

Mr. WEBB. I thank both Senators. I yield the floor, Madam President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. How much time remains, Madam President?

The PRESIDING OFFICER. There remains 23½ minutes to the Senator from Massachusetts; 12 minutes to the Senator from Wyoming.

Mr. ENZI. Madam President, we had one speaker from my side and then a colloquy with some people from my side who were involved with the Senator from Virginia, but I don't think that can hardly be charged to my side.

Mr. KENNEDY. Madam President, I will be glad to yield 10 minutes——

The PRESIDING OFFICER. Each Senator who spoke was charged with the time based on their party.

Mr. ENZI. I thought I was in charge of half of the time, and I didn't allocate that time. I can see how the rules go here.

Mr. KENNEDY. Madam President, I ask for additional time. I ask unanimous consent for an additional 15 minutes for the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. And I ask unanimous consent that we will have 10 minutes on our side.

The PRESIDING OFFICER. So the Chair understands, there will be 15 additional minutes for the minority and additional minutes for——

Mr. KENNEDY. I understand we have 22 minutes remaining; is that right?

The PRESIDING OFFICER. Correct.

Mr. KENNEDY. I ask unanimous consent for 10 additional minutes on our side and for 15 additional minutes on the other side—or 20 minutes on the other side.

The PRESIDING OFFICER. Without objection, it is so ordered. There will be 20 additional minutes added to the minority side and 10 additional minutes added to the majority side.

Mr. KENNEDY. Madam President, we have had a very interesting exchange with both Senators from Virginia and the Senator from Nebraska on a matter of enormous importance and consequence, and that is our support for a GI bill that is worthy of the bravery, courage, and valor of those who are serving in the Armed Forces.

The stated legislative purpose of the Senator from Virginia, Mr. WEBB, who is the architect of this program—and I welcome the chance to be a cosponsor—is to try and do for those who are in the service of our country at this time a similar kind of support in education that those who had served in the colors in World War II received. He has explained it in great detail.

I look forward to supporting that proposal when it comes up on the floor of the Senate, probably the early part of next week. I commend the strong bipartisan support that it has been able to receive. I commend my former chairman, Senator WARNER, who led the Armed Services Committee so brilliantly for so many years and has made such an extraordinary contribution to the security of this Nation, both as a serviceman and also as a policy leader, and to Senator HAGEL whom I think for all of us has demonstrated enormous courage in service and outside guiding national security policy.

We are going to, after our next couple of speakers, be moving toward consideration of the farm bill conference report. That is a privileged matter, and it displaces the underlying legislation we have been debating, the Cooperation Act, public service legislation we have been considering both yesterday and today. I expect we will continue through the evening on the farm conference report. Further action on our legislation will be deferred until tomorrow.

In conclusion for this afternoon, on the floor we are considering the service of extraordinary Americans: On the one hand, as Senator WEBB pointed out, those who serve in the armed services of our country, and on the other hand, we are talking about the 659,000 police officers, 262,000 firefighters, who are in the service of our country trying to provide for our national security.

We are mindful that we spend $40 billion a year on homeland security. What this legislation at its heart is all about is to make sure those service men and women, those police officers, those firefighters, those EMTs, are going to be safe and secure; that they are going to have the best in terms of equipment, and that we are going to listen to those individuals who have dedicated their lives to protecting our fellow citizens all across America. We are going to listen to their recommendations and suggestions on how we can improve their safety and the safety of the American people. We give them a mechanism to be able to do that. That is the framework which is the underlying aspect of the legislation we have before us.

People can talk about unfunded mandates and problems of strikes and all these other items, but nonetheless we cannot and should not and will not get away from the fundamental thrust of this legislation and its importance. We have an extraordinary opportunity to make America safer and more secure—here on the floor of the Senate. Who wants to have that challenge? It is the police officers and the firefighters and the first responders who are prepared to accept that responsibility. All they are asking is to have a voice at the table when judgments and decisions are being made by maybe well-intentioned policymakers, well-intentioned bureaucrats. But we want to make sure those out there on the front lines are at least going to have a voice in these policy judgments and decisions. That is what this legislation is about. That is why it is so important.

We are prepared to deal with the various amendments that come up. We look forward to it. We have gotten off track over the course of the day. With all due respect to others, we find that with the exception of the amendment that was being offered by the Senator from Vermont, Senator LEAHY, on bulletproof vests—about which we don't know there is any substantive objection—all the other amendments have been on the other side; not from our side, from their side. We have not tried to interfere with the order those have been offered.

Senator ALEXANDER has been down here and has spoken eloquently. Many Senators have spoken about their amendments. Senator HATCH was down and spent time talking about his amendment.

We are prepared to move ahead. If there is need for further debate, we will have further debate; if not, we are prepared to move ahead and have the judgment made here in the Senate.

This legislation is extremely important. As I have mentioned, it has been around for some 9 years. It was introduced initially by a Republican. It has strong Republican—has strong bipartisan support. I listened to my friend Senator WARNER talk about the strong bipartisan support there is for the GI bill. There is strong bipartisan support for this legislation as well, as indeed there should be, and as we have attempted to achieve. We will continue to work in that area.

We look forward, I expect, to have further consideration on this tomorrow. I am very appreciative, as always, of my friend and colleague from Wyoming, Senator ENZI. We have a remarkable area of agreement in some public policy areas, but we have sharp areas of differences. This happens to be one of those. This legislation happens to be one of those. But it does not take away the great respect and affection I have for him as a legislator and as a friend.

We look forward to continuing this debate and hopefully a resolution on some of these matters tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, it is my understanding our side has 32 minutes remaining. I wish to yield myself up to 10 minutes of that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Would the Senator yield for a unanimous consent request?

Mr. CORNYN. Yes.

Mr. KENNEDY. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 25½ minutes.

Mr. KENNEDY. I am going to yield 15 minutes—10 minutes to Senator KLOBUCHAR and 10 minutes to the Senator from Washington, Mrs. MURRAY, at an appropriate time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas is recognized.

Mr. CORNYN. Madam President, this Saturday the people in my home State of Texas will join to celebrate Armed Forces Day and, of course, shortly thereafter Memorial Day. These are the days we set aside to honor the men and women who have worn the uniform of the U.S. military, to honor them for their service and particularly remember those who made the ultimate sacrifice in defense of our freedom.

As I prepare to go home this weekend to join my fellow Texans in celebrating this important event, I am reminded of the immense debt we all owe those who have worn the uniform. Of course, this is a debt we know we can never repay.

From a personal perspective, my father served as a B–17 pilot in World War II, and served honorably for 31 years in the U.S. Air Force. He was shot down and spent 4 months in a German prisoner-of-war camp before General Patton and his army came along and liberated him and his fellow POWs.

Of course he, like so many of that generation, came back to his home and took advantage of the GI bill in order to get an education so he could then become the foundation upon which America would continue to build itself in those postwar years and beyond.

The GI bill has done an incalculable benefit not only to the individual veterans who received those educational benefits but to our country as well. It is important now, many years later, in 2008, that we focus our efforts on modernizing that GI bill to make sure the benefits I know we all want to see directed toward our men and women in uniform are available to allow them, when they return home from the fight, to take their uniform off, to get an education, and to achieve their dreams.

Because I believe we need to modernize the GI bill of rights, when it comes to educational benefits for our veterans, I have chosen to cosponsor a bill called S. 2938, the Enhancement of Recruitment, Retention, and Readjustment Through Education Act. Sadly, and for some inexplicable reason, we saw that bill tabled by the Senate. I do not know why, at a time when we ought to be talking about and acting on our appreciation for our men and women in uniform, the Senate decided to table this important piece of legislation. But I wish to talk about it for a minute, to explain to my colleagues what is contained in this important piece of legislation.

This bill would help our military personnel with an extended range of options under the GI bill to ensure that they get the benefits they deserve. It immediately increases education benefits for active-duty personnel to $1,500 a month and, to encourage retention and continuation of service in the military, it gradually increases the education benefits to $2,000 a month after 12 or more years of service.

It expands the authority for servicemembers to transfer—and this is one of the most important elements of this legislation—it allows them to transfer their educational benefits to members of their family, a spouse or a child. After 6 years of service, half of that benefit can be transferred, and after 12 years of service, 100 percent of the benefit can be transferred to a child, to a spouse, or some other loved one.

It increases from $880 to $1,200 per month the education benefits for Guard and Reserve members called to active duty since September 11, 2001. It allows servicemembers to use up to $6,000 per year of Montgomery G.I. bill education benefits to repay student loans, and it provides access to Montgomery GI bill benefits to service academy graduates and senior reserve officers' training corps officers who continue to serve beyond their initial commitment.

This legislation is offered as an alternative to S. 22, a bill produced by my distinguished colleague from Virginia, Senator WEBB, and actually cosponsored by our other distinguished colleague from Virginia, Senator WARNER. I believe both of these bills are born out of the noblest of aspirations and intentions, but I do believe the alternatives offered in the bill that has been laid on the table here a moment ago would actually provide a better range of services to more of our troops as well as their families. Simply put, I do believe it is a better fit for our Nation and a better fit for the people of my State of Texas.

I mentioned the issue of transferability. This is something not found in the Webb bill that is found in the alternative. To begin with, Senator WEBB's bill fails to recognize the enormous sacrifices our military families make in support of their loved ones who wear the uniform of the U.S. military. Talk to any sailor, soldier, airman, or marine and they will tell you that being able to transfer their GI educational benefits to their spouses or their children is enormously important to them. At a time when we depend on an all-volunteer military, isn't it important that we provide the maximum range of benefits not only to our veterans but also to the military families, the people who stay behind while their loved ones are deployed and whose support they need and depend on, and frankly whose support our Nation depends on—our military families?

According to all the service chiefs and the Joint Chiefs of Staff, transferability of this benefit is their No. 1 priority and something wholly missing from the Webb bill.

As I mentioned, my father served as a bomber pilot in World War II. I have experienced, as have other military family members, the joint commitment military families make in support of their loved one in the military.

In addition to the other benefits, I think this particular provision of transferability recognizes a fundamental fairness issue and impacts directly on our ability to retain our servicemembers. Obviously, we would not want to do anything intentionally which would encourage people to leave the military after 3 years of service. It is in the best interests of the United States of America, our strength and security—it is in the best interests of our all-volunteer military force to actually encourage and facilitate service of our active-duty military beyond just an initial tour of 3 years of service.

While we applaud and honor those who serve any period of time in our military, we do need to make sure we do not create an incentive for people to leave early in order to get a benefit under this bill. That is why, under the legislation I am cosponsoring—Senator GRAHAM's bill, also cosponsored by Senator BURR, Senator MCCAIN, and others—our career military will receive additional GI bill benefits to reward them for their continued service.

This bill clearly recognizes you do not have to get out of the military to be able to continue your education. Like the Webb bill, troops will be eligible for up to $1,500 monthly benefits after 3 years of service. However, in order to recognize our career troops as well, benefits would increase to $2,000 a month after 12 years of service—clearly providing both a benefit and incentive for people to continue in military service and not to feel as if they have to leave after 3 years in order to take advantage of this benefit. Unlike the Webb bill, which caters to those who choose to remain in the service for only 3 years—whose service we earnestly appreciate—the Graham bill I believe provides short-term rewards and also rewards our career troops as well.

According to the RAND Corporation study conducted in January, 2008, Senator WEBB's bill would:

> . . . reduce first-term Army reenlistment by about 12 percentage points from the current rate of 40 percent to about 28 percent.

This is an important point. The unintended effect of Senator WEBB's bill would actually be to reduce retention from 40 percent to 28 percent.

Madam President, I ask for an additional 2 minutes by unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Madam President, why in the world would we want to do anything that discriminates between those military members who serve for 3 years and then decide to leave and those who decide to make the military their career? Why would we want to discriminate against their families, who might benefit from the transferability option contained in this alternative legislation which I am supporting? Why would we want to do anything that would actually damage our ability to encourage people to stay in the military should they choose that for themselves and for their families?

I believe this legislation is important not only to our Nation, it provides an important benefit to our military and their families. It encourages retention and continuation of service, facilitates those who do want to stay longer, and creates an enhanced benefit for them.

In a State such as Texas where 1 out of every 10 people in uniform calls our State home, this is very important to my State and my constituents. But I will tell you, this is even more important to our Nation in encouraging that our strong, all-volunteer military force remain strong and that we meet our commitment to make sure they receive the benefits they need and they deserve and are not limited only to the servicemember but can also be extended to family members as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, please advise me after I have spoken for 10 minutes.

The PRESIDING OFFICER. There is an agreement to alternate sides, Senator.

The Senator from Washington State.

Mrs. MURRAY. Madam President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REFUELING TANKERS

Mrs. MURRAY. Madam President, when our constituents make decisions about big purchases such as buying a house or buying a car, the first thing they do is consider how much money they have to spend, and then they shop for the best quality they can get for the most reasonable price for the item that best meets their needs. When the Government makes a purchase, they expect it to follow that same sort of analysis, whether it is buying a pencil or jet engines. But that is not what our military did when it made its decision to buy the next generation of refueling tankers from Airbus instead of from Boeing.

Compared to Boeing's 767, Airbus's A330 is massive. The simple truth is that a bigger plane is going to be more expensive. The bigger plane the Air Force wants to buy is going to burn more fuel, it is going to take up more space, and it is going to require more people to maintain it. But our hangars, our runways, and our ramps today are all designed for a much smaller tanker.

I also have serious concerns and questions about how much Airbus's tanker is going to cost in fuel and personnel and maintenance. In the months that have passed now since the military announced it had selected Airbus for this massive contract, I have repeatedly asked the Pentagon whether it considered how it will pay for the extra costs of a much bigger plane. I have been astounded that no one has been able to answer my questions. In other words, the military said it wants to spend more than $100 billion to buy bigger planes, but it has no idea where it is going to put them, it does not know who is going to maintain them, and it does not know how we are going to pay to operate them. That makes no sense to me. I am very concerned about how much this decision is going to cost us, and that is why I have come to the floor this afternoon. Let me explain why I am troubled about this decision.

First of all, we do not know what the possible military construction costs might be for this purchase. It is estimated that these planes are too big for many of our hangars and that they are too heavy for many of our runways and our ramps. These tankers I am talking about are the backbone of our military. These refueling tankers make our global Air Force possible. Today, they are stationed around the world. So we are not only buying airplanes we can keep anywhere, the tanker has to be able to take off and land from almost anywhere in the world.

The new tankers are supposed to be a replacement for our current fleet of medium-sized Boeing KC–135s. But compared to our current tankers and compared to the 767, the Airbus plane the Air Force has decided to purchase is massive. Airbus's A330 is 32 feet longer than Boeing's 767. The Airbus A330's wingspan is 41 feet wider. The A330 weighs about 20 percent more than the Boeing plane. Our military experts have said they think the A330 will be able to operate on only about half of the airfields the Boeing 767 can use—about half of our airfields. That means some of our infrastructure in this country and across this globe is going to be torn down and refitted to accommodate these new planes they have decided to buy.

Secondly, oil and gas prices are a major factor of the cost of operating a refueling tanker. I am very concerned because a larger plane is obviously going to burn more fuel and cost dramatically more over the lifetime of these planes. In fact, because the Airbus A330 is larger and heavier than the Boeing 767, it is going to burn 24 percent more fuel. That means that fueling planes the size of the A330 will cost $30 billion more over the lifetime of this plane. That is astonishing when you think that the initial cost for this contract is $35 billion. Fuel alone is going to double the cost of these planes. Americans are up in arms today about the cost of gas for their own cars. How do you think they are going to react if our Air Force chooses to use their tax dollars, American tax dollars, to fuel massive airplanes when there is a cheaper option available?

Third, the larger A330 is going to require bigger refueling and ground crews. Because buying a larger plane means it will not be able to use standard-size military pallets, the military, in making this purchase, is now going to need more personnel and airmen to load and unload every A330 tanker.

Finally, these larger planes are going to cost the military more to maintain. Not only will the A330 simply need more maintenance over its lifetime, larger crews are going to be needed to work on them. Because the planes are bigger, they are going to have to be packed in closer at our bases, and packing them in closer is going to make maintaining and getting them off the ground more dangerous for our airmen and airwomen.

Now, I have been asking some pretty tough questions about how we got to this point, how the Air Force chose the Airbus plane over the Boeing plane, because it does not make sense to me that we would send this contract overseas when we have the capability and the right plane right here at home.

I have specifically asked about the military's construction costs. At four hearings now, four hearings in the last 3 months, I have asked our military officials whether they can tell me if they did an analysis of the potential construction costs of buying these larger planes before they reached their decision. Do you know what. I was shocked by their answer. It was: No. No. No. They did not do an analysis of how much it would cost for these larger planes. That means the Pentagon launched a major contract to replace a plane that we will have for decades that is going to cost us billions of dollars, but apparently it never did a complete, independent analysis of the potential military construction costs of buying that much larger plane.

I am concerned that even though I have asked for an estimate of these costs and even though several of my colleagues here in the Senate and the House have asked for the same information, we do not have an answer.

I first asked Air Force Secretary Wynne about these costs on March 12. I asked him: What will be the associated costs for our military construction budget, and can these Airbus planes fit in the hangars we have today? That is what I asked. At the time, Secretary Wynne could not answer me. He only said to me that the RFP did not indicate any size. So I asked again on April 24, this time with two Pentagon officials, Comptroller Tina Jonas and Under Secretary of Defense Wayne Arny, and they said they were not part of any decisionmaking process and could not comment. So on May 8 and then again today, I asked what the cost of this larger tanker would be for the National Guard and Reserve. Today, the Guard promised to get back to me with an answer. Well, I hope they do.

I am extremely frustrated that we cannot get this information. We are talking about spending billions and billions of taxpayer dollars, and we are talking about a decision that affects our global military power. I am baffled as to why the Pentagon did not do a top-to-bottom analysis of every aspect of this very expensive decision. ''I don't know'' is not an acceptable answer when we are asking American taxpayers to foot the bill for purchasing these planes.

Now, this process has been flawed from the start. As a result, it is now being appealed to the GAO. But regardless of the GAO's findings, I think we, as Members of Congress, as representatives of the American people, should be very concerned about the way the military reached this decision. No family would buy an 18-wheeler if all they needed was a station wagon. And the military should not be buying a jumbo jet that is extremely expensive when what it really needs and what it has told us it needs is an agile refueling tanker. It is common sense.

I think we need some real answers about why the Pentagon believes this decision is worth the taxpayers' money. I hope our colleagues will join with me in demanding that we get that information before we make a mistake that will cost us billions of dollars that we cannot afford to waste.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent to change the order. My friend from South Carolina, Senator GRAHAM, has allowed me to go. I ask unanimous consent to speak and then to be followed by the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Madam President, I come to the floor today to express my strong support for the Public Safety Employer-Employee Cooperation Act that the Senate is currently considering, legislation that will ensure our public safety officers are treated with the respect and the dignity they unquestionably deserve.

I have always believed the first responsibility of government is to protect its citizens. I believe that responsibility begins right here at the local level in our neighborhoods and in our communities with our law enforcement officers. To fulfill that essential responsibility, our local public safety officers need the support of the Government in Washington.

Before I came to Washington, like you, I served as a prosecuting attorney. I served for 8 years as a chief prosecutor for Minnesota's largest county. During that time, I saw firsthand the critical and courageous contributions our police officers, firefighters, paramedics, and our public safety personnel make on a daily basis. I gained an unending appreciation for their service in keeping our communities safe and secure. When I came to Washington, I made a commitment that I would remember the officers I had worked alongside in Minnesota and that I would do everything I could to see that they received the full resources and support they deserve.

This bill would demonstrate our support by allowing public safety officers to be treated as they should, by promoting basic fairness in their working standards. It does so in a way that allows States to retain the flexibility to craft their own standards to suit their local conditions.

My State of Minnesota is fortunate to be one of 26 States that already grant collective bargaining rights to their public safety employees. Our police officers, firefighters, and paramedics enjoy strong relationships with the State, counties, and cities that employ them, which enhances their ability to protect the communities they serve.

When public safety employers and employees work together, it reduces worker fatalities and improves the quality of service. We need these valuable partnerships to be at their strongest if we are going to be able to properly respond to disasters and emergencies that strike at our homeland security.

Our State is well aware of this. We have had our share of tragedies this year, from the collapse of the I–35W bridge to the floods in southern Minnesota in which several people died, to the fires up in northern Minnesota in the Ham Lake area over through the Canadian border. This week thousands of police officers have come to Washington to commemorate National Police Week. I have had an opportunity to meet with these police officers. I had the opportunity to meet with paramedics when I was home a week ago. I have had the opportunity to see our firefighters at work. We must respect these hard-working public servants. This respect should be fundamental to the work we do.

I told these officers and paramedics and firefighters that I would come to the floor to speak in support of this legislation and that I was hopeful our colleagues on the other side of the aisle would join us in passing this law. What they want is what they have in our State. They want the right to be treated with the respect of colleagues all across the country. In the last several years, specifically after 9/11, we have placed even greater responsibilities on police and other public safety officers. At a time when State and local budgets are tight, these Federal funds have become more important in assisting local law enforcement to fulfill their duties to protect communities. By passing this legislation and guaranteeing the basic rights it provides and working to deliver the full resources and assistance these officers need to continue their exemplary work, we can demonstrate our acknowledgment and appreciation for the work they do every day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, I ask to be notified after 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. First, I compliment Senator WARNER and Senator WEBB for several weeks ago crafting legislation to provide some changes in our GI benefits for educational purposes. I support an alternative measure which has been developed in the weeks since then, among other things, because the Defense Department, led by Secretary Gates, has analyzed the requirements that the Defense Department has and has suggested a different approach than that originally taken by Senators WARNER and WEBB. That approach is embodied in legislation authored by Senator GRAHAM, Senator MCCAIN, Senator BURR, and others. It is S. 2938. I will describe the key point in a moment, but I was very disappointed an hour or so ago when, after Senator GRAHAM had offered this legislation as an amendment, it was tabled. Our colleagues didn't want to have a vote on it. I would think that at least we could have a fair up-or-down vote on the legislation, particularly since it is the approach that has been recommended by Secretary Gates and the Defense Department. I believe it is the approach President Bush would prefer. I believe it would solve the problem we are trying to solve.

Everybody knows that next week, when the supplemental appropriations bill comes before us, the bill that will enable us to fund the troops missions in Iraq and Afghanistan, the Warner-Webb bill will be included as a part of that. We will not have an opportunity to try to amend it. That was the purpose of the Senator from South Carolina offering the amendment today. We have now been foreclosed from voting on that. That is not right, especially since this is the superior of the two approaches.

The key here has to do with the original intent of the GI bill and today's circumstances. After World War II, when most of the members of the Armed Forces had been drafted, came back from the Pacific and European theaters, many of them had been drafted right out of high school or perhaps they were not even in school. They, obviously, saw the importance of getting a college education. A grateful nation said: You have been plucked out of your family circumstance, maybe out of high school. You were not able to attend college, although some were in college when they were drafted. We want to pay something back to you and send you to college, if you would like to do that. That was the GI benefit.

Today the circumstances are much different. We don't have the draft anymore. We didn't have millions and millions of servicemen mustered out of the service, ready to go to college. Today we have exactly the opposite. We need to attract good men and women to serve in our forces, and we need to provide them the kind of benefits that are attractive to them in today's world. They are a very different, diverse group of people. The kind of educational benefit likewise needs to respond to that kind of diversity and circumstance. That is the reason this GI bill is being modernized and updated.

The key point Senator GRAHAM will make and that Secretary Gates has made, as my colleague Senator MCCAIN has said, is that instead of a group of people who have been mustered out of the service, we aren't trying to get people out of the service. Today we are trying to retain folks, good people who have been educated and trained in the military. We want to have as many of those men and women stay in the military as possible.

Clearly, recruitment and retention in an all-volunteer force is critical to an effective military. That is what Secretary Gates was speaking of when he said:

> Our first objective is to strengthen the all-volunteer force. Accordingly, it is essential to permit transferability of unused education benefits from servicemembers to family. Transferability supports military families, thereby enhancing retention.

That is the key difference between these two approaches. I would hope that my colleagues who originally wanted to support an approach that Senators WARNER and WEBB wrote would recognize that there has been an improvement to that in the legislation Senators GRAHAM, BURR, and MCCAIN have offered and would support that alternative which provides for transferability.

There are a couple of other differences. I wish to briefly highlight them. The fact that the Warner-Webb

bill costs more certainly should not be necessarily an argument against it, but it certainly should not be an argument for the legislation either. If we can deliver the same services in a more efficient way, that is good, not bad. As to that point, one of the other differences between the legislation of Senator GRAHAM and the previously introduced bill is that this recognizes everyone in a fair way, providing the same benefit. It doesn't discriminate against people who attend a less-expensive, State-sponsored school in favor of one who attends a more expensive private school, for example. You have the same kind of benefit. It is an adequate benefit because of the increases provided for in the bill.

The bottom line, the reason I strongly support the legislation introduced by my colleagues from South Carolina and from Arizona is because it responds to today's circumstances, the all-volunteer force, where we are trying to keep more people in the military as opposed to the other approach, which is an extension of the old GI bill which was provided for people who were leaving the military. That is the key difference and the reason why I urge my colleagues to support the approach Senator GRAHAM is providing. I hope, even though we have had this legislation now tabled, that we will have an opportunity to actually vote on it in the future. I encourage my colleagues to support us in providing an opportunity to vote on the legislation.

I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from South Carolina.

Mr. GRAHAM. Can the Chair let me know when I have 2 minutes remaining?

The PRESIDING OFFICER. How much time does the Senator request?

Mr. GRAHAM. Fifteen minutes.

The PRESIDING OFFICER. There is 14 minutes remaining. The Senator will be advised when there is 12 minutes remaining.

Mr. GRAHAM. Let's talk about the policy and then the politics. Everything seems to be in the case of politics. Most Members of the body would like to pass some legislation this year that would improve GI benefits for those who serve and leave and for those who continue to serve. Putting this bill, the Webb bill, on the supplemental emergency funding for the war, a mandatory entitlement program put on a supplemental emergency spending bill for the war is not the way to go. Having a supplemental involving spending for the war that can't be amended is not the way to go. Putting the bill on the firefighter-police officer legislation is not the way to go, but it is the only way I had to go. I have sat down with Senator WEBB and his staff. I hope we can find common ground. I have never doubted the desire of Senators WEBB or WARNER to increase the benefit. Senator WEBB's service to the country has been extraordinary in combat, as Secretary of the Navy, as has Senator WARNER's. Obviously, they have a desire and some expertise in this area to upgrade basic GI benefits. I share that desire and hope this body can do something necessary.

But as Senator KYL said, quite frankly, I don't agree with their approach. The need is there, but the first thing all of us in this body should do is not compound a problem our current forces have, and that is retention. In the name of trying to help recruit people to the military, you don't create a benefit that the Congressional Budget Office and the Pentagon say will hurt retention. It makes perfect sense to me that the approach of Senators WEBB and WARNER will hurt retention. It is $50-something billion of new spending, and it is all geared to the people who leave the military after 3 years. As Senator KYL indicated, this is a different war. Unless we start drafting people, which nobody appears to want, including me, we need to let those who serve and continue to serve know how much we appreciate what they are doing and give them incentives to stay around because every person who will stay in the military to make it a career is a godsend to this country because we are being defended by volunteers.

So how about this idea? Increase the basic benefit, as Senators WARNER and WEBB have proposed but do it in a way that makes the most sense for the entire force. The current amount of money available to someone who leaves the military after 3 years of service to go to college is $1,100 a month. That used to be the average cost of a State college tuition, including room and board. It is now up to $1,500 a month as an average cost. What we have done in our approach is raise the benefit to $1,500, which is the average cost of a State college, room and board. To me, that is a worthy goal for the Nation to pursue.

Senators WEBB and WARNER have a new formula, a new way of delivering benefits that misses the mark. Instead of paying every GI who leaves the service $1,500 a month, and under our bill $1,000 a year for books and fees, what Senator WEBB proposes is that you would look at the school, the highest State school, the highest State institution in terms of tuition in each State, and the GI would receive the amount of money that would pay for that school. So in Michigan, the most expensive State school is $13,000. In South Carolina, it is $5,000 or $6,000. So based on where you live, you could have a disparity in how much benefits come to the veteran. I don't think that is the way to go.

What we have tried to do is make the benefit that exists today reflect the reality of today for those who leave.

If somebody wants to go to Harvard or Yale, what we do under the bill is we tell the institution, if you will forgive 25 percent of the difference between what the Government pays and the tuition, we will put an extra thousand on the table. If you will forgive 50 percent of the indebtedness, we will put more money on the table. If you will forgive the entire indebtedness, I think we would go up to like $3,000, maybe $3,500 a month. That way the institution can get over $40,000, and the veteran can go to that school without any debt. So we have a program in the bill to try to get institutions on the higher end, private schools, to work with veterans to get them through their institutions and put more money on the table.

But the big point I am trying to make is, under our approach, we have a component not found in the Webb bill that the country needs. Right now the GI benefits that are earned after 3 years of service under the Webb approach, $55 billion is spent on that population, not one penny of additional incentive to stay around. Do you know what America needs? We need to take care of those who serve and leave because they have done the country a great service. But as a nation, we need to desperately try to retain people who are willing to serve longer. So what do we do? Senator BURR and myself, Senator MCCAIN, we have listened to the troops. What do the troops want? What do those in uniform want from the GI benefit reform? They would like to transfer their benefits to their spouse or their children.

Under our approach, if you stay 6 years, that $1,500-a-month benefit, that $1,000-a-year payment for books and fees, 50 percent of it can be transferred to a spouse or child. That would revolutionize the way this benefit package is being used today. Fifty percent of the people eligible for GI benefits in today's world never use them. If you could transfer those benefits, it would be a higher utilization, and the benefit would be to the family members of the military member, the ones they love and care about the most. If you will stay in 12 years, at the 12-year point under our bill, the benefit goes from $1,500 a month to $2,000 a month, and you can transfer all of it.

Now, what does that mean? That means if you will continue to serve our country, at the 12-year point you do not have to worry about your kids' ability to go to college anymore. What does that mean? That means your retirement pay has more value. A lot of people are getting out of the military at the 8- and 10-year point because they have a couple kids and they wonder: Can I send them to college on a military salary? Wouldn't it be wonderful to check that block and say: You can stay in the military, get your 20 years, get your retirement, and also have a benefit to pay for your kids' college that will not come out of your retired pay? This will revolutionize retention.

The CBO says for every $10,000 of educational benefit increase, you lose a percent in retention. Under the Webb approach, we would lose 8 to 9 percent a year in retention, at a time we need to retain more.

Under our approach, not only are we going to give more money to those who serve and leave—a very generous benefit—we are also going to put money on the table for the first time in the history of the GI program to reward those who stay. Most people who serve 20 years are going to come out with a college degree they earned in the military without ever using their benefits. The ability to transfer the benefit to a family member is enormous. Again, it will allow the retired pay—of those who go to 20 years—to have much more bang for the buck. They will have their college paid for.

When I talk to people in the Guard and Reserve and Active Forces, they tell me they would love to have the ability to transfer their GI benefits once they get their degree to a spouse or a child.

It would help retention. It would help families. It is, in my opinion, the best bang for the taxpayer buck.

Now, where are we going to go? Here is what is going to happen.

Madam President, how much time is left?

The PRESIDING OFFICER. The Senator has 3 minutes more before his 2-minute warning. The Senator has 5 minutes.

Mr. GRAHAM. Madam President, thank you.

We have a choice to make as a body. We can find some middle ground and pass a bill that 100 people would vote for or we can put the Webb amendment on the supplemental in its current form without any changes, table my bill, and say: Go off in the corner and be quiet. Well, that ''ain't'' going to happen. I am not going to be quiet. I am going to urge the President to veto the Webb bill in its current form because no matter how well-intended it is, it will hurt retention. It will hurt retention at a time, as a nation, when we need to enhance retention.

I have a different approach, and I think it makes sense. But I am willing to meet people in the middle. I am not going to be put in a box of having to vote no and be accused of not caring. Well, I have another approach. I think it serves the country well. I am willing to meet in the middle. I hope we can find some middle ground. At the end of the day, helping veterans and rewarding those who serve is a shared value—not a Democratic value. It is a shared value by all Americans: Republicans, Independents, and Democrats.

Two things are important to the American people at a time of national crisis, at a time of a two-front war. Let's come together and help those who are willing to put on the uniform. Count me in for increasing the benefits for those who serve 3 years and leave. You have done your country a great service. I want to make sure you have money to go to college, that you are well rewarded for your service.

But work with me to do something for those who continue to serve. Reward them. That has never been done before in the GI bill. It is time for the GI bill to change. It is time to have money on the table to reward those families and military members who stay around and keep going back and keep fighting. If you want to help the military, the men and women in uniform who decide to make this a career, allow their benefits to be transferred to their loved ones, allow military members who serve for 12 years and beyond a chance to send their kids to college with GI benefits and not have to use their retirement.

So I look forward to this debate. It is going to be a chance to do some good or it is going to be politics as usual. Well, that is a decision we are all going to have to make. I hope we can do the country some good. To me, the best thing we can do for the country and for those men and women who serve—and continue to serve—is to do something new, something long overdue and new; that is, to allow them to transfer their benefits to their family members. That will help retention. It will reward those families who sacrifice alongside the servicemember. I have talked with enough family members to know how much this would change and help improve family life in the military.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. BURR. Madam President, I thank the Presiding Officer and I thank my colleague, Senator GRAHAM, and I really do thank my colleagues from both sides of the aisle who have come to the floor and talked about the GI bill and the fact that we were asleep for a number of years from the standpoint of making changes in the law that reflect the cost of education.

But what I want my colleagues to understand and the public to understand is that the Department of Defense used what we call education kickers to provide retention tools for our Active-Duty troops. Throughout this whole period, as they saw promising service men and women and they wanted them to stay in the military, they used what we call education kickers. They upped the amount of their education benefit if they would re-up for a period of time—3 years, 5 years, 6 years.

So to say that $1,100 was the ceiling, that is not accurate. The fact is, we have reached a point in time when we need to change the number in the law, what the base amount is that is the promise this country is making to our service men and women when they serve. I think it is appropriate, given we have gone through a decade—and I am sure most Americans would not find this hard to believe—where the highest area of inflation in America over the last 10 years has not been health care. It has been higher education. For any parent who is going through higher education with a child today, they know exactly what that means—that it costs a whole lot to go there.

Senator WEBB deserves a lot of credit because for 18 months he has talked about changing our financial level of commitment. I have to say that has been healthy for the men and women who are serving. It has been healthy for this Senate to begin the debate on it. I do not want anybody to leave this debate and feel we are not both headed in the same direction. It is just that I have some fundamental disagreements with the way he structured it.

I believe there is a way to fulfill the promise, that if you serve, then we are going to commit to you, we are going to provide you with a quality education. When my dad came back from the Second World War, he had most of his education paid for before he left, but this is not something he went out and shopped. This is not something where he said: Gee, there is a benefit. Let me find the most expensive place I can go, and let me exercise it there. He focused on what he wanted to be and where the tools were that were available to him.

Sometimes we have to stop for a minute and reflect: What are the unintended consequences of what we do in this body? Well, one thing with the Webb bill is we disregard the fact that part of higher education comes out of the Department of Education today. It is called Pell grants. For those service men and women who qualify for them, that goes toward their education. The way this bill is written, we pay for their education, and the Pell grant, if they qualify—which most would—is then available for them after their education to pocket as cash. I am not sure that is the promise we made. I am not sure it is the promise the American people are committed to fulfill. I am not sure it is what our service men and women expect. They want an education.

What we have done is we have structured an alternative, the Grahamm-Burr-McCain bill, that provides exactly that. It is targeted at the average of the cost of public education in America. Now, fundamentally, I do not believe a student who picks an art and design school in the State of Michigan should be entitled to $13,000 for that school. Yet if he chooses the University of North Carolina at Chapel Hill, then he is only going to get $5,300.

Why is there a discrepancy in those two schools? Because States subsidize higher education at a different level because it is a State decision. It is State money that is used to subsidize higher education. In North Carolina, we choose to subsidize higher education to the tune of 70 percent. We do not expect every State to choose to subsidize it at that level.

But by the same token, why would we create a program that disenfranchises North Carolina, that says to North Carolina: Oh, boy, you are going to be cheated because you subsidize higher education so that more of your kids can have an affordable option. And because now the Federal Government

would have paid everything, you are going to lose money because you subsidize higher education. Unintended consequence: We are going to chase States out of the business of subsidizing higher education.

What is the net effect? Every kid in America who does not serve 3 years Active Duty, cumulative, is going to pay more because States are not going to subsidize. I am not sure that is what we are after. I surely do not suggest that is the intent of Senator WEBB's legislation. It is what will happen if, in fact, we pass the legislation.

So Senator GRAHAM and I and Senator MCCAIN looked for: How do we take the existing system—not create a new one; this is not a wheel that is broken; it works, but let's fund it at today's funding needs.

Now, Senator GRAHAM covered a lot of things that are in the bill. For an Active-Duty servicemember who serves 3 years Active Duty, we are going to provide $1,500 in living expense and tuition every month as a benefit. We are going to provide $1,000 for books and fees a year. For that individual who stays in the military over 6 years, 50 percent of the education benefit they accrue is transferable to a family member: a spouse or child. If a servicemember chooses to serve for 12 years or more, 100 percent of their GI education benefit is now transferable to a spouse or a child.

I think it is safe to say that for most who make a career out of the military, they have numerous opportunities to enhance their academic achievements on Active Duty. So the likelihood is a 20-year veteran of our services probably has all the education they need, and they have a huge education benefit. I cannot think of a better reward to people who have served their country than to say: Let's make this benefit available so you can educate your children. Let them choose the States that highly subsidize so they get more bang for their buck.

Senator GRAHAM covered the fact that we put the responsibility for private schools to fill the gap on the private schools. We say to an institution: Do you know what. You are willing to retire debt for low-income Americans today. Well, let's see what type of commitment you are going to make for veterans, people who are part of the GI program.

Senator WEBB's bill says to the school, Harvard, Yale, Duke, schools that have $35,000 tuitions: Do you know what. We are only paying $5,000 in North Carolina, so, Duke, if you get one of these, that $20,000-some difference—$25,000, $30,000 difference—for every dollar you put in, the Federal Government is going to put in.

What I say, in the legislation, to Duke is: All right. We are putting $14,400 in the pot for that GI. The difference is indebtedness at the end of his career. If you are willing to retire 25 percent of it, then we are going to put an extra $1,000 in the pot. If you are willing to retire 50 percent, we are putting $2,000 in the pot. If you are willing to retire 100 percent of the debt, we are going to put more money into the pot. We are not going dollar for dollar because I do not think that is our responsibility. There has to be a side of the academic institutions that is willing to also recognize the service of our men and women in uniform.

We were denied the opportunity to have a vote on a piece of legislation earlier today. It is a rule of the Senate that you can offer a motion to table an amendment. What does tabling an amendment mean? It means we were denied the opportunity to vote on a real education package for our service men and women.

What is the reason somebody would do that? Well, fear that we were going to win. Fear that enough Members would look at it and vote for it on the merits of the legislation, that we would win. What is the likelihood we are going to have an opportunity to offer our amendment? Probably none. Because the Webb amendment is going to be masked in an emergency supplemental that is going to be made up of war funding, funding that most Members—this one has no idea what other earmarked programs Members of the Senate are going to stick in it or the House of Representatives.

I would say to my colleagues, we ought to vote against the entire package, except for war funding. We ought to come to the floor. We ought to have a side by side: the Webb bill, the Graham bill. We ought to debate it on the merits, but we ought to take into account the needs of our military. To ignore retention, to ignore the tools the military needs to make sure our Nation is secure and strong, is absolutely ignorant. Now, it may be before it is over we are able to influence the authors of the other legislation to put transferability in theirs. But I have to say to my colleagues that the structure is fundamentally flawed.

I am the ranking member of the Veterans Affairs' Committee. Currently, the GI bill is administered partly out of DOD, partly out of the Department of Education, partly out of the Veterans' Administration. We have a Veterans' Administration today that is challenged to process the amount of disability claims, the appeals to disability claims, the appeals to medical services that are delivered. Now we are saying let's create a big new program and let's dump it in the Veterans' Administration and let's ask them to run it. How incredibly insensitive to the work that is currently going on but how insensitive to the needs of our veterans who are injured—those who come back from Iraq and Afghanistan, those who transition out of Active Duty to veteran status who need a Veterans' Administration that is 100 percent focused on the delivery of health care, the processing of disability claims, and making sure every veteran is matched with a check that they need for their livelihood.

Now we are going to say: But we want you to now run education. We want to take the Department of Education out of it. We want to take DOD out of it. We want the Veterans' Administration to be responsible.

Millions and millions, hundreds of millions of dollars is going to be needed to administer this program, hundreds of millions of dollars. Forget the fact that to write the regulations out of a new agency is probably going to take well over a year. That is why the Webb bill is not proposed to start for some time after this body passes it.

I am sure we are going to have ample time to talk about the education benefit for our military members. I am not sure we are going to have an opportunity to have a choice. I am convinced people asked me to come here and serve to represent North Carolina to make sure we have a choice, and that it wasn't a choice between something and nothing, but that it was a choice between something and something. Every Member of the Senate—100 Members—should have the opportunity to come to this floor and to offer what they think is the solution to a problem. Not on this. We tried to do it because we didn't think we would get an opportunity, and instead of getting an up-or-down vote on a very important piece of legislation that provides and extends and revamps the GI education benefit for our military, it was decided that we were all going to have the opportunity to table consideration. I am not sure that is why we were all elected to be here. I think to some degree it shows what is worse about the institution that we are not willing to tackle.

This is the institution of great debate, and when we have big issues, we run from the debate, hoping that the American people aren't looking, hoping that nobody will read about what we have done, that nobody will see the missed opportunity. I will tell my colleagues, our service men and women aren't going to miss this one. It is not going to be over with a simple tabling vote. This is something that will continue to educate the American people and, more importantly, the men and women who put on a uniform and never ask why but go exactly where our Commander in Chief asks them to go.

I urge my colleagues to pay very special attention as we go through the debate on this legislation. Ask yourself not only is it right, ask yourself are the consequences of what we do the consequences that we would want to have happen. If there are unintended consequences to this, the general public of young people who are looking at higher education as an absolute necessity of their livelihood in the future are disenfranchised in some way by this. If servicemembers aren't allowed to extend an education benefit to their children or to their spouse, and it just goes away, have we really done our job? I think the answer is going to be no.

So I encourage the leadership in the majority to give us an opportunity to

have a fair up-or-down vote. Give us the opportunity to compare two pieces of legislation. Nobody should be scared to do that. Let America decide based upon their representatives in the Senate which one better fulfills the promise we have made to the men and women who serve but, more importantly, what upholds the structure of higher education in this country and doesn't disenfranchise or disadvantage any student now or in the future.

I am convinced we can only achieve that if we recognize a benefit that is uniform and equal across the board, not one that is determined by where you choose to go to school, not a benefit that is determined by where you choose to live, but a benefit that fulfills every promise that we are going to provide an education and put some degree of individual responsibility on how that is exercised. I am convinced that for those who may choose a community college versus a 4-year university, the savings they have should be savings they extend to their children and to their spouse.

That would not happen under the current Webb bill; it will just go away. They will miss out on that opportunity. They will never know that unless we are willing to have a debate on this floor. They are never going to know it unless we are provided the opportunity to present them with a choice between something and something versus something and nothing.

I thank the Chair for the time extended to me.

At this time I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I may speak in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, the question of updating GI bill education benefits for our veterans and service personnel is something that we need to do. I think all of us agree on that. I have to say that how we do it, however, is very important.

The Webb-Warner bill, as written, fails in some very important ways, ways that make it poor legislation. We need to be honest about that.

I believe the bill offered by Senators MCCAIN, BURR, and GRAHAM is much better legislation. Frankly, I thank Senator MCCAIN for having the gumption to stand up and see the problems with this legislation. He said he knew it was important and he was willing to take some political heat here to try to do the right thing.

Let me read you what the Congressional Budget Office has said about this legislation.

This is what they say about retention. We heard that in remarks from some Senators earlier, but retention deals with how many people re-up and decide after their initial tour of duty is up to make a longer—a new commitment to stay in the military for a longer period or even make it a career. We are in a career military, and I could not be more proud of them. They are performing so exceptionally well. No person who has been around the military for a few years would ever want to go back to the system we had before. This one is working surprisingly well, beyond our expectations. And even in this war where if you reenlist you are likely to be sent abroad, retention continues to be very high.

What will this bill do? According to the Congressional Budget Office, S. 22, as amended, would, in effect, result in ''a 16-percent decline in the reenlistment rate.'' I am telling you, those of us who have been watching the reenlistment rate as members of the Armed Services Committee—and I have been on that committee since I have been in the Senate, and I know the Presiding Officer, Senator PRYOR, is on that committee and knows these issues—reenlistment is critical. This Webb amendment has the perverse effect of paying people to leave the military. We should not do that. We should create incentives as the Burr-McCain-Graham bill does. It encourages people to stay in and gives even more rewards if they stay in and their family more rewards if they stay in. That is the right thing for us to do. I wanted to mention that point.

I am also troubled by how the money is allocated. We have done a calculation. The way it is set up under the Webb amendment, if a person were to take advantage of this GI bill benefit under his provision, a University of Alabama student could receive $13,569 per year and a student at Auburn University would receive $13,355 a year, but a student at the University of Michigan would receive $22,413. That is an $8,000 difference. That is a lot. Is this what we want to do? I don't know what they would give somebody who is an Arkansas Razorback. They would probably give them less than that. No, that is a great university. I don't see any need for me to be supportive of a bill that is going to discriminate that much between State universities. In fact, if the McCain legislation were to pass, students at Alabama and Auburn would receive an additional $400 and $500 under his bill. It would be more generous to students in my State under the McCain bill.

I say to my colleagues, I think Senator WEBB and others who supported this legislation are on the right track. It is time for us to improve the GI bill benefits for our soldiers and their families. We can do that. We ought to put some money in it. I understand our budget is tight, but I am prepared to vote some resources to improve this idea. But I do not believe we should ever consider—please understand—ever consider setting a policy that would essentially encourage and pay people through subsidies to leave the military. We ought to create educational benefit programs that affirm them, affirm their families, as they make the military a career. That is what our current involvement is.

Before I yield the floor, I will say that is why I have chosen to not support the Webb approach and have chosen to support the McCain approach. I think it is preferable.

I yield the floor. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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, we have tried very hard. I was here a few hours ago when the Senate opened, congratulating the Senate for moving forward on a very important bill for firefighters and police. I guess my expectations were far too high. I thought we were going to legislate and finish this bill. It is a bill that is so important.

I had the opportunity after the log had been thrown in the road to speak with the head of the firefighters union. I don't run from organized labor. I think it is important that we recognize the good they do in the country, and no one can dispute the work that firefighters do. I talked with Mr. Schneeberger and told him I don't know if we can do this bill; it appears Republicans don't want to do it. They have offered a mini GI bill of rights. Of course, we have been delayed. That is very unfortunate.

I hope Senator KENNEDY and Senator ENZI can work something out to complete the bill in a very short period of time. We have done about the best we can.

I spoke with Senator ENZI last night—I don't know what time it was—4:30, 5 o'clock. I asked if he wanted votes last night. He said no because he didn't get the work done in committee that he wanted and he had some work to get done on this bill. I accepted that. I said fine.

I was hoping we would do more today. We tried to get a vote on an amendment and could not get agreement to get a vote on an amendment. So at this stage, we are going to see if we can invoke cloture on this bill. If it doesn't work, it is just another bill the Republicans brought down.

Mr. President, I said this morning, is it any wonder that three special elections held for House seats have gone to Democrats in districts where no one expected a Democrat to win? The reason is because the American people are seeing what is going on here. They see what is going on at 16th and Pennsylvania Avenue, and it is down here now

where we cannot do anything, nothing. Mr. President, 71 or 72 filibusters. I don't know how many we are at. We are moving up the road. Is it any wonder that a poll came out yesterday in the Washington Post saying that the American people believe Democrats in Congress are 21 percent better able to handle the problems of this country than Republicans? It is no wonder.

In spite of that, in spite of 7 years and almost 5 months for President Bush, I still would like to work for the next 7 months with him to try to get things done. I would hope he would pick up the phone sometime and call down here and maybe help us get Federal aviation reauthorization done, just as an example. That is fresh in my mind because that was legislatively killed last week.

CLOTURE MOTION

I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Gregg-Kennedy substitute amendment No. 4751 to H.R. 980, the Public Safety Employer-Employee Cooperation Act.

Harry Reid, Edward M. Kennedy, Charles E. Schumer, Joseph R. Biden, Jr., Sherrod Brown, Robert Menendez, John D. Rockefeller IV, Benjamin L. Cardin, Robert P. Casey, Jr., Thomas R. Carper, Sheldon Whitehouse, Barbara A. Mikulski, Blanche L. Lincoln, Amy Klobuchar, Christopher J. Dodd, Tom Harkin, Richard Durbin.

CLOTURE MOTION

Mr. REID. Mr. President, I send another cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 H.R. 980, the Public Safety Employer-Employee Cooperation Act.

Harry Reid, Edward M. Kennedy, Charles E. Schumer, Joseph R. Biden, Jr., Sherrod Brown, Robert Menendez, John D. Rockefeller, IV, Benjamin L. Cardin, Robert P. Casey, Jr., Thomas R. Carper, Sheldon Whitehouse, Barbara A. Mikulski, Blanche L. Lincoln, Amy Klobuchar, Christopher J. Dodd, Tom Harkin, Richard Durbin.

Mr. KERRY. Mr. President, I am here today to speak in support of the Public Safety Employer-Employee Cooperation Act of 2007, for which I am a proud cosponsor. While the vast majority of private and public employees enjoy the right to bargain collectively, thousands of our public safety employees across the country are denied this basic American right. If enacted, this bill would provide our public safety workers with the right to negotiate for the level of pay and benefits they deserve.

Every day, we rely on the service of these men and women, who risk their lives to provide safety and protection to our communities. Yet many States and local governments deny these workers the right to organize. It is not fair, and it should not be tolerated.

Those who oppose providing public safety employees these fundamental rights claim that the legislation will interfere with existing State and local laws that govern collective bargaining. This is simply false. The legislation ensures that existing collective bargaining units and agreements that have already been issued, approved, or ratified at the State or local level would be maintained. Additionally, this legislation prohibits strikes and work slowdowns by public safety officers and labor unions, as well as lockouts by public safety employers, ensuring that the safety of the public will not be compromised as a result of a work stoppage.

This legislation enjoys broad bipartisan support. Introduced by Senators KENNEDY and GREGG, there are 34 cosponsors, including 11 Republicans. The House version of the bill passed by a vote of 314 to 97, supported by a majority in both parties.

It took a national tragedy in the form of the terrorist attacks of 9/11 to remind us all of the critical role public safety officers play in our lives. Hundreds gave their lives that day, and hundreds more give their life in service each year, to ensure our safety and to protect us from danger. It is inexcusable that workers so dedicated to keeping America safe should be denied the basic and fundamental right to organize.

I urge my colleagues to support this legislation and to stop denying our firefighters, our police, and all of our first responders the right to organize.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 2419

Mr. REID. Mr. President, I want to shift gears now and express my appreciation to lots of different people.

I mentioned briefly this morning my congratulations to Senator HARKIN, Senator CHAMBLISS, Senator BAUCUS, and Senator GRASSLEY, but there are other team members who worked so hard to get this most important bill done, the most important bill being the farm bill.

We only do a farm bill every 5 years. There are some who say it took us 5 years to get this bill done. That is really not the case, but we worked on it for a long time, worked very hard.

I mentioned in my caucus yesterday that this was an example of how we should legislate because we had conferences. We have been kind of getting out of the habit of having a public conference where Democrats and Republicans are appointed and sit down and try to work out the differences on a bill. That is what they did here. I think it was exemplary legislative work.

Was there any side that was more right than the other side? No. But they worked together to come up with a fine piece of legislation.

Mr. President, I ask unanimous consent the Senate now proceed to the conference report to accompany H.R. 2419, the farm bill, and during today's session there be 5 hours of debate—remember, this farm bill deals with food, it deals with energy, and it deals with security—with the time equally divided and controlled between the leaders or their designees; and when the Senate resumes the conference report tomorrow there be an additional 90 minutes of debate divided in the same manner; further, that if any motions to waive are made in response to points of order, then these votes occur in the order in which they were made prior to the vote on adoption of the conference report on Thursday; that on Thursday, upon the yielding back of time, the Senate proceed to vote on adoption of the conference report.

The PRESIDING OFFICER. Is there objection?

Mr. ENZI. Reserving the right to object, until I get 5 minutes to rebut a little bit of what the leader said about the collective bargaining bill. I do not need much time, but I was cut out of the process earlier today and I deserve the opportunity.

Mr. REID. Mr. President, my friend can have all the time he wants—10 minutes?

Mr. ENZI. Ten will be plenty. I appreciate it.

Mr. REID. How about doing this then? We will go ahead and have this approved, and you do 10 minutes or however much time you want?

Mr. ENZI. That would be part of the unanimous consent? Do I understand that under the unanimous consent I would get my 10 minutes before the farm bill.

Mr. REID. You would get it as soon as the consent is granted—right now.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REID. Mr. President, before my friend starts, I have said publicly, I have told him privately—we do not have a Senator, Democrat or Republican, who is easier to get along with and who is a better legislator than MIKE ENZI. He is a very fine man, and I am sorry he was cut off.

There will also be no more votes today as a result of this unanimous-consent agreement.

Mr. ENZI. Mr. President, I appreciate the leader's kind remarks. I have been diligently working on the collective bargaining bill. It is an important part of the process to get the full debate out. We are being precluded from that process now.

We have had three amendments brought up. None of those were mine. I have five amendments that I would like to have debated that address what

I see as serious flaws in the bill, but I am being precluded from even bringing up one of those. I was given the offer, take it or leave it, that there could be two Republican amendments, period, and I could decide from among my own and others which would be the two.

As I pointed out at the very beginning of this bill, this bill is flawed. It did not go to committee. This happens every time a bill does not go to committee. We have a process with bills before the committee where people can sit down and look at amendments and revise the amendments until there is agreement between the two sides. That is the only reason that a committee such as Health, Education, Labor and Pensions can get bills done.

We often take a look at all of the amendments when they are in committee and decide that we will work on those before they go to the floor. Otherwise, as contentious a committee as we have, which handles the volume of work it does, we would get nothing done. But we get a lot done. In fact, last week when we were at the signing with the President of one of the bills we passed, the President said: You know, you are the only committee sending us any bills. It is because we go through the whole process.

Usually Senator KENNEDY and I sit down, we list our principles, we agree on the principles, we plug in some details, and then we talk with the stakeholders. That is everybody with an interest in it. Usually at that point there is someone who says: No, we have one provision we have worked on for 12 years, and we never have gotten that provision. And until we get that provision, we don't care about the rest of the bill. Whoever's constituent it is, Senator KENNEDY or I, we take the lead on it and say: You know, you have been asking for it for 12 years and you got nothing. How would you like to get the other 80 percent that you also claim you like? That is the way we do bills. It is working to get common ground, which is a third way.

There are so many issues around here that have been polarized, so the second they come up people jump into the weeds. They talk about a little glitch here or there that irritated people in the past and that gets us nowhere. So we have been able to elevate that to coming up with a third way to achieve the same thing, the same principles we agreed on.

This bill didn't go through any of that process. We just slammed right over here to the floor of the Senate and then they are surprised at the result, that we want to do a few amendments. I saw the House bill, and then I saw the negotiations with some of the Senate people from our side on some amendments that they thought were critical. A lot of those didn't get in at all, even though I think a few of them thought they were in there. They are not in there. That is what I am bringing up—what were good ideas that ought to be contained in this kind of a bill so the rhetoric we have had so far actually winds up meeting what is in the bill.

That is our job. It is really supposed to come out doing what we said it would do. This bill does not do what the chairman said it would do. This bill doesn't say what the Republican cosponsors said it would do. It could be clarified. It is not easy to clarify it when we are out on the Senate floor. It is difficult to do out here because it is more of a take it or leave it. In fact, that is what I was offered: take it or leave it on getting two amendments. What kind of a choice is that? I have five germane amendments and many other germane amendments have also been filed and offered. But, of course, I will have to get unanimous consent to bring up my amendments later if at all. Unanimous consent is not the easiest thing to get around here, particularly when it starts getting into this little friction area.

I want to comment on the 71 filibusters. I suspect the two motions that were just filed count as two more filibusters. What they are is two more attempts to protect the rights of the minority. We have a right, just as that side did when they were in the minority, to bring up amendments. They protected their right, and we are protecting our right.

You heard one of the cosponsors of the collective bargaining bill make those same comments earlier today when the big discussion happened on the amendment that was put on the other side of the tree. He voted not to table that because he respects the rights of the minority. That is what has always had to happen around here.

I have to tell you, on filibusters, one of the reasons we get filibusters is because there is still a Presidential campaign going on on one side of the aisle, and that means two of our Members are not here except in unusual circumstances. So the way it has to happen is, on Monday when we come in we vote on a cloture motion. It is not legislation that necessarily needs a cloture motion because a lot of those have been passed 98 to 0, 96 to 0, maybe 95 to 1. That is nowhere near a filibuster. But that allows us—that forces us into a situation where, for the next 30 hours, we debate whether to debate. That way, by Wednesday the candidates can show up so there is enough of a vote to agree to some of the amendments that go on there. So part of it is a tactical procedure being used by the majority, who still has a primary going on in their Presidential race, to assure they will have the votes there when the time comes.

You can see this is 51 to 49, so if two people don't show up on that side, it is 49 to 49 and that gives the Vice President a chance to vote. So far he has always voted with me. So that gives the minority a win, and I understand that.

But I do not stand for being blamed for all of those cloture motions that have been put out here. Some of those have been to protect the majority as a majority. They need to take credit for those instead of blaming us for it.

This is a kind of do-nothing Congress. If it were not for bills coming out of this committee there wouldn't be a lot of bills passing out here, but a lot of the failed bills come from skipping the process and coming right to the floor, like the immigration bill. The way to get things done is take them through committee and then we don't need to do as many amendments on the Senate floor.

In fact, if you check back on the bills Senator KENNEDY and I worked on, it is very unusual for us to have an amendment on the floor. And they usually pass unanimously here and in the House. That is how they get to the President. There is not a conference committee involved in it. We have already preconferenced with the House and found out what their potential objections were with the House and worked it out. But not on this bill. On this bill what we said—not we said; they said—you know, the policemen and the firemen are going to be in DC for this big memorial event this week. We ought to time it so we can really put the crush on the Republicans.

I have to give you congratulations for that. It would not be enough just to recognize the tremendous sacrifices these people make and the difficult jobs they have. No, we can make some points against the Republicans because they may want to make sure Government still works when we are done with the process.

There are a lot of people commenting that there are some problems with this bill. The mayor of New York City—that is a State that requires collective bargaining—sent us a letter that said: Don't pass this bill. This will affect the way that we do business. It is not a one-sided thing, but I tell you, when it gets one-sided, nothing happens and that is kind of the process we are in.

I am going to be asking people to vote with me against the cloture motion because I have not been able to bring up my amendments. I haven't been able to get votes on the other side.

That has an interesting little twist to it too. We have four amendments: three that are germane—those are the three the Republicans put in, which means they relate to the bill—and one offered by Senator LEAHY that is actually a reauthorization bill on some grant money. It doesn't relate to this bill, but I am willing to have votes on all four of them. I am willing to accept the Leahy amendment and get it done. But there will be objections to that because he chairs the committee that handles judges, and we were promised three circuit court judges before Memorial Day. As I understand it, tomorrow morning there is a markup around here that does not have a single circuit court judge on it, which means that deadline cannot be met.

So, again, protecting minority rights, there are some people on the

Republican side who are saying if they are not going to follow their word, we are not going to follow—The Senator from Vermont then says: If they are not going to take my amendment, then I am not going to allow the other three to be voted on. That happened earlier today.

There is plenty of blame to go around. But to stick it on any one party is the wrong thing to do. And to proclaim that we really want to have this bill done without taking it through the regular process is a misnomer—and I need to have my rights—and I appreciate this time to speak. The majority leader was very kind in that. I appreciate the way he let us at least work for a day, an interrupted day and a partial day at that, before the cloture motion went into effect.

I thank the Chair and yield the floor.

FOOD CONSERVATION, AND ENERGY ACT OF 2008—CONFERENCE REPORT

The PRESIDING OFFICER. The conference report will be stated.

The bill clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2419), to provide for the continuation of agricultural programs for fiscal year 2012, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same. Signed by a majority of the conferees on the part of both Houses.

The conference report is printed in the proceedings of the House in the RECORD of May 13, 2008.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Iowa is recognized.

Mr. HARKIN. Madam President, here we are, finally after a long year and a half. That is how long I have been chairman. Of course, my friend and ranking member was chairman before that, actually started the farm bill when he was chairman. So I guess we can say after about 2 years we are finally here with this farm bill on the floor for final passage and ready to send to the President.

It has been a long road to get to this point. But it has been a road I have had good friends to travel with, good colleagues to travel with. We have had a few bumps along the way, but through it all, we have come here on the floor of the Senate with a strong, good farm bill, and it came from the House today with a strong 318 votes. So the House has passed a conference report with 318 votes this afternoon.

As I said, some people call it a farm bill. Here is the title of it: the Food, Conservation and Energy Act of 2008. Food, Conservation, and Energy Act. We do not have ''farm'' in it. Farm is subsumed under food and conservation and energy, because all three of those apply to our farmers today. So we have a bill here, a Food, Conservation, and Energy Act, passed with bipartisan votes in the House.

We have a coalition of over 500 farm, conservation, nutrition, consumer, and religious groups all together supporting this bill.

This is my seventh farm bill, counting my time in the House of Representatives and my time here in the Senate. I have never seen a farm bill in all of those years with this much broad support. As I said, over 500 farm, conservation, religious groups, antihunger groups, consumer groups, all are supporting this bill.

This is a food bill. Why do I say that? Because $10.4 billion of new spending in this bill, every single penny of the new money allocated to our committee by the Finance Committee on this side, the Ways and Means Committee on the House side, every single penny of that $10 billion was put into nutrition, plus another $400 million, $10.4 billion.

Now, with the changes to nutrition program included in this bill, 67 percent of all of the spending in this bill goes to nutrition; 67 percent. Then I will talk on why we call it a conservation and energy bill in a few minutes. But let's talk about the food aspect of this.

In the last dozen years, we have seen a steady erosion of the food safety net for our low-income families. Let me point to the standard deduction in the Food Stamp Program. This chart indicates what has happened. In 1996, the standard deduction—that is the deduction you take to see if you qualify as a family to get food stamps. In 1996 it was $134 a month. That was frozen in 1996. It has not moved since. It remains $134 to this day for the vast majority of families. But think of all of the increases low-income families now have to pay: higher energy prices, higher food prices. Everything else has gone up. So you wonder why so many people have fallen through the safety net of having an adequate supply of food? It is because we froze it in 1996. Twelve years later now, it has not moved. Now we have increased everything else around here for everybody in 12 years but not for low-income Americans. This Congress—I do not mean this Congress, but I mean all of these Congresses—we have not met our responsibility to low-income Americans. We finally do it in this farm bill.

If the standard deduction in 1996 of $134 had kept pace with inflation, it would be $188 today rather than $134. Well, we could not go as high as $188, so we went to $144. So now we have increased the standard deduction of $144 a month. But the single most important thing is we have indexed it for inflation in the future. No more will we have an erosion because of inflation that hurts our lowest income families in America. So that is the important thing. We have indexed it for the future.

Secondly, the asset level. Under current law a family can have no more than $2,000 in assets and still qualify for food stamps. We did not raise it in this bill, but we indexed that also for the future. So we have two indexes here for the future; one on the standard deduction and one on the asset level.

For the first time ever, we exclude retirement and education savings from counting against the asset limit. Here I give accolades to my colleague from Georgia, Senator CHAMBLISS. It was his intervention that provided that low-income seniors do not have to dip into their retirement savings to meet their food needs. If they are temporarily out of a job, for example, but they have retirement savings, they can still qualify for food assistance and they will not have to dip into that savings. Again, I compliment my colleague from Georgia for fighting hard for that.

We also did something on childcare costs. Here again is something we have not kept up with, and it hurts our low-income families. Right now the childcare deduction is $175 a month. It has been there since 1993. Think about childcare costs since 1993. It has been $175 ever since then. Right now the average cost of childcare per month is $631 average. We only allow $175 for food stamp recipients to qualify. So there is a $456 a month gap and it is growing.

In this bill, we remove the cap. There is no longer any cap on childcare expenses. Whatever your childcare expenses are, that is what you can deduct from your monthly income to qualify for food stamps.

Again, we have also raised the minimum benefit by 50 percent, and we index that to the future.

This bill also provides relief for our food banks. Our food banks in this country provide a backstop for people who may get food stamps but they run out before the end of the month. They do not have enough to get their families through, so a lot of times they go to our food banks.

Well, what has happened? What has happened is that the bonus commodities to our food banks have gone down 75 percent since the 2002 farm bill; 75 percent. That is why we keep hearing from our food banks that they are running out of food. They do not have enough to meet the requirements of people who come in. They need something to get them through the weekend, get them through a holiday, because they do not have enough food and they do not have food stamps.

What we did is put $1.2 billion of new money into the TEFAP, the Temporary Emergency Food Assistance Program, which provides staple commodities to food banks. This year we have raised it. Current law provides for $140 million annually. Here we raised it to $250 million.

As soon as this bill is passed and either signed by the President, which I hope he will do, or we override the veto and it becomes law—as soon as this bill becomes law, immediately $50 million will go out to the food banks around America immediately. Then we index that for the future. So we have indexed the TEFAP commodities for the future.

Lastly, we know low-income Americans have the highest incidence for diseases and illnesses, such as heart disease, obesity, diabetes, and diseases related to diet.

A lot of that is because low-income people have a difficult choice to make in terms of their purchases of food. Some of the healthier foods, such as whole grains, fruits, vegetables, those types of things, are generally higher priced. So to stretch their dollar as far as possible, low-income people go in the grocery store and they stretch their food dollars to get to the next paycheck. But the foods with the least nutrition happen to be the cheapest, and it gets them through the month.

In this bill we provide a pilot program with about $20 million to put incentives in there for low-income Americans to see if we can give them incentives to purchase healthier foods as part of their diet.

Lastly, I want to quote here Vicki Escarra, who is president and CEO of America's Second Harvest. I think she summed it up all well on behalf of all the antihunger groups.

On behalf of our nation's food banks, I urge Senators to vote in favor of this hunger-fighting farm bill. Millions of low income Americans are on the brink of catastrophe, facing some of the most difficult economic times they have had to endure in years. I urge Senators to support this vitally important and necessary legislation.

That is why we talk about this as being a food bill, because 67 percent of the new money goes for nutrition.

This bill does not just provide food in this country for low-income individuals, but also for poor people abroad.

There has been a lot of talk about the McGovern-Dole Program. This is a program, of course, named after former Senators Dole and McGovern that provides money and food for a school lunch program in other parts of the world, in places where they have low income, a lot of hunger. It is a good program because not only does it get a good meal to kids at least once a day, but it is a magnet to get kids in school. In countries where maybe 60, 70, 80 percent of your disposable income goes for food, one nutritious meal a day to a child saves the family a lot of money. If the place to get that food is in a school, you ought to send your kid to school. So it does two good things. In this bill, we provide $84 million in mandatory money for the McGovern-Dole School Lunch Program for kids in other countries and I expect that additional money will be provided through the appropriations process, as it has in the past.

There is one other area that deals with food and health. That is the specialty crop title of the bill. We have two new titles in this farm bill, the livestock title and the specialty crop title. They have never been in the farm bill before.

Under specialty crops, we have a 100-percent increase in the level of farm bill spending for specialty crops programs. This is an historic investment. The 2002 farm bill provided $1.3 billion. We provide $2.7 billion in this bill, just shy of $3 billion—a 100-percent increase in support for fruits, vegetables, organics, farmers' markets, horticulture—all in this farm bill. That is one of the reasons why the 120 groups that have interest in fruits, vegetables, and organics are supporting this legislation, because of all we have provided to support our fruit and vegetable farmers and organic farmers, who comprise the fastest growing segment of American agriculture. We have $22 million to help farmers who are trying to transition from conventional production into organic. We also provide more for farmers' markets. We provide more money for research into organics to get it up to a level where it matches the level of organics in our food supply chain.

For those interested in organic agriculture, we have really invested heavily in those who want to become organic farmers, those farmers' markets where they may collect organic products, and even farmers' markets that may not be organic but may provide locally-grown produce.

We have put money into this bill to provide support for what I would call aggregators—an entrepreneur who understands that perhaps Whole Foods can't go out to each individual farmer for a supply of organic foods, so you need somebody in the middle to put all this together. That is what we have done. We have provided funds and support in this bill for entities that would aggregate, go out to each individual farmer and pull the organic foods all together—it doesn't have to be organic, it could just be locally-grown—bundle them, and then they can sell those to Whole Foods or Safeway or Hy-Vee out in my area.

This is an opportunity to help organic producers get into the market, also for locally-grown produce. It doesn't have to be produce. It could be meats, poultry, beef, whatever that is local, to also get them into the market supply as well.

The last thing I will say in terms of health and specialty crops pertains to the fruit and vegetable snack program. This is something we started in the 2002 farm bill.

I sort of have a history on this. In the 1996 farm bill, I introduced amendments to get vending machines taken out of schools. As anyone can see, I was a spectacular failure at that one. But as time went on, it became clearer that vending machines were not the only problem. The problem is what kids were eating in school. If we could provide healthier foods for kids in school, we would all be better off.

Again, we know low-income kids in these schools are the first to get diabetes and be obese and have all the problems that lead to illness and disease later on.

In the 2002 farm bill, I tried an experiment. I put in a provision to supply about $6 million to test a theory of mine. The theory was that if you gave free fresh fruits and vegetables to kids in school, they would eat them. If they would eat the fresh fruits and vegetables that were free, they would not be eating candy and sugary snacks, cookies, things such as that.

So we tried it. The idea behind it was not to do it in the lunchroom but to do it in the classroom or in the hallway outside the classroom, not just at lunch but in the morning when kids got the growlies about 9 o'clock in the morning.

The idea was to provide it as a snack when kids got hungry in the morning or in the afternoon and not just in the lunchroom.

I have to tell you, a lot of people said to me: Harkin, you are nuts. You are going to have kids throwing apple cores around, orange peels, banana peels. They will be throwing grapes at each other. They are going to make a mess.

I said: OK. Let's see what happens. It is all voluntary. No school has to participate. If they participate and they don't like it, they can drop out the next day. But let's see what happens.

So we took 4 States, 25 schools in a State, 100 schools, and an Indian reservation just to see what would happen with that $6 million, providing free fresh fruits and vegetables. What happened to my test? Every single school says that they don't want to drop out. They want to continue. And we don't have kids throwing apple cores around and orange peels and things like that. These kids are eating better. They are better behaved. Talk to any teacher who has had experience with this program, talk to any principal, and they will tell you these kids are better behaved. They eat better. They go home and tell their parents about the great fruit and vegetable snacks they are getting, and then they tell their folks to buy them at the grocery store. Those four States have now gone to eight States. We are up to about $8 or $9 million a year now.

So because this has been so successful, this conference report has $1 billion in it to expand the Fresh Fruit and Vegetable Program nationwide. Again, we can't do it all next year, so we ramp it up. It has to be ramped up over several years. But in 5 years, by the time we ramp this up, we will be at $150 million a year. And when we reach that level, nearly every low-income elementary school kid in America who is in a school that has a high rate of free and reduced priced lunches, every one of those kids is going to be getting free fresh fruits and vegetables as a snack during the day.

Think what this will do for our kids and their health. I am really happy about this. I am happy first that the test worked. Now I am happy that we are going to take it nationwide to every State. We are targeting it to elementary schools, and we are asking States, since this goes to the States, to further target it to those schools that

have a majority of low-income kids so we can get to them first.

Again, this is helpful not only to the nutrition of our kids but also to the specialty crops all over America because we are going to rely upon them to grow these crops and make them available for the fruit and vegetable snack program.

We said the second part was conservation. Let's talk about the conservation part of this bill. On this chart, I compare the proportion of funding going to conservation as compared to the commodity programs in each farm bill back to 1985. The red portion is the part that goes for conservation as compared to commodities. Why do I compare it to commodities? Because this is the part of these farm bills that go to farmers. The conservation share of the total of conservation and commodity payments has never been even 20 percent. But look at 2008: 41 percent of what we are putting out to farmers is in conservation. We have never done that before. We have never even come close to that before.

I was proud of the 2002 farm bill. In 2002, I said we would put more into conservation in the 2002 farm bill than ever before. That was true in 2002. In 2008, we have more than doubled the share of conservation that goes out, to 41 percent.

The administration said one of the reasons they wanted to veto the farm bill was because we didn't put enough into conservation. But the administration's own bill only put $4.2 billion into conservation, as scored by the congressional budget office. Our bill puts $5.2 billion into conservation, as scored by the same neutral financial accounting, using the same assumptions. So we exceeded what the administration asked for in total conservation spending. And what's more, we have done it in a way that is going to clean up our soil and water, provide incentives to farmers to be good conservationists.

In the all-important EQIP, the Environmental Quality Incentives Program, we put in $15.8 billion over 10 years in total funding. For the Conservation Security Program, now called the Conservation Stewardship Program, we provided $12 billion over 10 years. Why do I single those out? Because those are conservation programs that go to working lands.

Most people think of conservation as taking land out of production. In the past, that has been true. We still do some of that with the Wetlands Reserve Program, and in the Conservation Reserve Program. For fragile, erodible acres and wetlands, taking the land out of production is often the best way to conserve the land, and provide vital wildlife habitat.

But we know, because of the demand for food and the high prices of our commodities, more and more land is coming out of the Conservation Reserve Program. It is being tilled. It is being cropped. This is a free country and these are voluntary programs, so if a farmer has completed a Conservation Reserve Program contract, the land can go back into production if the farmer chooses.

But what we can do about it is put more money into conservation on working lands, to give incentives to farmers to be good conservationists. One of the most important programs, I believe, is the Conservation Stewardship Program. This is a program I included in the 2002 farm bill.

We put in place what was then called the Conservation Security Program, an uncapped entitlement program to go to farmers to be good conservationists on working lands, to give them the incentive to protect the soil, the water, and the wildlife habitat.

CSP has had a little bumpy history, I will be the first to admit, because of rules and regulations that were written and cuts to funding. First of all, they limited enrollment only to specific watersheds, rather than making it available to producers across the country. That was very discriminatory. So under this bill we have revamped it. We have made it applicable to every farmer in this country, no longer just based on watersheds. Every farmer willing to meet the eligibility requirements can get into this program now. The program will be available to producers from Florida to Washington State and from New Mexico to Maine. The program pays not for what you grow, but for how you grow it—the environmental benefits your conservation activities produce. We are devoting over $12 billion over 10 years to the program. We will enroll, under this program now, about 13 million acres a year.

Now, what does this mean? It means we will be giving payments to farmers to take care of the soil, to protect the water, provide wildlife habitat, and to be good producers and deliver important environmental benefits. We know we have to have the production, we have to produce the food and the fiber in the country. But you can have both production and a good, clean environment at the same time. They are not mutually exclusive.

This picture I have in the Chamber shows what I mean. This is what we ought to be about: This is a farm. A river runs through it—but the farmer is using good conservation practices to help keep the river clean. What you see along the river is a barrier strip of grass and trees; barriers to stop the runoff of fertilizer or pesticides that may be put on the land, to keep it from going into the stream. You do not farm right up to the riverbank. The farm is using minimum tillage. And in different fields around the farm you see different kinds of crops. You have a crop rotation that goes on. The farmer has also planted trees as wind breaks along the fence rows.

That is what the Conservation Stewardship Program is all about: making sure we have good production but good stewardship of the soil, good protection for the water, and good wildlife habitat and corridors at the same time.

Why do we need to devote federal spending on conservation? I have a photograph I show you in the Chamber that was taken on April 14, 1935, now known as Black Sunday, near Liberal, KS. This terrible dust storm rolled across Kansas. All of us in grade school have seen this picture in our textbooks of the dust clouds rolling over Kansas in 1935.

Because what had happened? What had happened is, after World War I, because of the demand for food around the world and here, we plowed up everything in the plains States—lands that been unplowed for thousands years. We plowed it up, and when the rain didn't come, it turned to dust. People say: Well, that was 1935. Well, that was 1935, yes.

Let's take a look at another picture I have in the Chamber, taken within a few miles of that picture you saw from 1935. Look at this. Now we have a color picture—the same big dust clouds rolling over the plains—taken in 2006.

Let's not make the same mistake again. That is why we have put so much effort and so much into conservation on working lands—yes, to make sure farmers can make a profit, they can grow the food and the feed and the fiber we need for our people and for exports, but to do it in an environmentally sound way, which can be done so we do not have to have those dust bowls any longer. So we are going to have more land in production and more need for conservation.

Lastly, on conservation, there are important needs across this country, not just in the midwest. Here is a chart of the Chesapeake Bay watershed. Those of us who have been around this area for any time or who have ever been out to the Chesapeake Bay know how polluted the Chesapeake Bay is—killing the fish, taking away a livelihood for so many people who rely on the Chesapeake Bay; not only that, destroying breeding grounds for many of our fish that then go back out to the ocean.

As shown on this chart, this is the watershed that drains into the Chesapeake Bay. It covers Virginia, West Virginia, Pennsylvania, New York, Delaware, and Maryland—all those States. We heard from the Congressmen and Senators and people who live in those areas saying we have to do something to help clean up the Chesapeake Bay. And we did. We put $438 million into this bill to help protect the uplands, to take care of it before it gets down to the Chesapeake Bay. So we have done, I think, yeoman's work in this area in helping to help clean up the Chesapeake Bay.

Lastly, I said food, conservation, and energy bill—energy—energy. Now, I have a chart in the Chamber on that. Let me say this: High gasoline prices and diesel prices are hurting our families all over this country. I know. I hear about it all the time from my constituents. The prices at the pump are

hurting people, especially in rural areas, where people have to drive a distance to get to work.

But we have studies that show because of the supply of ethanol in this country, the price at the gas pump is 29 cents to 40 cents a gallon cheaper. In other words, if it were not for ethanol, the price of gasoline at the pump would be 29 cents to 40 cents a gallon higher than it is today.

So what we did in this bill is, we recognized a couple things. We need more production of clean renewable energy here in America. We need to get off the oil pipeline. But we also recognize the impact it is having on grain. So we have put a lot in this farm bill to move us to cellulose production, biomass production of ethanol in the future. This bill ramps up our capacity to produce clean renewable American energy, not only from grain, but from wood, trees, wood chips, switchgrass, miscanthus, corn stover, wheat stover, oat stover—all kinds of things we basically do not use today. We put over $1 billion in this bill to move us aggressively in that direction. So we can build biorefineries, we give support for farmers who want to grow dedicated cellulose crops for this purpose, and we give them help in growing them, transitioning them, storing them, and transporting them. This is a chart to show you we can do biomass and build biorefineries, and it helps our rural communities and helps America. There is over $1 billion in this bill to move us in this direction.

Two last things in rural development. We have included policy in this bill to get broadband to rural towns and communities all over America. Second, we put $120 million in the bill that will go out right away to reduce the backlog in water and wastewater treatment facilities in our small towns and communities.

I come from a small town of 162 people, where I still live, where about 25 years ago every well in my hometown—including mine—tested unfit to drink. But we got rural water, we got clean water. In my house, I now have clean rural water, and every house in my small town of Cumming has that. We know what it means, and I know what it means firsthand. So we have to get better water and wastewater for our small towns and communities, and we have done that in this bill.

Lastly, there is a lot of talk about reform. Maybe the White House says we did not reform enough in agriculture. We have done what the administration asked in reforming this bill. We now have direct attribution, so we will know from now on exactly where every dollar, every dime goes, to whomever gets it. We did away with the three-entity rule, and we significantly reduced the cap on adjusted gross income.

Now, I want to be clear about this. Right now if you have $2.5 million of nonfarm income, you would still qualify for farm programs—right now. The administration wanted to reduce that to $200,000. We reduced it to $500,000, moving it from $2.5 million to $500,000, and put a cap on nonfarm income. That is real reform.

Second, if the majority of your income today is from farm sources, you can have an income of $5 million, $10 million, $20 million—no limit—and you will still get farm program payments. Under our bill, we put a cap of $750,000 on farm income. If farm income is more than $750,000 then no direct payments. That is real reform. It may not be as much as some might like, but I will tell you, it is far beyond the limits we have now.

I know some of our colleagues had to bite down pretty hard on this because they represent farmers who have higher input costs. They have bigger operations because they have to in order to survive. So I know they have had to take a hit on this. But this is real reform. I commend those members of our committee who worked with us on this to make sure we could have these reforms and bring it here where we are today.

The last reform we put in this bill: We put in a new optional program for farmers, an average crop revenue election program. They can stay in the present price-based countercyclical program or they can take a slight cut in their loan rates, in their direct payments, and then get a revenue-based countercyclical payment if the combination of prices and yields go down. Now, again, I do not know if farmers will take it, but it is an option.

I know the National Corn Growers Association was very supportive of this approach. We have it as an option. Maybe this is the future; I do not know. But it is a reform, and we put it in there for farmers to consider as an option.

It has been a long road. There is a lot more I could say about this food, energy, and conservation bill. There is a lot more I know I have not covered. But it is a strong bill. As I said the other day, it is good for every American from my hometown of Cumming, IA, population 162, to New York City, population 8 million, and everybody in between. That is why so many groups, over 500 groups—antihunger groups, religious groups, conservation groups, clean energy groups—farmers strongly support this bill.

Finally, before I yield the floor, let me thank my colleague, my friend, my ranking member, Senator SAXBY CHAMBLISS, for all he has done to bring this bill to the floor today. He started it when he was chairman, having hearings all over the country, laying the groundwork for this farm bill. I was privileged to take it over this Congress, as chairman. But I could not have asked for a better ranking member, someone I could work closely with. We worked together on this right to the bitter end—I should not say ''bitter end;'' right to the good end; we have a great bill—but right to the end to bring this bill forward. He has worked very hard to make sure we could get to this point on this bill. I wanted to thank him for all of his work, for his close working relationship on this bill.

Tomorrow morning I will thank all of our staff who have worked so hard on this bill, in particular our staff director Mark Halverson. When this is done, I am going to make him take a vacation. He has got to catch up on about a year's worth of sleep here in a couple weeks. But Mark Halverson has been a great staff director in keeping this bill going and keeping all the things together and moving it forward. I cannot find the words to thank him enough for all he has done.

On Senator CHAMBLISS's side, I thank Martha Scott Poindexter, who, of course, was the staff director under Senator CHAMBLISS, and now for him as the ranking member, for all the great work she has done. Both she and Mark Halverson together have worked very hard, and their staffs. They have great staffs, and I am going to name them all tomorrow. But I would be remiss if in my opening statement I didn't thank both of them for their extraordinary work and extraordinary effort they have done to get this bill to this point.

So, Madam President, I have taken way too much time. I wish to yield the floor to a great friend and a great colleague and someone who has helped bring us to this point of getting a great farm bill to all the people of America, Senator CHAMBLISS.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Madam President, I thank my colleague from Iowa, Senator HARKIN. This truly has, under his leadership, been a very bipartisan effort. As we will see on the floor tonight and tomorrow, there will be some folks on both sides of the aisle who will have a lot of good things to say about this bill. Not everybody is in agreement with it, but we never have total agreement on farm bills. They are always controversial. They always contain provisions that some Members of the Senate don't like, but by and large this bill is a true bipartisan bill. I wish to commend Senator HARKIN for his leadership, and not just on the substance of the bill. During the conference process we went through, the Senate stayed in lockstep. All Members, all conferees on the Senate side, Republican and Democratic, remained loyal to the commitment we made to each other as we went through that conference, and I think it was for that reason that we were successful in producing a product that somewhat mirrors the product that came out of this Senate back in December. So I thank Senator HARKIN for his leadership and for his commitment to American agriculture.

I rise tonight in support of the farm bill conference report before us. The Food, Conservation, and Energy Act of 2008 provides certainty to America's farmers and ranchers and restates the strong commitment of Congress to the hungry and less fortunate. This farm

bill contains the most significant reform of our farm programs in recent memory, if not history, and increases investments in the areas of nutrition, specialty crops, conservation, and renewable energy. It is no wonder that nutrition groups, food bank organizations, conservation and wildlife groups, commodity organizations, cattlemen and ranchers, renewable energy advocates, and specialty crop producers have all united in strong support of this farm bill.

This bill is simply the single most important piece of legislation for rural America and the small American towns and communities whose economic engines depend on agriculture. To reject this bill is to leave billions of economic development investments on the table and accept the faulty notion that currently high commodity prices will exist forever. Every farmer knows there is no certainty in the honorable practice of farming. This farm bill is our commitment to provide them with much-needed economic assistance when times are bad and allow them to prosper without our assistance when times are good. Our farm safety net is targeted, fiscally responsible, and will ensure the prosperity of our farmers and ranchers during the tough economic times that are certainly to come.

Yes, this bill helps maintain a safety net for the farmers and ranchers who produce the food on our dinner tables and the fiber for the shirts on our back. I simply do not understand the critics who raise their arms in protest because we attempt to help farmers in this farm bill. Given the amount of investments in the many critical areas to all Americans in this bill, it is actually inaccurate to simply call this a farm bill. I wish to point out to the critics that less than one-fifth of the bill's spending goes toward the production of agricultural programs. Furthermore, all the commodity programs in the commodity title combined account for a mere .29 percent of the entire outlays of the Federal Government spending. That is almost one-quarter of 1 percent. Many are attempting to paint a picture of a bloated bill that provides huge subsidies to large farmers, but the facts present a different picture of how the money is actually allocated. Commodity program spending in this bill represents less than 14 percent of the total spending, while conservation, nutrition, and renewable energy spending account for more than 75 percent of the bill.

There is a common misperception in many editorial boardrooms, and unfortunately at the White House, that the 2008 farm bill does not include adequate reform of our current farm programs. This misperception has led to a series of negative news articles accusing our farm safety net of hindering African cotton trade, raising food prices domestically and globally, providing payments to millionaire farmers who abuse the system, and eroding our ability to provide food aid to the neediest Americans and citizens of other countries. This series of negative and inaccurate propaganda has culminated in a veto threat from the President. I stand before this body tonight to clearly state that this bill contains sweeping reforms of which all Americans can be proud. Drastic reforms are included in this bill to make sure nonfarmers do not benefit from the farm safety net. We rightfully believe the farm safety net should be used to help those who take on an enormous risk every year to produce the crops and livestock that sustain the food supply of our country.

While we disagree with many of the attacks against our farm safety net, we have nonetheless heard the calls for reform and have responded in several meaningful ways. The traditional cotton program has been reformed so that it is more market oriented per our WTO—World Trade Organization—-commitments. The GSM program has been reformed to honor our obligations under the cotton case that was decided last year. The adjusted gross income test for nonfarmers has been reduced by 80 percent, ensuring that farm program benefits are targeted to those who need them most. In addition, this bill eliminates the three-entity rule, adopts direct attribution for farm program payments, and eliminates base acres on land developed for residential use. These accomplishments represent the most significant reform of the farm safety net in the history of farm bills in this country.

Conservation programs are vital to the farm bill and to this Nation's farmers, ranchers, and private forest landowners. Working land—the cropland, grazing land, and forest land that is used to produce our food, feed, and fiber—accounts for nearly 1.3 billion acres or two-thirds of the Nation's land area. Since the enactment of the 2002 farm bill, conservation measures have been applied on more than 70 million acres of cropland and 125 million acres of grazing lands. In addition, more than 1 million acres of wetlands have been created, restored or enhanced.

This farm bill continues its great tradition of protecting working lands by providing producers $4 billion in new resources for conservation programs. In addition to providing new funding, the farm bill also makes numerous improvements to the programs to ensure they meet the needs of producers. One notable improvement is that the environmental quality incentives program will now be available to private forest landowners. It also looks to the future by helping producers and landowners play a role and get credit for mitigating climate change.

In the 2002 farm bill, an energy title was included for the first time, and the Food, Conservation, and Energy Act furthers our commitment to meeting America's energy needs with alternative forms of energy. All Americans must cope with today's extraordinarily high gas prices, and with this farm bill, we take the necessary steps to alleviate the pressure not only on petroleum-based gasoline but on corn-based ethanol. One day, Americans will be able to fill their gas tanks with ethanol made from woodchips or peanut hulls, and when that day comes, you can look back to this farm bill as the foundation for making that a reality.

Speaking of energy, I have heard calls from several of my colleagues to ensure that contracts traded on electronic exchanges, such as natural gas contracts traded on the ICE Futures, are subject to more regulatory oversight by the Commodities Futures Trading Commission. In responding to those concerns, this conference report includes a long-overdue reauthorization of the Commodities Futures Trading Commission, complete with a newly developed regulatory structure for contracts traded on exempt commercial markets that are determined to perform a significant price discovery function. This has been a top priority for Senators FEINSTEIN, LEVIN, and SNOWE, and I am pleased we were able to include it in this farm bill.

This farm bill also includes a new title devoted to horticulture organic production. With specialty crops representing approximately 50 percent of U.S. crop cash receipts, the inclusion of this title appropriately recognizes that fruit and vegetable growers deserve a place in major farm legislation. This industry is vitally important to consumers, and the inclusion of these provisions will ensure that producers of fruits and vegetables receive the support necessary to enhance the healthy foods we have come to demand, as well as improve the viability of this important sector of American agriculture.

However, rural America is not the only beneficiary of this farm bill. The entire country will reap the rewards of increased investments in nutrition, renewable energy, and conservation. This legislation reaches out to low-income Americans to ensure nutritional needs are met by providing schoolchildren with increased access to fresh fruits and vegetables and enhancing our investments to the Food Stamp Program as well as to food banks all across America. The numbers speak for themselves: 73 percent—let me say that again—73 percent of the spending in this bill goes toward our domestic nutrition programs. Given rising food prices and the skyrocketing price of oil, it is critical that we lend a hand to those citizens in both rural and urban America who are struggling to feed their families and fill their gas tanks.

Local food banks around the country are facing increased demands for food from people in need. This farm bill invests an additional $1.25 billion over the next 10 years to increase commodity purchases for food banks—an increase of nearly double the current level of funding. To help improve the dietary intake of all citizens, this farm bill invests significant resources to expand the school-based fresh fruit and

vegetable snack program to all States and increases support for the senior farmers' market nutrition program to help seniors purchase agricultural products at farmers' markets, roadside stands, and other community-supported agricultural programs.

Most significant, though, is the increased investment in the Food Stamp Program. The Food Stamp Program—the cornerstone of our country's domestic food assistance effort—currently serves 28 million Americans each month. This program has evolved over the decades to become one of the most efficient tools to combat hunger and reduce poverty. The Food Stamp Program now has one of the best track records among all Federal programs. The payment accuracy rate, which measures the correct level of benefit issuance to participating households, is at an all-time high. Trafficking, which long plagued the program, has been substantially reduced. Also, the certification process has a proven success rate with over 98 percent of food stamp participants properly eligible for benefits. American taxpayers can be assured that the resources dedicated to this program are effectively used for their intended purposes.

While administration of the Food Stamp Program has turned a corner, a stigma still exists that prevents some eligible people from seeking the help they need. Even though the implementation of Electronic Benefit Transfer, or EBT, has restored dignity to those who depend on food assistance while at the grocery store, the term ''food stamps'' conjures up negative images for many. Food stamps haven't been issued in years, and the Federal Government destroyed the remaining inventory of stamps in 2003. For these reasons, the Food Stamp Program is being renamed as the Supplemental Nutrition Assistance Program, or SNAP. The new name better reflects the mission of our country's premier domestic assistance program. Instead of referring to food stamps in the future, the term ''food SNAP'' should be used as we transition to the new name.

This farm bill invests $8 billion in food SNAP over the next 10 years. By increasing the standard deduction and minimum monthly benefit, food SNAP will provide improved benefit levels to help low-income families put nutritious food on the table. To make food SNAP more accessible to low-income Americans, this farm bill indexes the asset limitation for inflation, exempts IRS-approved retirement and education savings accounts from the asset test, and permits a full deduction for childcare expenses. Simplified reporting requirements are extended to low-income seniors to ease their ability to obtain benefits. The improvements made in this farm bill will ensure that food SNAP continues to improve the health and nutritional well-being of millions of people in need.

Rural development is also a vital part of this 2008 farm bill. Rural America is not composed of farmers and ranchers only, but other hard-working men and women reside in these areas with their families. It is essential our rural citizens have the same opportunity to participate in the global economy as our friends in urban areas.

This title helps deploy fundamental services, such as improving broadband Internet capability, funding for water and waste projects, and support for the value-added efforts. We promote economic development by reestablishing regional planning authorities and encouraging communities to collaborate in their efforts to attract quality jobs and promote local investment.

I say to my colleagues, this bill before you today is a significant and worthwhile investment, not only for American agriculture but for millions of needy Americans. I am disheartened that the President doesn't find these investments worthy of his signature, but I must represent my constituents who do understand the need for a strong safety net for our farmers and ranchers. Rural America is certainly enjoying a period of economic prosperity. But history tells us this prosperity will not last forever and that it is our moral obligation to be there to lend a helping hand when the downturn comes. We have the opportunity today to display our unwavering commitment to the Nation's farmers and ranchers who supply us with the safest, most affordable and most nutritious food supply in the world. I hope my colleagues will join me in supporting this investment in America's future by voting for the bill.

In closing, before I turn to my good friend and colleague from New Hampshire, I again thank Chairman HARKIN for his leadership. I also see Senator CONRAD on the Senate floor. We have had a terrific working relationship through this process. Senator BAUCUS and Senator GRASSLEY have played such an integral role in making sure this farm bill has the resources with which to stay within the budget numbers we were given.

This has truly been a bipartisan effort in the Senate and is the reason, or an exhibition of the reason, I came to the Senate, which is to work together with colleagues on both sides of the aisle to pass positive legislation and improve the quality of life for men and women all across America.

I, too, will talk more about staff tomorrow. I would be remiss, though, if I didn't recognize Mark Halverson, who has been such a great asset in working on this bill and working with my staff. He traveled around the country with us 2 years ago, and we tried to feed him a good Nebraska steak a couple of times and made sure he was healthy while he was on the road with us. We had a great time in listening to the farmers and ranchers. Martha Scott Poindexter, on my side, has been the minority director and has done such a terrific job, No. 1, of not just shepherding this bill from our perspective and working with the majority side, but also in putting together, without question, in my opinion, the best staff we have ever had on our side of the aisle from an Agriculture Committee perspective.

Mr. President, I look forward to further discussion of this bill tomorrow, as we move ahead. I know a number of our colleagues will be coming on the Senate floor tonight to talk about this bill. I encourage folks on our side of the aisle, if you want to come tonight and speak, it is a good time to do it because you can have all the time you want. Tomorrow it will get cramped. I encourage colleagues from the minority side to come out tonight and make their word heard.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I will just be a brief minute. I wanted to advise the Senate what we have in store the rest of this week.

Because of the cooperation on both sides, we have 90 minutes of debate on the farm conference report tomorrow. There could be two or three points of order offered on that, or whatever Senators want to offer. We will vote on those points of order after 90 minutes of debate prior to voting on the conference report.

Following that, we received the papers from the House on the budget. They have appointed conferees, and we also are going to appoint conferees tomorrow. Statutorily, there are 10 hours for the ability of any Senator to offer amendments to instruct conferees. We don't know how many amendments there will be. Senators CONRAD and GREGG have been working on a number of issues they want to have resolved by votes in the Senate. That will be done. We look forward to that.

We would like to finish, and we are going to finish, the budget tomorrow. It may go into the evening, but that is fine. We have now scheduled a cloture vote for Friday morning. I hope during all day tomorrow Senators GREGG, ENZI, KENNEDY, and others can see if there is a way of moving forward on the collective bargaining bill. If there is, then there would not be a need for a cloture vote. At least we need to spend tomorrow making that decision whether that can be done.

The other thing we have to finish before we leave this week—either tomorrow night or Friday—is the Dorgan cross-ownership issue that he indicated would only take a very short period of time. We have to do that. We have to complete that because it is statute, by June 3. We have 10 hours of debate allowed on that matter. It is also a privileged piece of legislation. Senator DORGAN said he thought, in my last conversation with him, he would only want 1 hour out of the 10 hours. Others will want to speak on that.

So that Senators know, that is what we have ahead of us this week. We have a situation where there are no votes on Monday, but Tuesday we enter into a critical stage of what needs to be done.

We have coming from the House tomorrow, we are told, a $180 billion supplemental appropriations bill. We are going to have to work hard on that. It will take work. We will be getting a message from the House. As I understand it, there will be three trees in that message they will give us. So we will have to have at least three separate votes on what they send us.

I look forward to working with Senators on both sides next week to complete that. In order to do that, we have to complete all of the work outlined a few minutes ago this week.

The PRESIDING OFFICER (Mr. CASEY). The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, first, I appreciate my colleague for allowing me to proceed at this time. I recognize that we are debating a bill the conclusion of which is already foregone. The cards are dealt and turned over, and this bill will pass. That doesn't mean it should not be discussed and some of the weaknesses should not be pointed out.

I have severe reservations about the way we approached the commodity side of the bill, which is, as it has been adequately represented, not the majority of the spending bill, but it is a very significant amount of spending, $190 billion, or somewhere in that vicinity.

Some may ask—and I guess I may have wondered from time to time—what happened to all of those economists who worked for the Soviet Union when it failed, who were sitting around their desks and they didn't have a job anymore—the folks who believed in a command economy, in top-down management, and believed in 5-year plans and believed that supply and demand had no relationship to the market. Where did all those people go? We now know. They went into the development of American farm policy. It is sort of like, after World War II, you took all of the scientists out of Germany and put them in Huntsville. At the end of the Cold War, we took the economists out of the Soviet Union and put them in the Midwest or maybe in the South because this bill is structured in a world that has no relationship to the market. It actually fundamentally undermines the concept of market and relating productivity to demand and supply to the market.

It is also a bill that does serious damage to budgeting because it uses $18 billion in gimmicks in order to avoid and get around pay-go rules and other budget enforcement mechanisms. It even brings back—amazingly enough—the Customs fees. How many times can we bring back Customs fees? But it brings them back and claims a savings and uses that money and spends it—$10 billion, I believe.

So at a time when the farm community in this country is doing pretty darn well—in fact, the average farm income today is about 51 percent higher than it has been, on average, over the last 10 years—$92 billion—real farm income is up $200 billion just in the last couple of years. Farmers are experiencing record income. We are setting up a subsidy structure, the purpose of which is to basically make payments to farmers who are making a lot of money on products that are doing very well.

Wheat is selling at $6 or $8 a bushel, and the average price has been around $3.50. It is almost twice the average price. The same can be said for corn—corn is higher even—barley, soybeans, and rice, which is at three times the average price. We have commodities that are able to compete in the market, so why do we need this massive new subsidy structure which essentially creates this command and control attempt to manage the markets? We don't, obviously. We don't in the context of this time.

In addition, the bill sets up some new mechanisms that are rather poor. It creates this new floor for emergencies. It says there will be a $3.8 billion kitty for emergencies. We have never handled emergencies that way. The reason is because we don't know what the emergencies are going to be. We have always taken care of emergencies, whether it was Katrina—which cost will be over $150 billion—or whether it was smaller events, such as a flood somewhere or hurricanes or tornadoes. We take care of them when we know what the cost is. We don't set up basically a slush fund for emergencies so that the next time a post office box blows over in some community, it is declared an emergency and they can go get this money. This is going to incentivize an aggressive attempt to declare everything an emergency to get at the money that exists.

The irony is—to show how totally inconsistent this language is—they don't even use the emergency money they have set aside in this bill for an emergency they identify in the bill, which is the Kansas tornadoes, which they funded in the amount of $60 million, I believe it is. It shows this money is just going to be used for something else. If they are going to fund a $60 million emergency in the bill, they ought to at least have the credibility to take it out of the new slush fund. I mean, how absurd is that? This is walking around money. That is what it amounts to—$3.8 billion, which is real money, by the way. It would run the State of New Hampshire for 2 years.

There is a representation that there is a major reform effort in the area of payment to wealthy farmers. They reduce the payment level so you don't get any payments if you have more than $750,000 of farm income. What isn't discussed today is the $2.5 million. The fact is, you can also have $500,000 of outside income, plus the $750,000, so that gets you up to $1.2 million. Then, if you are married, you can couple that up with your spouse so that she or he can have the same amount. If it is a married farmer, and they are making $2.5 million of income, they still qualify under this bill. So it is sort of a sleight of hand exercise to claim there is significant reform.

In fact, this reform is insignificant compared to what is suggested. The President's reform would have saved $1.6 billion. He suggested that people with an adjusted gross income of over $200,000 not get these payments.

How much does this bill save in that area, because it allows the spouse to qualify also and it allows the extra income outside farming to qualify? Mr. President, $286 million. That is not a lot of money when you spread it—that is a lot of money, but when you put it over the period of this bill, it is not a significant amount of money, and it reflects the fact that it is not a significant reform. It simply is not.

The bill also does nothing to limit the practice of farmers locking in subsidy payment rates at the lowest market prices, yet retaining their crops to sell later when the prices are much higher. As a result, farmers are paid subsidies for losses they never had. This is what is known as commissar politics. This is where the guys from Russia and the Soviet Union gather and say: This worked in the Soviet Union, let's do it here.

The concept that you pay people for losses that don't exist for a product that is being sold that the guy gets to keep and gets to sell—let's be reasonable about this. This is not logical, and it certainly is not market politics. It has very little relationship to ADAM SMITH.

It also, ironically, at a time when we should be encouraging people to use ethanol, continues a major discouragement for those of us who live in the Northeast from using ethanol by extending the tariff for 2 more years, to 2010. This tariff makes no sense at all because you cannot ship to the Northeast the ethanol that is being produced in the Midwest, and we don't have the production capabilities in the Northeast. We don't have the product, although the switchgrass initiative, which I respect and say is a good initiative, hopefully can give us that option.

The simple fact is, to maintain this tariff is to penalize uniquely the Northeast—Pennsylvania, New England, New York, New Jersey, everything basically in the East, not even the Northeast—in order to protect the subsidies of product corn in the Midwest. Corn is doing pretty darn well. It does not need the protection. In fact, if anything, we need to figure out a way to produce other products to make ethanol. The folks in Brazil have figured it out, so why not let us b uy that ethanol? Why penalize us in a way that is really punitive—punitive—for the purposes of basically protecting production which is already at a record price? It makes no sense at all.

And then the one that really is the worst or, in my humble opinion, the most egregious. The most egregious is the Sugar Program. The Sugar Program was pretty bad before this bill. In

an act of avarice that can only be called a sugar high, they managed to make it significantly worse. I mean, how can they do that? It is very hard to do, but they essentially locked in a price for sugar in the United States that is double the world price. On top of that, they are making the Federal Government buy sugar at that inflated price and then resell it for the production of ethanol at a significant loss.

The Sugar Program makes no sense to begin with. It never made any sense other than the fact this was a commodity that had influence in the process of developing this bill; obviously, a disproportionate amount of influence. To take this program, which was bad to begin with, and make it so egregious by forcing the Federal Government and Federal taxpayers first to have to pay twice what the world market price is for sugar and then to have to resell it to ethanol producers at a huge loss—how many times can you hit the taxpayers for the purpose of the sugar production industry? It is not right.

Then, of course, there are the new programs, the asparagus payments. I like asparagus. When we did the farm bill, I talked about the fact that I used to grow asparagus. I love it. I did rototill my asparagus bed, I admit to that. I destroyed our asparagus crop. I didn't get a subsidy payment. I didn't get a disaster payment. Under this bill, I might because there is a new asparagus program.

There is a new large chickpea program and a camelina program. I don't even know what that is. That is, obviously, some product made somewhere for which somebody wanted to get a subsidy.

There is the National Sheep and Goat Industry Improvement Center for $1 million.

There is the Desert Terminal Lakes Program, which is $175 million to lease or purchase water rights.

There is a variety of earmarks, and one I find to be most representative of the failure of this bill as being outrageous is one that sets up a program for farm and ranch stress assistance networks. Do we have a stress assistance network for the family who is running a gas station or maybe the family who opened a restaurant and they are not doing so well or the folks who start a small shoe store somewhere? Do we have a stress program, a farm and ranch stress program? What qualifies farmers and ranchers for a special program dealing with stress? The only thing that qualifies is somebody somewhere came up with this program, got somebody's ear, and decided to stick it in this bill because this bill was leaving the station. It does not make sense, and it is certainly something on which tax dollars should not be spent.

We have items that arrived out of nowhere in this bill: fisheries disaster assistance of $170 million for California, Washington, and Oregon; forest conservation bonds. As I mentioned, I find it reasonable that there should be relief for the tornado in Kansas, but why wouldn't it come out of the money we just set aside in this bill for disasters, $3.8 billion? Why wouldn't the fishery assistance, if that is an emergency, come out of that money?

The budget gimmicks. This bill is just replete with gamesmanship to try to get around pay-go. I refer to pay-go as ''swiss cheese-go,'' which is very appropriate in a farm bill. I assume it is subsidized.

The fact is, there is $18 billion of gimmicks in this bill. There are sunsets of programs after 5 years that they know are not going to sunset, so they won't be scored. There is the nonscoring still of the milk income loss compensation issue. There is the classic shift of the corporate tax one day so that you collect it a day earlier or a day later, and that gives you a different score, which allows you to avoid the pay-go rules.

If you look at this budget, it had to have pay-go waived in the House, with $7.4 billion out of whack for pay-go in the House.

Equally ironic, tomorrow we are going to take up the conference report on our budget, on the unified budget. If the budget that passed the Senate earlier this year were in place now, a pay-go point of order would lie against this bill because it violates the very budget that was produced by the majority party and passed with some fanfare earlier this year. The only reason we cannot make the pay-go point of order is because the budget has not fully passed and therefore is not in effect. But I think it is very hard to, with a straight face, say this bill does not violate pay-go when you know that right around the corner is a budget which was passed by the majority which, if it were in place and which I presume it will be in place fairly soon, a pay-go point of order would lie against this bill.

I think we can stop talking about pay-go around here as an enforcement mechanism because it clearly does not exist, and this bill is just another example of where it has been gamed and manipulated. We count 15 to 20 different examples, adding up to something around $143 billion of instances where pay-go has been gamed around here. And this bill just takes that total up a little further—not a little further, a lot further, $18 billion further. So as a result, enforcing pay-go becomes very—well, it is just a very fraudulent exercise. It is only used on very rare occasions when it is politically acceptable for the majority to use it. On other occasions, where it might lie, it is gamed.

This bill is one of the extraordinary examples of that gamesmanship.

And, of course, I mentioned customs fees. I believe the last count is we have used customs fees to fund 55 different programs around here in 55 different instances. The same fees. No, they are not different fees. They are the exact same fees that have been used, I believe, 55 times to fund different programs so the programs can claim they met the budget rules, and this bill—maybe it is 56 or 54, but it is $10 billion of gamesmanship.

The bill has, in my opinion, decoupled economic common sense from the farm production and especially from farm payments. If we want a farm system that works, why don't we go to the market? A lot of these commodities today are doing pretty doggone well, extremely well. It is good times in farm country for most people. Why don't we let the market continue to work? Why do we have to set up these massive subsidy programs? Why do we have to have a sugar program that charges American consumers twice the world rate for sugar? It makes no sense. Why do we have to have a slush fund for emergencies when nobody else has that sort of slush fund? Why do we have to have a new program for asparagus? I think asparagus growers are probably pretty competitive. I don't know who their competition is. Maybe the Chinese grow asparagus. I suspect most asparagus growers can compete with the Chinese. I prefer American asparagus, by the way.

Let's let the markets do this rather than create this bill which is such a mutation of every idea that Adam Smith put forward which has made, quite honestly, our country strong, the basis of which basically won the Cold War, which was that free markets work, capitalism works, competition works, the rules of supply and demand work, that you let people produce the product that has a comparative advantage, and they produce it better and more efficiently, especially Americans, and you get it at a better price for the consumer, and the taxpayers don't end up with the bill.

I know I am not going to win this battle. The way this bill is structured, it is the classic log-rolling exercise. You pick this group that has this interest and you give them a subsidy and they give you a vote. Then you go over here, pick this group, they have an interest, they get a subsidy, and you get their vote. You pick this group that has an interest, give them a dramatic increase in their program—it all adds up to 80 votes around here. The only problem is, the people who pay are our kids and our consumers. This is taking a lamb chop to the head of the American consumer and just pounding him with it. I just thought of that.

In any event, I have a point of order which lies against this bill which I wish to make at this time because this bill violates innumerable points of order in spirit, and were the budget the Senator from North Dakota brought to the floor in law at this time, passed as a resolution at this time, it would violate them in reality also. But there is at least one budget point of order which is a holdover from a prior chairman which makes considerable sense, which is that you should not run up the

debt on the next generation by adding spending in outyears without paying for it that this bill still violates.

Mr. President, section 203 of the 2008 budget resolution makes it out of order to consider legislation that increases the deficit by more than $5 billion in the Senate for any of the four 10-year periods, starting in fiscal year 2018. The pending bill would increase the long-term net deficit in excess of $5 billion. Therefore, I raise a point of order under section 203 of S. Con. Res. 21 against the pending bill.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, pursuant to section 203 of the Concurrent Resolution 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, I move to waive section 203 of that concurrent resolution for purposes of the pending conference report, and I ask for the yeas and nays at the appropriate time.

Mr. GREGG. I thank the leaders on this bill for their courtesy on the floor, the chairman and the ranking member. They have given me more than a reasonable amount of time to express my thoughts. I understand I have totally swayed them to my view and they will be joining me in my position. I also very much appreciate the courtesy.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I have enjoyed immensely listening to the description of this bill of the Senator from New Hampshire who is the ranking member of the Budget Committee, which I chair. I have great respect for Senator GREGG and affection for him.

The description he has given of this bill has almost no relationship to the legislation that is before us. It is enormously entertaining but it is largely a fiction. It is a fiction that is interesting to listen to, but again it bears almost no relationship to the legislation before us.

The Senator made reference to Soviet economists. Let's make clear, the American system of food production is the most efficient, the cheapest, the most plentiful, the most stable, the safest in the world. Americans have less of their disposable income going for food at this time than consumers at any time in the history of the world.

Let me repeat that. The American consumer today enjoys the lowest cost of food in relationship to our income of any consumer in the history of the world. That is a fact.

In fact, the Wall Street Journal published, last year, an article in which they said—and I want to read this. I hope people will pay attention. People need to understand how remarkable the American agriculture system has been and is. This is what they said:

The prospect for a long boom is riveting economists because the declining real price of grain has long been one of the unsung forces behind the development of the global economy. Thanks to steadily improving seeds, synthetic fertilizers and more powerful farm equipment, the productivity of farmers in the West and Asia has stayed so far ahead of population growth that prices of corn and wheat, adjusted for inflation, have dropped 75 percent and 69 percent, respectively, since 1974. Among other things, falling grain prices made food more affordable for the world's poor, helping shrink the percentage of the world's population that is malnourished.

That is a result of the genius of American farm policy and the extraordinary productivity of American farmers and ranchers working within that system.

When the Senator says this counters market economics and leads to payments when prices are high, he obviously does not know how the farm program works. It is the opposite of what the Senator suggested. The way the system works is there is support from the Government when prices are low to prevent a collapse of the productive system. When prices are high, the support fades away. That is the way the system works. It does not increase support at times of high prices. It is precisely the opposite.

The Senator said the reform provisions in this bill only save less than $300 million. Wrong. The reform provisions in this bill save close to $3 billion, and I will specify that momentarily.

The Senator says the disaster program is a slush fund. Really? A slush fund? Let's review the facts. In the last 3 years, every State in the Nation has received disaster payments—none of it budgeted for, none of it paid for. In this bill disaster assistance is budgeted for and paid for. That is a reform and that is a fact.

One of the things I am most interested in is the Senator suggested millionaires could still get farm program support under this bill. Yes, and lightning strikes once in a while, too. Because that is what it would take for a millionaire to get support under this program. I have just gotten results from the IRS moments ago because I wanted to know, with the new limits put in place—which, by the way, are very dramatic reform. It used to be, under current law on nonfarmers, they had a limit of $2.5 million of adjusted gross income before they would start to lose farm program payments. We have reduced that for nonfarm income to $500,000.

There is another limit for farm income. Farm income, that had no limit in the past, now begins a limit at $750,000, at which, of that adjusted gross income, farm income of that amount, you lose all of your direct payments. But the two could go together. In other words, you could have somebody with $750,000 of farm income and $500,000 of nonfarm income, and still be under the limits. So I thought, wouldn't it be interesting to find out how many farmers in the country would be in that category—$750,000 of farm income and $500,000 of nonfarm income—because that is what the press is all talking about. They add the two together and then they double it because of a spouse. Do you know how many are in that category in the whole United States? How many would have $500,000 of nonfarm income and $750,000 of farm income?

Do you know how many the IRS has reported to me there are in the entire United States? Zero. None. So much for the argument from the Senator from New Hampshire. Facts are stubborn things.

Let's go to the essence of this bill. Why do we need support for farmers at all? It is a legitimate question. The Senator asked why don't we do it for the guy who has a shoe store? Why don't we do it for the guy who has some other small business? Here is the reason. Because we are in a world economy in which our major competitors have made a decision to strongly support their producers—far more strongly than we support ours.

Our major competitors in world agriculture are the Europeans. This is how much they spend to support their producers: $134 billion. This is after the so-called cap reform in Europe that dramatically reduced what they do. This is where they wound up: $134 billion.

Here is where we are: $43 billion. So they are outgunning us over 3 to 1 on support to their producers over what we do for ours.

OK, I had an interviewer say to me: That is wrong. Maybe it is wrong but it is reality. What would happen if we yanked this support out from under our producers when our major competitors are providing three times as much support to theirs? We did an analysis. Do you know what we found? Here would be the result. Two words: Mass bankruptcy. Because if your major competitors are providing three times as much support to their producers as we provide to ours and we yank the rug out from under ours, guess what happens: The Europeans take over world agriculture.

Wouldn't that be great, if we became dependent on foreign food the way we are dependent on foreign oil? That is what the critics of this agriculture policy apparently would prefer. But those of us who have studied it and those of us who have fought to ensure that we retain a strong agriculture component in this country have concluded that would be a disaster for the American economy, for American consumers, and that would be a disaster for our farmers and ranchers.

Where does the money go in this bill? We have looked at, and just received, a final analysis. Two-thirds of the spending in this bill goes for nutrition—two-thirds of the money in this bill. This is the absolute low-ball estimate of what goes for nutrition. You could do an analysis that would take it up to as much as 73 or 74 percent. It depends on what you include and exclude. We have

tried to do this based on CBO analysis of the final scoring of this bill.

Nine percent goes for conservation. Only 13.9 percent goes for commodities, that is the support for farmers and ranchers, and about 8 percent for crop insurance. That is where the money goes.

When the other side asserts that this increases the deficit and it is not paid for, they are making things up. They are making things up. Because this is the score by the Congressional Budget Office. Here it is. This is not KENT CONRAD's numbers. This is not the Agriculture Committee's numbers. These are the numbers of the Congressional Budget Office and the Joint Committee on Taxation. They are independent. They are professional. They are nonpartisan. They are responsible for the scoring of all legislation before the Congress of the United States, and here is their conclusion. Over 5 years, this bill saves $67 million. Over 10 years, it saves $110 million. So all the spending has been offset, has been paid for. In fact, we have done a little bit more. So the net result is to actually reduce the deficit over 5 years by a modest amount—$67 million; over 10 years by $110 million.

But these are facts. This is not make believe. This is not make things up. This isn't the administration saying there is $20 billion here above the baseline—that is all made up. We are dealing with facts. We are dealing with reality.

When I hear them make these claims that we did not address the administration's concerns—we spent hour after hour after hour in this conference committee, attempting to address administration concerns. I think we did a pretty good job. The reality is the administration changed their stated concerns so often it was hard to keep track of what their priority was. In fact, at the end they came to us and said they had no priority, that all of their demands were nonnegotiable, that all of them should be treated with equal importance.

I have never negotiated with any administration on anything that came in with a list of nonnegotiable demands and said everything had the highest priority, but here is what we tried to do. They said we had to limit any additional resources to $10 billion. We agreed to that. They said it had to be offset with spending cuts. We agreed to that. They said that the adjusted gross income limits for farmers and nonfarmers had to be reduced significantly. We did that. They said there had to be beneficial interest reform to avoid the kind of scandal you saw in Katrina. We did that.

The Senator from New Hampshire said we did not, that a farmer could simply pick the right time to market his crop and avoid the consequences of any kind of reasonable restraint. That is not—they have not read the bill. In the bill we give the administration special authority in a disaster to prevent the Katrina abuse we all saw. In addition, we added an additional reform requiring a 30-day moving average for prices before somebody could fix their marketing loan. That is a very significant reform. Yet it is very clear, the critics have never bothered to read the bill.

We also were asked by the administration to provide a revenue countercyclical program, and we did.

They asked us to provide planting flexibility. And we did. They asked us to provide food aid flexibility. And we did. They have a series of miscellaneous provisions we tried to honor, including limitations on privatizing food stamps; Cuba trade provisions; out-of-lease fees. We answered each one of those objections.

It does not stop there. Because we have heard the critics say there is no reform, no reform in this bill. I will tell you, that is the biggest fiction of all. That is the biggest fiction of all. Let's talk about the reform that is in this bill.

First, significant adjusted gross income limit adjustments to prohibit payments to Manhattan millionaires. That is in this bill. We required payments to be attributed to living, breathing human beings instead of paper entities. We eliminated the three-entity rule that allowed paper entities to evade payment limits.

We cut direct payments by $300 million. We produced schedule F reform that will save $479 million. We reformed crop insurance, saving $5.6 billion. We decreased support for corn-based ethanol, saving $1.2 billion. We prohibited payments to cowboy starter kits and ranchettes.

We reformed disaster assistance so that it is budgeted and paid for. I might also add, we reformed disaster assistance so we would prevent what happened in the bad old days where somebody could have a loss on one part of their operation and gains on another part and still get a disaster payment. That is all over. If you do not have, on your whole farm, disaster losses, you will not get a disaster payment in the future. That is reform.

Facts are stubborn things. In short, we have gone the extra mile to address the administration's legitimate requests and provided reform in this bill.

I wish to take a few minutes to address three other claims the administration has made, because they are especially egregious and false.

The administration's spokesman said:

> At a time of record farm income, Congress decides to further increase farm subsidy rates.

More fiction. Here is the fact. The conference proposal does not increase subsidies at times of record farm income. To the contrary, the conference proposal: cuts direct payments by $300 million, reduces commodity spending by $3.5 billion, reduces the ethanol tax credit by $1.2 billion.

The conference proposal only pays producers if prices collapse or when there is a loss of production. I am talking now about marketing loans. I am talking about the countercyclical program. Let me give you an example of what they are talking about.

They say we have increased farm subsidy rates at a time of record farm income. Let me give this example to show you how truly absurd that statement is. Wheat prices now average about $8 a bushel. Okay. That is what you get when you go to market. You go to sell, you get about $8 a bushel for wheat. We increased the loan rate from $2.75 to $2.94. We increased the loan rate from $2.75 to $2.94. We increased the target price from $3.92 to $4.17.

Obviously, neither one of those has any application when prices are high. The only way you would get the benefit of these safety net proposals is if prices were to collapse. We have not increased the support when prices are high; we have strengthened the safety net in case prices collapse. Facts are stubborn things.

In fact, the only one—the only one—who is a party to these negotiations who talked about increasing support when prices are high was the administration. They proposed increasing direct payments by $5.5 billion. Those are payments that would go out to farmers at a time of high prices. Facts are stubborn things.

When they say there has been no reform in this bill, here is the total spending under the farm bill compared to total Federal spending: less than 2 percent of Federal spending, and the support for commodity programs is one-quarter of 1 percent of the entire Federal budget; one-quarter of 1 percent.

When we wrote the farm bill in 2002, the estimates were that commodity programs would take three-quarters of 1 percent of all Federal spending. So support for commodity programs has been cut by two-thirds. That is a dramatic reform. Where did the money go? All of the new money, the $10 billion we are above baseline here, has been paid for by other spending cuts. All of it went to nutrition.

Now, on the disaster program—I want to end on this note—here are the States that got disaster payments over the last 3 years. Texas qualifies too, because it got payments. So every single State, and Guam, plus Puerto Rico, got support under the disaster program. None of it budgeted for, none of it paid for. In this disaster proposal, we budget for it and we pay for it. And to have the former chairman of the Budget Committee suggest this is a slush fund—no, no, no. What this is is being responsible. That is what this is called, because we know there are going to be disasters. We do not know what they are, we do not know where they are going to occur, but we know they will occur. Instead of leaving it out, putting it on the charge card, we budgeted for it and paid for it. This disaster program is not only budgeted for and paid for, it also will only go to people who

actually have disaster losses. It also requires them to have crop insurance.

The CBO scoring proves this will increase the use of crop insurance, which is good for taxpayers as well as farmers.

One other thing that is very important to understand. This will protect against cuts in conservation. Because the one time they did pay for disaster programs, where did they take the money? They took it out of conservation. What a shortsighted approach that was. We have hopefully prevented that from happening again.

I am extremely proud of the product that has been produced by this group of Senators and Congressmen on a bipartisan basis. I thank our chairman, Chairman HARKIN, for bringing a vision of change to this farm bill. Without that vision, without his passion for it, without his pushing for it, moving in the direction of a greater emphasis on conservation, it would never have happened; and to our ranking member, Senator CHAMBLISS, who has been a strong guiding voice throughout these deliberations. He is somebody I formed a very close working relationship with as we wrote this bill. He has had the best interests not only of farmers and ranchers, he has had the best interests of this country foremost in his mind every step of the way. This country and certainly his State owes him an enormous debt of gratitude. We thank Senator CHAMBLISS for the extraordinary time and effort he has put into this bill.

To Chairman BAUCUS, the chairman of the Finance Committee, who has been such a rock throughout this process, who provided strong leadership at every step of the way, and helped provide the financing, along with the ranking member of the Finance Committee, Senator GRASSLEY, who also participated in hour after hour, day after day, week after week, of deliberations to form a bill that was responsible, and who provided much of the push to get these reforms adopted.

Now, I recognize this does not have all of the reforms certainly the Senator from Iowa would have liked, but we would never have gotten this much without his pushing. Chairman PETERSON, on the House side, no one worked harder to get this result. I applaud him for the remarkable vote in the House today. The legislation passed there 318 to 106. That is in the face of a Presidential veto threat.

The ranking member, Congressman GOODLATTE, whom I came to have great respect for in these discussions; thoughtful, responsible, rational. Chairman RANGEL, who helped us with the funding so we could pay for this bill without any tax increase.

Congressman POMEROY, the only Member of the House to serve on both Ways and Means and the House Agriculture Committee, who played such an important role.

In the Senate we cannot forget those other Members who played such key roles: Senator LEAHY with the dairy provisions, former chairman of the committee; Senator STABENOW, who is, in large part, responsible for the dramatic improvement in the treatment of specialty crops that are such an important and growing part of American agriculture; and Senator LINCOLN, BLANCHE LAMBERT LINCOLN. I tell you, her constituents have got a fighter in their corner every day. Nobody is a more aggressive fighter for her folks than the Senator from Arkansas.

Before I end, I wanted to say a few thanks to staff as well, because this has been an effort that has gone on well more than a year. I want to thank my own legislative director, Tom Mahr, who played such an important role in making this all work financially. Jim Miller, my lead negotiator. Jim Miller has given body and soul to this effort. I am so proud of him. He is an encyclopedia on agriculture. He is also extremely adept with the numbers. I estimate Jim Miller has spent 3,000 hours on this effort.

I also want to recognize Scott Stofferahn, who is my other lead negotiator, who is the father of these disaster provisions, worked with the agriculture commissioners around the country to come up with the provisions for this reform.

John Fuher of my staff who is a young man who came on this team and brought his ''A'' game. Joe McGarvey, who does the energy work on my staff. Miles Patrie, who worked on the nutrition provisions. My deepest appreciation for their extraordinary effort. Day after day, night after night, weekend after weekend sacrificed.

To the chairman's staff, Mark Halverson and Susan Keith, who have spent—I would not even know how to calculate the time and effort. I do know Mark Halverson has gone gray in the effort.

The Finance Committee staff, as well. Before I mention them, I wish to single out the extraordinary staff of Senator CHAMBLISS: Martha Scott Poindexter, Vernie Hubert, Hayden Milberg. What first-class people. These are the kinds of public servants who deserve everyone's respect.

On the Finance Committee staff, Russ Sullivan, Cathy Koch, Rebecca Baxter, Jon Selib, Senator BAUCUS's legislative director.

Senator GRASSLEY's staff, who are outstanding as well, absolutely outstanding: Elizabeth Paris, Kolan Davis, Mark Prater, first-rate people who did their level best for the American people.

I can tell you, I have never been more proud to be part of an effort than I was to be involved in this one.

I see somebody else on the floor, the former chairman of the House Agriculture Committee, the Senator from Texas—the Senator from Kansas; I was seeing if I could get a rise out of him—Mr. ROBERTS, who has been of so much importance to this conference effort and to the effort in the Senate Agriculture Committee as well.

I tell you, I am proud of this product. This is a bipartisan product. This is a bipartisan effort. It is good policy and it deserves our colleagues' support.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, this farm bill has been a very long process. Last fall the Senate Agriculture Committee asked the Senate Finance Committee to help make up a budget shortfall we faced, and the Finance Committee on which I serve stepped up to the plate. With eight members of the Finance Committee also being members of the Agriculture Committee, we had a real desire to make sure rural America had the best farm bill possible. So following on what Senator CONRAD said about fellow Senators deserving compliments for their hard work, I am only going to single out my colleague from Iowa Senator HARKIN and my colleague from Georgia Senator CHAMBLISS, the top two members of the committee, thanking them for the countless hours and weekends they put into this bill for a long period of time; for some, over a period of a year.

This was as difficult a farm bill to write and conference as I have ever seen. My colleagues so far have given a good overview of what this bill contains and what it does for those who are hungry, those who are living in rural America, and those who are still involved in family farm operations. But I wanted to take a minute to highlight a few of the items that were most important to me and, obviously, to my home State of Iowa. I think I have some experience to talk about because I still sharecrop with my son Robin.

This isn't a blanket approval of the bill. I did have some reservations about the bill because I didn't think it went far enough in two true farm bill areas—payment limits and competition reform.

First, the ban on packer ownership that had been a part of the Senate bill when it passed the Senate failed in an amendment I offered in conference committee. This is unfortunate because the livestock industry continues to become more vertically integrated and consolidated. I think that is bad for the independent producer. The recent announcement, for instance, that JBS Swift plans to acquire Smithfield Beef Group, National Beef, and Five Rivers Feedlot should be alarming to us as legislators. I continually have to wonder if when we get down to just one single slaughterhouse, one single packinghouse, will the Department of Justice and Congress begin to raise questions about the trend we have had for consolidation? This is a trend that continues to make it more difficult for independent producers to have choice in to whom they sell their livestock and making it more difficult to get a fair price for their livestock as the cash market continues to shrink. We were able to include some reforms in the livestock title, regardless of not

doing what I think should have been done.

The Senate version of the farm bill included my language which banned mandatory arbitration clauses in production contracts. I drafted this bill after hearing about problems where producers were being forced to enter into expensive arbitration proceedings, thus giving up all their rights to have disputes finally resolved through the independent judiciary. While we weren't able to have the arbitration language from my bill included, we did reform production contracts to give growers a true choice in selecting dispute resolution, ending the practice of forced mandatory arbitration in binding contracts. The farm bill conference report requires that contracts provide a clear statement of choice to producers upfront as to which track of dispute resolution they might want to use—arbitration or the court process. It also prohibits the integrators from pressuring growers to make one choice or the other. Any interference with the choice would constitute a violation of the Packers and Stockyards Act. Further, the language states that if a grower declines arbitration upfront, that grower can still choose arbitration at the time the dispute arises, if both parties consent to the use of arbitration. Together these provisions constitute significant reforms and will help level the playing field for our growers.

Secondly, I don't think the payment limitation reform goes far enough, and Senator CONRAD recognized that in the final part of his remarks, that that is a concern I had. He did give me credit for pushing and pushing and pushing and bringing it to the point where it is. I believe it doesn't go far enough. Because on this Senate floor, we had 57 votes to reduce the cap on all three forms of commodity payments—direct payments, countercyclical and market loan benefits, and loan deficiency payments. But we ended up having a fight in conference just to keep those levels of current law. That is the good news. The bad news is we didn't go as far as what those 57 votes on the floor of the Senate thought we should do, a hard cap of $250,000.

So what did we do in its place? Senator CONRAD explained some of this, but I wish to emphasize it because it is a lot better than if we did what the President asked us to do today, that we not pass this bill. There is indication it will be vetoed and that we ought to extend the existing farm bill for 1 year or 2 years. Well, when it comes to limitations on farm income and who can participate in the farm program and who cannot, those limitations in present law at $2.5 million are laughable and, quite frankly, aren't even being enforced at that level presently. So I come to the conclusion that what we have is better than present law, not as good as what I want but, for the first time, having something that is fairly meaningful toward reform and limits on high-income people benefiting from the farm program.

The adjusted gross income limit did come down substantially, so that is a step in the right direction. For the first time, we have a cap on farm income of $750,000. Previously, there was no cap on farm income. It will bring a $2.5 million adjusted gross income cap on nonfarm income down from that $2.5 million that I said is laughable and probably not enforced, down to a $500,000 cap on nonfarm income. But these adjusted gross income limits are still too high, frankly, as far as I am concerned. In some parts of the country, they may not be. I have to admit that even though I am a farmer, I may not understand agriculture in California, Texas, and the Southeast. But I sure understand agriculture in the States of the Plains and the Midwest. You go to almost any farmer and tell them that we put this limit of $500,000 in for nonfarm income or that we put in a $750,000 cap on farm income, they are going to kind of laugh at us and wonder if we haven't been in Washington too long.

On the other hand, negotiation around here is the art of compromise, and so I am going to vote for this bill with these caps in it. I am going to thank my colleagues who negotiated for going a lot further the last few days than I ever thought they would go. Hopefully, this keeps some people who have the ability to withstand natural disaster, to withstand sometimes politics affecting farm income, sometimes war, sometimes international trade issues affecting farm income, people at this level have the ability to withstand that. Smaller and medium-size farmers don't have that ability. That is why we have a farm program. So there is some level of income where people ought to be able to withstand things that are beyond their control and still be in the business of farming.

I am asking the people in the State of Iowa to look at these caps as being a step in the right direction, not satisfying me but still better than present law. That is why I think it is very necessary that we get this into law. Hopefully, down the road we can make things even better.

I happened to have the Government Accountability Office pull data for me on how many folks are actually getting payments over these new income limits. Honestly, there aren't a lot. The conference committee took steps, though, in other areas of reform; for instance, in the right direction by eliminating the three-entity rule and going to a system of direct attribution. In this particular instance, we do away with the legal subterfuge of where there are limits in existing law, that people could split up into three different units and each unit get the limits that are presently allowed. So that legal subterfuge is done away with. Also, in the commodity title, the administration, the House, and the Senate all recognize the importance of including revenue protection programs for farmers. All three groups, however, took different approaches. I am pleased that an average crop revenue program was included in the final bill as an option for farmers and particularly because the hard work from this comes from a lot of corn producers in my State.

Not only that, we were able to make the program a more viable option for producers and make it available to them in the next crop year, 2009. I am excited to see what type of participation we get in the program and the outcome of it, so that in the next farm bill debate, we can decide whether revenue protection works. The people who thought this up, those of us on the committee who went with the recommendations, have confidence in the people who thought it up. But there is nothing like the real world of seeing whether it works. So we have a few years to make that determination. I hope it does work.

In addition, the White House has continued to say Congress can't use timing shifts to save money and somehow they didn't count. Well, they do count because farmers are going to have to make a judgment in the way they do things to accommodate. Farm program payments will come later in the year, but they will be expected to make crop insurance payments earlier. So in fact, these do count and will pinch the cashflow of a lot of independent producers, whether the White House wants to believe it or not.

All that being said, I am pleased this farm bill is making significant investments in rural America. I would like to point out a program that I have named the Value-Added Producer Grant Program as one of those. It has had a bit of a facelift since I first worked on this. I bet it has been 6 or 7 years ago. But it is targeting funds directly to beginning farmers and to ranchers, which is critical to getting young farmers into business. I continue to hear good things about these dollars being invested right into rural communities, and so I am pleased we could get some mandatory money into the program, even though the farm bill dollars were very tight.

I have also worked to give Black farmers, African-American farmers, applying for Farm Service Agency loans who were involved in the Pigford v. USDA discrimination lawsuit a chance to have their claims heard. That is why I introduced earlier in 2007 the Pigford Claims Remedy Act. There were circumstances out of these farmers' control, and they weren't able to get their claims filed timely. The conference report provides that these claimants who have not had their cases determined on the merits may, in civil action, obtain that determination. In other words, they are going to have their day in court that they feel they did not get with the administrative process. It is time justice was done for these African-American farmers. Civil rights at

the U.S. Department of Agriculture has management problems that still need to be addressed, so I want that department to know I will be watching over the administration of this Pigford program very carefully.

Last year, I called for a Government Accountability Office report on farm payments going to farmers who had already died. We even held a hearing on this issue before the Senate Finance Committee. The Farm Service Agency paying dead farmers was a classic example of waste, fraud, and abuse. It is a classic example of a department not doing its job.

Now, I am not saying there might not be legitimate reasons to keep estates of dead people open for a few years. But there was something wrong with people who did not report that the structure of the farming operation had changed, that somebody had died, and continued to get farm program payments in a dead person's name.

So the farm bill is proactive in requiring the U.S. Department of Agriculture to check payments against taxpayers' ID numbers at the Internal Revenue Service. I am cautiously optimistic, however. I requested a new Government Accountability Office report, and in preliminary briefings I have learned that the U.S. Department of Agriculture does not even enforce the current $2.5 million AGI limits. It makes me wonder how they are ever going to enforce the more complicated AGI limits we have put in place.

I should also add that based on the two Government Accountability Office reports already released, we closed a fraudulent farm loss loophole that allows operations to evade payment limits. We also were able to shut down the generic certificate abuse with new Commodity Credit Corporation 1099 reporting that I had asked the Treasury Department to do something about way back in 2001, and, quite frankly, they have done nothing.

Another issue I often hear from constituents about is the abuse of the rural broadband loans going into areas where service is either already provided by other capable entities or a high percentage of households already have service. I do not believe the Government should be in the business of subsidizing competition. We ought to be in the business of helping people who do not even have the service.

Thus, we were able to include in the new farm bill a requirement that in order to be eligible for a loan, the provider needs to be applying for an area where 25 percent of the people do not have service and where not more than three incumbent service providers are already located.

I want to shift gears a bit now from the Agriculture Committee's role to my role as a member of the Senate Finance Committee. Through that role, I was able to secure even more reforms to agricultural policy while protecting the interests of farmers and ranchers.

When the House passed this bill with a revenue offset for the extra agricultural spending, I raised a concern to the tax-writing committees. By yielding several billion dollars in new revenue for new spending, the Ways and Means Committee established, in my judgment, a very dangerous precedent.

There is always great temptation for any committees in the Congress that have a veracious appetite for new spending to view the Ways and Means Committee on the other side of the Hill or the Finance Committee in the Senate—the tax-writing committees, in other words—as some sort of a cash register. From a fiscal disciplinary standpoint, this pressure, if unchecked, will lead to larger and larger government and higher and higher taxes.

The hard-working American taxpayer is the loser because revenue offsets are diverted from the highest and best uses: tax policy and deficit reduction. The proliferation of reserve funds in budget resolutions under both parties—I want to say both parties; so my party is guilty of this as well—is very clear evidence of this pressure as well. Those reserve funds might as well be labeled as tax-and-spend funds because the committees that request them are not likely to cut any spending.

So I raised concerns early in the farm bill deliberation about a very dangerous slippery slope that Congress or the tax-writing committees might be heading for.

So I am pleased to say in the Senate process, Chairman BAUCUS listened to my concerns and agreed. We made it clear that we would hold the line, and we did hold the line. The Finance Committee marked up a bill that took care of agricultural priorities. But where we use Finance Committee resources, we kept the benefits and authority within the Finance Committee.

Everyone knows the Finance Committee action made it possible for the Agriculture Committee to move forward to spend more money than was in the baseline. We took some of the policy pressure, then, off of the Agriculture Committee.

The schedule and press stories bear out that basic point. We held the line between agricultural policy in the Agriculture Committee and agricultural policy in the Finance Committee when the farm bill was processed on the Senate floor. Remember, that passed, I think, with 77 votes.

Now, the conference was quite a different matter. In the end, we kept a decent but much smaller package of agricultural tax relief offsets with agricultural tax reforms. We also split the baby, from the jurisdictional point of view.

An extension of the Customs user fees, which is a tax-writing committee offset, was used to offset the $10 billion in new agricultural spending; in other words, meaning the $10 billion above baseline. About half of that, the part dealing with the new agricultural disaster relief trust fund, is in Finance Committee jurisdiction. The balance is going to pay for new agricultural spending above the budget baseline.

In my view, this was an unfortunate and troubling compromise for the tax-writing committees. We mitigated some of the damage to the institutional structure of the tax-writing committees, but we also at the same time opened the door. It is a door I was glad to keep slammed shut during the years I chaired the Finance Committee. I worry greatly about the precedent that has been set here. Pressure will be brought to bear in the future for more nontax-writing committee spending to be offset with Finance Committee resources.

I sincerely worry about the effect of this precedent on the power and resources of the two chairmen, my friends, Mr. RANGEL, the chairman of the House Ways and Means Committee, and Senator BAUCUS, the chairman of the Senate Finance Committee. Other committees are loathe to cut their spending and to reform large programs in their jurisdictions.

So the easy street for other committees is to assign their funding problems to the tax-writing committees and to blame the tax-writing committees for any funding problems. As my friends, the two chairmen, know better than anyone else, the demands within the tax-writing committees for offsets are a big challenge just to do the work the tax-writing committees have to do.

I hope we all have learned a lesson. We should not use the tax-writing committees' resources as an easy way out for other committees that are reluctant to make the tough choices in the oversight and development of programs in their jurisdiction.

There have been also some significant benefits, though, from the Senate Finance Committee's involvement in this bill.

The farm bill also includes some customs and trade provisions that I want to address. First, it includes a compromise on expanding our existing trade preference program for Haiti.

This was a priority for the chairman of the House Ways and Means Committee. In addition to expanding Haiti's trade preferences, the compromise calls upon the President to identify any textile or apparel producers in Haiti that fail to comply with core labor standards, as defined in the legislation, or the labor laws of Haiti that relate to the core labor standards.

The statement of managers accompanying the conference report states very clearly that the Conferees recognize that the core labor standards defined in the legislation refer to the rights as listed in the 1998 International Labor Organization Declaration on Fundamental Principles and Rights at Work and its Follow Up.

We voted for the 1998 ILO Declaration. We respect, promote, and realize the labor standards stated in the 1998 ILO Declaration. Moreover, the legislation applies only with respect to labor practices in Haiti. It does not address and cannot impact our domestic labor practices in any way.

Now, the legislation further calls upon the International Labor Organization to report periodically on the compliance of individual producers in Haiti with the core labor standards and the labor laws of Haiti.

And the legislation directs that in identifying producers that fail to comply with core labor standards, the President shall consider these ILO reports. The President is free to consider any other information, and the final decision rests entirely with the President.

Nothing in the legislation forces the President to make any particular determination. It just says that the President shall consider these reports.

And if the President determines that a producer in Haiti is not in compliance and refuses to comply, the legislation directs the President to withdraw, suspend, or limit benefits to that producer under the trade preference program until the producer comes into compliance.

As I said at the outset of my remarks, I am not making a blanket endorsement of the farm bill. I have my reservations. Had I written the Haiti provisions from scratch, they would have looked very different. But this issue was part of a broader negotiation, and compromises were necessary if we were going to produce a final product.

The proponents compromised too. Originally they proposed requiring the President to withdraw trade benefits solely as a consequence of the ILO reports. That was never something I could accept. Ultimately, they dropped that demand and agreed to defer to the President's discretion.

The compromise language that is in the bill is specific to Haiti and responds to the unique economic and political situation in that country. I accepted it based on that narrow context as part of an overall compromise to conclude these negotiations.

Another issue that we addressed in the farm bill is a recent proposal by the Customs and Border Protection agency to change the way certain imports are valued for purposes of assessing duties.

The agency proposed eliminating its current practice of allowing importers to base customs value on the first price paid in a series of transactions that culminate in the importation of a product into the United States. Customs has instead proposed a mandate that importers must use the last transaction price.

This proposal has drawn significant concern from the business community and in Congress, for a number of reasons. First, it appears to counter an established practice that has been around since at least 1988. And some argue that it would lead to tariff increases of 8 to 15 percent.

Moreover, Customs doesn't collect data on the extent to which the so-called first-sale option is used. Nor does the agency have a clear sense of the economic impact of the proposed change. Yet the agency did not consult Congress or the business community before proposing this change in administrative practice.

Consequently, we included a provision that directs Customs to collect additional data for 1 year on the usage of the first-sale option. We further directed the International Trade Commission to submit a report to Congress analyzing the data to be collected by Customs.

Finally, we included a sense of Congress that Customs shall not implement any change to disallow the first-sale option prior to January 1, 2011. After that date, Customs can implement a change but only if the agency consults with the committees of jurisdiction in Congress and the business community, and also receives approval for such a change from the Treasury Department.

That is because the Treasury Department retains rulemaking authority over Customs regulations, though a portion of that authority has been delegated to the Department of Homeland Security.

I do want to say some other things the Senate Finance Committee has done. We create a new, temporary cellulosic biofuels production tax credit. This provision will encourage the development of a new cutting edge alternative biofuel industry.

Cellulosic biofuels can be produced from agricultural waste, wood chips, switchgrass, and other nonfood feedstocks. With an abundant and diverse source of feedstocks available, cellulosic biofuels hold tremendous promise as a home-grown alternative to fossil-based fuels.

With cellulosic ethanol, and with the additional feedstocks from corn stover, from wood chips, from switchgrass, and other things that have cellulose in them, we are going to be able to move beyond just grain being used to make ethanol.

Now, that is going to solve some problems. But one of the problems that it is going to solve, if people will be patient, are these demagogic statements that are going on now about the production of ethanol bringing up the high price of food.

Ethanol is being blamed for everything right now. Ethanol is being blamed for rice going up. We do not make ethanol out of rice. Bread goes up. They have riots in Cairo, and corn ethanol is being blamed for it. There is a whole conspiracy on the part of the grocery manufacturers of America, hiring a public relations firm to put on a 6-month crusade against ethanol. It is a scapegoat. It is intellectually dishonest.

In 1980, the people of this country asked Congress to put some incentives in because we ought to have renewable fuels, and ethanol was the direction to go. The farmers of America responded by growing more corn. Farmers invested, setting up ethanol plants. For 25 years, there have been incentives for ethanol production. Ethanol is becoming a major component now through renewable fuels and less dependence upon foreign sources of oil. For 25 years, everything about ethanol has been good, good, good, good—whether it was good for the farmers, good for the environment, good for jobs in rural America, or good for less dependence on foreign sources of energy.

Then, all of a sudden, corn goes up to $4 a bushel a year ago, and then everybody gets on ethanol. It is an intellectually dishonest attack that irritates the heck out of me, and I think we ought to band together as we always have done. The farmers of this country responded when the country wanted renewable fuels, and for 25 years nothing bad was said about ethanol. Then, all of a sudden, the price of food goes up, and ethanol gets blamed for it.

Ninety-five percent of the grain in the world is eaten; 95 percent of the grain is eaten. Last year the farmers of America planted more acres to corn than any year since 1944. The farmers of America produced 2.3 billion more bushels of corn last year. Only 600 million bushels of that 2.3 billion bushels of corn went into ethanol.

The other 1.7 billion bushels are available for everything else anybody wants to use them for, including if they want to eat the same corn animals eat. Yet I am hearing people complain about ethanol being the reason that rice and wheat are high priced and somehow scarce. We have to wake up the people of this country to the fact that the farmers of America responded when they wanted alternative energy, and that alternative energy is not at fault.

In fact, Iowa State University has studies showing that the price of gasoline would be 30 or 40 cents higher today if it had not been for what ethanol is producing. We have to get over it. Maybe this new program on biofuels from things other than grain will help calm that, I hope, because cellulosic biofuels is still science in the making, and scientists are telling us in 3 to 5 years it is going to be commercially viable.

This bill, then, includes a new, temporary cellulosic biofuels production tax credit for up to $1 per gallon, available through December 31, 2012, as an incentive toward cellulosic ethanol, the same way we have since 1980 on a tax incentive for ethanol from grain.

This provision is estimated to cost about $403 million over a 10-year period of years that the tax credit is available to American investors who are willing to take the risk of producing cellulosic ethanol.

The new cellulosic biofuels production tax credit will be funded in part by a 2-year extension of the tariff on ethanol and reform in the current ethanol blenders' credit, which will be reduced from 51 cents per gallon to 45 cents per gallon on January 1, 2009, the first day the cellulosic producers' credit will be available. One other thought that came

to my mind just now about an attack on ethanol. We have people who have voted for ethanol in this Senate. Twenty-two of them have sent a letter to the EPA saying that the mandate on ethanol ought to be lifted—the very same Senators who have complained because we aren't doing enough for renewable energy.

The last tax title I wish to refer to—and then, for my colleagues, I am just about done—is the Conservation Reserve Program payments. We have had this situation where the IRS has been taxing cash payments that farmers receive from Conservation Reserve Program payments—CRP payments—with the Social Security tax, the payroll tax. If you are a farmer receiving cash payments, if you rent your land and you receive cash payments, you obviously don't pay Social Security tax on that money. But the IRS ruled that if you were getting cash payments on CRP, you had to pay Social Security on it. So we take care of that problem in this bill as well. That is something we have been working on since 1999, and I am glad to have the opportunity to correct something the IRS has done that is an injustice to landowners who receive cash payments.

I understand that some of my colleagues have concerns over the extension of the ethanol tariff in the farm bill.

I would like to point out that the United States already provides significant opportunities for countries to ship ethanol into our market duty-free.

Numerous countries don't pay the U.S. ethanol tariff at all. Through our free trade agreements and trade preference programs, some 73 countries currently have duty-free access to the U.S. market for ethanol fully produced in those countries.

For all other countries, including Brazil—the world's major exporter of ethanol—the United States provides duty-free access through a carve-out in the Caribbean Basin Initiative.

So Brazilian ethanol exporters currently don't have to pay the U.S. tariff.

Under the Caribbean Basin Initiative, ethanol produced in Brazil and other countries that is merely dehydrated in a Caribbean country can enter the United States duty-free up to 7 percent of the U.S. ethanol market. That is very generous access.

Moreover, this duty-free access—as it captures 7 percent of U.S. ethanol consumption—grows every year.

Yet Brazil and other countries have never come close to hitting this 7 percent cap. In fact, as of Monday, the 7 percent cap was filled only 23 percent for the year. So we are almost halfway into 2008, and foreign ethanol exporters haven't even filled by one-quarter the generous duty-free access that we give them.

And it isn't that the Caribbean Basin Initiative countries don't have the capacity to dehydrate more Brazilian ethanol. They do. Current dehydration capacity in the Caribbean Basin Initiative countries is 580 million gallons, well above the over 452 million gallon duty-free allotment for 2008.

Brazil isn't taking full advantage of the duty-free treatment currently available to it. I don't know why we should bend over backwards to provide yet more duty-free access for Brazil.

This is especially the case given Brazil's stance in the Doha Round negotiations of the World Trade Organization. Brazil is resisting efforts to further open its market to imports of U.S. industrial goods and services.

We shouldn't even discuss reducing or lifting the tariff until Brazil takes full advantage of its current ability to ship ethanol duty-free to the U.S. market.

Finally, the ethanol tariff is a revenue-raiser for the farm bill. The cost of the new cellulosic biofuels production tax credit will be offset, in part, by an extension of this tariff. In this way, the ethanol tariff will help us move toward the development of a new cutting edge alternative biofuel industry that will produce fuels from agricultural waste, woodchips, switchgrass, and other nonfood feedstocks.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Arkansas is recognized.

Mrs. LINCOLN. Mr. President, I rise today to add my support as well to the Food, Conservation, and Energy Act of 2008. It has been a very long and arduous process, but I think those of us who have been extremely engaged in this process are proud. We are proud of the hard, bipartisan work that has gone into this bill, and we are proud of the product. Although many of us know that none of us could get everything we wanted in this bill, we worked hard in a bipartisan way and in a way that was respectful to the diversity of this country to come up with a product we could all rally around and be supportive of on behalf of this country and the hard-working farmers out there who support this country as well as those of us who enjoy their bounty, not to mention the many other good components of this bill we worked hard together on, again, in a bipartisan way to come up with a good result.

However, the finish line being in sight, it is still not quite over yet. That is why I wish to first of all encourage my colleagues to send a strong message to President Bush to sign this bill that supports rural America and sets a long-term strategy for investing in those communities across this land that provide us with the unbelievable bounty this great Nation affords us.

This is only my third farm bill, so I have not been engaged in this process quite as long as many of my colleagues who have already spoken. But I have to tell my colleagues, as Senator CONRAD mentioned, I feel quite passionate about this bill because I feel quite passionate about the farm families in this country.

I myself come from a seventh-generation Arkansas farm family, and I have watched, as I have grown up—not just in my own family but in families across our State—the hard-working communities that take such a sense of pride in being Americans but, more importantly, providing for this country and the world the safest, most abundant and affordable supply of food and fiber anybody could.

Yes, I am sure my colleagues will be delighted when I sit down and quiet up because I have been extremely passionate about this bill because I believe in those people of my State. I believe in the passion and the pride they have in who they are as Arkansans and, more importantly, who they are as Americans.

I am proud of the work we have done, and I am proud to have fought hard for their needs and their concerns, for the diversity they represent in the infinite number of business operations and farm operations that exist in this great country, enabling us as a nation to be able to say that we can provide the most efficient and effective production of food and fiber for the world, particularly at a time when, as my colleague from Iowa mentioned, in places across the globe people are fighting over food and the need for food. We have the hard-working farm families of this country to thank for the incredible effort of making sure we don't go through that, that we don't experience those things.

I wish to first start by thanking the chairman of our Agriculture Committee, Chairman HARKIN, and his hard-working staff. I wish to thank the chairman for his leadership throughout this process and, again, although none of us got everything we wanted in this bill, his willingness and the willingness of his staff to be consistently there for us and to listen to the concerns we have expressed. I appreciate all of the hard work and the many hours they have put into this.

I wish to thank not just his staff but the staff of all of the other Members who have worked so diligently with me and my staff through this process. We do have many perspectives in this bill from many different regions of this country, but we do know at the end of the day how to be respectful of one another.

I especially wish to thank the ranking member, Senator CHAMBLISS, and without a doubt his incredible staff, Martha Scott Poindexter and Vernie Hubert, who have been tremendous and have put incredibly hard work into this bill. They have been not only a great asset in the putting together of this bill, but they have been good friends, and I am enormously grateful.

I wish to thank Chairman BAUCUS for his work and the excellent work of his staff on this very important tax title, along with his ranking member Senator GRASSLEY and his staff. Their efforts to secure funding for this bill have been tremendous.

I also wish to say a special thanks to Senator CONRAD and his staff. They

have sought to find the common ground and to bring people to the table. They have been thoughtful. They have been understanding. They have been tireless at making sure there was a reasonableness about our discussions and that the facts and the figures were clear as we debated all of these issues.

So many of the other members of the committee as well as Members of the body who have engaged in all of these discussions have done a tremendous job in bringing this all together.

Of course, on the House side, Chairman PETERSON and Ranking Member GOODLATTE as well as Chairman RANGEL have done an incredible job in working with us, and we appreciate so much their hard work.

I would also like to add my special thanks to my own staff, Ted Serafini and Anna Taylor, who have been an incredible support for me and made a tremendous effort in making sure our voice from Arkansas and the voices of the people we represent were so passionately heard with such great expertise, as well as my former staffer Robert Holifield, who worked very hard on this bill before he left our staff.

Those of us on the conference committee have worked hard to come up with this bill, and we wanted it to be practical. We wanted it to be realistic and exhibit the reforms that so many people have been asking for. A lot of time and energy was put into the final bill, and it is a good compromise. While it doesn't contain everything, as I said, that I want to see or anybody else on the committee wanted to see, it does ensure that we maintain the blessings we have here in this great country of American agriculture.

I often say to people at home that what we should be doing up here is not looking for legislation to be a work of art but to be a work in progress. As many of us who have worked on many farm bills know, it is a work in progress and continues to be—not just in what we do with this farm bill, but, as the Senator from Iowa mentioned, we look for making sure that the actions we have taken do not have unintended consequences and that we pay close attention to ensure that the things we have done do not disproportionately harm our great efforts of production agriculture.

From day one, there was a lot of give-and-take. In the end, I think Members and their staffs have produced a good compromise and a compromise that respects and appreciates the diversity of our country and certainly the great wealth and bounty of what our Nation has.

There are so many good things in this bill to be proud of, and I am. Several of my colleagues have already touched on the increased investment in nutrition, renewable energy, conservation, and rural development. All of these will benefit our country greatly.

As one of the cochairs and cofounders of the Senate Hunger Caucus, I am very proud that nutrition was a priority in this bill. This bill commits $10.36 billion—nearly 73 percent of the bill—for nutrition to continue the fight against hunger. Hunger is a disease we can cure. We know how to cure it. We simply have to set it as a priority, and this bill does.

It represents the largest amount of funding for nutrition programs in our Nation's history. At a time when 20 million Americans are living in poverty, it should represent certainly no less. One billion of that is allocated for the Fresh Fruit and Vegetable Program which provides free fresh fruits and vegetables to low-income children in our schools nationwide. It also expands the Senior Farmers Market Program by $50 million to help them purchase fresh fruits at places like farmers markets and roadside stands throughout the country. I am proud that the bill aims to reduce food insecurity among our children and our elderly, among our low income and those who are in need. This is a good part of our bill.

This bill also provides farm families, ranchers, and small businesses throughout the greater part of rural America with the opportunities and the incentives to develop renewable energy sources and continue the drive toward greater energy efficiency in this country. As we have seen with the huge rise in gas prices this year, reducing our dependence on foreign oil is an absolute necessity for our Nation's future security. I see the passion in my Arkansas farmers and entrepreneurs in rural Arkansas and across this great country for producing alternative and renewable energy sources. They stand ready. They stand ready to take advantage of the incentives and the call we have in this bill to lessen our dependence on foreign oil and empower our own selves, our own country with renewable fuels that will not only create jobs but provide a better environment for future generations. In this bill, we have the beginnings particularly of making sure we not only lessen our dependence on foreign oil but we do so in a way that is good for our environment.

I am also grateful that an important provision in this bill that I supported will bring tax parity to the timber industry which is so important to my State. This change will help our timber farmers and millers remain competitive globally during tough economic times. Last year, the downturn in the forestry industry resulted in the loss of more than 3,000 jobs and nearly $14 million in State and local revenues in my State of Arkansas.

Conservation is also a big part of this package. It does a tremendous amount. As a farmer's daughter, I saw no greater conservationist than my own father, as a farmer who took great pride in not only the land of our farm and the future generations who would get to use that land but also in the conservation that surrounded our farm and in our county, because not only was it important to his livelihood and for future generations of our family, for the expertise and his productivity on our farm, but it also was an enhancement and an unbelievable endowment to future generations for the wonderful pastime that so many Arkansans enjoy. Whether it is fishing in our rivers and streams, whether it is hunting in our forests, all of the many things we see in our State that my children and other Arkansans enjoy, it is a true blessing to see that conservation, and certainly it is important to our agriculture producers and others.

The chairman, Chairman HARKIN, has been a tireless advocate for conservation programs, and we appreciate that. I am pleased that once again he has produced a bill that is progressive in this area.

It includes a $4 billion increase in conservation programs, including a $1.3 billion investment in the Wetlands Reserve Program, which is very popular and productive in my State. We have the largest timber wetlands in North America, with the White River Waterfowl Refuge, along with the incredible lands—mostly nonproductive farmlands—that have been put into the wetlands reserve and the wetlands program and have contributed greatly to the environment. We have not only spotted the ivory-billed woodpecker, but we have tremendous migratory birds—not only the waterfowl but some of the largest areas for neotropical migratory birds, songbirds. It is a wonderful asset for this country and for future generations.

It ensures we are the best stewards of the land that we possibly can be and, above all, it helps us to leave our children with the environment they deserve.

It also includes a tax deduction to reduce the costs of implementing recovery plans under the Endangered Species Act. I see Senator CRAPO, whom I have worked a lot with on this issue.

The current Endangered Species Act plays a crucial role in protecting threatened endangered species and habitats and in promoting species recovery. However, on private lands, which are relied upon by the majority of threatened species for their survival and recovery, the current law doesn't provide all the necessary tools we need.

This provision in the farm bill ensures that our private landowners are given the incentives they need to protect our endangered and threatened species and engage with State governments and the Federal Government to protect them by making sure they can work on their land and give the needed protections that are needed in order to protect the habitats so we never even see these species going on the endangered species list to begin with.

This bill also provides an additional $150 million to promote economic growth, improve infrastructure, and create jobs in rural America through the rural development title.

This investment will help improve access to broadband in rural America,

as well as provide loans for rural hospitals, so they can provide the best care for patients living in those rural areas.

Oftentimes, I think many of us who grow up in rural America, and who go home regularly to rural America, wonder if inside the beltway there are enough people still here who understand the importance of infrastructure needs and investing in rural America—whether it is broadband and making sure folks in rural America have an on-ramp to the information highway that exists or whether it is just that they have clean drinking water in those communities. It is something we can never forget because those precious rural areas of this country will remain out there and those people will remain out there and we have to stand up for them.

The bill also provides serious reform while maintaining the safety net for our family farmers so they can compete in the global marketplace.

Throughout this process, we have heard time and time again that there must be reform. So many of us started early in this process to see where we could bring about the kind of reforms that were being demanded. We have provided in this bill the most significant reform in our Nation's history in this farm bill. The bill lowers the overall cap on program payments from $360,000 to $105,000.

We have seen the need to address the loopholes that allow producers to avoid the caps. So we have eliminated those loopholes most frequently—the three-entity rule and generic certificates.

I also heard of the need for transparency, so the committee bill added direct attribution, which will track payments directly to a living, breathing individual producer, a farmer out there who is putting their hard-earned time, energy, blood, sweat, and tears into producing these agricultural products.

I advocated for reform and transparency from the very beginning because I knew it was something people wanted to see. But I also think we must be careful that we understand what the possible consequences of these reforms might be.

The 2002 farm bill established a solid safety net program when yields and prices were low.

While we have maintained the integrity of that program, the $2.5 million means testing on income limits established in that bill in 2002 were never fully enforced by this administration. The Senator from Iowa brought up that point. It is hard to know where to go from those caps in the 2002 bill and today's bill to increase that transparency and increase those reforms, if we don't even know what the first limit actually did.

That is why it does create some concern in me to hear that the administration is saying this bill doesn't go far enough in regard to these reforms. How do we know if it doesn't go far enough if we have never enforced what has been on the books to begin with?

Prior to the 2002 farm bill, no means test existed for farm programs. Now, I have to say I have concerns that all of a sudden we are going to begin means testing farmers and producers across this country, but we shy away and shiver in this body when means testing is talked about for anything else.

We knew it was important to eliminate loopholes that nonfarmers used to receive program payments, and during the 2002 farm debate, we instituted the $2.5 million test.

In the bill that passed the Senate in December, we lowered the means-testing cap to $750,000, which respected our regional differences and avoided the unintended consequences that might arise in this compromise.

Let's not forget that we also significantly reformed individual program pay limits on top of that, which should sharply reduce benefits to producers who remain eligible, as long as they are below that means-testing level we have imposed. I thought the Senate bill did a good job on that compromise and have remained hopeful that those limits, and certainly something close to those limits, is where we can be.

During conference, we agreed to add an additional component that factors in nonfarm income.

However, it is not enough for this administration, and they continue to threaten a veto of this incredibly hard-fought, bipartisan compromise. As I mentioned, I do have some concerns about means testing because we are means testing the most efficient and effective producers of agricultural products in the world, at a time when we are experiencing a world food crisis, and we want to ensure that not only will we maintain the kind of production that we have consistently but also that we do it by setting an example in respect to clean water and clean air and, certainly, in respect to all the other unbelievable demands and restrictions that are placed on our farmers with respect to the environment.

We don't know what those consequences might be, and I hope we will keep in mind—as the Senator from Iowa mentioned—that as we move forward in looking at this bill, thinking about how those effects may have unbelievably unintended consequences. Again, there have been an awful lot of fights for the means testing on our agricultural producers, while there are so many other benefits in this country that are not means tested. I noticed my colleagues earlier mentioning the fact that farm income is up. But I also noticed that nobody hardly mentioned the fact that reflects the reality of what farmers in this country are going through in terms of the environment of skyrocketing production costs and restrictive trade laws, which in our region of the country are much more restrictive. Trade laws are much more restrictive to the commodities we grow, and certainly production costs that are much higher for capital-intensive crops.

I hope the unintended consequences of establishing payment limits and means testing would not shift the landlord-tenant relations to cash rent and place producers, who are working hard each day to shoulder that risk solely of restrictive trade rules, bad weather, and unbelievably skyrocketing input costs—I hope that is not one of the unintended consequences that we see.

In the end, this bill is about ensuring that our family farmers can continue to produce the world's safest, most abundant supply of food and fiber.

Our farmers also produce their commodities the most efficiently and effectively in the world, and they do it by keeping the cost of our food and fiber per capita the lowest of any developed country, as Senator CONRAD mentioned.

Moreover, they do it with respect to our environment, so our children and future generations can enjoy this unbelievable country of bounty and beauty. They do it by following the Clean Water Act, Clean Air Act, and so many other restrictions that we place on them in order to ensure they are setting the example and doing the best job possible regarding our environment.

They are excellent conservationists and stewards of the land because they understand that if they care for the land, it will take care of them. It is something we should never lose sight of.

I am proud of the work we have done on this bill, and I encourage my colleagues to support the final version. No bill is ever perfect. This one gives our family farmers the certainty they need to continue to compete effectively in the global marketplace. It focuses on the unbelievable needs throughout this country in nutrition, energy, conservation, and rural development.

Again, I am proud to have worked in a bipartisan way with so many colleagues on the Senate Ag Committee, as well as others in this body and in the other body across the Capitol dome.

My last plea before I yield the floor is to my colleagues. It is that we will never allow ourselves or the people of this country to take for granted what we have been blessed with in this country. This is a great country, and we have a lot of incredibly hard-working people. Many of them are spread out over the rural areas. I hope we will never allow the American people to take for granted what this bounty means to them and, more importantly, that we in this body will never take for granted the hard work that goes on beyond this beltway to make us the richest country in the whole world. I hope we can continue in that same bipartisan fashion, recognizing and respecting the incredible diversity across this country that has blessed us for so many years.

I encourage my colleagues to support the great bipartisan product we brought to the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAPO. Mr. President, I also rise today in support of the farm bill conference report. Before my colleague, Senator LINCOLN, leaves the floor, I wish to take a few minutes to thank her for the tremendous work she has been willing to do with me. She and I were both elected to the House of Representatives in the same year, and we were elected to the Senate in the same year. We have served on a lot of the same committees, not the least of which has been the Agriculture Committee and the Finance Committee, both of which have important parts of this legislation.

We have had a tremendously good relationship over the years. We come from different sides of the aisle, but we work closely together in a bipartisan way on issue after issue. One of those very important issues, which Senator LINCOLN already mentioned, is the Endangered Species Reform Act. I will talk about that later in my remarks.

Before she left the floor, I wished to thank her for being the lead cosponsor on that legislation that we have worked on literally for 6 or 7 years, to make sure we build a consensus-based solution to issues in this country that will make a difference. Again, I thank the Senator for that. I truly appreciate the working relationship we have, and I could not agree more with the comments she has made overall about the farm bill and the tremendous blessing we have in this Nation to have literally the lowest per capita cost in the world in our budgets for the American families with regard to the dollars they must put forward for food and fiber. At a time when people around the world are struggling to deal with recent natural disasters and to ensure that their families have the food they need, we need swift enactment of this farm bill that will provide long-term certainty for farm families as they continue to feed the world's hungry.

This is the third farm bill that I have worked on since I have been elected to Congress. I have to say that although each bill, as we moved through the issues of the day, presented their unique problems, this has been the most difficult to bring together in a conference where we could literally come together—House and Senate, Republicans and Democrats—and propose good, solid policy for our Nation's food and fiber. I think we have to give credit to those who have been leaders in the Senate in making that happen: our chairman, Senator HARKIN; our ranking member, Senator CHAMBLISS; and on the Finance Committee, which, as I said, also has a significant piece of this legislation, our chairman, MAX BAUCUS; and the ranking member, CHARLES GRASSLEY. There are many others.

Now that I started mentioning Senators, I could literally go through the members of the Agriculture Committee, both sides of the aisle, the members of the Finance Committee, both sides of the aisle, and list Member after Member who has worked tirelessly to make sure this policy comes together in a farm bill we can be proud of and which will strengthen America globally.

It is not limited to just the members of the Agriculture or Finance Committees. This Senate is committed to making sure we develop the kinds of policies that will keep our Nation strong and globally competitive, and many of those policies are included in this legislation.

In preparation for this farm bill, I held 23 farm bill listening sessions in my State, all across Idaho, to get input from Idahoans about what they need and what they saw important in a new farm bill. I appreciated the input I got from my constituents and, frankly, utilized that input in working with my fellow members on the Agriculture Committee and Finance Committee as we crafted this legislation.

There are a number of provisions I wish to highlight tonight.

The first, which I have already mentioned, is a part of the bill that comes in the conservation piece the Finance Committee worked so hard to bring forward. As I think most people who followed the debate in the battles over the farm bill over the last few months have realized, one of the battlegrounds—in fact, the major battleground—was the effort by the Finance Committee in the Senate to bring forward a significant new addition to the conservation efforts in our country as we deal with conservation policy.

One of the more important pieces of that battleground, if you will, was the Endangered Species Reform Act. The battle was not really over the policies; it was over the dollars because we wanted to make sure we paid for the increased costs of what we were doing. But it was nevertheless a very difficult time as we tried to find a path forward.

Most people who are involved in land management issues, whether they be farmers, consumers, or people who are involved in development or simply homeowners, realize that we have had a significant area of conflict in this country for decades over the implementation of the Endangered Species Act.

There is very little disagreement that we want to protect and preserve the beautiful environmental heritage we have and the species we have that are so rich and abundant in our country. At the same time, we wanted to try to find a way to avoid conflict with private property owners and with the economic activities of people in our country who are trying to develop jobs and opportunities in the economy to provide for themselves and their families. It is that conflict which we have worked on in the context of the Endangered Species Act now for about, as I say, 6 or 7 years, to try to build a solution that could be broadly supported but which would help both species and people, the economy, and help private property owners and those who are interested in protecting and preserving our rich environmental heritage.

We have succeeded in the Endangered Species Reform Act. This act is broadly supported by the environmental community because over 80 percent of the threatened or endangered species in our Nation is located on private property. The act does not give us the ability to reach into the private property as effectively as we need to help implement recovery plans for species that are threatened or endangered. This legislation does so.

At the same time, as I indicated earlier, our private property owners have been concerned about the reach of the Endangered Species Act and what it would do to them if an endangered species were found on their property. This act makes it so they can actually find economic compensation if that happens.

The core of the act is that it focuses on helping landowners on a voluntary basis have a tax deduction for actions they undertake on their property to help implement recovery plans, to help facilitate and strengthen species.

This is a tremendous incentive, with the backing of the Federal Government, for these tax deductions to encourage private property owners to undertake activities that will tremendously benefit species on their property. The private property owners are compensated for the impacts on their property, the species are benefited, and everyone in the country is a winner in terms of the improvement of the opportunities to strengthen our endangered species protection.

This has the broad support of sportsmen organizations across this country, of environmental organizations across the country, and of private property groups across the country.

I am glad we were able to work our way through literally the battlegrounds we faced in order to make sure we got this legislation included in the final piece of the farm bill.

There is more to do. We had to work it through and adjust pieces of it that we would rather have kept in, but we got the core of the bill in place. And now we look forward to strengthening and improving this important protection of the Endangered Species Act.

While she is on the floor, I thank Senator STABENOW for her tremendous efforts in the conference to make sure we were successful in getting this critical legislation for the endangered species and private property owners included in the final conference report.

Specialty crop producers were also very significantly benefited by this legislation. Speciality crop producers in Idaho and nationwide will receive more than a $2 billion investment in programs important to them, including $456 million for speciality crop block grants that assist with marketing, research promotion, and other efforts to increase the competitiveness of speciality crops.

Again, Senator STABENOW should be given great credit for fighting to work with me and many others to make sure this happened.

The legislation also contains significant assistance for producers impacted by disaster, including new assistance for aquaculture producers who are impacted by drought or assistance for ranchers utilizing the Federal grazing permits who are impacted by a loss of grazing due to fire.

In addition, more than $4 billion in new spending is going to be provided for conservation programs which enable landowners to meet the environmental needs and goals and, frankly, in many cases mandates that we put on them to make sure our environment is protected and preserve.

I have often said, as we talked about different farm bills, and this one is no different—in fact, this one is probably a better example than any we have done so far—that one of the most, I will say the most important pieces of legislation this Congress ever works on with regard to truly making a difference in protecting, preserving, and strengthening our incredible environmental heritage in this country is the farm bill because of the powerful provisions we have in the conservation title.

This farm bill moves forward with significant strides to strengthen and enhance the environmental and conservation goals of our country through farm policy and private property policies.

This investment is an important step we must not forget. Farm bill conservation programs are an example of the Federal Government assisting with the environment in the right way with a carrot rather than a stick. Our conservation programs have contributed significantly to improving water and air quality and preserving and enhancing habitat for species.

An estimated 95 percent of the world's consumers live beyond our borders. The bill also will assist in reaching those consumers by expanding market opportunities through the inclusion of $200 million annually for the Market Access Program.

In addition, the bill seeks to better ensure adherence to the softwood lumber trade commitments through inclusion of a softwood lumber importer declaration program. I appreciate the tremendous work that was done to include this important provision.

The legislation also continues and expands support for the Idaho commodity producers, including our barley, dairy, pulse crop, sugar, wheat, and wool producers. Idaho's agricultural industry is more than a $5 billion industry and is a critical part of Idaho's economy.

The commodity title in this bill will continue to allow those farmers to be protected and strengthened as they face incredible global pressures and, frankly, what I consider to be anticompetitive actions by other nations as we deal in a global agriculture market.

The legislation benefits rural America in a number of important ways. Across the United States, rural communities struggle to access funds necessary to comply with Federal, State, and local environmental regulations. Through changes to SEARCH grants, small rural communities with populations of 2,500 or less will have greater and more streamlined access to funding to assist with water and wastewater infrastructure projects. Let me explain what this means.

Across this country, we have requirements that our wastewater and our drinking water be protected. In fact, often in America we talk about the fact that we have the safest, cleanest water in the world. When you come to America to visit, you don't have to worry about drinking the water. When you live here, you don't have to worry about drinking the water. The reason is because of our very strong environmental standards.

We are proud of that, and we need to protect our water quality. But the protection comes at a price, and often the mandates we put on communities to assure that water quality are not able to be met by the smaller communities because they simply don't have the economies of scale to be able to implement the wastewater and other treatment facilities that are necessary to enable them to comply with the environmental mandates and keep the water quality so clear and clean.

We need to provide ways to assist these strapped rural communities as they try to do what we all want to do, and that is make sure America has clean, safe water. That is what these projects will do in the SEARCH legislation.

The bill also provides $120 million in mandatory spending to be directed at pending applications for water and wastewater disposal grants and loans—Again, to help with the same problem.

As well in the rural areas, broadband access is a key to growth and economic development. This farm bill simplifies the application process for broadband assistance and ensures that broadband assistance is targeted at communities with the least amount of access.

Improving the economic position of rural areas by stimulating the growth of rural businesses is accomplished through reauthorization of important programs such as the rural business opportunity grants and the rural cooperative development grants, which will ensure the continuation and technical assistance and training to our Nation's rural businesses and cooperatives.

In addition, value-added producer grants are going to continue to provide producers with the means to improve on the value of their products through planning activities and marketing and the reauthorization of the national rural development partnerships which will enable individual State partnerships, such as the Idaho Rural Partnership, to continue working to strengthen and improve life in rural America.

The farm bill also incorporates language from the Biodiesel Education and Expansion Act of 2007. That is S. 1791 which I introduced with Senator KLOBUCHAR to reauthorize the Biodiesel Education Program. This program has been very important to the biodiesel effort in Idaho. The University of Idaho has received about 20 percent of those funds through a competitive grants process to help educate Government and private owners of vehicle fleets about the benefits and technical aspects of biodiesel fuel.

In addition, the bill includes a new temporary cellulosic biofuels production tax credit for up to $1.01 per gallon available through December 31, 2012.

The conference report also provides $300 million for the Bioenergy Program which provides incentives for expanding production of advanced biofuels made from agricultural and forestry crops and associated waste materials, including animal manure and livestock food processing waste.

The importance of this is that we in the United States have a serious problem in our energy policy. We can debate the many aspects of it in other contexts. The bottom line is we are far too dependent on petroleum in this country as a source of energy. And in the context of petroleum, we are far too dependent on foreign sources of petroleum.

I often analogize our core need in terms of energy policy of being one of trying to diversify our energy portfolio. We need to move into alternative and renewable fuels, and we need to provide the support to enable us to do the research and development to expand energy opportunities.

One of the things this bill does in areas I already mentioned, such as cellulosic biofuels and other efforts in that context, is to help us do the research and to do then the thinking that goes into making sure we move into these other types of alternative and renewable fuels.

Another important part of this legislation in that context is that we establish a sugar-to-ethanol program which will better enable the sugar industry to contribute to our energy independence.

There are many things we could be doing and we ought to be doing—all of them to find the ones that will best work and will best help us to diversify our energy economy.

The legislation also provides expanded fresh fruit and vegetable programs, which provides domestically grown fresh fruit and vegetables to students as healthy snacks and educates our students in every State on the importance of eating healthy foods.

This program has already been well received as a pilot program in a number of States, including Idaho. I am proud to continue this program not only in Idaho but to help expand it to all States across the country.

The bill strengthens assistance for America's food banks by providing more than $1 billion for the next 10

years for commodity purchasing, nearly doubling the current funding level. Access to food banks is particularly important given the economic hard times that we are facing with regard to high gas prices.

Also, I would like to talk a little bit more about the global competition we face. As I indicated earlier, one of the pressures that our producers face is anticompetitive conduct from other nations. These are subsidies, tariffs, or nontariff barriers which are erected against our producers.

Yes, we support our agricultural producers and, yes, we have tariffs. I am not sure what the numbers are today, but within the last couple of years the imbalance in those tariffs shows what I am talking about. The average I am recalling that we have discussed over the last few years is that the average tariff against our producers as we try to export into other countries is around 60 percent, whereas the average that we impose on those bringing their products into our country is more in the neighborhood of 10 or 12 percent.

Those kinds of disparities create tremendous trade barriers to our producers. The same is true with the level of subsidies provided to producers in other countries that compete with our producers. One of the critical parts of this bill is to provide that safety net or that protection to our producers in the international contest as we seek to make sure the trade arena globally is balanced fairly.

I know some have criticized this bill by saying it spends too much limited Federal funding on agriculture. Let me make an important note there. This bill has a number of titles. Agriculture commodity programs are one of those titles. About 70 percent of the spending in this bill goes to our nutrition programs, such as the Food Stamp Program.

Most people in America don't realize that because we often call this the farm bill. Yet 70 percent of it goes into our nutrition programs. What percent goes to the commodity programs? A little less than 14 percent. And those important conservation programs I talked about? They get around 7 percent of the funding in the bill. The rest, the 8 or 9 percent that is left over, goes into the rural development part, the titles—the energy titles and other portions of the bill that are critically important to our national concerns, such as rural development and energy.

When you look at this bill, it is not an ag bill or a farm bill. It is a food and fiber bill. It is much more than that. It is a bill that is very important, as I have said, to everything from energy policy to rural development to our conservation efforts in this country to our agriculture commodity programs and to our nutrition programs for those who face hunger in this Nation. It is important to recognize that.

Also, I think it is important for us to note that some criticize this bill for not being reform minded enough and not being strict enough on payment limitations for the extremely wealthy who, it is claimed, get all of the resources of the bill in that 14-percent commodity title. However, the conference report has taken major steps forward in terms of reform. I think those steps need to be recognized and noted.

The conference report would eliminate the triple entity rule, which has already been talked about extensively on the Senate floor tonight, and changes the current adjusted gross income limit from $2.5 million to $500,000 for nonfarm and $750,000 for farm income. These are considerable reforms that should be acknowledged and recognized.

This is a broad and diverse country, and no bill is a perfect bill from the perspective of any individual Senator, I am sure. We have 50 States and 435 Congressional Districts and we have tremendous debates about how we should implement policy. But this bill worked its way through that process to develop policy and reforms that are meaningful and significant and should not be undermined.

In conclusion, this legislation with its 15 titles covers a wide range of important policy matters that go far beyond our traditional farm support, as I have said. These titles include things, as I have indicated, such as conservation, trade and food aid, nutrition, farm credit, research, energy opportunities, crop insurance, and disaster assistance and many more. The breadth and depth of this legislation reaches into so many people's lives—everyone in America, not just those in farm country—everyone in America should be paying attention to this legislation and should be glad that we have been able to find that agreement that has enabled us to get a conference report between the House and Senate.

Again, I thank all my colleagues for their tremendous work in this very difficult and lengthy process we have been going through, to make sure we develop the right policies for our food and fiber in this Nation, and we continue to keep America strong and on the competitive edge in the production of food and fiber for the world.

Mr. LUGAR. Mr. President, I rise today to express my opposition to the Food, Conservation, and Energy Act of 2008, referred to as the 2008 farm bill. The 2008 farm bill contains many worthwhile polices, including valuable investments in conservation and nutrition programs. However, it fails to provide meaningful crop subsidy program reforms that most Americans would support.

This farm bill continues a set of antiquated programs that send a majority of payments only to farmers earning over $200,000 a year. It exceeds the budget allocation by $10–$20 billion through the use of tax policies and budgetary sleights of hand. The perception of being within the budget limit is not reality.

While it is true that subsidies are only part of the overall bill, Congress should not accept these outmoded policies in order to move along other priorities. The fiscal, food and trade policy costs are too great and too damaging.

This farm bill continues the ''three-legged stool'' of a ''farm safety net'' that targets mostly corn, soybean, wheat, rice, and cotton farmers. The first leg is the practice of sending $20 billion in direct payments to only 43 percent of U.S. farms. Of those, only 8 percent receive 58 percent of the payments. These payments have nothing to do with markets, disasters, or need, and they have been ruled to violate trade agreements. This farm bill reduces these payments by a miniscule 2 percent. Farmers, who had received an average $94 per acre for a history of growing rice, would still receive $92.40 under this farm bill.

Second, the farm bill continues counter-cyclical payments that are made when prices go down. Third, these targeted farmers may also receive unlimited marketing loan payments—farmers do not need to repay government loans if prices fall below a targeted rate. Additionally, this farm bill retains a government administered supply and demand program that keeps sugar prices for consumers well above world market prices.

Farm bill conferees added yet a fourth leg to the farm subsidy stool by creating a new $4 billion standing disaster program to cover losses due to droughts and floods. The idea of a permanent disaster program may have merit, especially when you consider that Congress has passed legislation to fund ad hoc disaster payment assistance nearly every year for the last 20 years. But we should ask ourselves, if the current expensive farm bill is failing to provide a safety net to farmers when these devastating events do happen, then what is the purpose of the farm bill? Why do we need a new program administered by a separate Federal agency to fulfill what most Americans believe is the core purpose of the legislation before us? We should fix the root problem, namely that the current subsidy system does not work and wastes taxpayer dollars.

Trade distortion is yet another major problem with the bill. In 2004, Brazil won a World Trade Organization, WTO, case against U.S. cotton programs based on the trade distorting nature of direct payments, countercyclical payments, and marketing loan payments. Similar cases against other commodities are now being deliberated. Surprisingly, instead of fixing the programs to shield U.S. farmers from these challenges, this farm bill continues these programs and provocatively increases the subsidy rates.

How, in good faith, can we ask other governments to join us in trading partnerships, or to abide by fair trade agreements, when this Congress blatantly ignores our own commitments? Some Senators may wonder why we

should be concerned about violating WTO commitments. They might think that this is simply limited to agriculture or specific crops with little impact on our overall economy. Others might even suggest that we are better off building up more barriers to trade; that this farm bill is about American farmers not farmers in Brazil or elsewhere. However, if Senators look further down the line they will see that our WTO violations could cost the United States billions in revenue, intellectual property, and lost trade opportunities. Failure to move toward compliance will invite retaliatory tariffs that legally can be directed at any U.S. industry.

It could be argued that flaunting these commitments would be justified in order to save the U.S. farming sector from sure ruin. However, that would ignore the realities of our current farm economy and the actual structure of these farm programs. Thanks to strong foreign and domestic demand, net farm income for 2007 was nearly $89 billion, up $30 billion from 2006 and $30 billion above the average for the previous 10 years, setting a new farm income record. Estimates for 2008 project net farm income to top $92 billion. As a result, average farm household income is projected to be almost $89,000 in 2008, up 9 percent from 2006, and well above average U.S. household income of $67,000.

We need a new farm bill that ensures a stable farm economy and a healthy food supply. I do not believe our Nation is best served by this farm bill that continues to make payments that defy common sense, snubs our trading partners, and balloons taxpayer spending. Last year I joined Senator FRANK LAUTENBERG and others in offering a farm bill alternative that received 37 votes on the Senate floor. It would have provided all farmers with a more equitable ''safety net,'' as well as greater investment in conservation, rural energy projects, and nutrition.

Under the proposal, farmers, for the first time, would receive—at no cost to them—either expanded county-based crop insurance policies that would cover 85 percent of expected crop revenue, or 80 percent of a farm's five year average adjusted gross revenue. These subsidized insurance tools already exist, but our reforms would have made them more effective and universally used, while controlling administrative costs. Farmers would also be able to purchase insurance to cover the remainder of their revenue and yields. In addition, the amendment would have created optional risk management accounts that would be available to every farmer and rancher and provide incentives for them to put away money in good years to cover lean years. Our program would be available to all farmers in the country—regardless of products—and not just a select few corn, soybean, wheat, rice, and cotton farmers.

Using the savings from this approach could fund important expansion in conservation, nutrition, energy, and research programs. In fact, the approach made more significant investments within the Federal budget in these areas than the farm bill before us and even found savings to help pay down our Nation's budget deficit, which this year is approaching $400 billion.

I will vote against the farm bill conference report and support a presidential veto of the bill. I further suggest that the Lugar-Lautenberg FRESH Act remains a reform option, a constructive alternative that will save taxpayers billions, provide a generous safety net, and allow for funding of farm, nutrition, bioenergy, conservation, and rural development programs without budget-breaking gimmicks.

Mr. DOMENICI. Mr. President, every morning thousands of Americans wake up to a bowl of Wheaties, the vast majority of whom have never asked where their Wheaties come from. I submit to you that the farm bill is the primary factor responsible for providing America with safe, healthy, and affordable food and fiber, including Wheaties. What we are debating today is of paramount importance to each and every American.

If you look at the title of this bill, the Food, Conservation, and Energy Act of 2008, you will not see the word agriculture. This begs the question, What does this bill really mean to agriculture and the American farmer and rancher?

By way of example, I have been contacted by the Dairy Producers of New Mexico which told me that the farm bill does not, on the whole, help rural New Mexico. Rather its policies have short-term and long-term implications that can harm my State. The primary source of economic activity in rural New Mexico today is dairy farming. There are approximately 172 dairy farms with approximately 4,221 direct employees and 17,150 indirect employees. These local operations contribute $1.02 billion direct dollars to the economy and $2.6 billion indirect dollars to the economy. The farm bill undermines the economic stability that the dairy industry plays a large role in creating.

The dairy title subsidizes dairy farmers who compete with New Mexico dairymen. Under the farm bill, the ''MILC'' program not only funds milk produced in other regions of the country, at rates higher than New Mexico, it increases those payments. The new bill ensures that the amount of those payments will rise when feed prices go up. This is despite the fact that virtually all of the grain used by producers outside New Mexico is raised by them and they are insulated from much of that price inflation. New Mexico's farmers purchase their feed but receive only partial payments. In short, the Dairy Price Support Program provides no support at all.

I applaud the efforts that were made in this bill to address nutrition concerns, provide for broader flexibility for specialty crop growers, and assist rural communities. However, it does not appear to me that enough progress has been made toward conservation programs and other reform initiatives. Moreover, while the bill does continue the peanut handling benefits it does not continue the peanut storage provisions contained in the 2002 farm bill. This alone will cost New Mexico peanut growers up to an additional $50 to $60 per ton, which represents at least $74 million to peanut producers in my State. I am not convinced that this is the best we can do for the people who feed our Nation and I am left wondering if this farm bill is already out of date before it is even law.

The Congressional Budget Office tells us that this bill will cost $307 billion over the next 5 years and almost double that figure over 10 years, which is cause for concern in and of itself.

Ultimately, I am unwilling to support a measure that is counterproductive to the most important agriculture component in New Mexico, our dairy industry. Instead of enacting policies that will encourage stability and continued growth of dairies in States like New Mexico, the conference report before us today says our farm policy should be to erect unreasonable hurdles and obstacles for many dairies. I intend to vote against this bill and I urge my colleagues to do the same.

Mr. HARKIN. Mr. President, I certify that the information required by Senate rule XLIV, related to congressionally directed spending, has been identified in the conference report to accompany the Food Conservation and Energy Act of 2008, numbered H.R. 2419, filed on May 12, 2008, and that the required information has been available on a publicly accessible congressional Web site at least 48 hours before a vote on the pending conference report.

FURTHER CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, section 307 of S. Con. Res. 21, the 2008 budget resolution, permits the chairman of the Senate Budget Committee to revise the allocations, aggregates, and other appropriate levels for legislation, including one or more bills and amendments, that reauthorizes the 2002 farm bill or similar or related programs, provides for revenue changes, or any combination thereof. Section 307 authorizes the revisions provided that certain conditions are met, including that amounts provided in the legislation for the above purposes not exceed $20 billion over the period of fiscal years 2007 through 2012 and that the legislation not worsen the deficit over the period of the total of fiscal years 2007 through 2012 or the period of the total of fiscal years 2007 through 2017.

On November 5, 2007, I filed a reserve fund adjustment pursuant to section 307 for an amendment in the nature of a substitute to H.R. 2419. That legislation passed the Senate on December 14, 2007. The Senate is considering the conference report to accompany H.R. 2419,

the Food, Conservation, and Energy Act of 2008. I find that the conference report also satisfies the conditions of the deficit-neutral reserve fund for the farm bill, including being fully paid for over both the five and 10-year time periods. Therefore, pursuant to section 307, I am amending the reserve fund adjustment made on November 5, 2007, and further revising the aggregates in the 2008 budget resolution, as well as the allocation provided to the Senate Committee on Agriculture, Nutrition, and Forestry, to reflect the final estimate for the completed farm bill.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 307 DEFICIT-NEUTRAL RESERVE FUND FOR THE FARM BILL

(In billions of dollars)

Section 101	
(1)(A) Federal Revenues:	
FY 2007	1,900.340
FY 2008	2,016.793
FY 2009	2,114.754
FY 2010	2,170.343
FY 2011	2,351.046
FY 2012	2,493.878
(1)(B) Change in Federal Revenues:	
FY 2007	−4.366
FY 2008	−34.003
FY 2009	7.828
FY 2010	6.622
FY 2011	−43.504
FY 2012	−103.218
(2) New Budget Authority:	
FY 2007	2,371.470
FY 2008	2,501.726
FY 2009	2,520.890
FY 2010	2,573.040
FY 2011	2,688.764
FY 2012	2,720.897
(3) Budget Outlays:	
FY 2007	2,294.862
FY 2008	2,473.063
FY 2009	2,569.024
FY 2010	2,601.423
FY 2011	2,695.166
FY 2012	2.702.695

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 307 DEFICIT-NEUTRAL RESERVE FUND FOR THE FARM BILL

(In millions of dollars)

Current Allocation to Senate Agriculture, Nutrition, and Forestry Committee	
FY 2007 Budget Authority	14,284
FY 2007 Outlays	14,056
FY 2008 Budget Authority	17,088
FY 2008 Outlays	14,629
FY 2008–2012 Budget Authority	76,881
FY 2008–2012 Outlays	71,049
Adjustments	
FY 2007 Budget Authority	0
FY 2007 Outlays	0
FY 2008 Budget Authority	−1,500
FY 2008 Outlays	−976
FY 2008–2012 Budget Authority	401
FY 2008–2012 Outlays	−483
Revised Allocation to Senate Agriculture, Nutrition, and Forestry Committee	
FY 2007 Budget Authority	14,284
FY 2007 Outlays	14,056
FY 2008 Budget Authority	15,588
FY 2008 Outlays	13,653
FY 2008–2012 Budget Authority	77,282
FY 2008–2012 Outlays	70,566

MORNING BUSINESS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

60TH ANNIVERSARY OF THE FOUNDING OF ISRAEL

Ms. SNOWE. Mr. President, over the past week, the Jewish people and their friends around the world have celebrated the historic and proud occasion of the 60th anniversary of the founding of the modern State of Israel. I rise to join my colleagues in again congratulating and honoring the Israeli people in reaching this monumental milestone, and to recognize the enduring and unwavering relationship between our two countries.

During my tenure in public service, it has truly been an honor to consistently stand with Israel. Throughout my 29 years in Congress—begun the same year, 1979, when I attended the signing of the Israeli-Egyptian peace treaty at the White House—I have fought for Israel's absolute right to exist in peace, and I have understood Israel's enduring value as a strategic ally to America. And for twice as long as I have been privileged to help enhance this relationship in Congress, Israel has proven itself time and again not only to be a true ally of the United States in terms of our shared security interests, but also in terms of upholding democratic ideals.

In its first 60 years, the modern State of Israel has proven itself to be a bastion of democracy in a region rife with authoritarianism. Israel is the only country in the Middle East whose citizens enjoy the right to vote, speak, and pray freely. As notable as it is that Israel has successfully brought these critical elements of western-style democracy to the region, it is even more remarkable that it has been able to guarantee these freedoms while under constant threat from terrorists and countries along its borders. In this way, Israel has proven itself to be a true democracy—a paragon of political openness and liberty.

As the first woman to serve in both houses of a State legislature and both Houses of the U.S. Congress, I regard Israel's inclusion and empowerment of women in politics as an especially inspiring feature of its democratic triumph. Highlighted by the election of Golda Meir as Prime Minister in 1969, Israeli women played as central a role in the founding and flourishing of the State of Israel as their male counterparts. Meir's legacy is proudly continued today by countless Israeli women in top government positions in Israel, including Foreign Minister Tzipi Livni, Speaker of the Knesset Dalia Itzik, and Justice Dorit Beinish, who serves as the President, or Chief Justice, of the Supreme Court.

Again, Israel's proud record of outstanding participation by women in the governance of their country stands in stark contrast to the disenfranchising of women from public life elsewhere in the Middle East. And while many of its neighbors suffer from a high illiteracy rate among women, Israel has achieved educational parity for men and women, with 57 percent of all academic degrees in the country being earned by women.

By advancing the causes of political inclusiveness and freedom, the State of Israel has done more than provide a vibrant homeland for the Jewish people, it has emerged a beacon of modernity and hope in an ancient and still troubled region. And there should be no doubt that the people and Government of United States continue to stand alongside Israel as it seeks peace even as it endures daily rocket attacks against its citizens and vile, hate-filled rhetoric from radical and dangerous strongmen who speak of its destruction. In supporting Israel against these threats, we support the dignity of all peoples against those who would prefer the oppressions of humanity's past to the promise of its future.

And so, on the occasion of its 60th anniversary, I rise not only to commend the State of Israel and its people, but also to thank them, for their friendship, for their bravery, and for their defense of that which is righteous in the world.

Mr. SPECTER. Mr. President, I have sought recognition to commemorate the 60th anniversary of Israel's founding.

On May 14, 1948, members of the Jewish People's Council gathered at the Tel Aviv Museum to approve the Declaration of the Establishment of the State of Israel. The declaration stated, in part, ''The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.'' These were the principles Israel was founded on, and these same principles guide it today.

I have visited Israel 25 times since taking office in 1981. Under the able leadership of the numerous Israeli leaders whom I have come to know over that period, Israel has remained a bastion of democracy in the Middle East.

According to the Freedom House's ''Freedom in the World 2008'' report, Israel is the only free country in the Middle East. Evidence of Israel's strong democratic traditions is seen in the inquisitiveness of its press: the Freedom

House considers the Israeli press to be the only free press in the region.

Israel's economy has also prospered under democratic rule. According to the Economist Intelligence Unit, ''Israel's economy is far more diversified and sophisticated than its neighbors.'' ''Israel has the highest proportion of engineers in the workforce [worldwide], and nearly double the share of second-place US and Japan.'' Its well-educated populace has enabled its high-tech industry to make advances in research and development, enabling Israeli firms ''to achieve global leadership in a number of fields, including various segments of the software industry, anti-virus protection and computer security systems, as well as in the areas of fiber optics and electro-optics, medical instruments and medical imaging systems.''

During my time in the Senate, I have worked to ensure Israel's security. One aspect of this has been securing economic and military assistance for Israel. During my most recent trip to Israel, in December 2007, I met with President Shimon Peres and Prime Minister Ehud Olmert. We discussed, among other things, the Israeli-Palestinian peace process, Iran's role in the region, and the U.S.-Israeli bilateral relationship. In each instance, it was clear to me that both the United States and Israel benefit greatly from our strong ties and shared ideals.

At the core of the United States-Israeli relationship is the Middle East peace process. There have been so many developments since Israel emerged as a state. The enmity which has existed for decades has meant senseless killing, terrorism in Israel, and Hezbollah and Hamas firing rockets into Israel, prompting the justified retaliation by Israel as a matter of self defense.

It is crucial that Israel's neighbors understand the importance of words and perceptions in the peace process, bringing the region closer to the goals set forth in the November 27, 2007 Joint Israeli-Palestinian Declaration at Annapolis: ''We express our determination to bring an end to bloodshed, suffering and decades of conflict between our peoples; to usher in a new era of peace, based on freedom, security, justice, dignity, respect and mutual recognition; to propagate a culture of peace and nonviolence; to confront terrorism and incitement, whether committed by Palestinians or Israelis.''

The democratic principles set forth in the Declaration of the Establishment of the State of Israel have enabled Israel to thrive for the past 60 years and will continue to guide it into the future.

Mr. BARRASSO. Mr. President, I rise today to acknowledge the 60th anniversary of the founding of the modern State of Israel.

On May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel, and the Government established full diplomatic relations.

The United States and Israel share a deep friendship and alliance. Our alliance is based on the belief of the United States in Israel's right to exist and our countries' shared values of democracy.

Both Israel and the United States understand the values of life, liberty, opportunity, security, and freedom. Additionally, we both seek to address the common threat of terrorism. We recognize that terrorist organizations have denounced the values of freedom, and we are dedicated to ensuring that terrorism does not prevail.

Throughout Israel's history, the country has strived to build a democratic nation despite severe obstacles. Yet the people of Israel continue to show great strength and perseverance as they seek peace with their neighbors.

I extend my congratulations to our friends, the people of Israel, and I join them in celebrating this occasion.

THE MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would strengthen and add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

In the early morning hours of Saturday, May 10, 2008, in Muncie, IN, Kyle Flood was attacked for being gay in what he believes was a hate crime. Flood, a 21-year-old college student at Ball State University, says he was leaving a bar at about 3 a.m. when two college-aged men approached him and his friends using anti-gay epithets. When the two groups crossed paths, a fight erupted. Flood was shoved to the ground and punched in the face. He was later treated at the local hospital for a scratched cornea, swollen eye, cuts and bruises. The Ball State community has reacted to the beating, and students have been informed to stay calm and try to travel to and from social events in groups. Police Chief Gene Burton has said that bias-motivated attacks are rare among students, but that they have happened before. No arrests have been made in connection with the assault.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. Federal laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. This legislation would better equip the Government to fulfill its most important obligation by protecting new groups of people as well as better protecting citizens already covered under deficient laws. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

NATIONAL FOSTER CARE MONTH

Mrs. BOXER. Mr. President, today I wish to recognize National Foster Care Month, an effort to raise awareness about our responsibility to support the more than half a million children across the Nation who are living in foster care. I would also like to take this opportunity to pay tribute to the dedicated adoptive parents who provide these vulnerable youth with the permanent families they deserve.

Having a family is vitally important to foster youth like JoJo Carbonell, from my home State of California. When she was in school, JoJo had to ask her teacher to excuse her from the assignment to make a family tree because she didn't know any of her relatives except her birth mother and her sisters. For JoJo, one of the most important reasons that she is now successful and stable is her foster parent, Sue Crowley. From Sue, JoJo learned the importance of family and began to develop heartfelt traditions she will carry with her forever. As JoJo grew older, she and Sue decided to become a permanent family through adoption.

I am proud of California's success in finalizing more than 66,500 adoptions of children from foster care between 2000 and 2006, but sadly many foster youth are never united with a permanent, stable family.

For Priscilla Davis, who ''aged out'' after spending 3 years at nine different placements in California's foster care system, having a family would mean having someone she could call if she is having a problem; having a family would mean there is someone to catch her if she makes a mistake; having a family would mean someone to call if something wonderful happens.

Unfortunately, Priscilla is one of about 4,000 foster youth in California, and more than 20,000 youth nationwide who emancipate, or ''age out'' of foster care every year without ever finding a permanent family or establishing a relationship with an adult who will love, support, and guide them.

A recent report by Kids Are Waiting and the Jim Casey Youth Opportunities Initiative found that while the total number of children in foster care has declined, the number of young people aging out of foster care has increased 41 percent since 1998.

Last year, I introduced the Foster Care Continuing Opportunities Act, S. 1512, which would extend Federal funding to those States that try to provide services that help foster youth transition to adulthood. Right now, the future for foster youth when they are emancipated is often bleak. In California, about 65 percent of emancipated youth face homelessness, less than 3 percent go to college, and 51 percent are unemployed.

While extending support for these services at a Federal level could make

an extraordinary difference in the success of these youth in transitioning to adulthood, the best way for us to ensure these youth find the families they deserve is to reauthorize the Federal Adoption Incentive Program.

The Adoption Incentive Program encourages States to find foster children like JoJo and Priscilla permanent homes through adoption, with an emphasis on finding adoptive homes for special needs children and foster children over the age of 9. This important program must be renewed before it expires on September 30 this year.

I urge my colleagues to celebrate National Foster Care Month by supporting these important efforts to ensure that the Federal Government meets its responsibility to care for these youth—not just their future, but the future of our Nation depends on it.

Ms. CANTWELL. Mr. President, in recognition of May as National Foster Care Month, I want to extend my personal thanks to all of the families in Washington State and throughout our country who have adopted children from the Nation's foster care system. Foster children, through no fault of their own, face unique challenges in attaining permanent, loving homes. We can all agree that, regardless of background, all children in our country deserve to have a safe, loving home and the opportunity to pursue their dreams.

In 2005, almost 1,200 of Washington's children left foster care to join adoptive families—but that same year more than 2000 foster children in Washington were still waiting to be adopted. They had to wait an average of over 3 years to find adoptive families. Vulnerable children should not have to wait so long for the safe, permanent families that all children need.

The Federal Adoption Incentive Program, a program first enacted by Congress in 1997, plays an important role in encouraging adoption. The program provides States like Washington with incentive payments for adoptions that exceed an established baseline and includes additional incentives for adoptions of older foster children and children with special needs. Between 2000 and 2006, the Adoption Incentive Program helped 5,700 children in Washington's foster care system join adoptive families.

I am also pleased to support the Kinship Caregiver Act, introduced by Senator CLINTON in February 2007. The Kinship Caregiver Support Act is intended to assist the millions of children who are being raised by their grandparents and other relatives because their parents are not able to care for them. Among other things, this important legislation would establish a Kinship Navigator Program to help link relative caregivers to a broad range of services and supports that they need for their children and themselves.

I join my colleagues in the Senate in paying tribute to the many prospective and veteran adoptive families, and I look forward to pursuing reforms that support children in foster care.

NEW ENGLAND PATRIOTS VIDEOTAPING

Mr. SPECTER. Mr. President, the Patriots engaged in extensive videotaping of opponents' offensive and defensive signals starting on August 20, 2000, and extending to September 9, 2007, when they were publicly caught videotaping the Jets.

The extent of the taping was not disclosed until the NFL was pressured to do so. Originally, Commissioner Goodell said the taping was limited to late in the 2006 season and early in the 2007 season. In his meeting with me on February 13, 2008, Goodell admitted the taping went back to 2000. Until my meeting with Matt Walsh on May 13, 2008, the only taping we knew about took place from 2000 until 2002 and during the 2006 and 2007 seasons.

That left an obvious gap between 2003 and 2005. In response to my questions, Matt Walsh stated he had season tickets in 2003, 2004 and 2005 and saw Steve Scarnecchia, his successor, videotape games during those seasons including:

The Patriots' September 9, 2002, game against the Steelers.

The Patriots' November 16, 2003, game against the Cowboys.

The Patriots' September 25, 2005, game against the Steelers, which the Steelers resoundingly won 34–20.

Walsh stated he observed Scarnecchia filming additional Patriots home games, though he could not recall the specific games.

Walsh said he did not tell Goodell about the taping during 2003, 2004 and 2005 because he was not asked.

The NFL confiscated the Jets tape on September 9, 2007; imposed the penalties on September 13, 2007; on September 17, 2007, viewed the tapes for the first time; and then announced they had destroyed those tapes on September 20, 2007. Commissioner Goodell made his judgment on the punishment to be levied before he had viewed the key evidence.

Matt Walsh and other Patriots employees, Steve Scarnecchia, Jimmy Dee, Fernando Neto and possibly Ed Bailey were present to observe most if not all of the St. Louis Rams walkthrough practice in advance of the 2002 Super Bowl, including Marshall Faulk's unusual positioning as a punt returner.

David Halberstam's book, ''The Education of a Coach,'' documents the way Belichick spent the week before the Super Bowl obsessing about where the Rams would line up Faulk.

Walsh was asked and told Assistant Coach, Brian Daboll, about the walkthrough. Walsh said Daboll asked him specific questions about the Rams offense and Walsh told Daboll about Faulk's lining up as a kick returner. Walsh also told Daboll about Rams running backs ''lining up in the flat.'' Walsh said Daboll then drew diagrams of the formations Walsh had described. According to media reports, Daboll denied talking to Walsh about Faulk. We do not know what Scarnecchia, Dee, Neto or Bailey did or even if they were interviewed.

The Patriots took elaborate steps to conceal their filming of opponents' signals. Patriots personnel instructed Walsh to use a ''cover story'' if anyone questioned him about the filming.

For example, if asked why the Patriots had an extra camera filming, he was instructed to say that he was filming ''tight shots'' of a particular player or players or that he was filming highlights. If asked why he was not filming the play on the field, he was instructed to say that he was filming the down marker.

The red light indicating when his camera was rolling was broken.

During at least one game, the January 27, 2002, AFC Championship game, Walsh was specifically instructed not to wear anything displaying a Patriots logo. Walsh indicated he turned the Patriots sweatshirt he was wearing at the time inside-out. Walsh was also given a generic credential instead of one that identified him as team personnel.

These efforts to conceal the filming demonstrate the Patriots knew they were violating NFL rules.

The filming enabled the Patriots coaching staff to anticipate the defensive plays called by the opposing team. According to Walsh, he first filmed an opponents' signals during the August 20, 2000, preseason game against the Tampa Bay Buccaneers. After Walsh filmed a game, he would provide the tape for Ernie Adams, a coaching assistant for the Patriots, who would match the signals with the plays.

Walsh was told by a former offensive player that a few days before the September 3, 2000, regular season game against Tampa Bay, he—the offensive player—was called into a meeting with Adams, Bill Belichick and Charlie Weis, then the offensive coordinator for the Patriots, during which it was explained how the Patriots would make use of the tapes. The offensive player would memorize the signals and then watch for Tampa Bay's defensive calls during the game. He would then pass the plays along to Weis, who would give instructions to the quarterback on the field. This process enabled the Patriots to go to a ''no-huddle'' offensive, which would lock in the defense the opposing team had called from the sideline, preventing the defense from making any adjustments. When Walsh asked whether the tape he had filmed was helpful, the offensive player said it had enabled the team to anticipate 75 percent of the plays being called by the opposing team.

Among the tapes Walsh turned over to the NFL is one of the AFC Championship game on January 27, 2002, in which the Patriots defeated the Steelers by a score of 24–17. When the Patriots played the Steelers again during

their season-opener on September 9, 2002, the Patriots again won, this time by a score of 30–14.

On October 31, 2004, the Steelers beat the Patriots 34–20, forced four turnovers, including two interceptions, and sacked the quarterback four times. In the AFC Championship game on January 23, 2005, the Patriots won 41–27 and intercepted Ben Roethlisberger three times. The Steelers had no sacks that game.

With respect to the 2002 AFC Championship game, it was reported in February of this year that Hines Ward, Steelers wide receiver, said: ''Oh, they know. They were calling our stuff out. They knew, especially that first championship game here at Heinz Field. They knew a lot of our calls. There's no question some of their players were calling out some of our stuff.''

In addition, Eagles cornerback, Sheldon Brown, reportedly said earlier this year that he noticed a difference in New England's play calling in the second quarter of the February 6, 2005, Super Bowl game.

Tampa Bay won the August 20, 2000, preseason game by a score of 31–21. According to the information provided by Matt Walsh, the Patriots used the film to their advantage when they played Tampa Bay in their first regular season game on September 3, 2000. The Patriots narrowed the spread, losing by a score of 21–16. After the game, Charlie Weis, the Patriots' offensive coordinator, was reportedly overheard telling Tampa Bay's defensive coordinator, Monte Kiffin, ''We knew all your calls, and you still stopped us.'' The tapes Walsh turned over to the NFL indicate the Patriots filmed the Dolphins during their game on September 24, 2000, a game the Patriots lost by 10–3.

According to Walsh, when the Patriots first began filming opponents, they filmed opponents they would play again during that same season. The Patriots played the Dolphins again that season on December 24, 2000; they again narrowed the spread, losing by a score of 27–24.

According to Walsh, he filmed the Patriots' game against Buffalo on November 5, 2000, a game the Patriots lost 16–13. When the Patriots played the Bills again that season on December 17, 2000, the Patriots won by a score of 13–10.

During the following season, Walsh filmed the Patriots' game against the Jets on September 23, 2001, a game the Patriots lost by a score of 10–3. When the Patriots played the Jets again that season on December 2, 2001, the Patriots won by a score of 17–16.

The tapes Walsh turned over to the NFL indicate the Patriots filmed the Dolphins during their game on October 7, 2001, a game the Patriots lost by 30–10. When the Patriots played the Dolphins again that season on December 22, 2001, the Patriots won by a score of 20–13.

The Patriots filmed opponents offensive signals in addition to defensive signals. On April 23, 2008, the NFL issued a statement indicating that ''Commissioner Goodell determined last September that the Patriots had violated league rules by videotaping opposing coaches' defensive signals during Patriots games throughout Bill Belichick's tenure as head coach.'' However, the tapes turned over by Matt Walsh contain footage of offensive signals. The tapes turned over to the NFL and the information provided by Walsh proves that the Patriots also routinely filmed opponents' offensive signals.

Why the Patriots videotaped signals during games when they were not scheduled to play that opponent during the balance of the season unless they were able to utilize the videotape during the latter portion of the same game. The NFL has not addressed the question as to whether the Patriots decoded signals during the game for later use in that game.

Mark Schlereth, a former NFL offensive lineman and an ESPN football analyst, is quoted in the New York Time on May 14:

> Then why are you doing it against teams you aren't going to play again that season?''

Schlereth said that ''the breadth of information on the tapes mainly, the coaches' signals and the subsequent play would be simple for someone to analyze during a game. There are enough plays in the first quarter, he said, to glean any team's ''staples,'' and a quick review of them could prove immediately helpful. I don't see them wasting time if they weren't using it in that game.

Walsh said that Dan Goldberg, an attorney for the Patriots, was present at his interview and asked questions. With some experience in investigations, I have never heard of a situation where the subject of an investigation or his/her/its representative was permitted to be present during the investigation. It strains credulity that any objective investigator would countenance such a practice. During a hearing or trial, parties will be present with the right of cross-examination and confrontation but certainly not in the investigative stage.

Commissioner Goodell misrepresented the extent of the taping when he said at the Super Bowl press conference on February 1, 2008:

> I believe there were six tapes, and I believe some were from the pre-season in 2007, and the rest were primarily in the late 2006 season. In addition, there were notes that had been collected, that I would imagine many teams have from when they scout a team in advance, that we took, that may have been collected by using an illegal activity, according to our rules. Later, Goodell said of the taping [W]e think it was quite limited. It was not something that was done on a widespread basis.

Commissioner Goodell materially changed his story in his meeting with me on February 13, 2008, when he said there has been taping since 2000.

There has been no plausible explanation as to why Commissioner Goodell imposed the penalty on September 13, 2007, before the NFL examined the tapes on September 17, 2007.

There has been no plausible explanation as to why the NFL destroyed the tapes. Commissioner Goodell sought to explain his reason by saying during his February 1, 2008 press conference that:

> We didn't want there to be any question about whether this existed. If it shows up again, it would have to be something that came outside of our investigation and what I was told existed.

On April 23, 2008, the NFL issued a statement that the penalties imposed on the Patriots last fall were solely for filming defensive signals. ''Commissioner Goodell determined last September that the Patriots had violated league rules by videotaping opposing coaches' defensive signals during Patriots games throughout Bill Belichick's tenure as head coach.'' The tapes turned over by Matt Walsh also contain footage of offensive signals.

The overwhelming evidence flatly contradicts Commissioner Goodell's assertion that there was little or no effect on the outcome of the game: during his February 1, 2008, press conference, Commissioner Goodell stated ''I think it probably had a limited effect, if any effect, on the outcome on any game.'' Later during the press conference, Goodell stated again ''I don't believe it affected the outcome of any games.'' Commissioner Goodell's effort to minimize the effect of the videotaping is categorically refuted by the persistent use of the sophisticated scheme which required a great deal of effort and produced remarkable results.

In the absence of the notes, which the NFL destroyed, of the Steelers' three regular season games and two postseason games, including the championship game on January 23, 2005, we do not know what effect the videotaping of the earlier games, especially the October 31, 2004, game, had on enabling the Patriots to win the AFC Championship. It is especially critical that key witnesses—coaches, players—be questioned to determine those issues.

Failure to question—or at least publicly disclose the results of—key witnesses to other matters identified herein on what we do not know.

On the totality of the available evidence and the potential unknown evidence, the Commissioner's investigation has been fatally flawed. The lack of candor, the piecemeal disclosures, the changes in position on material matters, the failure to be proactive in seeking out other key witnesses, and responding only when unavoidable when evidence is thrust upon the NFL leads to the judgment that an impartial investigation is mandatory.

There is an unmistakable atmosphere of conflict of interest or potential conflict of interest between what is in the public's interest and what is in the NFL's interest. The NFL has good reason to disclose as little as possible in its effort to convince the public that what was done wasn't so bad, had no significant effect on the games and, in

any event, has all been cleaned up. Enormous financial interests are involved and the owners have a mutual self-interest in sticking together. Evidence of winning by cheating would have the inevitable effect of undercutting public confidence in the game and reducing, perhaps drastically, attendance and TV revenues.

The public interest is enormous. Sports personalities are role models for all of us, especially youngsters. If the Patriots can cheat, so can the college teams, so can the high school teams, so can the 6th grader taking a math examination. The Congress has granted the NFL a most significant business advantage, an antitrust exemption, highly unusual in the commercial world. That largesse can continue only if the NFL can prove itself worthy. Beyond the issues of role models and antitrust, America has a love affair with sports. Professional football has topped all other sporting events in fan interest. Americans have a right to be guaranteed that their favorite sport is honestly competitive.

In an extraordinary time, baseball took extraordinary action in turning to a man of unimpeachable integrity—Federal Judge Kenesaw Mountain Landis—to act forcefully and decisively to save professional baseball from the Black Sox scandal in 1919.

On this state of the record, an objective, thorough, transparent investigation is necessary. If the NFL does not initiate an inquiry like the investigation conducted by former Senator George Mitchell for baseball, it will be up to Congress to get the facts and take corrective action.

ADDITIONAL STATEMENTS

HONORING MILDRED AND RICHARD LOVING

• Mr. CARDIN. For many young Americans, it is hard to believe that only 40 years ago, citizens of the United States were subject to prosecution and imprisonment for marrying someone of a different race. But in 1967 that was indeed the situation in 16 States where interracial marriage was illegal.

In 1958, Mildred Jeter, a black Native American, traveled with Richard Loving, a Caucasian, from Virginia's Caroline County to the District of Columbia to be married. They came here because their home State of Virginia's antimiscegenation laws prohibited interracial marriage. Shortly after returning to Virginia, Mr. and Mrs. Loving were arrested in their home. They pled guilty to violating section 20–58 of the Virginia Code: ''Leaving State to evade law—If any white person and colored person shall go out of this State, for the purpose of being married, and with the intention of returning, and be married out of it, and afterwards return and reside in it, cohabiting as man and wife, they shall be punished as provided in Section 20–59, and the marriage shall be governed by the same law as if it had been solemnized in this State. The fact of their cohabitation here as man and wife shall be evidence of their marriage.'' Section 20–59 of the code provided for confinement for between 1 and 5 years. The Lovings were sentenced to 1 year in jail, but the trial judge suspended the sentence for a period of 25 years on the condition that the couple leave the State and agree not to return simultaneously for the next 25 years.

But after some time away, the couple began to miss Virginia and decided to pursue justice. They hired lawyers and challenged the Virginia law through years of court cases leading up to the United States Supreme Court. The Supreme Court heard the case of Richard Perry Loving et ux, v. Virginia on April 10 and decided the case unanimously on June 12, 1967, noting that ''the clear and central purpose of the Fourteenth Amendment was to eliminate all official sources of invidious racial discrimination in the States. . . . We have consistently denied the constitutionality of measures which restrict the rights of citizens on account of race. There can be no doubt that restricting the freedom to marry violates the central meaning of the Equal Protection Clause . . . Under our Constitution, the freedom to marry, or not marry, a person of another race resides with the individual and cannot be infringed by the State. These convictions must be reversed. It is so ordered.''

Due to their unyielding belief in equality and the work of dedicated attorneys, the Lovings prevailed. They made their home in Virginia and raised three children. According to published accounts of their life together, times were hard for the family. Hit by a drunk driver in 1975, Richard Loving died and Mildred Loving was injured. Mrs. Loving lived her remaining years in Virginia until Friday, May 2, 2008, when she died at age 68.

Mildred Loving's name lacks the prominence shared by other heroes of the civil rights movement. In fact, she eschewed the limelight and viewed her case differently than what many might expect.

On the 40th anniversary of the decision, Mildred Loving stated:

(W)hen my late husband, Richard, and I got married in Washington, DC in 1958, it wasn't to make a political statement or start a fight. We were in love, and we wanted to be married. . . . We didn't get married in Washington because we wanted to marry there. We did it there because the government wouldn't allow us to marry back home in Virginia where we grew up, where we met, where we fell in love, and where we wanted to be together and build our family. You see, I am a woman of color and Richard was white, and at that time people believed it was okay to keep us from marrying because of their ideas of who should marry whom . . . Not long after our wedding, we were awakened in the middle of the night in our own bedroom by deputy sheriffs and actually arrested for the ''crime'' of marrying the wrong kind of person. Our marriage certificate was hanging on the wall above the bed. The state prosecuted Richard and me, and after we were found guilty, the judge declared: ''Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend for the races to mix.'' He sentenced us to a year in prison, but offered to suspend the sentence if we left our home in Virginia for 25 years exile. We left, and got a lawyer. Richard and I had to fight, but still were not fighting for a cause. We were fighting for our love. Though it turned out we had to fight, happily Richard and I didn't have to fight alone. Thanks to groups like the ACLU and the NAACP Legal Defense & Education Fund, and so many good people around the country willing to speak up, we took our case for the freedom to marry all the way to the U.S. Supreme Court. And on June 12, 1967, the Supreme Court ruled unanimously that, ''The freedom to marry has long been recognized as one of the vital personal rights essential to the orderly pursuit of happiness by free men,'' a basic civil right.

Mrs. Loving's words express more poignantly than any others the importance of this case. Although she did not embrace the role of a civil rights hero, because of her forthright bravery, history will remember her as such. Last June, the House of Representatives passed unanimously H. Res 431, commemorating the 40th anniversary of the landmark Supreme Court decision legalizing interracial marriage within the United States. In addition, June 12 has informally come to be known as ''Loving Day'' in the United States in their honor.

Next month, when we acknowledge the 41st anniversary of that historic decision, Mrs. Loving will not be with us, but her spirit will remain. Today, I pay tribute to Mildred and Richard Loving and to their remarkable courage. I offer my sincere condolences to their children and grandchildren, and I ask my colleagues to join me in remembering them.•

IN MEMORY OF LOUISE SHADDUCK

• Mr. CRAPO. Mr. President, on May 4, Idaho lost a pioneer and one of her strongest champions. The legacy of Louise Shadduck will live in the hearts of many Idahoans, particularly for Idaho women now involved in politics or journalism. She blazed trails and inspired action and involvement in the governance of and commentary on our society.

Louise lived an incredible and full life, working as a journalist in the 1930s and 1940s and then shifting to politics where she served on the staffs of historical figures such as Governors Len Jordan and Charles Robins, Senator Henry Dworshak and U.S. Representative Orval Hansen. She was a staunch supporter of Idaho Republicans over the years, but did so with discernment, always making sure to remind those in office in her own way that it was Idahoans who they served, not themselves.

Louise enjoyed people, and they enjoyed her in return. In high school in

Coeur d'Alene in the early 1930s, Louise wrote an article for a journalism contest to win a trip to Alaska. According to an old friend, the entire school got together and voted for her article; she won the trip. Louise was a hard worker. Also in high school, Louise and her six brothers took turns driving the Shadduck family dairy milk truck on its route in the mornings before school started. Some afternoons, Louise would invite her friends to pile on to the empty milk crates on the bed of the truck to go to Spokane to catch a movie. She was a pioneer in women's rights, serving as Idaho State Secretary of Commerce and Development in 1958 the first woman in the country in that position. Louise also ran unsuccessfully against Gracie Pfost for Congress in 1956. It was an historic campaign, not only because it was the first time two Idaho women ran against each other in a general election for a national legislative office, but Pfost, the Democrat incumbent, was the first woman to represent Idaho in Congress.

Louise served as executive director of the Idaho Forest Industry Council and received an honorary law degree from the University of Idaho in 1969. She was president of Idaho Press Women in 1966 and was president of the National Federation of Press Women from 1971 to 1973. Louise was an avid consumer of history, news and the world, traveling often and writing. She authored four books about Idaho and was working on a fifth when she became ill. Her mind was always sharp, as was her wit. People could count on her to be honest, forthright and inclusive, even of strangers. Many felt as if they had a second mom in Louise. She was a lover of knowledge and history, arranging family trips to show younger generations where their Shadduck pioneer roots lay. She remembered your name after the first introduction. People were vitally important to Louise, and her thirst for knowledge made her the go-to person for many people when they were researching information about Idaho. She was artistically gifted, and was known for her impromptu illustrations, sometimes hastily sketched in the front of a copy of one of her books and given to a friend.

Much of Idaho is rural. Louise internalized the importance of small-town life and the intrinsic value of people. In a small-town, you get to know just about everyone. You learn to appreciate the fact that people are much more than just faces in a crowd. In today's hurried, populated world, Louise reminded many of us what was truly important—morals, faith, mutual respect, honesty, individuality, and trustworthiness. Louise once told a reporter that people who leave this world without writing their story down means that we have lost a story. While Louise wrote many stories, we have lost an epic with her passing.

I offer my condolences to Louise's family and friends at this sad time.●

HONORING JOHN H. McCONNELL

● Mr. VOINOVICH. Mr. President, I wish to honor John H. McConnell. On April 25, Ohio lost a dear friend and true statesman. Very few people cared as much about Ohio as John did, and his legacy will live on through his tremendous contributions in the state.

Though he found great professional success in his life, John never swayed from his deep-rooted commitment to honesty and integrity in every facet of his life. With just a single load of steel, John founded Worthington Industries in 1955 out of his basement home in Columbus, OH. Since then, Worthington Industries has reached 10 countries, with 63 locations and 8,000 employees. With its main divisions in steel processing, metal framing and pressure cylinders, it generates approximately $3 billion of sales annually.

Above all else, the Worthington philosophy has always been about practicing the Golden Rule. The commitment to good citizenship, civic involvement, and philanthropy is nowhere better represented within the Worthington organization than at the very top level—and that commitment lives on with John's legacy.

Worthington Industries has also been recognized for its unfailing dedication to its employees and their families. In fact, it has been named one of the top 100 best places to work in America. John truly cared about his employees, and that attitude was reflected throughout the entire company.

I worked closely with John when Worthington Industries opened a steel plant in Delta, OH. Honestly, I never worked with anyone more candid and fair than John. When he made a commitment, it was sure—you didn't need a contract with him. He championed public and private partnerships, and as former Governor of Ohio and now U.S. Senator, I found great comfort knowing John was at the head of one of the largest companies in Ohio.

In 2000, Columbus got its first professional athletic team—the Columbus Blue Jackets hockey team. John led the group of investors that brought the team to Columbus, where he served as the team's majority owner. He also established the Columbus Blue Jackets Foundation, which uses the resources of its professional athletes, coaches, and staff to improve the quality of life throughout central Ohio.

John and his wife Peggy were also committed to advancing the care and prevention of heart disease, contributing $7.5 million to develop the McConnell Heart Hospital at Riverside Hospital in Columbus. The hospital still provides exceptional care to those in need and is the leading heart care provider in the Midwest.

John's outstanding leadership has certainly not gone unnoticed. He has been honored with Financial World Magazine's Outstanding Chief Executive Officer of the Year Award, the Horatio Alger Award, the Ohio Governor's Award, the National Football Foundation Gold Medal, the Industry Week award for Excellence in Management, and with a place in the National Junior Achievement Business Hall of Fame.

John was married to his wife Peggy for 59 years, and sadly, they were separated when she passed away in 2005. Perhaps the greatest comfort John's loved ones can take is in knowing that John has been reunited in heaven with his beloved wife. Their enduring love is a model for us all. John will be missed. His family, including his son, John P., daughter, Margaret, and five grandchildren, are in our prayers.●

MESSAGES FROM THE HOUSE

At 9:33 a.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. 6022. An act to suspend the acquisition of petroleum for the Strategic Petroleum Reserve, and for other purposes.

At 4:43 p.m. a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

At 5:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4008. An act to amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this act.

H.R. 6051. 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 May 16, 2008.

At 6:50 p.m., a message from the House of Representatives, delivered by Ms. Brandon, one of its reading clerks, announced that the House insists upon its amendment to the concurrent resolution (S. Con. Res. 70) setting forth the congressional budget for the United States Government for fiscal year 2009 and 2010 through 2013, and asks for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, that Mr. SPRATT, Ms. DELAURO, Mr. EDWARDS, Mr. RYAN of Wisconsin, and Mr. BARRETT of South Carolina, be the managers of the conference on the part of the House.

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

S.J. Res. 32. Joint resolution limiting the issuance of a letter of offer with respect to a certain proposed sale of defense articles and defense services to the Kingdom of Saudi Arabia.

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–6194. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, notification of the Department's intent to close its commissary stores at Darmstadt, Wuerzburg, and Hanau, Germany; to the Committee on Armed Services.

EC–6195. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, the annual reports that appeared in the March 2008 edition of the Treasury Bulletin; to the Committee on Banking, Housing, and Urban Affairs.

EC–6196. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12170 of November 14, 1979, with respect to Iran; to the Committee on Banking, Housing, and Urban Affairs.

EC–6197. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (145)'' ((RIN2120–AA65)(Amdt. No. 3267)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6198. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (21)'' ((RIN2120–AA65)(Amdt. No. 3235)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6199. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Using Agencies for Restricted Areas R–5303A, B, C; R–5304A, B, C; and R–5306A, C, D, E; NC'' ((RIN2120–AA65)(Docket No. 07–ASO–28)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6200. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Lexington, OK'' ((RIN2120–AA66)(Docket No. 08–ASW–11)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6201. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Rumford, ME'' ((RIN2120–AA66)(Docket No. 08–ANE–94)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6202. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Tucson, AZ'' ((RIN2120–AA66)(Docket No. 07–ANM–12)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6203. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Farmington, ME'' ((RIN2120–AA66)(Docket No. 07–ANE–93)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6204. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Oil City, PA'' ((RIN2120–AA66)(Docket No. 07–AEA–10)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6205. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Przedsiebiorstwo Doswiadczalno-Produkcyjne Szybownictwa 'PZL-Bielsko' Model SZD–50–3 'Puchacz' Gliders'' ((RIN2120–AA64)(Docket No. 2007–CE–100)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6206. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Model AS 332 L2 Helicopters'' ((RIN2120–AA64)(Docket No. 2007–SW–41)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6207. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–8–55; DC–8F–54, and DC–8F–55 Airplanes; and Model DC–8–60, DC–8–70, DC–8–60F, and DC–8–70F Series Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–122)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6208. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–202)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6209. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330–200, A330–300, A340–200, and A340–300 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–282)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6210. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 Series Airplanes and Airbus Model A300–600 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–239)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6211. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–10–10 and DC–10–10F Airplanes, Model DC–10–15 Airplanes, Model DC–10–30 and DC–10–30F Airplanes, Model DC–10–40 and DC–10–40F Airplanes, MD–10–10F and MD–10–30F Airplanes, and Model MD–11 and MD–11F Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–163)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6212. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Corporation, Ltd Model 750XL Airplanes'' ((RIN2120–AA64)(Docket No. 2007–CE–097)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6213. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2008–NM–047)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6214. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model EC130 B4 Helicopters'' ((RIN2120–AA64)(Docket No. 2006–SW–23)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6215. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Goodrich Evacuation Systems Approved Under Technical Standard Orders TSO–C69, TSO–C69a, TSO–C69b, and TSO–C69c, Installed on Various Boeing, McDonnell Douglas, and Airbus Transport Category Airplanes'' ((RIN2120–AA64)(Docket No. 2003–NM–239)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6216. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; APEX Aircraft Model CAP 10 B Airplanes'' ((RIN2120–AA64)(Docket No. 2007–CE–102)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6217. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Philipsburg, PA'' ((RIN2120–AA66)(Docket No. 05–AEA–21)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6218. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; State College, PA'' ((RIN2120–AA66)(Docket No. 07–AEA–06)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6219. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled ''Amendment of Class E Airspace; Tappahannock, PA'' ((RIN2120–AA66)(Docket No. 07–AEA–04)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6220. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Du Bois, PA'' ((RIN2120–AA66)(Docket No. 05–AEA–17)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6221. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Muncy, PA'' ((RIN2120–AA66)(Docket No. 07–AEA–08)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6222. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Montrose, PA'' ((RIN2120–AA66)(Docket No. 07–AEA–11)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6223. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Pottsville, PA'' ((RIN2120–AA66)(Docket No. 05–AEA–18)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6224. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Lewiston, ME'' ((RIN2120–AA66)(Docket No. 07–ANE–95)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6225. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; St. Mary's, PA'' ((RIN2120-AA66)(Docket No. 05-AEA-20)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6226. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Black River Falls, WI'' ((RIN2120-AA66)(Docket No. 08-AGL-4)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6227. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Springfield, CO'' ((RIN2120-AA66)(Docket No. 07-ANM-04)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6228. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Wheatland, WY'' ((RIN2120-AA66)(Docket No. 07-ANM-10)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6229. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Hollister, CA'' ((RIN2120-AA66)(Docket No. 07-AWP-5)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6230. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Huntsville, AR'' ((RIN2120-AA66)(Docket No. 08-ASW-2)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6231. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Honesdale, PA'' ((RIN2120-AA66)(Docket No. 07-AEA-12)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6232. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Wheatland, WY'' ((RIN2120-AA66)(Docket No. 07-ANM-10)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6233. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Lewisburg, PA'' ((RIN2120-AA66)(Docket No. 07-AEA-16)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6234. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Emporium, PA'' ((RIN2120-AA66)(Docket No. 07-AEA-15)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6235. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Marienville, PA'' ((RIN2120-AA66)(Docket No. 07-AEA-13)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6236. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E5 Airspace; Eagle Pass, TX'' ((RIN2120-AA66)(Docket No. 08-ASW-3)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6237. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; La Pointe, WI'' ((RIN2120-AA66)(Docket No. 08-AGL-3)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6238. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 B4–600, A300 B4–600R, A300 C4–600R, and A300 F4–600R Series Airplanes'' ((RIN2120-AA64)(Docket No. 2007-NM-225)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6239. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited Model DHC–6 Series Airplanes'' ((RIN2120-AA64)(Docket No. 2007-CE-008)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6240. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International Inc. TFE731–2C, –3B, –3BR, –3C, –3CR, –3D, –3DR, –4R, –5AR, –5BR, –5R, –20R, –20AR, –20BR, –40, –40AR, –40R, and –60 Series Turbofan Engines'' ((RIN2120-AA64)(Docket No. 2007-NE-14)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6241. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB–135 Airplanes; and Model EMB–145, –145ER, –145MR, –145LR, –145XR, –145MP, and –145EP Airplanes'' ((RIN2120-AA64)(Docket No. 2008-NM-001)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6242. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model AS 355 F2 and AS 355 N Helicopters'' ((RIN2120-AA64)(Docket No. 2007-SW-31)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6243. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Learjet Model 45 Airplanes'' ((RIN2120-AA64)(Docket No. 2005-NM-007)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6244. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes'' ((RIN2120-AA64)(Docket No. 2007-NM-146)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6245. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 757–200, –200PF, and –200CB Series Airplanes'' ((RIN2120-AA64)(Docket No. 2008-NM-016)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6246. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–179)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6247. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–236)) received on May 12, 2008; to the

Committee on Commerce, Science, and Transportation.

EC–6248. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 707 Airplanes and Model 720 and 720B Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–212)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6249. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2B19 Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–292)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6250. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Taylorcraft A, B, and F Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–CE–086)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6251. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 707 Airplanes, and Model 720 and 720B Series Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–164)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6252. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 767–200, –300, –300F, and –400ER Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–105)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6253. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; ATR Model ATR42 and ATR72 Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–206)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6254. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Model Falcon 2000, Falcon 2000EX, Mystere-Falcon 900, Falcon 900EX, Fan Jet Falcon, Mystere-Falcon 50, Mystere-Falcon 20, Mystere-Falcon 200, and Falcon 10 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–276)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6255. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 95 Instrument Flight Rules'' ((RIN2120–AA63) (Amdt. No. 473)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6256. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 95 Instrument Flight Rules'' ((RIN2120-AA63)(Amdt. No. 472)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6257. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3261)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6258. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3260)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6259. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3259)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6260. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3257)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6261. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3254)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6262. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3256)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6263. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3253)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6264. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3252)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6265. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3251)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6266. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Series Airplanes'' ((RIN2120-AA64)(Docket No. 2007-NM-112)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6267. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures'' ((RIN2120-AA65)(Amdt. No. 3258)) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6268. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Enhancing Rail Transportation Safety and Security for Hazardous Materials Shipments'' (RIN2137-AE02) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6269. A communication from the Chief Counsel, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Launch Barge Waiver Program'' (RIN2133-AB67) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6270. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Annual Report for fiscal year 2007 relative to progress in conducting environmental remedial action at federally-owned or operated facilities; to the Committee on Commerce, Science, and Transportation.

EC–6271. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 565 Increase Number of Unique Available Vehicle Identification Numbers'' (RIN2127-AJ99) received on May 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6272. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Montana Regulatory Program'' (Docket No. MT–026) received on May 12, 2008; to the Committee on Energy and Natural Resources.

EC–6273. 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: Distressed Asset Trust Transaction'' (Notice 2008–34) received on May 7, 2008; to the Committee on Finance.

EC–6274. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Jacob K. Javits Gifted and Talented Students Education Program'' (73 FR 21329) received on May 12, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–6275. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report for fiscal year 2007; 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. SMITH (for himself and Mr. WYDEN):

S. 3015. A bill to designate the facility of the United States Postal Service located at 18 S. G Street, Lakeview, Oregon, as the ''Dr. Bernard Daly Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KERRY (for himself, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. COLEMAN, and Mr. LIEBERMAN):

S. 3016. A bill to direct the Attorney General to provide grants for Internet Crime prevention education programs; to the Committee on the Judiciary.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 3017. A bill to designate the Beaver Basin Wilderness at Pictured Rocks National Lakeshore in the State of Michigan; to the Committee on Energy and Natural Resources.

By Mr. SESSIONS:

S. 3018. A bill to establish a Commission on Federal Criminal and Juvenile Justice Assistance Programs; to the Committee on the Judiciary.

By Mr. SALAZAR:

S. 3019. A bill to amend the Energy Policy Act of 2005 to promote oil shale and tar sands leasing, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. SNOWE (for herself, Mr. THUNE, Mrs. HUTCHISON, Mr. NELSON of Florida, Mr. COLEMAN, Mr. STEVENS, and Mr. SMITH):

S. Res. 564. A resolution expressing the sense of the Senate regarding oversight of the Internet Corporation for Assigned Names and Numbers; to the Committee on Commerce, Science, and Transportation.

By Mr. ROBERTS (for himself, Mr. BAYH, Mr. ALLARD, Mr. BINGAMAN, Mr. BROWN, Mrs. CLINTON, Mr. COCHRAN, Mr. CRAIG, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DURBIN, Mr. INHOFE, Mr. ISAKSON, Mr. KENNEDY, Mr. LEVIN, Mrs. MCCASKILL, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SMITH, Ms. STABENOW, Mr. STEVENS, and Mr. SESSIONS):

S. Res. 565. A resolution designating May 15, 2008 as Military Kids Day; considered and agreed to.

By Mr. JOHNSON:

S. Res. 566. A resolution designating June 2008 as ''National Aphasia Awareness Month'' and supporting efforts to increase awareness of aphasia; considered and agreed to.

ADDITIONAL COSPONSORS

S. 881

At the request of Mr. SMITH, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 903

At the request of Mr. DURBIN, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Idaho (Mr. CRAIG), the Senator from New Hampshire (Mr. GREGG), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Oregon (Mr. SMITH), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. ROBERTS), the Senator from Utah (Mr. HATCH), the Senator from Indiana (Mr. LUGAR), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CORNYN), the Senator from Kansas (Mr. BROWNBACK), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 903, a bill to award a Congressional Gold Medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 940

At the request of Mr. BAUCUS, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 940, a bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income.

S. 1382

At the request of Mr. REID, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1906

At the request of Mr. COLEMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1906, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 1907

At the request of Mr. COLEMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1907, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to understand and comprehensively address the inmate oral health problems associated with methamphetamine use, and for other purposes.

S. 2394

At the request of Mr. COLEMAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2394, a bill to amend the Internal Revenue Code of 1986 to simplify, modernize, and improve public notice of and access to tax lien information by providing for a national, Internet accessible, filing system for Federal tax liens, and for other purposes.

S. 2495

At the request of Mr. BIDEN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2495, a bill to amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures.

S. 2523

At the request of Mr. KERRY, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2523, a bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families.

S. 2666

At the request of Ms. CANTWELL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2666, a bill to amend the Internal Revenue Code of 1986 to encourage investment in affordable housing, and for other purposes.

S. 2668

At the request of Mr. KERRY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2699

At the request of Mr. LAUTENBERG, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2699, a bill to require new vessels for carrying oil fuel to have double hulls, and for other purposes.

S. 2748

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2748, a bill to direct the Secretary of Health and Human Services to publish physical activity guidelines for the general public, and for other purposes.

S. 2774

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. KENNEDY) 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. 2793

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2793, a bill to direct the Federal Trade Commission to prescribe a rule prohibiting deceptive advertising of abortion services, and for other purposes.

S. 2828

At the request of Mr. BAUCUS, the names of the Senator from New York (Mrs. CLINTON), the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. KERRY), and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2828, a bill to require the Secretary of the Treasury to mint and issue coins commemorating the 100th anniversary of the establishment of Glacier National Park, and for other purposes.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2874, a bill to amend titles 5, 10, 37, and 38, United States Code, to ensure the fair treatment of a member of the Armed Forces who is discharged

from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, and for other purposes.

S. 2883

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of 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.

S. 2916

At the request of Mr. CARPER, his name was added as a cosponsor of S. 2916, a bill to ensure greater transparency in the Federal contracting process, and to help prevent contractors that violate criminal laws from obtaining Federal contracts.

S. 2932

At the request of Mrs. MURRAY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2932, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

S. 2957

At the request of Mr. LIEBERMAN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2957, a bill to modernize credit union net worth standards, advance credit union efforts to promote economic growth, and modify credit union regularity standards and reduce burdens, and for other purposes.

S. 2991

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2991, a bill to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices, and for other purposes.

S. 2997

At the request of Mr. LAUTENBERG, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2997, a bill to reauthorize the Maritime Administration, and for other purposes.

S. CON. RES. 75

At the request of Mr. COLEMAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Con. Res. 75, a concurrent resolution expressing the sense of Congress that the Secretary of Defense should take immediate steps to appoint doctors of chiropractic as commissioned officers in the Armed Forces.

S. RES. 550

At the request of Mr. BIDEN, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Pennsylvania (Mr. CASEY), the Senator from Oregon (Mr. SMITH), and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Res. 550, a resolution expressing the sense of the Senate regarding provocative and dangerous statements made by the Government of the Russian Federation that undermine the territorial integrity of the Republic of Georgia.

AMENDMENT NO. 4759

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 4759 proposed to H.R. 980, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SMITH (for himself and Mr. WYDEN):

S. 3015. A bill to designate the facility of the United States Postal Service located at 18 S. G Street, Lakeview, Oregon, as the ''Dr. Bernard Daly Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

Mr. SMITH. Mr. President, I rise today to introduce a bill to rename the Lakeview Post Office after Dr. Bernard Daly. I am pleased to have my colleague Senator WYDEN join me in this effort by serving as original cosponsor of this bill.

Dr. Bernard Daly was an American country doctor, businessman, banker, rancher, state representative, state senator, county judge, and regent of Oregon State Agricultural College, today's Oregon State University. As early as 1888, Dr. Bernard Daly began actively encouraging young people to apply for college. When families could not afford the tuition, Daly quietly paid the bill.

During a Christmas Eve party in 1894, an oil lamp started a fire in a crowed community hall in the small town of Silver Lake, Oregon. Forty-three people were killed in the blaze, and many more were badly injured. Dr. Daly traveled by buggy from Lakeview to Silver Lake, a distance of 95 miles, over bad, snow covered roads to help victims of the tragedy. It took 24 hours of continuous travel for him to reach Silver Lake. Despite the long journey, he began treating burn victims as soon as he arrived, and continued without rest until everyone had been seen. Dr. Daly saved all but three of the badly burned persons, and his methods of healing were later published in detail in a medical journal. The fire was widely reported and written about in The Oregon Desert. Dr. Daly's efforts to reach and treat the victims earned state-wide recognition and many admirers.

When Dr. Daly died, he gave his fortune to the people of Lake County in the form of the Bernard Daly Educational Fund. Dr. Daly wrote in his will: ''It is my earnest desire to help, aid and assist worthy and ambitious young men and women of my beloved county of Lake, to acquire a good education, so that they may be better fitted and qualified to appreciate and help to preserve the laws and constitution of this free country, defend its flag, and by their conduct as good citizens reflect honor on Lake county and the state of Oregon.'' The fact that his will specifically directed that Daly scholarships be granted to women as well as men was very progressive for that era.

Each year, approximately 40 graduates of Lake County high schools receive Daly scholarships. To date, well over two thousand students from Lakeview and other Lake County communities have used Bernard Daly's generous scholarships to attend college. Dr. Daly's educational trust fund has financed college educations for generations of Lake County, Oregon students, a legacy that continues to this day.

I have received several messages from across the country and even one from Australia supporting the renaming of the Lakeview Post Office after Dr. Bernard Daly. Each one told a story of sincere appreciation for Dr. Daly's generosity.

We urge our colleagues to support this important piece of legislation.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 3017. A bill to designate the Beaver Basin Wilderness at Pictured Rocks National Lakeshore in the State of Michigan; to the Committee on Energy and Natural Resources.

Mr. LEVIN. Mr. President, today I am introducing with Senator STABENOW the Beaver Basin Wilderness Act, which would permanently protect 11,740 acres within the Pictured Rocks National Park located in Michigan's Upper Peninsula along the south shore of Lake Superior. Also known as the Beaver Basin area, this area comprises about 16 percent of the national lakeshore. The Wilderness designation would ensure that opportunities to appreciate and enjoy nature in a relatively undisturbed state at this national lakeshore are preserved for future generations.

The bill responds to many of the concerns expressed during the 5-year development of the General Management Plan for Pictured Rocks, which included a wilderness study, and involved extensive public involvement. Boats powered by electric motors would be allowed on Little Beaver and Beaver Lakes within the Wilderness area. All motor boats would be allowed to access the miles of the Lake Superior shoreline, as the wilderness area does not include the Lake Superior surface water.

Also, the access road to Beaver Lakes and Little Beaver campground is not included in the wilderness area, so vehicles would still have access to this popular area. Importantly, the Wilderness designation would not change the fundamental way this land has been managed since 1981, ensuring continued public access, use, and enjoyment of this land.

It is critical that the highly valued, pristine natural features of the Beaver Basin area remain the treasure they are today. This area provides a unique and distinct landscape that highlights one of the most beautiful backdrops of the Great Lakes, and it is vital that we do all we can to protect it. Significantly, several miles of the North Country National Scenic Trail, also known as the Lakeshore Trail, run through this wilderness area. This bill would help preserve the serene quality of this segment of the trail, and protect the outstanding scenery along the shoreline. The wilderness designation will benefit current and future generations by protecting this natural and undisturbed landscape for the enjoyment of thousands of people in Michigan and across the Nation.

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. 3017

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Beaver Basin Wilderness Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) since 1981, the National Park Service has managed the land designated as the Beaver Basin Wilderness by section 4(a) as a backcountry and wilderness area;

(2) the land designated by section 4(a) as the Wilderness comprises approximately 16 percent of the area of Pictured Rocks National Lakeshore;

(3) the decision to propose this portion of the National Lakeshore as wilderness was made after 5 years of planning, which involved extensive public involvement and culminated in the approval of a new general management plan in 2004; and

(4) the fundamental manner in which the land designated as Wilderness by section 4(a) is managed for purposes of access, public use, and enjoyment will not change as a result of this designation.

SEC. 3. DEFINITIONS.

In this Act:

(1) LINE OF DEMARCATION.—The term ''line of demarcation'' means the point on the bank or shore at which the surface waters of Lake Superior meet the land or sand beach, regardless of the level of Lake Superior.

(2) MAP.—The term ''map'' means the map entitled ''Pictured Rocks National Lakeshore Beaver Basin Wilderness Boundary'', numbered 625/80,051, and dated April 10, 2007.

(3) NATIONAL LAKESHORE.—The term ''National Lakeshore'' means the Pictured Rocks National Lakeshore.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) WILDERNESS.—The term ''Wilderness'' means the Beaver Basin Wilderness designated by section 4(a).

SEC. 4. DESIGNATION OF BEAVER BASIN WILDERNESS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the land described in subsection (b) is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the ''Beaver Basin Wilderness''.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the land and inland water comprising approximately 11,740 acres within the National Lakeshore, as generally depicted on the map.

(c) BOUNDARY.—

(1) LINE OF DEMARCATION.—The line of demarcation shall be the boundary for any portion of the Wilderness that is bordered by Lake Superior.

(2) SURFACE WATER.—The surface water of Lake Superior, regardless of the fluctuating lake level, shall be considered to be outside the boundary of the Wilderness.

(d) MAP AND LEGAL DESCRIPTION.—

(1) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(2) LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a legal description of the boundary of the Wilderness.

(3) FORCE AND EFFECT.—The map and the legal description submitted under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical errors in the map and legal description.

SEC. 5. ADMINISTRATION.

(a) MANAGEMENT.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) with respect to land administered by the Secretary, any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) USE OF ELECTRIC MOTORS.—The use of boats powered by electric motors on Little Beaver and Big Beaver Lakes may continue, subject to any applicable laws (including regulations).

SEC. 6. EFFECT.

Nothing in this Act—

(1) modifies, alters, or affects any treaty rights;

(2) alters the management of the water of Lake Superior within the boundary of the Pictured Rocks National Lakeshore in existence on the date of enactment of this Act; and

(3) prohibits—

(A) the use of motors on the surface water of Lake Superior adjacent to the Wilderness; or

(B) the beaching of motorboats at the line of demarcation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 564—EXPRESSING THE SENSE OF THE SENATE REGARDING OVERSIGHT OF THE INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS

Ms. SNOWE (for herself, Mr. THUNE, Mrs. HUTCHISON, Mr. NELSON of Florida, Mr. COLEMAN, Mr. STEVENS, and Mr. SMITH) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 564

Whereas, more than 35 years ago, the Federal Government began funding research necessary to develop packet-switching technology and communications networks, starting with the ''ARPANET'' network established by the Department of Defense's Advanced Research Projects Agency (DARPA) in the 1960s;

Whereas, during the 1970s, DARPA also funded the development of a ''network of networks'', which became known as the Internet;

Whereas the National Science Foundation (NSF) in 1987 awarded a contract to the International Business Machines Corporation (IBM), MCI Incorporated, and Merit Network, Incorporated, to develop ''NSFNET'', a national high-speed network based on Internet protocols, that provided a ''backbone'' to connect other networks serving more than 4,000 research and educational institutions throughout the country;

Whereas Congress knew of the vast impact the Internet could have and the requirement of private sector investment, development, technical management, and coordination to achieve that potential, so in 1992 Congress gave NSF statutory authority to allow commercial activity on the NSFNET;

Whereas today the industry, through private sector investment, management, and coordination, has become a global communications network of infinite value;

Whereas part of the ARPANET development process was to create and maintain a list of network host names and addresses, which was initially done by Dr. Jonathan Postel at the University of Southern California (USC), and eventually these functions became known as the Internet Assigned Numbers Authority (IANA);

Whereas Dr. Postel's performance of these functions was initially funded by the Federal Government under a contract between the DARPA and USC's Information Sciences Institute (ISI), however, responsibility for these functions was subsequently transferred to the Internet Corporation for Assigned Names and Numbers (ICANN);

Whereas ICANN performs the IANA functions, which include Internet Protocol (IP) address allocation, Domain Name System (DNS) root zone coordination, and the coordination of technical protocol parameters, through a contract with the Department of Commerce;

Whereas, since its inception, the performance of the IANA functions contract has been physically located in the United States;

Whereas the DNS root zone file contains records of the operators of more than 280 top-level domains (TLDs);

Whereas, as of December 31, 2007, more than 153,000,000 domain names have been registered worldwide across all of the Top Level Domain Names;

Whereas, since 2000, the Internet community has worked toward providing non-

English speakers a way to navigate the Internet in their own language through the use of Internationalized Domain Names (IDNs);

Whereas, according to ICANN, of the 905 ICANN-accredited domain name registrars, 571 of them (63 percent) are based in the United States;

Whereas ICANN intends to introduce approximately 900 new Top Level Domains over the next several years;

Whereas, in January 2007, approximately 51,000,000 domain names were registered, but only 3,000,000 were eventually paid for, and more than 48,000,000 were left to expire after the 5 day registration grace period;

Whereas the World Intellectual Property Organization reported in April 2007 that the number of Internet domain name cybersquatting disputes increased 25 percent in 2006;

Whereas a 2006 Zogby Interactive poll of small business owners found that 78 percent of those polled stated that a less reliable Internet would damage their business;

Whereas, understanding that the Internet was rapidly becoming an international medium for commerce, education, and communication, and that the initial means of organizing its technical functions needed to evolve, the United States issued the ''White Paper'' in 1998, stating its support for transitioning the management of Internet names and addresses to the private sector in a manner that allows for the development of robust competition and facilitate global participation in Internet management;

Whereas the Federal Government is committed to working with the international community to address its concerns, bearing in mind the need for stability and security of the Internet's domain name and addressing system;

Whereas the United States has been committed to the principles of freedom of expression and the free flow of information, as expressed in Article 19 of the Universal Declaration of Human Rights, done at Paris December 10, 1948, and reaffirmed in the Geneva Declaration of Principles adopted at the first phase of the World Summit on the Information Society, December 12, 2003;

Whereas the United States Principles on the Internet's Domain Name and Addressing System, issued on June 30, 2005, stated that the United States government intends to preserve the security and stability of the Internet's Domain Name and Addressing System (DNS), that governments have legitimate interest in the management of their country code top level domains (ccTLDs), and that ICANN is the appropriate manager of the Internet DNS;

Whereas all stakeholders from around the world, including governments, are encouraged to advise ICANN in its decision-making;

Whereas ICANN has made progress in its efforts to ensure that the views of governments and all Internet stakeholders are reflected in its activities;

Whereas the Organisation for Economic Co-operation and Development has issued consumer policy guidelines calling for online businesses to ''provide accurate, clear and easily accessible information about themselves sufficient to allow, at a minimum . . . prompt easy and effective consumer communication with the business'', and ''businesses that provide false contact information can undermine the online experience of a consumer that decides to conduct a WHOIS search about the business'';

Whereas the WHOIS databases provide a crucial tool for law enforcement to track down online fraud, identity theft, and other online illegal activity, but law enforcement is often hindered in the pursuit of perpetrators because the perpetrators are hiding behind the anonymity of proxy or false registration information: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) while the Internet Corporation for Assigned Names and Numbers (ICANN) has made progress in the areas of transparency and accountability as directed by the Joint Project Agreement (JPA), the unique role ICANN has in the coordination of the technical management functions related to the domain name and addressing system, and the direct effects of the decisions ICANN makes on thousands of businesses with an online presence and millions of Internet users, make it critical that more progress be made by ICANN in areas of transparency, accountability, and security for improved stability of the Domain Name and Addressing System (DNS) and the Internet;

(2) the private sector's ongoing success in investing, building, and developing the Internet is unparalleled and industry self-regulation must be assured through more effective contract compliance efforts by ICANN;

(3) WHOIS databases provide a vital tool for businesses, the Federal Trade Commission, and other law enforcement agencies to track down brand infringement, online fraud, identity theft, and other online illegal activity, as well as for consumers to determine the availability of domain names and to easily and effectively communicate with online businesses;

(4) increased involvement and participation in various ICANN processes by international private sector organizations should be encouraged;

(5) the United States and other countries should continue to allow the marketplace to work and allow private industries to lead in the management and coordination of the DNS;

(6) the performance of the Internet Assigned Numbers Authority (IANA) functions contract, including updates of the root zone file, should remain physically located within the United States, and the Secretary of Commerce should maintain oversight of this contract; and

(7) ICANN should continue to manage the day-to-day operation of the Internet's Domain Name and Addressing System well, to remain responsive to all Internet stakeholders worldwide, and to otherwise fulfill its core technical mission.

Ms. SNOWE. Mr. President, I rise today to introduce a resolution on the oversight of the Internet Corporation for Assigned Names and Numbers, ICANN. This resolution is the result of the National Telecommunications & Information Administration, NTIA, recently concluding the mid-term review of its Joint Project Agreement, JPA, with ICANN, which is a contract between them for the purpose of transitioning the Internet domain name and addressing system, or Domain Name System, DNS, to a private sector, multi-stakeholder model of leadership.

The JPA required NTIA to conduct this mid-term review to assess the transition and ICANN's progress towards becoming a more stable organization with greater transparency and accountability in its procedures and decision-making. While ICANN has made notable progress in meeting the responsibilities outlined in the JPA, additional improvement and enhancement in specific areas can and should be made.

As a result, it is necessary for Congress to voice the importance of continued U.S. oversight of ICANN. This oversight has provided a strong foundation for ICANN's development and is critical for greater progress in areas such as accountability, transparency, and contract compliance. At the same time, it is imperative that the U.S. as well as other governments maintain a ''hands off'' approach to ICANN so the private sector can continue to lead in the management and coordination of the DNS.

While ICANN, for the mid-term review, detailed the progress it has made in meeting its commitments under the JPA, it is somewhat premature for the organization to suggest the JPA is ''no longer necessary'' and it should become independent of U.S. oversight.

In addition, numerous organizations submitted comments to NTIA expressing serious concerns about risks that might develop if the JPA and U.S. oversight of ICANN were terminated. In particular, uncertainty could arise with resolving legal or contract disputes if ICANN relocated to an unknown legal jurisdiction. Also, ICANN could be unduly influenced by a country or group of countries that do not embrace innovation or freedom of expression—basically usurping the private sector's leadership, which would deter critical investment and jeopardize the openness of the Internet.

This resolution provides the required assurance to these concerned organizations and to all businesses around the world in regard to maintaining the security, integrity, and stability of the DNS through continued oversight of ICANN's responsibilities. Specifically, this resolution details key points about the formation of the Internet and domain names, ICANN's efforts, concerns about the growth of domain name abuses, and the United States' transitioning of the DNS to the international community. The resolution then calls for additional improvement to be made by ICANN in areas of transparency, accountability, and security for improved stability of the DNS, as well as more effective contract compliance to ensure the private sector's ongoing success with developing the Internet and industry self-regulation.

Additionally, the resolution voices how vital a tool WHOIS databases are for consumers, businesses, and law enforcement—these publicly accessible databases provide contact information and data on registered domain names, which can assist in establishing trust, resolving disputes, and pursuing online crimes. The resolution also calls for increased participation in ICANN processes by international private sector organizations, and states that all governments should apply a ''hands off'' approach to ICANN so the private sector's leadership with the DNS can continue unabated.

The resolution concludes by stating the Internet Assigned Numbers Authority, IANA, functions contract

should physically remain in the U.S. and that NTIA should maintain oversight of this contract. IANA is the entity responsible for coordinating the Internet's number resources, domain names, and protocol parameters—it is operated solely by ICANN. As well, the resolution states ICANN should continue to manage the operation of the DNS and remain responsive to all Internet stakeholders.

Without question, the Internet's vast impact on the world and this Nation is profoundly indelible and undeniable—there are currently more than 1.3 billion Internet users and more than 165 million websites worldwide. And the Internet is poised to have another remarkable chapter written about its future.

The private sector and ICANN have played an essential role in the development of the Internet and they will continue to do so. The private sector has and continues to make significant investments in the Internet infrastructure as well as with content and applications. Additionally, ICANN may introduce hundreds of new Top Level Domains, TLDs, over the next several years—TLDs are basically domain name suffixes such as .com, .net, .edu, .us, and .mobi that signify a particular class of organizations or country. These possible new TLDs coupled with the migration from Internet Protocol version 4 to version 6, IPv6, which supplies an exponentially larger address space, provides a large expanse for the Internet to grow and for the innovation that will follow.

While the potential of the Internet and the benefits it will provide are infinite, if the stability, integrity, and security of the DNS are compromised in any way, it could be detrimental to the future of the Internet and all its users. That is why it is paramount the U.S. continue to have a watchful eye with ICANN to ensure that those critical areas are not hampered. Therefore, I hope my colleagues will join Senators THUNE, HUTCHISON, BILL NELSON, COLEMAN, STEVENS, SMITH, and me in supporting the critical resolution.

SENATE RESOLUTION 565—DESIGNATING MAY 15, 2008 AS MILITARY KIDS DAY

Mr. ROBERTS (for himself, Mr. BAYH, Mr. ALLARD, Mr. BINGAMAN, Mr. BROWN, Mrs. CLINTON, Mr. COCHRAN, Mr. CRAIG, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DURBIN, Mr. INHOFE, Mr. ISAKSON, Mr. KENNEDY, Mr. LEVIN, Mrs. MCCASKILL, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SMITH, Ms. STABENOW, Mr. STEVENS, and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 565

Whereas the members of the Armed Forces of the United States are the greatest soldiers, sailors, airmen, and Marines in the world;

Whereas as individuals and as a group, the members Armed Forces of the United States daily place their lives on the line for the United States, both here or abroad;

Whereas the children of these patriots, even the youngest of them, recognize the incredible service their parents provide, and daily face the challenges of military life, with frequent moves, separation from their loved ones, and uncertainty about the future;

Whereas the voices of these children are seldom heard and their own particular sacrifices seldom acknowledged;

Whereas the children of the members of the Armed Forces of the United States have an important creative outlet through the Annual Essay and Art Contest of the Armed Services YMCA;

Whereas the compelling essays and artwork by military children will be published in *My Hero: Military Kids Write about their Moms and Dads*; and

Whereas the strength of character, humor and honesty offered by these children are a hallmark for all of us to follow as we face the challenges of everyday life: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of the sacrifices made every day by the thousands of families across the country and the world in support of the members of the Armed Forces of the United States;

(2) expresses gratitude for their fortitude, their strength, their compassion, and their expertise;

(3) supports the efforts of the Armed Services YMCA and the many other organizations that work to assist the military families of the United States;

(4) designates May 15, 2008, as ''Military Kids Day'' in the United States and at military installations throughout the world.

SENATE RESOLUTION 566—DESIGNATING JUNE 2008 AS ''NATIONAL APHASIA AWARENESS MONTH'' AND SUPPORTING EFFORTS TO INCREASE AWARENESS OF APHASIA

Mr. JOHNSON submitted the following resolution; which was considered and agreed to:

S. RES. 566

Whereas aphasia is a communication impairment caused by brain damage, typically resulting from a stroke;

Whereas, while aphasia is most often the result of stroke or brain injury, it can also occur with other neurological disorders, such as in the case of a brain tumor;

Whereas many people with aphasia also have weakness or paralysis in their right leg and right arm, usually due to damage to the left hemisphere of the brain, which controls language and movement on the right side of the body;

Whereas the effects of aphasia may include a loss or reduction in ability to speak, comprehend, read, and write, while intelligence remains intact;

Whereas stroke is the 3rd leading cause of death in the United States, ranking behind heart disease and cancer;

Whereas stroke is a leading cause of serious, long-term disability in the United States;

Whereas there are about 5,000,000 stroke survivors in the United States;

Whereas it is estimated that there are about 750,000 strokes per year in the United States, with approximately ⅓ of these resulting in aphasia;

Whereas aphasia affects at least 1,000,000 people in the United States;

Whereas more than 200,000 Americans acquire the disorder each year;

Whereas the National Aphasia Association is unique and provides communication strategies, support, and education for people with aphasia and their caregivers throughout the United States; and

Whereas as an advocacy organization for people with aphasia and their caregivers, the National Aphasia Association envisions a world that recognizes this ''silent'' disability and provides opportunity and fulfillment for those affected by aphasia: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of, and encourages all Americans to observe, National Aphasia Awareness Month in June 2008;

(2) recognizes that strokes, a primary cause of aphasia, are the third largest cause of death and disability in the United States;

(3) acknowledges that aphasia deserves more attention and study in order to find new solutions for serving individuals experiencing aphasia and their caregivers; and

(4) must make the voices of those with aphasia heard because they are often unable to communicate their condition to others.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4762. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table.

SA 4763. Mr. GRAHAM (for himself, Mr. BURR, and Mr. MCCAIN) proposed an amendment to the bill H.R. 980, supra.

SA 4764. Mr. MCCONNELL proposed an amendment to amendment SA 4763 proposed by Mr. GRAHAM (for himself, Mr. BURR, and Mr. MCCAIN) to the bill H.R. 980, supra.

SA 4765. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4766. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4767. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4768. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4769. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4770. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4771. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4772. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4773. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4774. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4775. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4776. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4762. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NO UNION DUES FROM ILLEGAL IMMIGRANTS.

(a) PROHIBITION FOR PRIVATE LABOR ORGANIZATIONS.—It shall be unlawful for a labor organization to collect dues or initiation fees from any individual who is physically present in the United States in violation of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) PROHIBITION FOR PUBLIC SAFETY LABOR ORGANIZATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, a State law shall be deemed to have failed to substantially provide for the rights and responsibilities described in section 4(b) unless the Authority determines that such law, in addition to meeting such rights and responsibilities, prohibits labor organizations from collecting dues or initiation fees from any individual who is physically present in the United States in violation of the Immigration and Nationality Act.

(2) ENFORCEMENT AUTHORITY.—The Authority may issue and enforce regulations to carry out paragraph (1) in the manner provided under section 5.

(c) DECERTIFICATION OF LABOR ORGANIZATIONS.—

(1) PUBLIC-SECTOR EMPLOYEES.—In addition to any enforcement measures authorized under subsection (b)(2), if the Authority determines that a labor organization has violated any provision under subsection (a) or (b), the Authority shall issue an order that decertifies the labor organization or otherwise notifies the labor organization that the organization will no longer be recognized by the Authority as the exclusive representative of employees for collective bargaining purposes.

(2) PRIVATE-SECTOR EMPLOYEES.—If the National Labor Relations Board determines that a labor organization has violated subsection (a), the Board shall issue an order that decertifies the labor organization or otherwise notifies the labor organization that the organization will no longer be recognized by the Board as the exclusive representative of employees for collective bargaining purposes.

(d) LABOR ORGANIZATION DEFINED.—In this section, the term ''labor organization'' has the meaning given such term in section 2 of the Labor Management Relations Act (29 U.S.C. 152)).

(e) REQUIRED PARTICIPATION BY LABOR ORGANIZATIONS.—Section 402(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (title IV of division C of Public Law 104–208; 8 U.S.C. 1324a note) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

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

''(2) LABOR ORGANIZATIONS.—

''(A) IN GENERAL.—All labor organizations (as defined in section 2 of the Labor Management Relations Act (29 U.S.C. 152)) shall elect to participate in the basic pilot program and shall comply with the terms and conditions of such election.

''(B) VERIFICATION OF ALL MEMBERS.—Notwithstanding any other provision in this title, each participating labor organization shall use the confirmation system to seek confirmation of the identity and employment eligibility of each member of such labor organization.

''(C) DEADLINE FOR COMPLIANCE.—The verifications required under subparagraph (B) shall be completed—

''(i) not later than 1 year after the date of the enactment of the Public Safety Employer-Employee Cooperation Act of 2007 for all members of the labor organization as of such date; and

''(ii) for individuals who become members of such labor organization after such date of enactment, not later than 14 days after the commencement of such membership.''.

SA 4763. Mr. GRAHAM (for himself, Mr. BURR, and Mr. MCCAIN) proposed an amendment to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; as follows:

Strike the last period in the bill and insert the following:

TITLE I—EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE ARMED FORCES AND VETERANS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Enhancement of Recruitment, Retention, and Readjustment Through Education Act of 2008''.

SEC. 102. FINDINGS.

Congress makes the following findings:

(1) The World War II-era GI Bill assisted almost 8,000,000 members of the Armed Forces in readjusting to civilian life after completing their service to the nation. With the support and assistance of America's colleges and universities, the GI Bill provided incentives that transformed American society, making a college degree a realizable goal for millions of Americans.

(2) In the years following World War II, the GI Bill continued to provide educational benefits for members of the Armed Forces who had been drafted into or volunteered for service.

(3) The establishment of the All Volunteer Force in 1973, and its development since its inception, has produced highly professional Armed Forces that are recognized as the most effective fighting force the world has ever seen.

(4) The Sonny Montgomery GI Bill was enacted in 1984 to sustain the All Volunteer Force by providing educational benefits to aid in the recruitment and retention of highly qualified personnel for the Armed Forces and to assist veterans in readjusting to civilian life. Today, it remains a cornerstone of military recruiting and retention planning for the Armed Forces and continues to fulfill its original purposes.

(5) The All Volunteer Force depends for its effectiveness and vitality on successful recruiting of highly capable men and women, and retention for careers of soldiers, sailors, airmen, and marines, in both the active and reserve components of the Armed Forces, who, with the support of their families and loved ones, develop into professional, dedicated, and experienced officers, noncommissioned officers, and petty officers.

(6) The achievement of educational goals, including obtaining the means to a college degree, has traditionally been a key reason for volunteering for service in the Armed Forces. For members who serve a career in the Armed Forces, this goal extends to their spouses and children and has resulted in requests for the option to transfer educational benefits under the GI Bill to spouses and children.

(7) As in the aftermath of World War II, colleges and universities throughout the United States should demonstrate their and the Nation's appreciation to veterans by dedicated programs providing financial aid.

(8) It is in that national interest for the United States—

(A) to express the gratitude of the American people by assisting those who have honorably served in the Armed Forces and returned to civilian life to achieve their educational goals;

(B) to provide significant educational benefits to provide incentives for successful recruiting;

(C) to motivate continued service in the All Volunteer Force by those members with the potential for military careers and their spouses and children; and

(D) to assist those who serve and their families in achieving their personal goals, including higher education, while progressing in a military career.

SEC. 103. PLAN ON COORDINATION OF CURRENT EDUCATIONAL ASSISTANCE PROGRAMS AND DEVELOPMENT OF ADDITIONAL EDUCATIONAL ASSISTANCE PROGRAMS TO ENABLE CAREER-ORIENTED MEMBERS OF THE ARMED FORCES TO ATTAIN A BACHELOR'S DEGREE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the outstanding men and women who volunteer for service in the Armed Forces and demonstrate through their service the ability, motivation, and commitment to serve as career commissioned officers, noncommissioned officers, petty officers, and warrant officers should be given the opportunities and resources needed to obtain a bachelor's degree before they complete active duty and retire from the Armed Forces; and

(2) every effort should be made by the leaders of the Army, Navy, Marine Corps, Air Force, and Coast Guard to demonstrate to members of the Armed Forces who are willing to serve and study that the dual goals of attaining a bachelor's degree and a distinguished military career are achievable and not mutually exclusive.

(b) PLAN TO COORDINATE AND DEVELOP EDUCATIONAL ASSISTANCE PROGRAMS.—

(1) PLAN REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, develop a plan to make the attainment of a bachelor's degree an achievable goal for members of the Armed Forces who are motivated towards careers in the Armed Forces and who are able and willing to accept the challenges of military duty and pursuit of college level studies.

(2) ADVICE OF THE SERVICE CHIEFS.—The Secretary of Defense shall develop the plan required by paragraph (1) with the advice of the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps.

(3) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Appropriate elements of current programs to assist members of the Armed Forces in obtaining college-level education, including tuition assistance programs, distance learning programs, and technical training and education provided by the military departments, including programs currently administered by the Secretary of Veterans Affairs.

(B) Appropriate elements of current programs to provide members of the Armed Forces with assistance in obtaining college-level credit for the technical training and experience they undergo during their military career.

(C) One or more additional education programs to assist members of the Armed Forces in obtaining a college-level education, including mechanisms for the provision by the military departments of guidance, mentoring, and resources to assist members in achieving their professional military and personal educational goals.

(D) Such additional programs or mechanisms, such as sabbaticals from the Armed Forces or college-level education provided or funded by the military departments, as the Secretary of Defense considers appropriate to assist members of the Armed Forces in making adequate progress towards a bachelor's degree from an accredited institution of higher education while continuing a successful military career.

(E) Such mechanisms for the application of the elements of the plan to members of the National Guard and Reserves as the Secretary of Defense considers appropriate to ensure that such members receive appropriate assistance in achieving their professional military and personal educational goals.

(F) Such elements of current programs of the military departments for in-service education of members of the Armed Forces as the Secretary of Defense considers appropriate to maintain and enhance the recruitment and retention by the Armed Forces of highly trained and experienced military leaders.

(4) SUBMITTAL TO CONGRESS.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the plan required by paragraph (1) not later than August 1, 2009.

SEC. 104. INCREASE IN RATES OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) INCREASE IN GENERAL RATES AND AUGMENTED RATES FOR EXTENDED SERVICE.—

(1) RATES BASED ON THREE YEARS OF OBLIGATED SERVICE.—Subsection (a)(1) of section 3015 of title 38, United States Code, is amended by striking ''on a full-time basis, at the monthly rate of'' and all that follows and inserting ''on a full-time basis—

''(A) in the case of an individual who served on active duty in the Armed Forces for 12 or more years, at the monthly rate of—

''(i) for months occurring during fiscal year 2009, $1,650;

''(ii) for months occurring during fiscal year 2010, $1,800;

''(iii) for months occurring during fiscal year 2011, $2,000; and

''(iv) for months occurring during a subsequent fiscal year, the amount for months occurring during the preceding fiscal year increased under subsection (h); and

''(B) in the case of an individual who served on active duty in the Armed Forces for less than 12 years, at the monthly rate of—

''(i) for months occurring during fiscal year 2009, $1,500; and

''(ii) for months occurring during a subsequent fiscal year, the amount for months occurring during the preceding fiscal year increased under subsection (h); or''.

(2) RATES BASED ON TWO YEARS OF OBLIGATED SERVICE.—Subsection (b)(1) of such section is amended—

(A) by striking subparagraphs (A) through (C) and inserting the following new subparagraph (A):

''(A) for months occurring during fiscal year 2009, $950; and''; and

(B) by redesignating subparagraph (D) as subparagraph (B).

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to basic educational assistance payable for months beginning on or after that date.

(2) LIMITATION ON COST-OF-LIVING ADJUSTMENTS.—

(A) CERTAIN RATES BASED ON THREE YEARS OF OBLIGATED SERVICE.—No adjustment under subsection (h) of section 3015 of title 38, United States Code, shall be made in the rates of educational assistance payable under subsection (a)(1)(A) of such section (as amended by subsection (a)(1) of this section) for any of fiscal years 2009 through 2011.

(B) OTHER RATES.—No adjustment under subsection (h) of section 3015 of title 38, United States Code, shall be made in the rates of educational assistance payable under subsection (a)(1)(B) of such section (as so amended), or subsection (b) of such section, for fiscal year 2009.

SEC. 105. ANNUAL STIPEND FOR RECIPIENTS OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) ENTITLEMENT TO STIPEND.—

(1) IN GENERAL.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3020A. Educational stipend

''(a) ENTITLEMENT.—Each individual receiving basic educational assistance under this subchapter who is pursuing a program of education at an institution of higher learning (as such term is defined in section 3452(f) of this title) is entitled to an educational stipend under this section.

''(b) AMOUNT OF STIPEND.—The educational stipend payable under this section to an individual entitled to such a stipend shall be paid—

''(1) in the case of an individual pursuing an approved program of education on at least a half-time basis, at the annual rate of $1,000; and

''(2) in the case of an individual pursuing an approved program of education on less than a half-time basis, at the annual rate of $500.

''(c) PAYMENT FREQUENCY AND METHOD.—The educational stipend payable under this subsection shall be paid with such frequency (including by lump sum), and by such mechanisms, as the Secretary shall prescribe for purposes of this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by adding at the end of the items relating to subchapter II the following new item:

''3020A. Educational stipend.''.

(b) EFFECTIVE DATE.—Section 3020A of title 38, United States Code, as added by subsection (a), shall take effect on the date that is one year after the enactment of this Act.

SEC. 106. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE.

(a) INCREASE IN RATES.—Section 16131(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking ''$251'' and inserting ''$634'';

(2) in subparagraph (B), by striking ''$188'' and inserting ''$474''; and

(3) in subparagraph (C), by striking ''$125'' and inserting ''$314''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

(2) NO COST-OF-LIVING ADJUSTMENT.—No adjustment under paragraph (2) of section 16131(b) of title 10, United States Code, shall be made in the rates of educational assistance payable under paragraph (1) of such section for fiscal year 2009.

SEC. 107. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS WITH EXTENDED SERVICE IN THE SELECTED RESERVE.

(a) INCREASE IN RATES FOR EXTENDED SERVICE.—Paragraph (2) of section 16162(c) of title 10, United States Code, is amended to read as follows:

''(2) The educational assistance allowance provided under this chapter shall be the amount as follows (as adjusted under paragraphs (3) and (4)):

''(A) In the case of a member who serves an aggregate of 12 years or more in the Selected Reserve of the Ready Reserve, the amount provided under section 3015(a)(1)(A) of title 38 for the fiscal year concerned, except that if a member otherwise covered by this subparagraph ceases serving in the Selected Reserve the amount shall be the amount provided under subparagraph (B) of this paragraph.

''(B) In the case of any other member, the amount provided under section 3015(a)(1)(B) of title 38 for the fiscal year concerned.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

SEC. 108. ENHANCEMENT OF TRANSFERABILITY OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE.

(a) MODIFICATION OF AUTHORITY TO TRANSFER ENTITLEMENT UNDER MONTGOMERY GI BILL.—

(1) IN GENERAL.—Subsection (a) of section 3020 of title 38, United States Code, is amended to read as follows:

''(a) IN GENERAL.—Subject to the provisions of this section, the Secretary of Defense shall authorize each Secretary concerned to permit an individual described in subsection (b) who is entitled to basic educational assistance under this subchapter to elect to transfer to one or more of the dependents specified in subsection (c) the unused portion of such individual's entitlement to such assistance, subject to the limitation under subsection (d).''.

(2) ELIGIBLE INDIVIDUALS.—Subsection (b) of such section is amended to read as follows:

''(b) ELIGIBLE INDIVIDUALS.—An individual referred to in subsection (a) is any member of the Armed Forces serving on active duty or as a member of the Selected Reserve who, at the time of the approval by the Secretary concerned of the member's request to transfer entitlement to basic educational assistance under this section—

''(1) has completed six years of service in the Armed Forces; and

''(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.''.

(3) LIMITATIONS ON MONTHS OF TRANSFER.—Subsection (d) of such section is amended to read as follows:

''(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraphs (2) and (3), an individual may transfer under this section any number of months of unused entitlement of the individual to basic educational assistance under this chapter.

''(2) In the case of an individual who has completed at least six but less than 12 years of service in the Armed Forces at the time of the approval by the Secretary concerned of the individual's request to transfer entitlement under this section, the number of months that may be transferred by the individual under this section may not exceed the lesser of—

''(A) the number of months transferrable by the individual under paragraph (1); or

''(B) 18 months.''.

(4) TIMING, REVOCATION, AND MODIFICATION OF TRANSFER.—Subsection (f) of such section is amended—

(A) in paragraph (1), by striking ''without regard'' and all that follows and inserting ''while the individual is a member of the Armed Forces.''; and

(B) in paragraph (2)(A), by inserting ''while the individual is serving as a member of the Armed Forces or in the Selected Reserve'' after ''at any time''.

(5) EXCLUSION FROM MARITAL PROPERTY.—Subsection (f) of such section is further amended by adding at the end the following new paragraph:

''(3) Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.''.

(6) OVERPAYMENT.—Subsection (i) of such section is amended—

(A) by striking ''(1)'' before ''In the event''; and

(B) by striking paragraphs (2) and (3).

(7) REGULATIONS.—Subsection (k) of such section is amended to read as follows:

''(k) REGULATIONS.—The Secretary of Defense shall, in coordination with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

''(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

''(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

''(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).''.

(8) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 3020. Transfer of entitlement to basic educational assistance''.

(9) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by striking the item relating to section 3020 and inserting the following:

''3020. Transfer of entitlement to basic educational assistance.''.

(b) AUTHORITY FOR TRANSFER OF ENTITLEMENT UNDER RESERVE COMPONENTS EDUCATIONAL ASSISTANCE PROGRAMS.—

(1) SELECTED RESERVE PROGRAM.—

(A) IN GENERAL.—Chapter 1606 of title 10, United States Code, is amended by inserting after section 16131a the following new section:

''§ 16131b. Transfer of entitlement to educational assistance

''(a) IN GENERAL.—Subject to the provisions of this section, the Secretary concerned may permit a member of the Armed Forces described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such member's entitlement to such assistance, subject to the limitations under subsection (d).

''(b) ELIGIBLE MEMBERS.—A member described in this subsection is a member of the Selected Reserve of the Ready Reserve who, at the time of the approval of the member's request to transfer entitlement to educational assistance under this section—

''(1) has completed at least six years of service in the Selected Reserve; and

''(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.

''(c) ELIGIBLE DEPENDENTS.—A member approved to transfer an entitlement to educational assistance under this section may transfer the member's entitlement as follows:

''(1) To the member's spouse.

''(2) To one or more of the member's children.

''(3) To a combination of the individuals referred to in paragraphs (1) and (2).

''(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraph (2), a member may transfer under this section any number of months of unused entitlement of the member to educational assistance under this chapter.

''(2) In the case of a member who has completed at least six but less than 12 years of service in the Selected Reserve at the time of the approval by the Secretary concerned of the member's request to transfer entitlement under this section, the number of months that may be transferred by the member under this section may not exceed the lesser of—

''(A) the number of months transferrable by the individual under paragraph (1); or

''(B) 18 months.

''(e) DESIGNATION OF TRANSFEREE.—A member transferring an entitlement to educational assistance under this section shall—

''(1) designate the dependent or dependents to whom such entitlement is being transferred;

''(2) designate the number of months of such entitlement to be transferred to each such dependent; and

''(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

''(f) TIME FOR TRANSFER; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 16133 of this title, a member approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time after the approval of the member's request to transfer such entitlement.

''(2)(A) A member transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

''(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

''(3) Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

''(g) COMMENCEMENT OF USE.—A dependent to whom entitlement to educational assistance is transferred under this section may not commence the use of the transferred entitlement until—

''(1) in the case of entitlement transferred to a spouse, the completion by the member making the transfer of six years of service in the Selected Reserve; or

''(2) in the case of entitlement transferred to a child, both—

''(A) the completion by the member making the transfer of six years of service in the Selected Reserve; and

''(B) either—

''(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

''(ii) the attainment by the child of 18 years of age.

''(h) ADDITIONAL ADMINISTRATIVE MATTERS.—(1) The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the member making the transfer at the rate of one month for each month of transferred entitlement that is used.

''(2) Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), a dependent to whom entitlement is transferred under this section is entitled to educational assistance under this chapter in the same manner as the member from whom the entitlement was transferred.

''(3) The monthly rate of educational assistance payable to a dependent to whom entitlement is transferred under this section shall be the monthly amount payable to the member making the transfer under section 16131 or 16132a of this title, as applicable.

''(4)(A) The death of a member transferring entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

''(B) The involuntary separation or retirement of a member transferring entitlement under this section because of a nondiscretionary provision of law for age or for years of service, as described in section 16133(b) of this title, or medical disqualification which is not the result of gross negligence or misconduct of the member shall not affect the use of entitlement by the dependent to whom the entitlement is transferred.

''(5) A child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

''(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

''(7) The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible member for purposes of such provisions.

''(i) OVERPAYMENT.—(1) In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the member making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of title 38.

''(2)(A) Except as provided in subparagraph (B), in the case of a member transferring entitlement under this section whose eligibility is terminated under section 16134(2) of this title, the amount of any transferred entitlement under this section that is used by a dependent of the member as of the date of the failure of the member to participate satisfactorily in training as specified in section 16134(2) of this title shall be treated as an overpayment of educational assistance under paragraph (1).

''(B) Subparagraph (A) shall not apply in the case of a member who fails to complete service agreed to by the member—

''(i) by reason of the death of the member; or

''(ii) for a reason referred to in section 16133(b) of this title.

''(j) APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The Secretary concerned may approve transfers of

entitlement to educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of this title in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance attributable to increased usage of benefits as a result of such transfers of entitlement in that fiscal year.

''(k) REGULATIONS.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

''(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

''(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

''(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1606 of such title is amended by inserting after the item relating to section 16131a the following new item:

''16131b. Transfer of entitlement to educational assistance.''.

(2) PROGRAM FOR RESERVE COMPONENTS SUPPORTING CONTINGENCY AND OTHER OPERATIONS.—

(A) IN GENERAL.—Chapter 1607 of title 10, United States Code, is amended by inserting after section 16162a the following new section:

''§ 16162b. Transfer of entitlement to educational assistance

''(a) IN GENERAL.—Subject to the provisions of this section, the Secretary concerned may permit a member of the Armed Forces described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such member's entitlement to such assistance, subject to the limitations under subsection (d).

''(b) ELIGIBLE MEMBERS.—A member referred to in subsection (a) is a member of the Armed Forces who, at the time of the approval of the member's request to transfer entitlement to educational assistance under this section—

''(1) has completed at least six years of service in the Armed Forces; and

''(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.

''(c) ELIGIBLE DEPENDENTS.—A member approved to transfer an entitlement to educational assistance under this section may transfer the member's entitlement as follows:

''(1) To the member's spouse.

''(2) To one or more of the member's children.

''(3) To a combination of the individuals referred to in paragraphs (1) and (2).

''(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraph (2), a member may transfer under this section any number of months of unused entitlement of the member to educational assistance under this chapter.

''(2) In the case of a member who has completed at least six but less than 12 years of service in the Armed Forces at the time of the approval by the Secretary concerned of the member's request to transfer entitlement under this section, the number of months that may be transferred by the member under this section may not exceed the lesser of—

''(A) the number of months transferrable by the individual under paragraph (1); or

''(B) 18 months.

''(e) DESIGNATION OF TRANSFEREE.—A member transferring an entitlement to educational assistance under this section shall—

''(1) designate the dependent or dependents to whom such entitlement is being transferred;

''(2) designate the number of months of such entitlement to be transferred to each such dependent; and

''(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

''(f) TIME FOR TRANSFER; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 16164 of this title, a member approved to transfer entitlement to educational assistance under this section may transfer such entitlement only while serving as a member of the Armed Forces when the transfer is executed.

''(2)(A) A member transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

''(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

''(g) COMMENCEMENT OF USE.—A dependent to whom entitlement to educational assistance as transferred under this section may not commence the use of the transferred entitlement until—

''(1) in the case of entitlement transferred to a spouse, the completion by the member making the transfer of the years of service in the Armed Forces applicable to the member under subsection (b); or

''(2) in the case of entitlement transferred to a child, both—

''(A) the completion by the member making the transfer of the years of service in the Armed Forces applicable to the member under subsection; and

''(B) either—

''(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

''(ii) the attainment by the child of 18 years of age.

''(h) ADDITIONAL ADMINISTRATIVE MATTERS.—(1) The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the member making the transfer at the rate of one month for each month of transferred entitlement that is used.

''(2) Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), a dependent to whom entitlement is transferred under this section is entitled to educational assistance under this chapter in the same manner as the member from whom the entitlement was transferred.

''(3) The monthly rate of educational assistance payable to a dependent to whom entitlement is transferred under this section shall be the monthly amount payable to the member making the transfer under section 16162 or 16162a of this title, as applicable.

''(4) The death of a member transferring an entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

''(5) A child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

''(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

''(7) The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible member for purposes of such provisions.

''(i) OVERPAYMENT.—In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the member making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of title 38.

''(j) APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The Secretary concerned may approve transfers of entitlement to educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of this title in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance attributable to increased usage of benefits as result of such transfers of entitlement in that fiscal year.

''(k) REGULATIONS.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

''(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

''(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

''(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1607 of such title is amended by inserting after the item relating to section 16162a the following new item:

''16162b. Transfer of entitlement to educational assistance.''.

(3) FUNDING UNDER DEPARTMENT OF DEFENSE EDUCATION BENEFITS FUND.—Section 2006(b)(2)(D) of title 10, United States Code, is amended by inserting before the period at the end the following: '', including payments attributable to increased usage of benefits as a result of transfers of entitlement to educational assistance under sections 16131b and 16162b of this title''.

(c) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2009.

SEC. 109. USE OF EDUCATIONAL ASSISTANCE TO REPAY FEDERAL STUDENT LOANS.

(a) USE OF EDUCATIONAL ASSISTANCE TO REPAY FEDERAL STUDENT LOANS.—

(1) IN GENERAL.—Subchapter II of chapter 30 of title 38, United States Code, as amended by section 104(a) of this Act, is further amended by inserting after section 3020A the following new section:

''§ 3020B. Use of basic educational assistance benefits for repayment of Federal student loans

''(a) IN GENERAL.—An individual entitled to basic educational assistance under this subchapter who is serving on active duty in the Armed Forces may elect to apply

amounts of basic educational assistance otherwise available to the individual under this subchapter to repay all or a portion of the outstanding principal and interest on any Federal student loan owed by the individual for the individual's pursuit of a course of education.

''(b) DESIGNATION OF LOANS AND AMOUNTS PAYABLE.—An individual electing under this section to apply amounts of basic educational assistance to the payment of the outstanding principal and interest on Federal student loans shall designate (in such form and manner as the Secretary shall prescribe for purposes of this section) the following:

''(1) Each Federal student loan of the individual for which payment shall be made under this section.

''(2) For each Federal student loan designated under paragraph (1), the monthly amount to be paid under this section.

''(c) LIMITATION ON AMOUNT OF PAYMENTS.—(1) The monthly amount payable with respect to an individual under this section may not exceed the monthly rate of basic educational assistance to which the individual is otherwise entitled under this subchapter at the time of payment of such monthly amount.

''(2) The aggregate amount of basic educational assistance payable with respect to an individual under this section for any 12-month period may not exceed $6,000.

''(d) FREQUENCY OF PAYMENTS.—Payment of amounts of principal and interest on Federal student loans of an individual under this section shall be made on a monthly basis.

''(e) CESSATION OF PAYMENTS.—Payments made under this section with respect to an individual shall cease if the individual ceases serving on active duty in the Armed Forces, effective as of the first month that begins after the date on which the individual ceases serving on active duty in the Armed Forces.

''(f) CHARGE AGAINST ENTITLEMENT.—The period of entitlement to basic educational assistance under this subchapter of an individual for whom payments are made under this section shall be charged at the rate of one month for each payment or aggregate of payments under this section that are equivalent in amount to the monthly rate of basic educational assistance to which the individual is otherwise entitled under this subchapter.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations as the Secretary considers appropriate for purposes of the administration of this section.

''(h) FEDERAL STUDENT LOAN DEFINED.—In this section, the term 'Federal student loan' means any loan made under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).''.

(2) CLERICAL AMENDMENT.—The table of sections of subchapter II of chapter 30 of such title, as so amended, is further amended by inserting after the item relating to section 3020A the following new item:

''3020B. Use of basic educational assistance benefits for repayment of Federal student loans.''.

(b) EFFECTIVE DATE.—Section 3020B of title 38, United States Code, as added by subsection (a), shall apply with respect to educational assistance payable for months that begin on or after the date that is one year after the date of the enactment of this Act.

SEC. 110. EDUCATIONAL ASSISTANCE FOR GRADUATES OF THE SERVICE ACADEMIES AND RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

(a) ACTIVE DUTY PROGRAM.—

(1) IN GENERAL.—Subsection (a)(1) of section 3011 of title 38, United States Code, is amended—

(A) in subparagraph (B), by striking ''or'' at the end;

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

(C) by adding at the end the following new subparagraph:

''(D) after September 30, 2009—

''(i) receives or has received a commission as an officer in the Armed Forces—

''(I) upon graduation from the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy; or

''(II) upon completion of a Senior Reserve Officers' Training Corps program under chapter 103 of title 10; and

''(ii) completes at least five years of continuous active duty in the Armed Forces (excluding any period of obligated service in connection with receipt of a commission as an officer in the Armed Forces under clause (i) and excluding any other period of obligated service in connection with education, training, or instruction provided or funded, whether in whole or in part, by the United States);''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b), by striking ''subsection (c)(1)'' and inserting ''subsection (c)'';

(B) in subsection (c)—

(i) by striking ''(1)'' after ''(c)''; and

(ii) by striking paragraphs (2) and (3); and

(C) in subsection (e)(1), by striking ''subsection (c)(1)'' and inserting ''subsection (c)''.

(b) SELECTED RESERVE PROGRAM.—

(1) IN GENERAL.—Subsection (a)(1) of section 3012 of such title is amended—

(A) in subparagraph (B), by striking ''or'' at the end;

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

(C) by adding at the end the following new subparagraph:

''(D) after September 30, 2009—

''(i) receives or has received a commission as an officer in the Armed Forces—

''(I) upon graduation from the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy; or

''(II) upon completion of a Senior Reserve Officers' Training Corps program under chapter 103 of title 10; and

''(ii) completes at least five years of continuous active duty in the Armed Forces (excluding any period of obligated service in connection with receipt of a commission as an officer in the Armed Forces under clause (i) and excluding any other period of obligated service in connection with education, training, or instruction provided or funded, whether in whole or in part, by the United States);''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (c), by striking ''subsection (d)(1)'' and inserting ''subsection (d)'';

(B) in subsection (d)—

(i) by striking ''(1)'' after ''(d)''; and

(ii) by striking paragraphs (2) and (3); and

(C) in subsection (f)(1), by striking ''subsection (d)(1)'' and inserting ''subsection (d)''.

(c) AMOUNT OF BASIC EDUCATIONAL ASSISTANCE.—Section 3015(c) of such title is amended—

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

(2) by adding at the end the following new paragraph:

''(3) Paragraph (1) of this subsection also applies to the following:

''(A) An individual entitled to an educational assistance allowance under section 3011 of this title by reason of subsection (a)(1)(D) of such section.

''(B) An individual entitled to an educational assistance allowance under section 3012 of this title by reason of subsection (a)(1)(D) of such section.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009.

SEC. 111. OPPORTUNITY FOR CURRENT AND CERTAIN RETIRED VEAP-ERA PERSONNEL TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) OPPORTUNITY FOR CURRENT AND CERTAIN RETIRED VEAP-ERA PERSONNEL TO ENROLL.—

(1) IN GENERAL.—Chapter 30 of title 38, United States Code, is amended by inserting after section 3018C the following new section:

''§ 3018D. Opportunity for current and certain retired VEAP-era personnel to enroll

''(a) IN GENERAL.—An individual described in subsection (b) who makes an election described in paragraph (5) of such subsection is entitled to basic educational assistance under this chapter, subject to the provisions of subsection (d).

''(b) COVERED INDIVIDUALS.—An individual described in this subsection is an individual who meets each of the following requirements:

''(1) The individual first became a member of the Armed Forces or first entered on active duty as a member of the Armed Forces on or after January 1, 1977, but before July 1, 1985.

''(2) The individual, as of the date of the individual's election under paragraph (5)—

''(A) is serving on active duty without a break in service (other than as described in section 3202(1)(C) of this title) since the date the individual first became such a member or first entered on active duty as such a member; or

''(B) is retired from the Armed Forces after serving at least 20 years on active duty in the Armed Forces, which service included service on active duty in the Armed Forces on or after September 11, 2001, and elected not to participate in the program of educational assistance under chapter 32 of this title.

''(3) The individual, before applying for benefits under this section, has completed the requirements of a secondary school diploma (or equivalency certificate) or has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree, but has not completed the requirements for nor been awarded a bachelor's degree.

''(4) The individual—

''(A) in the case of an individual described by paragraph (2)(A), is discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned; or

''(B) in the case of an individual described by paragraph (2)(B), was discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned.

''(5) During the one-year period beginning on October 1, 2009, the individual makes an irrevocable election to receive benefits under this section pursuant to procedures which the Secretary of each military department shall provide in accordance with regulations prescribed by the Secretary of Defense for the purpose of carrying out this section or which the Secretary of Transportation shall provide for such purpose with respect to the Coast Guard when it is not operating as a service in the Navy.

''(c) REDUCTION OF PAY; COLLECTION AND PAYMENT OF AMOUNTS.—(1) In the case of an individual described by subsection (b) who

makes an election under this section to become entitled to basic educational assistance under this chapter—

''(A) the basic pay or retired or retainer pay, as applicable, of the individual shall be reduced (in a manner determined by the Secretary concerned) until the total amount by which such pay is reduced is $2,700; or

''(B) to the extent that the basic pay of the individual is not so reduced before the individual's discharge or release from active duty as described in subsection (d)(4)(A), the Secretary concerned shall collect from the individual an amount equal to the difference between $2,700 and the total amount of reductions with respect to the individual under subparagraph (A).

''(2) An individual covered by paragraph (1) may at any time pay the Secretary concerned an amount equal to the difference between the total of the reductions otherwise required with respect to the individual under that paragraph and the total amount of the reductions with respect to the individual under that paragraph at the time of the payment.

''(3) Any amounts collected under paragraph (1)(B) or paid under paragraph (2) shall be paid into the Treasury as miscellaneous receipts.

''(4) The total amount of reductions in pay, or of collections or payments, required with respect to an individual under paragraph (1) shall be achieved not later than 12 months after the date on which the individual makes an election under subsection (b)(5).

''(5) No amount of educational assistance allowance under this chapter shall be paid to an individual covered by paragraph (1) until the date on which the total amount of reductions in pay, or of collections or payments, required with respect to the individual under paragraph (1) is achieved.

''(d) LIMITATIONS ON BASIC EDUCATIONAL ASSISTANCE.—(1) The basic educational assistance allowance payable under this chapter to an individual entitled to such educational assistance allowance under this section shall be payable at the monthly rate of basic educational assistance payable under section 3015(a)(1)(B) of this title.

''(2) Basic educational assistance under this section shall be available only for pursuit of a non-degree vocational training program, an associate degree, or a bachelor's degree, but shall not be available for pursuit of a masters degree or other advanced college degree.

''(3) An individual entitled under this section to basic educational assistance under this chapter is entitled to the educational stipend provided under section 3020A of this title.

''(4)(A) Entitlement under this section to basic educational assistance under this chapter is not transferrable under the provisions of section 3020 of this title.

''(B) An individual entitled under this section to basic educational assistance under this chapter is not eligible for the following:

''(i) The use of basic educational assistance benefits under this chapter for the repayment of Federal student loans under section 3020B of this title.

''(ii) Supplemental educational assistance authorized by subchapter III of this chapter.

''(5)(A) Except as provided in subparagraph (B), the provisions of section 3031 of this title shall apply to the use of entitlement under this section to basic educational assistance under this chapter.

''(B) In the case of an individual entitled under this section to basic educational assistance under this chapter who is described by subsection (b)(2)(B), the period during which the individual may use such entitlement expires on October 1, 2019.

''(e) OUTREACH.—The Secretary shall, in coordination with the Secretary of Defense, provide for notice of the opportunity under this section to elect to become entitled to basic educational assistance under this chapter.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by inserting after the item relating to section 3018C the following new item:

''3018D. Opportunity for current and certain retired VEAP-era personnel to enroll.''.

(b) CONFORMING AMENDMENTS.—Section 3017(b)(1) of such title is amended—

(1) in subparagraphs (A) and (C), by striking ''or 3018C(e)'' and inserting ''3018C(e), or 3018D(c)''; and

(2) in subparagraph (B), by striking ''or 3018C(e) of this title'' after ''section 3018C(e), or 3018D(c) of this title or paid by the individual under section 3018D(c) of this title''.

SEC. 112. COLLEGE PATRIOTS GRANT PROGRAM.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER IV—COLLEGE PATRIOTS GRANTS

''§ 3699A. College Patriots Grant Program

''(a) PURPOSE.—It is the purpose of this section to provide, through a partnership with the Department and institutions of higher education, supplemental educational grants to assist in making available the benefits of postsecondary education to qualified veterans by meeting such veterans' unmet financial need.

''(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall carry out a supplemental educational grant program under which—

''(1) an institution of higher education participating in the program voluntarily provides a covered individual enrolled in the institution with the non-Federal share of a percentage of the covered individual's unmet financial need determined in accordance with subsection (e); and

''(2) the Secretary provides the Federal share of a percentage of the covered individual's unmet financial need determined in accordance with subsection (e).

''(c) DESIGNATION OF PROGRAM.—The program under this section shall be known as the 'College Patriots Grant Program'.

''(d) INSTITUTIONAL ELIGIBILITY CRITERIA.—Assistance may be made available under this section only to an institution of higher education that satisfies any criteria specified by the Secretary. Such criteria shall include an agreement or other appropriate assurance from the institution of higher education that—

''(1) the non-Federal share of a covered individual's unmet financial need awarded under this section shall be provided from non-Federal resources, including—

''(A) institutional grants and scholarships;

''(B) tuition or fee waivers;

''(C) State scholarships; and

''(D) foundation or other charitable organization funds; and

''(2) funds made available under this section shall be provided to a covered individual for whom the institution of higher education has made a determination that the covered individual has an unmet financial need, which determination shall be made before including Federal student loans under title IV of the Higher Education Act of 1965 in the covered individual's financial aid package.

''(e) FEDERAL SHARE; NON-FEDERAL SHARE.—

''(1) IN GENERAL.—The Secretary shall not approve an institution of higher education for participation in the College Patriots Grant Program unless the institution of higher education has provided, in the manner required by the Secretary, the following:

''(A) An agreement or other assurance that the institution of higher education will provide the non-Federal share in accordance with this subsection.

''(B) Information on the specific methods by which the non-Federal share shall be paid.

''(C) An acknowledgment that the non-Federal share provided under this subsection shall supplement and not supplant other Federal and non-Federal funds.

''(2) FEDERAL AND NON-FEDERAL SHARES.—Each institution of higher education participating in the program under this section shall select one of the three contribution percentage tiers described in paragraph (3) for purposes of meeting a percentage of the unmet financial needs of covered individuals enrolled in the institution.

''(3) PERCENTAGE CONTRIBUTION TIERS.—

''(A) 25 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

''(i) less than $8,000, the non-Federal share shall be 12.5 percent of the unmet financial need and the Federal share shall be 12.5 percent of the unmet financial need, except that the Federal share shall not exceed $1,000; and

''(ii) equal to or greater than $8,000, the Federal share shall be $1,000 and the non-Federal share shall be 25 percent of the covered individual's unmet financial need minus $1,000.

''(B) 50 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

''(i) less than $8,000, the non-Federal share shall be 25 percent of the unmet financial need and the Federal share shall be 25 percent of the unmet financial need, except that the Federal share shall not exceed $2,000; and

''(ii) equal to or greater than $8,000, the Federal share shall be $2,000 and the non-Federal share shall be 50 percent of the covered individual's unmet financial need minus $2,000.

''(C) 100 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

''(i) less than $6,000, the non-Federal share shall be 50 percent of the unmet financial need and the Federal share shall be 50 percent of the unmet financial need, except that the Federal share shall not exceed $3,000; and

''(ii) equal to or greater than $6,000, the Federal share shall be $3,000 and the non-Federal share shall be 100 percent of the covered individual's unmet financial need minus $3,000.

''(f) REGULATIONS.—The Secretary shall prescribe regulations necessary to implement and administer the College Patriots Grant Program, including regulations establishing the procedures for determining eligibility for the program, applying for supplemental educational grants under the program, and distributing the Federal share provided by the Secretary under the program.

''(g) OUTREACH.—The Secretary of Veterans Affairs, in coordination with the Secretary of Defense and the Secretary of Education, shall—

''(1) make available to the public on the Internet website of the Department—

''(A) a current list of institutions of higher education participating in the College Patriots Grant Program; and

''(B) information on the extent of participation of each institution of higher education participating in the College Patriots Grant Program;

''(2) make available to the public on the Internet website of the Department information about all Federal and State education benefits that members of the regular components of the Armed Forces, members of the

reserve components of the Armed Forces, veterans, and their dependents may be eligible to receive; and

''(3) make available to institutions of higher education information about the College Patriots Grant Program and take appropriate actions to encourage broad participation of institutions of higher education in the program.

''(h) AWARDS FOR INSTITUTIONAL RECOGNITION.—The Secretary may establish and administer an awards program to recognize the extent of an institution of higher education's participation in the College Patriots Grant Program.

''(i) DEFINITIONS.—In this section:

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

''(2) COVERED INDIVIDUAL.—The term 'covered individual' means an individual who—

''(A) is enrolled in an institution of higher education that is participating in the College Patriots Grant Program;

''(B) has such amount of remaining entitlement to educational assistance under chapter 30 or 32 of this title, or under chapter 1606 or 1607 of title 10, as the Secretary may require for purposes of this section; and

''(C) after receipt of any of the educational assistance described in subparagraph (B), has an unmet financial need to attend the institution of higher education for which a supplemental educational grant is sought.

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

''(4) UNMET FINANCIAL NEED.—The term 'unmet financial need' means, with respect to a covered individual, the cost of attendance for the covered individual to attend an institution of higher education participating in the College Patriots Grant Program, minus the sum of—

''(A) grant and work assistance received by the covered individual under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

''(B) any educational assistance payments received by the covered individual through any programs administered by the Department of Veterans Affairs or the Department of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by adding at the end the following new items:

''SUBCHAPTER IV—COLLEGE PATRIOTS GRANTS

''3699A. College Patriots Grant Program.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act, and shall apply to terms, quarters, or semesters beginning on or after that date.

SEC. 113. TERMINATION OF CONTRIBUTIONS BY MEMBERS OF THE ARMED FORCES FOR PARTICIPATION IN THE MONTGOMERY GI BILL PROGRAM.

(a) ACTIVE DUTY PROGRAM.—Notwithstanding subsection (b) of section 3011 of title 38, United States Code, no reduction in basic pay otherwise required by such section shall be made in the case of a member of the Armed Forces who first enters on active duty on or after the date of the enactment of this Act and elects to receive basic educational assistance under such section.

(b) SELECTED RESERVE PROGRAM.—Notwithstanding subsection (c) of section 3012 of such title, no reduction in basic pay otherwise required by such section shall be made in the case of a member of the Armed Forces who first becomes eligible for basic educational assistance under such section on or after the date of the enactment of this Act and elects to receive basic educational assistance under such section.

SEC. 114. MODIFICATION OF SERVICE REQUIREMENT FOR EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS WITH EXTENDED SERVICE IN THE SELECTED RESERVE.

(a) IN GENERAL.—Section 16162(c)(4) of title 10, United States Code, is amended by striking subparagraphs (A) through (C) and inserting the following new subparagraphs:

''(A) 40 percent in the case of a member of a reserve component who performed active service for—

''(i) 90 consecutive days but less than one continuous year; or

''(ii) an aggregate of one year but less than two years, none of which was continuous service of one year or more;

''(B) 60 percent in the case of a member of a reserve component who performed active service for—

''(i) one continuous year but less than two continuous years; or

''(ii) an aggregate of two years but less than three years, none of which was continuous service of two years or more; or

''(C) 80 percent in the case of a member of a reserve component who performed active service for—

''(i) two continuous years or more; or

''(ii) an aggregate of three years or more.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

SEC. 115. MODIFICATION OF FORMULA FOR DETERMINATION OF ANNUAL COST ADJUSTMENT IN RATES OF EDUCATIONAL ASSISTANCE.

(a) ACTIVE DUTY PROGRAM.—Section 3015(h) of title 38, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''With respect to any fiscal year'' and inserting ''Subject to paragraphs (2) and (3), with respect to any fiscal year''; and

(B) by striking ''the percentage by which—'' and all that follows through the end of the paragraph and inserting ''the percentage increase in the average cost of tuition, fees, room, and board at public four-year institutions of higher education (as determined by the Secretary in consultation with the Secretary of Education and Secretary of Defense) over the one-year period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made.'';

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

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) With respect to any fiscal year, in no event shall the increase in rates under paragraph (1) be less than a percentage increase equal to the percentage by which—

''(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(B) such Consumer Price Index for the 12-month period preceding that 12-month period.''.

(b) SELECTED RESERVE PROGRAM.—Section 16131(b)(2) of title 10, United States Code, is amended—

(1) by striking ''With respect to any fiscal year'' and inserting ''(A) Subject to subparagraph (B), with respect to any fiscal year'';

(2) by striking ''the percentage by which—'' and all that follows and inserting ''the percentage increase in the average cost of tuition, fees, room, and board at public four-year institutions of higher education (as determined by the Secretary of Veterans Affairs in consultation with the Secretary of Education and Secretary of Defense) over the one-year period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made.''; and

(3) by adding at the end the following new subparagraph:

''(B) With respect to any fiscal year, in no event shall the increase in rates under subparagraph (A) be less than a percentage increase equal to the percentage by which—

''(i) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(ii) such Consumer Price Index for the 12-month period preceding that 12-month period.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009, and shall apply with respect to fiscal years that begin on or after that date.

SA 4764. Mr. MCCONNELL proposed an amendment to amendment SA 4763 proposed by Mr. GRAHAM (for himself, Mr. BURR, and Mr. MCCAIN) to the bill H.R. 980, to provide collective bargaining rights for public safety officers by States or their political subdivisions; as follows:

Strike in the amendment the word **TITLE** and add the following:

I—EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE ARMED FORCES AND VETERANS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Enhancement of Recruitment, Retention, and Readjustment Through Education Act of 2008''.

SEC. 102. FINDINGS.

Congress makes the following findings:

(1) The World War II-era GI Bill assisted almost 8,000,000 members of the Armed Forces in readjusting to civilian life after completing their service to the nation. With the support and assistance of America's colleges and universities, the GI Bill provided incentives that transformed American society, making a college degree a realizable goal for millions of Americans.

(2) In the years following World War II, the GI Bill continued to provide educational benefits for members of the Armed Forces who had been drafted into or volunteered for service.

(3) The establishment of the All Volunteer Force in 1973, and its development since its inception, has produced highly professional Armed Forces that are recognized as the most effective fighting force the world has ever seen.

(4) The Sonny Montgomery GI Bill was enacted in 1984 to sustain the All Volunteer Force by providing educational benefits to aid in the recruitment and retention of highly qualified personnel for the Armed Forces and to assist veterans in readjusting to civilian life. Today, it remains a cornerstone of military recruiting and retention planning for the Armed Forces and continues to fulfill its original purposes.

(5) The All Volunteer Force depends for its effectiveness and vitality on successful recruiting of highly capable men and women, and retention for careers of soldiers, sailors, airmen, and marines, in both the active and reserve components of the Armed Forces, who, with the support of their families and loved ones, develop into professional, dedicated, and experienced officers, noncommissioned officers, and petty officers.

(6) The achievement of educational goals, including obtaining the means to a college

degree, has traditionally been a key reason for volunteering for service in the Armed Forces. For members who serve a career in the Armed Forces, this goal extends to their spouses and children and has resulted in requests for the option to transfer educational benefits under the GI Bill to spouses and children.

(7) As in the aftermath of World War II, colleges and universities throughout the United States should demonstrate their and the Nation's appreciation to veterans by dedicated programs providing financial aid.

(8) It is in that national interest for the United States—

(A) to express the gratitude of the American people by assisting those who have honorably served in the Armed Forces and returned to civilian life to achieve their educational goals;

(B) to provide significant educational benefits to provide incentives for successful recruiting;

(C) to motivate continued service in the All Volunteer Force by those members with the potential for military careers and their spouses and children; and

(D) to assist those who serve and their families in achieving their personal goals, including higher education, while progressing in a military career.

SEC. 103. PLAN ON COORDINATION OF CURRENT EDUCATIONAL ASSISTANCE PROGRAMS AND DEVELOPMENT OF ADDITIONAL EDUCATIONAL ASSISTANCE PROGRAMS TO ENABLE CAREER-ORIENTED MEMBERS OF THE ARMED FORCES TO ATTAIN A BACHELOR'S DEGREE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the outstanding men and women who volunteer for service in the Armed Forces and demonstrate through their service the ability, motivation, and commitment to serve as career commissioned officers, noncommissioned officers, petty officers, and warrant officers should be given the opportunities and resources needed to obtain a bachelor's degree before they complete active duty and retire from the Armed Forces; and

(2) every effort should be made by the leaders of the Army, Navy, Marine Corps, Air Force, and Coast Guard to demonstrate to members of the Armed Forces who are willing to serve and study that the dual goals of attaining a bachelor's degree and a distinguished military career are achievable and not mutually exclusive.

(b) PLAN TO COORDINATE AND DEVELOP EDUCATIONAL ASSISTANCE PROGRAMS.—

(1) PLAN REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, develop a plan to make the attainment of a bachelor's degree an achievable goal for members of the Armed Forces who are motivated towards careers in the Armed Forces and who are able and willing to accept the challenges of military duty and pursuit of college level studies.

(2) ADVICE OF THE SERVICE CHIEFS.—The Secretary of Defense shall develop the plan required by paragraph (1) with the advice of the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps.

(3) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Appropriate elements of current programs to assist members of the Armed Forces in obtaining college-level education, including tuition assistance programs, distance learning programs, and technical training and education provided by the military departments, including programs currently administered by the Secretary of Veterans Affairs.

(B) Appropriate elements of current programs to provide members of the Armed Forces with assistance in obtaining college-level credit for the technical training and experience they undergo during their military career.

(C) One or more additional education programs to assist members of the Armed Forces in obtaining a college-level education, including mechanisms for the provision by the military departments of guidance, mentoring, and resources to assist members in achieving their professional military and personal educational goals.

(D) Such additional programs or mechanisms, such as sabbaticals from the Armed Forces or college-level education provided or funded by the military departments, as the Secretary of Defense considers appropriate to assist members of the Armed Forces in making adequate progress towards a bachelor's degree from an accredited institution of higher education while continuing a successful military career.

(E) Such mechanisms for the application of the elements of the plan to members of the National Guard and Reserves as the Secretary of Defense considers appropriate to ensure that such members receive appropriate assistance in achieving their professional military and personal educational goals.

(F) Such elements of current programs of the military departments for in-service education of members of the Armed Forces as the Secretary of Defense considers appropriate to maintain and enhance the recruitment and retention by the Armed Forces of highly trained and experienced military leaders.

(4) SUBMITTAL TO CONGRESS.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the plan required by paragraph (1) not later than August 1, 2009.

SEC. 104. INCREASE IN RATES OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) INCREASE IN GENERAL RATES AND AUGMENTED RATES FOR EXTENDED SERVICE.—

(1) RATES BASED ON THREE YEARS OF OBLIGATED SERVICE.—Subsection (a)(1) of section 3015 of title 38, United States Code, is amended by striking ''on a full-time basis, at the monthly rate of'' and all that follows and inserting ''on a full-time basis—

''(A) in the case of an individual who served on active duty in the Armed Forces for 12 or more years, at the monthly rate of—

''(i) for months occurring during fiscal year 2009, $1,650;

''(ii) for months occurring during fiscal year 2010, $1,800;

''(iii) for months occurring during fiscal year 2011, $2,000; and

''(iv) for months occurring during a subsequent fiscal year, the amount for months occurring during the preceding fiscal year increased under subsection (h); and

''(B) in the case of an individual who served on active duty in the Armed Forces for less than 12 years, at the monthly rate of—

''(i) for months occurring during fiscal year 2009, $1,500; and

''(ii) for months occurring during a subsequent fiscal year, the amount for months occurring during the preceding fiscal year increased under subsection (h); or''.

(2) RATES BASED ON TWO YEARS OF OBLIGATED SERVICE.—Subsection (b)(1) of such section is amended—

(A) by striking subparagraphs (A) through (C) and inserting the following new subparagraph (A):

''(A) for months occurring during fiscal year 2009, $950; and''; and

(B) by redesignating subparagraph (D) as subparagraph (B).

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to basic educational assistance payable for months beginning on or after that date.

(2) LIMITATION ON COST-OF-LIVING ADJUSTMENTS.—

(A) CERTAIN RATES BASED ON THREE YEARS OF OBLIGATED SERVICE.—No adjustment under subsection (h) of section 3015 of title 38, United States Code, shall be made in the rates of educational assistance payable under subsection (a)(1)(A) of such section (as amended by subsection (a)(1) of this section) for any of fiscal years 2009 through 2011.

(B) OTHER RATES.—No adjustment under subsection (h) of section 3015 of title 38, United States Code, shall be made in the rates of educational assistance payable under subsection (a)(1)(B) of such section (as so amended), or subsection (b) of such section, for fiscal year 2009.

SEC. 105. ANNUAL STIPEND FOR RECIPIENTS OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) ENTITLEMENT TO STIPEND.—

(1) IN GENERAL.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3020A. Educational stipend

''(a) ENTITLEMENT.—Each individual receiving basic educational assistance under this subchapter who is pursuing a program of education at an institution of higher learning (as such term is defined in section 3452(f) of this title) is entitled to an educational stipend under this section.

''(b) AMOUNT OF STIPEND.—The educational stipend payable under this section to an individual entitled to such a stipend shall be paid—

''(1) in the case of an individual pursuing an approved program of education on at least a half-time basis, at the annual rate of $1,000; and

''(2) in the case of an individual pursuing an approved program of education on less than a half-time basis, at the annual rate of $500.

''(c) PAYMENT FREQUENCY AND METHOD.—The educational stipend payable under this subsection shall be paid with such frequency (including by lump sum), and by such mechanisms, as the Secretary shall prescribe for purposes of this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by adding at the end of the items relating to subchapter II the following new item:

''3020A. Educational stipend.''.

(b) EFFECTIVE DATE.—Section 3020A of title 38, United States Code, as added by subsection (a), shall take effect on the date that is one year after the enactment of this Act.

SEC. 106. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE.

(a) INCREASE IN RATES.—Section 16131(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking ''$251'' and inserting ''$634'';

(2) in subparagraph (B), by striking ''$188'' and inserting ''$474''; and

(3) in subparagraph (C), by striking ''$125'' and inserting ''$314''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

(2) NO COST-OF-LIVING ADJUSTMENT.—No adjustment under paragraph (2) of section 16131(b) of title 10, United States Code, shall be made in the rates of educational assistance payable under paragraph (1) of such section for fiscal year 2009.

SEC. 107. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS WITH EXTENDED SERVICE IN THE SELECTED RESERVE.

(a) INCREASE IN RATES FOR EXTENDED SERVICE.—Paragraph (2) of section 16162(c) of title 10, United States Code, is amended to read as follows:

''(2) The educational assistance allowance provided under this chapter shall be the amount as follows (as adjusted under paragraphs (3) and (4)):

''(A) In the case of a member who serves an aggregate of 12 years or more in the Selected Reserve of the Ready Reserve, the amount provided under section 3015(a)(1)(A) of title 38 for the fiscal year concerned, except that if a member otherwise covered by this subparagraph ceases serving in the Selected Reserve the amount shall be the amount provided under subparagraph (B) of this paragraph.

''(B) In the case of any other member, the amount provided under section 3015(a)(1)(B) of title 38 for the fiscal year concerned.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

SEC. 108. ENHANCEMENT OF TRANSFERABILITY OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE.

(a) MODIFICATION OF AUTHORITY TO TRANSFER ENTITLEMENT UNDER MONTGOMERY GI BILL.—

(1) IN GENERAL.—Subsection (a) of section 3020 of title 38, United States Code, is amended to read as follows:

''(a) IN GENERAL.—Subject to the provisions of this section, the Secretary of Defense shall authorize each Secretary concerned to permit an individual described in subsection (b) who is entitled to basic educational assistance under this subchapter to elect to transfer to one or more of the dependents specified in subsection (c) the unused portion of such individual's entitlement to such assistance, subject to the limitation under subsection (d).''.

(2) ELIGIBLE INDIVIDUALS.—Subsection (b) of such section is amended to read as follows:

''(b) ELIGIBLE INDIVIDUALS.—An individual referred to in subsection (a) is any member of the Armed Forces serving on active duty or as a member of the Selected Reserve who, at the time of the approval by the Secretary concerned of the member's request to transfer entitlement to basic educational assistance under this section—

''(1) has completed six years of service in the Armed Forces; and

''(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.''.

(3) LIMITATIONS ON MONTHS OF TRANSFER.—Subsection (d) of such section is amended to read as follows:

''(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraphs (2) and (3), an individual may transfer under this section any number of months of unused entitlement of the individual to basic educational assistance under this chapter.

''(2) In the case of an individual who has completed at least six but less than 12 years of service in the Armed Forces at the time of the approval by the Secretary concerned of the individual's request to transfer entitlement under this section, the number of months that may be transferred by the individual under this section may not exceed the lesser of—

''(A) the number of months transferrable by the individual under paragraph (1); or

''(B) 18 months.''.

(4) TIMING, REVOCATION, AND MODIFICATION OF TRANSFER.—Subsection (f) of such section is amended—

(A) in paragraph (1), by striking ''without regard'' and all that follows and inserting ''while the individual is a member of the Armed Forces.''; and

(B) in paragraph (2)(A), by inserting ''while the individual is serving as a member of the Armed Forces or in the Selected Reserve'' after ''at any time''.

(5) EXCLUSION FROM MARITAL PROPERTY.—Subsection (f) of such section is further amended by adding at the end the following new paragraph:

''(3) Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.''.

(6) OVERPAYMENT.—Subsection (i) of such section is amended—

(A) by striking ''(1)'' before ''In the event''; and

(B) by striking paragraphs (2) and (3).

(7) REGULATIONS.—Subsection (k) of such section is amended to read as follows:

''(k) REGULATIONS.—The Secretary of Defense shall, in coordination with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

''(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

''(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

''(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).''.

(8) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 3020. Transfer of entitlement to basic educational assistance''.

(9) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by striking the item relating to section 3020 and inserting the following:

''3020. Transfer of entitlement to basic educational assistance.''.

(b) AUTHORITY FOR TRANSFER OF ENTITLEMENT UNDER RESERVE COMPONENTS EDUCATIONAL ASSISTANCE PROGRAMS.—

(1) SELECTED RESERVE PROGRAM.—

(A) IN GENERAL.—Chapter 1606 of title 10, United States Code, is amended by inserting after section 16131a the following new section:

''§ 16131b. Transfer of entitlement to educational assistance

''(a) IN GENERAL.—Subject to the provisions of this section, the Secretary concerned may permit a member of the Armed Forces described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such member's entitlement to such assistance, subject to the limitations under subsection (d).

''(b) ELIGIBLE MEMBERS.—A member described in this subsection is a member of the Selected Reserve of the Ready Reserve who, at the time of the approval of the member's request to transfer entitlement to educational assistance under this section—

''(1) has completed at least six years of service in the Selected Reserve; and

''(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.

''(c) ELIGIBLE DEPENDENTS.—A member approved to transfer an entitlement to educational assistance under this section may transfer the member's entitlement as follows:

''(1) To the member's spouse.

''(2) To one or more of the member's children.

''(3) To a combination of the individuals referred to in paragraphs (1) and (2).

''(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraph (2), a member may transfer under this section any number of months of unused entitlement of the member to educational assistance under this chapter.

''(2) In the case of a member who has completed at least six but less than 12 years of service in the Selected Reserve at the time of the approval by the Secretary concerned of the member's request to transfer entitlement under this section, the number of months that may be transferred by the member under this section may not exceed the lesser of—

''(A) the number of months transferrable by the individual under paragraph (1); or

''(B) 18 months.

''(e) DESIGNATION OF TRANSFEREE.—A member transferring an entitlement to educational assistance under this section shall—

''(1) designate the dependent or dependents to whom such entitlement is being transferred;

''(2) designate the number of months of such entitlement to be transferred to each such dependent; and

''(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

''(f) TIME FOR TRANSFER; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 16133 of this title, a member approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time after the approval of the member's request to transfer such entitlement.

''(2)(A) A member transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

''(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

''(3) Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

''(g) COMMENCEMENT OF USE.—A dependent to whom entitlement to educational assistance is transferred under this section may not commence the use of the transferred entitlement until—

''(1) in the case of entitlement transferred to a spouse, the completion by the member making the transfer of six years of service in the Selected Reserve; or

''(2) in the case of entitlement transferred to a child, both—

''(A) the completion by the member making the transfer of six years of service in the Selected Reserve; and

''(B) either—

''(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

''(ii) the attainment by the child of 18 years of age.

''(h) ADDITIONAL ADMINISTRATIVE MATTERS.—(1) The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the member making the transfer at the rate of one month for each month of transferred entitlement that is used.

''(2) Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), a dependent to whom entitlement is transferred under this section is entitled to educational assistance under this chapter in the same manner as the member from whom the entitlement was transferred.

''(3) The monthly rate of educational assistance payable to a dependent to whom entitlement is transferred under this section shall be the monthly amount payable to the member making the transfer under section 16131 or 16132a of this title, as applicable.

''(4)(A) The death of a member transferring entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

''(B) The involuntary separation or retirement of a member transferring entitlement under this section because of a nondiscretionary provision of law for age or for years of service, as described in section 16133(b) of this title, or medical disqualification which is not the result of gross negligence or misconduct of the member shall not affect the use of entitlement by the dependent to whom the entitlement is transferred.

''(5) A child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

''(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

''(7) The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible member for purposes of such provisions.

''(i) OVERPAYMENT.—(1) In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the member making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of title 38.

''(2)(A) Except as provided in subparagraph (B), in the case of a member transferring entitlement under this section whose eligibility is terminated under section 16134(2) of this title, the amount of any transferred entitlement under this section that is used by a dependent of the member as of the date of the failure of the member to participate satisfactorily in training as specified in section 16134(2) of this title shall be treated as an overpayment of educational assistance under paragraph (1).

''(B) Subparagraph (A) shall not apply in the case of a member who fails to complete service agreed to by the member—

''(i) by reason of the death of the member; or

''(ii) for a reason referred to in section 16133(b) of this title.

''(j) APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The Secretary concerned may approve transfers of entitlement to educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of this title in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance attributable to increased usage of benefits as a result of such transfers of entitlement in that fiscal year.

''(k) REGULATIONS.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

''(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

''(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

''(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1606 of such title is amended by inserting after the item relating to section 16131a the following new item:

''16131b. Transfer of entitlement to educational assistance.''.

(2) PROGRAM FOR RESERVE COMPONENTS SUPPORTING CONTINGENCY AND OTHER OPERATIONS.—

(A) IN GENERAL.—Chapter 1607 of title 10, United States Code, is amended by inserting after section 16162a the following new section:

''§ 16162b. Transfer of entitlement to educational assistance

''(a) IN GENERAL.—Subject to the provisions of this section, the Secretary concerned may permit a member of the Armed Forces described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such member's entitlement to such assistance, subject to the limitations under subsection (d).

''(b) ELIGIBLE MEMBERS.—A member referred to in subsection (a) is a member of the Armed Forces who, at the time of the approval of the member's request to transfer entitlement to educational assistance under this section—

''(1) has completed at least six years of service in the Armed Forces; and

''(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.

''(c) ELIGIBLE DEPENDENTS.—A member approved to transfer an entitlement to educational assistance under this section may transfer the member's entitlement as follows:

''(1) To the member's spouse.

''(2) To one or more of the member's children.

''(3) To a combination of the individuals referred to in paragraphs (1) and (2).

''(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraph (2), a member may transfer under this section any number of months of unused entitlement of the member to educational assistance under this chapter.

''(2) In the case of a member who has completed at least six but less than 12 years of service in the Armed Forces at the time of the approval by the Secretary concerned of the member's request to transfer entitlement under this section, the number of months that may be transferred by the member under this section may not exceed the lesser of—

''(A) the number of months transferrable by the individual under paragraph (1); or

''(B) 18 months.

''(e) DESIGNATION OF TRANSFEREE.—A member transferring an entitlement to educational assistance under this section shall—

''(1) designate the dependent or dependents to whom such entitlement is being transferred;

''(2) designate the number of months of such entitlement to be transferred to each such dependent; and

''(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

''(f) TIME FOR TRANSFER; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 16164 of this title, a member approved to transfer entitlement to educational assistance under this section may transfer such entitlement only while serving as a member of the Armed Forces when the transfer is executed.

''(2)(A) A member transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

''(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

''(g) COMMENCEMENT OF USE.—A dependent to whom entitlement to educational assistance as transferred under this section may not commence the use of the transferred entitlement until—

''(1) in the case of entitlement transferred to a spouse, the completion by the member making the transfer of the years of service in the Armed Forces applicable to the member under subsection (b); or

''(2) in the case of entitlement transferred to a child, both—

''(A) the completion by the member making the transfer of the years of service in the Armed Forces applicable to the member under subsection; and

''(B) either—

''(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

''(ii) the attainment by the child of 18 years of age.

''(h) ADDITIONAL ADMINISTRATIVE MATTERS.—(1) The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the member making the transfer at the rate of one month for each month of transferred entitlement that is used.

''(2) Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), a dependent to whom entitlement is transferred under this section is entitled to educational assistance under this chapter in the same manner as the member from whom the entitlement was transferred.

''(3) The monthly rate of educational assistance payable to a dependent to whom entitlement is transferred under this section shall be the monthly amount payable to the member making the transfer under section 16162 or 16162a of this title, as applicable.

''(4) The death of a member transferring an entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

''(5) A child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

''(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall

include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

''(7) The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible member for purposes of such provisions.

''(i) OVERPAYMENT.—In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the member making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of title 38.

''(j) APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The Secretary concerned may approve transfers of entitlement to educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of this title in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance attributable to increased usage of benefits as result of such transfers of entitlement in that fiscal year.

''(k) REGULATIONS.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

''(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

''(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

''(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1607 of such title is amended by inserting after the item relating to section 16162a the following new item:

''16162b. Transfer of entitlement to educational assistance.''.

(3) FUNDING UNDER DEPARTMENT OF DEFENSE EDUCATION BENEFITS FUND.—Section 2006(b)(2)(D) of title 10, United States Code, is amended by inserting before the period at the end the following: '', including payments attributable to increased usage of benefits as a result of transfers of entitlement to educational assistance under sections 16131b and 16162b of this title''.

(c) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2009.

SEC. 109. USE OF EDUCATIONAL ASSISTANCE TO REPAY FEDERAL STUDENT LOANS.

(a) USE OF EDUCATIONAL ASSISTANCE TO REPAY FEDERAL STUDENT LOANS.—

(1) IN GENERAL.—Subchapter II of chapter 30 of title 38, United States Code, as amended by section 104(a) of this Act, is further amended by inserting after section 3020A the following new section:

''§ 3020B. Use of basic educational assistance benefits for repayment of Federal student loans

''(a) IN GENERAL.—An individual entitled to basic educational assistance under this subchapter who is serving on active duty in the Armed Forces may elect to apply amounts of basic educational assistance otherwise available to the individual under this subchapter to repay all or a portion of the outstanding principal and interest on any Federal student loan owed by the individual for the individual's pursuit of a course of education.

''(b) DESIGNATION OF LOANS AND AMOUNTS PAYABLE.—An individual electing under this section to apply amounts of basic educational assistance to the payment of the outstanding principal and interest on Federal student loans shall designate (in such form and manner as the Secretary shall prescribe for purposes of this section) the following:

''(1) Each Federal student loan of the individual for which payment shall be made under this section.

''(2) For each Federal student loan designated under paragraph (1), the monthly amount to be paid under this section.

''(c) LIMITATION ON AMOUNT OF PAYMENTS.—(1) The monthly amount payable with respect to an individual under this section may not exceed the monthly rate of basic educational assistance to which the individual is otherwise entitled under this subchapter at the time of payment of such monthly amount.

''(2) The aggregate amount of basic educational assistance payable with respect to an individual under this section for any 12-month period may not exceed $6,000.

''(d) FREQUENCY OF PAYMENTS.—Payment of amounts of principal and interest on Federal student loans of an individual under this section shall be made on a monthly basis.

''(e) CESSATION OF PAYMENTS.—Payments made under this section with respect to an individual shall cease if the individual ceases serving on active duty in the Armed Forces, effective as of the first month that begins after the date on which the individual ceases serving on active duty in the Armed Forces.

''(f) CHARGE AGAINST ENTITLEMENT.—The period of entitlement to basic educational assistance under this subchapter of an individual for whom payments are made under this section shall be charged at the rate of one month for each payment or aggregate of payments under this section that are equivalent in amount to the monthly rate of basic educational assistance to which the individual is otherwise entitled under this subchapter.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations as the Secretary considers appropriate for purposes of the administration of this section.

''(h) FEDERAL STUDENT LOAN DEFINED.—In this section, the term 'Federal student loan' means any loan made under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).''.

(2) CLERICAL AMENDMENT.—The table of sections of subchapter II of chapter 30 of such title, as so amended, is further amended by inserting after the item relating to section 3020A the following new item:

''3020B. Use of basic educational assistance benefits for repayment of Federal student loans.''.

(b) EFFECTIVE DATE.—Section 3020B of title 38, United States Code, as added by subsection (a), shall apply with respect to educational assistance payable for months that begin on or after the date that is one year after the date of the enactment of this Act.

SEC. 110. EDUCATIONAL ASSISTANCE FOR GRADUATES OF THE SERVICE ACADEMIES AND RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

(a) ACTIVE DUTY PROGRAM.—

(1) IN GENERAL.—Subsection (a)(1) of section 3011 of title 38, United States Code, is amended—

(A) in subparagraph (B), by striking ''or'' at the end;

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

(C) by adding at the end the following new subparagraph:

''(D) after September 30, 2009—

''(i) receives or has received a commission as an officer in the Armed Forces—

''(I) upon graduation from the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy; or

''(II) upon completion of a Senior Reserve Officers' Training Corps program under chapter 103 of title 10; and

''(ii) completes at least five years of continuous active duty in the Armed Forces (excluding any period of obligated service in connection with receipt of a commission as an officer in the Armed Forces under clause (i) and excluding any other period of obligated service in connection with education, training, or instruction provided or funded, whether in whole or in part, by the United States);''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b), by striking ''subsection (c)(1)'' and inserting ''subsection (c)'';

(B) in subsection (c)—

(i) by striking ''(1)'' after ''(c)''; and

(ii) by striking paragraphs (2) and (3); and

(C) in subsection (e)(1), by striking ''subsection (c)(1)'' and inserting ''subsection (c)''.

(b) SELECTED RESERVE PROGRAM.—

(1) IN GENERAL.—Subsection (a)(1) of section 3012 of such title is amended—

(A) in subparagraph (B), by striking ''or'' at the end;

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

(C) by adding at the end the following new subparagraph:

''(D) after September 30, 2009—

''(i) receives or has received a commission as an officer in the Armed Forces—

''(I) upon graduation from the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy; or

''(II) upon completion of a Senior Reserve Officers' Training Corps program under chapter 103 of title 10; and

''(ii) completes at least five years of continuous active duty in the Armed Forces (excluding any period of obligated service in connection with receipt of a commission as an officer in the Armed Forces under clause (i) and excluding any other period of obligated service in connection with education, training, or instruction provided or funded, whether in whole or in part, by the United States);''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (c), by striking ''subsection (d)(1)'' and inserting ''subsection (d)'';

(B) in subsection (d)—

(i) by striking ''(1)'' after ''(d)''; and

(ii) by striking paragraphs (2) and (3); and

(C) in subsection (f)(1), by striking ''subsection (d)(1)'' and inserting ''subsection (d)''.

(c) AMOUNT OF BASIC EDUCATIONAL ASSISTANCE.—Section 3015(c) of such title is amended—

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

(2) by adding at the end the following new paragraph:

''(3) Paragraph (1) of this subsection also applies to the following:

''(A) An individual entitled to an educational assistance allowance under section 3011 of this title by reason of subsection (a)(1)(D) of such section.

''(B) An individual entitled to an educational assistance allowance under section 3012 of this title by reason of subsection (a)(1)(D) of such section.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009.

SEC. 111. OPPORTUNITY FOR CURRENT AND CERTAIN RETIRED VEAP-ERA PERSONNEL TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) OPPORTUNITY FOR CURRENT AND CERTAIN RETIRED VEAP-ERA PERSONNEL TO ENROLL.—

(1) IN GENERAL.—Chapter 30 of title 38, United States Code, is amended by inserting after section 3018C the following new section:

''§ 3018D. Opportunity for current and certain retired VEAP-era personnel to enroll

''(a) IN GENERAL.—An individual described in subsection (b) who makes an election described in paragraph (5) of such subsection is entitled to basic educational assistance under this chapter, subject to the provisions of subsection (d).

''(b) COVERED INDIVIDUALS.—An individual described in this subsection is an individual who meets each of the following requirements:

''(1) The individual first became a member of the Armed Forces or first entered on active duty as a member of the Armed Forces on or after January 1, 1977, but before July 1, 1985.

''(2) The individual, as of the date of the individual's election under paragraph (5)—

''(A) is serving on active duty without a break in service (other than as described in section 3202(1)(C) of this title) since the date the individual first became such a member or first entered on active duty as such a member; or

''(B) is retired from the Armed Forces after serving at least 20 years on active duty in the Armed Forces, which service included service on active duty in the Armed Forces on or after September 11, 2001, and elected not to participate in the program of educational assistance under chapter 32 of this title.

''(3) The individual, before applying for benefits under this section, has completed the requirements of a secondary school diploma (or equivalency certificate) or has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree, but has not completed the requirements for nor been awarded a bachelor's degree.

''(4) The individual—

''(A) in the case of an individual described by paragraph (2)(A), is discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned; or

''(B) in the case of an individual described by paragraph (2)(B), was discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned.

''(5) During the one-year period beginning on October 1, 2009, the individual makes an irrevocable election to receive benefits under this section pursuant to procedures which the Secretary of each military department shall provide in accordance with regulations prescribed by the Secretary of Defense for the purpose of carrying out this section or which the Secretary of Transportation shall provide for such purpose with respect to the Coast Guard when it is not operating as a service in the Navy.

''(c) REDUCTION OF PAY; COLLECTION AND PAYMENT OF AMOUNTS.—(1) In the case of an individual described by subsection (b) who makes an election under this section to become entitled to basic educational assistance under this chapter—

''(A) the basic pay or retired or retainer pay, as applicable, of the individual shall be reduced (in a manner determined by the Secretary concerned) until the total amount by which such pay is reduced is $2,700; or

''(B) to the extent that the basic pay of the individual is not so reduced before the individual's discharge or release from active duty as described in subsection (d)(4)(A), the Secretary concerned shall collect from the individual an amount equal to the difference between $2,700 and the total amount of reductions with respect to the individual under subparagraph (A).

''(2) An individual covered by paragraph (1) may at any time pay the Secretary concerned an amount equal to the difference between the total of the reductions otherwise required with respect to the individual under that paragraph and the total amount of the reductions with respect to the individual under that paragraph at the time of the payment.

''(3) Any amounts collected under paragraph (1)(B) or paid under paragraph (2) shall be paid into the Treasury as miscellaneous receipts.

''(4) The total amount of reductions in pay, or of collections or payments, required with respect to an individual under paragraph (1) shall be achieved not later than 12 months after the date on which the individual makes an election under subsection (b)(5).

''(5) No amount of educational assistance allowance under this chapter shall be paid to an individual covered by paragraph (1) until the date on which the total amount of reductions in pay, or of collections or payments, required with respect to the individual under paragraph (1) is achieved.

''(d) LIMITATIONS ON BASIC EDUCATIONAL ASSISTANCE.—(1) The basic educational assistance allowance payable under this chapter to an individual entitled to such educational assistance allowance under this section shall be payable at the monthly rate of basic educational assistance payable under section 3015(a)(1)(B) of this title.

''(2) Basic educational assistance under this section shall be available only for pursuit of a non-degree vocational training program, an associate degree, or a bachelor's degree, but shall not be available for pursuit of a masters degree or other advanced college degree.

''(3) An individual entitled under this section to basic educational assistance under this chapter is entitled to the educational stipend provided under section 3020A of this title.

''(4)(A) Entitlement under this section to basic educational assistance under this chapter is not transferrable under the provisions of section 3020 of this title.

''(B) An individual entitled under this section to basic educational assistance under this chapter is not eligible for the following:

''(i) The use of basic educational assistance benefits under this chapter for the repayment of Federal student loans under section 3020B of this title.

''(ii) Supplemental educational assistance authorized by subchapter III of this chapter.

''(5)(A) Except as provided in subparagraph (B), the provisions of section 3031 of this title shall apply to the use of entitlement under this section to basic educational assistance under this chapter.

''(B) In the case of an individual entitled under this section to basic educational assistance under this chapter who is described by subsection (b)(2)(B), the period during which the individual may use such entitlement expires on October 1, 2019.

''(e) OUTREACH.—The Secretary shall, in coordination with the Secretary of Defense, provide for notice of the opportunity under this section to elect to become entitled to basic educational assistance under this chapter.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by inserting after the item relating to section 3018C the following new item:

''3018D. Opportunity for current and certain retired VEAP-era personnel to enroll.''.

(b) CONFORMING AMENDMENTS.—Section 3017(b)(1) of such title is amended—

(1) in subparagraphs (A) and (C), by striking ''or 3018C(e)'' and inserting ''3018C(e), or 3018D(c)''; and

(2) in subparagraph (B), by striking ''or 3018C(e) of this title'' after ''section 3018C(e), or 3018D(c) of this title or paid by the individual under section 3018D(c) of this title''.

SEC. 112. COLLEGE PATRIOTS GRANT PROGRAM.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER IV—COLLEGE PATRIOTS GRANTS

''§ 3699A. College Patriots Grant Program

''(a) PURPOSE.—It is the purpose of this section to provide, through a partnership with the Department and institutions of higher education, supplemental educational grants to assist in making available the benefits of postsecondary education to qualified veterans by meeting such veterans' unmet financial need.

''(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall carry out a supplemental educational grant program under which—

''(1) an institution of higher education participating in the program voluntarily provides a covered individual enrolled in the institution with the non-Federal share of a percentage of the covered individual's unmet financial need determined in accordance with subsection (e); and

''(2) the Secretary provides the Federal share of a percentage of the covered individual's unmet financial need determined in accordance with subsection (e).

''(c) DESIGNATION OF PROGRAM.—The program under this section shall be known as the 'College Patriots Grant Program'.

''(d) INSTITUTIONAL ELIGIBILITY CRITERIA.—Assistance may be made available under this section only to an institution of higher education that satisfies any criteria specified by the Secretary. Such criteria shall include an agreement or other appropriate assurance from the institution of higher education that—

''(1) the non-Federal share of a covered individual's unmet financial need awarded under this section shall be provided from non-Federal resources, including—

''(A) institutional grants and scholarships;

''(B) tuition or fee waivers;

''(C) State scholarships; and

''(D) foundation or other charitable organization funds; and

''(2) funds made available under this section shall be provided to a covered individual for whom the institution of higher education has made a determination that the covered individual has an unmet financial need, which determination shall be made before including Federal student loans under title IV of the Higher Education Act of 1965 in the covered individual's financial aid package.

''(e) FEDERAL SHARE; NON-FEDERAL SHARE.—

''(1) IN GENERAL.—The Secretary shall not approve an institution of higher education for participation in the College Patriots Grant Program unless the institution of higher education has provided, in the manner required by the Secretary, the following:

''(A) An agreement or other assurance that the institution of higher education will provide the non-Federal share in accordance with this subsection.

''(B) Information on the specific methods by which the non-Federal share shall be paid.

''(C) An acknowledgment that the non-Federal share provided under this subsection shall supplement and not supplant other Federal and non-Federal funds.

''(2) FEDERAL AND NON-FEDERAL SHARES.—Each institution of higher education participating in the program under this section shall select one of the three contribution percentage tiers described in paragraph (3) for purposes of meeting a percentage of the unmet financial needs of covered individuals enrolled in the institution.

''(3) PERCENTAGE CONTRIBUTION TIERS.—

''(A) 25 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

''(i) less than $8,000, the non-Federal share shall be 12.5 percent of the unmet financial need and the Federal share shall be 12.5 percent of the unmet financial need, except that the Federal share shall not exceed $1,000; and

''(ii) equal to or greater than $8,000, the Federal share shall be $1,000 and the non-Federal share shall be 25 percent of the covered individual's unmet financial need minus $1,000.

''(B) 50 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

''(i) less than $8,000, the non-Federal share shall be 25 percent of the unmet financial need and the Federal share shall be 25 percent of the unmet financial need, except that the Federal share shall not exceed $2,000; and

''(ii) equal to or greater than $8,000, the Federal share shall be $2,000 and the non-Federal share shall be 50 percent of the covered individual's unmet financial need minus $2,000.

''(C) 100 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

''(i) less than $6,000, the non-Federal share shall be 50 percent of the unmet financial need and the Federal share shall be 50 percent of the unmet financial need, except that the Federal share shall not exceed $3,000; and

''(ii) equal to or greater than $6,000, the Federal share shall be $3,000 and the non-Federal share shall be 100 percent of the covered individual's unmet financial need minus $3,000.

''(f) REGULATIONS.—The Secretary shall prescribe regulations necessary to implement and administer the College Patriots Grant Program, including regulations establishing the procedures for determining eligibility for the program, applying for supplemental educational grants under the program, and distributing the Federal share provided by the Secretary under the program.

''(g) OUTREACH.—The Secretary of Veterans Affairs, in coordination with the Secretary of Defense and the Secretary of Education, shall—

''(1) make available to the public on the Internet website of the Department—

''(A) a current list of institutions of higher education participating in the College Patriots Grant Program; and

''(B) information on the extent of participation of each institution of higher education participating in the College Patriots Grant Program;

''(2) make available to the public on the Internet website of the Department information about all Federal and State education benefits that members of the regular components of the Armed Forces, members of the reserve components of the Armed Forces, veterans, and their dependents may be eligible to receive; and

''(3) make available to institutions of higher education information about the College Patriots Grant Program and take appropriate actions to encourage broad participation of institutions of higher education in the program.

''(h) AWARDS FOR INSTITUTIONAL RECOGNITION.—The Secretary may establish and administer an awards program to recognize the extent of an institution of higher education's participation in the College Patriots Grant Program.

''(i) DEFINITIONS.—In this section:

''(1) COST OF ATTENDANCE.—The term 'cost of attendance' has the meaning given the term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871l).

''(2) COVERED INDIVIDUAL.—The term 'covered individual' means an individual who—

''(A) is enrolled in an institution of higher education that is participating in the College Patriots Grant Program;

''(B) has such amount of remaining entitlement to educational assistance under chapter 30 or 32 of this title, or under chapter 1606 or 1607 of title 10, as the Secretary may require for purposes of this section; and

''(C) after receipt of any of the educational assistance described in subparagraph (B), has an unmet financial need to attend the institution of higher education for which a supplemental educational grant is sought.

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

''(4) UNMET FINANCIAL NEED.—The term 'unmet financial need' means, with respect to a covered individual, the cost of attendance for the covered individual to attend an institution of higher education participating in the College Patriots Grant Program, minus the sum of—

''(A) grant and work assistance received by the covered individual under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

''(B) any educational assistance payments received by the covered individual through any programs administered by the Department of Veterans Affairs or the Department of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by adding at the end the following new items:

''SUBCHAPTER IV—COLLEGE PATRIOTS GRANTS

''3699A. College Patriots Grant Program.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act, and shall apply to terms, quarters, or semesters beginning on or after that date.

SEC. 113. TERMINATION OF CONTRIBUTIONS BY MEMBERS OF THE ARMED FORCES FOR PARTICIPATION IN THE MONTGOMERY GI BILL PROGRAM.

(a) ACTIVE DUTY PROGRAM.—Notwithstanding subsection (b) of section 3011 of title 38, United States Code, no reduction in basic pay otherwise required by such section shall be made in the case of a member of the Armed Forces who first enters on active duty on or after the date of the enactment of this Act and elects to receive basic educational assistance under such section.

(b) SELECTED RESERVE PROGRAM.—Notwithstanding subsection (c) of section 3012 of such title, no reduction in basic pay otherwise required by such section shall be made in the case of a member of the Armed Forces who first becomes eligible for basic educational assistance under such section on or after the date of the enactment of this Act and elects to receive basic educational assistance under such section.

SEC. 114. MODIFICATION OF SERVICE REQUIREMENT FOR EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS WITH EXTENDED SERVICE IN THE SELECTED RESERVE.

(a) IN GENERAL.—Section 16162(c)(4) of title 10, United States Code, is amended by striking subparagraphs (A) through (C) and inserting the following new subparagraphs:

''(A) 40 percent in the case of a member of a reserve component who performed active service for—

''(i) 90 consecutive days but less than one continuous year; or

''(ii) an aggregate of one year but less than two years, none of which was continuous service of one year or more;

''(B) 60 percent in the case of a member of a reserve component who performed active service for—

''(i) one continuous year but less than two continuous years; or

''(ii) an aggregate of two years but less than three years, none of which was continuous service of two years or more; or

''(C) 80 percent in the case of a member of a reserve component who performed active service for—

''(i) two continuous years or more; or

''(ii) an aggregate of three years or more.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

SEC. 115. MODIFICATION OF FORMULA FOR DETERMINATION OF ANNUAL COST ADJUSTMENT IN RATES OF EDUCATIONAL ASSISTANCE.

(a) ACTIVE DUTY PROGRAM.—Section 3015(h) of title 38, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''With respect to any fiscal year'' and inserting ''Subject to paragraphs (2) and (3), with respect to any fiscal year''; and

(B) by striking ''the percentage by which—'' and all that follows through the end of the paragraph and inserting ''the percentage increase in the average cost of tuition, fees, room, and board at public four-year institutions of higher education (as determined by the Secretary in consultation with the Secretary of Education and Secretary of Defense) over the one-year period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made.'';

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

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) With respect to any fiscal year, in no event shall the increase in rates under paragraph (1) be less than a percentage increase equal to the percentage by which—

''(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(B) such Consumer Price Index for the 12-month period preceding that 12-month period.''.

(b) SELECTED RESERVE PROGRAM.—Section 16131(b)(2) of title 10, United States Code, is amended—

(1) by striking ''With respect to any fiscal year'' and inserting ''(A) Subject to subparagraph (B), with respect to any fiscal year'';

(2) by striking ''the percentage by which—'' and all that follows and inserting ''the percentage increase in the average cost of tuition, fees, room, and board at public four-

year institutions of higher education (as determined by the Secretary of Veterans Affairs in consultation with the Secretary of Education and Secretary of Defense) over the one-year period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made.''; and

(3) by adding at the end the following new subparagraph:

''(B) With respect to any fiscal year, in no event shall the increase in rates under subparagraph (A) be less than a percentage increase equal to the percentage by which—

''(i) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(ii) such Consumer Price Index for the 12-month period preceding that 12-month period.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 2, 2009, and shall apply with respect to fiscal years that begin on or after that date.

SA 4765. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROTECTING GOOD SAMARITANS.

Any person, who in good faith gratuitously provides emergency care at the scene of an accident or emergency to the victim thereof, shall not be liable for any civil damages for any personal injury as a result of any act or omission by such person in rendering the emergency care or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the injured person, except acts or omissions amounting to gross negligence or willful or wanton misconduct.

SA 4766. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the end of section 4(b), insert the following:

(6) Providing employers with the right to require random drug testing of its employees.

SA 4767. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

In section 8(b) before paragraph (1) the following and redesignate accordingly:

(1) HARMONIZING WITH FEDERAL LAW.—

(A) EXEMPTION.—Notwithstanding any other provision of this Act, a governor or the legislative body of a State, or a mayor or other chief executive officer or authority or the legislative body of a political subdivision, may exempt from the requirements established under this Act or otherwise any group of public safety officers whose job function is similar to the job function performed by any group of Federal employees that is excluded from collective bargaining under Federal law or an Executive order.

(B) TREATMENT OF CERTAIN EMPLOYEES.—Notwithstanding any provision of State law, supervisory, managerial, and confidential employees employed by public safety employers shall be treated in the same manner for purposes of collective-bargaining as individuals employed in the same capacity by any employer covered under the provisions of the National Labor Relations Act (29 U.S.C. 151 et seq.).

(C) RULE OF CONSTRUCTION.—Notwithstanding any provision of this Act, nothing in this Act shall be construed to require mandatory bargaining except to the extent, and with regard to the subjects, that mandatory bargaining is required between the Federal Government and any of its public safety employees.

SA 4768. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the end of section 2, add the following:

(5) Because of the critical role of public safety officers in law enforcement, and the high public regard for such employees, such employees should only be represented by organizations that demonstrate a similar regard for the law and inspire the same level of public trust and confidence.

SEC. 2A. PUBLIC SAFETY PROTECTIONS.

(a) IN GENERAL.—A State law described in section 4(a) shall—

(1) provide that no labor organization may serve, or continue to serve, as the representative of any unit of public safety officers if—

(A) any of the labor organization's officers or agents are convicted of—

(i) a felony; or

(ii) a misdemeanor related to the organization's representational responsibilities; or

(B) the organization, or the organization's officers, agents, or employees, encourage, participate, or fail to take all steps necessary to prevent any unlawful work stoppage or disruption by any public safety officers represented by such labor organization; and

(2)(A) provide any political subdivision or individual with the right to bring a civil action in Federal court against any public safety officer that engages in a strike, slowdown, or other employment action that is unlawful under Federal or State law or contrary to the provisions of a collective bargaining agreement or a contract or memorandum of understanding described in section 4(b)(2); and

(B) provide that, in any civil action described in subparagraph (A), a public safety employer may receive damages relating to the strike, slowdown, or other employment action described in subparagraph (A), and that joint and several liability shall apply.

(b) INTERACTION WITH OTHER LAWS.—Notwithstanding the Act entitled ''An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes'', approved March 23, 1932 (commonly known as the ''Norris-LaGuardia Act''), or any other provision of law, no Federal law that restricts the issuance of injunctions or restraining orders in labor disputes shall apply to labor disputes involving public safety officers covered under this Act.

(c) APPLICATION.—Notwithstanding any other provision of law, the provisions of this section shall apply to all States.

SA 4769. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

Strike section 6 and insert the following:

SEC. 6. STRIKES AND LOCKOUTS PROHIBITED.

Notwithstanding any rights or responsibilities provided under State law or pursuant to any regulations issued under section 5, a labor organization may not call, encourage, condone, or fail to take all actions necessary to prevent or end, and a public safety employee may not engage in or otherwise support, any strike (including sympathy strikes), work slowdown, sick out, or any other job action or concerted, full or partial refusal to work against any public sector employer. A public safety employer may not engage in a lockout of public safety officers.

SA 4770. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the end of section 2, add the following:

(__) Police, firefighters, and other first responders are responsible for the protection of life and property and the maintenance of civil order, all of which may be threatened in a labor dispute. Public safety officers covered by this Act should not be subject to any conflict of interest, and the public should be confident that such officers' duties will not be subject to any such conflict.

At the appropriate place, insert the following:

SEC. ___. PUBLIC SAFETY PROTECTIONS.

(a) IN GENERAL.—A State law described in section 4(a) shall provide that no labor organization may serve as bargaining representative for any public safety officers if the labor organization admits to membership, or is affiliated directly or indirectly with an organization that admits to membership, any employee other than a public safety officer.

(b) INTERACTION WITH OTHER LAWS.—Notwithstanding the Act entitled ''An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes'', approved March 23, 1932 (commonly known as the ''Norris-LaGuardia Act''), or any other provision of law, no Federal law that restricts the issuance of injunctions or restraining orders in labor disputes shall apply to labor disputes involving public safety officers covered under this Act.

(c) APPLICATION.—Notwithstanding any other provision of law, the provisions of this section shall apply to all States.

SA 4771. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place in the amendment, insert the following:

SEC. ___. PRESERVATION OF STATE LAWS.

Notwithstanding any other provision of this Act, nothing in this Act shall be construed to preempt a State law that provides collective bargaining rights of the type provided for under this Act to public safety officers in political subdivisions of the State, or

that provides such political subdivisions with the right to adopt such collective bargaining rights, through a vote of the residents of such political subdivisions in a special referendum election relating to such rights.

SA 4772. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NO PREEMPTION OF STATE LAW.

Notwithstanding section 8(a), and any other provision of this Act, nothing in this Act shall be construed to preempt any provision of State law (whether enacted prior to or after the date of enactment of this Act) with respect to the collective bargaining rights of public safety employees.

SA 4773. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

On page 13 of the amendment, between lines 14 and 15, insert the following:

(c) REMEDIES.—If a public safety officer or labor organization violates the prohibition of subsection (a), the Authority, employer, or any other person may file a petition in any United States District Court in the district in which the violation occurred or in the United States District Court for the District of Columbia seeking—

(1) injunctive relief; and

(2) a fine on the labor organization for each day of the violation in an amount equal to 1/26 of the total of the labor organization's annual membership dues, but not less than $2,500 nor more than $20,000 per day.

(d) JURISDICTION.—The Courts of the United States shall have jurisdiction to hear any cause of action under this section.

SA 4774. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

On page 10 of the amendment, between lines 12 and 13, insert the following:

(d) RIGHTS AND RESPONSIBILITIES OF LABOR ORGANIZATIONS.—

(1) LABOR ORGANIZATIONS.—The requirements of titles I, II, III, IV, V, and VI of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 411 et seq.) shall apply to a labor organization in which public safety officers are members to the same extent as such Act applies to a labor organization (as such term is defined in such Act) under such titles.

(2) PUBLIC SAFETY OFFICERS.—The requirements of titles I, II, III, IV, V, and VI of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 411 et seq.) shall apply to a public safety officer to same extent as such Act applies to an employee (as such term is defined in such Act) under such titles.

SA 4775. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

On page 9 of the amendment, line 15, add after the period the following: ''State law may make the recognition of the employees' labor organization by any political subdivision of the State contingent upon the results of an election by that political subdivision.''.

SA 4776. Mr. BOXER submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MONITORING AND TREATMENT OF FIRST RESPONDERS IN DISASTER AREAS.

(a) IN GENERAL.—Any first responder who suffers health-related conditions or injuries as a result of responding to emergencies in any area which is declared a disaster area by the Federal Government and who does not have health insurance coverage shall be entitled to follow-up long-term health monitoring and treatment provided through the United States Fire Administration and the Department of Health and Human Services.

(b) HEALTH MONITORING.—The long-term health monitoring referred to in subsection (a) shall include—

(1) pulmonary illness, neurological damage, and cardiovascular damage; and

(2) exposure documentation.

(c) REGULATIONS.—The Secretary of Health and Human Services shall promulgate regulations to implement this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the United States Fire Administration to carry out this section, such sums as may be necessary for each of fiscal years 2009 through 2011.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 10 am., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 9:30 a.m. to hold a hearing on responding to the global food crisis.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 2:30 p.m. to hold a working coffee with Dr. Surin Pitsuwan, Secretary-General of the Association of Southeast Asian Nations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled ''Addressing the Challenge of Children with Food Allergies'' on Wednesday, May 14, 2008. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 10 a.m. to consider the nomination of the Honorable Paul A. Schneider to be Deputy Secretary, U.S. Department of Homeland Security.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 3 p.m. to conduct a hearing entitled, ''Archives Oversight: Protecting Our Nation's History for Future Generations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. REID. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, from 10:30 a.m.–12:30 p.m. in SD–106 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. CHAMBLISS. Madam President, I ask unanimous consent that Ward Black, Patty Lawrence, and Alan Mackey from my staff be given floor privileges for the duration of the debate on the farm bill conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I am going to do some wrap-up and then yield the floor. It will only take me a couple of minutes.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

EXTENSION OF FARM SECURITY AND RURAL INVESTMENT ACT OF 2002

Mr. HARKIN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 6051, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6051) to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 16, 2008.

There being no objection, the Senate proceeded to consider the bill.

Mr. HARKIN. Mr. President, I ask unanimous consent that the bill be read three times and passed and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6051) was read the third time and passed.

SUSPENDING THE ACQUISITION OF PETROLEUM FOR THE STRATEGIC PETROLEUM RESERVE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6022, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6022) to suspend the acquisition of petroleum for the Strategic Petroleum Reserve, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HARKIN. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6022) was read the third time and passed.

DESIGNATING MAY 15, 2008, AS MILITARY KIDS DAY

Mr. HARKIN. Mr. President, I ask unanimous consent the Senate now proceed to the immediate consideration of S. Res. 565, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 565) designating May 15, 2008, as Military Kids Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HARKIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 565) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 565

Whereas the members of the Armed Forces of the United States are the greatest soldiers, sailors, airmen, and Marines in the world;

Whereas as individuals and as a group, the members Armed Forces of the United States daily place their lives on the line for the United States, both here or abroad;

Whereas the children of these patriots, even the youngest of them, recognize the incredible service their parents provide, and daily face the challenges of military life, with frequent moves, separation from their loved ones, and uncertainty about the future;

Whereas the voices of these children are seldom heard and their own particular sacrifices seldom acknowledged;

Whereas the children of the members of the Armed Forces of the United States have an important creative outlet through the Annual Essay and Art Contest of the Armed Services YMCA;

Whereas the compelling essays and artwork by military children will be published in My Hero: Military Kids Write about their Moms and Dads; and

Whereas the strength of character, humor and honesty offered by these children are a hallmark for all of us to follow as we face the challenges of everyday life: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of the sacrifices made every day by the thousands of families across the country and the world in support of the members of the Armed Forces of the United States;

(2) expresses gratitude for their fortitude, their strength, their compassion, and their expertise;

(3) supports the efforts of the Armed Services YMCA and the many other organizations that work to assist the military families of the United States;

(4) designates May 15, 2008, as ''Military Kids Day'' in the United States and at military installations throughout the world.

NATIONAL APHASIA AWARENESS MONTH

Mr. HARKIN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 566, submitted earlier today by Senator JOHNSON.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 566) designating June 2008 as ''National Aphasia Awareness Month'' and supporting efforts to increase awareness of aphasia.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HARKIN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 566) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 566

Whereas aphasia is a communication impairment caused by brain damage, typically resulting from a stroke;

Whereas, while aphasia is most often the result of stroke or brain injury, it can also occur with other neurological disorders, such as in the case of a brain tumor;

Whereas many people with aphasia also have weakness or paralysis in their right leg and right arm, usually due to damage to the left hemisphere of the brain, which controls language and movement on the right side of the body;

Whereas the effects of aphasia may include a loss or reduction in ability to speak, comprehend, read, and write, while intelligence remains intact;

Whereas stroke is the 3rd leading cause of death in the United States, ranking behind heart disease and cancer;

Whereas stroke is a leading cause of serious, long-term disability in the United States;

Whereas there are about 5,000,000 stroke survivors in the United States;

Whereas it is estimated that there are about 750,000 strokes per year in the United States, with approximately ⅓ of these resulting in aphasia;

Whereas aphasia affects at least 1,000,000 people in the United States;

Whereas more than 200,000 Americans acquire the disorder each year;

Whereas the National Aphasia Association is unique and provides communication strategies, support, and education for people with aphasia and their caregivers throughout the United States; and

Whereas as an advocacy organization for people with aphasia and their caregivers, the National Aphasia Association envisions a world that recognizes this ''silent'' disability and provides opportunity and fulfillment for those affected by aphasia: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of, and encourages all Americans to observe, National Aphasia Awareness Month in June 2008;

(2) recognizes that strokes, a primary cause of aphasia, are the third largest cause of death and disability in the United States;

(3) acknowledges that aphasia deserves more attention and study in order to find new solutions for serving individuals experiencing aphasia and their caregivers; and

(4) must make the voices of those with aphasia heard because they are often unable to communicate their condition to others.

FOOD, CONSERVATION, AND ENERGY ACT OF 2008—Resumed

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. It is my great pleasure to join my colleagues today to speak about a wonderful bipartisan effort that took a lot of time and effort, a lot of energy, but we all come to the floor tonight to celebrate a very important food policy, conservation policy, energy policy to the country. And certainly there are many people to thank.

It is wonderful to see a member of the Agriculture Committee as Presiding Officer this evening. Mr. President, we thank you for your efforts.

I certainly have to thank our chairman. We would not be here without our chairman and his passion and his patience in working through what has been an extremely challenging effort but one that—pardon the pun—has borne fruit and vegetables. So we are very pleased. It was great.

I know Senator CHAMBLISS is not here, but what a wonderful partner in all of this as well. I know he is somewhere in the building.

I wish to say to Senator CRAPO before he leaves that it has been wonderful to work with him on issues related to specialty crops and conservation, and also his wonderful leadership on the endangered species legislation.

There were 250 different organizations, from environmental organizations to businesses, that all came together. That alone is a feat. So I congratulate the Senator.

Standing next to Senator CRAPO, of course, is Senator ROBERTS, who comes with such passion and experience himself, having led farm bills. Despite his razzing me about cherries all of the time, and asparagus, we are going to get you healthy by giving you a lot more fruits and vegetables as a result of this wonderful bill.

So there are a lot of people to thank—Senators BAUCUS and GRASSLEY for their efforts on the Finance Committee, leading us. I am proud to serve on both committees, as is the distinguished Presiding Officer, who has been in a spot on both Finance and Agriculture to help bring this all together.

Also, we would not be here without Senator CONRAD and the incredible knowledge he and his staff have in crunching the numbers and being able to bring us to this point in so many ways. So thank you to him as well and, of course, our House colleagues, Chairman PETERSON and Ranking Member GOODLATTE and Chairman RANGEL.

I also wish to say a special thank-you to a gentleman I have come to call a friend, Congressman CARDOZA, who was my partner on the issue of specialty crops in the House. I very much appreciate all of his efforts as well.

Of course, I have to say thank you to Senator REID. We would not be here if our leader had not focused on this and provided the kind of leadership at the right times to be able to bring people together and to once again provide us time on the floor, when time is a precious commodity here as there is so much to be done. So I wish to thank Senator REID for always getting the priorities right in terms of what is in front of us.

Then I finally, on a personal note, wish to thank two terrific, hard-working members of my staff: Chris Adamo, who has worked every part of this bill for months and months, and Oliver Kim, who did such terrific work on the nutrition title for me. So I wish to thank both of them.

This was not, as I said before, an easy negotiation. But we are very proud. I am very proud—I know we all are—of the end result. We have created new opportunities for food and nutrition, significant new opportunities. We have new investments in renewable energies—certainly important to jobs in the great State of Michigan and around the country as well as creating energy independence. We strengthened our research efforts.

I am proud to have led an effort that began with our research institutions, our land grant colleges proposing something called CREATE–21. We used that structure to be able to put in place a research structure to be able to focus more on the competitive research and other important changes in this bill as well.

We also put in permanent disaster assistance. Due to some weather very recently in Michigan, unfortunately, we may be finding ourselves needing some of the disaster assistance for some of our specialty crops. I am hopeful we will not but, weather being what it is, having a permanent disaster assistance program is very important. I think it is important to have it paid for and have it part of our policy. So I am pleased we have that as well.

There is also an incredible conservation title that is in this bill, as well as rural development and, of course, our support for our Nation's farmers, while at the same time we achieve significant reforms.

When you put it all together, it is an incredible picture of many pieces coming together to create the right kind of values and priorities and the right kind of policy. I hope we will pass this conference report as we passed the original Senate farm bill and as the House has passed the conference report with an overwhelming majority. We will then send a very strong message to the White House that we have incredibly strong bipartisan support, and we are hopeful, in fact, that we will see the same support in the end from the White House. Even though we have certainly received comments to the contrary, we hope we will send a very strong message and that they will come together and join with us and the overwhelming number of Members who have worked so hard and supported this policy.

We have agreed on a monetary framework that has been talked about before that is $10 billion above the baseline, above the last farm bill. We actually started with fewer dollars, $58 billion less than last time because of commodity prices and so on. So there has been a lot of work on the financial side to have a way for us to be able to create some new investments. And it is significant that those investments were done not by raising revenue or raising taxes but by making reforms, by making changes within farm policy. That is very significant.

I think it is also a credit to everyone involved that the $10 billion in new spending all goes to food and nutrition programs—all of it; in fact, a little bit more than that, $10.35 billion. That is extremely significant in terms of where our values and priorities are.

It is important as well to indicate, as colleagues have, that 73 percent of the farm bill goes to food and nutrition programs for America's families, primarily through the Food Stamp Program but through other critical programs as well.

I can tell you, coming from Michigan, where we have been hard hit as it relates to the economy and what has happened in the global economy to manufacturing and so on, we have a lot of folks who never thought they would need help, a lot of folks who have worked hard their whole lives and have lost their jobs and now find themselves in a situation that, in order to feed their families, they need some help. They paid taxes their whole lives, and now they are in a situation where they need to have some assistance. In fact, we have one out of eight people—one out of eight—in Michigan today who is eligible for food stamps because of the recession and the economy. I am proud we have recognized the fact that we need to make sure in America that food assistance is available at times of hardship when families need it.

We have also talked about other programs. In the nutrition title, the school snack program is also critical in terms of supporting our fruit and vegetables growers. We are talking about expanding a program so that children in schools all across Michigan and all across the country will have the ability, rather than going to the vending machines, to be able to have a fresh apple, fresh blueberries, fresh strawberries, plums, asparagus, celery, be able to eat fresh fruits and vegetables, which we know is so important for their own health and growth as well as a way to support our growers. With this program, 81,000 Michigan students will be able to receive fresh fruits and vegetables as a result of the policies we have set up.

There are also emergency food programs, community food banks, seniors' farmers markets to be able to allow senior citizens to have coupons to buy fresh fruit and vegetables. This is very significant.

I wish to also mention and say a special personal thank-you to a member of my family who has advocated so strongly for these food programs, my

daughter Michelle, who works for the Capital Area Community Services office in Lansing, MI. She works with low-income families and seniors every day. On more than one occasion, I have been e-mailed while we were working on the farm bill, with my daughter expressing great concern about the small number of items available for senior citizens when they come in once a month for food. She is giving me lists of two potatoes, dried milk, rice, small little lists, and then she says, ''Mom, these are seniors. Can't we do better than this?'' Well, I am proud to say that with what we are doing here now, we are going to be able to do better than that. I think personally there is something wrong when we have these senior programs and they can't get fresh milk or bread, which is not part of those programs. So I wish to thank Michelle for pushing and pushing me to remember what it is like for people who are having to live under the funding and the policies we put forward.

There are many titles of the farm bill. Every title is significant. Every title affects Michigan. I come from a State that everybody thinks of as automobiles. And we are proud of our auto heritage, our manufacturing heritage, but our No. 2 industry is agriculture. We have more diversity of crops than any other State but California, and we are very proud of that as well. And while our specialty crops—our fruit and vegetable growers—are over half of what we grow, we also have corn and soybeans and sugar beets and livestock and milk as major components of Michigan agriculture.

I am proud to have helped author this bill, which maintains a strong safety net and improves policies for all of our farmers and our ranchers. Michigan is rural in many ways. Around Michigan, up north, the Upper Peninsula, all of Michigan, we benefit greatly by the rural development title. I do not think there is a community in Michigan that has not, in some way, benefited by the rural development title.

I am very excited about the energy title and what we have been able to do. The energy title really is not only about supporting growers but about creating economic opportunities, jobs, and also addressing the issue of gas prices and dependence on foreign oil. With billions of dollars in new money for both titles, I know we can help grow jobs as well as grow sources of energy—both incredibly important.

One of the most significant energy policies is the new cellulosic ethanol tax credits. I know that our Presiding Officer has been a very strong proponent of this as well. This tax incentive will build upon corn ethanol, with new cellulosic-based fuels that can be made with a variety of organic sources such as wood, with the great woods of the Upper Peninsula in Michigan, to switchgrass or agricultural waste. These new sources of ethanol will also alleviate the burden on corn and food prices, as we know.

Furthermore, in Michigan, this new tax credit will provide certainty and an incentive for investors like Mascoma, which is a partner with General Motors on a cellulosic ethanol project; New Page, which is in the Upper Peninsula and is partnering now to create commercially produced cellulosic ethanol and, again, jobs in Michigan.

The farm bill also has one of our Federal Government's strongest environmental investments, something that I know, among many passions, has been the passion of our chairman, and we would not have the conservation title we have if it were not for our chairman.

This is significant for natural resources across the Nation, but in Michigan it is really crucial, not only to our farmers who use the conservation title, but we have any number of ways, whether it is preserving wetlands or whether it is focusing on water quality or wildlife in the Great Lakes. This is extremely important to us, protecting land and open spaces. Overall, the $4 billion in new spending for conservation is vital for us in wetlands, grasslands, forests, and maintaining some of our best stewards of the land, our farmers and our ranchers.

I am extremely pleased to have included language that makes it clear that we can use dollars from the conservation title to focus on soil erosion, runoff, and other issues that address the challenges of our Great Lakes, a very important national resource.

Of course I am especially proud of the new farm bill specialty crop title. I think my colleagues have gotten tired of me talking about specialty crops, but I am very grateful for the fact that half of the growers in the country, half of our cash receipts in the country come from what are called specialty crops, fruits and vegetable growers, other specialty items, and they have not had a place in other farm bills in our history. So I thank the chairman again for working with me to create the specialty crop title. These are growers who have not asked for direct payments, but they do ask that we recognize and support them to be successful in a number of areas.

They have unique and significant challenges with pests and disease, with trade barriers, with marketing, disaster relief, the need for research. We know there are important things we can do to support fruit and vegetable growers. We have all together, counting disaster assistance, a little over $3 billion that will go toward the area of specialty crops. I have to say that when we started this process, we put together a bipartisan letter with 36 Members of the Senate asking, in fact, that we invest $3.3 billion in specialty crops. We pretty much hit that number at the end of the process. I am very grateful to all colleagues who joined together in that effort.

These new funds will help the Nation and Michigan. For example, Michigan orchards will benefit from competitive research grants that will provide much needed support for efforts to research alternative pesticides and solutions for new diseases. This is incredibly important because the FDA zero tolerance policy for insect and larva in fruit is something our growers have to address. Alternative pesticides have to be found by 2012 to allow cherries and apples to continue to be marketed in the United States. This is a very real challenge, and this bill will help them address that. The cherry industry has invested millions of its own dollars in partnering with my alma mater, Michigan State University. This partnership will be in a very competitive position to tap into these new dollars for specialty crop research.

USDA's ability to aid growers in times of surplus has been strengthened significantly by this title. The addition of value-added products to section 32, our commodity purchase program, will be of great help to Michigan growers. Our cherry growers, for example, in fact had a surplus year and a promised $8.1 million purchase is coming soon. It is helpful to know in the future this program will be stronger and even better.

Finally, let me stress the fruit and vegetable snack program. Michigan's dried cherries are the single most popular dried fruit served in the program, according to the USDA's own 2004 evaluation. This new market expanding the fresh fruits and vegetables program is something they are very excited about. There is no question this will focus on and contribute to the health and welfare of our children. There is much in this specialty crop package for both growers and consumers. I am grateful for colleagues supporting this effort.

Again, this is a bill that has reforms. It speaks to the future. I would say when we look at not only the safety net that is important for our growers, our ranchers, but when we look at new energy opportunities, food and nutrition support for our families, particularly now in challenging times, a major effort in conservation to protect our land and water, and to provide the ability to protect forests and lands for the future, rural development research, on and on, this is a bill that touches every family, not only those in rural America.

We specifically included some items such as community gardens to help those in cities who live in areas that unfortunately have been now dubbed food deserts, where the local store doesn't have fresh fruits and vegetables. It is not something they are able to get. But being able to support community groups to have community gardens so, again, fresh fruits and vegetables are available, is something that is part of this bill.

In every way, this is a bill deserving of a strong bipartisan vote. It is an example of a complicated process that people came together to work very hard on. I am very proud of Senate colleagues. We stuck together. We pushed

very hard for what we believed was the right set of values and priorities. We were able to achieve it. I encourage and urge colleagues tomorrow to join with us in support of this very important bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, the hour is late. Obviously, the galleries are very nervous and full of people who wish to go home. The aggie press covering this momentous event is tired, writing furiously, as I was. And the chairman of the committee, we are trying his patience as he has been sitting here all these hours listening to members of his committee discuss the farm bill. I thank the chairman for his perseverance. I thank the distinguished ranking member, Senator CHAMBLISS, who, I understand, like Elvis, has left the building, but his presence is still here. So I shall try to be brief.

I rise today to speak on the farm bill conference agreement and, most importantly, to stand up and support production agriculture. I want to associate myself with the remarks of the Senator from Arkansas who gave a very good speech on the value of production agriculture. Apparently our Nation enjoys, but too many times simply does not appreciate, whether it be the national media or some in this Congress or whether it be observers of agriculture program policy, the modern-day miracle known as U.S. agriculture. That used to be a staple of all agriculture speeches. I think we need to repeat it—the modern miracle that provides the cheapest and highest quality food supply in the world.

We have heard claims throughout the debate that since commodity prices are high, we don't need farm programs. That has been in the print of many a newspaper and the subject of several topics within the national media, on television, radio. Those who would make these claims do not understand agriculture or the challenges our farmers and ranchers face. I doubt seriously if they have ever set foot on any farm ground. Prices were high in the past and, as quickly as they rose, they fell. We could very well see history repeat itself. This is precisely why we need a farm bill to begin with, a farm bill that provides an adequate safety net so producers can compete in the global marketplace, producers especially in high-risk States such as Kansas, who contribute so much, 350 million bushels of wheat a year, maybe 400 million, and many other grain products, a big beef State.

These producers may barely scrape by for 2, 3, 4, and even 5 years due to inclement weather. High-risk agriculture is what we call it. But the benefits are great. Then 1 year they make it big. When they do, they are able to pay down some debt and maybe upgrade the equipment they have been using for 15 years or they can take their wife and kids on the first vacation they have been able to afford in years to take time to enjoy. Yet as soon as they get a little bit of breathing room, unfortunately, some in the media and other critics claim our producers are taking advantage of taxpayers, and they are getting rich, especially farms that farm a lot of acres. It seems to me now that we have a new criteria. If you are a large farmer, meaning if you farm a large number of acres, you are automatically rich, which is simply not the case. What other business do you know of that can sustain such prolonged periods of loss only to hold out for 1 year of reprieve? That is why we need a safety net in our farm programs. That is it in a nutshell, to help producers weather the storms of instability in the marketplace.

It is the deficiency in the safety net protections for wheat and sorghum, our producers of sorghum and wheat in this conference agreement, that does give me pause. That certainly doesn't come as any surprise to any member of the committee who has taken the time to listen to this member. As a Senator from a State with high-risk agriculture, many of our current farm programs simply don't work for my farmers when they have no crop to harvest. This is especially true of target prices and loan rates. However, two programs have worked. In recent years direct payments, which should be called safety net payments and crop insurance, have been a lifeline for Kansas farmers and their lenders. Yet title I of this agreement increases target prices and loan rates, the same programs that do not help producers when disaster strikes and they have no crop to harvest, while at the same time cutting the safety net payments or what is called a direct payment and crop insurance.

Back in 2002, we discovered that the countercyclical program, when we were considering that bill and I made the same speech on the floor at that particular time, would not have provided assistance in 9 of the previous 17 years in Kansas. That is over half the time. My question was, why support a farm bill that does not help your State, one of the biggest producing States in over half the number of years as we went back the 17 years? And those 9 years represented some of our toughest years in regard to weather in that period. Since that time, because of a prolonged drought and late-season freezes, the countercyclical and the loan programs have simply failed to provide assistance to Kansas producers, even when they didn't get a crop. Direct payments or safety net payments and crop insurance did provide the support.

Unfortunately, these key programs are treated as a bank in the conference report. Even though both the House and Senate passed bills that kept this direct payment completely intact, the conference report reduces this producer support in years 2009, 2010, and 2011. Some of my colleagues here and in the House have stated publicly they would like to see the direct payment ended altogether and rely on the countercyclical program. Again, it simply has not worked in most of the years that it has been in effect on behalf of my State of Kansas. These statements did create an atmosphere in which moving forward was difficult and at times very frustrating. Thankfully, we were able to protect salvage farmers who were getting ready to head into the fields and harvest their 2008 winter wheat crop.

I am pleased the conferees worked with me and with others to ensure that our producers would not face cuts to these direct payments in 2008. Long ago these producers signed operating notes with their lenders for this crop year. They should not have the rules of the game changed now. I am pleased we prevented that from happening.

Historically we had kept the crop insurance legislation separate from the farm bill, but that changed in 2002. Unfortunately, it does continue in this bill. I think it should be a separate bill. I remember all the hard work Senator Bob Kerrey and I worked on in regard to that bill. It was separate then. Perhaps we can do that down the road. Last time around we took $2 billion out of crop insurance. I warned at that time that that was a dangerous road to take. This time the crop insurance program offers close to $6 billion for the benefit of other programs in the bill. So we are taking from crop insurance, using it as a bank for other programs. This is going to have an effect on producers and providers, and don't let anybody tell you differently. While these cuts may not unravel the program in low-risk States, they are dangerously close to doing so in high-risk States. You know very well I am talking about doing an excellent job of representing Colorado, the neighboring State, to the west.

I am also concerned our producers will have to pay their premiums earlier, beginning in 2011. This means they may have to secure credit to cover the payment. I am hopeful that since we have a few years before this takes effect, we can get it fixed before it does hit farmers on their balance sheets.

Notwithstanding my concerns for the commodity and the crop insurance sections of this bill, let me emphasize that there are strong, positive provisions in this conference report that will go a long way to benefit not only Kansas but the entire Nation. I thank Finance Committee Chairman BAUCUS and Ranking Member GRASSLEY and their staffs for fighting so hard to ensure that the tax title of the Senate bill remained in the conference report.

I am honored to serve on the Finance Committee under their leadership, just as I am honored to serve on the Agriculture Committee. They often take hits from all corners around here because of their efforts to work together. But it is because of their bipartisanship that we have been able to show the American people that we can work

together to get things done in Washington.

They have fashioned an agricultural tax relief package that provides targeted tax relief for farmers and ranchers. It encourages significant investments in conservation, it decreases our reliance on foreign energy, and it invests in our rural communities.

Of particular importance to many of us is a provision that does correct an inequity in the Tax Code that harms retired and disabled farmers when they receive the Conservation Reserve Program payments. I and many others on both sides of the aisle have worked for years to get this fixed.

We also help agricultural businesses manage the growing costs of securing agricultural pesticides and fertilizers. While important to farmers and agricultural businesses, these can also be used for illegal purposes. They have in the past, including the manufacture of explosives, and other drugs very harmful, more especially to young people. Those of us in the heartland who remember the attack on Oklahoma City in 1995 know this risk all too well. Having served on the Intelligence Committee, I know all too well about this risk.

Also included in this title is important tax assistance for a community called Greensburg, KS. Ten days go, we marked the 1-year anniversary of the EF–5 tornado—a mile and a half wide—an EF–5 tornado that literally wiped the town off the Kansas prairie. I have seen tornado damage. Serving in the Armed Services, I have seen tornado damage. I have never seen anything like this, destroying literally 95 percent of this community of 1,500 people. The grade school, high school, city hall, hospital, water tower, fire station, every church, and all but three businesses in the town were completely destroyed. Lives were lost in this storm.

In the aftermath of this devastation, Senator BROWNBACK and I put together a very modest and temporary tax relief bill to help residents and small businesses pick up the pieces and rebuild Greensburg. This tax relief mirrors many of the same provisions Congress approved to help those affected by Hurricanes Rita and Katrina.

Some in the House actually questioned why this legislation was necessary and why it belonged on a farm bill. It belonged in the farm bill because this is a rural development and rural revitalization issue. The provisions in the package will help residents rebuild the 1,000 homes that were damaged or destroyed and will help the 113 small businesses in Greensburg to rebuild and grow their businesses.

This tax legislation represents exactly what our Government should do to help in times of extreme need, and it belongs in this bill. Frankly, the House should have passed it a year ago, as the Senate did originally on May 25, 2007.

The tax title of this conference report is a solid win for rural America, and it is a major reason why I will support this legislation—despite my concerns with the commodity title and crop insurance, which I have already gone over.

I also thank the chairman of the Agriculture Committee and the ranking member, Senator CHAMBLISS, for working with me to address my concerns with regard to the Rural Utilities Service's broadband loan program. The reforms included here represent a rare bipartisan and consensus-driven effort to bring broadband Internet to more Americans.

As has been noted by others, the conference report makes significant investments in conservation programs that are popular in Kansas, such as EQIP and the Open Fields program that Senator CONRAD and I have been working on for years.

I am also pleased to see the investments made in nutrition policy, specifically the provisions which encourage our schoolchildren to eat more whole grain foods. Whole grain products are an excellent source of fiber and provide nutrients that help reduce the risk of heart disease.

Finally, the bill includes two sections that are extremely important to Kansas.

First, through the livestock title of this bill, we have ensured that competition is protected in the marketplace and that producers will continue to be able to market their livestock as they see fit. I am also pleased the livestock title allows for the implementation of the COOL program, the country-of-origin labeling program, in a way that does not require additional burdensome paperwork on our producers in the beef industry. The beef industry is nearly a $6-billion-a-year industry in Kansas. The livestock title of the bill helps us ensure it will continue to be an important part of our State's economy.

The research title of this bill also includes an important provision to allow DHS to continue plans to build a new National Bio and AgroDefense Facility, NBAF.

The research that will be conducted at this facility will be crucial in protecting our livestock and commodity industries, human health, and the overall health of our Nation's economy. I thank the chairman and ranking member for helping to ensure this provision was included in the conference report.

So, Mr. President, as I have said before, this is not the best possible bill. But it may be—and I think is—the best bill possible under extremely difficult circumstances. Certainly the chairman understands that.

While I am not pleased with the way our Kansas wheat and sorghum producers are treated in this bill, I am worried that no farm bill or revisiting the farm bill in the next year or two may lead to an even less desirable outcome.

You have heard of ''The Last Picture Show.'' This may be ''The Last Farm Bill.'' The fact is that we do have important provisions in this bill. We also have producers who, in a few short days or weeks, will be in the fields harvesting their 2008 winter wheat crops. They need—no, they deserve the predictability and stability of a long-term bill. It is time to let them know the rules of the game.

I wish, Mr. Chairman, we could seek unanimous consent simply to pass the bill tonight and thereby relieve the President of any decision he might have to make in terms of a possible veto, even though the vote in the House was certainly overwhelming on behalf of the bill.

With that, I thank my chairman for his patience.

I thank you, Mr. President, for your patience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I rise to speak of my support for the conference report on the farm bill. I am delighted to follow my colleague, Senator ROBERTS, who supports the bill, who has served on the conference committee and has been a longtime worker and writer of farm bills. I think this is probably Senator ROBERTS' fifth or sixth farm bill. So I am delighted to follow in his wake here and to support the same farm bill.

I wish to commend my colleagues, Senator HARKIN and Senator CHAMBLISS, for their leadership on this issue. I am proud to represent an agriculture State, along with Senator ROBERTS, and I am proud to represent Kansas producers and their interests here in Washington. I am proud to be here representing my dad and brother who are full-time farmers and people who both use the farm bill and swear at it from time to time as well, complaining about different of its provisions that are in the farm bill that hit them in an adverse way.

Still, I think overall this is a good farm bill. I think some of the highlights of the farm bill are the expansion of ethanol and the cellulosic ethanol field. It is an area we are seeing now—with grain prices rising and people being concerned about the competition between food and fuel moving into cellulosic—that makes enormous sense, and I think it is clearly one of the ways of the future we need to go.

The expansion of biobased products that is in the bill, the expansion of the conservation area in the bill, with a keen interest in the environment that continues to grow in the country in its importance and its importance to farmers—I think those are all highlights of the bill.

I think weak aspects of the bill are its treatment, particularly in my State, toward wheat and sorghum producers. I think those are weak aspects of this bill.

So I think, overall, as my colleague from Kansas said, we need to get some certainty of a bill done, and it is way

past time for that to take place—way past time. The extensions that have been taking place are an insult to producers who have to have some form of planning on the horizon to be able to move forward. They do not just buy inputs on a whim. They have to have some planning on the horizon for buying fuels, for being able to buy fertilizers and chemicals, and, obviously, with us doing this in May, this spring planting season is over in many places and certainly in the waning weeks in others. We need to get this done.

Much has been said about this farm bill. It has been well over 2 years in the making. I do not believe it is a perfect farm bill. No bill ever is. But I believe it is a bill we need to pass. My producers back home simply want a bill passed. That is what I continue to hear more and more: We just want to see a bill passed. They are tired of the constant wrangling back and forth, and they are not pleased with the commodity title that has been cut. Neither am I. But they would rather have the certainty that this bill represents than continue living under 1- or 2-week extensions.

I would like to focus on reasons why I am supporting this farm bill.

First—and one of the provisions noted by my colleague—the tax package attached to this bill has a lot of provisions my farmers and ranchers should be able to take advantage of. There are several programs and incentives for young and beginning farmers, as well as mandatory funding for rural micro-entrepreneurs.

This is an issue I have been focused on for several years, along with my colleague from North Dakota, Senator DORGAN. We and many others have put forward the New Homestead Act, trying to target the outmigration from rural areas, and to cause and to help investment in rural communities, to help stem this tide of outmigration. While we have not been successful in passing that New Homestead Act yet, I am pleased that many of the initiatives in this farm bill are taken from or mirror those provisions in the New Homestead Act. I think they will help in the outmigration progress that is a big problem in my State, that is a big problem, I know, in the chairman's State, in Iowa, as well.

Another piece of the tax package I am pleased is in this bill is the provisions to help Greensburg, KS, rebuild. My colleague from Kansas noted this is a town that was nearly wiped out. Ninety percent of the town was wiped out. The President has visited there twice. He most recently gave the commencement address at the high school, less than 2 weeks ago.

It is heartening to see the heart of the people in rebuilding. You knew from when you saw Greensburg right after the tornado hit and when you met with the people that this town was coming back, that the will and the spirit of the people were there. They are building it back green. It is really fascinating to see the number of small-scale and large-scale windmills that are in the town, the number of green construction sites and buildings that are going up. They want this town to be green Greensburg, and they are doing it. It is a very interesting thing to see.

I was visiting with the John Deere dealership there, and he was showing me all of the green features they are putting in. This will be the most environmentally sensitive John Deere dealership in the country. You can say: Well, I am not sure if that title means a whole lot, but it is going to be a model for dealerships around the country in the farm equipment business. They are excited about it, and I am excited for them.

This bill contains tax provisions that my colleague from Kansas, Senator ROBERTS, has worked hard to get passed. They passed this body three times but have never made it into law. With this bill, they will become law and go into practice.

I am also pleased there are several initiatives in this bill to develop the biofuels and biobased products. The agriculture industry is now a food, fiber, and fuels business. For years, this has been the dream of people in agriculture: to expand the base of the industry from food and fiber to food, fiber, and fuels. Well, that has now taken place. That is now here.

You travel across my State, you travel across the chairman's State, and there have been enormous investments in ethanol and the expansion of that industry, and it has been a great industry. I realize recently a lot of people have taken to hitting at ethanol. I would ask them, when they go to the gas pump and they are filling up and they are looking at how high this price is, that they would consider that price would be 25 to 40 cents higher without ethanol. Do they want that?

I would note as well that the price of corn is not the culprit on the rising food prices. It has had an impact, but quite modest for what people are experiencing, and it is keeping down your fuel prices in an ecologically sound way. I think we can expand that ecologically sound fashion with the cellulosic base. So I would hope in the future you would not only have a corn stream going into the ethanol plant but you would have a corn stover or fodder stream going into that same ethanol plant that would build and create ethanol out of both cellulose and out of the grain as well. That can happen with this title here.

I think one of the key provisions is loan guarantees and a new production tax credit of $1.01 per gallon for cellulosic ethanol that will be available through December of 2012. I think this is a key provision and a very helpful provision in this bill.

We have been able to make numerous everyday household items recently out of agricultural products. Not only do these products reduce our need for petroleum, they also provide a new market for farmers in rural areas to tap into.

For instance, the Kansas Polymer Research Center at Pittsburg State University in Pittsburgh, KS, has been studying, developing, and patenting ways to use various soybean oils to replace petroleum products. The foam rubber in car seats now, they have a patent to be able to make that—and it is being made in some places or soon will be—out of soybean oil rather than out of oil products. They have come up with ways to use soybean oil to create new chairs, materials in carpet, and even green concrete. Now, the color of the concrete is not actually green, but it is using soybean oil providing a new market for our farmers and is up to four times stronger than regular concrete. I am pleased to see this is being supported in the bill.

As I mentioned, I think cellulosic ethanol is one of the key titles of the bill. One of the Nation's first cellulosic ethanol plants is being built in Hugoton, KS. I am pleased it is there. I look forward to the further development of cellulosic ethanol, and this bill helps us get there.

Finally, while it is not specifically legislated through this bill, it is my hope the USDA will hold ''New Uses Expos'' around the country to showcase these bio-based products that we clearly have been targeting the Congress to do and to expand with; that the marketplace can expand with, that this title does, that this bill does, and we need to show those products off in many places around this country and around the world as a further greening of the United States and the use of the agricultural industry in expanding its base. This simply makes sense. Not only is the Federal Government required to procure bio-based products when available and affordable, but these are the types of innovative ideas that we should be pushing our agricultural industry to further develop. We all want our farm economy to move toward a more market-based system, and these new uses provide us with that opportunity.

In the livestock title, I would like to also add that I am pleased to see it is going to allow our livestock producers to produce for a market and not create artificial barriers so the producer cannot get closer to the consumer. There were provisions that were being suggested before that would block our producers, our livestock producers, particularly our beef producers in Kansas, from being able to get closer to the consumer and thus more of the consumer dollar back to the farmer. Those are not in here, and I am very pleased the livestock title does not contain those and has worked with the producers, the livestock producers, to help them out.

These are just a few reasons I am supporting this bill. I think the circumstances have been very difficult, but I believe it is a bill worth supporting. I wish to congratulate the

chairman and ranking member, Senator CHAMBLISS, for their leadership on a very tough issue and on a tough farm bill, and it is time to get it passed.

Mr. President, with that, I yield the floor, and I note the absence of a quorum.

Mr. President, I will withhold that for just a minute.

The PRESIDING OFFICER (Mr. HARKIN). I thank the Senator from Kansas.

The Senator from Colorado is recognized.

Mr. SALAZAR. Parliamentary inquiry: Are we in a quorum call?

The PRESIDING OFFICER. No. We are on the bill, and the Senator is recognized for up to 26 minutes.

Mr. SALAZAR. Thank you very much, Mr. President and Mr. Chairman. Thank you so much.

Let me first say thank you to all of the people who have worked on this legislation in this body. Tonight is a night to celebrate what can be done when people come together and work for a common effort. To the chairman of the Agriculture Committee, the distinguished Presiding Officer, I will only say it is his patience which is the kind of patience of Job which has gotten us here tonight on the evening before we pass the conference report on the farm bill and get it moved forward to finality. It takes someone such as the Senator from Iowa who is the only U.S. Senator who still lives in the same house that he was born in, who really understands what it is like to be a salt-of-the-earth farmer and rancher, to move forward with the kind of patience and leadership to finally be at the point where we are going to get this historic farm bill across the finish line. So I wish to thank him, as well as Ranking Member CHAMBLISS for his leadership.

This has been a work long in progress. I remember some 3 years ago beginning some of the first conversations about the rewrite of the farm bill. I fondly remember the chairman of the Agriculture Committee, Senator HARKIN, coming to the State of Colorado to hold the very first hearing on this farm bill which is here before us tonight. For that, the producers, the nutrition programs, the hunger programs, the farmers and ranchers of the State of Colorado and of this Nation will always be grateful.

I also wish to say thank you to Senator BAUCUS and to Senator GRASSLEY, the chairman and ranking member of the Finance Committee. I have the privilege of sitting on both the Finance Committee and the Energy Committee. At the end of the day, how both committees were able to work together to develop a package that is one that we will be rightfully proud of is in part a great tribute to both Chairman BAUCUS, as well as Senator GRASSLEY, for their work.

I also wish to thank Senator CONRAD for his leadership in understanding the numbers. He is in a unique situation as the chairman of the Budget Committee and is the one who understands the Federal budget perhaps better than anybody else in this entire Chamber. I wish to thank also the others who served on the conference committee and who labored so hard to get this bill across the finish line, and to my colleagues on the Finance Committee, as well as on the Agriculture Committee, for all of their great work.

Across the hallway, on the other side of this Capitol, I wish to thank Chairman PETERSON of the House Agriculture Committee and Chairman RANGEL for his hard work as well, and Congressman SALAZAR, a member of the Agriculture Committee, one of the salt-of-the-earth, true farmers still here in Washington, DC, who still wears the calluses on his hands from the work that he does on tractors and out in the fields. I thank him for his leadership.

Finally, in terms of thanking leadership, it is important for us also to recognize that we would not be here were it not for Senator HARRY REID, our majority leader, because it was through his efforts that he steadfastly continued to push for us to get a final farm bill. His multiple meetings with Speaker PELOSI and with the leadership in the Senate in the committees to try to get us across the finish line is something we must honor and we must pay tribute to because without his leadership, we would not be here tonight.

I also wish to briefly say thank you to my wonderful staff and to the producers of the State of Colorado, to Grant Leslie, my legislative director, Brendan McGuire, to Tommy Olsen, and to all of my State staff and Washington staff who worked so hard on this bill.

I strongly support this farm bill conference report and I wish to thank everyone who has worked on this bill. It is a bill which is bipartisan, forward-thinking, a balanced package, and it is one which I think will pass overwhelmingly tomorrow.

There is a lot riding on this farm bill. This is a bill that helps families put healthy and safe food on their tables. It helps kids get fresh fruits and vegetables for their lunches. It helps protect our land and our water. It helps us build a clean energy economy so vital to the national security of America and of the 21st century. Nowhere, however, is the farm bill more important, of course, than on farms and ranches in small towns and rural communities all across our Nation. Today, more than half of the counties in America are designated as rural counties. Mr. President, 44 of the 64 counties in my State of Colorado are defined as rural counties. For the last 8 years, many of these counties which are home to 50 million Americans have, in my view, been largely ignored by Washington, DC—ignored in its policies and ignored in its priorities. This farm bill sets us on the right track and in a new direction.

We can see the effects of Washington's neglect in places such as my native Conejos County, one of the poorest counties in the entire United States of America where almost a quarter of the residents today still live below the poverty line. You can also see the difficulty in rural America on many of the Main Streets across the country, including Main Street of Brush, CO, where you can drive down Main Street and probably half of the businesses and stores have been closed down. The population in all of those counties across all of the eastern plains of my State has been declining.

The truth is, the rural communities across our country are struggling. Median income in rural counties is around $11,000 less than the national median—$11,000 less than the national median. So country cousins and city cousins, when they compare their average per capita income, they know if you happen to live in that part of the country, you are going to end up making about $11,000 less than if you happen to live in the city.

Jobs in many rural areas across America are disappearing. Hospitals and health clinics are closing. Schools have declining enrollments, and young people everywhere across rural America have to leave to find opportunities elsewhere. It is an exodus that takes place from rural America into urban America day after day, year after year, decade after decade.

Of the 1,729 rural counties in the Nation, 865—that is about half of those counties—lost population between 2000 and 2005. This map shows all of those red counties which have been losing population between those years, and it is those counties in all of America that we try to address to provide a new direction, a new hope, a new opportunity and optimism for rural America in this farm bill.

In my view, rural America has been forgotten for far too long, and passing this farm bill is of the utmost urgency. This legislation will help bring new life, new energy, and new opportunities for farmers and ranchers and for small town populations all across America. As a reminder of the importance of our farms and ranches in rural communities for our food supply in our society, I have for a long time since my days as attorney general in Colorado had a sign on my desk that says: ''No Farms, No Food.''

Today, I have that sign on my desk in Washington, DC. I think it is always important for all of us to understand the importance of agriculture and the food security of this Nation to take every opportunity to remind the world and to remind our fellow 300 million American citizens that our food security ought never to be taken for granted.

Tonight, this legislation, which has been led by Chairman HARKIN, is making that statement across America: No Farms, No Food. I will tell my colleagues that anyone who goes without food for a day or two will recognize how important our farms are to America's food security.

Unfortunately, I don't think the President of the United States has understood what is at stake. I hope he doesn't veto this bill. He has said multiple times that he will, even though his administration has had ample opportunity and has been at the table of negotiations and dialogue on the farm bill for many years now. So I am hopeful at the end of the day, this President, who at least in pictures is from Crawford, TX, would understand what those rural communities—including the community of Crawford, TX, and the communities across all of rural Texas—that signing this farm bill is an important way for him to stand and say rural America is, in fact, important.

I am proud of this bill before us. The farm bill will spur the clean energy revolution that is already underway on our farms and fields across America. It will help us reach the goal of producing 25 percent of our energy from renewable resources by the year 2025. There was a provision that was included in the 2007 Energy bill which we passed out of this Senate and signed by the President which Senator GRASSLEY and myself worked on during that Energy bill. This farm bill will stimulate rural development because in a number of different ways it will provide the stimulus needed for rural development to move forward, but in particular broadband, which is really needed in the 21st century for rural America to advance, is included and addressed in this bill in a major way.

This farm bill—thank you, Mr. Chairman of the Agriculture Committee—is also the strongest conservation farm bill in the history of the United States of America. It will help in an unparalleled way, unprecedented way to protect our lands, our water, and our air for future generations to come.

This farm bill also makes significant major investments in nutrition. Some of these changes are long overdue, including the changes to the food stamps program. This bill will help make sure we have healthy and safe food on dinner tables all across our country.

Finally, this bill will bring a better balance and certainty to agricultural markets, while closing loopholes and carrying out needed reforms for our farm programs.

Through a set of smart investments, this bill will help America build a clean energy economy that has its roots in America's farms and fields. I predict that in the decade ahead, we will see rural America and agriculture start to bloom and flower as it embraces the new energy frontier. With the $1 billion in the farm bill devoted to energy programs and an additional $403 billion in tax incentives for the production of renewable energy, farmers will be able to apply for grants to develop biorefineries and improve the handling, harvest, transport, and storage of feedstocks for biofuels.

This bill includes tax credits for small wind turbines and cellulosic biofuel production, and it stimulates research into the methods and technologies that will allow the most productive lands in the world to provide more and more of our energy.

On rural development, this farm bill lays the infrastructure to rural broadband and micro business loans, for accelerating economic development in rural areas. The bill includes $150 million for important rural development initiatives, including the $15 million for the Micro Enterprise Loan Program, a provision I was honored to work on with Senator BEN NELSON from Nebraska. The program will also provide technical assistance and small grants and loans to beginning rural entrepreneurs. The micro loans will provide incentives for beginning entrepreneurs to open their businesses in rural communities, thereby creating jobs and increasing the rate of rural migration. According to the Leeds School of Business at the University of Colorado, microenterprises account for about 30 percent of the jobs in 37 of the State's mostly rural counties. These types of important programs are essential to economic development.

In my view, this is the strongest conservation bill in the history of farm bills, building on the 2002 farm bill by investing an additional $4.4 billion in conservation programs. Non-Federal agricultural and forest lands occupy 1.4 billion acres here in the mainland of America. That is about 70 percent of the land in the lower 48 States.

We all consume the air, the water, and open space, and enjoy them all, so it makes sense that the farm bill should provide some incentive for farmers and ranchers to deliver these public goods, along with all the other products they grow.

That is why the farm bill increases spending on conservation programs by $7.9 billion, including increasing funding to important programs such as the one developed by the chairman of the Agriculture Committee, the Environmental Quality Incentive Program, EQIP, increasing the amount by $3.4 billion. It provides $1.3 billion to the Wetland Reserve Program and extends the Conservation Reserve Program by 32 million acres to be enrolled in the program from 2010 to 2012, all of which have been very successful programs in the State of Colorado.

This is a picture of an EQIP conservation innovation grant at work in my State of Colorado. These farmers from the Saint Vrain and Boulder Creek watersheds are learning new practices that reduce tillage and increase yields from those farmlands. At the end of the day, these farmers went home with new ways to boost their bottom line, while reducing erosion. These programs work. The EQIP program works. We know that we, as a nation, will benefit from them.

On nutrition, sometimes people forget that the largest investments in this farm bill don't actually go to the commodity programs or the energy programs or to any of the other titles of the farm bill; they go for nutrition. Nutrition programs receive two-thirds of the funding of this bill. This farm bill does some wonderful additional things for nutrition and for hunger, including the more than $10 billion for nutrition programs that will reduce hunger and provide kids with healthy meals. That is $10 billion above what had been provided before. That is a significant investment in nutrition.

I am particularly proud we are able to expand the chairman's Fresh Fruit and Vegetable Program in all 50 States, including my State of Colorado. That means that in my State—my small State of Colorado—80,000 Colorado kids are going to get fresh fruits and vegetables in their school lunches. This will reduce childhood obesity, increase productivity in school, and it will teach the habits of a healthy lifestyle.

In food production, there are benefits to rural development, energy production, but this farm bill also ensures continued production of safe, healthy food right here at home.

Growing up on our ranch and farm in the San Luis Valley in southern Colorado taught me how tough it is to make a living off the land. You work sun up to sundown all year. You cannot take Sundays off. It is a 7-day-a-week job—most of the time 365 days a year. You try to raise a good crop or a healthy herd, and then without anything you can do to prevent it, a disaster comes, something such as disease, drought, hail, or flooding, which can wipe it all away. I still remember when hailstorms would hit our farm. My mother would take and pour a salt cross outside of our house in the hope that somehow the hail would forego destroying our wheat and our alfalfa and other crops, because that was our only way of subsisting. We have gone beyond the cross here, although we all have faith. We have moved forward with the creation of a disaster program that, hopefully, will help us address the issue of disaster in rural America.

I know the time is late. I want to make a quick comment about some of the reform efforts about which some have criticized this farm bill, including the White House. I think those criticisms are wrongly placed. I think there may be additional reform we can do and may do at another time with the farm bill. But it is important to note we have included reform in this farm bill. This farm bill requires direct attribution of payments to individuals, rather than ''entities'' so that there is 100 percent transparency about who is receiving farm program payments.

The bill eliminates the three-entity rule and also includes a provision that I helped with to eliminate the ''cowboy starter kits,'' which will prevent the distribution of commodity support payments for land that has been subdivided for houses or transferred to nonagricultural uses. This is an important fix.

I conclude by saying that those of us who have had the privilege of being a

part of rural America can appreciate how important agriculture in our rural communities is to our country. That is why I am hopeful the President's threat to veto the bill will be reconsidered.

The farm bill is not only about farms, it is about our future. It is about the entrepreneur who wants to build a biofuels plant in eastern Colorado; it is about the third grader who, for the first time, will get fresh fruits and vegetables for lunch; it is about the mother who wants us to reduce our dependence upon foreign oil so her children do not have to fight a war far away in the Middle East. It is about all of us who want to make sure we have a strong and secure America.

We have a lot at stake in the passage of this farm bill. I urge my Democratic and Republican colleagues to join us and send a strong statement about the importance of rural America, our food security, and our energy security in an overwhelming vote on the conference report tomorrow.

On my part, I will be very proud to take this farm bill back to the State of Colorado and go throughout the great State of Colorado and meet with those who care about rural America and the food security of this country, and who care so much about nutrition, and to talk to them about how it is that after 2½ years of hard labor, we have finally gotten to the end of the journey and we have a farm bill of which we can all rightfully be proud.

I thank the Presiding Officer and I thank the chairman of the Agriculture Committee.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I believe there are no more speakers on the farm bill tonight, or I should say the food, conservation and energy bill. I will close by thanking all of the speakers tonight who spoke so eloquently and strongly for this bill. I thank them for their diligence and interest in and so many of them for their efforts in bringing us to this point. It truly is a bipartisan bill.

A lot of times while I am traveling around Iowa and other States, people will come up to me and say: Can't you people get together and quit your bickering and get something done? I am sure the Presiding Officer has heard that, too. We have all heard that. Well, this is a time when we did that. We did get together in a bipartisan fashion on our committee and we worked hard. We got it through our committee in a day and a half. In December, we had the vote here and we had 79 votes for the farm bill. You cannot get much more bipartisan than that. So we did it. We worked together.

Tomorrow, we will have another hour and a half of debate, evenly divided, on the bill. There will be at least one motion, which has already been made, on a point of order. I don't know if there will be any others tomorrow morning. Then we will proceed to final passage. I will have more to say tomorrow morning.

Again, I thank all of the members of the Agriculture Committee on both sides of the aisle. I can honestly say each member of our committee had a hand in this bill in one way or the other, or on certain parts of it—some more than others in different parts. The Presiding Officer, my good friend from Colorado, Senator SALAZAR—if he had one fingerprint on this bill, it would be the energy title and all the great work he did to help focus us on getting more in the bill for biomass energy, that is, energy from cellulose—to begin the process of moving us toward more clean, renewable energy in this country. I thank the Senator from Colorado for all of his hard work in that area. However, the Senator also had a lot to do with the nutrition title, to make sure that was a good title to help low-income Americans.

Everybody on our committee had a hand in this. I am privileged to chair a great committee.

This is a committee of caring people. I know each of them. I can say that characterization applies on both sides of the aisle. These are people who care very deeply about fighting hard to represent the minority of Americans who live on our farms and our ranches and in our small towns and communities. But for, I think, the interest and involvement of the members of this Agriculture, Nutrition and Forestry Committee, the legislation that is passed here would leave a lot of our rural people on the sidelines.

Let's face it, we don't have the votes here on farm and rural issues like we used to in the old days. So it falls on the shoulders of those of us on our Agriculture Committee who represent agriculture and people who live in rural America, it falls on us to make sure their voices are heard and their concerns are addressed.

That is why I say I am privileged to chair a committee of caring people, who care very deeply about those minority of Americans who work out there on farms and ranches every day, get up, feed the livestock, plant the crops, harvest the crops, who never know from one day to the next what the weather is going to bring or what foreign involvement may mean to markets or what effect a crop failure or abundant crop in another country has on this country and on our markets and prices. Agriculture is different. A lot of people say: Why do we have farm programs? We don't have a program for this business or that business. It is because agriculture is so unique. It is sort of the wellspring of everything else in our society—the production of our food and fiber, for the health of our country, and for our exports.

I was listening to the President of the United States give his State of the Union Address earlier this year. I heard him say, there was one passage—I will never forget—he reminded us that last year our trade deficit had shrunk. I had hoped to hear him say in the next sentence, thanks to our nation's farmers because were it not for the exports of our agricultural commodities, our trade deficit would be much worse than it is.

Again, I thank everyone for all of their statements. I thank all the members of our committee. We will be here tomorrow morning, and we will have a final vote. I hope we will have a strong vote. I hope we can beat our 79 votes that we had in December. The House today had 318 votes. So I hope we have an equally strong vote in the Senate tomorrow.

ORDERS FOR THURSDAY, MAY 15, 2008

Mr. HARKIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. tomorrow, Thursday, May 15; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the conference report to accompany H.R. 2419, the Food, Conservation, and Energy Act, as under the previous order; I further ask unanimous consent that the mandatory quorum under rule XXII with respect to the cloture motions filed be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. HARKIN. Mr. President, under the previous order, tomorrow there will be 90 minutes for debate on the conference report prior to votes. Senators should expect at least two rollcall votes beginning as early as 11 a.m.

As a reminder, under rule XXII, there is a 1 p.m. filing deadline for first-degree amendments to H.R. 980, the collective bargaining legislation.

Tomorrow, Senators should also be prepared for votes in relation to appointing conferees to the budget resolution conference.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. HARKIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 10:45 p.m., adjourned until Thursday, May 15, 2008, at 9:30 a.m.

EXTENSIONS OF REMARKS

FAITH IN DIPLOMACY

HON. WAYNE T. GILCHREST

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. GILCHREST. Madam Speaker, I rise today to submit in the RECORD an opinion piece by Marshall Breger, a former alternate delegate of the U.S. to the U.N. Human Rights Commission in Geneva, and currently a professor of law at the Columbus School of Law, the Catholic University of America. In it, he discusses the importance of religion in negotiating peace through diplomacy.

FAITH IN DIPLOMACY

(By Marshall Breger)

Whatever one's view of the Oslo peace process, it is remarkable that the 1993 signing ceremony on the White House lawn did not include benedictions by rabbis, imams, or priests. In an America where religious leaders open sessions of Congress, pray for the success of our armies, and even sometimes pray for fair winds and bless the fleet at yachting regattas, this is passing strange.

The absence of religious content speaks volumes about the assumptions that drive conventional diplomatic wisdom in Washington. Foreign policy professionals instinctively recoil at the notion that religion can or should play an important role in foreign policy. They see it as a ''private matter,'' according to Tom Farr, former director of the State Department's office of international religious freedom, ''properly beyond the bounds of policy analysis and action.''

Far too many American diplomats and think-tank gurus continue to dismiss or, at best, ignore religion as ''a tool of statecraft.'' They talk about promoting ''civil society'' but forget that in regions as diverse as the Middle East and South Asia, the largest and most powerful actors in civil society are religious. They assume that a ''moderate'' Muslim is a less religious Muslim, and that an ''Islamist'' who believes that Islam should play a role in politics must be in his or her heart a bomb-throwing extremist. They treat religion as a distraction to diplomacy and a threat to global stability.

Academic theories of modernization teach that as societies modernize they irrevocably grow more secular. But the truth is otherwise. Sociologist Peter Berger contends that religious sensibility does not wither in the modern world. Even the State Department, long a bastion of secularist thinking, is beginning to get the picture. In a powerful book written after she left the State Department, former secretary Madeleine Albright effectively offered a mea culpa for ignoring religion while she was in office. And Karen Hughes, former undersecretary of state for public diplomacy and public affairs, said that President Bush wanted her ''to reach out and meet with religious leaders—because faith is such an important part of life for so many Americans and so many people across the world.''

How should we incorporate religion in our foreign policy? First, we must study it. You can't understand West Bank settlers without understanding the ''Greater Israel'' theology of Rabbi Tzvi Yehuda Kook and his disciples. Nor can you follow Shia politics without an appreciation of the role of the ashura—the commemoration of the death of the Prophet Mohammed's grandson in the 680 battle of Karbala—as the transformative event in Shia martyrology, or the oft-misunderstood role of the mahdi—the ''hidden Imam'' expected to bring justice and final judgment to the world—in Shia eschatology. Or how the ''puritanism'' of 18th-century theologian Mohammed Ibn Abd-al Wahab has affected the Salafi understanding of the Quran.

Only by understanding religion can we mobilize it as a force for reconciliation and as an ally in the search for peaceful solutions. No one can deny the injurious role religious fervor has had in foreign affairs—just think of the Thirty Years' War and Osama bin Laden. Nonetheless, we know of many examples of how religion can assist in the process of making peace. Consider the Community of Sant'Edigio, which has midwived cease-fires in conflict zones like Mozambique. The Vatican mediated the Argentina-Chile dispute over the Beagle Channel, and evangelical Christians have helped place international religious freedom, AIDS, and global poverty on the major powers' foreign policy agendas. Jewish groups, for their part, have led the campaign to end the violence in Darfur.

In 2002, Jewish, Muslim, and Christian leaders in the Middle East signed the Alexandria Declaration of the Religious Leaders of the Holy Land, committing themselves to the dignity of the individual, whatever his or her religion, and an end to bloodshed. That work is being carried on by groups like Mosaica and the Adam Institute and by other religious leaders such as Knesset member Rabbi Michael Melchior and Sheikh Abdullah Nimr Darwish, founder of the Islamic movement in Israel.

Religious leaders in Jerusalem have formed a Council of Religious Institutions of the Holy Land to promote not just interfaith dialogue, but also practical advances like access to and protection of holy sites; religious freedom; education for tolerance in mosques, synagogues, and churches; and support for a two-state solution that recognizes the dignity of both Israelis and Palestinians. This nascent enterprise includes religious leaders such as the Latin patriarch, chief rabbis, and Sheikh Taysir Al-Tamimi, head of the Sharia courts of Palestine.

These developments make clear that religious leaders can foster reconciliation in the Middle East and elsewhere. To succeed, any new peace initiative must encompass their efforts. Perhaps this time around we can avoid the religious deficit of so much previous American diplomacy.

PRESIDENTIAL SCHOLARS

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. REICHERT. Madam Speaker, I rise today to recognize the incredible talents of two young people who reside in the Eighth District of Washington State. Both students represent the promise of America and lead their peers inside and out of the classroom.

Ari J. Livne, a senior at Lakeside School in Seattle, and Anisha Gulabani, a senior at Eastlake in Sammamish, Washington, were included in the list of 141 Presidential Scholars for 2008. Since its inception in 1964, the Presidential Scholars Program has honored more than 5,500 graduating high school seniors for academic excellence, artistic accomplishments, and civic contributions. In short, the young men and women named each year to the Presidential Scholars list represent the best and brightest young people in America—the leaders of tomorrow. Ari and Anisha are preparing themselves to lead this country into the future.

Ari joined the list of Presidential Scholars in the Arts in 2008 because of his accomplishments in the visual, literary and performing arts, as well as for his scholarship, leadership and public service. Initially, more than 7,000 young people from across the Nation applied for a spot on this prestigious list before it was narrowed down to just Ari and 19 other young talents. Ari holds a 3.7 cumulative GPA and will take his place among some of Lakeside's most outstanding graduates—including Microsoft's Bill Gates and former Washington Governor Booth Gardner—when he enters the next step in his educational journey in the fall. After turning down a scholarship offer from Julliard, Ari decided on Yale in order to pursue both his academic interests and incredible musical gifts simultaneously.

Anisha will graduate this spring from Eastlake High School with a perfect 4.0 GPA. She fills her school day with every Advanced Placement course available to her. She is a co-captain on the debate team, a member of the National Honor Society, a member of Mu Alpha Theta—Lakeside's Mathematics Honor Society—and a member of the Children's Hospital Guild in Seattle. I am told that initially she wanted to become a medical doctor. However, after her sister's leg was amputated, she decided to focus on bio-medical engineering with a special focus on prosthetic limb design at Harvard University.

Ari and Anisha showcased incredible talent at their respective high schools and clearly deserved the honor of being a part of the 2008 Presidential Scholars Program. I hope they continue on their promising course and emerge as leaders in whatever field they choose.

TRIBUTE TO OTANA JAKPOR

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an extraordinary young woman from Riverside, California. Otana Jakpor may only be 14 years old and

a sophomore at Woodcrest Christian High School but she is already establishing herself as a promising scientist. Otana is the Region IX recipient of the 2007 President's Environmental Youth Award (PEYA) for a science project titled ''Indoor Air Pollution: The Pulmonary Effects of Ozone-Generating Air Purifiers.''

Young people from around the country are invited annually to participate in the PEYA program, which is aimed at encouraging individuals, school classes, summer camps, youth organizations and public interest groups to promote environmental awareness and encourage positive community involvement. One award is given for each of the Environmental Protection Agency's 10 regions. (EPA Region 9 includes California, Arizona, Nevada, Hawaii.) On April 17, 2008, President Bush presented the award to Otana at a White House Ceremony.

Ms. Jakpor decided to focus her project on indoor pollution after she read a Consumer Reports article titled ''New Concerns about Ionizing Air Cleaners.'' The article reported that certain models of ionizing air cleaners emit high amounts of ozone, but it did not include any research data. Otana's findings indicated that indoor air purifiers, neck air purifiers and ionizers emit high amounts of ozone, one result was 15 times higher than the level of a State 3 smog alert.

Ms. Jakpor's findings were significant and on September 27, 2007, she presented them to the California Air Resources Board at a hearing on indoor air purifier pollution. The Board voted to adopt a regulation to limit ozone emissions from air purifiers to less than 0.050 parts per million, and now California is the first state in the nation to regulate ozone generators.

Recognition for her scientific achievements are not new to Otana, she has received the NAACP Los Angeles ACT-SO Competition Gold medal in Medicine; eight awards from the RIMS Inland Science and Engineering Fair for both her freshman and sophomore projects; and fourth place award in the Pharmacology/Toxicology Category in the Senior Division for her research on ozone at the California State Science Fair. She is a spokesperson for the American Lung Association and has appeared on the Discovery Channel.

Ms. Jakpor is first in her class at an excellent and competitive school and has a 4.33 Grade Point Average. It is an honor to recognize Otana for all her achievements at such a young age. I commend Ms. Jakpor for her hard work, commitment and outstanding educational achievements. I have no doubt she will continue to contribute to the science community and look forward to hearing about the incredible discoveries of Otana Jakpor in the years to come.

RECOGNITION FOR THE YOUGH COUGAR ROCKETRY TEAM

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. MURTHA. Madam Speaker, I want to take this opportunity to congratulate the Yough Cougar Rocketry team from Yough High School in Herminie, Pennsylvania. The Cougar Rocketry was the only team from the Commonwealth of Pennsylvania chosen to participate in the 2008 NASA Student Launch Initiative and is one of only eighteen teams selected nationally. The team was also selected in 2007.

NASA describes the Student Launch Initiative as a program which ''involves middle and high school students in designing, building and testing reusable rockets with associated scientific payloads.'' The program allows students to demonstrate their design's proof-of-concept and allows them to apply previously abstract concepts to hands-on work. Each team works to build a vehicle that is to reach an altitude of one mile above ground level. The finale of each team's work ends with a launch at Marshall Space Flight Center.

Madam Speaker, the members of the Yough Cougar Rocketry team, whom I would like to personally recognize, include Ms. Stephanie Abbott, Ms. Amy Bickerstaff, Ms. Alicia Bowser, Mr. Josh Sarosinski, and Ms. Ashley Wiley. Mr. Donald Gilbert, Jr. is the team's teacher and advisor and Mr. Eric Haberman is the team's mentor from Westinghouse Corporation. I commend them all for their tremendous work.

SUPPORTING FUNDING TO REDUCE THE MATERNAL MORTALITY RATE THROUGHOUT THE WORLD

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Ms. SCHAKOWSKY. Madam Speaker, every minute a woman somewhere in the world dies of pregnancy-related causes. This staggering fact is not a failure of science but rather a failure of conscience. The United States possesses the medical knowledge necessary to drastically reduce the number of women killed during pregnancy each year. What we lack is a commitment by our Government to make certain that medical resources are readily available to women throughout the world.

The United States can and most do more. To demonstrate just how attainable this goal is, I would like to bring my colleagues' attention to an interesting and inspiring piece published in The Washington Post on Sunday, May 11, that highlights the efforts of two remarkable individuals to address maternal mortality rates in Haiti. Working closely with the Haitian government, Paul Farmer, Ophelia Dahl, and their nonprofit organization Partners in Health, have succeeded in reducing the maternal mortality rate in Haiti to less than half what it was a quarter-century ago. I hope that this piece will not only serve as a reminder of the tremendous opportunity we have to save the lives of hundreds of thousands of pregnant women all over the world.

KEEPING NEW MOTHERS ALIVE—IN HAITI AND RWANDA, REDUCING TRAGEDY IN CHILDBIRTH

(By Paul Farmer and Ophelia Dahl)

''Obscene'' is still the word that comes to mind when we think of maternal mortality—and it has been almost 25 years since we first witnessed death in childbirth. In 1983, as students in one of central Haiti's fetid clinics, we prepared to celebrate a birth. Although we'd just met the young woman about to become a mother, her desperate expression as she began to hemorrhage haunts us still. National statistics could have predicted the outcome: A 1985 survey pegged Haitian maternal mortality at 1,400 deaths per 100,000 live births. By comparison, maternal mortality in the United States last year was 14 deaths per 100,000 live births.

Worldwide, 500,000 women die in childbirth every year; more than 90 percent live in Africa or Asia, and almost all are poor by any standard. Obscene though it is, death during childbirth isn't the end of the story. In the world's poorest areas, many orphaned children wind up destitute and on the streets within a few years of their mothers' deaths, sometimes resorting to desperate or criminal measures for food, shelter, clothes or school fees.

One of the 12 Millennium Development Goals is to reduce maternal mortality 75 percent by the year 2015. But we are moving too slowly to meet this goal, the United Nations says.

Today, the maternal mortality rate in Haiti is less than half what it was a quarter-century ago. Across the broad swath of central Haiti where we work, we estimate the number to be well below 100 deaths per 100,000 live births—not good enough but a vast improvement, most of it occurring in the past decade. Change came largely for three reasons.

First, our nonprofit organization, Partners in Health, has worked closely with the Haitian Ministry of Health to strengthen public health infrastructure. We have rebuilt, equipped, staffed and stocked hospitals and clinics; trained nurse-midwives and other personnel, including more than a thousand community health workers; linked villages and health centers to district hospitals by modern telecommunications and ambulance service; and established modern surgical services for obstetrical emergencies.

Second, we have broken the rule that high-quality health services are a privilege rationed by ability to pay, not a right. The case was made first for affordable medicines. Now it is being made for emergency Caesarean sections—an essential tool to reduce maternal mortality. Faced with evidence that maternal mortality was greater where fees were higher, the district health commissioner for central Haiti announced last August that all prenatal care and emergency obstetrical services would henceforth be available free to all patients. He was later echoed by Haitian President Réne Préval.

Third, we have linked prenatal and obstetric care to an all-out effort to improve access to primary health care. The presence of functional, accessible public clinics and hospitals restores faith in the health system, motivates people to seek care before they are critically ill and allows for preventive interventions such as prenatal care and family planning. Consider Rwanda, another country where we work, which is rising rapidly from its ashes scarcely a dozen years after an appalling genocide. Rwandan maternal mortality rates in 1995, the year after the genocide, are unknown. But they are sure to have exceeded the 1,800 deaths per 100,000 live births reported that year in relatively peaceful Malawi. The situation has improved dramatically since then.

By helping to train and, importantly, pay community health workers, the Rwandan Ministry of Health is taking steps to link rural villages to health centers with the capacity to make routine labor safe. Rwanda is also seeking to make family planning available to citizens and to increase access to preventive and primary care through basic health insurance. Maternal mortality has dropped from more than 1,000 deaths per 100,000 live births between 1995 and 2000 to

less than 600 today—still terrible but well below the average (940) reported for sub-Saharan Africa.

At the government's invitation, Partners in Health launched efforts to strengthen AIDS treatment and primary health services in one region of rural Rwanda in 2005. Mindful of the lessons learned during two decades of work in rural Haiti—and of that young Haitian woman whom we watched turn abruptly from the anticipation of new life to a confrontation with death—we have made reducing maternal mortality and improving women's health top priorities. And we have welcomed the opportunity to support Rwanda's commitment to breaking the cycle of poverty and disease by including health care and education (especially for girls) in its vision of the future. It's probably no coincidence that Rwanda also boasts the world's highest percentage of women in parliament.

IN SUPPORT OF H. CON. RES. 322—RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE MODERN STATE OF ISRAEL

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. EMANUEL. Madam Speaker, I rise today in support of H. Con. Res. 322, recognizing the 60th anniversary of the founding of the modern State of Israel. Yom Ha'Atzmaut, Israel's Independence Day, marks a day when Theodor Herzl's prophetic words became reality: ''If you will it, it is no dream.''

Since its founding on May 14, 1948, the modern State of Israel has established itself as a dynamic and democratic nation with a thriving economy, a pluralistic political system, and a vibrant cultural and intellectual center. The Israeli people have contributed greatly as scholars, innovators, educators, and more, and I am pleased to have this opportunity to recognize their accomplishments as well as those of Israel.

Israel has been a vital ally of the United States since the beginning of its existence, sharing democratic values, friendship, and respect and enjoying a strategic partnership. America and Israel shall remain close friends for years to come, particularly as Israel continues to seek peace with her neighbors. H. Con. Res. 322 reaffirms these bonds of friendship and cooperation and expresses a commitment to strengthen these bonds.

On the Jewish calendar, Israel's Independence Day falls on the 5th of Iyar, corresponding this year with May 8, 2008. This day is a joyous time to reflect with pride on the work of the men and women who knew that one day the dream of the State of Israel would become a reality.

Madam Speaker, I am proud to be a cosponsor of H. Con. Res. 322 and wish to extend warm congratulations and best wishes to the people of Israel as they celebrate this 60th year of Israel's independence. I wish them peace and prosperity in the years to come, kein yehi ratzon.

IN MEMORY OF TOM ED HAYS

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. ROSS. Madam Speaker, I rise today to honor the memory of my dear friend Tom Ed Hays of Hope, Arkansas, who passed away May 7, 2008, at the age of 73.

I will forever remember Tom Ed Hays as a good friend, a keen businessman and someone who cared deeply about improving the quality of life in southwest Arkansas. As a natural born leader, he excelled at every task he took on and was an inspiration to all of us who knew him.

Tom Ed Hays was born and raised in Arkansas, and was always proud to call Arkansas his home. After beginning his banking career in Texas, he returned home to Hope to join his father and uncle in the family-owned bank, First National Bank of Hope. His ambition and dedication helped him rise from cashier to president and CEO of the bank, a role which he held until the time of his passing. Under his guidance and leadership, the bank underwent significant expansion and spread to communities throughout southwest Arkansas.

While Tom Ed Hays' economic development efforts had a tremendous impact on the region and will never be forgotten, his gentlemanly nature is what everyone will talk about for years to come. The numerous accolades and awards he received over the years are a testament to his deep conviction of community service and civic responsibility.

Tom Ed Hays will be remembered for his outstanding service to Hempstead County, southwest Arkansas, and to the entire State of Arkansas. Above all, he will be sorely missed as a friend. I extend my deepest condolences to his wife, Betty Jo Fite Hays; his three sons, Thomas Hays III of Cambridge, England, Daniel Fite Hays of Hope, and John Julian Hays of Hope; his sister, Nancy Hays Gottwald of Richmond, Virginia; and to his eight grandchildren and countless friends. Tom Ed Hays will be greatly missed and I am truly saddened by this loss.

ON THE ANNIVERSARY OF FALLEN HERO'S DEATH—IN HONOR OF ARMY SPECIALIST ARMER NATHAN BURKART

HON. WAYNE T. GILCHREST

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. GILCHREST. Madam Speaker, I rise today to submit a poem penned by Albert Caswell of The United States Capitol Guide Service, in honor of a real American hero, Army Specialist Armer Nathan Burkart, on the eve of the 2nd anniversary of his gallant life and most tragic death in Baghdad, Iraq, on May 11, 2006. A Rockville native who gave that last full measure for all of us. Remember him this coming Memorial Day.

ARMER ALL

Armer All . . .
Strength in honor, an American Hero who heard the call!
Who so marched off to war like all of his fine forefathers have done so before!
A man of character, and faith . . .
A brave heart, who but to his country 'tis of thee so gave and gave!
But All . . . But, his fine life . . . he who so sacrificed, showing us all how to behave!
A soul,
One's being, so deep down inside one's heart which holds!
The Armer, The Mantle of Gold . . . to go and do, to shine in the light of a hero's glow!
To march forward, with clenched fists!
To stare straight into that the darkest of all faces, that of death!
To give all until none lies left, to the future . . . our most precious sons and daughters bless!
A Maryland Man,
Who so showed us all what a warm heart of Armer and faith so can!
But, only the very few . . . can and have so done, as Heaven won . . . our fine son . . . Armer you!
A leader of men,
An Angel on Earth, who our Lord would so send!
And now, as your short time is done . . . to Heaven rise my son . . .as your new battle begins!
As an Angel in the Army of our Lord,
As on Earth you brought your light, from heaven now you continue the fight . . . evermore!
For yours, your life Burkart . . . was but our Lord's work of art . . . for what you so stood for!
Armer . . . You!
You, so lived and died for What Is Real . . . For What Is True!
Can you but hear our tears? All for you, and your fine life . . . and all of your lost years!

ASIAN PACIFIC HERITAGE MONTH

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. REICHERT. Madam Speaker, in May, we honor Asian Pacific American Heritage Month, a celebration of the culture and contributions of millions of Asian Americans and Pacific Islanders. Their diverse talents have contributed to communities all across our Nation.

The Eighth District of Washington has a vibrant Asian Pacific community. Nearly 100,000 Asian Americans and Pacific Islanders reside in my district, contributing to their individual communities through business, education, volunteerism and public service, just to name a few. I am also very aware of the bravery and patriotism many in the Asian and Pacific Islander community have shown by serving honorably in Iraq, Afghanistan, and other dangerous places.

The Asian Pacific American community is growing in my district and our Nation at large. I know, as the influence of Asian Americans and Pacific Islanders grow, the American people will more fully understand—and respect—the many contributions they have made to our communities and our Nation.

TRIBUTE TO CYNTHIA SCHNEIDER

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Corona, California are exceptional. Corona has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Cynthia Schneider is one of these individuals. On May 17, 2008, Cynthia will be recognized at the Corona-Norco Family YMCA's 13th Anniversary Distinguished Service Awards Dinner and will receive the YMCA Distinguished Service Award.

Cynthia is senior vice president, director of marketing for American Security Bank, headquartered in Santa Ana, California. She was instrumental in the business case that convinced the bank to open its loan and marketing administration offices and build a new branch office in Corona. For more than 30 years, Cynthia has managed the marketing functions of various Southern California financial institutions, as an officer and as a private consultant. She specializes in improving financial performance through consultative sales training and gaining corporate visibility through strategic marketing and public relations programs.

Cynthia has worked in Corona for 10 years and has been a resident for 8. During that time she has become an active community volunteer. She is a longstanding member of the Corona Chamber of Commerce; has served on their board for 7 years and was chairman of the board in 2006. She currently chairs and is a contributing writer for the Chamber's Corona Business Monthly magazine and heads their legislative action committee. She is the founder and organizer of the Chamber Missions to China and has run the program for 3 consecutive years. Cynthia was recognized by Soroptomist International in 2006 as a Woman of Distinction for her international contributions.

Cynthia was also instrumental in the grassroots campaign by the Corona Chamber of Commerce to help the homeless. The campaign inspired community members to contribute $100,000 during a 6-week period in 2006 to keep the doors of the homeless shelter open over the holidays. Cynthia has also served for 6 years on the board of directors for the Foundation for Community and Family Healthy, is currently president of the Circle City Rotary, and proudly serves on the board of the Corona/Norco YMCA.

Cynthia's tireless passion for community service has contributed immensely to the betterment of the community of Corona, California. I am proud to call Cynthia a fellow community member, American and friend. I salute her and thank her for her service as she receives the prestigious YMCA Distinguished Service Award.

TRIBUTE TO MR. L. ROBERT KIMBALL

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. MURTHA. Madam Speaker, I would like to take this opportunity on the occasion of the 55th anniversary of L. Robert Kimball & Associates to recognize the service and work of L. Robert Kimball, founder and chairman of the board. As a military veteran and respected businessman, Mr. Kimball is the epitome of the American entrepreneur. His original two-person civil engineering company, founded in 1953, has grown to a full-service architecture, engineering, technology, and consulting firm of over 600 staff serving a wide variety of clients, including the Federal Government.

Mr. Kimball served as a U.S. Army Air Corps Captain in World War II and as a Major in the U.S. Army Corps of Engineers in the Korean conflict. Among his World War II military decorations are the Distinguished Flying Cross and Air Medal with three Oak Leaf Clusters, and the French Croix de Guerre. He is also a recipient of the Chapel of the Four Chaplains Legion of Honor Award.

Following his military service, Mr. Kimball returned to his hometown of Ebensburg, Pennsylvania, and established the company known as ''L. Robert Kimball, Civil Engineer.'' In the 1960s, the firm began providing service to branches of the United States military. Today, Kimball provides professional services to, among others, the Department of Homeland Security, the Department of Defense, the Department of Justice, the Environmental Protection Agency, and the United States Army Corps of Engineers. Those services include cutting-edge building, innovative modeling, laser terrain scanning, and telecommunication system modernization.

The firm's reputation for consistent delivery of high-caliber services is a direct result of the discipline and integrity that L. Robert Kimball instilled throughout the company. The example he sets of leadership and teamwork can be traced back to his military service to the United States of America as a lead navigator for the 100th Bomb Group, where he set the flight course. It was a matter of life and death to make the right decisions and to work as a team to look out for the others in the squadron. Those principles apply to the course he sets for staff. He encourages every employee to be a good professional and a good citizen.

With that, Madam Speaker, I recognize and congratulate Mr. L. Robert Kimball.

IN HONOR OF AMERICA'S SECOND HARVEST

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Ms. SCHAKOWSKY. Madam Speaker, I rise today to honor America's Second Harvest, which is being presented with this year's Ernest P. Bicknell Disaster Response Excellence Award from the American Red Cross.

America's Second Harvest, based in Chicago, is the Nation's largest charitable hunger-relief organization. I have long been an admirer of its work in Illinois, where 8 America's Second Harvest food banks help provide food to 900,000 people who are struggling with rising fuel, health care, and food costs. Nationwide, America's Second Harvest has a network of more than 200 member food banks and food-rescue organizations that serves all 50 States, the District of Columbia, and Puerto Rico.

The America's Second Harvest Network secures and distributes more than 2 billion pounds of donated food and grocery products annually. The Network supports approximately 63,000 local charitable agencies operating more than 70,000 programs including food pantries, soup kitchens, emergency shelters, afterschool programs, and community kitchens. Each year, the America's Second Harvest Network provides food assistance to more than 25 million low-income hungry people in the United States, including more than 9 million children and nearly 3 million seniors.

America's Second Harvest is being been honored by the Red Cross because it continues to be instrumental in improving preparedness and the critical delivery of disaster relief to individuals and communities across the country. America's Second Harvest has partnered with the American Red Cross in disaster response through its leadership with the National Voluntary Organizations Active in Disaster (VOAD) Mass Care Committee. It has also worked to establish standards of care for victims of disaster, utilizing its proven expertise in providing 2 billion pounds of food and grocery products to our Nation's hungry each year. Unfortunately, the news of the devastating cyclone in Myanmar, and the catastrophic earthquakes that stole thousands of lives in China this week, highlight just how critical disaster relief plans are.

The Red Cross's Disaster Response Excellence Award is named in honor of Ernest P. Bicknell, who was the Red Cross National Director from 1909 to 1917 after having served as, fittingly, the General Superintendent of the Chicago Bureau of Charities. Today, America's Second Harvest is at the forefront of charitable work, both in Chicago and nationwide. As a proud representative of the City of Chicago, I am honored to recognize their incredible work.

CONGRATULATING RICCARDO MUTI AS NEW MUSIC DIRECTOR OF CHICAGO SYMPHONY ORCHESTRA

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. EMANUEL. Madam Speaker, I rise today to congratulate Maestro Riccardo Muti on being named the next music director of the Chicago Symphony Orchestra (CSO). Maestro Muti will become the 10th music director to take the baton in that capacity for the CSO.

Maestro Muti will succeed Daniel Barenboim, who held the position of music director at the CSO for fifteen years when he left in 2006.

I am proud that Chicago will have a world-class maestro to follow in the footsteps of legends like Sir Georg Solti as music director.

Maestro Muti's background is impressive and commands immense respect in the musical community. He has conducted many important orchestras around the world, including the New York Philharmonic, the Orchestre National de France, the Berlin Philharmonic, the Bavarian Radio Symphony Orchestra, the Vienna Philharmonic, and more.

Maestro Muti already has some familiarity with our City's outstanding orchestra, having conducted the CSO at Ravinia in 1973 and returning to Symphony Center in 1975 as well as three decades later in 2007. When he begins his tenure as music director in 2010, I know that he and the CSO will continue to excel in the years to come.

Madam Speaker, I congratulate Riccardo Muti in his new position as music director at the Chicago Symphony Orchestra and wish him the best of luck as Chicago's new maestro.

IN RECOGNITION OF EDDIE HARRISON

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. ROSS. Madam Speaker, I rise today to honor Eddie Harrison of Waldron, Arkansas, and to recognize his 45 years of dedication and commitment in the classroom at Waldron High School as he embarks on his retirement from teaching.

I commend Mr. Eddie Harrison for his efforts and accomplishments over the years and applaud his hard work and devotion to improving the quality of education for countless students at Waldron High School. As a son of public school educators, I believe the most important component of a child's education is having a quality teacher like Mr. Harrison in the classroom.

Mr. Harrison's school day did not start and end with a bell, instead it began with early morning meetings and concluded when the last buzzer sounded at a sporting event. He dedicated his time to multiple organizations and was always the first to volunteer for projects at hand.

When Mr. Harrison is not in the classroom or on the campus of Waldron High School, he can be found at the Waldron First Baptist Church where he serves as Deacon and is actively involved in his church's ministry. He is also a proud uncle, whose devotion to his family is second to none.

Eddie Harrison's presence in the classroom will be greatly missed by the students, faculty and staff of Waldron High School, where his legacy of excellence will forever be remembered. I know that his heart will never drift far from Waldron, and that he will continue to be a fixture in the community and a role model for all that have the opportunity to know him.

I have always believed that there is no greater form of public service than that performed by those who teach our children. I congratulate Eddie Harrison on a job well done for 45 years of teaching at Waldron High School. I wish him a successful future of happiness and fulfillment in his next endeavor, and am proud to commend his selfless work to help shape a new generation of innovators.

THE DAILY 45: PACOIMA SHOOTINGS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. RUSH. Madam Speaker, the Department of Justice tells us that, every day, 45 people, on average, are fatally shot in the United States. From coast to coast, the stories ring familiar.

In Los Angeles, police said this morning that they are investigating two separate shootings in Pacoima that left two men dead. One man, whose name has not been released, suffered gunshot wounds to his head and body. He was taken to a local hospital where he later died. In a separate incident, in the same area, another man was fatally wounded in an apparent drive-by shooting around 3 p.m. Tuesday. These daily shootings must end.

Americans of conscience must come together to stop the senseless death of ''The Daily 45.'' When will Americans say ''Enough is enough, stop the killing!''

RECOGNIZING REALTORS AND THEIR ROLE IN THE AMERICAN DREAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. BURGESS. Madam Speaker, I rise today to recognize America's realtors. I would like to specifically recognize fifteen realtors, who are in Washington, D.C. today, for their commitment to the neighborhoods and communities across North Texas, the place I am proud to call home. I would also like to welcome these fellow Texans to our Nation's capital city.

Realtors are a vital part of the American way of life. They help to provide the citizens of the United States with one of the most basic American Dreams: the joy of home ownership. I remember when I was looking to buy my first home, I was unsure about what I could expect or what processes I needed to take. Realtors helped me through the process and I am very grateful for the kindness and generosity they demonstrated.

I would like to recognize the fifteen realtors from my district who are in Washington, D.C. right now: with the Greater Lewisville Association of REALTORS, Inc., Connie Niedzwiecki, Cathy Smith, and Lynda Bennett; with the North Texas Real Estate Information Services, Inc., Mikie Doyle; with the Greater Denton/Wise County Association of REALTORS, Inc., Chris Rosprim, Myra Oliver, Mary O'Conner, Kaki Lybbert, and Kara Phelps; with the Greater Fort Worth Association of REALTORS, Inc., Ken Jones, Dan Odom and Colleen Odom; and with the MetroTex Association of REALTORS, Inc., Eloise Eriksson, Judy Jones and Barbara Alsworth.

Madam Speaker, I am very grateful for the hard work of these aforementioned professionals and the great service they provide to their local communities. Their energy, skills and commitment have made North Texas a better place to live and I am proud to have them here today.

HONORING DR. ODETE AMARELO ON THE OCCASION OF HER RETIREMENT

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. McGOVERN. Madam Speaker, I rise today to honor a wonderful Massachusetts resident, Dr. Odete Amarelo, on the occasion of her retirement.

Maria Odete Cordeiro Morgado Amarelo was born in Arrifes, Rua da Saude, in the Azores. After a visit from Cardinal Humberto de Sousa Medeiros that served as a great inspiration, her family made the decision to make a new life in the United States.

Dr. Odete used her great energy, drive and passion to help others. She enrolled in a night program at Bristol Community College, eventually transferring to the University of Massachusetts. Two years later, she was hired by the Fall River School Department as a Teacher Assistant in the bilingual program. She later earned a BA from the University of Boston, a Master's Degree from Lesley College and a Doctorate Degree in Literacy from the Union Institute.

Madam Speaker, that final degree I mentioned, a Doctorate in Literacy, says it all. Dr. Odete believes that education based upon literacy is a fundamental right. This has been her life's work, and her life's passion. As Dr. Odete has said, ''literacy can't exist in an isolated form, it's a process that is a part of our continued development.''

Currently, Dr. Odete serves as the School/Parent coordinator for the Magnet Program in the Fall River Schools.

I am proud to rise today in honoring Dr. Odete Amarelo and to thank her for her extraordinary work on behalf of the people of Fall River. Dr. Odete once said, ''it's not sufficient to say that we care, but to act and identify what is not right.'' Dr. Odete has been acting and identifying—and fixing—what is not right for many, many years. I know that my colleagues in the House join me in paying tribute to this remarkable woman.

HONORING WOODCLIFF LAKE D.A.R.E. PROGRAM

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. GARRETT of New Jersey. Madam Speaker, today, the Woodcliff Lake Police Department will hold its D.A.R.E. graduation ceremony with the students of Dorchester School. The young people participating in this important program have made a commitment to say no to drugs, underage drinking, and gang violence. They have done this with the support of their principal, John Fierro, Chief of Police Anthony Jannicelli and D.A.R.E. officers Chad Malloy and James Foley.

Drug Abuse Resistance Education, or D.A.R.E., began as a small program in Los Angeles in 1983. Today, it is implemented in more than 75 percent of our Nation's school districts and in more than 43 other nations. This program allows children to defeat the

negative cultural influences that they are challenged with daily by opening the lines of communication between law enforcement and youth and empowering them with confidence and courage to say no to drugs.

I am proud of the young boys and girls who participated in this program in Woodcliff Lake, and I would like to recognize them all for taking this step toward positive citizenship:

Christopher Acciardi, Nicole Alberta, Naseeb Ally, Max Aronson, Maryanna Arundel, Noah Bardach, Albert Barragan, Alexis Bernstein, Zachary Bernstein, Christopher Blake, Nicholas Bonnett, Alexandra Castiel, Marc Castrillon, Karen Choi, Ellen Drennan, Matthew Evans, Mackenzie Evans, Brandon Fazal, Rachel Fisher, Brandon Friedman, Keith Gliksman, Michael Goldstein, Ian Groh, Erica Grunfeld, Alexandria Guo, Karin Hadadan, Ashley Hahn, John Henrich, Gianna Hroncich, Ari Jigarjian, Brigitte Josephson, Avantika Joshi, Senyoung Kim, Chelsea Kirnum, Kathryn Klecanda, Katarina Kokkosis, Saniya Kumar, Morgan Landman, Justin Lane, Adam Lefkowitz, Brett Levine, Hanna Levy, Sophia Logothetis, Tomasso Lombardi, Chloe Mann, Brian Marolda, Samantha McGovern, Kayla McGraw, Alexander Meleniak, Celine Mileham, Vernice Miller, Nicole Miller, Daniel Miller, Cole Moran, Melissa Nachbaur, Vicky Patel, Thomas Patire, Jordan Perez, Noah Personette, Alex Pettie, Lianna Port, Austin Rahmin, Richard Rebori, Peter Rubenstein, Rachel Samitt, Mihir Sangoi, Maximillian Sarbu, Devin Sargent, Maya Scharf, Alexa Schecter, Connor Schultz, Kyle Schultz, Shunpei Seki, Isabel Sella, Julia Shin, Jacqueline Skene, Alana Smolinsky, W. Maxwell Song, Margo Spector, Constantine Stavrianidis, Alexander Todfield, Sere Tonuzi, Natalia Torres, Christopher Toto, David VanPelt, Apoorva Vasireddy, Harrison Weinfeld, Noah Winston, Rachel Yannelli, Vincent Yannelli, Josephine Yao, Christopher Zariello.

HONORING JOHN ROGERS' DISTINGUISHED CAREER IN PUBLIC SERVICE

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. DELAHUNT. Madam Speaker, I rise today to honor John Rogers of Rockland, Massachusetts, and to recognize his long and distinguished career in public service.

John has devoted his life to educating young people most notably as a teacher and then during his twenty-three-year tenure as Superintendent of the Rockland Public Schools. In addition, he has worked to improve the quality of life for people of all ages in Rockland through his service as a Selectman and as President of the Rockland Chamber of Commerce. In recent years, he has played an instrumental role in the redevelopment of the South Weymouth Naval Air Station by representing the people of Rockland on the Board of Directors of the South Shore Tri-Town Development Corporation.

While serving on the Tri-Town board, he helped shape and build consensus on a redevelopment master plan that will serve as an engine of economic growth in the surrounding communities. The plan has won accolades from local and national groups as a ''smart growth'' initiative and a model for future sustainable development projects throughout the Commonwealth of Massachusetts.

John will continue his lifelong service to his community as a newly elected member of the Rockland Housing Authority, and as he retires from his position on the Tri-Town Board, I want to him to know that we are forever grateful for all that he has done. We will always appreciate his unwavering leadership, his vision and his tireless commitment to advancing the quality of life for the people of Rockland and the greater South Shore area.

On behalf of a grateful constituency, I rise today to thank John Rogers for all that he has done for our community, and to wish him success in all his future endeavors.

TRIBUTE TO JOHN R. COUTS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Corona, California are exceptional. Corona has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. John Couts is one of these individuals. On May 17, 2008, John will be recognized at the Corona-Norco Family YMCA's 13th Anniversary Distinguished Service Awards Dinner and will receive the YMCA Distinguished Service Award.

John Couts is President of Couts Heating and Cooling, Inc., a mechanical contracting company that has operated in Corona for thirty years. Cents Heating and Cooling, established in 1978, owes its long-standing success to its simple, yet driving business philosophy: honesty, integrity, and putting the best interest of the customer first. Couts Heating and Cooling, Inc. is a Union Contractor providing heating, ventilating and air-conditioning services in addition to mechanical piping and energy management controls to commercial, industrial, medical and educational facilities.

The story of Couts Heating and Cooling is a small business success story that began with a team of four family members and a determination to succeed. From their entrepreneurial beginnings, the business has evolved into a major corporation, employing 200 people. A major component of the growth of Couts Heating and Cooling has been their unwavering commitment to family-owned values.

John's life has been woven into the fabric of the City of Corona for more than three decades. He and his wife, Carolyn, raised and educated two daughters in Corona. For many years both Carolyn and John were active in booster and fundraising activities for cheerleading and athletics, spending countless hours supporting their daughters' endeavors. As their children grew into their own lives, John's contributions to the community evolved from school and athletic events into community causes.

John currently sits on the Board of the Foundation for Community and Family Healthy were he has been instrumental in spearheading and promoting an annual giving program that will provide long-term funding for the Foundation's countless outreach programs. As a business owner, not only has John been extremely active in industry and trade associations at a local and state level, he has also been a member and active supporter of the Corona Chamber of Commerce. For the past eight months, John has shared his professional expertise as a member of a selectively chosen group of business owners who comprise the Chamber's Legislative Action Committee—monitoring and lobbying to pass legislation that will have a positive impact on Corona businesses. John and Carolyn also support numerous philanthropic causes and give generously to support community programs funded by non-profit agencies.

John's tireless passion for the high quality of his business and community service has contributed immensely to the betterment of the community of Corona, California. I am proud to call John a fellow community member, American and friend. I salute him and thank him for his service as he receives the prestigious YMCA Distinguished Service Award.

CONGRATULATING GRINNELL COLLEGE MEN'S TENNIS TEAM

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

May 1, 2008

Mr. BRALEY of Iowa. Madam Speaker, I rise today to recognize the outstanding results achieved by head coach Andy Hamilton and the Grinnell College men's tennis team this spring. In early May the Pioneers won their first ever NCAA tournament match and their 5th consecutive Midwest Conference title. Grinnell now has an 11th conference championship trophy to add to their case!

I am extremely proud of the accomplishments of the Grinnell men's tennis team, both on and off the court. Three Grinnell College tennis players—Dan LaFountaine, Brij Patnaik, and Pete De Kock—have worked for me and served the people of Iowa's First District. And countless other Grinnellians, including my Legislative Director Mike Goodman, are working in public life to build a stronger, more just Nation.

Arthur Ashe—the great American public intellectual, civil rights advocate, and tennis player—said, ''From what we get, we can make a living; what we give, however, makes a life.'' Grinnell faculty, coaches, students, and alumni understand this truth. The Grinnell men's tennis team had a great season in 2008, and these student athletes are poised to give great things to our communities in the future.

IN RECOGNITION OF ASSISTANT SPECIAL AGENT IN CHARGE MICHAEL D. DROMGOOLE, DRUG ENFORCEMENT ADMINISTRATION

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. SESSIONS. Madam Speaker, I rise today to honor Drug Enforcement Administration (DEA) Assistant Special Agent in Charge (ASAC) Michael D. Dromgoole.

Prior to joining the DEA, Michael began his law enforcement career with the Texas Department of Public Safety as a Highway Patrol Trooper in 1973. In 1980, he began his DEA career as a Special Agent and completed assignments in Los Angeles and Santa Barbara, California before coming to Texas. His work ethic and dedication led to multiple promotions and in October 1998, he was reassigned as an Assistant Special Agent in Charge in the Dallas Field Division. After twenty-eight years of service with the DEA, Michael will be retiring this year.

The Dallas area has greatly benefited from his vision and leadership. He foresaw a safer and better community and took every effort to do make this goal a reality. He helped enhance the cooperation between the DEA and local and state agencies, making attempts to combat drug trafficking and the enforcement of controlled substance laws more successful. Michael leaves a legacy of civic duty that will be greatly missed.

Madam Speaker, I ask my esteemed colleagues to join me in expressing our deepest gratitude for his exemplary service to this great Nation.

HONORING THE CONTRIBUTIONS OF MR. DON W. KASSING, PRESIDENT OF SAN JOSE STATE UNIVERSITY

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. HONDA. Madam Speaker, I rise today to pay tribute to one of California's most successful university presidents, Mr. Don W. Kassing. Don will be retiring this year and I would like to highlight some of the significant contributions he has made, not only to the university, but also to the surrounding community. It is with mixed emotions that I say farewell to Don—I am saddened to see him go, but do so with tremendous pride and respect for the accomplishments he has made to my alma mater, San Jose State University.

In August of 2004, following the unexpected resignation of his predecessor, Don leapt into action as the newly appointed interim president of San Jose State University. Accepting this position just before the start of the school year, Don moved quickly to reassure an apprehensive campus that all focus would remain on the important business of starting the fall semester. His confidence in the collective capabilities of the San Jose State University faculty and staff, his generous and collegial management and leadership style, and the trust and respect that he had garnered during his 11 years of service as San Jose State University's vice president for administration and finance quickly created a sense of stability.

One of Don's first actions as president was to galvanize the campus to organize its first-ever campuswide strategic planning process. This thorough planning involved a mobilization of all campus units and resulted in a vibrant ''Vision 2010.'' San Jose State University is now at the end of two full cycles of implementation.

Leading by example, Don repeatedly made thoughtful, public stands on tough issues. He strongly supported a student initiative to honor two San Jose State athletes and civil rights icons, Tommie Smith and John Carlos, medal winners of the 1968 Olympics, who chose a non-violent protest during the medals ceremony to bring attention to the American civil rights movement. The groundbreaking and dedication ceremonies for the campus sculpture in 2007 gave the University at long last the opportunity to appropriately honor and embrace the athletes and their actions.

Building upon the successful partnership with the city of San Jose to develop the Dr. Martin Luther King, Jr. Library, Don was instrumental in forging the Beyond Martin Luther King collaborative, which initiated a broader commitment and conversation with city and San Jose State University leadership staff and community stakeholders. Since 2004, key partnership projects have sparked neighborhood development, affordable housing-to-workforce enhancement and co-production of major events. This successful collaborative effort serves as a model of how a positive, symbiotic relationship between a lively campus and a vibrant downtown can be used to enhance the stature of both a city and its university.

This year, Don led the campus in a decision to suspend blood drives, citing the U.S. Food and Drug Administration's lifetime blood donor deferral affecting gay men as being in violation of the university's nondiscrimination policy. The public stand taken by SJSU has re-ignited debate across the country about FDA's policy. It is my hope that the questions raised by Don's actions will lead to a thorough, thoughtful, and scientifically sound reexamination of FDA policy.

Mr. Kassing's successes can best be summoned up in the words of its accrediting body. In a letter last July, Western Association of Schools and Colleges Executive Director Ralph Wolff said: ''The Commission would like to extend its commendation to the San Jose State University community on the truly remarkable distance it has traveled since fall 2004. The team report notes 'significant progress' in assessment of student learning and enrollment management; the positive influence of recent appointments at the senior level; an operational strategic plan; innovative new programs for student success; and above all, dramatic changes in culture, energy and focus on campus.''

Madam Speaker, I will miss seeing my friend, Don Kassing, in San Jose, but wish him and his spouse, Amy, only the best as they embark on the next phase of their journey in Arizona.

CONGRATULATING MAJORS DAVID AND PAT WAITE ON THE OCCASION OF THEIR RETIREMENT FROM THE SALVATION ARMY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. BONNER. Madam Speaker, it is with great pride and pleasure that I rise to honor the long and distinguished careers of Majors David and Pat Waite, on the occasion of their retirement from the Salvation Army.

With careers spanning over 40 years, the Waites' service has carried them across the Southeast, to Florida, Georgia, Kentucky, Texas, and Alabama. Their ministry also carried them to South America, where they served in Brazil for three years.

Majors David and Pat met as undergraduates while attending Asbury College in Wilmore, Kentucky. David graduated with a bachelor's degree in psychology, and Pat graduated with a degree in elementary education. They married in 1966 while David was in seminary school, and in 1969, David graduated from Asbury Theological Seminary with a master's of divinity degree.

In 1969, David and Pat entered Officers' Training School. David spent much of this first year of training attending Emory University's Candler School of Theology. As Cadet-Lieutenants, the Waites spent their second year of training in St. Petersburg, Florida, and in 1971, David and Pat were commissioned as officers.

The Waites served in various locations throughout Florida, including Fort Pierce, Jacksonville, Ocala, and Clearwater, before being assigned to the College for Officers' Training in Atlanta, Georgia, where they would stay for three years. Majors David and Pat then went on to serve as corps officers at the Atlanta Temple Corps.

From Atlanta, David and Pat were assigned to Divisional Headquarters in Louisville, Kentucky. Here, David served as the divisional secretary and Pat served as assistant home league secretary. In 1995, the Waites moved to Austin, Texas, where David was appointed territorial candidates secretary and associate candidates secretary.

In 1997, David was named education secretary. His primary responsibility in this capacity was to transition the Education Department from Territorial Headquarters to the Evangeline Booth College. David was also responsible for opening the School for Continuing Education where he served as assistant principal. During their assignment in Austin, Pat opened the Continuing Education Center and served as its director. She also laid the ground work for the new continuing education programs and the degree completion program.

The Waites received their orders assigning them to Brazil in 1999. In Brazil, David served as associate public relations secretary, public relations secretary, and personnel secretary for the Brazil territory. Pat served as the territorial home league secretary and later, as assistant to the personnel secretary.

The Waites arrived in Mobile in 2002 where David was named area commander and Pat was named coordinator for women's activities. After six years of service in Mobile, the Waites are retiring to San Antonio, Florida, where many fellow Salvationists reside.

Madam Speaker, I ask my colleagues to join me in recognizing two dedicated community leaders and friends to many throughout Alabama. I know their family, their children, and their many friends join me in praising their accomplishments and extending thanks for their outstanding service over the years on behalf of the First District and the state of Alabama.

Majors David and Pat Waite will surely enjoy the well deserved time they now have to spend with family and loved ones. On behalf of a grateful community, I wish them the best of luck in all of their future endeavors.

RECOGNIZING MISSISSIPPI SENATE CONCURRENT RESOLUTION NO. 667

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. PICKERING. Madam Speaker, today I submit into the RECORD Concurrent Resolution No. 667 adopted by the Mississippi Senate and House of Representatives. The resolution urges the United States Congress to accept the decision of the United States Air Force concerning the award of the jet tanker contract to Northrop Grumman Corporation and EADS North America. Each day we delay approving this contract, we prevent the Air Force men and women from receiving the equipment necessary to ensure our national security. I encourage my colleagues to review this resolution.

SENATE CONCURRENT RESOLUTION NO. 667

Whereas, after an extensive evaluation process, the United States Air Force awarded a $35 Billion jet tanker contract to Northrop Grumman Corporation and EADS North America; and

Whereas, these vital military aircraft will be built at Mobile Brookley Field Industrial Complex, creating more than 2,000 new jobs for workers in the States of Mississippi and Alabama; and

Whereas, efforts to overturn the decision of the United States Air Force concerning its detailed analysis are irresponsible and a true threat to our national security; it is imperative that elected officials support the decision makers whom they entrust with these important determinations; and

Whereas, Mississippi workers are ready, able and eager to begin constructing the aircraft that the Untied States Air Force has rated as superior in five-out-of-five categories, and the interest of national defense should clearly rule over regional political posturing: Now, therefore, be it

Resolved by the Senate of the State of Mississippi, the House of Representatives concurring therein, That the United States Congress is respectfully encouraged to accept the decision of the United States Air Force concerning the awarding of the jet tanker contract to Northrop Grumman Corporation and EADS North America, refrain from turning this vital national security matter into a political free-for-all, and allow the competent and capable workers of Mississippi to immediately begin work on this critical contract. Be it further

Resolved, That this resolution be transmitted by the Secretary of the Senate to members of Mississippi's congressional delegation and to the Secretary of Defense and be made available to the Capitol Press Corps.

STRATEGIC PETROLEUM RESERVE FILL SUSPENSION AND CONSUMER PROTECTION ACT

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mr. CASTLE. Mr. Speaker, I rise today in support of the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act, H.R. 6022, which suspends the acquisition of oil for the Strategic Petroleum Reserve for the rest of this year, unless the average price of oil over a 90-day period drops below $75 a barrel. Earlier the Senate adopted an identical amendment, by a vote of 97–1.

As Memorial Day approaches and the summer driving season begins, there is little relief in sight for Americans from high prices at the pump, as gasoline prices quickly climb close to $4 a gallon and diesel fuel prices reach over $4 a gallon. Suspending acquisitions to the SPR, presently at 96 percent capacity, will free up 70,000 barrels of oil per day for supply and could reduce gasoline prices by 2–5 cents per gallon. Last month I was pleased to join Republican colleagues in calling on House leadership to temporarily suspend acquisitions to the SPR, and while such action will only free up a fraction of world oil supplies, I am pleased to lend my support to this first step in easing the financial pinch for families and truck drivers across the country.

The laws of supply and demand are real and high gas prices are one aspect of the bigger picture, and the fact remains that oil dependence affects our economy, security, and environment. In my view technology will take us to the next level in clean and alternative transportation fuels, and this requires robust investments now. Congress should address the cost-crunch today and act to ensure we have a comprehensive, clean, and secure energy policy for tomorrow.

In addition to the temporary suspension of acquisitions to the SPR, I believe we should also consider increasing refining capacity in the United States, without compromising environmental permitting, as well as ask transparency from oil producing countries to help verify available oil reserves and production capacity. Individual consumers too can take action by driving 55 miles per hour or less and proper tire inflation, which will slow gas consumption and save money. Looking forward, long-term extensions for renewable energy and energy efficiency tax credits are paramount; I have repeatedly supported efforts in the House to extend these important incentives and believe solutions to the present logjam over oil and gas subsidies are long overdue. I recently joined colleagues in the House as a supporter of the Clean Energy Tax Stimulus Act of 2008, which would provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency that would otherwise lapse under current tax law legislation.

There will be ongoing discussions about energy policies in Congress, and proposals will range from domestic drilling to lowering demand. As demand for world oil continues to climb, supply concerns are real. I support looking for alternatives before drilling in some of our most sensitive coastal areas, however Congress did open an additional 8.3 million acres in the eastern Gulf of Mexico, ''Lease 181,'' to new oil and gas leases in December 2006, and I read with interest the oil discovery in the deep waters of the Gulf of Mexico that was just announced by Chevron.

Last year, Congress worked in a bipartisan manner to reduce our demand for oil by increasing the fuel economy standards for cars and trucks. It is my great hope that members on both sides of the aisle will continue to work on policies to reduce consumption, encourage innovative technology development, and promote energy self-sufficiency. I am pleased to support this temporary suspension to the SPR and hope it begins a meaningful dialogue about energy policy in this country, which is so important not only for national security but also for tackling global warming.

THE PASSING OF CONGRESSWOMAN BONO MACK'S FATHER CLAY WESTERFIELD WHITAKER, M.D.

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. DREIER. Madam Speaker, it is with great sadness we share the news of the passing of Clay Westerfield Whitaker, M.D., father of Representative MARY BONO MACK, on May 13th after a long and valiant battle with prostate cancer. It was an honor to have known Dr. Whitaker and it is a privilege to serve with Congresswoman BONO MACK who is a testament and tribute to her father. From the talks I had with Dr. Whitaker, I know how proud he was of her great work.

Born in Greenville, Kentucky on April 17, 1924, Whitaker was the son of Eva Nell Hunt Whitaker and Levi Whitaker. The youngest of six siblings, all of whom preceded him in death, he was only five years old when his father, a physician, died at the age of thirty. Whitaker's mother, now a single parent, worked hard to make ends meet during the years of the Great Depression. When speaking of those years, Whitaker often said, ''We didn't think we were poor; we just didn't have any money.'' His mother understood the importance of a good education, and along with his sisters, he was admitted to Berea College in Kentucky. At Berea, he met the love of his life, Karen Lee Taylor. Together, they enjoyed music and an active campus life until his college education was interrupted when he entered the Army Air Corps during WWII. Assigned to the 8th Air Force, 95th Bomb Group, 334th Squadron stationed in Horham, England, Whitaker served as a B–17 waist gunner and flew 19 missions over Germany. After victory had been achieved, Whitaker wrote to his college sweetheart asking for her hand in marriage when he returned to Berea College.

Upon returning home, Whitaker was greeted at the train station by his sister and future bride, Karen. As he stepped off the train, his

sister informed him that his wedding was scheduled for the very next day, June 30, 1944. So began a lifetime of mutual devotion. Whitaker completed his college education at Berea with a degree in chemistry and applied to Western Reserve medical school where he earned his M.D. in otolaryngology (ear, nose & throat) and then set-up his medical practice in Cleveland, Ohio. While living in Cleveland, he and Karen had four children, Stephen, David, Katherine and MARY.

In 1963, Whitaker moved the family west to Los Angeles where he accepted a position as co-chair of the ENT department at L.A. County—USC Medical Center. As professor of ENT, he remained at USC until 1983 when he moved to Asheville, North Carolina, to chair the ENT department at the VA hospital and establish an ENT program at that facility for Duke University. He held that position until his retirement from the practice of medicine.

Whitaker loved the outdoors, especially hiking, camping and the Land Rovers that transported him to the backcountry. He loved classical music, the arts, sciences, literature, cars and vintage war planes. But most of all, he loved his family. Known by family and friends as a man of immense generosity and compassion, he was a remarkably selfless and humble individual. His quick wit and keen sense of humor enlivened many family and social gatherings, and he was deeply respected in the communities in which he lived.

Preceded in death by his beloved Karen, Whitaker is survived by his four children, Stephen Whitaker and his wife, Teri, of Bruceville, Indiana; David Whitaker and his wife, Carol, of Sealy, Texas; Katherine Whitaker of Asheville, North Carolina; and Congresswoman MARY BONO MACK of Palm Springs, California, and her husband, Congressman CONNIE MACK. He is also survived by eight grandchildren, Laura Kenney and her husband, Doug; Daniel and Christopher Whitaker, Cameron and Ian Whitaker, Teresa Shuford, and Chesare and Chianna Bono, and one great grandson, Thomas Kenney.

Our deepest condolences go out to our colleague MARY BONO MACK and the entire Whitaker family.

INTRODUCTION OF A RESOLUTION EXPRESSING THE SENSE OF THE CONGRESS THAT THE UNITED STATES SHOULD USE ALL APPROPRIATE MEASURES TO END COMMERCIAL WHALING

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. RAHALL. Madam Speaker, today I am introducing a resolution expressing the sense of the Congress that the United States, through the International Whaling Commission, IWC, should use all appropriate measures to end commercial whaling in all of its existing or potential forms and seek to strengthen whale conservation and management measures.

Whales cannot be humanely killed, according to Dr. Peter Singer, a professor of bioethics at Princeton University. As Dr. Singer said, causing suffering to innocent beings, without an extremely weighty reason for doing so, is wrong. Beyond subsistence needs, it is difficult to think of a reason weighty enough to cause such suffering to one of God's most magnificent creatures.

As such, the purpose of my resolution is to send a strong message to the Administration as it prepares for the June 2008 meeting of the International Whaling Commission, IWC, in Santiago. The message is simple: now is not the time to capitulate to calls to weaken or undermine the IWC ban on commercial whaling. The American people care deeply about protecting whales, and the U.S. should continue to be an international leader in whale conservation.

Established in 1946, the IWC's initial focus was the allocation of whaling quotas among member countries. Unfortunately, whalers from many countries routinely exceeded these quotas, and whale populations plummeted. In response, the IWC instituted a moratorium on the commercial killing of whales in 1986.

Despite this moratorium, significant whaling has continued. Norway officially objected to the moratorium and resumed commercial whaling in 1993. Japan and Iceland have been using a provision in the Convention—which allows countries to issue themselves permits for ''scientific whaling''—to kill whales under the guise of science, and later sell the meat commercially. More than 11,000 whales have been reportedly killed in lethal scientific whaling programs since the adoption of the commercial whaling moratorium, even though the IWC Scientific Committee has repeatedly stated that such lethal takes are not necessary for scientific research.

At the same time, Japan is calling for the IWC to once again sanction commercial whaling in the form of ''coastal'' whaling, ''community'' whaling, or some other iteration of small-scale commercial whaling that will effectively eviscerate the moratorium.

In contrast, the anti-whaling nations want the IWC to look to the future—a future in which whales are protected and their nonlethal use is promoted. With its 75-plus members almost evenly divided between anti- and pro-whaling, it is imperative that the U.S. make clear its strong stand against the resumption of any form of commercial whaling, including community whaling, and that we press for the end of ''scientific'' whaling that is anything but scientific.

Therefore, the resolution I am introducing today calls on the U.S. delegation to the IWC to remain firmly opposed to commercial whaling in all its forms. The resolution urges the U.S. to not only initiate or support efforts to oppose the unnecessary lethal taking of whales for scientific purposes, but also seek to end the sale of meat and blubber from whales killed for scientific research in order to remove this perverse incentive. The resolution also calls on the U.S. to reject proposals that would weaken or lift the moratorium on commercial whaling by creating a new category of whaling deceptively called coastal or community whaling.

It is more critical than ever that the U.S. remain firmly opposed to any proposals to resume even a limited level of commercial whaling and to maintain its leadership role in shaping global whale conservation policies through the IWC. The administration must not undo more than 20 years of whale conservation and capitulate to Japan's demand for a sanctioned resumption of coastal commercial whaling. Instead, the U.S. should again demonstrate leadership in whale conservation and promote nonlethal uses of whales—such as whale watching—a far more benign and profitable venture. Worldwide, tourists spend an estimated $1.5 billion on whale watching each year.

Whales constitute a vital component of the world's marine ecosystems and are some of the largest and most intelligent mammals on Earth. Conserving them requires us to uphold strong international agreements and maintain an unwavering commitment to protecting these species from killing for commercial gain. I thank my colleagues for cosponsoring this resolution, and I urge all Members to support it.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. COHEN. Madam Speaker, I rise to explain both my leave of absence from the House of Representatives on May 8, 2008, and how I intended to vote with respect to the legislation that was before the House on that day. I was unable to be in Washington on May 8 because I was serving as a pallbearer at the funeral of Thomas Boggs—a close friend of mine for over 30 years and an outstanding citizen of Memphis, Tennessee—at the request of his widow.

While Thomas made a name for himself by rising from humble roots to become a highly successful restaurateur in Memphis, his mark on the city goes much deeper. He used his success in business to contribute generously, both in terms of his money and his time, to causes that have enriched Memphis. His contributions to the community have benefited all Memphians, and his death leaves Memphis in grief. As a reflection of how much esteem the Memphis community held him in, the Memphis Commercial-Appeal ran a front-page, above-the-fold article concerning his death, an almost unprecedented tribute.

I agonized over whether I should remain in Washington to vote on the bills that the House was to consider on the day of Thomas' funeral. I take my responsibilities as a Member of Congress very seriously, particularly with respect to voting on legislation. In the end, I decided that I needed to join the rest of the Memphis community as our dear friend was eulogized and honored for one last time.

Had I been able to be in Washington on May 8, I would have voted for final passage of H.R. 5818, the ''Neighborhood Stabilization Act of 2008,'' as amended. This legislation requires the Department of Housing and Urban Development to provide loans and grants to States, metropolitan cities, and urban counties to carry out housing stimulus activities. Such activities include the purchase of or financing the purchase of foreclosed homes for resale as housing, rental of such homes, or rehabilitation of such homes. These measures are designed to ensure that neighborhoods do not deteriorate as a result of a high foreclosure rate caused by predatory lending. In short, this bill will help to mitigate some of the negative effects of the foreclosure crisis.

I also would have voted in favor of agreeing to the Senate amendment, with House amendments, to H.R. 3221, the ''Foreclosure Prevention Act of 2008.'' This bill helps homeowners

who are in danger of losing their homes to refinance into lower-cost, government-insured mortgages they can afford to repay. It also expands affordable mortgage opportunities for families who might otherwise turn to subprime mortgages to buy a home. The bill, as amended by the House, will also expand tax benefits for homeowners and first-time home buyers. This bill, when combined with H.R. 5818, presents a comprehensive package for addressing the predatory lending and foreclosure crises that our country faces.

In addition to the housing-related bills, I also would have voted in favor of H.R. 4279, the ''Prioritizing Resources and Organization for Intellectual Property Act of 2008'' (PRO–IP Act.) I am an original cosponsor of this bill and spoke in favor of its passage when it was being debated on the House floor a few days before the vote. As I noted then, this legislation makes important improvements to intellectual property law to help protect against counterfeiting and piracy, including enhanced penalties for intellectual property crimes, additional resources for law enforcement efforts at every level of government, and the creation of a new organizational framework at the Federal level to better combat international piracy and counterfeiting. This bill enjoys widespread support, and everyone from the U.S. Chamber of Commerce to the Teamsters supports it. I am glad that it passed with strong bipartisan support.

Finally, I note that I would have voted against the Flake and Cantor Motions to Instruct Conferees on H.R. 2419, the ''Farm, Nutrition, and Bioenergy Act.''

TRIBUTE TO ROBERT RAUSCHENBERG, AMERICAN ARTIST

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. MACK. Madam Speaker, I rise today to honor one of America's greatest art pioneers of the 20th century, Robert Rauschenberg, who passed away on Monday at the age of 82 on Captiva Island. He led an extraordinary life and his unique approach to abstract expressionism helped to pave the way for a new generation of contemporary artists.

Mr. Rauschenberg was born in 1925 in Port Arthur, Texas. His love for art grew while he served in the U.S. Navy during World War II and had a chance to visit an art museum at the age of 18. When he returned home from the war, he used his GI Bill benefits to pay his tuition at art school.

Throughout the 1950s and 1960s, Mr. Rauschenberg's portfolio was varied and diverse. He rejected abstract expressionism and searched for a new method of painting. Incorporating his enthusiasm for popular culture, he turned to pop art, and used materials traditionally outside of the mainstream. He was also a sculptor and choreographer.

Mr. Rauschenberg moved to Captiva Island in the 1970s. Perhaps the thing that Mr. Rauschenberg will most be remembered for in southwest Florida was his contributions to the art community in our region. He generously donated to the gallery on the Edison College campus in Fort Myers, giving them the rights to reproduce his prints and posters and thus allowing the institution to support itself financially.

In addition, Mr. Rauschenberg enjoyed sharing his love of art to art students and the general public and was often on hand at gallery openings to support local artists. He was also a strong supporter of Arts for ACT, a charity that supports a shelter for abused women.

Although Mr. Rauschenberg is no longer with us on earth, his memory will live on in the paintings he loved so much, the art community in southwest Florida he fostered and supported, and the people he met and inspired every day.

HONORING MR. IRV ZAKHEIM

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mrs. MCMORRIS RODGERS. Madam Speaker, I rise today to recognize Mr. Irv Zakheim, recipient of the Eastern Washington University 2008 Entrepreneur of the Year award. I am pleased to join with the EWU Center for Entrepreneurial Activities in honoring Mr. Zakheim as a key business leader, locally and globally.

Built on humble beginnings, Mr. Zakheim has grown his company, Zak! Designs, from a small business to a major global competitor with nine offices worldwide. Today, anyone with children would recognize the products that first brought national attention to Zak! Designs.

Zak! Designs is a company that creates dinnerware, drinkware and lunch kits featuring popular animated characters. They have recently added travelware for on-the-go lifestyles, additional products at the forefront of tabletop trends, and customized programs that bring fresh looks to retailers.

In addition to his business pursuits, Mr. Zakheim plays an integral role in the community. He is the founder of the Zak! Celebrity Open, an annual golfing fundraiser that has brought in more than $1.5 million for charitable organizations in its eight years of existence. Last year alone, the Zak! Celebrity Open raised $450,000 for the Rypien Foundation and YWCA's Child and Youth Services.

Madam Speaker, Irv Zakheim embodies the entrepreneurial and giving spirit that makes this country so great. I commend Mr. Zakheim for his important contribution to the business community and invite my colleagues to join me in congratulating him on receiving this award.

MENTAL HEALTH MONTH

SPEECH OF

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mr. KENNEDY. Mr. Speaker, I rise in support of H. Res. 1134, legislation to support the goals and ideals of Mental Health Month. I would like to thank my colleagues and co-chairs of the Mental Health Caucus, Representative NAPOLITANO and Representative MURPHY, for their continued dedication to educating Congress on this most important issue.

It is critical for Congress to recognize May as Mental Health Month because we have the leadership role and the responsibility to transform mental health care in America. We are working to change the access, the delivery system and the outcomes of care. But we are also working to bring down the barriers to action that exist because of stigma, ignorance and misunderstanding of mental illness and substance use.

Congress must work to increase public awareness and understanding of mental illness and substance use by funding research in genetics and functional medicine and developing and translating this research into effective treatments. We have the evidence to show how the brain suffers from the effects of mental illness and substance use. We know also that people who suffer the long term effects of mental illness die at an earlier age, suffer from untreated diabetes, hypertension and other chronic disease, because it is so difficult to get the care they need to protect their health and functioning.

Several years ago, our Nation did not talk about cancer because of our fears, our poor understanding and our dread of losing our loved ones. Now mental illness is emerging from that same silence and neglect. As President Kennedy said, ''This neglect must end, if our Nation is to live up to its own standards of compassion and dignity.''

For all our citizens bearing the burdens of mental illness and substance use, and their families, especially their children, we are working to improve the awareness, understanding and effective treatment of mental illness. We owe it to our veterans to fully treat the damaging psychological wounds of war as well as their physical injuries. We owe it to their children to return them well and sound to be the parents and spouses they deserve to be.

This leadership is a shared responsibility with Federal agencies, State and local governments, employers, businesses, churches, law enforcement, schools, sports, the entertainment industry, and every part of our community. I thank my colleagues for bringing this resolution to the floor and join them in their support recognizing May as Mental Health Month.

CALLING ATTENTION TO THIS COUNTRY'S ORGAN DONATION CRISIS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. RANGEL. Madam Speaker, I rise today to note—with alarm—that organ donations are not keeping pace with need in this country, resulting in the deaths of 18 patients per day as they wait idly by for lifelines. The shortage proves particularly detrimental to minority patients, who together make up a staggering 50 percent of people on the transplant waiting list. Because of a paucity of minority donors, and the bruising effect of disparate and unequal access to health care, minority patients find themselves most vulnerable to a deepening crisis that should rally all Americans to the cause.

The health of our citizens should remain foremost on our minds. As the leading power

and example in the world, this country should strive to carve out a premier health care system that works for everyone, not just the politically connected, not just the moneyed. For every American, we have safeguarded the promise of life, liberty, and happiness—and we ought to make good on that. We can have none of the three without adequate health care. This should be our national pride: to continually develop and improve upon our remarkable successes in medicine, to shape and mold a health care system that is the envy of the world.

An April 22 New York CARIB News piece, titled ''Organ Donation A Crisis Among Minorities'' and written by Dr. Jennifer Wider, denotes these concerns and offers solutions.

ORGAN DONATION A CRISIS AMONG MINORITIES

The number of people needing organ transplants is rising faster than the number of donors, according to statistics from the U.S. Department of Health and Human Services. Roughly 77 people receive organ transplants per day in the United States, but 18 people die each day waiting for transplants that will never happen due to the shortage of available organs.

Organ transplantation involves putting organs or tissues from one person into the body of another person, whose organs or tissues have been damaged or are no longer working.

''The recipient has to be immunologically matched to the donor well enough that the organ won't be immediately rejected,'' says Mark Schnitzler, Ph.D., assistant professor of health administration at Washington University School of Medicine in St. Louis. ''Blood type match has to be acceptable and the recipient can't be already sensitized to the donor's tissue types.''

The need for transplants is particularly high among minorities, especially among African-Americans. Of the 83,000 people on the national transplant waiting list, approximately fifty percent are minorities, according to United Network for Organ Sharing.

According to a recent study in the American Journal for Respiratory Critical Care Medicine, David J. Lederer, M.D., and colleagues at Columbia University College of Physicians and Surgeons in New York found that, ''After listing for lung transplantation, African-American patients with chronic obstructive pulmonary disease were less likely to undergo transplantation and more likely to die or be removed from the list compared with Caucasian patients.'' Unequal access to care is among the likely reasons Lederer and his team cited for this disparity.

Organ donation recipients are more likely to match up to others of their own race and ethnicity. ''Both blood type and tissue types have racial and ethnic patterns,'' Schnitzler said. That is why it is important to look into ways to increase minority organ donations.

The need for more donor organs among minority women is especially great because minority women suffer disproportionately from certain diseases of the kidney, heart, lung, pancreas, and liver that can lead to organ failure.

''Minority women are well represented as a share of the total population that donates organs, but their need for transplants is greater,'' said Sherry Marts, Ph.D., vice president of scientific affairs for the Society for Women's Health Research, a Washington, D.C., based advocacy organization. ''Because of a shortage of appropriate donor organs, minority women often have to wait longer for doctors to find a match. Sadly, many die waiting. With more donated organs from minority women, finding a match will be quicker, waiting times will be cut and more lives will be saved.''

Further complicating matters are studies that show the biological sex of the organ donor and recipient can affect transplant success. At least one study has found that the combinations least likely to result in organ rejection are female recipient-male donor, followed by male recipient-male donor.

''These findings have not yet affected clinical practice because of the organ shortage,'' Marts said. ''Doctors can't afford to wait for the most optimal donor-recipient combination where the sex of the patients is concerned. They have to make the best decisions possible with the limited organs available. As organ preservation techniques improve, however, this could become a factor.''

Health promotion and disease prevention programs are needed to shed light on the diseases and negative lifestyle choices that may increase the need for organ transplants. Diseases such as diabetes and hypertension and behaviors including alcohol and substance abuse, poor nutrition and lack of exercise are all risk factors for diseases that can cause permanent or irreversible damage to organs and tissues.

The Minority Organ Tissue Transplant Education Program is working to increase awareness for minority organ donation. This program also provides information that is vital to good health and can delay or prevent the need for organ transplants. Here are some of the program's key tips:

Have your blood pressure checked at least twice per year after age 12; Diabetics should have blood pressure checked regularly and follow diet and exercise instructions; Avoid alcoholic beverages to help prevent liver disease; Avoid use of illegal drugs such as marijuana, heroin and cocaine which cause liver disease and kidney failure; Avoid smoking cigarettes which can lead to heart and lung disease; Avoid foods high in cholesterol and saturated fats such as fried foods which can clog the arteries; Establish a regular exercise routine which should be performed at least three times per week; Visit your doctor at least once per year for a check-up.

April is National Donate Life Month. Information about organ and tissue donation is available on a special Web site from the U.S. Department of Health and Human Services: http://www.organdonor.gov/.

COMMEMORATING ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. ABERCROMBIE. Madam Speaker, I rise today to commemorate Asian Pacific American—APA—Heritage Month. I am pleased to celebrate this important event.

May 2008 marks 30 years since President Jimmy Carter signed a joint Congressional resolution declaring the first 10 days of May as Asian Pacific American Heritage Week. In 1992, the commemoration was extended to the full month of May.

While it's an appropriate time to note the achievements of Asian Pacific Americans, APAs, we cannot overlook the needs of the community, including a fair and sensible immigration policy. I chair the Immigration Task Force of the Congressional Asian Pacific American Caucus's, CAPAC, and I will continue to fight for the needs of family within the immigration debate.

The challenge has become much more difficult in the last year because the presidential primary campaigns have poisoned the discussion, focusing all their attention on undocumented immigrants from Mexico and calls for higher fences and tougher enforcement. Completely ignored is the fact that immigration issues facing Asian and Pacific Americans are far different. And those issues have been completely drowned out by the shrill demonization of illegal immigrants.

One of the major issues for the Asian Pacific American community is family reunification: allowing relatives of legal permanent residents, other than spouses and minor children, to immigrate legally and join their families. It can take the U.S. Citizenship and Immigration Services (USCIS) as long as 23 years to even consider an application for a family member from the Philippines.

The extended family is a foundation in many of our cultures, and it provides real benefits to the greater society as well. Families often pool resources to educate children or purchase homes and establish roots in their communities. We often see extended family networks starting businesses, providing economic development and jobs.

It is important that we move the debate on immigration past the bumper sticker solutions that have dominated the public dialog and work together to advocate for the needs of family. I believe we must find a just, practical and humane response to the 12 million undocumented immigrants living in the shadows of our society. But, we cannot forget that families that are separated tear at the very fabric of what America means. I urge my colleagues to learn more about this issue during APA Heritage Month and throughout the year, and work for comprehensive and human immigration reform for the APA community.

HONORING BARBARA KORNER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. ENGEL. Madam Speaker, Barbara Korner throughout her life, interwoven with the strands of wife, mother, and teacher are patterns that appear and reappear: Her devotion and love for the Sinai Free Synagogue makes Kehillah Kedosha (sacred congregation) a way of life in all that she does.

She reaches out to all, teaching the youngest, Beresheet Bunch, to welcoming the eldest at services; to honoring the most revered as chair of the Congregant of the Year dinner dance. She initiates new relationships and strengthens existing ones in the Women's Spirituality Circle, as well as giving herself to fundraising projects such as Honey for Rosh Hashanah.

Whether serving food during a concert, shopping for bagels for an adult education brunch, or selecting beautiful Judaica for the shop, she brings friendship and caring to the synagogue community.

She has a long history of volunteerism at Sinai Free Synagogue, and the Free Synagogue before that. She has been honored with the Congregant of the Year Award, having served as Religious School Board co-chair, Hospitality Chair for the successful congregational dinners, and co-chair to the Jewish Festival.

She was born in New York City to Ruth and Murray Zucker, and graduated from Hunter College. She taught at P.S. 100 for her entire career and met her husband Ira there. They married in 1970 and have three children, Matthew, Shelbey and Ari, and three grandchildren Daniel, Maia and Gabriel.

Barbara Korner is a vital part of the leadership at the synagogue and the community at large, with her enthusiasm, her artistic flair, and her strong sense of tikkun olam in everything she does. She has made Sinai Free Synagogue into a community, and helped to strengthen the Jewish community in Mt. Vernon.

THANKING MR. FRANK JONES FOR HIS SERVICE TO THE HOUSE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. BRADY of Pennsylvania. Madam Speaker, on the occasion of his retirement on June 30, 2008, I rise to thank Mr. Frank Jones for his 32 years of outstanding service to the United States House of Representatives.

Frank graduated from Brook High School in Calvert County, MD and moved to DC in 1962. He started working at the Washington Post selling subscriptions. He wanted to learn a trade and decided on printing. Frank went to work at A&E Blueprinters learning all facets of the trade from 1963–1969.

Looking for a change in profession, he obtained a job at Seibert Decorators in Washington, DC in 1969. It was there that he began to learn and hone his skills as an accomplished upholsterer. Frank came to the House upholstery shop in February 1977 and worked there until his retirement.

Over the next 15 years he artfully upholstered many pieces of House furniture. Among his list of accomplishments is the upholstery shop's most valued piece of furniture, the Turkish Chair. He has trained numerous employees, teaching the techniques, touch, and feel needed to upholster this chair. He redesigned and tufted the ''Sam Rayburn Chair'' for the then Clerk of the House, Donald Anderson. Over the years he has worked on the Lincoln Catafalque several times, preparing it for ceremonies for Presidents lying-in-state at the Capitol. For the last 17 years he has served as Foreman of the House Upholstery Shop, passing on his wealth of knowledge and talent in the trade.

On a more personal note, Frank has always gone out of his way to ensure that all of his customers are completely satisfied. Frank has operated his own upholstery business for almost 40 years and the quality of his work and dedication to his craft are well known in the DC–MD–VA area. In addition, Frank is part owner and driver of Millennium Tours bus service. He has always been interested in team sports and played with many of his coworkers on the House Rockers softball team from the late 1980s to the 1990s in the Congressional Softball League. He now enjoys bowling and travels around the country participating in tournaments. Frank is, and always has been, very involved with his church, singing with the choir, performing solos, and participating in services.

On behalf of the U.S. House of Representatives, I personally congratulate Frank on his retirement and thank him for all he has done for this institution. I wish Frank the best and good luck in all his future endeavors.

HONORING LAWTON FIRE DEPARTMENT

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. UPTON. Madam Speaker, it is my honor to rise today in recognition of the Lawton Fire Department of Lawton, Michigan on the occasion of its 150th anniversary.

Since 1858, Lawton firefighters have bravely served their fellow village residents, working endlessly to promote the health, safety, and well-being of their community. In addition to providing protection and emergency relief services, the department has actively invested itself in the Lawton community, positively impacting those lives they seek to protect.

I am proud and fortunate to represent the citizens of Southwest Michigan because we believe in continually striving to improve our quality of life. Because of the fine work of courageous men and women at the Lawton Fire Department, Michigan is truly a better place to live.

Again, it is my honor to stand today in recognition of the Lawton Fire Department for its 150 years of outstanding and selfless service to the residents of Lawton, Michigan.

CELEBRATING THE 60TH ANNIVERSARY OF ISRAELI STATEHOOD

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mrs. JONES of Ohio. Madam Speaker, I rise today in celebration of Israel's 60th anniversary of statehood.

On May 14th, 1948, David Ben-Gurion announced to the world that the State of Israel had been created. This declaration was made in accordance with the United Nations Resolution 181 which was passed in November 1947. The creation of two states was proposed, one Jewish and one Palestinian. The new State of Israel established an opportunity for Ben-Gurion and other Zionists to realize a return to the ''promised land.''

Although the new state would be tested immediately following its creation, its citizens, supporters and ideals would hold. Even at the conclusion of the first Arab-Israeli War, a constant barrage of state and non-state actors would seek to destroy this government. Sixty years later this battle continues, as the entire world copes with the challenging yet necessary task of respecting the beliefs of others and protecting the natural rights of all mankind.

The ''land of milk and honey'' is significant not only for its ability to offer refuge to a people who have been persecuted for the past 2 millennia, but to also demonstrate the global communities' determination to right wrongs and to help their fellow man. Today there are close to 7 million individuals who inhabit Israel. Although the vast majority of those persons happen to be Jewish, there are also people who follow the Christian and Arab faiths. While there happens to be conflict currently between the Jewish and Muslim populations, the possibility of Israelis and Palestinians coexisting in peace is still feasible.

As a Member of Congress, I have been blessed with the opportunity to visit Israel, to talk with those that live there and to see the success that it has become. There exists within the Eleventh Congressional District of Ohio and across the United States, a strong community of individuals who are committed to supporting our close ally. I am proud to consider myself a fellow advocate and look forward to supporting the State of Israel in the future.

May the people and the government of Israel continue to enjoy their statehood and be blessed with peace.

THE DEPARTMENT OF THE INTERIOR'S ROLE IN FILLING THE STRATEGIC PETROLEUM RESERVE AS IT RELATES TO H.R. 6022, THE STRATEGIC PETROLEUM RESERVE FILL SUSPENSION AND CONSUMER PROTECTION ACT

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. RAHALL. Madam Speaker, on Tuesday, May 13, 2008, the House overwhelmingly passed H.R. 6022, the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act by a bipartisan vote of 385–25.

This important piece of legislation is now awaiting action by the Senate, which passed a similar bill 97–1. Hopefully this bill will be on the President's desk in the immediate future, and he will sign it into law so that American consumers can experience some relief immediately.

The purpose of the bill is to temporarily halt filling the Strategic Petroleum Reserve (SPR) while oil is at recordbreaking highs. It makes absolutely no sense for the Government to be buying oil at roughly $125 a barrel and pumping it underground. While this is a modest measure to address gasoline prices, every little bit helps, as the President noted over 2 years ago. Considering that American taxpayers are paying $9 million a day to continue filling the reserve, I think halting the purchases is more than just a ''little bit.''

The Strategic Petroleum Reserve was created in 1975 to respond to the first Arab oil embargo of the 1970s. Originally, the Department of Energy was provided with appropriations to purchase oil to fill the SPR, but in 1999 the situation changed, and it was announced that oil taken as a ''royalty-in-kind'' from production in the Gulf of Mexico would be used instead. Through the end of the last fiscal year, the Department of the Interior has provided roughly 140 million barrels of royalty-in-kind oil to fill the SPR, valued at approximately $4.6 billion. Today, the SPR is almost 97 percent full, yet royalty-in-kind oil is still flowing into it at a rate of 70,000 barrels, worth, as stated above, nearly $9 million per day.

As in any government contractual undertaking, the act of suspending shipments of oil to the SPR cannot occur without some adjustments in schedules, and it will take some time as well. For example, the Department of Energy will have to suspend its contracts with those entities that are delivering the oil to the SPR, and at any given moment a huge quantity of oil is already in transit.

My interest, however, as chairman of the Committee on Natural Resources, which has primary jurisdiction over the Department of the Interior and the program that has been transferring royalty-in-kind oil to the Department of Energy, is to ensure that proper guidance and oversight is provided to that Department of the Interior.

To that end, we understand the language of Section 2(c) of H.R. 6022 to provide the necessary authority to the Secretary to terminate existing SPR-related contracts and dispose of any remaining RIK oil accordingly.

Under the terms of Federal oil and gas leases, the Federal Government is entitled to a percentage of the proceeds derived from the sale of oil and gas produced on Federal lands. The specific percentage is set by the terms of the lease, and typically ranges from 12.5 and 18.75 percent. The Secretary of the Interior is authorized to take that percentage either in the form of a cash payment or in the form of oil or gas itself. This latter method is called royalty-in-kind, RIK, and when the Government chooses to take its royalty-in-kind, it then typically sells—using private marketing companies—that oil and gas on the open market, directly competing with private firms. Currently, some of that RIK oil is not sold, but instead is directed towards filling the SPR.

Under the terms of the RIK–SPR program, the Secretary of the Interior enters into long-term transportation contracts with energy companies to deliver royalty oil from the Gulf of Mexico to an onshore market center, where title is transferred to the Department of Energy. These contracts are typically for 6-month terms, and on May 1, the Interior Department issued those contracts for the period of July 1 to December 31 of this year. These contracts have a contingency clause to convert them from purely transportation to an outright sale contracts, but there is a 45-day notification requirement before such a conversion can occur.

In order to get the oil from the onshore market center to the SPR, the Department of Energy enters into exchange contracts with energy companies. Under the terms of the exchange contract, the contractor takes title of the oil at the market center, and then delivers other oil that meets SPR specifications at one of the SPR sites. Consequently, the RIK oil does not directly flow into the SPR.

The language of H.R. 6022 directs the Secretary of the Interior to ''suspend acquisition of petroleum for the Strategic Petroleum Reserve through the royalty-in-kind program.'' This means that the Department must terminate its transportation contracts and suspend delivery of the RIK oil to the SPR. In order to ensure that the Department of the Interior does not end up leaving RIK oil ''in the pipeline'' so to speak, H.R. 6022 intends that the Secretary convert the transportation contracts into sales contracts as soon as practicable and in accordance with the terms of the transportation contracts.

This is the obvious intention of the bill, as Congress would certainly not want to strand tens of thousands of barrels of oil a day in pipelines across America. Consequently, we envision that the Department of Energy will continue to accept the oil at the market centers for as long as the Department of the Interior is contractually obligated to have it delivered, which we anticipate will not exceed 45 days from enactment of H.R. 6022.

Congressional intent in this matter is to require the Departments of the Interior and Energy to end the process of filling the Strategic Petroleum Reserve as rapidly as possible. The Department of the Interior should immediately, upon enactment of this legislation, provide the necessary notice to their contractors that RIK delivery contracts will be converted to sale contracts within 45 days.

INTRODUCTION BY CONGRESSWOMAN JANE HARMAN FOR THE PUBLIC SAFETY BROADBAND AUTHORIZATION ACT OF 2008

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Ms. HARMAN. Madam Speaker, I rise to introduce legislation that takes a modest but essential step toward solving our Nation's emergency communications crisis.

For over 6 years, I have worked passionately to prevent a tragic repetition of the communications problems that led to the deaths of hundreds of first responders on 9/11—namely, the lack of an interoperable network that would have allowed police and firefighters in the twin towers to communicate with each other. This issue has been one of my highest priorities as a policymaker.

In recent years, Congress has appropriated grant funds for first responder communications and freed 24 MHz of new spectrum for public safety use. But our efforts have fallen short. Police, fire, and emergency medical service agencies across the country still rely on a balkanized patchwork of aging radio systems that hampers interagency coordination and puts lives at risk.

This year is our best chance, and maybe our last chance for years, to change our emergency communications landscape with a single, interoperable network for all of our Nation's brave first responders.

Next February, the DTV transition will free valuable broadcast spectrum in the 700 MHz band. Last year, the Federal Communications Commission designed an innovative auction for a block of this spectrum. The winner of the so-called ''D'' block would be required to build a nationwide, wireless broadband network to serve both commercial and public safety users.

This sensible, market-based approach recognized that public safety agencies are cut off from the advances of the 21st century, plagued by the lack of a national communications platform and chronically short of funding. The FCC envisioned a public-private partnership to provide state-of-the-art technology to public safety users and fund a multi-billion dollar public safety network with private capital.

Unfortunately, the D block failed to attract a winning bid. In the aftermath of that failure, we have learned much about the flaws of the first auction and what we must do to get it right the second time. The FCC is now laying the groundwork for a new auction that I fervently hope will lead to a successful shared network.

Congress should be involved in this process and ensure that the Public Safety Broadband Licensee, the not-for-profit entity representing public safety in this partnership, is an independent and effective voice for first responders.

The legislation I introduce today will start a conversation about how to achieve that goal. It authorizes $4 million—a modest, interim funding stream—to help the FCC establish this new interoperable network and allows the FCC to grant part of these funds to the Public Safety Broadband Licensee to cover its administrative and operational costs.

My legislation includes requirements to ensure transparency and promote vigorous oversight by both Congress and the FCC. It prohibits the Public Safety Broadband Licensee from accepting third-party funds after receiving FCC grants and from using government funding to repay outstanding debts. The bill also mandates strict reporting requirements to the FCC and Congress.

On 9/11, hundreds of firefighters and police officers died at the World Trade Center, in part because of their hopelessly impaired communications systems. Sadly, nearly 7 years later, public safety agencies still struggle with the exact same problem.

The D block auction is our best chance to solve the interoperability crisis that will plague our response to the next natural disaster or terrorist attack. Congress should act now to ensure its success.

IN RECOGNITION OF THE RETIREMENT OF SERGEANT THOMAS SAVAGE RICE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today in recognition of Sergeant Thomas Savage Rice upon his retirement from the United States Army Reserve.

Sergeant Rice's commitment to his country and community spans several decades. With almost 40 years of service, Sergeant Rice has dutifully devoted his time to assignments across the Nation. Ft. Eustis, Virginia, Ft. Lewis, Washington, and Ft. McNair, Washington DC, are just a few of the many locations that Sergeant Rice has nobly served. He has ably worked in countless positions and various specialties, resulting in seven promotions over a 25 year span including his current rank of Sergeant.

Throughout his career with the United States Army and United States Army Reserve, Sergeant Rice has received numerous accolades and awards including the Joint Service Achievement Medal and the Saudi Arabian Kuwait Liberation Medal; all of which attest to his hard work and perseverance. In addition to recognition gained through his military career, Sergeant Rice lives a highly exemplary civilian life. He is a restaurant owner and serves on the board of the Florida Restaurant and Lodging Association. He was also the 2004 recipient of Florida's Good Neighbor Award from the National Restaurant Association.

The duty Sergeant Rice has performed, as well as his outstanding tenure in the military, is a reflection of the dedication and valor he possesses. Madam Speaker, on behalf of the United States Congress, I am proud to honor Sergeant Thomas Savage Rice for his enduring allegiance to our great Nation and the State of Florida.

ECONOMIC CONDITIONS IN GAZA MUST BE IMPROVED

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. KUCINICH. Madam Speaker, since late January 2008, the 1.5 million people in Gaza have been enduring an Israeli-imposed blockade. The blockade effectively restricts the entry of food, clean water, fuel, and medical supplies. The lack of basic goods has severely deteriorated Gaza's health, social fabric, and economy.

The World Bank reports that since Hamas ousted Fatah from Gaza last June, 90 percent of businesses have shut down, costing workers more than 100,000 jobs. Due to the closure of Gaza's borders and its inability to import raw materials, farmers and businesses are unable to produce and export their goods leaving nearly half a million people without an income.

I encourage the Bush Administration to do everything it possibly can to improve the economic livelihood of Gaza's population so that they do not become the tragic victims of Israel's national security policies. In particular, the Bush Administration should consider:

Expanding the list of food items permissible for import into Gaza. Presently only twelve basic food items are allowed entry into Gaza and this does not include salt or cattle;

Allowing entry of seed, seedlings, fertilizers, and chemicals necessary for farmers to continue growing basic goods for humanitarian needs and consumption;

Permitting the entry of raw materials intended for use by private sector Gaza-based factories. More than 800 factories have been shut down in Gaza since the blockade, exacerbating its unemployment conditions;

Extending, on an urgent basis, the reach of recently launched West Bank initiatives of the small loans and mortgage funding in order to provide micro-lending to small businesses and to stimulate peaceful economic activities;

Encouraging, and allowing entry of, European and other foreign technical staff to enter Gaza and engage in assisting the private sector as well as non-governmental organizations in Gaza; and

Permitting entry of construction materials into Gaza necessary for the completion of $300 million dollars worth of projects which have been suspended due to material shortages. These projects fall under the umbrella of international organizations including the United Nations Relief Works Agency, the United Nations Development Program, and the World Bank. The necessary materials can be earmarked for specific projects and their implementation can be supervised by these international organizations thereby avoiding improper usage.

I urge the U.S. Administration to help end the humanitarian crisis in Gaza and ensure the health, safety, and security for Palestinians and Israelis.

MENTAL HEALTH MONTH

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mr. BACA. Mr. Speaker, I rise today in support of H. Res 1134, supporting the goals and ideals of Mental Health Month.

Mental Health Month helps to educate our communities that mental health is a fundamental and humane priority for America's well-being.

The quiet suffering of the afflicted, the familial pain shared by their loved ones, and the societal stigma associated with mental illness all make mental health very important to all Americans.

We must realize the toll mental illness has taken on the young. One in five children has a mental disorder. Furthermore, suicide is the third leading cause of death among teenagers, and every one in four Latina teens report seriously contemplating suicide, a rate higher than any other demographic.

Mental illness continues to be a silent illness for our veterans and soldiers returning from serving overseas. More than one in five of our troops suffer from major depression or post traumatic stress disorder. No longer should these conditions be swept under the rug, these are difficult situations that a lot of military families are facing every day.

Today senior citizens compose 12 percent of the population, but account for 16 percent of all suicides, higher than for any other age group. Our seniors are the foundation of this country and their mental health needs are underserved.

These are alarming and concerning statistics. Yet, many of us still don't know the extent of the mental health problems America is suffering from. Untreated mental illness costs the American economy over $150 billion annually.

I urge my colleagues to vote in favor of this resolution and educate our communities that mental health is a fundamental and humane priority for America.

STRATEGIC PETROLEUM RESERVE FILL SUSPENSION AND CONSUMER PROTECTION ACT OF 2008

SPEECH OF

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mr. BISHOP of New York. Mr. Speaker, I rise in support of H.R. 6022, at a time when oil prices are reaching record highs, suspending the Federal Government's oil purchases is a win for consumers and for the Federal budget.

Regular gas now costs over $3.73 a gallon, compared to only $1.47 in 2001 before the President began implementing his disastrous policies. Families and businesses on eastern Long Island and across the country are calling on Congress to take action to lower these soaring gas prices and reduce our Nation's unsustainable addiction to oil.

In response, I am pleased to cosponsor this bill, which takes a good, first step. Economists and government agencies agree that suspending the filling of the Strategic Petroleum Reserve would directly impact gas prices this summer by making more oil available. In contrast, it would take at least a decade for consumers to benefit from Republican plans to hand over America's wilderness areas to big oil.

Moreover, it is not fiscally prudent for the Federal Government to continue to pay such high premiums to stockpile oil when we currently have sufficient reserves.

In the 108th and 109th Congresses, as Bush administration policies drove the price of gas to record highs, I introduced similar legislation to halt the filling of the Petroleum Reserve.

Today the need for such action is even greater, Mr. Speaker. Therefore I call on my colleagues to join me in support of H.R. 6022.

MENTAL HEALTH MONTH

SPEECH OF

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mrs. JONES of Ohio. Mr. Speaker, today I rise in strong support of H. Res. 1134, a bill which supports the goals and ideals of Mental Health Month. I support this legislation because I believe that Congress should seek to raise awareness about mental health conditions and the importance of mental wellness for all.

The plight of families suffering from mental illness is immense and can often be linked to an absence of adequate social services available coupled with the unwarranted stigma surrounding mental health issues. Due to the unwarranted social stigma associated with mental illness and a systemic failure to provide health care coverage, over two-thirds of the people who suffer from mental illness go untreated according to the Department of Health and Human Services.

According to the National Institute on Mental Health, 20 percent of our children and 26.2 percent of American adults suffer from a diagnosable mental disorder in a given year. As the leading cause of disability in the U.S., many people suffer from more than one mental disorder at a given time. According to the Centers for Disease Control, one in two Americans has a diagnosable mental disorder each year.

Within minority communities, there is an increased need for mental health services. For example, according to the Centers for Disease Control, African Americans are more likely to experience a mental disorder and less likely to seek treatment than Caucasian Americans. When African Americans do seek treatment, they are more likely to use the emergency room for mental health care, and they are also more likely than whites to receive inpatient care.

In 2004, the House Government Reform Committee estimated $100 million of taxpayers' money was spent on detention of

youth awaiting community mental health services. I am alarmed by this number and therefore support H. Res. 1134 because it recognizes the dual need for preventative mental and physical healthcare.

Last year, I introduced H. Con. Res. 86 to express the sense of Congress that an appropriate month should be recognized as Bebe Moore Campbell National Minority Mental Health Awareness Month. Bebe Moore Campbell was a premier journalist who, before her untimely death, authored a children's book titled, Sometimes My Mommy Gets Angry, winner of the National Alliance for the Mentally Ill Outstanding Literature Award. Through this story of how a little girl copes with being reared by her mentally ill mother, Moore Campbell was able to raise public awareness on mental health issues and heighten the consciousness of this topic within minority communities.

We must strive to accomplish the goals and ideals associated with Mental Health Month in order to alleviate the obstacles and burdens many people and families who are affected by mental illness face on a daily basis. Again, I would like to affirm my support of H. Res. 1134.

ON THE FORECLOSURE PREVENTION ACT OF 2008

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2008

Mr. DINGELL. Madam Speaker, this legislation represents a fair, common sense solution that will allow homeowners to stay in their homes, and help stabilize the housing market. I would like to extend my gratitude to Chairman FRANK for his hard work on this legislation, which will be of critical importance in Michigan, where are there are thousands of homeowners in danger of foreclosure. I am especially pleased that this bill includes legislation which I cosponsored that would provide up to $300 billion in new loan guarantees to help refinance at-risk borrowers into viable mortgages. In addition, this legislation includes important provisions that expand homeownership opportunities for veterans, seniors, and first-time homebuyers.

This legislation will help both homeowners and lenders, but this is no bailout. Lenders who participate will have to take a loss, but their losses under this program will be far less than if these properties go into foreclosure. Borrowers who realize a profit when they sell their home must return some of that profit to the government. The United States provided similar leadership during the New Deal using a program run by the Home Owners' Loan Corporation (HOLC). Much like the HOLC, this program stands to save millions of homes from foreclosure at a minimum cost to the taxpayers.

I would especially like to thank Chairman FRANK for his assistance in securing passage of a provision important to the residents of Parkview Apartments in Ypsilanti, Michigan. I have been working for 4 years now to try to facilitate the transfer of this property to Ypsilanti Housing Authority. Chairman FRANK and the staff of the Financial Services Committee have been instrumental in these efforts, which are designed to clarify Congressional intent regarding certain properties that entered the Department of Housing and Urban Development (HUD) property disposition process prior to the enactment of the Deficit Reduction Act (DRA) but where the initial proposed disposition was delayed.

While I believe that Parkview is already subject to the grandfathering provision of the DRA, this provision clarifies that such properties should be considered ''pre-DRA'' properties, and that HUD should proceed with its prior disposition contracts as to those properties. This provision is one of many that was included in legislation that passed the House last year, and is now being included in this bill as part of a comprehensive housing package. This legislation is of the utmost importance to the Congress, and it is my hope and expectation that it will soon be enacted into law.

PERSONAL EXPLANATION

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. SIRES. Madam Speaker, I would like to state for the record my position on the following vote I missed on Tuesday, May 13, 2008. If present, I would have voted ''yes'' during rollcall No. 306 on H. Res. 1181, Expressing condolences and sympathy to the people of Burma for the grave loss of life and vast destruction caused by Cyclone Nargis.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. HINOJOSA. Madam Speaker, I regret that I was unavoidably detained in my Congressional District in Texas on Tuesday, May 13, 2008. Had I been present, I would have voted ''yes'' on rollcall votes 306, 307, and 308.

ISRAEL'S 60TH ANNIVERSARY

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. SESTAK. Madam Speaker, I rise today to congratulate and honor Israel on the 60th anniversary of its founding—May 14, 1948. Over the past 60 years, the United States and Israel have developed a close friendship based on our common democratic values and security interests. I strongly believe that it is in our Nation's best interest to further strengthen our relations with Israel and create a peaceful Middle East.

There are over 3,500 Holocaust survivors living in the Greater Philadelphia region, and many are in my district. These men and women serve as a constant reminder to me to the history and birth of this nation. I have been to Israel numerous times in the Navy, and I recently met with Israeli Ambassador to the United States, Salai Mender, and Commander-in-Chief for the Israeli Navy, Eli Marom, to discuss how our countries' relationship can be developed further.

Our conversation touched on our nations' economic relationship: the United States is Israel's top trading partners and American companies have significant investments in Israel's economy. I believe Congress has vested interest in continuing this economic relationship.

Furthermore, we discussed the state of Israeli's military as well as foreign affairs, from Iraq and the Global War on Terrorism to the close relationship between Israel and the United States and their militaries. I firmly believe our economies would mutually benefit including the potential of a joint venture between the United States and Israel, such as the development of Littoral Combat Ships.

Joint ventures would result in great mutual benefit by providing not only greater interoperability between American and Israeli militaries—while also driving down costs for procurement by working together—but would also greatly enhance the already strong relationship between these two countries.

More than our common bond of trade and security, however, our people share the common belief of Theodore Herzl, who once said ''if you will it, it is no dream.'' A safe and secure Israel is necessary not only for the people of Israel, but for the future of the democratic world. I stand here to affirm my commitment to enhancing the relationship between our nations and to congratulate Israel on its 60th anniversary.

JEWISH AMERICAN HERITAGE MONTH

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. WEXLER. Madam Speaker, it is an honor to join my colleagues in observing the third annual Jewish American Heritage Month, JAHM, which takes place over the entire month of May.

As you know, Jewish American Heritage Month allows us to annually recognize the historic contributions of the Jewish community to our Nation. The Jewish community has a rich history in the growth of America as we know it today, dating back nearly four centuries to the founding of our country, and it is essential that Congress along with local and State officials work together to promote greater awareness about the contributions of this multifaceted group of people to the fabric of America.

While American Jews make up only a small percentage of our Nation's population, their contributions have been significant in a number of arenas including technology, literature, entertainment, politics, and medicine, as well as many other parts of our society and culture. In celebration of these contributions, communities across the Nation—including many in South Florida, which I am privileged to represent—have scheduled creative programming and discussion to honor these great Jewish Americans who have helped build this Nation.

The programming, which will take places across the country, will also provide an important platform for the discussion of Judaism

and Jewish culture in areas of our Nation where Americans have had little or no interaction with members of the Jewish community. Given that anti-Semitism unfortunately remains prevalent throughout the country, it is more important than ever that we work to break down barriers and address ignorance and intolerance, which too often leads to anti-Semitism, xenophobia, and hate.

I am proud to stand with the American Jewish Community during the month of May to highlight past achievements and the ongoing contributions of a community that cares deeply about the well-being and future of this Nation. I urge all of my colleagues as well as the American people to join me in recognizing the myriad of contributions of the American Jewish community throughout this month and to take concrete steps to observe JAHM.

RECOGNIZING THE DEPARTMENT OF INTERIOR 2008 HONOR AWARD RECIPIENTS

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. DAVIS of Virginia. Madam Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. Each year, the Department of the Interior recognizes individuals who have contributed immensely to their departments with the Honor Awards Ceremony.

There are several types of Honor Awards that can be awarded to an employee: the Distinguished Service Award, the Safety Award, and the Valor Award. The Distinguished Service Award recognizes individuals that have gone above and beyond expectations and contributed to the Department. The Safety Award recognizes safety and health employees who performed outstanding service and played an important role in the Department. The Valor Award is given to individuals that demonstrated courage when they faced dangerous situations.

It is with great pride that we enter into the record the names of the recipients of the 2008 Honor Awards. Receiving the Distinguished Service Award: Ms. Barbara L. Chadwick; Mr. Robert Labelle; Mr. David Bama; Mr. Bruce Sheaffer; and The Safety Award: Ms. Louis Rowe.

Mr. Speaker, in closing, we would like to take this opportunity to thank all the men and women who serve in the Department of Interior. Their efforts, made on behalf of the American public, are selfless acts of heroism and truly merit our highest praise. We ask our colleagues to join us in applauding this group of remarkable citizens.

STATEMENT OF CONGRESSMAN JOHN CONYERS, JR.

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mr. CONYERS. Mr. Speaker, I rise to voice my strong support for H. Res. 1134, supporting the goals and ideals of Mental Health Month. This legislation applauds the hard work of practitioners and national and community organizations in promoting mental health awareness, and supports improving the overall quality of life for those with mental illness. H. Res. 1134 also supports the findings of the President's Commission on Mental Health that the nation's failure to prioritize mental health is a national tragedy.

Mr. Speaker, mental health is no less important than physical health. In fact, as science is proving, mental health and physical health are intertwined in complex ways that are only beginning to be understood. The relationship between depression and heart disease is just one example of the inherent symbiosis of psychiatric and somatic illnesses.

Just as the heart is the organ upon which heart disease preys, the brain is the organ plagued by diseases of the mind. Likewise, death as a result of suicide is no less tragic than death secondary to a heart attack. Those suffering from severe psychiatric illness should not be held to a lesser standard of care than those suffering from physical illnesses.

Ensuring access to appropriate services is central to improving the quality of life for those with mental illness. The issue of mental health insurance parity, in my opinion, is a civil rights issue. Inequity of coverage with regard to mental health and substance abuse treatment benefits is tantamount to discrimination against the mentally ill, and it reinforces the strategy of insurance companies to deny care rather than provide care.

The mental health community scored a victory for its patients earlier this year when the House voted to pass H.R. 1424, the "Paul Wellstone Mental Health and Addiction Equity Act of 2007."

It has taken courage on the part of Congressmen like my colleague PATRICK KENNEDY to stand up to special interests and "do the right thing" when it comes to ending discrimination against the mentally ill and standing up to health insurance companies. There is still work to be done before a mental health insurance parity bill is signed into law. Hopefully, the bill will soon be reconciled into a form which will benefit psychiatric patients and end discrimination against the mentally ill.

Mr. Speaker, let us applaud the tireless work and unending determination of those fighting to improve the lives of the mentally ill. Let us also be reminded that there is much work to be done before the stigma associated with mental illness is ended, and the lives of those suffering from mental illness are valued as much as those suffering from other medical illnesses.

PERSONAL EXPLANATION

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I wish to clarify my vote on Ordering the Previous Question on the Rule for the Conference Report on S. Con. Res. 70, the Budget Resolution.

In the 109th Congress, the Florida delegation, on a bi-partisan basis, worked hard to protect Florida's environmental treasures. The bill we achieved passage of, Public Law 109–432 (HR 6111), provided Florida with 125 mile protection off our coast. Furthermore, the legislation codified the ban on drilling within the "military mission line"—approximately 234 miles from Tampa—to provide even more protection for Florida's west coast through the year 2022. I strongly support the current ban. I also believe other states should have the right to search for energy if they wish to do so.

LETTER TO PRESIDENT BUSH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. KUCINICH. Madam Speaker, I sent the following letter to the President on May 13, 2008:

President GEORGE W. BUSH,
1600 Pennsylvania Avenue, NW., Washington, DC.

DEAR PRESIDENT BUSH: I strongly urge you to reconsider Secretary of State Condoleezza Rice's trip to the Czech Republic in early June to sign the European Ground-Based Mid-Course Defense, GMD, agreement. You have urged that the United States Ballistic Missile Defense System must include a European theatre to defend the country against an Iranian deployment of Intercontinental Ballistic Missiles, ICBM. I remain unconvinced that the arguments for the European GMD are valid.

The claim that the GMD will prevent a missile attack on the United States stands in contravention of the facts. Iran would have to overcome the many technical difficulties associated with development and deployment of long-range ballistic missiles. The longest range missile that Iran has tested is 1,600 kilometers. The straight line distance from Tehran to Washington, D.C. is 10,186 kilometers. The United States has never deployed a missile with this range. Our longest range missile, the MX or Peacekeeper, has a range of approximately 8,000 kilometers. Only five countries have deployed any long-range ballistic missiles to date.

In fact, it is conceivable that the U.S. will have its own technical difficulties to overcome before such a system can be proven viable. Two stage interceptors, proposed to be used in the European GMD, have never before been flight tested and therefore have no proven track record of viability. The Test and Evaluation department of the Pentagon cautions that many more tests under realistic conditions would be needed before conceding our capability to shoot down an offensive missile.

The citizens of the Czech Republic and Poland clearly reject the proposed agreement. Public opinion polls in the Czech Republic reflect strong opposition to the placement of the radar in their country. A poll conducted in the summer of 2007 shows that three-quarters of the population is calling for a public referendum on the proposed agreement. Opinion polls show that a consistent majority of the Polish public is opposed to the agreement and argues that they feel no particular threat from Iran. However, they indicated that the installment of interceptors would strain diplomatic relations with Russia. Similar concerns have been voiced about the prospect of Czech participation in the installment of the radar.

The GMD proposal has by some accounts exacerbated U.S.-Russia relations. The U.S. has shared information but not meaningfully

cooperated with Russia in these negotiations. Because the Czech Republic and Poland fall within the boundaries of former Russian influence, U.S. actions with regard to the GMD have been perceived by Russia as an intrusion. There can be no doubt that U.S. efforts to impose the GMD are perceived as an obstruction to the diplomatic ties between our nations.

Assertions made by the Administration that the U.S. ICBM system could be used to protect the European Union reflect a flawed policy. If the Administration is concerned about the threat of ICBM attack on Europe it should cooperate with the international community to address these concerns instead of pursuing even more unilateral international policing. NATO is a better forum in which to address these concerns.

The timing of Secretary Rice's trip to sign the agreement is also questionable. The Conference Report for the FY 2008 Department of Defense, DOD, authorization requires an independent assessment of the two stage interceptors as well as an independent analysis to assess alternatives to the European GMD. The assessment will not be released until after Secretary Rice's trip. If the assessment finds the GMD and the interceptors to be as unnecessary, unviable, and counterproductive to diplomacy as I have outlined in this letter, it will make it difficult to turn back. Additionally, the December 2007 National Intelligence Estimate on Iran states that Tehran halted its nuclear program in 2003 and as such, reaffirms the lack of an impending nuclear threat to the United States from Iran. This further confirms that there is no urgent need to sign a formal agreement with the Czech Republic in June.

The viability, necessity and prudence of the fulfillment of a formal agreement with both the Czech Republic and Poland on the European GMD are called into question. Furthermore, this $4 billion project will be solely funded by U.S. taxpayers. I urge you to cancel the upcoming trip by Secretary Rice to the Czech Republic and instead focus on the more pressing diplomatic efforts that are needed to protect U.S. security through our relationships with the international community.

Sincerely,

DENNIS J. KUCINICH,
Member of Congress.

CELEBRATING ISRAEL'S 60TH ANNIVERSARY

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. TIAHRT. Madam Speaker, congratulations to the people of Israel and their fore bearers on the 60th anniversary of the reestablishment of the State of Israel. Born out of genocide and conflict, the modern State of Israel has developed into a free, democratic and prosperous country. An unfailing ally of the United States, Israel is a beacon of freedom and religious tolerance in the Middle East. I am honored to strongly support the modern State of Israel and reaffirm the bonds of close friendship and cooperation between the United States and Israel.

The narrow strip of land that now constitutes modern Israel has been important to the Jewish people for four millennia, and the first Jewish kingdom was established in this region over 3,000 years ago. Although forced to emigrate from the historical Jewish homeland over the centuries, the Jewish people have continuously yearned for and often returned to their home. History shows that waves of Jewish people returned to the Holy Land at the very least during the 12th, 15th, 16th, and 18th centuries. Large-scale migration back to Israel started in the late 1800s and continues through today.

On November 29, 1947, the United Nations General Assembly formally approved the partitioning of the British Mandate of Palestine and the creation of a Jewish State. On May 14, 1948, the people of Israel proclaimed the establishment of the modern State of Israel. Under the leadership of President Harry S. Truman, the United States was the first nation to recognize the State of Israel and establish full diplomatic relations.

Over the course of three wars, countless military operations, constant terrorism, and unjustified diplomatic and economic boycotts, Israel's existence has been continuously threatened. But, through it all, the Jewish people have remained vigilant and continue to build a strong and vibrant state.

Today, Israel has one of the leading economies in the Middle East, while maintaining a strong commitment to human rights, freedom of speech, press and religion, and democratic values. With open and free elections, and an independent judiciary, Israel remains the most democratic country in the region.

Since the creation of the modern State of Israel, the hallmark of the relationship with the United States has been a strong friendship. Israel has been a trusted military ally and partner for six decades. The close relationship between our governments and continued military assistance are essential for promoting democracy and peace in the Middle East and throughout the world.

In times of humanitarian need or global crisis, the United States can always count on Israel to stand close and provide assistance. From contributing search-and-rescue teams following the 1998 bombings of the American Embassies in east Africa, to providing humanitarian aid following the 2005 devastation of the Gulf Coast from a series of hurricanes, the State of Israel has always been a stalwart friend to the American people. The United States must remain committed to supporting the State of Israel.

It is important to honor this historic milestone. The United States Congress and the American people look forward to continued growth and success of the State of Israel. I ask that all my colleagues honor this important anniversary.

A TRIBUTE TO THE LIFE OF ERNEST S. KINNEY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. COSTA. Madam Speaker, I rise today to pay tribute to the life of Ernest S. Kinney of Fresno, California who recently passed away at 63 years of age. He leaves behind a loving wife, Marion, two children and several grandchildren.

Mr. Kinney was born and raised in Bishop, California. In 1962 he went to Fresno State to play football, and in 1965 he served as student body president and President of the 16th State College Student President's Association. Upon graduating from Fresno State he joined the U.S. Marine Corp in 1968 and served as a Captain until 1971.

After his military career Mr. Kinney attended the San Joaquin College of Law while working as a social worker during the day. He graduated as part of the school's second graduating class in 1975 and was inducted into the Hall of Fame in 2007.

After only two and a half short years Ernest established his own private practice in 1978 and formed the Ernest S. Kinney Law Corporation. During more than three decades of practicing law he gained the respect of the entire community. He was tough and dedicated and admired by his colleagues, and he will be remembered mostly for his colorful character and his skills in the courtroom.

Ernest enjoyed the simple things in life like going to football and basketball games with friends, going to the beach with his grandchildren and lunches with his friends. He had passion and he loved people.

It goes without saying that Mr. Ernest Kinney was one of kind. His commitment to family and clients will forever live in the lives of the people he touched. His passion for justice under the law will be remembered by all who knew him. I am honored and humbled to join his family in celebrating the life of this amazing man who will never be forgotten.

INTRODUCTION OF THE SAVING ENERGY THROUGH PUBLIC TRANSPORTATION ACT OF 2008

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. OBERSTAR. Madam Speaker, together with Transportation and Infrastructure Committee Ranking Member JOHN L. MICA and Highways and Transit Subcommittee Chairman PETER A. DEFAZIO, I am pleased to introduce H.R. 6052, the "Saving Energy Through Public Transportation Act of 2008."

We are introducing this bill to promote energy savings through increased public transportation use in the United States. Recently, public transportation has experienced a renaissance in American cities and towns. In 2007, Americans took over 10.3 billion trips on public transportation, the highest level in 50 years. Public transportation use is up 32 percent since 1995, a figure that is more than double the growth rate of the population and is substantially over the growth rate for the vehicle miles traveled on our Nation's highways for that same period. All around the country, voters continue to approve state and local ballot initiatives to support public transportation, even when it means local taxes will be raised or continued.

As the price of gas approaches $4 a gallon, even more commuters are choosing to ride the train or the bus to work rather than drive alone in their cars. Transit systems in metropolitan areas are reporting increases in ridership of 5, 10, and even 15 percent over last year's figures. Some of the biggest increases in ridership are occurring in many areas in the South and West where new bus and light rail lines have been built in the last few years.

Meeting this impressive new demand for public transportation services is no small task for our transit agencies. While recordbreaking numbers of commuters are riding transit, the cost of fuel and power for public transportation has sharply increased, and the slowing economy means less local money is available to increase or even maintain transit services. This bill provides much needed support to public transportation agencies and increases incentives for commuters to choose transit options, thereby reducing their transportation-related energy consumption and reliance on foreign oil.

A primary objective of H.R. 6052, the ''Saving Energy Through Public Transportation Act of 2008,'' is to reduce the United States dependence on foreign oil by encouraging more people to use public transportation. According to a recent study, if Americans used public transit at the same rate as Europeans—for roughly 10 percent of their daily travel needs—the United States could reduce its dependence on imported oil by more than 40 percent, nearly equal to the 550 million barrels of crude oil that we import from Saudi Arabia each year.

To increase public transportation use across the United States, H.R. 6052, the ''Saving Energy Through Public Transportation Act of 2008,'' authorizes $1.7 billion in funding over 2 years for transit agencies nationwide that are temporarily reducing transit fares or expanding transit services to meet the needs of the growing number of transit commuters. The National Surface Transportation Policy and Revenue Study Commission, established to develop a national transportation vision to address surface transportation needs for the next 50 years, calls for a total annual investment of between $26 billion to $46 billion for public transportation. We consider this bill an important first step in increasing our investment in public transit infrastructure.

H.R. 6052 also increases the Federal share for clean fuel and alternative fuel transit bus, ferry or locomotive-related equipment or facilities, thereby assisting transit agencies in reducing transportation-related emissions. In fiscal years 2008 and 2009, the increased Federal share for these activities is 100 percent of the net capital cost of the project. Public transportation use is estimated to reduce carbon dioxide emissions by 37 million metric tons annually. When a solo commuter switches from a single occupancy vehicle to a transit commute, this single mode shift can reduce carbon dioxide emissions by 20 pounds per day—more than 4,800 pounds in a year. This provision will allow American commuters to further decrease their greenhouse gas emissions.

H.R. 6052 also extends the Federal transit pass benefits program to require that all Federal agencies offer transit passes to Federal employees throughout the United States. Current law requires that all Federal agencies within the National Capital Region implement a transit pass fringe benefits program and offer employees transit passes. This requirement originated from Executive Order 13150, signed by President Clinton on April 21, 2000. The Executive Order also required the Department of Transportation, the Environmental Protection Agency, and the Department of Energy to implement a nationwide 3-year pilot transit pass benefit program for all qualified Federal employees of those agencies.

Data from the Washington Metropolitan Area Transportation Authority covering the first 3 years of the National Capital Region transit pass program show that more than 15,500 automobiles were eliminated from roads in the Washington, DC, area as a result of Federal employees shifting their travel mode away from single occupancy vehicle, SOV, use to public transportation use for commuting to work. The Department of Transportation estimated that emissions and energy savings from this mode shift included the reduction of more than 8 million gallons of gasoline, nearly 40,000 tons of carbon dioxide, and over 675 tons of carbon monoxide for each of the 3 years that they studied. DOT also studied the results of the nationwide pilot program and found that, within the three covered agencies, 11 percent of the participants shifted their travel mode away from SOV use to public transportation use for commuting to work, again producing marked energy and emissions savings, reduced congestion and cleaner air.

The Department of Transportation has determined that both the National Capital Region transit benefits program and the nationwide pilot program produce marked energy and emissions savings, congestion reductions, and cleaner air, and recommends that the transit pass benefits program be extended to Federal employees nationwide. This provision will implement the Department's recommendation by providing more Federal employees the incentives to choose transit options, thereby reducing their transportation-related energy consumption and reliance on foreign oil.

H.R. 6052 also creates a pilot program to allow the amount expended by private providers of public transportation by vanpool for the acquisition of vans to be used as the non-Federal share for matching Federal transit funds in five communities. Under current law, only local public funds may be used as local match; this pilot program would allow private funds to be used in limited circumstances.

The provision will require the private providers of vanpool services to use revenues they receive in providing public transportation, in excess of their operating costs, for the purpose of acquiring vans, excluding any amounts that the providers may have received in Federal, State, or local government assistance for such acquisition. The Department of Transportation will implement and oversee the vanpool pilot projects, and will report back to Congress on the costs, benefits, and efficiencies of the vanpool projects.

Finally, H.R. 6052, the ''Saving Energy Through Public Transportation Act of 2008,'' increases the Federal share for additional parking facilities at end-of-line fixed guideway stations. This provision increases the total number of transit commuters who will have access to those facilities.

Public transportation use in all of its forms—bus, rail, vanpool, ferry, streetcar, and subway ridership to name a few—saves fuel, reduces emissions, and saves money. The direct petroleum savings attributable to current public transportation use in the United States is 1.4 billion gallons per year. When the secondary effects of transit availability on travel are also taken into account, the equivalent of 4.2 billion gallons of gasoline is saved annually—more than 11 million gallons of gasoline per day.

Increasing public transportation use by providing incentives for commuters to choose transit options, thereby reducing their transportation-related energy consumption and reliance on foreign oil, as well as decreasing their greenhouse gas emissions, is a priority of this Congress.

I look forward to working with my colleagues to pass this important legislation.

HONORING WILLIAM KEARNEY OF LAKE COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Mr. Bill Kearney, who is being honored by the Lakeside Wellness Foundation for his years of service to the citizens of Lake County. Mr. Kearney is being recognized for his outstanding contributions to Sutter Lakeside Hospital as well as the community at large.

Bill is deservedly known as ''Mr. Community.'' Having previously served in the US Army in both Korea and Vietnam, he has since served on the Board of Sutter Lakeside since 1999 and has been President of the Board since 2005. He has given countless hours to the hospital over the years and always goes the extra mile, be it helping with physician recruitment or serving as a community ambassador. He also serves as the emcee of the annual Lake County Stars awards, lending his considerable charm and wit to what is always a memorable evening.

Mr. Kearney is not only a hero in the Lake County non-profit and health care communities, but a business leader as well. He owns two successful pharmacies and hosts a radio show discussing health issues. Bill is equally generous with his time and abilities in the business community. He has served two terms as President of the Chamber of Commerce and is affiliated with all local service organizations. He also leads the co-op for small pharmacies in Northern California.

Madam Speaker and colleagues, it is my distinct pleasure to recognize Bill Kearney for his many years of service. He has been a model citizen and leader in Lake County, his presence has enriched the lives of everyone in our community and I am honored to call him a friend. I join his wife Dana, four children and twelve grandchildren in wishing him continued success and fulfillment.

HONORING THE 60TH ANNIVERSARY OF THE FOUNDING OF ISRAEL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. LIPINSKI. Madam Speaker, sixty years ago today, as the world was still recovering from the horrors of the Second World War and the devastation of the Holocaust, the modern state of Israel was founded.

In the sixty years since its founding, Israel has overcome numerous security threats while serving as a model democracy in the Middle East and a beacon of freedom in the region. Importantly, Israel has also been one of America's strongest and most steadfast allies.

In fact, the strong relationship between our two countries dates back to Israel's very founding.

Within eleven minutes of Israel's declaration of Independence, President Harry Truman formally recognized the new nation and established America as Israel's first and closest friend.

Today, the strong partnership between our two countries continues through commerce, educational links, familial ties, and joint efforts to stabilize and bring peace to the Middle East.

So as we mark this important date and pay tribute to Israel's founding, let us also recommit to a continued friendship and partnership with Israel and a renewed dedication to securing a lasting peace in the Middle East.

CELEBRATING 60 YEARS OF REMARKABLE ACHIEVEMENTS BY OUR FRIEND AND ALLY ISRAEL

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. HOLT. Madam Speaker, as we celebrate the 60th anniversary of the founding of Israel, I am proud that the United States and Israel have built a strong, unique, and special relationship.

It took the United States, under President Harry Truman's leadership, only 11 minutes after Israel had been declared a state to officially welcome her into the community of nations. After, President Truman said, ''I had faith in Israel before it was established, I have faith in it now. I believe it has a glorious future before it—not just another sovereign nation, but as an embodiment of the great ideals of our civilization.''

The creation of the State of Israel was a bold step in May of 1948. The first prime minister of Israel, David Ben-Gurion, once said that ''courage is a special kind of knowledge: the knowledge of how to fear what ought to be feared and how not to fear what ought not to be feared.'' It is from such courage that the State of Israel was formed and from which Israel continues to maintain its vibrant and strong democracy today. We can all learn examples from the struggles that the citizens have endured and the grief they have overcome to remain a democratic outpost in the Middle East.

The achievements of the Israeli people and their government over the past 60 years are remarkable. For instance, when it comes to education, well over half of Israelis aged 20-24 are enrolled in one of the country's institutions of post-secondary or higher education. Healthcare is guaranteed by law—for all Israelis—from infancy to old age. As for agriculture, the country produces almost 70 percent of its food requirements—from land that was once not remotely capable of sustaining crops or livestock. Finally, despite the growing demand for expansion of farmland and industrial centers, the Israeli government has set aside land for 150 nature reserves and 65 national parks throughout the country, with several hundred additional sites in planning. While these achievements are each remarkable in their own right, they are only a sample of what Israel has accomplished in a mere 60 years.

As a lifelong supporter of our most important ally in the Middle East, I have had the pleasure of traveling to Israel. These visits have only reinforced my strong conviction that Israel, like all states in the world, has the right to respond in self-defense to protect her sovereignty and citizens.

As chairman of the House Committee on Appropriations Special Intelligence Oversight Panel, I know that Israel has been a loyal and cooperative partner in combating terrorism. Our country has a lot to learn from Israel and her experiences with acts of terrorism.

As Israel continues to face threats from her neighbors, America must continue to stand with her. Additionally, a strong American relationship with Israel is essential for regional stability. We have a responsibility to help Israel stand up to and prevent terrorist attacks. Last year, I supported $2.4 billion in military assistance for Israel, and will continue to support additional U.S. foreign assistance for Israel.

I also strongly believe that the United States must remain actively engaged in ensuring a peaceful settlement of the current conflict between the two parties.

It is essential that the United States become more involved diplomatically to help diffuse conflicts like the one in Lebanon two summers ago and help move the parties to a broader settlement that will defang the militant and terrorist factions and will result in a peaceful Middle East and a viable two states.

Much work remains unfinished. We are all troubled by the daily rocket attacks by Hamas from Gaza against innocent civilians in Israel. Israel clearly has a right to defend herself against these deadly attacks. This has been yet another unique year for Israel, full of challenges that were admirably met.

I am pleased to join with the Jewish community of New Jersey and all Americans in celebrating 60 years of Israel's existence as a beacon of democracy and hope in the Middle East. I look forward to future anniversaries, and to the day when Israel and her citizens can live in peace without fear.

CREDIT AND DEBIT CARDS RECEIPT CLARIFICATION ACT OF 2007

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support for H.R. 4008, the Credit and Debit Card Receipt Clarification Act. This is common sense legislation that will free hundreds of businesses, from large corporations to ''mom & pop'' operations from legal damages that could total hundreds of millions or even billions of dollars for their harmless failure to redact expiration dates from their credit and debit card receipts.

This bill only provides relief to companies that otherwise complied with the Fair and Accurate Credit Transaction Act, also known as FACTA, it preserves the right for a customer to sue if real harm or fraud has occurred and it does not eliminate a business's obligation to properly truncate the account number or to redact the expiration date from its receipts.

I think it is important to point out that we are talking about businesses that did everything they thought they were required to do to comply with the new standards set forth by FACTA. These are businesses that purchased new machines, installed new hardware and incurred the expense of producing what they thought or were told was a compliant credit or debit card receipt. These are businesses that when they were told that they had to truncate the account numbers of credit and debit cards, they did so.

One of my constituents, Steven Hanson, is such a business owner. He is the founder and President of B.R. Guest Restaurants. After FACTA was enacted into law, Steve tells me that he and his company spent more than $300,000 switching out credit card terminals in his restaurant to comply with the new law, only to find out that each and every new receipt he processed could result in a $100 to $1,000 fine. Steve tells me that B.R. Guest has a pending lawsuit against his company that could result in a $100 million liability. This is not a liability that B.R. Guest or many businesses could absorb. Without this relief, B.R. Guest and hundreds of other businesses could be forced to close up shop.

In addition to B.R. Guest Restaurants, Zabars, Fairway Markets, Scholastic Books, Barneys/Jones Apparel Group, Estee Lauder, The Knot.com, Bally's North America, Buy Buy Baby and Ross Stores are among the New York Businesses named in similar lawsuits.

It is also important to note that while the lawsuits filed against these companies are seeking damages totaling in the hundreds of millions, if not billions of dollars, none of the 500 lawsuits that have been filed, make any allegation of consumer harm. Identity theft prevention experts have testified that the truncation of the credit card numbers accomplishes the intent of the statute because a potential fraudster would not be able to perpetrate account fraud without having the entire correct credit card number. The real harm to the consumer would come if Congress does not act. Consumers will be forced to pay higher prices to help these businesses absorb the cost of these lawsuits or will be faced with fewer options as businesses are forced out of business because they can not afford their cost.

This legislation enjoys wide bipartisan support and has been endorsed by The U.S. Chamber of Commerce, the National Restaurant Association, Retail Industry Leaders Association, The National Association of Theater Owners, The International Franchise Association, The National Council of Chain Restaurants and the Food Marketing Institute.

Mr. Speaker, as I said, this is common sense legislation and I urge its adoption.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 15, 2008 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 20

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the nomination of Steven C. Preston, of Illinois, to be Secretary of Housing and Urban Development.
SD–538

Energy and Natural Resources
To hold hearings to examine energy and related economic effects of global climate change legislation.
SD–366

Health, Education, Labor, and Pensions
To hold hearings to examine plant closings, focusing on workers rights and the Worker Adjustment and Retraining Notification (WARN) (Public Law 100–379) Act's 20th anniversary.
SD–430

Judiciary
To hold hearings to examine global internet freedom, focusing on corporate responsibility and the rule of law.
SD–226

10:30 a.m.
Foreign Relations
To hold hearings to examine agreement on Extradition between the United States of America and the European Union (EU), signed on June 25, 2003 at Washington, together with twenty-two bilateral instruments which subsequently were signed between the United States and each European Union Member State in order to implement the Agreement with the EU. The Agreement includes an explanatory note which is an integral part of the Agreement (Treaty Doc. 109–14), extradition Treaty between the United States of America and the Government of the Republic of Latvia, signed on December 7, 2005, at Riga (Treaty Doc. 109–15), extradition Treaty between the United States of America and the Government of the Republic of Estonia, signed on February 8, 2006, at Tallinn (Treaty Doc. 109–16), extradition Treaty between the United States of America and the Government of Malta, signed on May 18, 2006, at Valletta, that includes an exchange of letters that is an integral part of the treaty (Treaty Doc. 109–17), extradition Treaty between the United States of America and Romania (the ''Extradition Treaty'' or the ''Treaty'') and the Protocol to the Treaty between the United States of America and Romania on Mutual Legal Assistance in Criminal Matters (the ''Protocol''), both signed at Bucharest on September 10, 2007 (Treaty Doc. 110–11), extradition Treaty between the Government of the United States of America and the Government of the Republic of Bulgaria (the ''Extradition Treaty'' or the ''Treaty'') and the Agreement on Certain Aspects of Mutual Legal Assistance in Criminal Matters between the Government of the United States of America and the Government of the Republic of Bulgaria (the ''MLA Agreement''), both signed at Sofia on September 19, 2007 (Treaty Doc. 110–12), treaty Between the Government of the United States of America and the Government of the Kingdom of Sweden on Mutual Legal Assistance in Criminal Matters, signed at Stockholm on December 17, 2001 (Treaty Doc. 107–12), mutual Legal Assistance between the United States of America and the European Union (EU), signed on June 25, 2003, at Washington, together with 25 bilateral instruments that subsequently were signed between the United States and each European Union Member State in order to implement the Agreement with the EU, and an explanatory note that is an integral part of the Agreement (Treaty Doc. 109–13), and treaty between the United States of America and Malaysia on Mutual Legal Assistance in Criminal Matters, signed on July 28, 2006, at Kuala Lumpur (Treaty Doc. 109–22).
SD–419

Homeland Security and Governmental Affairs
To hold hearings to examine financial speculation in commodity markets, focusing on institutional investors and hedge funds contributing to food and energy price inflation.
SD–342

11 a.m.
Appropriations
Defense Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of Defense.
SD–192

2:15 p.m.
Foreign Relations
Business meeting to consider pending calendar business.
S–116, Capitol

2:30 p.m.
Judiciary
To hold hearings to examine protecting the constitutional right to vote for all Americans.
SD–226

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

2:45 p.m.
Foreign Relations
Near Eastern and South and Central Asian Affairs Subcommittee
To hold hearings to examine Pakistan's Federally Administered Tribal Areas (FATA) challenge, focusing on securing one of the worlds most dangerous areas.
SD–419

MAY 21

Time to be announced
Homeland Security and Governmental Affairs
Business meeting to consider the nomination of Paul A. Schneider, of Maryland, to be Deputy Secretary of Homeland Security.
S–216, Capitol

9:15 a.m.
Foreign Relations
To hold hearings to examine treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation, done at Washington and London on June 21 and 26, 2007 (Treaty Doc. 110–07), and treaty Between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, done at Sydney, September 5, 2007 (Treaty Doc. 110–10).
SD–419

9:30 a.m.
Veterans' Affairs
To hold hearings to examine pending health care legislation.
SR–418

10 a.m.
Judiciary
To hold hearings to examine the skyrocketing price of oil.
SD–226

MAY 22

9:30 a.m.
Armed Services
To hold hearings to examine the nominations of General David H. Petraeus, USA, for reappointment to the grade of general and to be Commander, United States Central Command, and Lieutanant General Raymond T. Odierno, USA, for appointment to the grade of general and to be Commander, Multi-National Force-Iraq.
SD–106

10:30 a.m.
Aging
To hold hearings to examine improving Medicare for the most vulnerable, focusing on senior citizens at risk.
SH–216

2 p.m.
Judiciary
To hold hearings to examine closing the justice gap, focusing on providing civil legal assistance to low-income Americans.
SD–226

JUNE 3

9:30 a.m.
Armed Services
To hold hearings to examine the acquisition of major weapons systems by the Department of Defense.
SD–106

JUNE 4

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine veterans disability compensation, focusing on undue delay in claims processing.
SR–418

JUNE 5

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine off-highway vehicle management on public lands.
SD–366

JUNE 26

9:30 a.m.
Veterans' Affairs
Business meeting to markup pending calendar business.
SR–418

POSTPONEMENTS

MAY 20

10 a.m.
Energy and Natural Resources
To hold hearings to examine the Territorial Energy Assessment as updated pursuant to the Energy Policy Act of 2005 (Public Law 109–58).
SD–366

Daily Digest

HIGHLIGHTS

The House agreed to the conference report to accompany H.R. 2419—Food, Conservation, and Energy Act of 2008.

House Committees ordered reported 13 measures, including the National Defense Authorization Act for Fiscal Year 2009.

Senate

Chamber Action

Routine Proceedings, pages S4123–S4210

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 3015–3019, and S. Res. 564–566. **Pages S4181–82**

Measures Passed:

Temporary Extension of Programs: Senate passed H.R. 6051, 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 May 16, 2008, clearing the measure for the President. **Page S4202**

Strategic Petroleum Reserve: Senate passed H.R. 6022, to suspend the acquisition of petroleum for the Strategic Petroleum Reserve, clearing the measure for the President. **Page S4202**

Military Kids Day: Senate agreed to S. Res. 565, designating May 15, 2008 as Military Kids Day. **Page S4202**

National Aphasia Awareness Month: Senate agreed to S. Res. 566, designating June 2008 as "National Aphasia Awareness Month" and supporting efforts to increase awareness of aphasia. **Page S4202**

Measures Considered:

Public Safety Employer-Employee Cooperation Act: Senate continued consideration of H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, and taking action on the following amendments proposed thereto: **Pages S4130–50**

Rejected:

Graham Amendment No. 4763 (to the text of the bill proposed to be stricken by Amendment No. 4751), to improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces. (By 55 yeas to 42 nays (Vote No. 127), Senate tabled the amendment). **Pages S4135–38**

Pending:

Reid (for Gregg/Kennedy) Amendment No. 4751, in the nature of a substitute. **Page S4130**

Hatch Amendment No. 4755 (to Amendment No. 4751), to provide for a public safety officer bill of rights. **Page S4130**

Alexander Amendment No. 4760 (Amendment No. 4751), to guarantee public safety and local control of taxes and spending. **Page S4130**

Leahy Amendment No. 4759 (to Amendment No. 4751), to reauthorize the bulletproof vest partnership grant and provide a waiver for hardship for the matching grant program for law enforcement armor vests. **Page S4130**

Corker Amendment No. 4761 (to Amendment No. 4751), to permit States to pass laws to exempt such States from the provisions of this Act. **Page S4130**

A motion was entered to close further debate on the Graham Amendment No. 4763 (listed above) and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, May 16, 2008. **Page S4135**

A motion was entered to close further debate on the Reid (for Gregg/Kennedy) Amendment No. 4751 (listed above) and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, May 16, 2008. **Page S4150**

A motion was entered to close further debate on the bill and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, May 16, 2008. **Page S4150**

During consideration of this measure today, Senate also took the following action:

Subsequently, McConnell Amendment No. 4764 (to Amendment No. 4763), to improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces, fell when Graham Amendment No. 4763 (to the text of the bill proposed to be stricken by Amendment No. 4751) (listed above) was tabled. **Page S4135**

The motion to invoke cloture on Graham Amendment No. 4763 (to Amendment No. 4751) (listed above), was rendered moot when the amendment was tabled (listed above). **Page S4135**

A unanimous-consent agreement was reached providing that Members have until 1:00 on Thursday, May 15, 2008, to file first-degree amendments. **Page S4210**

Conference Reports:

Food, Conservation, and Energy Act—Conference Report: Senate began consideration of the conference report to accompany H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012. **Pages S4150–72, S4202–10**

Senator Gregg raised a point of order under Section 203 of S. Con. Res. 21, FY08 Congressional Budget Resolution that the conference report would cause an increase in the deficit in excess of levels permitted by S. Con. Res. 21. **Page S4160**

Senator Conrad made a motion to waive Section 203 of S. Con. Res. 21, FY08 Congressional Budget Resolution for the conference report. **Page S4160**

A unanimous-consent agreement was reached providing for further consideration of the conference report at approximately 9:30 a.m., on Thursday, May 15, 2008, and that there be 90 minutes of debate, with the time equally divided and controlled between the Majority Leader and Republican Leader, or their designees; provided further, that if any motions to waive are made in response to points of order, that those votes occur in the order in which made prior to the vote on adoption of the conference report on Thursday, May 15, 2008, and that Senate vote on adoption of the conference report. **Page S4150**

Messages from the House **Page S4178**

Measures Placed on the Calendar: **Pages S4123, S4179**

Executive Communications: **Pages S4179–81**

Additional Cosponsors: **Pages S4182–83**

Statements on Introduced Bills/Resolutions: **Pages S4183–86**

Additional Statements: **Pages S4177–78**

Amendments Submitted: **Pages S4186–S4201**

Authorities for Committees to Meet: **Page S4201**

Privileges of the Floor: **Page S4202**

Record Votes: One record vote was taken today. (Total—127) **Pages S4137–38**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 10:45 p.m., until 9:30 a.m. on Thursday, May 15, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4210.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL GUARD AND RESERVE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2009, after receiving testimony in behalf of funds for their respective activities from Lieutenant General John A. Bradley, Chief of Air Force Reserve, Vice Admiral John G. Cotton, Chief of Navy Reserve, Lieutenant General Jack C. Stultz, Commander of Army Reserve, Lieutenant General Jack W. Bergman, United States Marine Corps Reserve, Commander, Marine Forces Reserve, Lieutenant General H. Steven Blum, Chief, National Guard Bureau, Lieutenant General Clyde Vaughn, Director of the Army National Guard, and Lieutenant General Craig McKinley, Director of the Air National Guard, all of the Department of Defense.

APPROPRIATIONS: FEDERAL TRADE COMMISSION

Committee on Appropriations: Subcommittee on Financial Services and General Government concluded a hearing to examine proposed budget estimates for fiscal year 2009 for the Federal Trade Commission, after receiving testimony from William E. Kovacic, Chairman, and Jon Leibowitz, Commissioner, both of the Federal Trade Commission.

PLASTIC ADDITIVES IN CONSUMER PRODUCTS

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Insurance, and Automotive Safety concluded a hearing to examine plastic additives in consumer products, focusing on bisphenol-A and phthalates, after receiving testimony from Senator Schumer; Norris Alderson, Associate Commissioner for Science, Food and Drug Administration, Department of Health and Human Services; Marilyn Wind, Deputy Associate Executive, Director for Health Sciences, Consumer Product Safety Commission; J.P. Myers, Environmental Health Sciences, Charlottesville, Virginia; Elizabeth

Hitchcock, United States Public Interest Research Group, Washington, D.C.; and Steven G. Hentges, American Chemistry Council, Arlington, Virginia.

GLOBAL FOOD CRISIS

Committee on Foreign Relations: Committee concluded a hearing to examine responding to the global food crisis, after receiving testimony from Henrietta H. Fore, Director, United States Foreign Assistance and Administrator, United States Agency for International Development (USAID); Edward P. Lazear, Chairman, Council of Economic Advisers; Josette Sheeran, United Nations World Food Programme, Rome, Italy; and Peter McPherson, National Association of State Universities and Land-Grant Colleges, former Administrator of USAID, and James R. Lyons, Oxfam America, both of Washington, D.C.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Paul A. Schneider, of Maryland, to be Deputy Secretary of Homeland Security, after the nominee testified and answered questions in his own behalf.

NATIONAL ARCHIVES

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded an oversight hearing to examine the National Archives, focusing on protecting the history of the United States for future generations, after receiving testimony from Allen Weinstein, Archivist of the United States, and Paul Brachfeld, Inspector General, both of the National Archives and Records Administration; Linda Koontz, Director, Information Management Issues, Government Accountability Office; Patrice McDermott, OpenTheGovernment.org, Thomas Blanton, George Washington University National Security Archive, and Martin J. Sherwin, George Mason University, on behalf of the National Coalition for History, all of Washington, D.C.; and James S. Henderson, Society of American Archivists, Portland, Maine.

FOOD ALLERGIES IN CHILDREN

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded a hearing addressing the challenge of children with food allergies, after receiving testimony from Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Department of Health and Human Services; Hugh A. Sampson, Mount Sinai School of Medicine Jaffe Food Allergy Institute, New York, New York, on behalf of the American Academy of Allergy, Asthma, and Immunology; Donna Kosiorowski, West Haven School District, Shelton, Connecticut, on behalf of the National Association of School Nurses; Colene Birchfield, Ooltewah, Tennessee; and Teresa Walters, Aurora, Colorado.

ALZHEIMER'S DISEASE

Special Committee on Aging: Committee concluded a hearing to examine the future of Alzheimer's disease, focusing on current medical breakthroughs and challenges, after receiving testimony from former Supreme Court Justice Sandra Day O'Connor and former Speaker of the House of Representatives Newt Gingrich, both of the Alzheimer's Study Group, Washington, D.C.; Rudolph E. Tanzi, Massachusetts General Hospital Genetics and Aging Research Unit, Hull; Chuck Jackson, Albany, Oregon; and Suzanne Carbone, Silver Spring, Maryland.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 6047–6061; and 10 resolutions, H.J. Res. 84–85; H. Con. Res. 349–350; and H. Res. 1194–1196, 1198–1200 were introduced. **Page H3884**

Additional Cosponsors: **Pages H3885–86**

Report Filed: A report was filed today as follows:

H. Res. 1197, providing for consideration of the Senate amendment to the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008 (H. Rept. 110–636). **Page H3884**

Chaplain: The prayer was offered by the guest Chaplain, Rev. Hank Wilkins, IV, St. James United Methodist Church, Pine Bluff, Arkansas. **Page H3779**

Calendar Wednesday: On a call of committees pursuant to the Calendar Wednesday rule, no bills were called up for consideration. **Page H3779**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, May 13th:

Supporting the goals and ideals of Mental Health Month: H. Res. 1134, to support the goals and ideals of Mental Health Month, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 312; **Pages H3799–H3800**

Supporting the goals and ideals of National Train Day: H. Res. 1176, to support the goals and ideals of National Train Day, by a ⅔ yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 313; **Page H3800**

Congratulating Winona State University on winning the 2008 Division II men's basketball championships: H. Res. 1133, amended, to congratulate Winona State University on winning the 2008 Division II men's basketball championships, by a ⅔ yea-and-nay vote of 413 yeas with none voting "nay", Roll No. 316; **Page H3823**

Recognizing AmeriCorps Week: H. Res. 1173, to recognize AmeriCorps Week, by a ⅔ yea-and-nay vote of 344 yeas to 69 nays, Roll No. 319; and **Pages H3846–47**

Honoring public child welfare agencies, nonprofit organizations and private entities providing services for foster children: H. Res. 789, amended, to honor public child welfare agencies, nonprofit organizations and private entities providing services for foster children, by a ⅔ recorded vote of 414 ayes with none voting "no", Roll No. 322. **Page H3857**

Committee Elections: The House agreed to H. Res. 1196, electing the following Member to serve on certain standing committees of the House of Representatives: Committee on Natural Resources: Representative Scalise and Committee on Veterans' Affairs: Representative Scalise. **Page H3801**

Food, Conservation, and Energy Act of 2008—Conference Report: The House agreed to the conference report on H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, by a recorded vote of 318 ayes to 106 noes, Roll No. 315. **Pages H3784–99, H3801–22**

Rejected the Cantor motion to recommit the conference report to accompany H.R. 2419 to the committee on conference with instructions, by a yea-and-nay vote of 193 yeas to 230 nays, Roll No. 314. **Pages H3821–22**

H. Res. 1189, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 228 yeas to 193 nays, Roll No. 311, after agreeing to order the previous question by a yea-and-nay vote of 232 yeas to 188 nays, Roll No. 310. **Pages H3784–99**

A point of order was raised against the consideration of H. Res. 1189 and it was agreed by voice vote to proceed with consideration of the resolution. **Pages H3784–86**

Subsequently, a second point of order was raised against the consideration of H. Res. 1189 and it was agreed by a yea-and-nay vote of 228 yeas to 189 nays, Roll No. 309, to proceed with consideration of the resolution. **Pages H3786–89**

Amending Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 16, 2008: The House agreed to discharge from committee and agree to H.R. 6051, 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 May 16, 2008. **Pages H3823–24**

Clerk Designations: Read a letter from the Clerk wherein she designated Ms. Deborah M. Spriggs, Deputy Clerk, and Mr. Robert F. Reeves, Deputy Clerk, to sign any and all papers and do all other acts for her under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of her temporary absence or disability. This designation shall remain in effect for the 110th Congress or until modified by the Clerk. **Page H3824**

Budget resolution for FY2009: The House passed H. Res. 1190, providing for the adoption of the concurrent resolution (S. Con. Res. 70) setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013, by a yea-and-nay vote of 214 yeas to 203 nays, Roll No. 318, after agreeing to order the previous question by a yea-and-nay vote of 225 yeas to 187 nays, Roll No. 317. **Pages H3824–46, H3847–54**

Pursuant to H. Res. 1190, S. Con. Res. 70 was taken from the Speaker's Table; the amendment in the nature of a substitute consisting of the text of H. Con. Res. 312, as agreed to in the House, was considered as agreed to; and S. Con. Res. 70, as amended, was agreed to; and the House insists on its amendment and requests a conference with the Senate. Pursuant to H. Res. 1190, H. Con. Res. 312 was laid on the table. **Pages H3824–28**

Rejected the Ryan (WI) motion to instruct conferees on the resolution by a yea-and-nay vote of 185 yeas to 229 nays, Roll No. 321. **Pages H3856–57**

Later, the Chair appointed the following conferees: Representatives Spratt, DeLauro, Edwards, Ryan (WI), and Barrett (SC). Page H3857

Consumer Product Safety Modernization Act—Motion to go to Conference: The House disagreed to the amendment of the Senate to H.R. 4040, to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission, and agreed to a conference. Pages H3854–56

Agreed to the Whitfield (KY) motion to instruct conferees on the bill by a yea-and-nay vote of 405 yeas with none voting "nay", Roll No. 320. Pages H3854–56

Later, the Chair appointed the following conferees: Representatives Dingell, Waxman, Rush, DeGette, Schakowsky, Barton (TX), Whitfield (KY), and Stearns. Page H3856

Suspensions: The House agreed to suspend the rules and agree to the following measure:

Supporting the goals and ideals of National Women's Health Week H. Con. Res. 331, to support the goals and ideals of National Women's Health Week. Pages H3858–59

Senate Message: Message received from the Senate today appears on page H3782.

Quorum Calls—Votes: Twelve yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H3788–89, H3798, H3799, H3799–H3800, H3800, H3821–22, H3822, H3823, H3827, H3828, H3846–47, H3855–56, H3856–57, H3857. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:18 p.m.

Committee Meetings

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

Committee on Armed Services: Ordered reported, as amended, H.R. 5658, National Defense Authorization Act for Fiscal Year 2009.

MISCELLANEOUS MEASURES

Committee on Education and Labor: Ordered reported, as amended, the following bills: H.R. 2744, Airline Flight Crew Technical Corrections Act of 2008; and H.R. 5876, Stop Child Abuse in Residential Programs for Teens Act of 2008.

FDA MEDICAL DEVICE AND COSMETIC SAFETY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Discussion Draft of the 'Food and Drug Administration Globalization Act' Legislation: Device and Cosmetic Safety Provisions." Testimony was heard from the following officials of the FDA, Department of Health and Human Services: Stephen Sundlof, D.V.M., Director, Center for Food Safety and Applied Nutrition; and Lillian Gill, Senior Associate Director, Center for Devices and Radiological Health; Marcia Crosse, Director, Health Care, GAO; and public witnesses.

GLOBAL FOOD CRISIS

Committee on Financial Services: Held a hearing entitled "Contributing Factors and International Responses to the Global Food Crisis." Testimony was heard from public witnesses.

LEAD-SAFE HOUSING FOR KIDS ACT; HOMES FOR HEROES ACT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity approved for full Committee action, as amended, the following bills: H.R. 3397, Lead-Safe Housing for Kinds Act of 2007; and H.R. 3329, Homes for Heroes Act of 2007.

U.S.-CENTRAL AMERICA ANTI-DRUG TRAFFICKING

Committee on Foreign Affairs: Ordered reported, as amended, H.R. 6028, Merida Partnership to Combat Illicit Narcotics and Reduce Violence Authorization Act of 2008.

The Committee also approved a motion urging the Chairman to request that the following resolutions be considered on the Suspension Calendar: H. Res. 1194, Reaffirming the support of the House of Representatives for the legitimate democratically-elected Government of Lebanon under Prime Minister Fouad Siniora; and H. Res. 1195, Expressing the condolences and sympathy to the people of the People's Republic of China for the grave loss of life and vast destruction caused by the massive earthquake centered in Sichaun Province

VISIT WAIVER PROGRAM EXPANSION

Committee on Foreign Affairs: Subcommittee on Europe held a hearing on Improving America's Security, Strengthening Transatlantic Relations: An Update on the Expansion of the Visa Waiver Program. Testimony was heard from Richard Barth, Assistant Secretary, Office of Policy Development, Department of Homeland Security; and Stephen A. Edson, Deputy Assistant Secretary, Visa Services, Bureau of Consular Affairs, Department of State.

U.S.-SOUTH ASIA AID

Committee on Foreign Affairs: Subcommittee on Middle East and South Asia held a hearing on U.S. Assistance to South Asia: Is there a strategy to go with all that money? Testimony was heard from the following officials of the Department of State: Richard A. Boucher, Assistant Secretary, Bureau of South and Central Asian Affairs; and Mark Ward, Senior Deputy Assistant Administrator, Bureau for Asia, U.S. Agency for International Development.

PUBLIC ALERTS/WARNINGS SYSTEMS

Committee on Homeland Security: Subcommittee on Emergency Communications, Preparedness, and Response held a hearing entitled ''Advancing Public Alert and Warning Systems to Build a More Resilient Nation.'' Testimony was heard from MG Martha Rainville, USAF (Ret.), Assistant Administrator, National Continuity Programs, FEMA. Department of Homeland Security; Lisa Fowlkes, Deputy Chief, Public Safety and Homeland Security Bureau, FCC; John R. Gibb, Director, Emergency Management Office, State of New York; and a public witness.

FEDERAL-PRIVATE INFRASTRUCTURE SECURITY

Committee on Homeland Security: Subcommittee on Transportation Security and Infrastructure Protection held a hearing entitled ''Partnering with the Private Sector to Secure Critical Infrastructure: Has the Department of Homeland Security Abandoned the Resilience-Based Approach?'' Testimony was heard from COL Bob Stephan, USAF, Assistant Secretary, Infrastructure Protection, Department of Homeland Security; Kevin Stephens, M.D., Director, Department of Health, New Orleans, Louisiana; and public witnesses.

ELECTION CONTINGENCY PLANS

Committee on House Administration: Subcommittee on Elections held a hearing on Election Contingency Plans: What Have We Learned and Is America Prepared? Testimony was heard from Rosemary Rodriguez, Chairwoman, U.S. Election Assistance Commission; Laura Beatty, Director of Legislative Affairs, Office of the Secretary of State, Ohio; Dawn K. Roberts, Assistant Secretary of State, Florida; Kevin J. Kennedy, Director, Government Accountability Board, Wisconsin; and Thomas Wilkey, former Executive Director, Board of Elections, State of New York.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 5464, A Child is Missing Alert and Recovery Center Act; H.R. 3480, amended, Let Our Veterans Rest in Peace Act of 2007; H.R. 5938, Former Vice President Protection Act of 2008; H.R. 4080, amended, To amend the Immigration and Nationality Act to establish a separate nonimmigrant classification for fashion models; and private relief bills.

The Committee began markup of the following bills: H.R. 2352, School Safety Enhancements Act of 2007; H.R. 1783, Elder Justice Act; H.R. 5352, Elder Abuse Victims Act of 2008; and H.R. 5057, Debbie Smith Reauthorization Act of 2008.

FEDERAL JUSTICE SYSTEM SELECTIVE PROSECUTION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Laws and the Subcommittee on Crime, Terrorism, and Homeland Security held a joint hearing on Allegations of Selective Prosecution Part II: The Erosion of Public Confidence in Our Federal Justice System. Testimony was heard from Representative Hodes; and a public witness.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported, as amended, the following bills: H.R. 554, Paleontological Resources Preservation Act; H.R. 3022, Sequoia-Kings Canyon National Park Wilderness Act of 2007; H.R. 2632, Sabinoso Wilderness Act of 2007; H.R. 5680, To amend certain laws relating to Native Americans, and for other purposes; and H.R. 3682, California Desert and Mountain Heritage Act.

FDA'S DRUG/DEVICE STATE LAWSUIT PREEXEMPTION

Committee on Oversight and Government Reform: Held a hearing on Should FDA Drug and Medical Device Regulation Bar State Liability Claims? Testimony was heard from David A. Kessler, M.D., former Commissioner, FDA, Department of Health and Human Services; and public witnesses.

USDA CIVIL RIGHTS PROGRAMS

Committee on Oversight and Government Reform: Subcommittee on Government Management, Organization, and Procurement held a hearing on Management of Civil Rights Programs at USDA. Testimony was heard from the following officials of the USDA: Margo McKay, Assistant Secretary, Civil Rights; and Phyllis Fong, Inspector General; Lisa Shames, Director, Agriculture and Food Safety, GAO; and public witnesses.

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 2642—SUPPLEMENTAL APPROPRIATIONS ACT, 2008

Committee on Rules: Granted, by a record vote of 7 to 2, a rule providing for consideration of the Senate amendment to H.R. 2642, the "Supplemental Appropriations Act, 2008." The rule would make in order a motion offered by the chairman of the Committee on Appropriations that the House concur in the Senate amendment with each of the three amendments printed in the Rules Committee report.

The rule waives all points of order against the motion except those arising under clause 10 of rule XXI. The motion shall be debatable for two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The Senate amendment and the motion shall be considered as read. The Chair shall divide the question among each of the three House amendments.

Notwithstanding the operation of the previous question, the Chair may postpone consideration of the motion to a time designated by the Speaker. Finally, the rule permits the chairman of the Committee on Appropriations to insert in the Congressional Record dated May 15, 2008, such material as he may deem explanatory of the motion. Testimony was heard from Chairman Obey, Representatives Lee, Waters, Woolsey, Jackson-Lee of Texas, Schakowsky, Lampson, Lewis of California, Culberson, and Shays.

WATER SUPPLY CHALLENGES

Committee on Science and Technology: Held a hearing on Water Supply Challenges for the 21st Century. Testimony was heard from Roger Pulwarty, Director, U.S. National Integrated Drought Information System and Physical Scientist, Office of Oceanic and Atmospheric Research Climate Program, NOAA, Department of Commerce; and public witnesses.

SMALL HEALTHCARE PROVIDER REGULATIONS

Committee on Small Business: Subcommittee on Regulations, Health Care and Trade held a hearing on the Impact of CMS Regulations and Programs on Small Health Care Providers. Testimony was heard from Timothy B. Hill, Chief Financial Officer, Director, Office of Financial Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses,

AIRLINE CONSOLIDATION/DELTA-NORTHWEST MERGER

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on Impact of Consolidation on the Aviation Industry, with a Focus on the Proposed Merger Between Delta Airlines and Northwest Airlines. Testimony was heard from James J. O'Connell, Jr., Deputy Assistant Attorney General, Antitrust Division, Department of Justice; Michael W. Reynolds, Deputy Assistant Department Assistant Secretary, Aviation and International Affairs, Department of Transportation; and public witnesses.

AMTRAK REAUTHORIZATION

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing on Amtrak Reauthorization. Testimony was heard from Alexander Kummant, President and CEO, National Railroad Passenger Corporation (AMTRAK); Frank Busalacchi, Secretary, Department of Transportation, State of Wisconsin; and public witnesses.

CONSUMER DRIVEN HEALTH CARE

Committee on Ways and Means: Subcommittee on Health held a hearing on Health Savings Accounts and Consumer Driven Health Care: Cost Containment or Cost-Shift? Testimony was heard from John E. Dicken, Director, Health Care, GAO; and public witnesses.

BRIEFING—HOT SPOTS

House Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence met in executive session to receive a briefing on Hot Spots. The Subcommittee was briefed by departmental witnesses.

ENERGY-EFFICIENT BUILDINGS

Select Committee on Energy Independence and Global Warming: Held a hearing entitled "Building Green, Saving Green: Construction Sustainable and Energy-Efficient Buildings." Testimony was heard from Gavin Newsom, Mayor, San Francisco, California; and public witnesses.

REGARDING ROLL CALL VOTE 814

Select Committee To Investigate the Voting Irregularities of August 2, 2008: Concluded hearings regarding Roll Call Vote 814. Testimony was heard from Catlin O'Neill and Jerry Hartz, both with the Office of the Speaker; and Jay Pierson, Office of the Minority Leader.

Joint Meetings

CREDIT CRISIS

Joint Economic Committee: Committee concluded a hearing to examine the credit crisis in the United States, focusing on ways the federal government can prevent unnecessary systemic risks in the future,

after receiving testimony from Paul A. Volcker, former Chairman, Board of Governors of the Federal Reserve System; and Douglas W. Elmendorf, Brookings Institution, Ellen Seidman, New America Foundation, and Alex J. Pollock, American Enterprise Institute, all of Washington, D.C.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D576)*

S. 2929, to temporarily extend the programs under the Higher Education Act of 1965. Signed on May 13, 2008. (Public Law 110–230)

COMMITTEE MEETINGS FOR THURSDAY, MAY 15, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to mark up the Emergency Supplemental Appropriations Bill for fiscal year 2008, 2 p.m., SD–106.

Committee on Armed Services: business meeting to consider pending military nominations, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider H.R. 634, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States, S. 1100, to address the regulation of secondary mortgage market enterprises, and an original bill to make technical corrections to Title III of SAFETEA–LU, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: business meeting to consider pending calendar business, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine development of oil shale resources, 1:50 p.m., SD–366.

Committee on Foreign Relations: to hold hearings to examine United States-China relations in the era of globalization, 2 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine nuclear terrorism, focusing on providing medical care and meeting basic needs in an aftermath, 10 a.m., SD–342.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the organizational structures of the State Department responsible for arms control, counterproliferation, and nonproliferation, focusing on the processes they have in place for optimizing national efforts, and how responsive those structures and processes are to the Executive Branch's nonproliferation and counterproliferation policies, 2 p.m., SD–342.

Committee on Indian Affairs: to hold hearings to examine S. 1080, to develop a program to acquire interests in land from eligible individuals within the Crow Reservation in the State of Montana, H.R. 2120, to direct the Secretary of the Interior to proclaim as reservation for the benefit of the Sault Ste. Marie Tribe of Chippewa Indians a parcel of land now held in trust by the United States for that Indian tribe, S. 2494, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, H.R. 2963, to transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, and S. 531, to repeal section 10(f) of Public Law 93–531, commonly known as the "Bennett Freeze", 9:30 a.m., SD–562.

Committee on the Judiciary: business meeting to consider S. 2511, to amend the grant program for law enforcement armor vests to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship, S. 2565, to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers, H.R. 4056, to establish an awards mechanism to honor Federal law enforcement officers injured in the line of duty, S. 2774, to provide for the appointment of additional Federal circuit and district judges, S. 1738, to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators, S. 2913, to provide a limitation on judicial remedies in copyright infringement cases involving orphan works, S. 2756, to amend the National Child Protection Act of 1993 to establish a permanent background check system, S. 1515, to establish a domestic violence volunteer attorney network to represent domestic violence victims, S. 2942, to authorize funding for the National Advocacy Center, S. 2982, to amend the Runaway and Homeless Youth Act to authorize appropriations, and the nomination of G. Steven Agee, of Virginia, to be United States Circuit Judge for the Fourth Circuit, 10 a.m., SD–226.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing to review the source of dramatic movements in community markets (agriculture and energy): A change in market fundamentals or influence of institutional investors? 10 a.m., 1300 Longworth.

Committee on Energy and Commerce, Subcommittee on Health, hearing on H.R. 5998, Protecting Children's Health Coverage Act of 2008, 10 a.m., 2322 Rayburn.

Subcommittee Oversight and Investigations, hearing entitled "In the Hands of Strangers: Are Nursing Home Safeguards Working?" 10 a.m., 2123 Rayburn.

Committee on Financial Services, May 14, Subcommittee on Housing and Community Opportunity, to consider the following measures: H.R. 3397, Lead-Safe Housing for Kids Act of 2007; and H.R. 3329, Homes for Heroes Act of 2007, 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Asia, the Pacific, and the Global Environment, hearing on Our Forgotten Responsibility: What Can We Do To Help Victims of Agent Orange? 10 a.m., 2172 Rayburn.

Subcommittee on International Organizations, Human Rights, and Oversight, hearing on U.N. Security Resolution 1325: Recognizing Women's Vital Roles in Achieving Peace and Security, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, hearing on the Resilient Homeland: How DHS Intellligence Should Empower America To Prepare for, Prevent, and Withstand Terrorist Attacks, 10 a.m., 311 Cannon.

Committee on the Judiciary, Task Force on Competition Policy and Antitrust Laws, hearing on H.R. 5546, Credit Card Fair Fee Act of 2008, 11 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife and Oceans, oversight hearing on the management of West Coast salmon fisheries, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, hearing on Defense Base Act Insurance: Are Taxpayers Paying Too Much? ; followed by consideration of the following measures: H. Res. 1144, expressing support for designation of a "Frank Sinatra Day" on May 13, 2008, in honor of the dedication of the Frank Sinatra commemorative stamp; H. Con. Res. 1152, Honoring Arnold Palmer for his distinguished career in the sport of golf and his commitment to excellence and sportsmanship; H. Res. 1153, Celebrating Asian Pacific American Heritage Month; H. Con. Res. 138, Supporting National Men's Health Week; and H. Con. Res. 334, Supporting the goals and objectives of a National Military Appreciation Month, 10 a.m., 2154 Rayburn.

Committee on Small Business, hearing entitled "Food Prices and Small Businesses," 10 a.m., 1539 Longworth.

Committee on Transportation and Infrastructure, to mark up the following: the Saving Energy Through Public Transportation Act of 2008; H.R. 5788, Halting Airplane Noise to give US Peace Act of 2008; H.R. 2452, Raw Sewage Overflow Community Right-to-Know Act; H.R. 5001, Old Post Office Building Redevelopment Act of 2008; H.R. 1333, Civil Air Patrol Homeland Security Support Act of 2007; H.R. 135, Twenty-First Century Water Commission Act of 2007; H.R. 5770, To provide for a study by the National Academy of Sciences of potential impacts of climate change on water resources and water quality; H.R. 5599, To designate the Federal building located at 4600 Silver Hill Road in Suitland, Maryland, as the "Thomas Jefferson Census Bureau Headquarters Building;" H. Res. 1137, Supporting the goals and ideals of National Public Works Week; H. Con. Res. 305, Recognizing the importance of bicycling in transportation and recreation; H. Con. Res 309, Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; H. Con. Res. 311, Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; H. Con. Res. 335, Authorizing the use of the Capitol Grounds for a celebration of the 100th anniversary of Alpha Kappa Alpha Sorority, Incorporated; H. Res. 339, Supporting the goals of Motorcycle Safety Awareness Month; U.S. Army Corps of Engineers Survey Resolution; and other pending business, 11 a.m., 2167 Rayburn.

Committee on Ways and Means, to mark up the Energy and Tax Extenders Act of 2008, 10:30 a.m., 1100 Longworth.

Next Meeting of the **SENATE**

9:30 a.m., Thursday, May 15

Senate Chamber

Program for Thursday: Senate will continue consideration of the conference report to accompany H.R. 2419, Food, Conservation, and Energy Act, and after a period of debate, vote on any motions that may be made and on adoption of the conference report.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Thursday, May 15

House Chamber

Program for Thursday: Consideration of the Senate Amendment to H.R. 2642—Supplemental Appropriations Act, 2008 (Subject to a Rule).

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