United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, JANUARY 30, 2007 No. 18

House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. MEEKS of New York).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 30, 2007.

I hereby appoint the Honorable GREGORY W. MEEKS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

MEDICARE PART D—WASHINGTON POST'S TAKE

Mr. STEARNS. Mr. Speaker, two weeks ago the House passed a bill to require the Secretary of Health and Human Services to negotiate with drug companies on the prices of pharmaceuticals for the part D drug program, H.R. 4 was the bill.

In my district, I have heard overwhelmingly good news about the existing part D program. For a striking example, there was a letter to the editor from one of my constituents on September 21, 2006 in the Gainesville Sun. Mrs. Vernell James wrote this letter. She and her husband, both in their seventies, married for 58 years, wrote, quote, ''Medicare part D has been a great experience for our family. Health insurance is important because it helps us stay well and live a quality life. My husband is on three different medications, so good health insurance is something we need.

''The Medicare Web site made it simple enough to choose a plan and sign up. Now that the November 15th deadline is approaching, seniors need to be thinking about which plan is best for them. We save nearly $250 a month because of Medicare part D on our medications, and we are looking forward to continuing savings next year.''

I have met this lady, and she impressed upon me how this benefit has given them healthy coverage, and more importantly, peace of mind. But don't take my word for it or the word of this lady; I found no more convincing arguments than what was recently in the two editorials in the Washington Post. One appeared November 2, 2006, and one the day after the bill, H.R. 4, passed, January 13, 2007.

Because of the prominence of this newspaper to policymakers around this town, I would like to share these editorials with my colleagues.

On what grounds does the Post disagree with the Democrat bill, H.R. 4, which involves price fixing? First, the same point that many of us may have heard on the House floor during the debate, but unfortunately not in committee because the bill failed to go through regular Democratic order. On comparing Medicare to VA, Veterans Affairs, the VA ''can do this because it is free to deny coverage for drugs whose makers refuse to provide discounts. Fully 3,000 of the 4,300 medicines covered by Medicare are unavailable under the veterans' program. Restricting the list of coverage drugs saves money, but it also reduces the quality of the benefit; 1.5 million veterans are sufficiently unhappy with the result that they opt to buy the more inclusive Medicare coverage.''

Well, they are not the same creatures at all, these two programs. I have the background to know, I have been a member of the Veterans Committee for 15 years; I served on the Health Subcommittee on this Veterans Committee. In fact, I chaired the VA Health Subcommittee in the past.

Next: Why do this at all when the private insurance market is keeping premiums costs low for beneficiaries? As the Post went on to write, quote, ''the Congressional Budget Office estimated this week that savings from direct negotiations would be negligible, the average monthly premium has fallen since the program began a year ago. Private insurers can do this precisely because they are free to establish formularies, but market discipline ensures that these lists are not unappealing narrow. *The insurers need to keep customers*.'' Emphasis added.

Further, the Post wrote, quote, ''The Democrats' stance is troubling because it suggests an excessively government-led view of health care reform. The better approach is to let each insurer offer its own version of the right balance to see whether it attracts customers, and then adapt flexibly.''

I have been extolling the Federal Employee Health Benefit Program as a model for over a decade. FEHBP works well precisely because the Office of Personnel Management administering it does not micromanage the program, does not set prices. It simply sets the terms of allowable plans, and then offers Federal and Legislative branch employees, including Members of Congress and the Executive Branch, the cafeteria of options, and they go forth and they choose what is best for them.

Printed on recycled paper.

On November 2, the Post echoed this endorsement of consumer freedom writing, ''Retirees have a choice of insurance plans with widely varying costs, and some are faced with decisions on how much to spend out of pocket. If they choose to pay top dollar for branded medicines, the incentive to invent new medicines will rise. If they prefer to save money, incentives for innovation will decline a bit. Either way, a balance will be struck that reflects broad social preferences.''

My colleagues, the Democrat bill, H.R. 4, that was passed, not through the democratic process here in Congress, but put on the floor without amendments, will not help the part D Medicare prescription drug program, it will hurt it. If you don't believe it, read these editorials of the Washington Post.

VOTERS MADE A MISTAKE TRUSTING DEMOCRATS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Texas (Mr. GOHMERT) is recognized during morning hour debates for 5 minutes.

Mr. GOHMERT. Mr. Speaker, there is something awry in this House. You know, we have heard for the last 2 years I have been here in Congress about how if the Democrats were allowed to be in the majority, there was going to be openness, Mr. Speaker, there was going to be transparency, there was going to be bipartisanship; and yet right here the first rattle out of the box we have 3 weeks where the Republicans are not allowed any input whatsoever. Oh, we can come to the floor and fuss about it, but that is not input, there are no amendments, there are no changes that were allowed to be made. But now this week, we are beyond the 100 hours. And of course that was pretty ironic because promises, pledges, I assure you we are going to have openness, we are going to be bipartisan, well, when they saw around election time it was, gee, they had a chance of taking the majority, what did they do? Well, we don't want to keep that bipartisan promise, so let's change that. How can we do that? Oh, we will make a new promise. We will promise we are not going to keep our prior promise and we are just going to ramrod some things through in the opening days of Congress. Then they found out they enjoyed that, they liked that. Don't let them have any input. That is not right to Americans that nearly half of Americans are not allowed input into what goes on.

But this week takes the cake. Unbelievable. We have a bill that has only, as far as we can find out, had input from Congressman OBEY and Senator BYRD, it is the Obey-Byrd $463 billion earmark. Now I have got some folks up here from my district from Lufkin, Texas; the mayor is here, the city manager. In fact, nine of my 12 full counties had never voted for a Republican for Congress before, they are conservative Democratic counties. They don't run their counties and cities this way. They don't say the mayor is going back in the back rooms and is going to put together the budget for the next year. We are not going to have any kind of hearings, we are not going to allow any input. And here in Congress, in the past we have had review by subcommittees, and then the subcommittee hearings and taking testimony, and then we had a voting it out of subcommittee called a markup. Then we had review by the full committee. Then we had input from both Democrats and Republicans. Then we had a voting it out of committee. And then it went to the Rules Committee, and then the Rules Committee considered it. And then it came to the floor. And then there were opportunities for amendment, not on $463 billion of American taxpayer money, no, not here. There is no subcommittee, no committee, no Rules Committee. Well, they may take it to Rules, but I am not sure about that because it won't matter. It is coming to the floor tomorrow for a vote on the $463 billion Obey-Byrd earmark. That is not openness and transparency. I don't care how many new promises you make to break your old promises, that isn't right to the American people of my county, my county seats, Gilmer, Jefferson, Tyler, Longview, Marshall, Carthage, Henderson, Nacogdoches, Center, Hemphill, San Augustine, Lufkin; they would never run their city governments like this, they would never run their county governments like this. People would run them out of office if they tried to do what is going to be done tomorrow with $463.5 billion of America's taxpayer dollars. That is just not right. That is not right.

You know, Democrats had kind of run the budget process in the ground, and people had enough. They saw the way Senator BYRD cost us hundreds of millions or billions of dollars building an FBI facility in West Virginia. They saw the way the earmarks got out of hand under Democrats, so they voted in Republicans in 1994. Republicans did a great job, welfare reform, bringing the budget to where it balanced. And then they got a little complacent, some of my colleagues got long in the tooth and forgot why they were there, and so we got voted out. And the Democrats said, trust us, we have learned our lessons, we are not going to let this happen again. And all I can think about over and over again is that line in Animal House where after the senior fraternity members had wrecked the young freshman pledge's car, the guy put his arm around the young freshman and said, in effect, well, you messed up, you trusted me. Well, voters trusted Democrats with the majority. And now, as we consider $463 billion Obey-Byrd earmark that didn't have input from our friends across the aisle or Republicans, you messed up, you trusted them.

CHARLIE ALLEBACH, JR.

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Pennyslvania (Mr. DENT) is recognized during morning hour debates for 2 minutes.

Mr. DENT. Mr. Speaker, I come here today not to speak about the great weighty issues of the day, whether it be Iraq or the budget process and procedures of the House, homeland security or any number of issues. No, Mr. Speaker, I come here today to talk about the career of a wonderful individual. You know, it was Tip O'Neill who once said that all politics is local, and I rise today to honor the career of one of our Nation's great local civic leaders, civic officials, Charlie Allebach, Jr.

Charlie has been serving the people of the Borough of Souderton, Pennsylvania, for almost 43 years. Let me say that again. That is for 43 years, he has served the people of Souderton, Pennsylvania. He first became a borough councilman in 1964—by the way, I was 4 years old at that time—he was appointed mayor in 1970, and he has been mayor ever since. But I just want you to know, too, that he has just announced his retirement.

Charlie has presided over the steady growth of a wonderful community, Souderton, Pennsylvania. If you don't know anything about Souderton, it is in the Indian Valley of Pennsylvania, Montgomery County. It has got a great tradition. The Mennonites have had an enormous influence on that area over the years, have deeply influenced the culture and tradition. There is a great sense of family and faith in that area. Souderton is an extraordinary community.

Charlie, also, I want you to know, has performed more than 2,400 marriage ceremonies, lent his time to local service organizations and has been devoted to the borough in every way imaginable.

On behalf of the people of the 15th Congressional District, I wish him the best during his retirement. We would like to keep him around in public office longer, but I understand that 40 years is a long time. We wish him the best in this richly deserved retirement.

I also ask that a copy of my remarks today be included in the CONGRESSIONAL RECORD so that Charlie Allebach, Jr.'s career as the mayor of Souderton can be memorialized within the annals of Congress for all time and to all the people in the Indian Valley in Souderton, I know that they are perhaps watching today the proceedings of the House and I know they have such a deep affection for this man. We don't spend enough time in our lives as Members of Congress thanking and celebrating people who do things right, who enter public service because they believe in advancing the best interests of their community. They are not doing it for themselves. That is what Charlie Allebach is all about.

So to Charlie, we say once again, thank you for a job well done. We hope to see you around. We know we will, but just want you to know that your contributions to all of us, to our community, are deeply appreciated and will not be forgotten.

Mr. Speaker, Tip O'Neill once said that all politics is local, and I rise today to honor the career of one our nation's great local civic officials, Charlie Allebach, Jr.

Charlie has been serving the people of the Borough of Souderton, Pennsylvania, for almost 43—that's 43—years. He first became a borough councilman in 1964, and he was appointed mayor in 1970. He has been the mayor ever since, but he has just announced his retirement.

Charlie has presided over the steady growth of a wonderful community. He has also performed more than 2,400 marriage ceremonies, lent his time to local service organizations, and has been devoted to the Borough in every way.

On behalf of the people of the 15th Congressional District, I wish him the best during his retirement, and I ask that a copy of these remarks be included in the CONGRESSIONAL RECORD so that Charlie Allebach, Jr.'s career as the mayor of Souderton, Pennsylvania, can be memorialized within the annals of Congress for all time.

Thank you, Charlie, for a job well done.

RECESS

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

Accordingly (at 10 o'clock and 45 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order at noon.

PRAYER

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

Lord our God, ever-faithful throughout the ages and seasons of life, the cold winds of January rob the memory of Washington's heat and stretch our longing for another spring.

And January 30 recalls for us, Lord, another distant memory. On this day in 1948, Mahatma Gandhi was killed by a young religious zealot. The personification of nonviolence was overcome by violence.

Lord, the voice of this ''great soul,'' who spoke out in the midst of politics to end oppression and seek independence seems forgotten by us now, caught up in the war on terrorism.

In this mad spin around the sun, Lord, we cannot help but question whether we are an evolving world about to break upon the brightness of a new day or dissolving into the cold of Dante's darkness.

Raise up, O Lord, a prophetic light and lead us, now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. KAGEN 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.

HEALTH CARE REFORM

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

Ms. MILLENDER-MCDONALD. Madam Speaker, I rise today to plead for health care reform. In recent weeks, I have received more than 150 letters from my constituents asking for health care reform. No one has written expressing satisfaction over the current health care system. Most seniors feel that their medicine coverage is still costing too much. Others cite fear and losing access to choice of health insurance plans or medicines.

I am in favor of sweeping reforms to the system rather than the piecemeal and ''quick-fix'' methods of the past.

In Dallas, the poor, elderly and disabled are hurting the most when it comes to health care. Texas has the largest number of uninsured in the Nation, and our emergency rooms are bursting.

Madam Speaker, it is time for a new strategy. Let's consider comprehensive health care reform that will improve our health care system and make a real difference for Dallas and for America's citizens.

FEDERAL TIMBER POLICY SHATTERED HARNEY COUNTY'S ECONOMY

(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. Madam Speaker, the failure of Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act is another day with another broken promise.

When the Federal Government abruptly slashed timber harvest, the economy in Harney County, Oregon, population about 7,000, nearly collapsed. Hundreds of family-wage jobs were lost; 78 percent of the land mass in Harney County is controlled by the Federal Government so the government's decision had a dramatic effect on the people who live there.

In 2000, Congress did the right thing by approving the county payments program which in Harney County supports roads, community services, and Burns High School where 60 percent of the student body takes vocational classes.

Take Jim Gibbon, a Burns High graduate and 4-year vocational classes participant. Through that learning, he is now co-owner of Burns Ford and they employ 20 people.

County Judge Steve Grasty says, ''Loss of this program means losing future opportunities for young people here and in rural counties across America.''

This Congress must keep the Federal Government's word to timber communities and pass H.R. 17. Time is running out.

RESTORING FISCAL SANITY

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

Mr. WALZ of Minnesota. Madam Speaker, it is time we restore fiscal sanity to Washington. In 6 short years, Republican policies turned a $5.6 trillion surplus into a $3 trillion deficit. That is an $8 trillion reversal of fortune.

And last year, congressional Republicans never came to an agreement on the budget and refused to pass nine of the 11 must-pass appropriations bills before adjourning in December. This isn't how the appropriations process is supposed to work, and the American people know it.

Democrats vow we are going to get things done and done on time. This year, Democrats brought much-needed reform to Congress by passing a rules package that require Democrats to pay-as-we-go. This isn't a new idea. From 1990 to 2002, Congresses and administrations of both parties abided by commonsense rules that stated you couldn't cut taxes and increase spending unless you paid for it. Pay-as-you-go was one of the main reasons Washington balanced the books in the 1990s.

This week, since Republicans were unable to do their job last year, Democrats will bring a final bill to the floor that will fund key priorities. This bill will allow us to move forward with fiscal sanity.

OPPOSE CONTINUING RESOLUTION

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

Ms. FOXX. Madam Speaker, I rise today in objection to the so-called continuing resolution the Democrat leadership is going to bring up tomorrow. This is by no means a typical continuing resolution. A continuing resolution basically requires only a couple of lines saying that the current appropriations are continuing for a set period of time.

This CR has not been scrutinized through the committee process before being brought to the House floor for a vote. This is a $463 omnibus spending bill without any specific guidelines or accountability measures. American taxpayers deserve to know how their hard-earned dollars are being spent.

Madam Speaker, this is not a continuing resolution. A typical 1- or 2-page bill that continues spending at its previous level. Again, it is an omnibus spending bill well over 100 pages long, full of excessive unregulated spending, just another broken promise by the Democrat leadership that shows their true colors.

HEALTH CARE COSTS

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

Mr. KAGEN. Madam Speaker, impossible costs for health care are a major concern for everyone, and the President should be commended for addressing this difficult crisis. But his proposal is really a tax hike for people who cannot afford it: businesses and working families.

We must establish an open and transparent medical marketplace, and it is really not that difficult to do.

We need to, one, openly disclose all prices in health care everywhere; two, give every citizen the same discount; and three, establish a single risk pool, 300 million strong, across the country to leverage down prices and costs for all of us. In other words, if you are a citizen, you are in.

It is past time that the Congress should establish a single basic Federal standard health insurance policy that every insurance company must offer to each and every one of us. In doing so, we will be able to compare insurance companies based on the quality of their service and their price.

The President means well, but you cannot use tax hikes to lower health care costs.

CONTINUING RESOLUTION COMES TO FLOOR

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

Mr. KIRK. Madam Speaker, tomorrow this House will take up a massive spending bill that will remove over $400 billion from our Treasury. This huge 150-page ''CRomnibus'' spending bill has not been read by most Democrats or Republicans.

We are told that despite the end of the 100 hours, this large bill cannot be amended. We have had no hearings on this bill. There is no report to accompany the legislation detailing hundreds of billions in spending, and we will not be allowed to offer improvements like taking the savings in canceling Federal earmarks and making sure the deficit is reduced.

In large part, Members of this House may be later embarrassed when enterprising reporters who have the time to read this legislation find out what we have actually done without review or consideration. This bill is not pay-as-you-go. Given the Democratic retreat coming up, it is more like pay-and-then-play.

WHITE HOUSE ESCALATES CONFLICT

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

Mr. KUCINICH. Madam Speaker, Iranians and Saudis are uniting to try to avoid a war in Lebanon while the U.S. stays on the sidelines. Meanwhile, the Bush administration is isolating our Nation from Europe and trying to force Europe to block Iranian exports and freeze assets.

The U.S. should be standing for peaceful resolution of conflict. Instead, the White House escalates conflict: escalates with Iran, escalates in Iraq, escalates violence, escalates deaths, and escalates the Federal deficit.

I want the Bush administration to know there will be constitutional consequences for the President and the Vice President if this administration continues to move towards war with Iran.

THE TRUTH SET BORDER AGENT FREE

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

Mr. POE. Madam Speaker, another border agent has been tried for allegedly using too much force in arresting an illegal at the Texas-Mexico border.

Former border agent David Sipe was found guilty in 2001 by a Federal court jury for using excessive force in arresting Jose Guevarra.

According to news sources, the Federal prosecutor hid evidence at that trial that was beneficial to the border agent, such as the Federal Government had made deals and gave benefits to witnesses like Social Security cards, and the prosecutor had not revealed the criminal record of a witness.

Does this sound familiar to anyone? Anyway, Sipe was granted a new trial and last week a second jury, after hearing all of the facts and the truth, found the border agent not guilty.

Why does it seem our Federal Government is so zealous in prosecuting border agents who appear to be doing their job and give those who illegally enter the United States a free pass? Once again, it seems like the Federal Government is on the wrong side of the border war.

And that's just the way it is.

REDEPLOY FROM IRAQ

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

Mr. SESTAK. Madam Speaker, I spent 31 years in the military defending our freedom of speech. I often wondered and hoped during those years, whether in the fury of war or the challenges of peace, what Washington was thinking, debating wisely at length about the use of our national treasure, those men and women who wear the cloth of our Nation overseas.

I am concerned for U.S. security because of Iraq, a tragic misadventure that does not permit us to best address more important security challenges throughout this world.

Don't double down on a bad military bet by using more troops. Have confidence in our diplomatic ability to lead even with Syria and Iran, set a date certain for redeploying out of Iraq this year to serve as the leverage to have the Iraqis accept the reality of the personal consequence of not assuming responsibility for their nation.

That is why I will introduce legislation that sets the end of 2007 for our redeployment from Iraq to serve as the catalyst for the Iraqis to assume responsibility for their country so we can better address our security interests throughout this world.

SPENDING WITHOUT TRANSPARENCY

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

Mrs. BLACKBURN. Madam Speaker, the hold-onto-your-wallet Congress is at it again. Just a week after raising costs to nearly all of America's small businesses, they are spending billions of taxpayer dollars with little or no explanation of where it is going.

After months of campaigning and pledges on open government and more accountability, the Democrats are still behind locked doors spending billions of taxpayer dollars with very little transparency.

Tomorrow, they are going to cram through an omnibus spending package, not a continuing resolution, which basically is going to pay the government's bills; and the price tag is $463 billion, a $463 billion budget. And from what we understand, it has been crafted by a couple of folks, that's all. The Budget Committee didn't hold hearings. It was not reviewed for waste, fraud and abuse.

But from what we are understanding from the reports in the news, we have two Appropriations chairmen who have put it together, and you and I are just supposed to trust their judgment. I think so, Madam Speaker; we need to have accountability, we need to have review.

□ 1215

THE PRESIDENT'S ALLEGIANCE IS TO THE INSURANCE INDUSTRY

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

Mr. DEFAZIO. The insurance industry is exempt from antitrust law. They can and do legally fix prices. They can and do legally discriminate. They can and do legally deny coverage because of a preexisting condition, or for no reason whatsoever. But despite the fact that 60 percent of Americans get their health care through their employers, the President wants Americans to give up that protection of group coverage and throw themselves into the unregulated and cruel world of private insurance under the guise that he cares about the 46.1 million Americans that don't have health insurance, up 6 million on his watch.

And there's one more little cruel joke hidden in here. He doesn't tell them about that tax deduction which would also allow them to take a deduction against their Social Security. For a family or a person earning $30,000 a year, it would cut their Social Security benefits in half. The President will do anything to help his friends in the insurance industry; he doesn't care much about those who are uninsured or who need help with health care.

THANKS TO THE NEW BOLTON CENTER

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

Mr. PITTS. Madam Speaker, Barbaro, the winner of the Kentucky Derby, died yesterday. Barbaro was not just any horse. This was a horse who never lost a race. This was a horse who won the Kentucky Derby by 6½ lengths. The last time that was done was in 1946. What a shame it was when he hurt himself and cut short one of the greatest careers in horse racing.

And sad as this is, I come to the floor to congratulate the New Bolton Center in Chester County, Pennsylvania, in my congressional district. Dean Richardson and the staff of the New Bolton Center have shown the world what humane and excellent veterinary care looks like. Barbaro and his owners put their trust in the New Bolton Center and hoped for the best over the last 9 months. Sadly, Barbaro didn't make it. But no one doubts that everything that could have been done was done and done well. Our thanks are due to the staff at the New Bolton Center.

DEMOCRATS BRING FISCAL SANITY BACK TO WASHINGTON

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

Mr. WILSON of Ohio. Madam Speaker, a new report from the Budget and Appropriations Committee says that the new Congress faces a fiscal challenge of historic proportions. The cost of the war in Iraq, coupled with the growing price tag of tax cuts passed over the previous 6 years, have left the Nation deeper in debt than ever before and with one of the largest benefit deficits in the Nation's history.

Last year, Democrats committed to begin the process of restoring fiscal sanity by reinstituting a budget rule that helped Congress create a surplus in the 1990s. It is this fiscal discipline that is so important to House Democrats that we restored a pay-as-you-go budget rule on the second day of this new Congress.

Madam Speaker, historic debts are not good for any of us. They lead to rising interest rates, which cost middle-class families as much as $1,700 a year on credit card and mortgage payments. It also simply is irresponsible of us to continue to pass this debt on to future generations.

Madam Speaker, this week we will pass a final budget for the 2007 fiscal year after Republicans refused to pass these must-pass appropriations bills last year. It's time we get our fiscal house in order.

THE DEATH OF DELIBERATION

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

Mr. PENCE. Madam Speaker, I must admit that I was somewhat encouraged in December when the newly minted Democrat majority announced that they were considering a bill that would simply finish this year's budget work with what is known as a continuing resolution, funding the government at current levels and leaving the debate over the budget for the ordinary process of the constitutional system of the legislature. I was particularly enamored with the idea that they would move this so-named continuing resolution without earmarks, and I am pleased to have supported bipartisan earmark reform.

But what will come to the floor tomorrow, to my disappointment, is not a bill that simply continues the funding of the government. It is a new Federal budget: $463 billion in spending, 137 pages. Madam Speaker, it will take 300 pages to read the CBO score. What we see is not a continuation of government spending. We see, rather, the death of deliberation. The Congress is witnessing in the first hours of this new session the death of a long-term process whereby our budgets and our legislation are considered. It is the death of deliberation that must be put to an end.

MIDDLE-CLASS TAX INCREASE IS THE WRONG APPROACH

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

Mr. SIRES. Madam Speaker, Health and Human Services Secretary Mike Leavitt is about to begin a 100-day public relations effort to build support for the President's health care proposal. Democrats here in Washington in Congress want to work towards reducing the number of uninsured. Unfortunately, the tax deduction proposal will do very little to assist the 47 million Americans who are now living without health insurance.

The President touts his plan as a way to give low-income uninsured Americans more money in their pockets to help them buy their own health insurance. It sounds good, but the President ignores two facts.

First, the President's plan does not provide enough of a benefit for low-income Americans. A tax deduction is of little value to low-income workers, who in many cases will receive little more than $1,200 a year back from the Federal Government. That might sound like a lot, but health insurance costs the average family almost $11,000 a year. This small deduction will continue to make health care out of reach.

Madam Speaker, unfortunately, the President's proposal is not the right approach.

DON'T RAISE THE TOLLS

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

Mrs. CAPITO. Madam Speaker, I rise today to express my great concern with the proposal pending before the Virginia State Corporation Commission to raise the tolls on the Dulles Greenway. Many of my constituents from the eastern panhandle of West Virginia use this roadway to commute into Northern Virginia and the District of Columbia.

The growth of the Washington metropolitan area has extended into the eastern panhandle of West Virginia as many families move into the towns and communities of my district seeking a lower cost of living and the wonderful environment for raising a family we have in West Virginia. Some have chosen to change professions and remain there with their jobs, but many others still commute into Northern Virginia and the District of Columbia every day, and they rely on many forms of transportation, one of which is the Dulles Greenway.

The proposed increase represents a 56 percent increase over the next 5 years. The per-mile rate for the increased toll is drastically higher than other toll roads in the area, costing commuters approximately 34 cents per mile. For many families this will be an undue burden.

Thankfully, there is a hearing today in Northern Virginia so local citizens can express their concern with this proposal. I hope that the Virginia State Corporation Commission will see the shortsightedness of this proposal

and call for a reasonable toll level for the commuters utilizing the Dulles Greenway.

A HISTORIC MOMENT

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

Mr. LANTOS. Madam Speaker, moments before we opened this session, I had the privilege of witnessing a historic moment. Our distinguished Speaker, a lady who has just returned from a bipartisan visit to Kuwait, Iraq, Pakistan and Afghanistan, met the distinguished Speaker, another lady, another statesman, another political leader of outstanding qualities, the Speaker of the Hungarian Parliament.

When these two women met, NANCY PELOSI and Katalin Szili, history was made. We saw two great democratic republics, with parliaments headed by outstanding women, exchange views and plan the future of stronger and even better relations between the Republic of Hungary and the United States of America.

I salute Speaker PELOSI and Speaker of Parliament Katalin Szili and wish both of them the very best.

LET'S WORK TOGETHER

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

Mr. KINGSTON. Madam Speaker, I think that there is a good part to the Democrat takeover of the House and the Senate, and that is that now the Democrats are at the table when we talk about Iraq. And there are many in this town who say failure is not an option. I think failure is an option. I think there would be disastrous consequences to that. The third largest oil-producing nation in the world would belong to terrorists. What would happen to the existing and fledgling Iraqi Government if you suddenly pulled our troops out of there? What kind of genocide would that bring? Those are things that have to be dealt with.

But I think that it is good that now we can have a bipartisan approach that the critics of the administration and the policy are now inside the room actually making policy. With that spirit, I think that it is time to tone down the rhetoric and work on a solution that will be best for Iraq, for America, and for the international community. And I say this with sincerity now because I think there is a good opportunity, and we only will have it, I think, for a few short months because the Presidential elections are kicking in, lots of rhetoric is floating around, but I think we can work together and come up with some good policy.

PRESIDENT'S HEALTH CARE PROPOSAL IS A BAD PLAN

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

Mr. COHEN. Madam Speaker, in the President's State of the Union address last week, he made proposals for what is essentially a tax increase on more than 30 million Americans. That's right, if Congress were to pass the President's health care plan, more than 30 million Americans, many of whom are middle-class workers who have fought hard to negotiate comprehensive health care plans with their employers, would be taxed by the Federal Government. Good health insurance, for those lucky enough to have it, would be jeopardized as many Americans would be pushed into the individual insurance market where insurers can refuse coverage to workers based on their health.

That brings me to the least of these, those without insurance, a number which will grow under the President's plan. The Regional Medical Center at Memphis, the Med, a hospital that provides a disproportionate amount of service to the poor, could lose as much as $30 million a year. Tennessee could see Federal revenue to support hospitals, nursing homes and other health providers by as much as $300 million, and that would be an increase of taxes at the local level.

The Med plays a critical role in delivering health care to the poor. Losing the specialty services of the Med would leave serious gaps in our health care system that serves the entire region around Memphis, including Mississippi and Arkansas.

PRESIDENT'S TROOP ESCALATION PLAN IS NOT A PLAN FOR SUCCESS IN IRAQ

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

Mr. BUTTERFIELD. Madam Speaker, just how many people need to tell the President that his troop escalation plan is a terrible idea before he actually begins to listen? The American people sent the President a strong message last November that they no longer want our troops involved in what has become a civil war in Iraq.

The President's own generals have told him that they didn't need more troops in Iraq; but rather than listening to his generals, as he has always suggested that he has done, he has now turned around and replaced them with generals who are more friendly to the idea of sending more troops.

The bipartisan Iraq Study Group told the President that more troops were not needed. Instead, they concluded that a strategic redeployment should be initiated in the coming months and that the administration should reach out to the neighbors in the region, ideas the administration has rejected. If this were not enough, an overwhelming number of Democrats, and Republicans I might say, here on Capitol Hill have expressed opposition to the plan.

Madam Speaker, how many people have to tell him ''no'' before he listens?

□ 1230

SUPPORT OUR TROOPS BUT OPPOSE THE WAR IN IRAQ

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

Ms. SOLIS. Madam Speaker, today I rise in support of our troops, and I want to underscore that. But I also want to make clear that I am opposed to the war in Iraq. Our service men and women are proudly serving our country. More than 3,063 of our sons and daughters, including 13 from the 32nd Congressional District that I represent, have given their lives.

This war, as you know, has cost taxpayers $387 billion so far, and an additional $100 billion to $130 billion is going to be requested by this President. There is no plan to secure the peace. There is no accountability for companies like Halliburton that have been found to make more than $1.4 billion in unreasonable and unsupported billing charges, and our veterans lack the support needed and deserved.

We need a plan that ensures that there are no permanent U.S. military bases in Iraq, and not a plan to increase the buildup. We need a plan which investigates and punishes companies engaged in war profiteering and fraud and a plan to redeploy our servicemen and women. We need to find a political solution.

AMERICANS OPPOSE TROOP ESCALATION IN IRAQ

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

Mr. PAYNE. Madam Speaker, President Bush's dangerous plan to escalate the war in Iraq will not make Americans more secure. In fact, it will only lead to more bloodshed and violence. The plan faces significant bipartisan opposition in both Chambers of Congress and is opposed by a vast majority of people in this country.

Some Republicans are belatedly calling for benchmarks to measure progress in Iraq, even as they stand by the President's plan to escalate the war. Democrats were calling for benchmarks for success in Iraq years ago, but our pleas fell on deaf ears.

As an early and staunch opponent to this war, I have watched as every single prediction this administration has made has been proven wrong, from the duration of the war, the reception we would receive, the costs, the number of casualties and the existence of weapons of mass destruction, all wrong.

The loss of more young men and women is too high a price to pay for

this gamble. Let's support our troops by bringing them home and letting Iraqis shoulder responsibilities which should be theirs.

HONORING ARMENIAN EDITOR HRANT DINK

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

Mr. COSTA. Madam Speaker, I rise today to mourn the loss of the Armenian Turkish newspaper editor, Hrant Dink. On January 19, the legacy of the Armenian genocide continued. Hrant Dink, who was tried and convicted of ''insulting Turkishness'' by recognizing the Armenian genocide, unfortunately, was shot dead over a week ago.

Dink was a voice for freedom of the press, for democracy and for Armenian genocide recognition. Between 1915 and 1923, the Ottoman Empire led a genocide on its Armenian population, killing over 1.5 million people. Over 90 years later, the Turkish Government still refuses to acknowledge it occurred.

I told the Turkish foreign minister last year that to move forward with democratic reform, Turkey must first comes to grips with its past, just as our country had during the civil rights movement. Yesterday, I sent a letter to President Bush urging the withdrawal of the nomination of Richard Hoagland to be Ambassador to Armenia. Given the assassination of Dink, we cannot have an ambassador who refuses to acknowledge the Armenian genocide happened. It would send the wrong message.

PRESIDENT'S ESCALATION PLAN IS NOT NEW—IT'S BEEN TRIED BEFORE AND FAILED

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

Ms. WATSON. Madam Speaker, in June of 2006, the Bush administration announced a new plan for securing Baghdad by increasing the presence of Iraq security forces. That plan failed.

In July, additional U.S. troops are moved in. By October, the Pentagon was admitting that the plan to secure Baghdad had failed. In the fall of 2005, the Bush administration increased troop levels by 22,000 around the time of the elections, and the escalation had little long-term impact on quelling sectarian violence.

The New York Times had a story by a young troop member in Baghdad yesterday. You need to read it, because it talked about how the snipers killed one of their buddies and how they went in to get his body out and to get his helmet, and the blood spilled down the clothing of the rescuers.

This is happening every day because we are fighting a war with an unknown enemy in the middle of sectarian violence. It must stop.

APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore (Ms. SCHAKOWSKY). Pursuant to 22 U.S.C. 1928a, clause 10 of rule I, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. GILLMOR, Ohio
Mr. REGULA, Ohio
Mr. BOOZMAN, Arkansas
Mr. SHIMKUS, Illinois

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

ESTABLISHING THE HOUSE DEMOCRACY ASSISTANCE COMMISSION FOR THE 110TH CONGRESS

Mr. LANTOS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 24) establishing the House Democracy Assistance Commission for the One Hundred Tenth Congress, as amended.

The Clerk read as follows:

H. RES. 24

Resolved,

SECTION 1. ESTABLISHMENT OF COMMISSION.

There is established in the House of Representatives a commission to be known as the House Democracy Assistance Commission (hereafter in this resolution referred to as the ''Commission'').

SEC. 2. MEMBERSHIP OF COMMISSION.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 20 Members of the House of Representatives, of whom 11 shall represent the majority party and be appointed by the Speaker of the House of Representatives and 9 shall represent the minority party and be appointed by the Minority Leader of the House of Representatives.

(b) TERMS OF MEMBERS OF THE HOUSE OF REPRESENTATIVES.—Each member of the Commission shall be appointed for a term that is concurrent with the Congress in which the appointment is made. Such a member may be reappointed for one or more subsequent terms in accordance with the preceding sentence.

(c) CHAIRPERSON.—The Chairperson of the Commission shall be designated by the Speaker of the House of Representatives from among the members appointed by the Speaker of the House of Representatives under subsection (a).

SEC. 3. DUTIES.

(a) ACTIVITIES.—The Commission shall work with the legislatures of partner countries, as determined pursuant to paragraphs (2) and (3) of subsection (b), on a frequent and regular basis in order to—

(1) enable Members, officers, and staff of the House of Representatives and congressional support agencies to provide expert advice and consultation to members and staff of the legislatures of partner countries;

(2) enable members and staff of legislatures of partner countries to study the operations of the House of Representatives and its support agencies; and

(3) provide recommendations to the Administrator of the United States Agency for International Development regarding the provision of material assistance, such as modern automation and office systems, information technology, and library supplies, as the Commission determines to be needed by a legislature of a partner country in order to improve the efficiency and transparency of its work, and to oversee the provision of such assistance.

(b) SELECTION OF PARTNER LEGISLATURES.—

(1) IN GENERAL.—In order to carry out the activities described in subsection (a), the Commission may conduct, as needed, studies on the feasibility of programs of assistance for legislatures of countries described in paragraph (2) for the purpose of strengthening the legislative infrastructure of such countries. Such studies shall assess—

(A) the independent and substantive role that each legislature plays, or could reasonably be expected to play, in the legislative process and government oversight;

(B) the potential benefit to each legislature of expert advice from and consultation with Members and staff of the House of Representatives in areas such as the development of research services and legislative information systems, legislative procedure, committee operations, budget process, government oversight, and constituent services; and

(C) the need in each legislature for material assistance, such as modern automation and office systems, information technology, and research materials, in order to improve efficiency and transparency.

(2) COUNTRIES DESCRIBED.—The countries referred to in paragraph (1) are countries that have established, have re-established, or are developing democratic legislatures which would benefit from the assistance described in this resolution.

(3) ADDITIONAL PARTNER LEGISLATURES.—From any countries studied in accordance with paragraph (1), the Commission may select one or more legislatures to receive assistance under the provisions of this resolution, subject to a written expression of interest from the highest ranking office within the legislature of a selected country.

(c) REPORTS.—

(1) IN GENERAL.—Not later than December 31, 2007, and each December 31 thereafter, the Commission shall prepare and submit to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, appropriate House committees, the Office of Interparliamentary Affairs of the House of Representatives, and the Administrator of the United States Agency for International Development, an annual report on the Commission's activities, including a review of the activities of the Commission in the current year and a proposal for the activities of the Commission in the upcoming year, as described in subsection (a).

(2) DEFINITION.—In this subsection, the term ''appropriate House committees'' means the following committees of the House of Representatives:

(A) The Committee on Foreign Affairs.

(B) The Committee on Appropriations.

(C) The Committee on House Administration.

(D) The Committee on Rules.

SEC. 4. ROLE OF THE COMMITTEE ON FOREIGN AFFAIRS.

(a) IN GENERAL.—The Commission shall carry out the duties described in section 3

using the staff and resources of the Committee on Foreign Affairs, including the use of consultants or temporary employees, such as individuals with expertise in development of democratic parliaments, legislative systems management, legislative research, parliamentary procedure, related legislative matters, and technology systems management, as appropriate.

(b) PARTICIPATION OF LEGISLATIVE BRANCH EMPLOYEES.—At the request of the Commission, the head of any office of the House of Representatives or any congressional support agency may assist the work of the Commission by—

(1) detailing personnel to the staff of the Committee on Foreign Affairs or another standing committee of the House of Representatives; or

(2) authorizing personnel to participate in activities of the Commission.

SEC. 5. TRANSITION FROM FORMER COMMISSION.

(a) CONTINUATION OF EXISTING PROGRAMS.—The Commission may continue programs of assistance with legislatures of partner countries which were initiated by the former Commission.

(b) TRANSFER OF AUTHORITIES AND RESOURCES.—Any authorities and resources of the former Commission which remain available as of the day before the date of the adoption of this resolution, including unobligated funds, shall be transferred and made available to the Commission.

(c) DEFINITION.—In this section, the ''former Commission'' means the House Democracy Assistance Commission established under the House Democracy Assistance Commission Resolution (House Resolution 135, One Hundred Ninth Congress, agreed to March 14, 2005).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LANTOS) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

Mr. LANTOS. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, I rise in strong support of this resolution.

When the Berlin Wall fell, I was there with other congressional colleagues. We experienced firsthand the exuberance of the people of East Germany and across the newly liberated region.

But to sustain the momentum of that unique instant in history to commitment on both sides of the Atlantic, commitment not just to elections, but to the development of permanent, democratic institutions that permeate society. Madam Speaker, I vividly recall how excited we in Congress were when we first provided assistance to our new colleagues in democratically elected parliaments across Central and Eastern Europe.

That is why I strongly support the resolution before the House today, which reestablishes the House Democracy Assistance Commission. This important body plays a critical role in ensuring that the new generation of emerging democratic institutions get desperately needed assistance.

In the 109th Congress, the House created this commission to enable members and staff to assist their counterparts in the parliaments of new democracies around the globe. With our help, they will build strong, independent legislatures.

The commission has been led by two steadfast and consistent supporters of democracy promotion, DAVID PRICE, our colleague from North Carolina, and DAVID DREIER, my fellow Californian. I want to offer my sincere gratitude to both of them for their efforts.

Under their leadership, the commission took congressional delegations to six new or reemerging democracies and hosted six visiting parliamentary delegations here in Washington.

The commission also offered material assistance to several legislatures through USAID, most notably a project to furnish and equip and train staff of the parliamentary library of East Timor with the invaluable assistance of our own Library of Congress.

Pending the passage of this resolution by the full House, the commission in 2007 plans to assist the legislatures of Afghanistan, Colombia, East Timor, Georgia—not our own Georgia, but the former Soviet Republic of Georgia—Haiti, Indonesia, Kenya, Lebanon, Liberia, Macedonia, Mongolia and Ukraine.

Madam Speaker, in 1918, President Woodrow Wilson expressed the idea that it is in our national interest to encourage free and open and democratic governments. Over the past nine decades, the United States has sustained and expanded this important commitment. The Price-Dreier Commission is an important part of this tradition, and it deserves our continued support.

I urge all of our colleagues to participate in the House Democracy Assistance Commission and to support this most important legislation.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I also rise in strong support of House Resolution 24, reestablishing the House Democracy Assistance Commission for this 110th Congress. I was an enthusiastic cosponsor of the legislation creating the commission in the year 2005, and I am proud of what it has accomplished during these years.

Our colleagues, as Mr. LANTOS mentioned, Mr. DREIER and Mr. PRICE, deserve our thanks for their hard work and identifying candidate legislatures in emerging democracies to receive commission assistance. The 12 partner countries selected so far include nations of strategic importance to all of us, such as Afghanistan and Lebanon. They include the largest Muslim majority nation on Earth, Indonesia, which has emerged from authoritarian dictatorship to become the world's third largest democracy.

It includes countries that have overcome Soviet-era communism such as Georgia, Mongolia and Ukraine. They include one of the world's newest nations, East Timor. It also includes important neighbors in the hemisphere such as Colombia and Haiti and friends in Africa, among many others. To these nations, the commission provides not only technical support, but moral support as well.

Many of us have heard of how much democratic reformers and parliamentarians overseas appreciate the formal relationships with the House provided by this commission. All of us here know democracy is more than just about holding an election. It is also about building responsive institutions that can earn the public trust and the public's allegiance.

To be effective in a democratic context, legislatures must have the independent capacity for research, for analysis and for legal drafting. So the expanding programming that the commission plans to undertake during this Congress is vitally important, Madam Speaker.

I have no doubt that the commission will continue to do great things with the limited resources that it shares with our Committee on Foreign Affairs.

It represents a modest investment in sharing with the people of the world one of our most treasured legacies, government of the people, by the people, for the people. For these reasons, Madam Speaker, this resolution before us deserves our unanimous support.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I am delighted to yield 2 minutes to my good friend and our distinguished colleague from California (Mrs. CAPPS), a member of the commission for the 109th Congress.

Mrs. CAPPS. I thank my colleague for yielding.

Madam Speaker, I rise in very strong support of this bipartisan resolution to continue that good work of the House Democracy Assistance Commission. As a member of the commission, I want to thank our cochairs, Representatives DAVID PRICE and DAVID DREIER, for the excellent job that they have done in leading us.

I want to thank our current and former staff, John Lis, Tommy Ross, Lara Alameh and Robert Lawrence, who have worked very hard to make the commission successful with its work.

Madam Speaker, the House Democracy Assistance Commission was established in the last Congress as an instrument for this House to share some of

the lessons we have learned over 200 years about making democratic government work.

The commission has tried to impart these lessons to countries around the world now embarking on this hopeful path. Members of the commission have visited a number of countries struggling to find their way in a more open system of government, eager to have our partnership with them in this endeavor. We have hosted representatives from many of these same countries here in Washington and in some of our congressional districts.

For example, I hosted members of the Indonesian delegation in my district, and I have traveled there, and to East Timor, to Macedonia, to Afghanistan. During these visits, we discussed with our counterparts the basic workings of government, everything from the importance of constituent relations to the value of setting budgets, from the roles of minority and majority parties to the importance of public health programs.

□ 1245

We don't tell them how they should make their governments work, but we do try to explain how we have made it work in this country; and we have done so in a bipartisan and really even nonpartisan manner.

Madam Speaker, this year the House will have before it many important tasks. I believe very few are as important to the well-being and future of our country as helping to establish stable democracies around the world. The House Democracy Assistance Commission will try in its small way to advance that goal, to bring us a more peaceful and just, well-governed world.

I urge the House to pass this legislation and let us continue our work.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield such time as he may consume to the gentleman from California (Mr. DREIER), one of the coauthors and co-creators of this commission.

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

Mr. DREIER. Madam Speaker, I want to express my appreciation to my very good friend from Miami (Ms. ROS-LEHTINEN); and of course my great pal from California (Mr. LANTOS), my classmate and neighbor, who, as soon as I took the well, decided to walk off the floor, but he is still here for a moment. And I do appreciate the fact that in a bipartisan way we have taken on what is one of the most interesting and fulfilling challenges that I have faced in the many years that I have been privileged to serve here in the Congress.

And, of course, as I look around the Chamber and see colleagues like LOIS CAPPS and, of course, the man with whom I served as a partner in a bipartisan way on this, DAVID PRICE from North Carolina; on our side of the aisle, JEFF FORTENBERRY and JOHN BOOZMAN, who are among the Members to serve on this commission, it is very, very important today that we reauthorize this effort.

As we look at our quest to prosecute the global war on terror, it is obvious that many things need to be done. We obviously need to have the military wherewithal to do everything necessary to make sure that as we face terror attacks and other military conflicts that we are able to successfully take that on. But, similarly, it is important for us to look at other ways in which we can do everything possible to help people who are struggling.

And I forgot to mention Ms. SCHWARTZ, who I had not seen because my peripheral vision wasn't that great; so I am happy that she is here, another very able and hardworking member of our commission.

But, Madam Speaker, as I was saying, as we look at this challenge not only dealing with the military challenge, it is important for us to work to build democracies and those institutions that relate to it and the rule of law and political pluralism and self-determination, as I like to always say, those things that we have a tendency to take for granted here in the United States but are so important.

And this commission was specifically built on something that we did about 15 years ago following the crumbling of the Berlin Wall and the demise of the Soviet Union, that being our effort to let Eastern and Central Europe know that as they work to claw their way from totalitarianism that we would do all that we could to help build their parliaments. And, Madam Speaker, that is exactly what we have now been able to do so far in six countries and we have six other countries with which we are working very closely, assuming that we reauthorize this effort here.

And we are going to be doing so, I know, under the very able leadership of my colleague Mr. PRICE, and I am going to be working on our Republican side with members. And, again, I was very privileged to serve as chairman that we did this as a partnership. It was not only a partnership in a bipartisan way between Democrats and Republicans here, but it also has been a very important partnership in working with nongovernment organizations, with the Department of State, with the National Endowment for Democracy, with the International Republic Institute, with the National Democratic Institute, and a wide range of other entities out there that recognize that building these parliaments that will have the ability to engage in oversight of their executive branch, to put into place a budget process to make sure that they have the kind of constituent service that is very important for them, these are the kinds of things that this commission has worked on so effectively.

A couple of quick examples from the missions that we have been on so far: one of the things that we found in Kenya when we visited there was that it was essential for us to help them build up their budget process and their committee process there as well, and we were able to provide through our commission great benefits for them. And, frankly, when we were on our mission there in Nairobi, Kenya last July, we went to the site of the former U.S. embassy. And we all know back in 1998 that our embassies in Dar es Salaam, Tanzania and Nairobi, Kenya were attacked by al Qaeda, and now for us to see the role that we are playing in helping to build this democracy in and the fledgling parliament in Kenya has been a very important thing, especially in the light of the fact that most recently we have seen an effort supported by the Kenyan Government and the Ethiopian Government in liberating the Somalians from the hold of those Islamic extremists. So we are seeing a real tangible benefit in this war on terror from the work of this commission.

Similarly, in the Balkans, in Macedonia, on our mission there most recently just over the Thanksgiving break, we were able to do a great deal in helping with the building of their committee process there, and our commission has worked long and hard on that.

So, Madam Speaker, I am going to quote my friend DAVID PRICE because my feeling is virtually identical to that. When we think about the important work that we do with the privilege that we have of serving as Members of the United States Congress, there is nothing that is more fulfilling and rewarding and tangible for us to see than the opportunity to participate in this very important work on the commission.

So I express my appreciation again to Chairman LANTOS and Ms. ROS-LEHTINEN and all of the members of this commission, and we look forward to reporting back to our colleagues here in the House of Representatives, Madam Speaker, on the very important success that we are going to be having in the months and years to come.

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

Before yielding to my good friend from North Carolina, let me pay tribute to the two DAVIDs who have done an extraordinary job in the last session and, in fact, should be called two Goliaths of legislative accomplishment across the globe.

I could not think of a person more qualified than my friend DAVID PRICE of North Carolina to chair the House Democracy Assistance Commission. DAVID PRICE is a legislator's legislator. His understanding of the legislative process as a distinguished academic political scientist and his practice as one of the most outstanding legislators in the history of the Congress uniquely qualify DAVID PRICE to chair the House Democracy Assistance Commission.

Under his leadership, this body will take to many parts of the world not

only the principle but the practice of the democratic process.

Madam Speaker, it is with great pleasure and pride I yield such time as he may consume to my friend DAVID PRICE.

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Madam Speaker, I want to thank my friend from California for those very generous and indeed extravagant words. Coming from him, they mean more than I can say.

Mr. LANTOS. It was an understatement.

Mr. PRICE of North Carolina. Thank you.

And we do thank the chairman and the ranking member, Ms. ROS-LEHTINEN, for scheduling this resolution so promptly, so that the House could act on this and our commission could get on with its work.

I also want to acknowledge the previous speaker, Mr. DREIER, the previous chairman of the House Democracy Assistance Commission, who did a wonderful job in getting this commission launched in its first 2 years. As he said, we have operated every step of the way on an open and bipartisan basis; and so as we swap roles, with my assuming the chairmanship and his being the ranking member, I am very hopeful that this will be a seamless transition, and that this cooperative way of operating will continue. Indeed it should, as we work together in this body to take the message and the practice of democracy to our partner legislatures around the world.

House Resolution 24 would reauthorize the work of the commission. This is a body that was inspired by the work of the Frost-Solomon Task Force back in the early 1990s. We worked then with states in Central and Eastern Europe as they were emerging from communism.

Our commission has undertaken this same kind of work. We are building the institutional capacities of legislatures in emerging democracies. We are working with them to develop their research and budget analysis, oversight, legislative drafting, and other capabilities.

There is a difference, though. In contrast to the Frost-Solomon effort, our scope is not just Central and Eastern Europe, although some of our partner countries are still in that region. We are undertaking around the world to work with partner legislatures. In the commission's first 2 years, we have worked with legislatures in 12 nations. Many of these countries are of key strategic import for our own Nation, and all are enthusiastic, worthy, and willing partners: Afghanistan, Colombia, East Timor, Georgia, Haiti, Indonesia, Kenya, Lebanon, Liberia, Macedonia, Mongolia, and Ukraine.

Madam Speaker, we view our work as a small but important niche in the United States's mission to spread democracy around the world. We do this not in the sense that we have all the answers about how to promote democratic rights and governance. The commission's work is rooted in the fundamental realization that the heart of democracy is not found just in elections but between elections. Between elections, that is when a nation's ability to govern itself in a way that is responsive to its citizens and representative of its citizens is established. What happens between elections, establishing representative institutions of governance, is just as important as the nation's free determination of who will govern.

Our commission works with partner legislatures to support development of the tools legislators need to establish responsive, effective government. We carry on our work in the sure realization that we do not have all the answers. We know that our own democracy is a work in progress. We do think we have an important story to tell. But we approach each of these legislatures in a true spirit of partnership, learning from them as they learn from us.

We also don't have a corner on the market of democracy promotion, and we coordinate closely with USAID, with the State Department, with other actors in the field to ensure that our efforts complement and enhance theirs.

We have high expectations for the program which we hope to implement in 2007 with the support of this body. During the last 2 years, our focus has been on assessing candidate legislatures and seeking to establish partnerships. Now we plan to move toward consolidating these relationships by expanding and focusing our programming. We plan to conduct advanced seminars on critical legislative capabilities, to enable sustained communications between members and staff of our legislatures, to identify and support pro-democracy reformers in partner legislatures, and to provide small-scale material assistance in cases of significant need.

So, Madam Speaker, let me close by again thanking my colleague Representative DAVID DREIER, the founding chairman of the House Democracy Assistance Commission, thanking him for his leadership. He has led us with vision and with an inclusive spirit. I also want to thank Speaker PELOSI, past Speaker HASTERT, Majority Leader HOYER, Chairman LANTOS, Ranking Member ROS-LEHTINEN, and many others who have supported the commission and helped bring forward quickly this resolution to get our work going.

I urge my colleagues to support the resolution, which offers Members of this body a promising opportunity to directly contribute to the important work of championing democracy around the world.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from Nebraska (Mr. FORTENBERRY), one of the founding members of the commission and who is staying on to make sure that we have a successful commission once again this year.

□ 1300

Mr. FORTENBERRY. Madam Speaker, I thank the gentlewoman from Florida for her leadership on the Foreign Affairs Committee, as well as our chairman, Mr. LANTOS, for your support of the resolution today.

Madam Speaker, I would like to add my voice to those who have commented on the leadership of Mr. PRICE of North Carolina, and Mr. DREIER of California, as well as the excellent service that the dedicated staff has provided in the formation of the House Democracy Assistance Commission.

Madam Speaker, I was very pleased to receive an appointment to the commission during the last Congress, because I recognized its potential to help legislators around the world who are struggling to give representative democracy a chance. By supporting this program we can provide direct help to build effective legislative institutions worldwide. Through the work of the House Democracy Assistance Commission we bring the best of our practical experience in running this Congress to emerging democratic societies, where people are longing to experience robust institutional systems that value the just principles of self-determination.

Last Congress, the commission selected 12 parliaments from Afghanistan to East Timor for participation in its technical assistance program. Logistical challenges notwithstanding, the commission's dedicated professionals and committed members reached out to help replicate this institution's success stories in legislatures throughout the world.

In reauthorizing the House Democracy Assistance Commission, we can continue to help other countries place their people's aspirations within reach. In helping them to succeed, we can play a direct role in laying the foundations for a more stable and peaceful world.

Madam Speaker, I urge my colleagues to support this resolution today.

Mr. LANTOS. Madam Speaker, I yield 3 minutes to my good friend from Pennsylvania, Congresswoman ALLYSON SCHWARTZ, a distinguished member of the commission.

Ms. SCHWARTZ. Thank you, Mr. LANTOS. I appreciate the opportunity to speak on the floor this afternoon.

Madam Speaker, I was honored to serve on the House Democracy Assistance Commission during the 109th Congress, and I was privileged to travel on the commission's first trip to Indonesia and East Timor in February of 2006. I too want to thank the commission's chairman, Congressman DAVID PRICE, and the ranking member, former chairman, Congressman DAVID DREIER, for their hard work and their leadership on this important initiative.

I also want to acknowledge the commission's staff, John Lis, in particular,

the director, and the rest of the staff who worked hard in advance of our trips and continued to work hard in preparing for the designation of certain emerging democracies and our trips abroad as well to bring some of those members here.

The last few years have borne witness to a number of encouraging events in emerging democracies around the world, as well as a number of discouraging setbacks. One thing that has become clear is that to help advance democracy, transparency and the rule of law abroad, the United States can and must do more than just support elections. We must support the establishment of strong, independent democratic institutions, which provide the backbone of viable democracy. So in addition to elected executives, we must, and indeed it means, help legislative and judicial branches of government have the authority, the autonomy and the continuity that they need.

As Members of Congress, Members of the oldest directly representative democratic institution in the world, we are in a unique position to reach out to our counterparts in fragile democracies to held build relationships and to learn from each other.

The House Democracy Assistance Commission has conducted legislative strengthening programs with our counterparts in Indonesia, East Timor, Georgia, Macedonia, Kenya and Afghanistan; and these legislators face enormous challenges. For instance, in East Timor, where I traveled, only two of their legislators had legislative experience prior to serving in their parliament. They have almost no support staff and few resources.

Their constitution provides for a substantive parliamentary role; however, lack of experience and lack of infrastructure have severely limited their role, leaving the executive to control most of their legislation. Nonetheless, the members that we met with are deeply committed to their role as representatives and to their role in maintaining and building democratic institutions.

They are keenly aware of the challenges that they face as one of the poorest nations in the world, where basic services from electricity to schools are just being initiated. It is in our Nation's interest to work with nations like East Timor, nations struggling on the road to democracy and stability to establish effective legislative bodies.

The commission enables Members of this body, Democrats and Republicans alike, to do just that, to share our knowledge, expertise and passion for the legislative branch with our counterparts in these emerging democracies.

We have worked with parliamentarians from these countries in their home countries, in State capitals across this country and here in Washington, focusing on the establishment of legislative information and research services, on providing advice on legislative procedures and committee operations, and on constituent services.

The commission has also provided these parliaments with some needed material support, such as office equipment and computers and library resources. So as we confront the global security challenges of the 21st century, initiatives that strengthen democratic institutions abroad and help provide a positive image of the United States are of utmost importance. That is why this commission is so worthy of our continued support. That is why I urge a ''yes'' vote on House Resolution 24.

Ms. ROS-LEHTINEN. Madam Speaker, I yield such time as he may consume to Mr. BOOZMAN of Arkansas, our last speaker, who has made incredible contributions to the House Democracy Assistance Commission as a founding member of that body.

Mr. BOOZMAN. Madam Speaker, I rise today in strong support of House Resolution 24 to reauthorize the House Democracy Assistance Commission. This type of parliamentary development program was initially seen as a tool to help 12 emerging democracies rise from the grasp of communism in Central and Eastern Europe in the mid-1990s.

The Solomon-Frost Task Force assumed that successful democratic transitions in former Communist countries depended on direct involvement and at a modest cost were able to help these parliaments become effective legislatures and play a crucial part in a democratic system.

One of the most evident impacts of the program was the goodwill it generated towards the U.S. Congress and the American people among these East European countries under the Iron Curtain.

As the need has continued to grow and our world continues to evolve, former Speaker HASTERT recognized the necessity of having this program once again. The House Democracy Assistance Commission has given the U.S. Congress the ability to guide fledgling democracies into strong, stable institutions of government by creating relationships between members of both bodies.

Madam Speaker, I had the opportunity to travel to Lebanon, Kenya and Liberia on a trip not too long ago. And we were greeted in Kenya by a big guy. I am a pretty big guy myself; I am not used to looking up to people. But this individual was probably 6–5, 6–6. He was the staffer that was in charge of taking us around the capital making sure that we got where we were supposed to be.

And then we had the opportunity to journey outside of the capital out into the countryside. We flew out, and this same individual greeted us in his Masai warrior outfit. And we had the opportunity to visit with the Masai, see how they ran things. But, Madam Speaker, that is how you change the world, with the relationships, helping others build the institutions that underpin democracy. That is how you change the world.

Again, I want to thank Congressmen PRICE and DREIER for their leadership, for the tremendous job that they have done, to Speaker PELOSI for going forward and agreeing to getting things along as far as they have on this, former Speaker HASTERT for his vision, and then most importantly, to the staff that does such a tremendous job of helping out and making all of those things possible.

Ms. ROS-LEHTINEN. Madam Speaker, we have no further requests for time, and yield back the balance of our time.

Mr. LANTOS. Madam Speaker, I am delighted to yield such time as he might consume to the distinguished member of the Foreign Affairs Committee, my good friend from New Jersey (Mr. PAYNE).

Mr. PAYNE. Madam Speaker, I would like to say a word or two about the Democracy Assistance Act. Let me commend the chairman and the ranking member for bringing this very important legislation up for reenactment.

I had the opportunity to travel with the Democracy Assistance Commission, and was very impressed with the work that they were doing. I traveled to Lebanon with them, and I think we were the last group there before the war broke out. And we saw glimmers of hope with the parliament at that time. And so there was great interest in moving democracy forward.

Our leaders at that time, Chairman DREIER and Cochairman PRICE did an outstanding job meeting with all party leaders. We then had the opportunity to visit South Africa and Liberia.

In all of the countries we attended there was a tremendous amount of interest in our leadership of the Congress being there. I understand that there are possibilities for Haiti and perhaps Colombia and other countries throughout the world to be assisted by this very important commission.

And so I would just like to add my voice to the importance of the Congress, the parliament, legislator-to-legislator, in attempting to bring democracy throughout the world.

Mr. LANTOS. Madam Speaker, I yield myself the balance of our time.

Madam Speaker, before concluding, let me just say this is the ideal way this body works. We have set ourselves an important task: Teaching new democracies how a parliamentary body should work. And with some of our finest colleagues from the Republican and the Democratic side, we have succeeded during the last session of Congress; and under the leadership of DAVID PRICE, we shall move ahead, teaching the practice of democracy across the globe from a practical point of view.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H. Res. 24, to reestablish the House Democracy Assistance Commission in the 110th Congress. In the 109th Congress, the House of Representatives created this Commission to enable the

Members and staff of the House of Representatives to personally assist their counterparts in the parliaments of new democracies around the world to build strong, independent legislatures. I thank my colleagues, Mr. DAVID PRICE, the gentleman from North Carolina, and Mr. DREIER, the gentleman from California, for leading the Commission and supporting the promotion of democracy.

Under their leadership, the Commission has accomplished a great deal. It undertook congressional delegations to six new or re-emerging democracies and hosted six visiting parliamentary delegations here in Congress. It also offered material assistance to several legislatures through USAID. One highly successful project furnished, equipped, and trained staff of the parliamentary library of East Timor, with the invaluable assistance of our own Library of Congress.

In the aftermath of September 11, it has been too easy to view some nations more aggressively, as we undertook the obvious course of attempting to dismantle terrorist networks, end the support they received from states, and strengthen domestic and international defense capabilities. But in addition to responding to the immediate security threat, it is also necessary to help democracy take root in those countries of the Middle East, Africa, South and Central Asia, and other regions that now breed or support terrorists. It is in these Muslim countries or regions, more than anywhere else, that terrorism feeds off tyranny, finding recruits among the politically repressed and sanctuary from states that use terror against their own people. Building effective political institutions is the surest way to sever the link between terror and tyranny and to advance the values of democracy, individual rights, and cultural pluralism in the Middle East and elsewhere in the Muslim world.

Promoting democratic institutions and values in the Muslim world is thus one of our most urgent challenges. But it is not the only one. Meeting the challenge of democratization in the Muslim world should not warrant a retreat from a global approach; on the contrary, it constitutes a powerful new argument for maintaining and strengthening this approach. As September 11 made clear, any seam of dysfunction in the international system, however marginal to the main centers of political and economic interest, can become a source of exposure and threat. In a globalized world, the cancer of breakdown in any country can metastasize to other parts of the global body politic and thus constitutes a danger to international peace and security. In promoting the antidote of democratic institution-building, therefore, it is unwise to write off any country as insignificant or beyond hope.

The global defense of democracy is the appropriate and most effective response to the threat posed by Islamic extremists. As has already been suggested, these extremists do not represent a religion or a civilization but espouse an ideology of hatred and violence as their means to power. Though it is a particularist and corrupted Islamic ideology, to its zealous adherents it is a universal system of truth and thus a fitting rival to democratic civilization, which they falsely describe as decadent and narrowly Western. Since democracy is a genuinely universal value based on the belief that people everywhere, regardless of their religion or culture, can achieve self-government under the rule of law, it is the natural organizing principle in the struggle to defeat terrorism and to create a stable and peaceful world.

Pending the passage of this resolution by the full House, in 2007 the House Democracy Assistance Commission plans to assist the legislatures of Afghanistan, Colombia, East Timor, Georgia, Haiti, Indonesia, Kenya, Lebanon, Liberia, Macedonia, Mongolia and Ukraine. I urge my colleagues to support this legislation and to participate in this important project.

Mr. HOLT. Madam Speaker, I rise in strong support of H. Res. 24, which will reestablish the House Democracy Assistance Commission for the 110th Congress.

I was honored to be appointed by Speaker PELOSI to serve as a member of the House Democracy Assistance Commission during the last Congress, and I am proud of the accomplishments that were made by the Commission. I want to commend Representative DAVID DREIER and Representative DAVID PRICE who worked tirelessly during the 109th Congress to fulfill the mission of the Commission, and John Lis who worked tirelessly as the Commissions Staff Director.

The HDAC built upon Congress's long history of helping emerging democracies around the globe. Many of my colleagues will remember the informal Frost-Solomon Task Force which worked during the early 1990's to provide invaluable technical assistance and equipment to Albania, Bulgaria, Estonia, Hungary, Poland and Russia. When the HDAC was created, former Congressman Frost commented that the work of the Commission, "means a great deal to members of foreign parliaments because it demonstrates that elected leaders in the United States care about what happens in their country." The work of this Commission may not be noticed by many of our colleagues or even our constituents, but it is vitally important to support and strengthen parliaments of new democracies around the world

In 2006, the commission was active in Afghanistan, East Timor, Georgia, Indonesia, Kenya, Lebanon, and Macedonia. I was glad to join the House Democracy Assistance Commission delegation to Lebanon and Kenya. During the trip, the delegation met with our counterparts in the Lebanese National Assembly and the National Assembly of Kenya. In Kenya, the delegation visited the Kimana Health Center and the Sinet water project, both of which were then dedicated in honor of Representative DAVID DREIER and DAVID PRICE, respectively.

The final leg of this trip was to a meeting with Liberian President Ellen Johnson Sirleaf. Liberia is home to the first female head of state in all of Africa and is a country founded by freed American slaves, it is essential that the United States remain actively engaged in helping to build Liberia's fledgling democracy.

Madam Speaker, the House Democracy Assistance Commission has only begun its important work. With the approval of this resolution, the Commission will be able to continue to spread its good work with an ever expanding list of partner countries.

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

The SPEAKER pro tempore (Ms. SCHAKOWSKY). The question is on the motion offered by the gentleman from California (Mr. LANTOS) that the House suspend the rules and agree to the resolution, H. Res. 24, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

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

The yeas and nays were ordered.

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

CALLING ON THE GOVERNMENT OF THE UNITED KINGDOM TO ESTABLISH A PUBLIC JUDICIAL INQUIRY INTO THE MURDER OF NORTHERN IRELAND DEFENSE ATTORNEY PATRICK FINUCANE

Mr. LANTOS. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 20) calling on the Government of the United Kingdom to immediately establish a full, independent, and public judicial inquiry into the murder of Northern Ireland defense attorney Patrick Finucane, as recommended by Judge Peter Cory as part of the Weston Park Agreement, in order to move forward on the Northern Ireland peace process, as amended.

The Clerk read as follows:

H. CON. RES. 20

Whereas human rights defense attorney and solicitor Patrick Finucane was brutally murdered in front of his wife and children at his home in Belfast on February 12, 1989;

Whereas many international bodies and nongovernmental human rights organizations, including Amnesty International, British Irish Rights Watch, the Committee for the Administration of Justice, and Human Rights First, have called attention to serious allegations of collusion between loyalist paramilitaries and British security forces in the murder of Mr. Finucane;

Whereas in July 2001 the Governments of Ireland and the United Kingdom under terms of the Weston Park Agreement appointed retired Canadian Judge Peter Cory to investigate the allegations of collusion between loyalist paramilitaries and British security forces in the murder of Mr. Finucane and other individuals;

Whereas Judge Cory reported to the Governments of Ireland and the United Kingdom in April 2004 that sufficient evidence of collusion existed to warrant a full, independent, and public judicial inquiry into the murder of Mr. Finucane and recommended that a public inquiry take place without delay;

Whereas the Government of the United Kingdom in April 2005 adopted the Inquiries Act 2005 which empowers the Government to block scrutiny of state actions and limits independent action by the judiciary in inquiries held under its terms, and, after the enactment of this legislation establishing new limited inquiry procedures, the Government announced that an inquiry into the murder of Mr. Finucane would be established which would operate under terms of the new legislation;

Whereas Judge Cory, in a written statement presented to the Committee on International Relations of the House of Representatives in 2005, stated that his 2004 recommendation for a public inquiry into the

murder of Mr. Finucane had ''contemplated a true public inquiry constituted and acting pursuant to the provisions of the 1921 Act'' (the Tribunals of Inquiry (Evidence) Act 1921), and also stated that ''it seems to me that the proposed new Act would make a meaningful inquiry impossible'';

Whereas the family of Mr. Finucane has rejected the limited authority of an inquiry conducted under terms of the Inquiries Act of 2005;

Whereas Amnesty International, British Irish Rights Watch, the Committee for the Administration of Justice, and Human Rights First have likewise rejected any proposed inquiry into the murder of Mr. Finucane established under procedures of the Inquiries Act of 2005 and have called for the repeal of the Act;

Whereas the Dial Eireann (Parliament of Ireland) adopted a resolution on March 8, 2006, calling for the establishment of a full, independent, and public judicial inquiry into the murder of Patrick Finucane;

Whereas the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) and House Resolution 128 (April 20, 1999) support the establishment of a full, independent, and public judicial inquiry into the murder of Patrick Finucane;

Whereas on May 18, 2006, the House of Representatives overwhelmingly agreed to House Resolution 740, which declared in part that the House of Representatives ''urges the Government of the United Kingdom immediately to establish a full, independent, and public judicial inquiry into the murder of Patrick Finucane''; and

Whereas on January 22, 2007, the Police Ombudsman for Northern Ireland released a comprehensive report which confirms that police in Northern Ireland have colluded with members of a loyalist paramilitary organization in specific murders that took place over the last dozen years that the Ombudsman investigated and that such collusion could not have occurred ''without the knowledge and support of the highest level'' of the Northern Ireland police: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) expresses to the family of Patrick Finucane deepest condolences on his death, commends their steadfast pursuit of justice in his brutal murder, and thanks his wife Geraldine and son Michael for their willingness to testify on this matter before committees of the House of Representatives on numerous occasions;

(2) supports the efforts of the Administration in seeking the full implementation of the Weston Park Agreement and the establishment of a full, independent, and public judicial inquiry into the murder of Patrick Finucane;

(3) calls on the Government of the United Kingdom to reconsider its position on the matter of an inquiry into the murder of Mr. Finucane, to amend the Inquiries Act of 2005, and to take fully into account the objections of Judge Cory, objections raised by officials of the United States Government, other governments, and international bodies, and the objections raised by Mr. Finucane's family; and

(4) urges the Government of the United Kingdom immediately to establish a full, independent, and public judicial inquiry into the murder of Patrick Finucane which would enjoy the full cooperation and support of his family, the people of Northern Ireland, and the international community as recommended by Judge Cory.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in strong support of this resolution. These are promising times for Northern Ireland. Sinn Fein, the party linked to the Irish Republican Army, has just voted to start cooperating with the Northern Ireland police. With this action, Sinn Fein has abandoned decades of opposition to law and order, and vastly improved the chances of a Catholic-Protestant administration in Belfast before long.

□ 1315

Yes, Madam Speaker, these are promising times for Northern Ireland. But there are also reminders that the road to reconciliation remains long and tortuous. Last week the Police Ombudsman for Northern Ireland released a comprehensive report confirming that police in Northern Ireland have colluded with the loyalist paramilitaries over the last dozen years, and that such collusion could not have occurred, and I quote, ''without the knowledge and support of the highest level of the Northern Ireland police.'' Such incidents must be thoroughly investigated and their perpetrators caught.

Madam Speaker, February 12 marks the anniversary, 18 years ago, of the tragic murder of Northern Ireland defense attorney Patrick Finucane. He was brutally shot 14 times by masked men before his wife and two young children in his North Belfast home.

He was a solicitor who represented republicans in many high profile cases, most notably, IRA hunger striker, Bobby Sands. But he also acted on behalf of loyalists.

A wide array of human rights groups alleged that his murder was at the hands of loyalist paramilitaries, colluding with British security officers of the Royal Ulster Constabulary Special Branch. The paramilitaries later claimed that Mr. Finucane was killed because he was a high-ranking officer in the provisional IRA. However, the police indicated at his inquest that they had no evidence to support that claim.

Canadian Judge Peter Cory was appointed by the governments of Ireland and the United Kingdom to examine these allegations. In 2004, the report came that sufficient evidence of collusion existed to warrant a full, independent and public inquiry without delay.

Madam Speaker, in order to move the Irish peace process forward, the resolution before us today calls on the Government of the United Kingdom to conduct a full, independent and public judicial inquiry into Mr. Finucane's murder, which will enjoy the full cooperation and support of his family and the international community. The time to bring justice and put an end to this tragic matter is long past due.

Again, I would like to thank our distinguished colleague, Mr. CHRIS SMITH of New Jersey, for his tireless pursuit of this most important issue. Mr. SMITH has been a long-time friend of Ireland, and his dedication to this issue and to human rights across the globe is well known and much admired by many, certainly including myself.

I want to thank the ranking member of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for her strong support for this measure.

I strongly support this legislation and encourage all of my colleagues across the full spectrum to do so as well.

Madam Speaker, I reserve the balance of my time

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

Madam Speaker, let me at the outset thank Chairman LANTOS for his leadership on this issue in general, human rights. But also especially in the case of Patrick Finucane, which so many of us have cared so deeply about for so many years. He has been a great friend of Ireland as well, and I want to thank him for that.

I also want to thank the original sponsors of this legislation, including my good friends and colleagues, Mr. ENGEL, Mr. WALSH, Mr. NEAL, Mr. KING, Mr. PAYNE, Mr. GARRETT of New Jersey, Mr. PALLONE, Mr. CROWLEY, Mr. MCNULTY and Mr. ROTHMAN and the many others who cosponsored this truly bipartisan resolution.

H. Con. Res. 20, Madam Speaker, calls on the British Government to live up to its commitment as part of the Northern Ireland peace process to implement a public, independent judicial inquiry into the murder of human rights attorney Patrick Finucane. Mr. Finucane, who represented Catholics in Northern Ireland, was gunned down in his home in 1989 in front of his wife and his children. I would note parenthetically his wife was wounded as well.

For years, Madam Speaker, nongovernmental human rights organizations, regional and very much renowned international legal experts, have raised serious allegations that Mr. Finucane's murder resulted from collusion between loyalist paramilitaries and British security forces. In 2004, retired Canadian Supreme Court judge Peter Cory, who was appointed by the governments of Ireland and the United Kingdom to examine these allegations under the Weston

Park Agreement, reported that sufficient evidence of collusion existed to warrant a full, independent and public judiciary inquiry without delay.

Unfortunately, Madam Speaker, the British Government has yet to comply.

Many of my colleagues know that as chairman of the Subcommittee on Human Rights and as chairman of the Helsinki Commission I have held 11 hearings on the peace process in Northern Ireland. Central to each of these hearings has been the ongoing concern about the human rights abuses by members of the police service in Northern Ireland. The Finucane family has testified. Judge Cory has testified. The U.N. Special Rapporteur on the independence of judges and lawyers has testified, as well as many numerous human rights leaders. All have advocated for a special investigation into the possibility of collusion in the Finucane murder.

Beyond this, Madam Speaker, last year, the Irish Parliament passed a resolution calling for an open and independent investigation. Our special envoy, Ambassador Mitchell Reiss, has testified before our committee that he and the Bush administration have urged for the establishment of a credible investigation into the Finucane murder. And Congress has supported it as well last year with H. Res. 740 and previously as part of the Foreign Relations Authorization Act.

Madam Speaker, this resolution could not be more timely. Just last week the Northern Ireland Police Ombudsman, Nuala O'Loan, who testified before our committee in 2004, released a devastating report which confirms that police in Northern Ireland have colluded with loyalist paramilitaries in several murders over the last dozen years. The very fact that a police ombudsman exists, and that a report as revealing as hers can be published underscores that policing in Northern Ireland is, in fact, very different, very much improved than it was when the Good Friday Agreement was signed in 1998. Further testimony to the advancements and improvements in the policing in Northern Ireland is that just this past Sunday, on January 28, Sinn Fein voted overwhelmingly to move to participate in the community policing system that was set up as part of the Good Friday Agreement.

Today, the Independent Monitoring Commission set up in 2004 by the British and Irish Governments to report on paramilitary activity has praised Sinn Fein for its new commitment to policing. When referring to the IRA, the IMC concludes that ''terrorism and violence have been abandoned.''

These developments clearly are greatly welcome, and there is a new optimism that elections for a new, devolved power-sharing government will be held this spring. Yet, Madam Speaker, with reconciliation must come full disclosure of the truth.

The lack of resolution of charges of official collusion in the murder of a defense attorney such as Mr. Finucane leads people to question the government's commitment to accountability and, above all, to justice. His murder symbolizes the depth and danger of official state-sponsored collusion in Northern Ireland and a disregard for the rule of law. It has left victims who deserve answers. And I know, because many of my colleagues and I have all spoken to them, how they want these answers. There will be no closure and there will be no reconciliation without the truth.

As the U.N. Special Rapporteur told us in 1998: ''Harassment and intimidation of defense attorneys goes to the core of the independence of the legal profession and the administration of justice in any society.''

I am also reminded of the riveting testimony offered on this matter at one of my hearings in 1998. Rep. DON PAYNE, my colleague from NJ, remembers it as well. He was there, when Rosemary Nelson, an attorney for Northern Ireland testified. Mrs. Nelson, who was also a wife and mother, told Congress that defense attorneys in Northern Ireland feared that they could be murdered themselves because no one had been held accountable in the murder of Patrick Finucane. Six months later, after her testimony, Rosemary Nelson was killed, the victim of a car bomb.

Madam Speaker, I would like to again express my deepest condolences to the Finucane family, as well as Rosemary Nelson's family, and thank them for their courageous and tireless efforts on behalf of justice, not only for their loved one, but for all others who have been victims of state-sponsored collusion in Northern Ireland.

Similarly, I would like to acknowledge the work and support from many human rights activists, including Jane Winter of British Irish Rights Watch; Elisa Massimino from Human Rights First, formerly known as Lawyers Committee for Human Rights; Maggie Beirne, Martin O'Brien and Paul Mageean, who have also testified before Congress on behalf of the Committee of the Administration of Justice and have provided very, very useful and timely insights to our committee.

I would again like to thank my cosponsors and again thank Mr. LANTOS.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I am delighted to yield 3 minutes to my very good friend from New York, Congressman ELIOT ENGEL, a distinguished senior member of the Foreign Affairs Committee.

Mr. ENGEL. Madam Speaker, it is a pleasure, my friend, the chairman, to call him the chairman of the Foreign Affairs Committee, and I thank him for yielding to me.

Before I start my remarks, I just want to pay tribute to Mr. SMITH, the gentleman from New Jersey, who has been an outstanding supporter of human rights, not only for the Irish peace process, although he has been a leader in that, but throughout the world. And I commend him for this resolution, and I am pleased to be a sponsor of it, I believe the lead Democrat on the resolution; and it is something that has been a long time coming.

As the chairman said, the struggle for peace and justice in Ireland, particularly the north of Ireland, continues. We are all very hopeful because there has been great progress made, and we think that progress will continue to be made. And the chairman explained Sinn Fein's acceptance of policing and everything else. So we have to continue.

One of the things that is so important is the fact that the Finucane family, and I have met with them a number of times, they are convinced that until there is an independent inquiry, any other inquiry will be tainted. And that is why this resolution calls for an independent inquiry. We want to get to the bottom of what really happened to Pat Finucane. We all know, we all suspect, but we need an impartial commission. We need an impartial investigation because of collusion with loyalist forces and the police for many, many years. Nothing short of that will do, and that is what this resolution calls for. Before you can put the past behind you, you have got to have it all come out and know exactly what happened.

There has been great progress. The Irish Government, the British Government have all worked together for progress. And they are both to be commended. Both governments are to be commended because progress is being made. But there is still a long way to go. So I support this. And we still have other things that need to be put in place here in the United States, the case of Malachi McCallister, and I want to mention it, who is struggling to stay in this country, and many of us are behind him and fighting to keep him in this country.

There are still many injustices that have been perpetrated in the past that still have to be resolved. But starting here with inquiry into Pat Finucane's murder is something that is very, very important and very important for this Congress to go on record as supporting. And this is bipartisan. It is something, I think, that can make progress. And, again, only when we put the past behind us and let the truth hang out can we really put the past behind us. And that is what this resolution attempts to do. Again, only an independent commission will suffice.

□ 1330

Mr. LANTOS. Madam Speaker, I am delighted to yield 3 minutes to my good friend from New Jersey, a distinguished member of the Foreign Affairs Committee, Mr. PAYNE.

Mr. PAYNE. Madam Speaker, to the chairman of the Foreign Affairs Committee, let me once again commend him for the outstanding work that he is doing as the chairman, but in his

many years as a member of the International Relations Committee then and the Foreign Affairs Committee now. We really appreciate his work.

Let me say to the gentleman from New Jersey, I had the opportunity to work with him in the last 2 years on our subcommittee, and I commend him for bringing forth so many of the human rights issues, and it has really been a pleasure working with him, and also on this H. Con. Res. 20, the gentleman, Mr. SMITH from New Jersey.

Earlier this week, we witnessed a breakthrough in the peace process in Northern Ireland. Sinn Fein agreed to the legitimacy of the police service there, and in doing so, they made a strong statement about their future in the north of Ireland. They chose peace over violence and the rule of law over chaos.

I have had the privilege of visiting Northern Ireland on a number of occasions. I was there to monitor the parades, and I was lucky enough to accompany President Clinton on a trip there. In each case, I saw great things along with terrible things, but always the hope of the people that one day there would be peace and understanding in their great country.

Thanks to no small part to Special Envoy George Mitchell and efforts that we as a nation should be proud of, the 20th century saw the cessation of violence and the beginning of political equality. The Good Friday Agreement stands as a breakthrough, a powerful statement, and a revelation of that hope that there was always there and that would not be overshadowed by violence and death. The good people continued to push forward.

In 1989, Patrick Finucane became a victim of that violence. He was murdered by paramilitary soldiers, gunned down in front of his wife and his children. It was a brutal act perpetrated by men in a time of great contention, violence, and fear. It was a small, sad episode in a larger battle between two sides unwilling to compromise, unwilling to talk, each fearful of each other. Northern Ireland is a different place now. There is peace. And with that peace, the initial signs of trust and cooperation because for any peace to work there must be trust that must be followed by cooperation.

It is in this spirit that I rise today in support of H. Con. Res. 20. The peace of Northern Ireland depends in no small part on openness and cooperation. Only a full independent and just examination of the past can lead to a peaceful trust in the future. This investigation should begin. And with that, I commend Sinn Fein and Gerry Adams.

Mr. LANTOS. Madam Speaker, I am very pleased to yield 3 minutes to my good friend from New Jersey, a fighter for justice for all the Irish people, Mr. PALLONE.

Mr. PALLONE. Madam Speaker, Mr. Chairman, I wanted to say that I rise today in support of this resolution, and to commend the Finucane family for their tireless pursuit of justice in the murder of Pat Finucane, who spent his life fighting for the rights of the disadvantaged in Northern Ireland.

Nothing short of a full public inquiry, without the limitations imposed by the British Inquiries Act, will enable the Finucane family to determine what actually happened when Pat was gunned down in his home on February 12, 1989.

This House and numerous international groups have consistently called for a full public inquiry to settle the troubling allegations of collusion surrounding this murder. A recent report of the Northern Ireland police ombudsman concluded that there was a disturbing level of collusion between the RUC Special Branch and loyalist paramilitaries, making this inquiry more important than ever.

Madam Speaker, ensuring a lasting peace in Northern Ireland requires us to continue the fight for justice that people like Pat Finucane, Rosemary Nelson, and others carried on throughout their lives, and that is why again I want to commend everyone and particularly our sponsor, my colleague from New Jersey, for introducing this resolution and urge its passage as quickly as possible so that we can actually see an independent, full inquiry.

Mr. LANTOS. Madam Speaker, I am very pleased to yield 3 minutes to the distinguished chairman of the Friends of Ireland group, our colleague from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Madam Speaker, I want to thank Chairman LANTOS and certainly Chairman SMITH for bringing this resolution to the floor today.

One of the reasons that American foreign policy has triumphed in Ireland has been because this was done in a bipartisanship way, a bipartisanship way, the way American foreign policy formally was conducted. And the success that we have enjoyed in the North of Ireland has largely been indispensable due to the involvement of America, and revisiting these cases, as Mr. SMITH has requested and Mr. LANTOS has sanctioned, is terribly important.

Think of these murders, cold-blooded murders, shooting down attorneys who were providing a common defense for suspected, suspected, members of the IRA. Never was there ever indication that they were members of the IRA; they were suspected members of the IRA, and they were not entitled to a common defense under the former justice system in the North of Ireland. So, the attorneys are murdered as well as the suspected members of the IRA.

What is notable about this is what occurred last week. Many of us in this Chamber, Members of this House, have been involved in cases dating back to Gibraltar, to Birmingham, and to a series of other cases which we in this House brought forward. It is Members of this body that demanded that the British Government bring these cases to light and be put under the magnifying glass of critical analysis. And now we find that not only was there collusion on the ground, there was collusion at the highest levels of the British Government where the military gave information to paramilitaries on the loyalist side, who then cleared the area so that attorneys could be targeted for assassination. That is how far reaching these murders were.

What is also significant is this: It is because of this Chamber that the IRA and its political ally Sinn Fein had the courage to proceed with not only disarmament but, just as importantly, they decided to join policing. And let me just say this about policing today in the North of Ireland. One section of the community used policing to keep the other section of the community in line. That is what this was about.

And now the faith that has been offered by the Good Friday Agreement, again in a bipartisan sense, has allowed us to proceed and to move forward. And it could not have been done without people like Mr. SMITH. And I could go on and on with Members of this Chamber, and Mr. LANTOS again offers support to this initiative today.

So it is terribly important. And I want to thank all of you, and Mr. McCord, the chief constable from the North of Ireland will be in my office tomorrow to answer questions from the Members of Congress

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H. Con. Res. 20, to address the issue of the murder of Northern Ireland defense attorney Patrick Finucane. I thank the gentleman from New Jersey, Mr. SMITH, for introducing this legislation. It is essential that we bring to light the suspicious circumstances of this terrible murder and the need for our friends in the Government of the United Kingdom to conduct a full and transparent inquiry into the matter.

On February 12, 1989, Patrick Finucane was murdered by two masked members of the loyalist paramilitary in front of his wife and children in his home in North Belfast. Since then, reports have indicated a strong possibility of conspiracy within the British police in the region. The loyalist paramilitary organization, known as the Ulster Defense Association, UDA, or the Ulster Freedom Fighters, UFF, claimed that it killed Mr. Finucane because of his high rank in the Provisional Irish Republican Army, IRA. Circumstances suggest that Mr. Finucane had ties to the IRA; he had three brothers who were actively involved in the IRA, one of his clients was the infamous IRA hunger striker, Bobby Sands, and former IRA member Sean O'Callaghan alleges he was a member. However, law enforcement authorities have reported that there is no evidence whatsoever that Mr. Finucane was a member of the IRA.

In 1999, Royal Ulster Constabulary, RUC Special Branch Agent William Stobie was found to have supplied one of the guns used to kill Mr. Finucane. Agent Stobie was a member of the UDA/UFF, which at the time was a legal organization.

In 2001, after significant pressure from Amnesty International and as a result of the Weston Park talks, the British and Irish Governments initiated an investigation. They appointed retired Canadian Judge Peter Cory to examine allegations of collusion by the RUC, British Army, and Peace Guard of Ireland in the murder of Mr. Finucane and others. In 2004, Judge Cory reported that he recommended the establishment of public inquiries into the matter. The British Government later announced an inquiry, but under a recently enacted law, the Inquiries Act 2005, the government was allowed to block scrutiny of state actions. Judge Cory strongly criticized the law.

H. Con. Res. 20 passed the House in the last Congress as H. Res. 740, but unfortunately the Senate did not act on the legislation. I urge my colleagues to renew their support for this important legislation by voting in favor of it this Congress.

Mr. CROWLEY. Madam Speaker, I rise today to support the resolution introduced by my friend from New Jersey, CHRIS SMITH.

I stand among my colleagues and say that it is a privilege to be an original cosponsor of this important statement by the House of Representatives.

The movement towards peace in the north of Ireland is moving at a steady but slow pace. It is the slowness of this pace which is regrettable. However, the movement forward is one which we can continue to commend and support.

The political parties of the north of Ireland must continue to overcome the obstacles for the sake of the people who they were elected to represent. The people of the north must be given the representation in government that they have sought out.

However, in order to continue to build and promote this ongoing peace process, we must make sure that the past atrocities have been fully investigated and those who are guilty, held responsible.

The British and the Irish Governments had agreed to hold public inquiries into high profile murders of human rights defenders like Pat Finucane. We must build better trust between the people of the north, and so it is time for the British to allow the truth to come out.

I wish to express my deepest sympathy to the family of Patrick Finucane at this time. After this brutal murder, justice must be pursued, and I wish to thank Geraldine and her son Michael for agreeing to testify before the committee of the House of Representatives.

The family of Pat Finucane has a right to know the full extent of collusion that existed and caused the death of this husband and father.

Under the Weston Park Agreement and the commitment made by Judge Cory, the British must live up to their obligations by reconsidering their position on the matter of inquiry into Pat Finucane's death and amending the Inquiries Act of 2005.

It is time for an independent, judicial inquiry into the murder of Pat Finucane.

I urge all of my colleagues to support this resolution.

Mr. LANTOS. Madam Speaker, I have no further requests for time. We are striking a blow for justice, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LANTOS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 20, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

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

The yeas and nays were ordered.

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

SUPPORTING THE GOALS AND IDEALS OF NATIONAL ENGINEERS WEEK

Mr. LIPINSKI. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 59) supporting the goals and ideals of National Engineers Week, and for other purposes.

The Clerk read as follows:

H. RES. 59

Whereas engineers use their professional, scientific, and technical knowledge and skills in creative and innovative ways to fulfill society's needs;

Whereas engineers have helped meet the major technological challenges of our time—from rebuilding towns devastated by natural disasters to designing an information superhighway that will speed our country into the future;

Whereas engineers are a crucial link in research, development, and demonstration and in transforming scientific discoveries into useful products, and we will look more than ever to engineers and their knowledge and skills to meet the challenges of the future;

Whereas engineers play a crucial role in developing the consensus engineering standards that permit modern economies and societies to exist;

Whereas the 2006 National Academy of Sciences report entitled ''Rising Above the Gathering Storm'' highlighted the worrisome trend that fewer students are now focusing on engineering in college at a time when increasing numbers of today's 2,000,000 United States engineers are nearing retirement;

Whereas the National Society of Professional Engineers through National Engineers Week and other activities is raising public awareness of engineers' significant, positive contributions to societal needs;

Whereas National Engineers Week activities at engineering schools and in other forums are encouraging our young math and science students to see themselves as possible future engineers and to realize the practical power of their knowledge;

Whereas National Engineers Week has grown into a formal coalition of more than 70 engineering, education, and cultural societies, and more than 50 major corporations and government agencies;

Whereas National Engineers Week is celebrated during the week of George Washington's birthday to honor the contributions that our first President, a military engineer and land surveyor, made to engineering; and

Whereas February 18 to 24, 2007, has been designated by the President as National Engineers Week: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Engineers Week and its aims to increase understanding of and interest in engineering and technology careers and to promote literacy in math and science; and

(2) will work with the engineering community to make sure that the creativity and contribution of that community can be expressed through research, development, standardization, and innovation.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. LIPINSKI. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks, and to include extraneous material on H. Res. 59, the resolution now under consideration.

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

There was no objection.

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

Madam Speaker, I rise today to support H. Res. 59, supporting the goals and ideals of National Engineers Week.

National Engineers Week takes place this year February 18 through February 24. This is not a random week that is chosen; it is chosen because this is the week that we celebrate George Washington's birthday. George Washington is widely recognized as our Nation's first engineer.

Engineers have helped make our country great from their service in the American Revolution to developing key modern industries, such as aerospace and energy. I would like to honor and recognize the more than 2 million engineers in the United States and the contributions that they have made to our country.

Engineers are at the forefront of human advances because engineers combine imagination and creativity, with math and science training to solve problems. Engineers are not just builders, as they are sometimes envisioned; they are problem solvers. This is one of the first things I was taught when I was a graduate student at Stanford University in the department of engineering economic systems.

Engineers in the past have helped build the boats to cross the seas, railroads to take us west, and the Internet to communicate with the world. We need the innovative capability of engineers to confront the problems and challenges before us today. Engineers will help Americans develop energy independence, find solutions to confront global climate change, and make our Nation more secure.

I have a unique perspective as only one of a handful of engineers in Congress. Besides my Master's degree from Stanford, I earned a Bachelor's degree

from Northwestern University in mechanical engineering. I have seen that America is falling behind other countries in this discipline. U.S. students continue to score below international averages on math and science tests. It has been reported that in 2004 China graduated more than six times the number of engineers that graduated in the U.S.

On a recent tour of Northern Illinois University's college of engineering and engineering technology, I again heard how few Americans are getting engineering degrees, especially graduate degrees. It is great that America has such top universities that we are attracting some of the brightest minds from around the world to come to study here, but we are beginning to lose more and more of these students when they graduate and they go back home. This is harmful to America's future.

In 2005, the National Academy of Sciences released a report entitled, ''Rising Above the Gathering Storm,'' which raised questions about America's future technological competitiveness. This report echoed by the President of the United States in the State of the Union address last year emphasized the need for government to take a number of actions, including addressing the potential for a shortage of engineers.

We must act quickly to take up this challenge. We cannot let another year go by and we cannot afford to let our economic future falter, and that future requires continuing technological innovation supplied by our Nation's engineers.

National Engineers Week seeks to raise public awareness about engineers' contributions to society and our quality of life. It has inspired future engineers for more than 50 years. Founded by the National Society of Professional Engineers, including more than 100 society, government, and business sponsors and affiliates, including Boeing, the American Society of Mechanical Engineers, and the American Council of Engineering Companies, National Engineers Week draws upon local and regional experts to promote high levels of math, science, and technology literacy. Annually, it reaches thousands of parents, teachers, and students in communities across the country.

From national and regional engineering competitions such as the Future City Competition, to events such as Introduce a Girl to Engineering Day, this week helps inspire the next generation of engineers and scientists.

□ 1345

If we are going to produce more American engineers, one needed step is to improve STEM education, that is science, technology, engineering and math education. But we must also do more to inspire our children to become interested in engineering.

When I was growing up in Chicago, I was fascinated in learning how things work, as most kids are. I remember it was Father Fergus who taught me physics in high school at St. Ignatius, and in that class he took my childhood fascination with how things worked and got me interested in engineering. He spurred me to follow up on that when I went to college.

We need events such as National Engineers Week and things that go on within the week to help encourage and inspire more kids to go into engineering. We have to do everything we can to inspire future engineers so that America continues its leadership in this increasingly competitive world.

I would like to thank the gentleman from South Carolina (Mr. INGLIS) for his involvement also with this National Engineers Week resolution. And I would like to especially thank the engineers that contributed so much to America and to honor them for their commitment to continue working to better our society.

I ask my colleagues to support H. Res. 59 in its deserved recognition.

Madam Speaker, I reserve the balance of my time.

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

H. Res. 59, of course, supports the goals and ideals of National Engineers Week, which is going to be celebrated this year during the week of February 18. The National Society of Professional Engineers established the first National Engineers Week back in 1951. The purpose of the week is to increase the understanding of and interest in engineering and technology careers, and to promote K–12 literacy in math and science. It also showcases the important contributions that engineers have made to our society.

Engineers have a critical role to play to help keep our Nation ahead of the innovation curve. It is essential that we capitalize on opportunities such as National Engineers Week to raise the awareness of the valuable work and contributions of engineers to society and to attract young people of all ages to this very rewarding profession. As such, I ask my colleagues to support H. Res. 59.

Madam Speaker, I reserve the balance of my time.

Mr. LIPINSKI. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I would like to express my strong support for H. Res. 59, and the authors that made this possible, supporting the goals and ideals of National Engineers Week.

Texas is an energy-producing State, and the engineering workforce plays a major role in Texas livelihoods.

The fruits of engineering are technologies enjoyed by every American. We need engineers to put creative ideas into real-life solutions. Engineers are the fabric of our workforce. They design beautiful and energy-efficient buildings, and build industrial robots that construct everything from cars to computer chips with precision. Engineers are in the business of improving the quality and design of many different products such as chemicals, computers, engines, aircraft and toys, and they are an integral component to our Nation's innovative workforce.

We need many more than we produce, and we need many more to get graduate degrees so we can continue to produce them.

I am proud to support this resolution celebrating National Engineers Week, and urge my colleagues to support it.

Mr. HALL of Texas. Madam Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. INGLIS), the ranking member on Energy.

Mr. INGLIS of South Carolina. Madam Speaker, I rise in support of H. Res. 59, a resolution supporting the goals and ideals of National Engineers Week.

It is particularly helpful to have people from all walks of life in this body. It is especially helpful to have Mr. LIPINSKI as an engineer here, along with some other engineers, to cause us to focus on the crucial need for engineering education in this country.

My dad is an engineer. He lost this son to political science and the law. Not everybody can be an engineer. But the folks that can be engineers really will help us solve the challenges of the future.

Here is our challenge in terms of numbers: India is graduating somewhere north of 200,000 engineers a year; China is graduating nearly 300,000 engineers a year; and the United States is somewhere in the order of magnitude of 60,000 engineers a year. That doesn't bode well for us.

In a technological world, we need more engineers. We need people to enter science, technology, engineering and math education. And so it is a good thing to have a week to celebrate the importance of engineering to the history of the country and to the future of the country. I applaud the gentleman from Illinois' effort to bring this to the floor, and I am in complete support of the resolution and look forward to its adoption.

Mr. LIPINSKI. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), the distinguished plasma physicist.

Mr. HOLT. Madam Speaker, I thank my friend from Illinois.

Madam Speaker, as one who has taught engineers earlier in my career, I am delighted to rise in support of this legislation that will recognize National Engineers Week and, through that, highlight the contributions made to society by engineers.

The programs that fit under National Engineers Week are broad. They will include such activities as Introduce a Girl to Engineering that will encourage women to pursue engineering and recognize those who do.

Other initiatives will include competitions and online exhibits, as well as

television programs. It will highlight that engineering is critical to the security of our country, certainly through developing sustainable energy production and use, in preventing and mitigating natural and man-made disasters, and to make our world work better and to contribute to the livability of our society.

Now Congress can pass this legislation supporting the excellent programming of National Engineers Week. Congress can also ensure that we make the best decisions based on the best information related to science, engineering and technology, such as we used to do with the help of the Office of Technology Assessment.

Congress can pass legislation to ensure that students nationwide are taught technical skills, that they are taught the importance of those skills as well, and to make sure that there are no financial obstacles for individuals who seek to pursue higher education in engineering and related fields. And Congress can ensure that federally funded research and development is not neglected as we put together the budget.

This is good legislation that highlights important work. I am pleased to support it.

Mr. HALL of Texas. Madam Speaker, I yield 3 minutes to the gentleman from Missouri who is an engineer, Mr. AKIN.

Mr. AKIN. Madam Speaker, I thought it would be appropriate to make a comment or two about engineering because I was trained as an engineer. I must not have been much of one because I ended up in politics. It doesn't happen that often that people who have an engineering background end up in the political sector; but it is quite common in engineering for people to get the undergraduate degree and then to move into other kinds of areas, and the engineering background gives them a tremendous problem-solving basis to be able to be quite effective in various other kinds of careers.

It is a national concern to us as Americans that we are producing fewer and fewer engineers. What happened was, in the era of Sputnik when I was a kid, everybody realized we were technologically behind, particularly behind the Soviet Union, and realized the urgency in having people develop an interest and background in science and engineering. At that time, we produced a good number of engineers, and they were fine engineers. They now work for many of our household-name large corporations, certainly many in my own district, Boeing Corporation, for example.

These engineers have also started all kinds of different businesses and been very successful, and have been very successful in producing a lot of the technology that keeps our young men and women safe on the battlefields. It also is technology that has given us a wonderfully high standard of living and has allowed America to prosper in many ways.

Unfortunately, now there is a tremendous dearth of engineers. We have a number of small companies that produce products that are related to the defense industry that I know of in the St. Louis area, just as an example, and they are saying that we would give anything to be able to hire engineers. We just can't get any of them. The only engineers we can get are coming out of India or some other country far away, and our own students, Americans, are not choosing careers in engineering. That is distressing.

I suppose that there are reasons for why this is going on. Perhaps one of them is the malaise and the very lukewarm kind of results that we are getting out of secondary education in America. The SAT scores are continuously changed year to year, and they can be adjusted downward. Engineering is very rigorous. It requires an understanding of mathematics, and it is a very hard undergraduate degree. Many people that start in engineering end up in something like political science. It is far easier than engineering.

But there are rewards in engineering, and if there are young people that are paying attention to what we are discussing here on the floor of the U.S. Congress today, I would encourage them that engineering is a fantastic undergraduate choice, and it doesn't have to end up behind a drawing board. It ends up in all kinds of positions and opportunities to those who have a disciplined mind and are capable of understanding basic principles of how things work.

I have to say, in Congress it is tremendously helpful. I serve on the Committee on Armed Services, and we are constantly getting involved in technical kinds of questions, things like armor on Humvees, body armor, how to defeat IEDs, all of the technology of software and people tapping into databases. On the Science Committee, as well, we deal with all kinds of areas, everything from exploration of space to the simple use of materials.

I would encourage all young people to seriously consider engineering.

Mr. LIPINSKI. Madam Speaker, I yield 3 minutes to the gentleman from California, a new member of the Science Committee and an engineer himself, Mr. MCNERNEY.

Mr. MCNERNEY. Madam Speaker, I rise in support of H. Res. 59 and the goals and ideals of National Engineers Week.

As an engineer for my entire professional career and only one of a handful in the House, I thank Mr. LIPINSKI for introducing this legislation to bring the spotlight onto this professional career choice.

My father was an engineer; I am very proud to be following in his footsteps. As we vote on this legislation today, I am reminded of something that my mother used to tell me over and over: It was the engineers that would be solving many of our Nation's and our world's problems. Her words couldn't have been more relevant than they are today, as we face many challenges such as global warming, the demand for fresh water and food throughout the world.

Well, in the 1970s, the engineering profession wasn't considered the most exciting, but throughout the 1990s, we became aware of how exciting the challenges are that we are facing in engineering; and this has led to a resurgence in interest and inspired a whole generation of young people.

□ 1400

I am hopeful that with the passage of H. Res. 59 we will help inspire more of those young people to get involved in the engineering profession.

Madam Speaker, I would like to thank my friend Mr. LIPINSKI.

Mr. GINGREY. Madam Speaker, I wanted to let the majority know that I have no other speakers requesting time, and I will just reserve the balance of my time for my closing remarks.

Mr. LIPINSKI. Madam Speaker, I reserve the balance of my time. We have no more speakers besides myself.

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

I want to thank the Chair for allowing me to manage the remaining time on our side in the absence of the ranking member, Mr. HALL, who had a very important meeting before the Rules Committee, and I thank the Chair for allowing that.

Madam Speaker, I am not an engineer but I went to an engineering school. In fact, I went to one of the very best engineering schools in this country. I am a Ramblin' Wreck from Georgia Tech and a heck of an engineer and actually not an engineer but a chemist. I look forward to the next bill as we honor Dr. Julian.

But engineering, Madam Speaker, is a profession in this country that is very, very important to us, to our ability to compete in this global economy, and as we all know, we are losing unfortunately far too many engineers to retirement and not replacing them. If we are going to remain competitive in this country, and I know the work of the Education and Labor Committee of this House and Chairman MILLER and before him Chairman MCKEON and Chairman BOEHNER, we have addressed these issues in our reauthorization of higher education and how important it is; and I know that Chairman MILLER, as we go forward to reauthorizing No Child Left Behind and highly qualified teachers and special incentives for math and science teachers at elementary, middle and high school levels so that we do stimulate more bright young minds in this country, and yes, many more women than may be traditionally would select engineering as a professional track, as a career, because this is the only way we are going to be able to compete in this global economy.

I love sports, Madam Speaker, and I know we all do and we honor sports teams all the time up here, whether it is basketball, football, hockey. You name it, we are doing these resolutions, but I like to see more and more of this kind of activity where we are supporting the goals and ideals of National Engineering Week with H. Res. 59 to say, look, what is really important in this country is not games. Games are fun and games are a diversion, but this is about life and the success of our individual young students and, indeed, our country.

So to have an opportunity to stand here and have the closing remarks on supporting H. Res. 59, I commend the majority and my friend Representative LIPINSKI and others that have brought this, Representative JOHNSON and other members of the Science Committee. I think this is a wonderful opportunity to salute our engineers and the profession.

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

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

I thank Mr. INGLIS, Mr. GINGREY and Mr. HALL for their support on this resolution. As an engineer but also as a former political science professor, I do not want to disparage political science whatsoever. However, it is clear that America does need more engineers, and to do this we have to value engineers and engineering much more in this country.

I am very hopeful that this resolution is going to be the first step that this Congress takes to not only honor our current engineers but also inspire more American children to become engineers and to find the solutions to the challenges that we face today.

We need to do more. We need to take more steps. We need to improve science, technology, engineering, math, known as STEM education. We need more R&D funding; but today, let us just take this first step and urge my colleagues to take this first step. Vote for H. Res. 59 and honor engineers during National Engineers Week.

Ms. JACKSON-LEE of Texas. Madam Speaker, I proudly rise in strong support of H. Res. 59 which supports the goals and ideas of National Engineer Week. As you know, new discoveries and technologies are changing the way Americans live and work. Through dedicated research and development, engineers expand our knowledge and lay the foundation for the progress of our country. This week is an opportunity to recognize engineers for their many contributions to our way of life and to encourage young people to pursue their curiosity by studying math and science.

Engineering education began in America under circumstances that differ substantially from those of the other leading professions. Medical schools, for example, were established by individual physicians, and then loosely affiliated with universities.

By contrast, engineers were first trained by apprenticeship, particularly on canal construction projects. This tradition was perpetuated on railroad construction projects, and later in factories and machine shops, long after college engineering programs were established. Eventually, engineering schools in the United States were sponsored by the Federal Government, the U.S. Military Academy in 1802, and the land-grant colleges beginning in 1862. They were also fostered by public-spirited citizens who fostered the Rensselaer Polytechnic Institute and the Massachusetts Institute of Technology, and from within established universities in response to interest or demand.

The engineering workforce is the driver of society's technological engine, an awesome responsibility. We will not be able to address this responsibility without diversifying the pool of science and engineering talent. This broadening of participation must come from the Land of Plenty, mostly untapped potential of underrepresented minorities and women—America's "competitive edge" for the 21st century.

We know that more than any other species, humans are configured to be the most flexible learners. Humans are intentional learners, proactive in acquiring knowledge and skills. And, it turns out that we are more successful learners if we are mindful or cognizant of ourselves as learners and thinkers.

To date, our knowledge of the science of learning, is just the tip of the iceberg of what we have yet to learn. Our ultimate goal is truly not to waste a single child and to teach and train a workforce that is well prepared and can adapt and change.

The revolution in information technologies connected and integrated researchers and research fields in a way never before possible. The Nation's IT capability has acted like adrenaline to all of science and engineering. A next step is to build the most advanced computer-communications infrastructure for researchers to use, while simultaneously broadening its accessibility.

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

The SPEAKER pro tempore (Ms. LEE). The question is on the motion offered by the gentleman from Illinois (Mr. LIPINSKI) that the House suspend the rules and agree to the resolution, H. Res. 59.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

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

The yeas and nays were ordered.

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

HONORING THE LIFE OF PERCY LAVON JULIAN

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 34) honoring the life of Percy Lavon Julian, a pioneer in the field of organic chemistry research and development and the first and only African American chemist to be inducted into the National Academy of Sciences.

The Clerk read as follows:

H. CON. RES. 34

Whereas Percy Julian was born on April 11, 1899, in Montgomery, Alabama, the son of a railway clerk and the first member of his family to attend college, graduating from DePauw University in 1920, receiving a M.S. degree from Harvard University in 1923 and a Ph.D. from the University of Vienna in 1931;

Whereas in 1935 Dr. Julian became the first to discover a process to synthesize physostigmine, the drug used in the treatment of glaucoma;

Whereas Dr. Julian later pioneered a commercial process to synthesize cortisone from soy beans and yams, enabling the widespread use of cortisone as an affordable treatment of arthritis;

Whereas Dr. Julian was the first African American chemist elected to the National Academy of Sciences in 1973 for his lifetime of scientific accomplishments, held over 130 patents at the time of his death in 1975, and dedicated much of his life to the advancement of African Americans in the sciences; and

Whereas Dr. Julian's life story has been documented in the PBS NOVA film "Forgotten Genius": Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress honors the life of Percy Lavon Julian, a pioneer in the field of organic chemistry research and development and the first and only African American chemist to be inducted into the National Academy of Sciences.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. Madam 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 House Concurrent Resolution 34, the resolution that is now under consideration.

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

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

Mine is a simple concurrent resolution honoring the life of Dr. Percy Lavon Julian. Dr. Julian was an outstanding chemist and, as a black man, overcame countless obstacles to achieve international recognition for his scientific accomplishments.

He spent his youth in Birmingham and Montgomery, Alabama. When he decided to leave home to go to college to DePauw University in Indiana, his entire family came to see him off at the train station, including his 99-year-old grandmother, a former slave, and his grandfather who was also there.

His grandfather's right hand was two fingers short. The fingers had been cut off for violating the code forbidding slaves to learn to read and write.

At DePauw University, Julian worked in the attic of a fraternity house. His support and tuition came

from his earnings as a waiter. Often he worked as a ditch digger during the day and attended classes in the evening.

Though at the top of his class in college, he was discouraged from pursuing graduate studies because of potential racial sentiment on the part of future coworkers and employers.

Madam Speaker, I firmly believe that no one should be discouraged from pursuing their dreams. NANCY PELOSI, our first female Speaker of the House, is a prime example of someone who ignored the words of naysayers. We must hold these people up as examples. Let them light the paths of others.

Dr. Julian earned a fellowship to study chemistry at Harvard University, where he received his master's degree; and in 1931, he earned his Ph.D. from the University of Vienna.

Dr. Julian synthesized a chemical treatment for glaucoma, and he synthesized cortisone for the treatment of rheumatoid arthritis. He is also noted for inventing a foam used during World War II to extinguish gasoline and oil; and over the course of his career, he acquired more than 100 patents.

Percy Julian received wide recognition by the scientific community for his research and was elected into the prestigious National Academy of Sciences. He was a bright, talented individual who excelled in science in the face of overwhelming challenges.

My bill, House Concurrent Resolution 34, honors his life. We have 12 cosponsors, as well as partnership with the other body from the gentleman from Illinois. I am pleased that the leadership has chosen to pass a bill celebrating the success of an African American. He is a role model, and we want our young people to know that you can make it even in spite of some of the hardships that you have.

So for future generations coming along, the minority students, I feel it important to uplift women and minorities to excel in math, science and engineering. I hope the House leadership will consider substantial policies to encourage more women and minorities to pursue careers in science, technology, engineering, and math. They need more help than what is currently being provided.

But, again, I thank Chairman GORDON and my colleagues for their support of this resolution. It is a good start, and I hope a bellwether for future legislation.

Madam Speaker, I reserve the balance of my time.

Mr. GINGREY. Madam Speaker, as my good friend and colleague, Representative EDDIE BERNICE JOHNSON, has already stated, House Concurrent Resolution 34 honors the life of Dr. Percy Lavon Julian, a pioneer in organic chemistry, research and development.

Dr. Julian identified and synthesized, and my trusty assistant had to tell me how to pronounce it, physostigmine. I should know that from medical school. Dr. Julian, though, synthesized that, and it is a drug used to treat glaucoma. I think we all know about glaucoma and the ravages of that, particularly with our elderly, more recently to improve memory in Alzheimer's patients and as an antidote to nerve gas.

He also made great advances, Madam Speaker, in synthesizing the drug known, as we all know, as cortisone, and making it affordable treatment back then for arthritis, and of course, it is used for that and many other things today.

In addition to his glaucoma and arthritis treatment contributions, Dr. Julian's impressive achievements also include the invention of a soy-based fire extinguishing foam used on Navy ships during World War II, various improvements in paints and coatings while employed with the Glidden Paint Company, with which he was affiliated, I think, for over 18 years; and he developed a method to filter chemicals in soybean oil to mass produce hormones for medical application.

Once again, Madam Speaker, as a retired OB/GYN physician, I know a little bit about the use of hormones for medical conditions.

As an African American in the early 20th century, Dr. Julian overcame great adversity to succeed and to make his mark on society. The National Academy of Sciences recognized and honored his significant contributions to organic chemistry when they inducted him in 1973.

Madam Speaker, I remember to this day my organic chemistry teacher at Georgia Tech in those 5, 6-hour labs that we had twice a week in addition to all the classroom work. I wish I had had the privilege of being taught by Dr. Julian, but Dr. Cherry was a fine professor in his own right.

I encourage my colleagues to give Dr. Julian the same recognition today and support this resolution honoring him and his great life.

Madam Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Madam Speaker, I want to thank the gentlewoman from Texas for yielding.

I know all of the folks out in the Bay Area of California are indeed pleased and proud to see you in the Chair. They are as proud as the people in the neighborhood where I live are of Dr. Percy Lavon Julian who lived a few blocks from where I currently live.

□ 1415

Born the son of a railroad clerk and a school teacher, the grandson of a slave, young Percy Julian, early in his life, got ahold of Donald Adams' poem, ''Seven Fold,'' and its charge to ''Go Farther On'' reigned in his spirit.

In academia, racial prejudice followed him like a shadow. He was class valedictorian in 1920 from DePauw University, but still discouraged from seeking admission into graduate school because of potential racial sentiment on the part of future coworkers.

He got straight A's at Harvard University, graduated in 1923. But even with his success, Julian was unable to get a teaching job at any major university because of the perception that white students would refuse to learn under a black instructor.

After he received a Ph.D. degree in organic chemistry at the University of Vienna in 1931, he took a position at DePauw, his alma mater, where he collaborated with Dr. Josef Pikl and successfully created a drug which was used as a treatment for glaucoma. Although internationally recognized for his achievement, however, the color of his skin prevented him from being appointed chair of DePauw's chemistry department.

He became the chief chemist and the director of research at the Glidden Company in Chicago, where he created a flame retardant that saved countless sailors of the United States Navy during World War II.

I might add that my brother worked at Glidden Durkee as a quality control director, because he somehow or another also became a chemist and followed in the footsteps of Dr. Julian.

He discovered that soy sterol could be used to manufacture male and female hormones, progesterone and testosterone. Yet his achievements were not properly appreciated. He created synthetic cortisone, and his products led directly to the development of chemical birth control and medicines to suppress the immune system, crucial in performing organ transplants.

He was named Chicagoan of the Year in 1950. He became the first black to move into the prestigious Oak Park community, but his house was firebombed twice simply because some folk didn't want a black neighbor.

He parlayed his genius into countless awards, has over 100 patents to his credit, became a millionaire in 1961, was asked to serve on numerous commissions and advisory boards, and yet his story is not taught nearly as much as it needs to be.

Racial obstacles can be pernicious, but if we persist, like Dr. Julian, to ''Go Farther On,'' then we all become proud. I am proud of the folks in the community where I live because there are Percy Julian artifacts and memorabilia, schools named after him, streets named after him. He is an icon in the Oak Park community.

I commend again my colleague from Texas (Ms. EDDIE BERNICE JOHNSON) for introducing this resolution.

Mr. GINGREY. Madam Speaker, I had one other request for time, but he is detained at this point. Right now, I don't have any other speakers.

Madam Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield 2 minutes to Dr. HOLT, the gentleman from New Jersey.

Mr. HOLT. I thank my friend from Texas.

Madam Speaker, we have heard about the numerous obstacles that Dr. Julian faced, no public high schools for African-Americans in Montgomery, so he had to go as a subfreshman to DePauw University, but his skill, his intelligence, allowed him to thrive there against the adversity. We have heard that a research job fell through because African-Americans were not allowed to stay overnight in a town in Wisconsin where he was going for that work.

We have heard about his contributions: fire retardants, treatments for glaucoma, a low-cost process to produce cortisone. That brings us up to today, why we are talking about this. Of course, we want to honor and recognize someone of such skill and such perseverance, but we want to highlight it for a reason, and that reason is that even today we are excluding people whose talents we need.

African-Americans constitute 14 percent or so of the U.S. population, but receive fewer than 4 percent of the doctorates awarded in chemistry and chemical engineering; hold about 1 percent, one out of 100 chemistry faculty positions in the top universities. These distressing numbers are not just an indication of unfairness. They are an indication of the loss of talent, the loss of creativity, that we need in our society. So this is not just to extol the accomplishments of Percy Julian, but to remind us that we have to make way for these talented individuals in our society today.

Mr. GINGREY. Madam Speaker, just a few words in closing. We talked about Engineers' Week in the previous suspension resolution. I was just listening to my good friend, RUSH HOLT, talk about the importance of making sure that we encourage people of color and someone like Dr. Julian and many more like him to get an opportunity.

I am sure it must have been awfully difficult back in those days, and actually in 1961, that was when I was a student at Georgia Tech, and there were literally no African-American students at school. I don't remember any at that time, and that was just, what, 46 years ago. It is unbelievable.

But, thank God, you know, times have changed; and certainly to learn about Dr. Julian, I didn't know of him until my colleagues on the majority side, on the Science Committee, brought forward this resolution.

I am honored to manage for the ranking member, Mr. HALL, on this side of the Science Committee and to get to know more about the life of Dr. Percy Julian, talking about the work he did in developing and manufacturing a process for the production of cortisone. Madam Speaker, I can really appreciate him in regard to that, because just yesterday morning, I was lying on an operating table getting cortisone injected into my arthritic neck, and I feel better already. I will say, Thank you, Dr. Julian, for that discovery, and I appreciate it very much.

But it is an honor to pay respect to this gentleman. I am pleased in a reading of his life that, unlike a lot of other people who do great things, and they get honored 25 years after their death, and everybody else seems to capitalize on their discovery, the fact that he was not only honored in his lifetime by the National Academy of Sciences, but also was able to get financial remuneration for his work in the sale of his company to a big pharmaceutical, I think it was Smith, Kline & French or one of the major pharmaceutical companies back in 1961 purchased his company for $2.1 million. Well, that is great, and I am very happy that occurred and happy for him and his family.

It is great to have these good bipartisan opportunities, Madam Speaker. I want to ask all of my colleagues on this side of the aisle, and I know all my colleagues on the other side of the aisle, to support this resolution.

Ms. JACKSON-LEE of Texas. Madam Speaker, today I rise in strong support of H. Res. 34, which gives long overdue recognition to a great American, Dr. Percy Lavon Julian. Dr. Julian was a brilliant African-American scientist, inventor, civil rights leader and an unsung hero. A pioneer and widely acclaimed for his work in organic chemistry, Dr. Percy broke the color barrier in science. During his lifetime, he made great strides in the field of chemistry. In 1973, he was elected to the National Academy of Sciences in recognition of his outstanding lifetime achievements. He received 19 honorary degrees and was awarded 105 patents, among them a foam fire retardant, a treatment for glaucoma, and a low-cost process to produce cortisone.

Born in 1899, in Montgomery, AL, the grandson of slaves, Dr. Julian overcame many obstacles and racism and went on to be the first member of his family to attend college. He was the valedictorian of his graduating class at DePauw University in 1920, then went on to receive his M.S. from Harvard University in 1923 and later getting his Ph.D. from the University of Vienna in 1931.

At a time of inequality for African-Americans, Dr. Julian persevered and pioneered a commercial process to synthesize cortisone from soy beans and yams, enabling the widespread use of cortisone as an affordable treatment of arthritis. Dr. Julian also became the first to discover a process to synthesize physotigmine, the drug used in the treatment of glaucoma.

Dr. Julian broke down barriers to achieve many significant firsts in his lifetime, one of which was becoming the first Black scientist hired for a high-level corporate research position as director of research at the Glidden Company. It was here during his 18-year tenure that he launched a process for the chemical synthesis of cortisone whose affordability promulgated its widespread use.

Not only was Dr. Julian an esteemed scientist and innovator, he was also a leader in his community and a champion for civil rights. In 1950, on Thanksgiving Day, before moving in to his new home in the exclusive Chicago Oak Park neighborhood, his home was firebombed. Not one to crumble in the face of adversity, Dr. Julian instead fought tirelessly for integration and went on to encourage the Human Relations Commission in the village government and the Oak Park Housing Center in Illinois towards becoming one of the most efficient systems of integration in the country.

Dr. Julian's business savvy was showcased in 1954 when he left the Glidden Company to establish his own laboratories, Julian Laboratories. There he specialized in producing his synthetic cortizone and established Laboratorios Julian de Mexico in Mexico City and used wild yams in Mexico, which he found to be more effective than soy beans for some of his products. His business savvy was further evidenced when he sold the Oak Park plant to Smith, Kline, and Smith for $2.3 million, an astounding amount of money for anyone during that time period.

Dr. Julian played an integral role in his Chicago community as a civil rights activist. He founded the National Negro Business and Professional Committee for the Legal Defense fund, raised funds for the NAACP and the Southern Christian Leadership Conference and Dr. Martin Luther King, Jr.

Many African-American pioneers and leaders, who came long before the civil rights movement for equality, were not recognized for the contributions they made to this Nation and were never thanked for bettering our society and contributing to humanity. Too many were forgotten and unrecognized for their diligence and commitment to their field of work and their contribution that continues to affect each and every one of our lives today.

As we draw closer to the month of February and Black History month is recognized, let us take a moment to honor an unsung hero, let us declare that his memory is not forgotten. I urge my colleagues to support this bill and honor Dr. Julian Percy because he embodies the ideals that make America a great nation: pioneering spirit, hard work, innovation, perseverance, and dedication.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I have no further requests for time, and I urge support of this resolution.

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

The SPEAKER pro tempore (Ms. LEE). The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 34.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

HIRE A VETERAN WEEK

Mr. HOLT. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 5) expressing support for the designation and goals of ''Hire a Veteran Week'' and encouraging the President to issue a proclamation supporting those goals.

The Clerk read as follows:

H. CON. RES. 5

Whereas the people of the United States have a sincere appreciation and respect for the military personnel who serve in the Armed Forces of the United States;

Whereas veterans possess special qualities and skills that make them ideal candidates for employment, but many veterans encounter difficulties in securing employment;

Whereas it would be inconsistent, inconsiderate, and contrary to the economic competitiveness of the United States to neglect the post-military needs of the military personnel who have served in the Armed Forces of the United States;

Whereas many of the brave men and women who have served the United States so gallantly and selflessly in the war on terrorism and the war in Iraq since September 11, 2001, are beginning to return home to be reunited with their loved ones and will be reentering the workforce or searching for their first jobs outside of military service; and

Whereas the Department of Veterans Affairs, the Department of Labor, the Office of Personnel Management, and many State and local governments administer veterans programs and have veterans employment representatives both to ensure that veterans receive the services to which they are entitled and to promote employer interest in hiring veterans: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the importance of the men and women who have served or who currently serve in the Armed Forces of the United States;

(2) supports the designation of an appropriate week as ''Hire a Veteran Week''; and

(3) encourages the President to issue a proclamation calling upon employers, labor organizations, veterans service organizations, and Federal, State, and local governmental agencies (including such agencies in the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States) to lend their support to increase employment of the men and women who have served in the Armed Forces of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. HOLT) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. HOLT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Con. Res. 5.

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

There was no objection.

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

I want to thank my colleagues for allowing this bill to come to the floor. I want to thank my partner in the bill, Mr. BROWN of South Carolina, for his work and support on the measure, and also the chairman and ranking members of the House Veterans' Affairs Committee and the Armed Services Committee.

The bill calls upon the President to establish a permanent ''Hire a Veteran Week'' to help promote employment of veterans in a more concentrated fashion. Last year the House passed this bill by a voice vote. The bill enjoyed overwhelming support on both sides of the aisle because all of us understood that we had a lot more to do to help our veterans find jobs, start businesses on their own and get ahead as employees; and we still do have much more to do. I am grateful that the House leadership has allowed this bill to come forward today.

One of the reasons I am glad we are doing this is, we need to change the paradigm of how we think about veterans. Too often we spend a couple of days a year, Memorial Day, Veterans Day, thinking about veterans. But for too many Americans, these have simply become additional days to go shopping instead of recognizing the courage, the service, the sacrifice of those who have worn the uniform of our Nation, and that needs to change.

Since September 11, 2001, America has been creating the largest new pool of veterans since the Vietnam era. Hundreds of thousands of Americans have passed through Iraq and Afghanistan, including tens of thousands in our Guard and Reserve. All of these veterans are returning home and many, many of them, need help in obtaining and sustaining employment.

The most basic thing we can do is remind employers on a regular basis that veterans make great employees. It is not just that we owe it to them, although we do. It is not just that it is a matter of fairness, although it is. It is also that they are good workers with real, very real, life experience.

Some companies are making an effort to do this. One of them, in my district, Facile Corporation, has offices at Fort Monmouth, also in Camden, Brooklyn, Philadelphia, Washington, Arlington, Colorado Springs and in, Madam Speaker, the State of California as well. Facile is a diversified company providing a range of services to military and civilian clients, information technology services and so forth.

But what makes this company special for me is the fact that 26 percent of its workforce nationwide is comprised of veterans. This didn't just happen. The employer made a conscious and conscientious effort to do so, to hire these veterans.

Last November, just before Veterans Day, I had the privilege of meeting with employees of Facile and learning how this effort to hire veterans truly was a win/win proposition for the company and for the veterans. I came away more convinced than ever that we need to institutionalize that kind of outreach, which is why I am proud to cosponsor this bill with a number of other colleagues here.

□ 1430

We face many difficult days ahead. Those wearing the uniform of the United States, the various uniforms who are serving in harm's way to defend us, face many difficult days ahead. They should not face more difficulties when they come home. One thing we can all agree on is that we need to give our veterans every opportunity to achieve the American Dream. That is the point of this legislation, to create the Hire a Veteran Week and to encourage the President to support the goal of Hire a Veteran Week.

Madam Speaker, I reserve the balance of my time.

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

The resolution before us today is identical to H. Con. Res. 125, passed by the House in the 109th Congress on July 24, 2006. I want to thank Congressman HOLT and Congressman BROWN for bringing forward this very, very important resolution.

Vince Lombardi said: ''The harder you work, the harder it is to surrender.'' Maybe that is why the men and women on the front lines today, who have sacrificed the most to achieve a success, remain dedicated to achieving victory in the face of adversity. And it is this determination and dedication that make our veterans such outstanding employees when they return to civilian life.

American veterans, especially those who serve the Nation during challenging times, understand the value of work. When these men and women return to civilian life, they only ask that the Nation, through her employers, recognize the value of their experience as members of our Armed Forces.

Today, our Nation is honored by the service of millions of volunteer service men and women, including hundreds of thousands who have served in Operation Iraqi Freedom and Operation Enduring Freedom. By putting these veterans to work in our factories, our offices, construction sites, and all types of industries, we give them the opportunity to continue contributing to the Nation they have so honorably defended in uniform.

Today, diversity is a common goal of employers. I would offer that one facet of diversity can only be provided by a veteran, that 1 percent of society that protects and defends the other 99 percent.

I also want to thank those businesses who are proactively working to hire veterans today. I am working with many Arkansas-based businesses. In fact, in my situation and Congresswoman HERSETH's situation, we are working with businesses all over the country, both large and small, to encourage additional veterans outreach. I

urge my colleagues to take the initiative in reaching out to businesses in your communities as well.

To the Nation's employers, large and small, I say hire a veteran. You will get an employee who understands honor and commitment, who is skilled and drug free and loyal. You can't do any better than that.

I strongly urge my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. HOLT. Madam Speaker, I yield 2 minutes to the gentlewoman from South Dakota (Ms. HERSETH).

Ms. HERSETH. Madam Speaker, I rise today in support of House Concurrent Resolution 5, a resolution endorsing the designation and goals of Hire a Veteran Week. I would like to thank my friends, the gentleman from New Jersey (Mr. HOLT) and the gentleman from South Carolina (Mr. BROWN), for introducing this important resolution.

As the chairwoman of the House Veterans' Affairs Economic Opportunity Subcommittee, which maintains jurisdiction over veterans employment and re-employment matters, I have been working with the ranking member and former chairman of the subcommittee, Mr. BOOZMAN, to explore the perceptions, activities, employment practices, and entrepreneurship opportunities for former servicemembers.

The men and women serving in the military today are professional, highly trained, and motivated. And if given the opportunity, they would be valuable additions to our workforce and overall economy.

As we all know, this is a key transitional period for many members of our Armed Forces serving overseas. Increasing numbers of service men and women are expected to return home from Iraq and Afghanistan. The men and women in uniform who defend this country and make our economic and political systems possible have earned a fair opportunity to successfully transition from military service to civilian life and employment.

We have asked hundreds of thousands of our best and brightest, including a great number of National Guard and Reservists from South Dakota and across the country, to serve overseas in Operations Iraqi Freedom and Enduring Freedom.

We owe these brave men and women and their families a great deal for their sacrifice during these difficult times. We owe them the opportunity to make good on the American Dream they have fought to defend. Indeed, our Nation's employers would serve their business, their customers, and their bottom line well by hiring a veteran of the United States military.

H. Con. Res. 5 helps recognize the achievements of veterans and benefits of their employment. I ask my colleagues to support all veterans by supporting this resolution.

Mr. BOOZMAN. Madam Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. BROWN), one of the gentlemen working with Mr. HOLT that was able to bring this resolution forward.

Mr. BROWN of South Carolina. Madam Speaker, I rise in strong support of this resolution, which will do so much to highlight the contributions made by so many veterans even after they have stopped wearing the uniform.

I want to especially call attention to the hard work of my colleague Mr. HOLT. During the last Congress, I was proud to work with him on this resolution and am glad to see it come to the floor so early in this Congress.

Leadership, teamwork, integrity: these are all skills and qualities that employers today are looking for in order to compete in today's fast-paced and complex business environment. Thankfully, these are all attributes our Nation's veterans bring to the table. Their training in our Nation's military and experience working under pressure have provided them with skills and qualities that should put them at the top of any hiring list.

However, many veterans still find getting a job after they leave our military a challenge. Veterans may not understand how their military skills can translate into civilian life, and employers may not recognize the benefit of focusing on hiring veterans. This resolution highlights some of the ways we are trying to help both veterans and employers.

One tool out there is the Web site HireVetsFirst.gov, which is a comprehensive career Web site for hiring veterans of America's military. The Web site contains dedicated resources for matching employment opportunities with veterans. I urge Members to highlight this Web site as much as possible in the coming weeks.

In closing, Madam Speaker, I want to thank Mr. HOLT for introducing this resolution and thank Chairman FILNER and Mr. BUYER for their work to bring it to the floor. It says a lot that we are considering such an important resolution so early in the 110th Congress.

Mr. HOLT. Madam Speaker, I thank the gentleman from South Carolina for his good words.

Madam Speaker, now I would like to yield 2 minutes to the gentleman from Colorado (Mr. SALAZAR), member of the Veterans' Affairs Committee and himself a military veteran.

Mr. SALAZAR. Madam Speaker, I would like to thank the gentleman for yielding, and I want to thank him for bringing this important resolution forward.

Madam Speaker, I rise today in support of House Concurrent Resolution 5, the designation of Hire a Veteran Week. I encourage the President to issue a proclamation supporting this designation.

I would once again like to thank Mr. HOLT for offering this resolution and thank the committee on Veterans' Affairs, Mr. BOOZMAN, who has been a strong leader on veterans affairs issues. I am proud to be a member of that committee.

As a Member and as a veteran of the United States Army, I understand the important and sometimes difficult adjustments that face our soldiers when they return home from their tour of duty. Securing employment should not be one of those difficult tasks.

Many are not aware that the men and women of the United States military have amazing skills that translate perfectly into civilian occupations. Veterans also have the ability to learn new skills and concepts and can enter the workforce with those skills proven in real-world situations. Veterans know what it means to do ''an honest day's work.'' Employers know that they are gaining someone with a track record of integrity.

Madam Speaker, we must take care of veterans when they return home. We value the commitment that veterans have shown to this great country. We value what veterans have learned from their military experience. Together, we can use that experience to continue our country's prosperity and the individual prosperity of our service men and women. There is no better way to send this message than by hiring a veteran.

I would like to encourage my colleagues on both sides of the aisle to support this important resolution.

Mr. BOOZMAN. Madam Speaker, I would like to yield 1½ minutes to the gentlewoman from Oklahoma (Ms. FALLIN).

Ms. FALLIN. Madam Speaker, Oklahoma has a proud tradition of men and women who serve in our military and put their lives on the line to defend our freedoms. We have over 350,000 military veterans and more than one in 10 Oklahomans who serve in the military. And we are very proud of our veterans, Madam Speaker, and we believe that the men and the women returning from the war on terror deserve our honor and our respect and a hero's welcome home.

It is, however, an unfortunate truth that the military men and women returning to duty do not always return to the jobs that they deserve. In fact, military veterans of various ages, both men and women, face considerably higher unemployment rates than their civilian counterparts. Madam Speaker, this is what I believe is an injustice. America's heroes should not return home from the battlefield to face unemployment and hardships.

It is for this reason I wholeheartedly support the creation of a Hire a Veteran Week. The resolution before us today is an important chance for Congress to encourage our employers to help our war veterans returning home by lending them a helping hand in finding employment and supporting their families. We must reaffirm our commitment to our men and women who have served our great Nation.

Mr. HOLT. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Minnesota (Mr. WALZ), a

member of the Veterans' Affairs Committee and himself a retired command sergeant major in the Minnesota National Guard.

Mr. WALZ of Minnesota. Madam Speaker, I thank the gentleman from New Jersey for giving me this opportunity.

Madam Speaker, I rise in enthusiastic support of House Concurrent Resolution 5 on Hire a Veteran Week. This resolution will recognize the importance of our service men and women by designating an appropriate week as Hire a Veteran Week and will encourage the President to make a proclamation encouraging all employers to hire veterans.

I spent 24 years in the Army National Guard and did retire as a command sergeant major. Having recruited, trained, deployed with, and returned home with soldiers of many different ages, I know how difficult it can be to reintegrate into everyday civilian life. These veterans, who have sacrificed so much and asked for so little, deserve to return home to a solid job market and solid finances for their family. We owe it to them to use the power of this body to recognize those sacrifices and encourage our employers nationwide to hire veterans whenever possible.

These soldiers are truly the hardest working, noblest Americans we have, and any employer should be fortunate to call these veterans employees.

Madam Speaker, I ask the support, the unanimous support, of the entire House in creating a Hire a Veteran Week and encouraging this great Nation to work to employ its veterans. It is the very least we can do for them when they have given so much to us.

Mr. BOOZMAN. Madam Speaker, I am pleased to yield 1½ minutes to Mr. DAVID DAVIS of Tennessee.

Mr. DAVID DAVIS of Tennessee. Madam Speaker, I rise in strong support of this resolution.

Tennessee is known as the Volunteer State because we have consistently been willing to go and to serve. There are approximately 70,000 veterans in the First District of Tennessee. My district is also the home of the James H. Quillen VA Medical Center, a 500-bed teaching medical facility located in northeast Tennessee.

Veterans possess special qualities and skills such as a strong work ethic, training, discipline, and dedication to make the ideal candidates for employment. Our dedicated men and women have sacrificed so much for us. Now it is our turn to support them.

I would like to encourage President Bush to issue a proclamation calling upon employers, veterans service organizations, and Federal and State and local government agencies to lend their support for an increase in employment for the men and women who have served in the Armed Forces of the United States.

Mr. HOLT. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. BOOZMAN. Madam Speaker, I am pleased to yield 1½ minutes to Mr. ROSKAM of Illinois.

Mr. ROSKAM. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of House Concurrent Resolution 5, which we have heard spoken about frequently in the past few minutes; but it is deeply personal to me.

My life was influenced greatly, Madam Speaker, in 1944, and it was actually 17 years before I was born. A fellow named George Jenkins took the beach at Normandy and was killed there. He was an Iowan. And his mother and dad, Roy and Ella Jenkins, decided to do something with his life insurance money. They took it and they chose a young man, who happened to be my father, V.R. Roskam from Iowa, and they plucked him out of adversity and plucked him out of a bad situation. And they paid his tuition, room, board, books, fees, spending money; and they even bought him this class ring that I have on my hand today.

□ 1445

Madam Speaker, it was the generosity of the Jenkins family in honoring a veteran that literally changed my life and the trajectory of our family, even before I was born, even before I was thought of. And so I rise in proud support today of this notion of singling out veterans.

It is an area where so many times in our public life today there is a great deal of strife, it seems, among us. But it is this group of people that we can universally come together and honor and celebrate and hold up high.

Madam Speaker, I rise in strong support of this resolution.

Mr. HOLT. Madam Speaker, I continue to reserve the balance of my time.

Mr. BOOZMAN. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. I thank the gentleman for yielding.

Madam Speaker, as a member of the Committee on Veterans' Affairs, I rise today in support of H. Con. Res. 5 which expresses support for Hire a Veteran Week. I could not agree more with this resolution or with the initiative it expresses support for. I believe it should be the goal of all businesses, whenever feasible, to hire a veteran.

Madam Speaker, America's brave men and women put their lives, both personal and professional, on hold to serve this country and defend freedom. The very least we can do as a body is endorse initiatives intended to help with the transition back into society. I am proud to join Members on both sides of the aisle in supporting this legislation and encouraging the President to issue a proclamation supporting the goals of ''Hire a Veteran.''

Madam Speaker, I am an ardent supporter of America's veterans, having already sponsored three pieces of legislation intended to improve veterans' benefits. As such, I will continue to support legislation intended to improve the lives of our veterans and their families.

Mr. HOLT. Madam Speaker, with no more speakers present, I reserve the balance of my time.

Mr. BOOZMAN. Madam Speaker, I yield 1½ minutes to Congressman REICHERT of Washington.

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

Mr. REICHERT. I thank the gentleman for yielding.

Madam Speaker, as a veteran of the United States Air Force Reserve, I am pleased to rise in support of this resolution. It is our responsibility to provide for all of our veterans' needs, whether they are on the front lines of global conflict or in the communities to which they return in civilian life.

Our efforts must be proactive in their outreach and comprehensive in their scope. In a few short weeks, I will be holding a veterans resource fair to further assist Washington State veterans to discover new jobs and job training opportunities. I encourage all of my colleagues to conduct similar events in their districts.

We must forge partnerships between the public and private sectors to help veterans find jobs. I am proud to work with Labor Ready, the Nation's leading provider of temporary labor to support the creation of thousands of jobs and opportunities for jobs for National Guard members and reservists across this country.

This resolution is just one of many measures that we must pass in support of those among us who have made individual sacrifices to preserve our freedom. I hope that we will continue to work together in a bipartisan way to protect and promote meaningful benefits for our veterans.

Mr. HOLT. Madam Speaker, I continue to reserve the balance of my time.

Mr. BOOZMAN. Madam Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), the ranking member of the Oversight Subcommittee of Veterans' Affairs.

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today in very strong support of House Concurrent Resolution 5.

When men and women of our country separate from the military, they leave with some of the best training and discipline in the whole wide world. While one would think that the private sector employers would jump at the opportunity to hire those individuals, that unfortunately is not always the case. In fact, recently discharged veterans see a higher unemployment rate than the national average.

Today's bill supports the goals of Hire a Veteran Week and sends an important message to support both our Nation's veterans and employers.

Moreover, employers will receive a strong reminder of the highly motivated and skilled segment of our labor force that is sometimes overlooked.

Listen up, America; it is time to help our veterans find jobs as they transition back from the military. I urge my colleagues to support this important measure.

Mr. HOLT. Madam Speaker, I continue to reserve the balance of my time.

Mr. BOOZMAN. Madam Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE).

(Mrs. MUSGRAVE asked and was given permission to revise and extend her remarks.)

Mrs. MUSGRAVE. I thank the gentleman from Arkansas.

Madam Speaker, I come today with many other colleagues on both sides of the aisle to support House Concurrent Resolution 5, expressing our support for Hire a Veteran Week. Many people go into the military and gain incredible life experiences and discipline. They have so many skills to offer when they come home, and many of them come home wanting to resume a normal life. An important part of a normal life is having a job.

I really believe that the public sector and the private sector can express our gratitude for the sacrifices that these veterans have made on our behalf. Many of these men and women have made economic sacrifices while they have been serving this country, and they need to come home and have encouragement from all of us. So a great way to say thank you is to promote the Hire a Veteran Week.

I am encouraging the President to issue a proclamation in support of this. This is very personal to me. My father-in-law is a veteran, my uncle was a World War II veteran that was captured during the Battle of the Bulge, and my son and daughter-in-law are currently serving in the military.

And I think so many families are affected by this that we benefit, and the veterans and their families will benefit, if we encourage this.

Mr. BOOZMAN. Madam Speaker, in closing, I just want to thank Mr. HOLT for his efforts, and Mr. BROWN, in bringing this forward. I can only echo what has being said in this Chamber about the value of hiring veterans and how important this is. We are a nation at war, and these men and women and their families sacrifice greatly.

And so, again, I know that certainly my efforts, I think Congress and their efforts through doing things like this, all of our efforts in trying to solve the problem of putting our veterans back to work.

Again, thank you very much, and a special thanks to the staff for their hard work in bringing this forward.

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

Mr. HOLT. Madam Speaker, I yield myself the balance of our time.

Madam Speaker, I thank those who have spoken today. I, too, thank the staff of the majority and minority on the Veterans' Committee for preparing this legislation.

Madam Speaker, our veterans returning from Afghanistan and Iraq will require a range of services and assistance in making the transition back to civilian life. We will take up many issues related to those veterans. We will take up issues of war and peace here on the floor.

In the meantime, we should remind all employers, both in the government sector and in the private sector that hiring veterans is a smart choice. Their discipline, their work ethic, their prior service to our Nation make them excellent employees. I know. I have a couple working for me. They are superb.

We should pass this legislation for Hire a Veteran Week because we owe it to those who have borne the battle. We owe it to our country. Employers owe it to their stockholders and their clients and their customers, and they owe it to themselves.

I urge my colleagues to support this legislation that I hope will become a reality soon so that we will have a Hire a Veteran Week in America.

Mr. ISSA. Madam Speaker, today as we prepare to pass House Concurrent Resolution 5, which will express support for the designation of Hire a Veteran Week, I would like to highlight two people, who have built a Web site that has assisted many of the military heroes and veterans from my Congressional District find employment upon their return home from Iraq and Afghanistan.

In February, 2005, Mark and Tori Baird created the Web site www.hiremarines.com to serve Marines at Camp Pendleton, CA, who were seeking to find either part-time or full employment after bravely serving our Nation. This site quickly caught on with local employers and media, and soon the Baird's received e-mails from military personnel across the country that wanted to use their site. After 6 months, www.hiremarines.com was expanded to included servicemen from all branches of the Armed Forces, both in Southern California and beyond, and the name of the site was changed to www.hirepatriots.com.

As a U.S. Army veteran, I have a sincere appreciation and respect for the military personnel who serve in our Armed Forces. Veterans posses special qualities and skills that make them ideal candidates for employment, and the Congress should do everything that it can to encourage more employers to hire them.

Many of the brave men and women who have served the United States so gallantly and selflessly in the war on terrorism and the war in Iraq since September 11, 2001, are beginning to return home to be reunited with their loved ones. They will soon be reentering the workforce or searching for their first jobs outside of military service.

H. Con. Res. 5 is an important effort to highlight this issue. I hope it will encourage other citizens to follow in the example of Mark and Tori in either hiring veterans, or providing assistance to those that are currently seeking jobs.

This is a small thing to do for these brave men and women who defend our safety and freedom.

Mr. EMANUEL. Madam Speaker, I rise today in strong support of H. Con. Res. 5, a bill expressing our commitment to expanding employment and business opportunities for our Nation's veterans.

H. Con. Res. 5 will establish Hire a Veteran Week, and encourages the President to issue a proclamation supporting those goals. Our Nation's veterans must be given the opportunities they deserve to make a successful transition to civilian life, and build a successful future for themselves and their families.

There are now more than 25 million living veterans in the United States. These dedicated men and women are among our Nation's greatest citizens. Many of our Nation's leading figures in both the private and public sectors are military veterans.

Military service provides valuable training in a variety of specialized fields, and helps build leadership, problem solving and management skills. Military veterans have also proven their dedication to the service of their Nation and their communities, and are eager for the opportunity to continue serving the public good in whichever field they enter after leaving the military. The opportunities we provide veterans today will benefit our Nation for many years to come.

Madam Speaker, I encourage my colleagues to join me in thanking our Nation's veterans for their service and supporting H. Con. Res. 5, establishing Hire a Veteran Week, and I encourage all members of the American business community to recognize the value of hiring veterans and contracting with veteran-owned businesses.

Mr. SHAYS. Madam Speaker, I rise in support of H. Con. Res. 5.

Providing our veterans with the resources necessary to make their transition to civilian life as effortless and successful as possible is a goal all members of Congress share. This resolution reiterates the need for employers to hire veterans.

We must make a commitment as a Nation to ensure the men and women who put on a uniform to protect and defend our Nation have the ability to find employment within the government or private sector upon their return.

While the previous Congress enacted several pieces of legislation to improve Veterans' benefits, there is still more to be done. This resolution takes another step toward focusing our country on the need to increase veteran's employment.

I urge my colleagues to support this resolution.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H. Con. Res. 5, to express support for the designation and goals of Hire a Veteran Week. This concurrent resolution serves to recognize the men and women in our Armed Forces by encouraging support for them when they come home.

One of the biggest items on the agenda of the Democratic majority this Congress is to bring the troops home, because we believe that this is the best way we can support them. At the same time, it is equally critical to continue supporting them once they are home and no longer in active duty, by providing them and their families with the resources they need.

American veterans make up over a third of our nation's homeless population, and about 250,000 live on our city streets. Madam Speaker, it is shameful that those who served

our Nation heroically must endure such conditions.

Last year, the U.S. Labor Department found that 15.6 percent of America's youngest veterans, aged 20 to 24 years old, were unemployed, as opposed to 8.7 percent of non-veterans at that age. This rate has since fallen slightly, perhaps due to the efforts of the U.S. Labor Department's Veterans' Employment and Training Service, VETS. It is important that we join them in recognizing that veterans need and deserve our support at home too.

I commend the gentleman from New Jersey, Mr. HOLT, for introducing this resolution to establish Hire a Veteran Week and to encourage employers to remember our Nation's heroes. I urge my colleagues to join me in supporting H. Con. Res. 5, a truly outstanding piece of legislation that reflects the best of our values.

Mr. BUYER. Madam Speaker, this resolution expresses the support for the designation and goals of Hire a Veteran Week, and calls upon the President to issue a proclamation supporting these goals. It is identical to the legislation passed by the House in the 109th Congress on July 24, 2006.

America's veterans deserve special employment opportunity more than any other sector of society. These men and women have volunteered to put themselves in harm's way to preserve the Nation's way of life and economic system. They have worn the uniform from pole to pole, often risking their lives not only in combat, but also in exploring, rebuilding infrastructures devastated by natural disasters, providing medical care in remote locations, and transporting refugees from genocide. They answer the Nation's call to duty, asking in return only our support and our thanks.

Veterans are the most diverse communities in America. They come from every major ethnic and socioeconomic group. Today's veterans are goal-oriented, physically fit, know how to take and give orders, and are comfortable with technology. The best way to say thanks to veterans for their service is to give them the opportunity to prove their worth in the workplace.

I also want to thank Congressman JOHN BOOZMAN and Congresswoman STEPHANIE HERSETH for their very effective work during the 109th Congress to improve employment opportunities for veterans, and particularly disabled veterans, and I look forward to their continuing efforts during the 110th Congress.

Madam Speaker, I thank you for allowing this legislation to come to the floor for consideration, and ask that my colleagues support the bill, H. Con. Res. 5.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. HOLT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 5.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

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

The yeas and nays were ordered.

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

CONGRATULATING LOVIE SMITH AND TONY DUNGY ON BECOMING THE FIRST AFRICAN-AMERICAN HEAD COACHES OF NATIONAL FOOTBALL LEAGUE TEAMS TO QUALIFY FOR THE SUPER BOWL

Mr. DAVIS of Illinois. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 90) congratulating Lovie Smith of the Chicago Bears and Tony Dungy of the Indianapolis Colts on becoming the first African-American head coaches of National Football League teams to qualify for the Super Bowl.

The Clerk read as follows:

H. RES. 90

Whereas in the 40 Super Bowls prior to Super Bowl XLI, to be held on February 4, 2007, no National Football League (NFL) team that played in the Super Bowl had an African-American head coach;

Whereas on January 21, 2007, in Chicago, Illinois, the Chicago Bears, coached by Lovie Smith—an African-American—defeated the New Orleans Saints by a score of 39 to 14 in the National Football Conference Championship game and advanced to Super Bowl XLI;

Whereas Lovie Smith was named the 13th head coach in Chicago Bears history on January 15, 2004;

Whereas Lovie Smith was named the Associated Press NFL Coach of the Year for 2005;

Whereas Lovie Smith's 11 victories in 2005 are the most by a second-year coach in the history of the Chicago Bears and he became the first second-year coach of the Bears to win a division title, earning the second seed in the National Football Conference playoffs;

Whereas on January 21, 2007, in Indianapolis, Indiana, the Indianapolis Colts, coached by Tony Dungy—an African-American—defeated the New England Patriots by a score of 38 to 34 in the American Football Conference's Championship game and also advanced to Super Bowl XLI;

Whereas Anthony Kevin ''Tony'' Dungy was named head coach of the Indianapolis Colts on January 22, 2002;

Whereas the 2006 season was Tony Dungy's 5th with the Colts and 11th as an NFL head coach;

Whereas Tony Dungy is the 35th coach in NFL history to earn 100 career victories (including playoff victories);

Whereas Tony Dungy leads all NFL head coaches in wins from 1999 to 2005, with a record of 78 wins and 34 defeats;

Whereas the NFL had a record 7 African-American head coaches in 2006 and a record of 197 African-American coaches total, including 7 assistant head coaches; and

Whereas since Frederick Douglass ''Fritz'' Pollard became the first African-American head coach in the NFL in 1922, there have been nine other African-American head coaches in the NFL—including five who are currently serving: Now, therefore, be it

Resolved, That the House of Representatives congratulates Lovie Smith of the Chicago Bears and Tony Dungy of the Indianapolis Colts for their accomplishments and for being the first African-American head coaches of National Football League teams to qualify for the Super Bowl.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Indiana (Mr. BURTON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Madam Speaker, this Sunday, history will be made in the National Football League when two African American head coaches battle for a Super Bowl championship.

Not only is this the first time a black head coach has vied for the title, but two have done so in the same season. Lovie Smith, of the Chicago Bears, and Tony Dungy, of the Indianapolis Colts, are hailed as two of the most humble in the league.

In an era where professional sports is crowded with big egos and loud mouths, these two quietly push their players to be better athletes and better individuals.

Like myself, Coach Smith grew up in a small town in the South. Coach Smith talks about how growing up in the small town of Big Sandy, Texas, taught him the values of hard work, self-determination, self-discipline and teamwork. These are American values taught in a small town.

One thing that I admire about Lovie Smith is that he approaches coaching as a professor, as a mentor. He does not yell or swear at his players. He teaches them and motivates them. He builds his players up, reflecting a strength of character to be commended and imitated.

□ 1500

Coach Smith started his coaching career studying under Tony Dungy in Tampa Bay, and the two developed a defense that relied on team speed and hard hitting. They also developed a close friendship that continues, even as opponents in the largest single sporting event in America.

Through their relationship, both have become brilliant defensive football minds and refined player managers. Their class and work ethic make them part of an elite group of coaches, and their contributions continue to have a great effect on league diversity in the coaching ranks. Their achievements stretch far beyond the football field, and their impact is felt throughout the entire African American, as well as the entire American, community.

I congratulate both of these coaches for their hard work and success. Of course I want them both to be successful on Sunday, but I must confess that I would rather that Lovie Smith be more successful than his mentor.

Madam Speaker, I reserve the balance of my time.

Mr. BURTON of Indiana. Madam Speaker, I yield myself such time as I may consume.

You know, this is really a great Super Bowl we are facing for a number of reasons, not the least of which for the first time we have two African American coaches who are going to be coaching the football teams in the Super Bowl. There has never been an African American coach reach the Super Bowl, and now we have two, both teams. They are two of the finest men you are ever going to want to see coaching football teams, let alone teams in the Super Bowl. Tony Dungy, in his fifth season with the Colts, has compiled a record of 68–20. He has had five playoff appearances, he has had four AFC South titles, two AFC championship games, and finally an AFC championship. He has just done an outstanding job.

And Lovie Smith has done an outstanding job with the Chicago Bears. With a team racked by injuries, his first season he went 5–11. Then they went 11–5 and made the playoffs before falling to the Carolina Panthers. And then this year they made the Super Bowl for the first time since Mike Ditka led the Bears back in 1986.

They are both very fine men. They are not just a credit to the African American race, but they are a credit to humanity. I have watched both of them on television. They are both very strong Christian men, they are both very patriotic men, and they are loved by their teams.

I have not been conversant with how the people in Chicago feel about Lovie Smith, but everybody in Indianapolis thinks that Tony Dungy walks on water; they think he is the greatest coach we have ever had. And he is the kind of guy that, even when he is behind, doesn't know the meaning of giving up. I mean, this last playoff game when they came from behind from a greater deficit than any playoff championship team in history was really something. I admitted, when we were talking about the game the other night on the floor, that in the first half I was so upset I almost changed to American Movie Classics. We were behind 21–3. And I changed over the channel for a minute and I thought, no, I can't give up on the Colts; they won't give up. I changed the channel back, and daggone they came from that deficit to win the game. It was an outstanding championship effort. And it was led by an African American, Tony Dungy, who was the coach.

Lovie Smith did an outstanding job with the Bears. He led them through a very difficult last few seasons and led them to the championship. They were both talking about being the first African American in the Super Bowl, and now they are both at the same time. So I think that really shows what kind of men they are.

The only difference I would have with my colleague on the other side of the aisle who has a great resonant voice, Mr. DAVIS, is that I am one of the few guys here on the floor today who is going to be rooting for the Indianapolis Colts.

Now, we may be outnumbered here tonight. My colleagues are going to be speaking, and most of them are going to be talking about Lovie Smith and the Bears, you will outnumber us, but on Sunday you won't because the Colts are going all the way. As I said the other night, I am blue through and through and I am rooting for the Colts and they are going to win, but I still love the Bears and Lovie Smith, and I am very sorry that they won't win, but he is still a great coach.

With that, Madam Speaker, I reserve the balance of my time

Mr. DAVIS of Illinois. Madam Speaker, I want to thank the gentleman from Indiana. He is a distinguished Member of this body, and sometimes he is very prophetic, he can predict things. Of course I think today he is making an error. I certainly look forward to Tony Dungy and the Colts not giving up, but I've got a feeling that they might give out.

It is my pleasure right now to yield such time as she might consume to the chairperson of the Congressional Black Caucus, the originator of this resolution and one who comes from a great sports town where basketball is the name of their game, Representative CAROLYN KILPATRICK from the State of Michigan.

Ms. KILPATRICK. Thank you, Mr. Chairman, for allowing me the time.

Madam Speaker, I am an avid football fan, an avid basketball fan, as well as hockey. Michigan and Detroit proper are always part of that game.

Championships. Unfortunately, two other great teams are in the Super Bowl, one of the most exciting sports activities happening this weekend in Miami, Florida as we have seen since the last Super Bowl was held in Detroit, Super Bowl XL. And I am honored to stand here, as some of my previous colleagues have said, to just pay respect to the National Football League. This is not my first association with them. We have run a coaches' clinic with the National Football League now for some time. They work with high school coaches to develop their skill so that their athletes and graduates will matriculate into the NFL as they go through their college years.

So I am honored to, first of all, thank the NFL for working with us and with the men across this country, that the young men become strong in their character, in their competitiveness and in their nature as they win Super Bowls.

As was said a little bit earlier, Chicago Bears, one of my favorite teams, and thank you, Coach Lovie Smith and the front office and all of you who have brought the Bears this far, to the players, to the wives, to the families for the sacrifices that you have made. We honor you, Chicago Bears; and we wish you the best, Coach Smith.

And also Coach Tony Dungy. I have followed his career for many years. The tragedy that he had last year, we all prayed for him in this Nation, and our prayers are with you as well.

Indianapolis, Chicago, Super Bowl XLI in Miami, just a few hours from now; and for the first time in the history of the sport, which started in 1869, we have not one, but two African American men, Lovie Smith being a protege of Tony Dungy, leading two fantastic teams in one of the greatest sports of mankind.

So I stand here to thank the NFL and to thank the coaches, the players, their families and the institution. It was the NFL who started, in 1987, the Minority Coaches Fellowship that allowed many offensive coaches and defensive coaches to become head coaches. Today, we have three head coaches who graduated from that program and actively working with their sports to bring them this far.

Over the years, and in 2002, the late Johnny Cochran and Cyrus Mehri put forth a program known today as the ''Rooney Program'' after Dan Rooney, who I had an opportunity to meet, the owner of the Pittsburgh Steelers just last year in Detroit during the Super Bowl, which allows and asks that NFL teams consider achievement and expertise, that they might move forward and present championship coaches as has been had right now as we begin to celebrate Super Bowl XLI.

It is a great day that is coming in the next few days. Thank you to the league, as well as to our heroes, Coach Tony Dungy, Coach Lovie Smith. And I don't want to stand here and pick a winner; I like the game too much. Unfortunately, the Detroit Lions won't be there, but we like you, too, Detroit Lions. Just do better next year, okay? But for the rest of the world, and as this sport will be watched across the world, congratulations to the first two African American coaches to reach the Super Bowl.

May the best team win, and we will be hollering and screaming for you all Sunday evening. God bless

Mr. BURTON of Indiana. Before I yield 3 minutes to my good friend from Texas, a former judge, before I recognize him, I just want to say that I have wagered some Indiana popcorn for a deep dish pizza and some kind of cake, and anybody that wants to bet on the Bears, call me up, I've got plenty of popcorn.

With that, I yield 3 minutes to my good friend from Texas (Mr. GOHMERT).

Mr. GOHMERT. Well, I certainly appreciate my good friend, Mr. BURTON, yielding, even though I rise to say how much I agree with the gentleman from Illinois about the greatness of Lovie Smith.

Chicago Bears' head coach Lovie Smith is a Super Bowl-bound gentleman. He was born May 8, 1958 in the wonderful town of Gladewater, Texas in my home district in the middle of east Texas. He grew up in Big Sandy, Texas, was voted the boy most likely to succeed in the class of 1976 in Big Sandy High School. He was also part of

three State football championships there in Big Sandy, Texas, where they do know good football.

After playing college ball at Tulsa, where he earned two-time All-America and three-time All-Missouri Valley Conference honors, he began his coaching career at his hometown high school in Big Sandy, Texas.

Now, 2 years later, Lovie Smith began coaching collegiately at Tulsa, Wisconsin, Arizona State, Kentucky, Tennessee and Ohio State. After coaching the linebackers for the Tampa Bay Buccaneers and then helping the St. Louis Rams return to the Super Bowl, Lovie Smith eventually found himself in Chicago as the defensive coordinator for the Bears. The team allowed the fewest points in the NFL in 2005 and ranked second in overall defense. He was named the 13th head coach in Chicago Bears history on January 15, 2004. Coach Smith was named the Associated Press NFL Coach of the Year for 2005.

Lovie Smith and his wife, Maryann, have three sons, Matthew, Michael and Miles, as well as twin grandsons, Malachi and Noah.

Now, Big Sandy City Hall tells us today that they have 1,275 residents; and within that delightfully proud town, there is a street in which Lovie Smith's childhood home was, where he grew up. It burned down a couple of years after they moved, but that street is now marked with a sign that bears the name of Lovie Smith. Coach Smith responded to that naming: ''Where else would I want it to be? Those are my roots; that is where I grew up. Most of who I am today came from that street. There is no other place I would want a sign with my name on it. I am proud of where I came from.''

Let me tell you, Madam Speaker, we are certainly proud of Coach Lovie Smith in east Texas.

Mr. DAVIS of Illinois. Madam Speaker, if I ever get an opportunity, I want to go and visit Big Sandy, Texas. So, Representative GOHMERT, you can look forward to visitors coming time and time again.

It is now my pleasure to yield such time as he might consume to my colleague from Chicago, unfortunately, the Bears are in my congressional district, right outside of his district, but we all share the Bears, Representative BOBBY RUSH.

Mr. RUSH. Madam Speaker, the NFL did not have a single black head coach in the modern era until the Oakland Raiders, your district, hired Art Shell way back in 1989. The reason for this was not simply because the NFL was considered a racist league, but it was that teams tended to hire people they knew, team owners hired the individuals who they were familiar with. And they looked for candidates that offered a comfort level and an image of what sports success had always looked like in the National Football League.

□ 1515

Unfortunately, that image was always white, that is, until now, Madam Speaker.

Madam Speaker, regardless of who wins this Sunday, although I proclaim victory, the owners and fans will hopefully realize that success is not always white and male. Hopefully, after Super Bowl XLI is concluded, NFL teams will truly seek to find the best and most qualified candidate to lead their teams, whether they look like Bill Parcells or Dennis Green. Hopefully, other African American assistant coaches and candidates for coaching positions who have never been given an opportunity to coach a team will finally have a chance to make a name for themselves rather than NFL teams continually recycling the same old faces regardless if they have ever been successful or not.

Who knows if it is mere coincidence or not that the Steelers, the Pittsburgh Steelers, hired young Mike Tomlin, the team's first black head coach in its 74-year history and, I might add, an assistant under Tony Dungy in Tampa Bay, on the same day that Lovie Smith and Tony Dungy made the Super Bowl.

Madam Speaker, it is always appropriate at this time to share gratitude and high regards for those individuals who make courageous decisions, and I share my gratitude and my high regards for Steelers owner Dan Rooney, the namesake of the so-called Rooney rule, the man who successfully lobbied in 2002 for a history-making rule that requires all NFL teams to interview minority candidates for coaching jobs before they hire their choices.

It is because of visionaries like Mr. Rooney that people like Lovie Smith and Tony Dungy were even given a chance to become a head coach in the NFL in the first place. And the whole NFL league, indeed the Nation, is better off because of it.

Madam Speaker, I would like to send my congratulations to both coaches, Tony Dungy and Lovie Smith, and to their teams, the Chicago Bears and the other team, and say, Go Bears this Sunday in Miami.

Madam Speaker, I name it and I claim it. On Sunday, the Chicago Bears will be the new NFL Super Bowl champions. And I know my friend and colleague from Indiana realizes that deep down in the pit of his heart.

Mr. BURTON of Indiana. Before I yield time to my good friend from Illinois, another Bears fan who played football without a helmet, I just would like to say to Congressman RUSH, I want lots of pepperoni on the pizza you are going to buy me Sunday.

I recognize the gentleman from Illinois (Mr. KIRK) for 3 minutes.

Mr. KIRK. Madam Speaker, I rise in support of this resolution. Last week, I placed a wager with one of our colleagues, Dr. JINDAL, and Mr. BOUSTANY, on the Bears and whether they would win a place at the Super Bowl. Who won? The Bears. And now we look forward to welcoming these two sons of Louisiana to pay their football wager, which is to spend a work session at the Lake County, Illinois, Habitat For Humanity, ironically preparing a home for a new family displaced by Hurricane Katrina and now living in northern Illinois.

Regarding the coming contest, my district is home to both Lovie Smith and the Bears' training facility, Halas Hall in Lake Forest. I am honored to represent Lovie, whose life story is an inspiration. Raised in rural Big Sandy, Texas, Lovie's modesty and work led him to become the premier head coach of the NFL. Since his 5–11 start in 2004, his first season in Chicago, Lovie coached the Bears to a spectacular 26–9 record over the past two seasons, including two impressive playoff victories.

Lovie embodies the Bears tradition of tough, hard-nosed football that has defined the organization since its founding in 1919. As the Bears' 19th head coach, Lovie has joined the coaching giants like Mike Ditka and George Halas as leaders of the Monsters of the Midway. Chicago has embraced Lovie as a football icon, and I am proud to honor him on the floor today.

And today we also have a message for the Bears organization. Lovie deserves a raise and a ring because he has earned the respect of everyone from Chicagoland. Best of luck to you, Coach, in Miami. And I won't say anything cheap like, Bears love horse meat for breakfast

Mr. DAVIS of Illinois. Madam Speaker, I am going to continue to reserve for a minute. I am hoping that my good friend JULIA CARSON manages to make it over. I know that she is on her way. And so I would reserve the balance of my time.

Mr. BURTON of Indiana. Madam Speaker, I am very happy at this time to recognize another great American and a great Indianapolis Colts friend from Indianapolis, Mr. MIKE PENCE, for 3 minutes.

Mr. PENCE. I thank the gentleman for yielding and ask unanimous consent to revise and extend in case I say anything especially offensive to the Bears.

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

There was no objection.

Mr. PENCE. Madam Speaker, let me say from my heart that I am honored to cosponsor this important resolution. It represents an important cultural step in American life. That we would shatter the color barrier and ceiling that for reasons unknown to this Hoosier seem to have prevented the matriculation of an African American head coach to the Super Bowl, that we would shatter it in a way that both teams arrive with distinguished head coaches of African descent is enormously important. I think it sends an extremely important message particularly to African American youth, and I rejoice in that.

Now, as to whether or not the coach of the Bears deserves a raise and a ring, let me say with great respect to Lovie Smith, I rise in particular admiration

of head coach Tony Dungy in his fifth season with the Indianapolis Colts. Under his leadership, the Colts have had a record of 60–20, five playoff appearances, four AFC South titles, two AFC championship games, and as the world watched in wonder a week ago Sunday, an AFC championship.

But as Mr. BURTON attested, it is his career in Indiana off the field that I find more impressive than his career on the field. Since his time in Tampa Bay, he has brought his commitment to Christian values to young people through the Fellowship of Christian Athletes. He launched Mentors for Life, a program that provided tickets to Buccaneers home games to area youth and their mentors. And I was there about a year ago when Coach Dungy welcomed thousands of young people to the arena known as the Wigwam in Anderson, Indiana, and there he shared about his faith and the importance of faith and character and values to the young men and women who gathered there.

Whoever it is that walks away with the ring, and I remain adamantly confident that the horseshoe will leave Miami with the ring, let me say that Tony Dungy has earned a ring and earned our praise as Lovie Smith has. Our admiration to two great men, two great leaders.

Mr. DAVIS of Illinois. Madam Speaker, I have no speakers, but I will reserve for the purpose of closing.

Mr. BURTON of Indiana. Madam Speaker, we have no further speakers.

I would like to just say that Congresswoman CARSON is not yet here, but I know I speak for her when I say that she admires very much both Lovie Smith and Coach Tony Dungy, and I am sure that she would say if she were here that she is going to be rooting very strongly for the Indianapolis Colts even though she does admire Lovie Smith as a great American and a great leader. And if she were here, I am sure she would also want me to say that she would like a piece of the pizza I am going to get from some of my colleagues on the other side of the aisle after the game on Sunday.

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

Mr. DAVIS of Illinois. Madam Speaker, to close, we have heard all of the richly and rightly deserved accolades, and I really can't think of any person in the profession of athletics that I admire more than I do Tony Dungy. He is indeed just a gentleman's gentleman, a man of impeccable character, a man who inspires you. Even if you are rooting for the other team, you still can feel his depth coming through. And so I wish him well. I certainly hope that he will have some reserves to share with my good friend Representative BURTON so he can help him pay off the debt.

But I also want to say that I represent lots of different things in the district that I have. I represent the Bulls, I represent the Bears, Oprah Winfrey, the mayor of the city of Chicago, and we take great pride in all that our community is. Lovie Smith has brought the level of character to the Illinois area, the Chicago community, unmatched. We wish him and the Bears well. And I am going to leave all of the room that I can have for everything that my friends DAN BURTON and JULIA CARSON will bring. Go Bears.

Mr. EMANUEL. Madam Speaker, I rise today in strong support of House Resolution 90, recognizing the accomplishments of two outstanding head coaches in the NFL, Lovie Smith of the Chicago Bears and Tony Dungy of the Indianapolis Colts. On February 4th, 2007 these two men will not only lead their teams to the field to play in the largest sporting event in America, Super Bowl XLI, they will also become the first African-American head coaches to ever bring a team to the NFL title game.

This past season, both Coach Smith and Coach Dungy experienced tremendous successes, leading their teams to 13–3 and 12–4 seasons respectively, and winning divisional and conference crowns for the cities of Chicago and Indianapolis. But throughout their tenure as coaches in the NFL, these two men have consistently represented the pinnacle of class and humility, providing exemplary role models for their players, families, and any child in America.

Lovie Smith and Tony Dungy are not just competitors, they are also friends and colleagues. Smith served as Linebackers Coach for Dungy during their time together in the Tampa Bay Buccaneers franchise.

During this time, Mr. Dungy served as a mentor and friend for Mr. Smith, engendering the calm and professional manner for which both coaches are highly regarded.

As a lifelong Chicagoan and a Bears fan, I am especially proud of Lovie Smith and the Chicago Bears, and I wish them the best of luck in Super Bowl XLI. This Sunday marks the first Chicago appearance in the Super Bowl in over 20 years, and we are all looking forward to a great game. Regardless of the outcome, the milestone that Coach Smith and Coach Dungy have reached makes Super Bowl XLI even more special. For the first time, an African-American head coach will hoist the Lombardi Trophy over his head as NFL Champion, and we can all be proud of both of the two men poised to earn that honor.

Madam Speaker, I again extend my congratulations to Lovie Smith and Tony Dungy on their outstanding seasons and for their breakthrough at the highest level of coaching. I wish them both the best of luck in all of their endeavors, though I certainly wish Coach Smith a bit more luck this particular Sunday. Go Bears.

Mr. WALBERG. Madam Speaker, this Sunday, when Tony Dungy takes the field as head coach of the Indianapolis Colts, he, along with Chicago Bears head coach Lovie Smith, will become the first African-Americans to coach a football team in the Super Bowl, the National Football League's championship game.

This is just one accomplishment in the extraordinary life of this native son of Michigan's 7th Congressional District.

Born October 6, 1955, in Jackson, Michigan, Anthony Kevin ''Tony'' Dungy lives his life in a way that truly embodies all the best about south central Michigan.

Dungy attended Parkside High School in Jackson, excelling on the football field, basketball court and in the classroom.

Tony next starred as the quarterback of the University of Minnesota football team from 1973–76. By the time his collegiate career ended, Dungy finished as the school's all-time leader in attempts, completions, touchdown passes and passing yardage.

Dungy played an integral role in the Pittsburgh Steelers' Super Bowl winning season of 1978, when he led the team in interceptions.

Following his successful playing career, Dungy spent time as a collegiate and professional assistant coach, before being named head coach of the Tampa Bay Buccaneers in 1995.

In 2002, the Indianapolis Colts franchise named Tony Dungy its head coach, and this season is Dungy's fifth in Indianapolis and his 11th as an NFL head coach.

Dungy is the first NFL head coach to defeat all 32 NFL teams and became the 35th coach in NFL history to earn 100 career victories in 2005. Dungy also is one of six coaches to win 100 or more regular-season games in his 10 years as a head coach.

During the past four seasons, Dungy's Colts have won four AFC South Division championships and compiled the best winning percentage in the NFL.

As remarkable as Dungy's career on the field has been, he is perhaps best known for his unique contributions off of it.

Dungy and his wife Lauren, proud parents of five, have been involved with multiple organizations in the communities he has coached in, including Fellowship of Christian Athletes, Athletes in Action, Big Brothers/Big Sisters, Boys and Girls Club, Basket of Hope and the Prison Crusade Ministry.

Through his example of faith and family, Dungy has impacted thousands of men and women of all ages across our great country.

On behalf of Michigan's 7th District, I would like to extend congratulations to Coach Dungy, a native son, for his outstanding accomplishments this season and wish both he and his family happiness in the years to come.

Ms. JACKSON-LEE of Texas. Madam Speaker, I proudly rise in strong support of H. Res. 90 to commend both Lovie Smith, head coach of the Chicago Bears, and Tony Dungy, head coach of the Indianapolis Colts, for leading their respective teams to berths in Super Bowl XLI, to be played this Sunday, February 4, 2007, in Miami, Florida. Never before in history has a team playing in the Super Bowl been led by an African American head coach. Super Bowl XLI will make history as the first Super Bowl to feature not one, but two, African American head coaches. Although it has taken 41 years, this is an achievement of which all Americans can and should be justly proud.

Madam Speaker, on January 21, 2007, in Chicago, Illinois, the Chicago Bears, coached by Lovie Smith defeated the New Orleans Saints by a score of 39 to 14 in the National Football Conference Championship game and advanced to Super Bowl XLI. For his phenomenal performance in restoring the Chicago Bears to their former glory as the ''Monsters of the Midway,'' Lovie Smith, the 13th head coach in the storied history of one of the NFL's greatest franchises, was named the Associated Press NFL Coach of the Year for 2005.

In the 2005 season, Lovie Smith's Chicago Bear's won 11 games, the most ever by a second-year coach in the history of the Chicago Bears and he became the first second-year coach of the Bears to win a division title, earning the second seed in the National Football Conference playoffs. The 2006 Chicago Bears won 14 of their 16 games and earned the top seed in the National Football Conference playoffs.

Madam Speaker, on January 21, 2007, in Indianapolis, Indiana, the Indianapolis Colts, coached by Tony Dungy defeated the 3-time Super Bowl Champion New England Patriots by a score of 38 to 34 in the American Football Conference's Championship game to win the right to play the Chicago Bears in Super Bowl XLI for the NFL Championship. Tony Dungy, who is in his 5th season as head coach of the Indianapolis Colts and 11th as an NFL head coach, having previously coached the Tampa Bay Buccaneers to the NFC Championship game in the 2000 season, is one of the NFL's most outstanding head coaches.

For example, Madam Speaker, Tony Dungy is only the 35th coach in the history of the NFL to win 100 games in his career. And Tony Dungy leads all NFL head coaches in wins from 1999 to 2005, with a record of 78 wins and 34 losses. Should his Indianapolis Colts prevail in the Super Bowl, Tony Dungy will join Mike Ditka and Tom Flores and become the newest member of one of the most exclusive clubs in all of sports: a Super Bowl champion as both a player and head coach.

Madam Speaker, the NFL had a record 7 African American head coaches in 2006 and the 197 African-American coaches, including 7 assistant head coaches, is also a record. While no one would dispute that there is still much progress to be made on the sidelines and front offices of the NFL and other professional sports, it is also indisputable that much progress has been made since Frederick Douglass "Fritz" Pollard became the first African American head coach in the NFL in 1922.

For this reason, Madam Speaker, I take great pride in congratulating both Lovie Smith and Tony Dungy and their outstanding football teams for their excellence on the field and the dignity with which they have conducted themselves off the field. I join with the more than 100 million Americans and billions of viewers globally who will be watching the Super Bowl in congratulating these two men and their teams for putting themselves within one victory of the sport's ultimate prize. And I join with viewers and fans everywhere in wishing to see one of the great games in Super Bowl history and hoping that the best team wins.

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

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. 90.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. DAVIS of Illinois. Madam 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 suspending the rules on H. Res. 90 will be followed by a 5-minute vote on suspending the rules on H. Res. 24 and H. Con. Res. 20. Remaining postponed votes will be taken tomorrow.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 10, as follows:

[Roll No. 61]

YEAS—425

Abercrombie
Ackerman
Aderholt
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
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
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
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
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
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
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
Jindal
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)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
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
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
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
Spratt
Stark
Stearns
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—10

Alexander
Davis, Jo Ann
Hastert
LaHood
McDermott
Norwood
Paul
Sullivan
Waters
Wolf

□ 1557

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.

ESTABLISHING THE HOUSE DEMOCRACY ASSISTANCE COMMISSION FOR THE 110TH CONGRESS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 24, 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 California (Mr. LANTOS) that the House suspend the rules and agree to the resolution, H. Res. 24, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 9, as follows:

[Roll No. 62]

YEAS—426

Abercrombie
Ackerman
Aderholt
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
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
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
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
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
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
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
Jindal
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)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
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
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
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
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
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
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—9

Alexander
Davis, Jo Ann
Fattah
Hastert
LaHood
McDermott
Norwood
Paul
Wolf

□ 1607

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.

CALLING ON THE GOVERNMENT OF THE UNITED KINGDOM TO ESTABLISH A PUBLIC JUDICIAL INQUIRY INTO THE MURDER OF NORTHERN IRELAND DEFENSE ATTORNEY PATRICK FINUCANE

The SPEAKER pro tempore (Ms. LEE). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 20, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LANTOS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 20, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 364, nays 34, answered ''present'' 25, not voting 12, as follows:

[Roll No. 63]

YEAS—364

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bono
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Feeney
Ferguson
Filner
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Heller
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Radanovich
Rahall
Ramstad
Rangel

Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (OH)
Wilson (SC)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NAYS—34

Akin
Baker
Barton (TX)
Bilbray
Boozman
Brown (SC)
Campbell (CA)
Carter
Cubin
Culberson
Deal (GA)
Everett
Flake
Forbes
Granger
Hall (TX)
Hayes
Hoekstra
Issa
Kingston
Kline (MN)
Marchant
Poe
Putnam
Rogers (MI)
Sensenbrenner
Sessions
Shadegg
Thornberry
Tiahrt
Turner
Walberg
Westmoreland
Young (FL)

ANSWERED ''PRESENT''—25

Bartlett (MD)
Bishop (UT)
Bonner
Boyda (KS)
Brown-Waite, Ginny
Burton (IN)
Cannon
Chandler
Conaway
Doolittle
Emerson
Foxx
Gingrey
Gohmert
Hensarling
Hill
Jordan
Lewis (KY)
Manzullo
Matheson
Melancon
Pence
Sali
Tanner
Wilson (NM)

NOT VOTING—12

Alexander
Davis, Jo Ann
Fattah
Hastert
Keller
LaHood
McDermott
Meeks (NY)
Norwood
Paul
Pryce (OH)
Wolf

□ 1617

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

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

Mr. POE changed his vote from ''present'' to ''nay.''

Mr. CONAWAY changed his vote from ''yea'' to ''present.''

So (two-thirds being in the affirmative) the rules were suspended and the concurrent 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

PERSONAL EXPLANATION

Mr. WOLF. Madam Speaker, earlier today I was in my congressional district at a hearing held by the Virginia State Corporation Commission presenting testimony in opposition to a proposed major increase in tolls on the Dulles Greenway, a commuter route for many of my constituents.

Had I been present and voting, I would have voted "yea" on rollcall 61, H. Res. 90, congratulating Lovie Smith of the Chicago Bears and Tony Dungy of the Indianapolis Colts on becoming the first African-American head coaches of National Football League teams to qualify for the Super Bowl; rollcall 62, H. Res. 24, establishing the House Democracy Assistance Commission for the 110th Congress, and rollcall 63, H. Res. 20, calling on the Government of the United Kingdom to immediately establish a full, independent, and public judicial inquiry into the murder of Northern Ireland defense attorney Patrick Finucane, as recommended by Judge Peter Cory as part of the Weston Park Agreement, in order to move forward on the Northern Ireland peace process.

PERSONAL EXPLANATION

Mr. FATTAH. Madam Speaker, had I been present for the votes on H. Res. 24 or H. Con. Res. 20, I would have voted "yea."

MAKE THIS THE YEAR OF OUR TRANSITION OUT OF IRAQ

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

Mr. BISHOP of New York. Madam Speaker, a front page story in today's Washington Post reports that once again we are sending our troops into harm's way in Iraq ill equipped.

Madam Speaker, it is unconscionable that our Commander in Chief is resigned to send another 21,500 of America's brave sons and daughters into battle again not ''with the Army you want but with the Army you have.''

Although the Deputy Defense Secretary and Chief of Naval Operations told us in the Budget Committee last week that they will need another $5.5 billion just to fund the surge, apparently that is not enough to supply these troops with an adequate number of Humvees or training needed to achieve the mission.

Short-changing our heroes in the face of a relentless insurgency is unworthy of this Nation. If we cannot supply a surge, we must not escalate our presence.

Madam Speaker, let us resolve to make this year the year of transition out of Iraq that Americans have been waiting for. And let us make sure our policy never again falls short of measuring up to the valor and sacrifice of our troops.

URGING A VOTE AGAINST THE CONTINUING RESOLUTION

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

Mr. MCHENRY. Madam Speaker, Speaker PELOSI put forth this promise on November 13, 2006, regarding her intentions to govern the House in a bipartisan, well-mannered fashion:

''We will restore civility to our debate. We will restore bipartisanship to the administration of the House, reestablish regular order, and ensure the rights of the minority are heard. The voice of every American has a right to be heard, and that is what the American people expect and deserve.''

Those are the words of Speaker PELOSI. But the actions of Speaker PELOSI and this Democrat majority are very different. And it is no surprise that this week, just like last week and the previous week, the Democrats are railroading legislation through this House. This time it is a $460 billion spending bill that won't see a committee hearing, won't see a committee markup, that won't see the light of day, Madam Speaker, and will cost every taxpayer in America $3,500 apiece.

The Democrats believe that regular order is still out of order. They also believe that campaign promises are not worth keeping.

I believe the American people deserve better, and I think we should vote down this continuing resolution that spends $460 billion of our own taxpayer money.

IMPLORING EVERY MEMBER OF CONSCIENCE TO SPEAK UP CONCERNING THE CONTINUING RESOLUTION

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

Mr. GOHMERT. Madam Speaker, I just want to take this 1-minute opportunity to address comments through the Speaker to my friends in the Democratic Party.

We are being asked to vote on a continuing resolution tomorrow, $463 billion.

Now, as I understand it, the Democrats didn't have any input. Basically, just the very top had input on how this would be spent.

I would implore every Democrat of conscience, Madam Speaker, to talk to your leadership. This isn't right. You talked about being open and fair, sunlight. This isn't it. Good government means at least you should have some input, even though we are not having any. Talk to your leadership. Let's get some openness, some sunlight into the process for the good of the American people.

I implore every Member of conscience to speak up.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

PUBLICATION OF THE RULES OF THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, 110TH CONGRESS

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

Mr. WAXMAN. Madam Speaker, pursuant to clause 2(a)2 of Rule XI of the Rules of the House of Representatives, I hereby submit the rules of the Committee on Oversight and Government Reform for the 110th Congress. These rules were adopted by voice vote on January 18, 2007, at an open meeting of the Committee.

RESOLUTION OF THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM—ADOPTION OF THE RULES OF THE COMMITTEE—U.S. HOUSE OF REPRESENTATIVES, 110TH CONGRESS, JANUARY 18, 2007

RULE 1—APPLICATION OF RULES

Except where the terms ''full committee'' and ''subcommittee'' are specifically referred to, the following rules shall apply to the Committee on Oversight and Government Reform and its subcommittees as well as to the respective chairs. [See House Rule XI, 1.]

RULE 2—MEETINGS

The regular meetings of the full Committee shall be held on the second Thursday of each month at 10 a.m., when the House is in session. The chairman is authorized to dispense with a regular meeting or to change the date thereof, and to call and convene additional meetings, when circumstances warrant. A special meeting of the Committee may be requested by members of the Committee following the provisions of House Rule XI, clause 2(c)(2). Subcommittees shall meet at the call of the subcommittee chairs. Every member of the Committee or the appropriate subcommittee, unless prevented by unusual circumstances, shall be provided with a memorandum at least three calendar days before each meeting or hearing explaining (1) the purpose of the meeting or hearing; and (2) the names, titles, background and reasons for appearance of any witnesses. The ranking minority member shall be responsible for providing the same information on witnesses whom the minority may request. [See House Rule XI, 2 (b) and (c).]

RULE 3—QUORUMS

(a) A majority of the members of the Committee shall form a quorum, except that two members shall constitute a quorum for taking testimony and receiving evidence, and one third of members shall form a quorum for taking any action other than for which the presence of a majority of the Committee is otherwise required. If the chairman is not present at any meeting of the committee or subcommittee, the ranking member of the majority party on the Committee or subcommittee who is present shall preside at that meeting.

(b) The chairman of the Committee may, at the request of a subcommittee chair, make a temporary assignment of any member of the Committee to such subcommittee for the purpose of constituting a quorum at and participating in any public hearing by such subcommittee to be held outside of Washington, DC. Members appointed to such temporary positions shall not be voting members. The chairman shall give reasonable notice of such temporary assignment to the ranking members of the Committee and subcommittee. [See House Rule XI, 2(h).]

RULE 4—COMMITTEE REPORTS

Bills and resolutions approved by the Committee shall be reported by the chairman following House Rule XIII, clauses 2–4. A proposed report shall not be considered in subcommittee or full Committee unless the proposed report has been available to the members of such subcommittee or full Committee for at least three calendar days (excluding Saturdays, Sundays, and legal holidays, unless the House is in session on such days) before consideration of such proposed report in subcommittee or full Committee. Any report will be considered as read if available to the members at least 24 hours before consideration, excluding Saturdays, Sundays, and legal holidays unless the House is in session on such days. If hearings have been held on the matter reported upon, every reasonable effort shall be made to have such hearings printed and available to the members of the subcommittee or full Committee before the consideration of the proposed report in such subcommittee or full Committee. Every investigative report shall be approved by a majority vote of the Committee at a meeting at which a quorum is present. Supplemental, minority, or additional views may be filed following House Rule XI, clause 2(l) and Rule XIII, clause 3(a)(1). The time allowed for filing such views shall be three calendar days, beginning on the day of notice, but excluding Saturdays, Sundays, and legal holidays (unless the House is in session on such a day), unless the Committee agrees to a different time, but agreement on a shorter time shall require the concurrence of each member seeking to file such views. An investigative or oversight report may be filed after sine die adjournment of the last regular session of Congress, provided that if a member gives timely notice of intention to file supplemental, minority or additional views, that member shall be entitled to not less than seven calendar days in which to submit such views for inclusion with the report. Only those reports approved by a majority vote of the Committee may be ordered printed, unless otherwise required by the Rules of the House of Representatives.

RULE 5—PROXY VOTES

In accordance with the Rules of the House of Representatives, members may not vote by proxy on any measure or matter before the Committee or any subcommittee. [See House Rule XI, 2(f).]

RULE 6—RECORD VOTES

A record vote of the members may be had upon the request of any member upon approval of a one-fifth vote of the members present.

RULE 7—RECORD OF COMMITTEE ACTIONS

The Committee staff shall maintain in the Committee offices a complete record of Committee actions from the current Congress including a record of the rollcall votes taken at Committee business meetings. The original records, or true copies thereof, as appropriate, shall be available for public inspection whenever the Committee offices are open for public business. The staff shall assure that such original records are preserved with no unauthorized alteration, additions, or defacement. [See House Rule XI, 2(e).]

RULE 8—SUBCOMMITTEES; REFERRALS

(a) There shall be five standing subcommittees with appropriate party ratios. The chairman shall assign members to the subcommittees. Minority party assignments shall be made only with the concurrence of the ranking minority member. The subcommittees shall have the following fixed jurisdictions:

(1) The Subcommittee on Domestic Policy—Oversight jurisdiction over domestic policies, including matters relating to energy, labor, education, criminal justice, and the economy. The Subcommittee also has legislative jurisdiction over the Office of National Drug Control Policy;

(2) The Subcommittee on Federal Workforce, Postal Service, and the District of Columbia—Federal employee issues, the municipal affairs (other than appropriations) of the District of Columbia, and the Postal Service. The Subcommittee's jurisdiction includes postal namings, holidays, and celebrations;

(3) The Subcommittee on Government Management, Organization, and Procurement—The management of government operations, reorganizations of the executive branch, and federal procurement;

(4) The Subcommittee on Information Policy, Census, and National Archives—Public information and records laws such as the Freedom of Information Act, the Presidential Records Act, and the Federal Advisory Committee Act, the Census Bureau, and the National Archives and Records Administration; and

(5) The Subcommittee on National Security and Foreign Affairs—Oversight jurisdiction over national security, homeland security, and foreign affairs.

(b) Bills, resolutions, and other matters shall be expeditiously referred by the chairman to subcommittees for consideration or investigation in accordance with their fixed jurisdictions. Where the subject matter of the referral involves the jurisdiction of more than one subcommittee or does not fall within any previously assigned jurisdiction, the chairman shall refer the matter as he may deem advisable. Bills, resolutions, and other matters referred to subcommittees may be reassigned by the chairman when, in his judgment, the subcommittee is not able to complete its work or cannot reach agreement therein. In a subcommittee having an even number of members, if there is a tie vote with all members voting on any measure, the measure shall be placed on the agenda for full Committee consideration as if it had been ordered reported by the subcommittee without recommendation. This provision shall not preclude further action on the measure by the subcommittee.

RULE 9—EX OFFICIO MEMBERS

The chairman and the ranking minority member of the Committee shall be ex officio members of all subcommittees. They are authorized to vote on subcommittee matters; but, unless they are regular members of the subcommittee, they shall not be counted in determining a subcommittee quorum other than a quorum for taking testimony.

RULE 10—STAFF

Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the chairman of the full Committee shall have the authority to hire and discharge employees of the professional and clerical staff of the full Committee and of subcommittees.

RULE 11—STAFF DIRECTION

Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the staff of the Committee shall be subject to the direction of the chairman of the full Committee and shall perform such duties as he may assign.

RULE 12—HEARING DATES AND WITNESSES

(a) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(b) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the Committee.

(c) The chair of each subcommittee shall set hearing and meeting dates only with the approval of the chairman with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

(d) Each subcommittee chair shall notify the chairman of any hearing plans at least

two weeks before the date of commencement of the hearings, including the date, place, subject matter, and the names of witnesses, willing and unwilling, who would be called to testify, including, to the extent the chair is advised thereof, witnesses whom the minority members may request.

(e) Witnesses appearing before the Committee shall so far as practicable, submit written statements at least 24 hours before their appearance and, when appearing in a non-governmental capacity, provide a curriculum vitae and a listing of any Federal Government grants and contracts received in the previous fiscal year. [See House Rules XI, 2 (g)(3), (g)(4), (j) and (k).]

RULE 13—OPEN MEETINGS

Meetings for the transaction of business and hearings of the Committee shall be open to the public or closed in accordance with Rule XI of the House of Representatives. [See House Rules XI, 2 (g) and (k).]

RULE 14—FIVE-MINUTE RULE

(a) A Committee member may question a witness only when recognized by the chairman for that purpose. In accordance with House Rule XI, clause 2(j)(2), each Committee member may request up to five minutes to question a witness until each member who so desires has had such opportunity. Until all such requests have been satisfied, the chairman shall, so far as practicable, recognize alternately based on seniority of those majority and minority members present at the time the hearing was called to order and others based on their arrival at the hearing. After that, additional time may be extended at the direction of the chairman.

(b) The chairman, with the concurrence of the ranking minority member, or the Committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(c) The chairman, with the concurrence of the ranking minority member, or the Committee by motion, may permit Committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(d) Nothing in paragraph (b) or (c) affects the rights of a Member (other than a Member designated under paragraph (b)) to question a witness for 5 minutes in accordance with paragraph (a) after the questioning permitted under paragraph (b) or (c). In any extended questioning permitted under paragraph (b) or (c), the chairman shall determine how to allocate the time permitted for extended questioning by majority members or majority Committee staff and the ranking minority member shall determine how to allocate the time permitted for extended questioning by minority members or minority committee staff. The chairman or the ranking minority member, as applicable, may allocate the time for any extended questioning permitted to staff under paragraph (c) to members.

RULE 15—INVESTIGATIVE HEARING PROCEDURES

Investigative hearings shall be conducted according to the procedures in House Rule XI, clause 2(k). All questions put to witnesses before the Committee shall be relevant to the subject matter before the Committee for consideration, and the chairman shall rule on the relevance of any questions put to the witnesses.

RULE 16—STENOGRAPHIC RECORD

A stenographic record of all testimony shall be kept of public hearings and shall be made available on such conditions as the chairman may prescribe.

RULE 17—AUDIO AND VISUAL COVERAGE OF COMMITTEE PROCEEDINGS

(a) An open meeting or hearing of the Committee or a subcommittee may be covered, in whole or in part, by television broadcast, radio broadcast, Internet broadcast, and still photography, unless closed subject to the provisions of House Rule XI, clause 2(g). Any such coverage shall conform with the provisions of House Rule XI, clause 4.

(b) Use of the Committee Broadcast System shall be fair and nonpartisan, and in accordance with House Rule XI, clause 4(b), and all other applicable rules of the House of Representatives and the Committee on Government Reform. Members of the committee shall have prompt access to a copy of coverage by the Committee Broadcast System, to the extent that such coverage is maintained.

(c) Personnel providing coverage of an open meeting or hearing of the Committee or a subcommittee by Internet broadcast, other than through the Committee Broadcast System, shall be currently accredited to the Radio and Television Correspondents' Galleries.

RULE 18—COMMITTEE WEBSITE

The chairman shall maintain an official Committee website for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. The ranking minority member may maintain an official website for the purpose of carrying out official responsibilities including but not limited to communicating information about the activities of the minority to Committee members and other members of the House.

RULE 19—ADDITIONAL DUTIES OF CHAIRMAN

The chairman of the full Committee shall:

(a) Make available to other committees the findings and recommendations resulting from the investigations of the Committee or its subcommittees as required by House Rule X, clause 4(c)(2);

(b) Direct such review and studies on the impact or probable impact of tax policies affecting subjects within the Committee's jurisdiction as required by House Rule X, clause 2(c);

(c) Submit to the Committee on the Budget views and estimates required by House Rule X, clause 4(f), and to file reports with the House as required by the Congressional Budget Act;

(d) Authorize and issue subpoenas as provided in House Rule XI, clause 2(m), in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee;

(e) Prepare, after consultation with subcommittee chairs and the minority, a budget for the Committee which shall include an adequate budget for the subcommittees to discharge their responsibilities;

(f) Make any necessary technical and conforming changes to legislation reported by the committee upon unanimous consent; and

(g) The chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the chairman considers it appropriate.

RULE 20—SUBJECTS OF STAMPS

The Committee has adopted the policy that the determination of the subject matter of commemorative stamps and new semi-postal issues is properly is for consideration by the Postmaster General and that the Committee will not give consideration to legislative proposals specifying the subject matter of commemorative stamps and new semi-postal issues. It is suggested that recommendations for the subject matter of stamps be submitted to the Postmaster General.

RULE 21—PANELS AND TASK FORCES

(a) The chairman of the Committee is authorized to appoint panels or task forces to carry out the duties and functions of the Committee.

(b) The chairman and ranking minority member of the Committee may serve as ex-officio members of each panel or task force.

(c) The chairman of any panel or task force shall be appointed by the chairman of the Committee. The ranking minority member shall select a ranking minority member for each panel or task force.

(d) The House and Committee rules applicable to subcommittee meetings, hearings, recommendations, and reports shall apply to the meetings, hearings, recommendations, and reports of panels and task forces.

(e) No panel or task force so appointed shall continue in existence for more than six months. A panel or task force so appointed may, upon the expiration of six months, be reappointed by the chairman.

RULE 22—DEPOSITION AUTHORITY

The chairman, upon consultation with the ranking minority member, may order the taking of depositions, under oath and pursuant to notice or subpoena.

Notices for the taking of depositions shall specify the date, time, and place of examination. Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths.

Consultation with the ranking minority member shall include three business day's written notice before any deposition is taken. All members shall also receive three business day's written notice that a deposition has been scheduled.

Witnesses may be accompanied at a deposition by counsel to advise them of their rights. No one may be present at depositions except members, Committee staff designated by the chairman or ranking minority member, an official reporter, the witness, and the witness's counsel. Observers or counsel for other persons, or for agencies under investigation, may not attend.

A deposition shall be conducted by any member or staff attorney designated by the chairman or ranking minority member. When depositions are conducted by Committee staff attorneys, there shall be no more than two Committee staff attorneys permitted to question a witness per round. One of the Committee staff attorneys shall be designated by the chairman and the other by the ranking minority member. Other Committee staff members designated by the chairman or ranking minority member may attend, but may not pose questions to the witness.

Questions in the deposition shall be propounded in rounds, alternating between the majority and minority. A single round shall not exceed 60 minutes per side, unless the members or staff attorneys conducting the deposition agree to a different length of questioning. In each round, a member or Committee staff attorney designated by the chairman shall ask questions first, and the member or Committee staff attorney designated by the ranking minority member shall ask questions second.

The chairman may rule on any objections raised during a deposition. If a member of the Committee appeals in writing the ruling of the chairman, the appeal shall be preserved for Committee consideration. A witness that refuses to answer a question after being directed to answer by the chairman may be subject to sanction, except that no sanctions may be imposed if the ruling of the chairman is reversed on appeal.

Committee staff shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days thereafter, the witness may submit suggested changes to the chairman. Committee staff may make any typographical and technical changes requested by the witness. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the Committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the Committee for the Committee's use. The chairman and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

The chairman and ranking minority member shall consult regarding the release of depositions. If either objects in writing to a proposed release of a deposition or a portion thereof, the matter shall be promptly referred to the Committee for resolution.

A witness shall not be required to testify unless the witness has been provided with a copy of the Committee's rules.

PUBLICATION OF THE RULES OF THE COMMITTEE ON THE BUDGET, 110TH CONGRESS

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

Mr. SPRATT. Madam Speaker, pursuant to House Rule XI clause 2, I am submitting the Committee on the Budget's rules for the 110th Congress. The rules were adopted during our Committee's organizational meeting, which was held January 18, 2007.

RULES OF PROCEDURE OF THE COMMITTEE ON THE BUDGET, JANUARY 18, 2007

GENERAL APPLICABILITY

Rule 1—Applicability of House Rules

Except as otherwise specified herein, the Rules of the House are the rules of the committee so far as applicable, except that a motion to recess from day to day is a motion of high privilege.

MEETINGS

Rule 2—Regular meetings

(a) The regular meeting day of the committee shall be the second Wednesday of each month at 11 a.m., while the House is in session.

(b) The chairman is authorized to dispense with a regular meeting when the chairman determines there is no business to be considered by the committee. The chairman shall give written notice to that effect to each member of the committee as far in advance of the regular meeting day as the circumstances permit.

(c) Regular meetings shall be canceled when they conflict with meetings of either party's caucus or conference.

Rule 3—Additional and special meetings

(a) The chairman may call and convene additional meetings of the committee as the chairman considers necessary, or special meetings at the request of a majority of the members of the committee in accordance with House Rule XI, clause 2(c).

(b) In the absence of exceptional circumstances, the chairman shall provide written notice of additional meetings to the office of each member at least 24 hours in advance while Congress is in session, and at least 3 days in advance when Congress is not in session.

Rule 4—Open business meetings

(a) Each meeting for the transaction of committee business, including the markup of measures, shall be open to the public except when the committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public in accordance with House Rule XI, clause 2(g)(1).

(b) No person other than members of the committee and such congressional staff and departmental representatives as the committee may authorize shall be present at any business or markup session which has been closed to the public.

Rule 5—Quorums

A majority of the committee shall constitute a quorum. No business shall be transacted and no measure or recommendation shall be reported unless a quorum is actually present.

Rule 6—Recognition

Any member, when recognized by the chairman, may address the committee on any bill, motion, or other matter under consideration before the committee. The time of such member shall be limited to 5 minutes until all members present have been afforded an opportunity to comment.

Rule 7—Consideration of business

Measures or matters may be placed before the committee, for its consideration, by the chairman or by a majority vote of the members of the committee, a quorum being present.

Rule 8—Availability of legislation

The committee shall consider no bill, joint resolution, or concurrent resolution unless copies of the measure have been made available to all committee members at least **[4]** *6* hours prior to the time at which such measure is to be considered. When considering concurrent resolutions on the budget, this requirement shall be satisfied by making available copies of the complete chairman's mark (or such material as will provide the basis for committee consideration). The provisions of this rule may be suspended with the concurrence of the chairman and ranking minority member.

Rule 9—Procedure for consideration of budget resolution

(a) It shall be the policy of the committee that the starting point for any deliberations on a concurrent resolution on the budget should be the estimated or actual levels for the fiscal year preceding the budget year.

(b) In the consideration of a concurrent resolution on the budget, the committee shall first proceed, unless otherwise determined by the committee, to consider budget aggregates, functional categories, and other appropriate matters on a tentative basis, with the document before the committee open to amendment. Subsequent amendments may be offered to aggregates, functional categories, or other appropriate matters, which have already been amended in their entirety.

(c) Following adoption of the aggregates, functional categories, and other matters, the text of a concurrent resolution on the budget incorporating such aggregates, functional categories, and other appropriate matters shall be considered for amendment and a final vote.

Rule 10—Roll call votes

A roll call of the members may be had upon the request of at least one-fifth of those present. In the apparent absence of a quorum, a roll call may be had on the request of any member.

HEARINGS

Rule 11—Announcement of hearings

The chairman shall make a public announcement of the date, place, and subject matter of any committee hearing at least 1 week before the hearing, beginning with the day in which the announcement is made and ending the day preceding the scheduled hearing unless the chairman, with the concurrence of the ranking minority member, or the committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the chairman shall make the announcement at the earliest possible date.

Rule 12—Open hearings

(a) Each hearing conducted by the committee or any of its task forces shall be open to the public except when the committee or task force, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, or would compromise sensitive law enforcement information, or would tend to defame, degrade, or incriminate any person, or would violate any law or rule of the House of Representatives. The committee or task forces may by the same procedure vote to close one subsequent day of hearing.

(b) For the purposes of House Rule XI, clause 2(g)(2), the task forces of the committee are considered to be subcommittees.

Rule 13—Quorums

For the purpose of hearing testimony, not less than two members of the committee shall constitute a quorum.

Rule 14—Questioning witnesses

(a) Questioning of witnesses will be conducted under the 5-minute rule unless the committee adopts a motion pursuant to House Rule XI clause 2(j).

(b) In questioning witnesses under the 5-minute rule:

(1) First, the chairman and the ranking minority member shall be recognized;

(2) Next, the members present at the time the hearing is called to order shall be recognized in order of seniority; and

(3) Finally, members not present at the time the hearing is called to order may be recognized in the order of their arrival at the hearing.

In recognizing members to question witnesses, the chairman may take into consideration the ratio of majority members to minority members and the number of majority and minority members present and shall apportion the recognition for questioning in such a manner as not to disadvantage the members of the majority.

Rule 15—Subpoenas and oaths

(a) In accordance with House Rule XI, clause 2(m) subpoenas authorized by a majority of the committee may be issued over the

signature of the chairman or of any member of the committee designated by him, and may be served by any person designated by the chairman or such member.

(b) The chairman, or any member of the committee designated by the chairman, may administer oaths to witnesses.

Rule 16—Witnesses' statements

(a) So far as practicable, any prepared statement to be presented by a witness shall be submitted to the committee at least 24 hours in advance of presentation, and shall be distributed to all members of the committee in advance of presentation.

(b) To the greatest extent possible, each witness appearing in a nongovernmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or sub-grant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

PRINTS AND PUBLICATIONS

Rule 17—Committee prints

All committee prints and other materials prepared for public distribution shall be approved by the committee prior to any distribution, unless such print or other material shows clearly on its face that it has not been approved by the committee.

Rule 18—Committee publications on the Internet

To the maximum extent feasible, the committee shall make its publications available in electronic form.

STAFF

Rule 19—Committee staff

(a) Subject to approval by the committee, and to the provisions of the following paragraphs, the professional and clerical staff of the committee shall be appointed, and may be removed, by the chairman.

(b) Committee staff shall not be assigned any duties other than those pertaining to committee business, and shall be selected without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions.

(c) All committee staff shall be entitled to equitable treatment, including comparable salaries, facilities, access to official committee records, leave, and hours of work.

(d) Notwithstanding paragraphs a, b, and c, staff shall be employed in compliance with House rules, the Employment and Accountability Act, the Fair Labor Standards Act of 1938, and any other applicable Federal statutes.

Rule 20—Staff supervision

(a) Staff shall be under the general supervision and direction of the chairman, who shall establish and assign their duties and responsibilities, delegate such authority as he deems appropriate, fix and adjust staff salaries (in accordance with House Rule X, clause 9(c)) and job titles, and, at his discretion, arrange for their specialized training.

(b) Staff assigned to the minority shall be under the general supervision and direction of the minority members of the committee, who may delegate such authority, as they deem appropriate.

RECORDS

Rule 21—Preparation and maintenance of committee records

(a) A substantially verbatim account of remarks actually made during the proceedings shall be made of all hearings and business meetings subject only to technical, grammatical, and typographical corrections.

(b) The proceedings of the committee shall be recorded in a journal, which shall among other things, include a record of the votes on any question on which a record vote is demanded.

(c) Members of the committee shall correct and return transcripts of hearings as soon as practicable after receipt thereof, except that any changes shall be limited to technical, grammatical, and typographical corrections.

(d) Any witness may examine the transcript of his own testimony and make grammatical, technical, and typographical corrections.

(e) The chairman may order the printing of a hearing record without the corrections of any member or witness if he determines that such member or witness has been afforded a reasonable time for correction, and that further delay would seriously impede the committee's responsibility for meeting its deadlines under the Congressional Budget Act of 1974.

(f) Transcripts of hearings and meetings may be printed if the chairman decides it is appropriate, or if a majority of the members so request.

Rule 22—Access to committee records

(a)(1) The chairman shall promulgate regulations to provide for public inspection of roll call votes and to provide access by members to committee records (in accordance with House Rule XI, clause 2(e)).

(2) Access to classified testimony and information shall be limited to Members of Congress and to House Budget Committee staff and staff of the Office of Official Reporters who have appropriate security clearance.

(3) Notice of the receipt of such information shall be sent to the committee members. Such information shall be kept in the committee safe, and shall be available to members in the committee office.

(b) The records of the committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination on the written request of any member of the committee.

OVERSIGHT

Rule 23—General oversight

(a) The committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject of which is within its jurisdiction.

(b) The committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under clause (1)(d) of Rule X of the Rules of the House, and, subject to the adoption of expense resolutions as required by clause 6 of Rule X, to incur expenses (including travel expenses) in connection therewith.

(c) Not later than February 15 of the first session of a Congress, the committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Government Reform in accordance with the provisions of clause (2)(d) of House Rule X.

REPORTS

Rule 24—Availability before filing

(a) Any report accompanying any bill or resolution ordered reported to the House by the committee shall be available to all committee members at least 36 hours prior to filing with the House.

(b) No material change shall be made in any report made available to members pursuant to section (a) without the concurrence of the ranking minority member or by a majority vote of the committee.

(c) Notwithstanding any other rule of the committee, either or both subsections (a) and (b) may be waived by the chairman or with a majority vote by the committee.

Rule 25—Report on the budget resolution

The report of the committee to accompany a concurrent resolution on the budget shall include a comparison of the estimated or actual levels for the year preceding the budget year with the proposed spending and revenue levels for the budget year and each out year along with the appropriate percentage increase or decrease for each budget function and aggregate. The report shall include any roll call vote on any motion to amend or report any measure.

Rule 26—Parliamentarian's Status Report and Section 302 Status Report

(a)(1) In order to carry out its duty under sections 311 and 312 of the Congressional Budget Act to advise the House of Representatives as to the current level of spending and revenues as compared to the levels set forth in the latest agreed-upon concurrent resolution on the budget, the committee shall advise the Speaker on at least a monthly basis when the House is in session as to its estimate of the current level of spending and revenue. Such estimates shall be prepared by the staff of the committee, transmitted to the Speaker in the form of a Parliamentarian's Status Report, and printed in the Congressional Record.

(2) The committee authorizes the chairman, in consultation with the ranking minority member, to transmit to the Speaker the Parliamentarian's Status Report described above.

(b)(1) In order to carry out its duty under sections 302 and 312 of the Congressional Budget Act to advise the House of Representatives as to the current level of spending within the jurisdiction of committees as compared to the appropriate allocations made pursuant to the Budget Act in conformity with the latest agreed-upon concurrent resolution on the budget, the committee shall, as necessary, advise the Speaker as to its estimate of the current level of spending within the jurisdiction of appropriate committees. Such estimates shall be prepared by the staff of the committee and transmitted to the Speaker in the form of a Section 302 Status Report.

(2) The committee authorizes the chairman, in consultation with the ranking minority member, to transmit to the Speaker the Section 302 Status Report described above.

Rule 27—Activity report

After an adjournment of the last regular session of a Congress sine die, the Chair of the committee may file any time with the Clerk the committee's activity report for that Congress pursuant to clause (1)(d)(1) of rule XI of the Rules of the House without the approval of the committee, if a copy of the report has been available to each member of the committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the committee.

MISCELLANEOUS

Rule 28—Broadcasting of meetings and hearings

(a) It shall be the policy of the committee to give all news media access to open hearings of the committee, subject to the requirements and limitations set forth in House Rule XI, clause 4.

(b) Whenever any committee business meeting is open to the public, that meeting

may be covered, in whole or in part, by television broadcast, radio broadcast, still photography, or by any of such methods of coverage, in accordance with House Rule XI, clause 4.

Rule 29—Appointment of conferees

(a) Majority party members recommended to the Speaker as conferees shall be recommended by the chairman subject to the approval of the majority party members of the committee.

(b) The chairman shall recommend such minority party members as conferees as shall be determined by the minority party; the recommended party representation shall be in approximately the same proportion as that in the committee.

Rule 30—Waivers

When a reported bill or joint resolution, conference report, or anticipated floor amendment violates any provision of the Congressional Budget Act of 1974, the chairman may, if practical, consult with the committee members on whether the chairman should recommend, in writing, that the Committee on Rules report a special rule that enforces the Act by not waiving the applicable points of order during the consideration of such measure.

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

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

NUMBER 183, BRING OUR TROOPS HOME, THE VOICE OF THE PEOPLE

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

Ms. WOOLSEY. Madam Speaker, let me say you look wonderful up there in that chair.

Madam Speaker, I rise tonight to talk about the forgotten victims of this war: the children and the legacy we leave them.

Today, I placed a pair of baby-sized shoes on my front office door. They were presented to me by the pro-peace organization Code Pink. These tiny shoes symbolize the passing of one of the tens of thousands of Iraqis who have been killed over the past 4 years. Her name is Aisha al Tarish, and she was 2 years old.

But these shoes also symbolize the children here in the United States who will grow up without a parent because he or she died while fighting so bravely in our Armed Forces.

What too many are ignoring in this debate is the toll that this occupation of Iraq is taking on children here at home, in Iraq, and around the world. In fact, my 7-year-old grandson recently asked his dad, he said, Daddy, what do the children in Iraq do when bombs are going off?

How do you answer that? My son said, I think you ought to talk that over with your grandma, Teddy.

Why are we ignoring the legacy of fear of death and of insecurity? So many children are growing up in a world that has been at war since they were born. They can't feel secure. In fact, just going to school for an Iraqi child every day is a risk. And that is the risk that Teddy pointed out to us.

I know, as a grandmother, this is not the world I envisioned for my grandchildren and for their children to come. It seems like President Bush is pushing forth in Iraq absolutely despite opposition from every corner because he wants to protect his standing in the world.

What legacy are we leaving for the world's children? Our presence in the region is leaving a legacy of occupation and hate.

An administration that refuses to negotiate and refuses diplomacy gives rise to a legacy of war and the very terrorism we want to defeat, and one of the saddest legacies of all, a generation of veterans and their families without medical care, without mental health care, without jobs and businesses to return to, without homes.

This is not the legacy this country was built upon. It is not the legacy I intend to leave for our children.

The only answer to this is stop this misguided occupation. If we really want to offer a future of hope to the children of America and the children of Iraq, we must bring our troops home now. We must help the Iraqis. We must help them establish a working infrastructure, and we must help them establish a security force. We must fully fund our commitment to our veterans.

This month I introduced H.R. 508, the Bring the Troops Home from Iraq and Iraq Sovereignty Restoration Act. This is a real and comprehensive plan to accomplish these goals, to provide a safe and secure future for the youngest victims of this war.

I urge my colleagues to cosponsor this bill, to send the message that we will stand up for the troops, we will stand up for those victims and those voices who have been ignored for too long: the children.

TWO U.S. BORDER PATROL AGENTS IN FEDERAL PRISON

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

Mr. JONES of North Carolina. Mr. Speaker, soon the page will bring forward a photo of two border agents who are now in prison. And it is a travesty of injustice as bad as I have ever seen.

The portrait is of the two border agents, Mr. Compean and Mr. Ramos. Mr. Compean has a wife and three children, one, his youngest, 4 months old. Agent Ramos has a wife and three sons.

Mr. Speaker, many of us in the House have made the House aware of this case. These agents were convicted last spring for wounding a Mexican drug smuggler who brought 743 pounds of marijuana across our southern border into Texas. The agents fired shots during a foot chase with the smuggler, who had fled in a van they were pursuing. The van contained approximately $1 million worth of marijuana. The U.S. Attorney's Office prosecuted the agents and granted immunity to a known drug smuggler for his testimony against our border agents.

This prosecution has been questioned by many Members of Congress and by citizens throughout this country. These men never should have been prosecuted; yet they are now handcuffed in Federal prison. We have repeatedly petitioned President Bush to pardon these agents.

Mr. Speaker, after months of silence, the President said in a television interview last week that he would take a ''sober look'' at the case and a ''tough look at the facts'' to see whether these agents should be pardoned.

I hope that at this time the President and his staff will take an honest look at the facts of this case. The facts will tell the President what countless citizens and Members of Congress already know, that the United States Attorney's Office was on the wrong side of this case. The U.S. Attorney's Office prosecuted the agents almost exclusively on the testimony of an admitted drug smuggler who claimed he was unarmed.

The drug smuggler received full medical care in El Paso, Texas, was permitted to return to Mexico, and is now suing the Border Patrol for $5 million for violating his civil rights.

The drug smuggler is not an American citizen. He is a criminal.

Mr. Speaker, the extraordinary details surrounding the prosecution of this case ensure that justice has not been served. For the sake of the agents and their families and for the sake of the American people whom they were working to protect, I encourage the President of the United States to obtain the transcripts of this trial and review the facts of this case as soon as possible.

Real justice does not fear the truth. Real justice does not fear the truth. By pardoning these two innocent men, the President can immediately reverse an injustice that never should have happened to these Hispanic Americans.

Mr. Speaker, in closing, I want to reiterate that Agent Compean and his wife have three children and one, his youngest, 4 months old; and that Agent Ramos, himself, and his wife have three sons.

Congressman POE, who will be speaking in a few minutes on another issue, I am sure, has been outspoken on this—and a number of other Members and even some on the Democratic side. This is an injustice that should never happen to an American citizen, never under any circumstances.

Mr. President, please look at the facts of this case. Free these men. They have no business being in a Federal penitentiary for trying to protect the American citizens.

And God bless America

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

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

□ 1630

FOREIGN NATIONS SHOULD PAY FOR CRIMES OF THEIR CITIZENS

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

Mr. POE. Mr. Speaker, a young 8-year-old-girl in Florida is kidnapped, raped and buried alive under a large concrete slab by an illegal.

A decorated Houston police officer is shot in the back four times and murdered by an illegal. A Texas State trooper was shot six times at point-blank range and left for dead at the side of the road by an illegal.

''The Railroad Killer,'' a violent predator who terrorized, stalked, raped and murdered 12 victims along the Texas railroads, an illegal. One study indicates that there are nearly 240,000 illegals who are sex offenders in the United States. They commit a total of one million crimes. These illegals create millions of victims who seek treatment and aid because they are victims.

The United States does a good job of taking care of crime victims. We have created crime compensation funds in States, programs that aid in the recovery and help with the cost of treatment, but the cost is paid by America.

Many victims are never compensated, however, and spend their life in pain and even in poverty. So why should not the country of the illegal pay for this crime as well? Countries who encourage the criminals to invade the United States should be held just as responsible as illegal perpetrators.

U.S. victims, Mr. Speaker, should be allowed to seek monetary compensation from the country the illegal came from. News sources report that a 2006 FBI report on undocumented illegals found that 95 percent of the murder warrants in Los Angeles are for illegals; 83 percent in Phoenix; 86 percent, Albuquerque. Seventy-five percent of those on the most-wanted lists in L.A., Phoenix and Albuquerque are illegals.

A recent Department of Justice study concluded that criminal illegals, once arrested, are likely to be re-arrested six more times for other crimes. They are preying on innocent victims in the United States, both citizens and legal immigrants. When they are caught, some of them even flee back to their country.

These countries should be held liable for the crimes that their citizens commit. A victim of crime by an illegal should be entitled to receive damages from the country which encourages illegal entry into the United States. Many countries, such as Mexico, Brazil, El Salvador, encourage their citizens to illegally enter the United States. Because of that, these nations should be held financially responsible for the crimes of their citizens, and victims should be allowed to have a cause of action in American Federal courts against these nations.

Now, we know many times that these nations probably will not pay for that compensation for whatever reason. They just do not pay. If that is the case, then the victims should be allowed to apply through the State Department Foreign Aid Fund that we give these nations, like Mexico, and then receive just compensation, the compensation that they were awarded in Federal court.

Victims should not have to continue to pay for the crimes of illegals. Their nations must pay. Illegals and their nations should be accountable and held accountable for the failure by coming into the United States illegally.

Americans seem to always pay for illegal entry; those days need to end, and this is one way where countries should pay for the crimes of their illegals by compensating American crime victims and citizens or people that are here legally from other nations.

Mr. Speaker, that's just the way it is.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore. Without objection, the 5-minute Special Order in favor of Mr. PALLONE is vacated.

There was no objection

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

GLOBAL WARMING ALARMISTS

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

Mr. DUNCAN. Mr. Speaker, conservatives who oppose world government and massive foreign aid, such as our very unconservative war in Iraq, are sometimes called isolationists. However, anyone who makes the isolationist charge is really resorting to childish name-calling rather than a discussion on the merits.

Another major issue on which there is a lot of name-calling these days is the debate over global warming. Just today the Oversight and Government Reform Committee held a one-sided hearing on allegations that the Bush administration is guilty of political interference in the global warming debate. The implication was that Federal scientists are being intimidated by those who are skeptical about global warming.

Actually, the intimidation is coming from those who believe that global warming is the biggest or one of the biggest problems we face. Global warming alarmists get very angry if anyone even dares to question their views.

Richard Lindzen, a professor of atmospheric science at MIT wrote a few months ago about what he called, ''the sinister side to this feeding frenzy about global warming.''

Professor Lindzen said, ''Scientists who dissent from the alarmism have seen their grant funds disappear, their work derided and themselves libeled as industry stooges, scientific hacks or worse. Consequently, lies about climate change gain credence, even when they fly in the face of the science that is supposedly their basis.''

Professor David Deming, a geophysicist, said, ''The media hysteria on global warming has been generated by journalists who do not understand the provisional and uncertain nature of scientific knowledge. Science changes.''

And Robert Bradley, president of the Institute for Energy Research, writing in the Washington Times, said, ''The emotional politicized debate over global warming has produced a fire-ready-aim mentality, despite great and still-growing scientific uncertainty about the problem.''

Mr. Bradley added, ''Still climate alarmists demand a multitude of do-somethings to address the problem they are sure exists and is solvable. No job is too big for government because they welcome bigger and bigger government. They pronounce the debate over in their favor, and call their critics names such as 'deniers,' as in Holocaust deniers. This has created a bad climate for scientific research and for policymaking. In fact, the debate is more than unsettled.''

I can produce hundreds of quotes like this from experts and scientists who question or are skeptical about the wild claims from some climate change alarmists. And the charge that the Bush administration is intimidating scientists or suppressing their work seems to be coming from scientists who want more attention or publicity or who want to make themselves out to be some sort of courageous, heroic martyrs.

Actually the Bush administration has spent $25 billion on global warming and climate change research in the last 5 years, far more than any previous administration. Almost all global warming alarmists either work full time for the Federal Government or get Federal funding for their research. They know they are very unlikely to get more Federal money unless they say this problem is terrible and getting worse all the time.

There may be some global warming and some of it may be bad. In some places it may be good. However, we need to make sure we solve the problems that exist without destroying our economy, or harming humanity in the process. The worst polluters in the

world have been the Socialist and Communist countries.

Only free market systems generate the excess funds to do the good things for the environment that all of us want done. Anger and name-calling and biased hearings will not solve any serious or legitimate problems.

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

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

HONORING TERRY MILFRED

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

Mr. KIND. Mr. Speaker, I rise today to pay tribute to Terry Milfred upon his retirement as superintendent of the Weston School District. Terry is a dedicated public servant who has earned the respect and admiration of the teachers, staff and over 300 students under his supervision.

Most recently, Terry is revered for his efforts in comforting and uniting the local community after a tragic shooting last fall at Weston High School that took the life of a dear friend to Terry, and the schools well-respected principal, John Klang.

One hundred twenty-five students were left stunned on September 29, 2006, when a fellow classmate opened fire on faculty members and peers. Fortunately for the students of Weston High School, Principal John Klang, in the most unselfish act one person can do for others, sacrificed himself to protect his students and his faculty.

Terry Milfred and the dedicated members of his staff took immediate action and displayed steadfast leadership, establishing a safe environment in consoling the students and the faculty. In an effort to recover from this tragedy and the loss of an incredible principal, others in the administration, such as Tom Andreas and Melissa Nigh, stepped forward to ensure that students and faculty received the support that they needed.

Together, Tom, Melissa and Terry summoned leaders from around the State, forming a crisis management team to address the specific needs of each individual impacted by this tragedy. The students of Weston High School should also be commended for the courage and selflessness they displayed in overcoming this hardship and uniting as a student body.

As a husband, father, grandfather, and role model to students, parents, and members of his staff, Terry has bettered the lives of numerous individuals. He has risen to the challenge of protecting those in his care and mentoring those dearest to him. Prior to the unfortunate incident last fall, Terry served as an adviser to Principal Klang. While much of their time was spent conversing in school hallways and cafeterias, Terry and John had a relationship and respect for one another that extended beyond the classroom door.

Principal Klang was a dear friend to many and he will be greatly missed.

In memory of Principal Klang and in an effort to prepare others if such an unfortunate incident should occur in their community, Terry has dedicated countless hours addressing school groups and educators on methods to handle school violence.

Although Terry Milfred is retiring from the superintendent position, he will remain a visible actor in the lives of students and teachers at Weston School District. His advocacy and community work will leave a lasting legacy for the entire community, and the area will continue to benefit from all that he has done.

On behalf of the students and faculty of Weston School District, I would like to thank Terry for his many years of tireless service and for bringing hope in the shadows of tragedy and despair.

I wish Terry a very long and a very happy retirement.

□ 1645

BLUE DOG COALITION

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

Mr. ROSS. Mr. Speaker, this afternoon I rise on behalf of the 44-member strong fiscally conservative Democratic Blue Dog Coalition.

Mr. Speaker, as you walk the Halls of Congress, you will notice these Blue Dog Coalition posters along the hallways which signify that you are walking by the door to an office of a fellow Blue Dog Member. And the reason you will find these posters scattered across the Cannon, Longworth and Rayburn House Office Buildings is because we are committed to restoring common sense and fiscal discipline to our Nation's government. And it is important to us, Mr. Speaker, that we remind every Member of Congress, as well as the general public that walk these Halls, that our Nation is in debt. In fact, the U.S. national debt, as of today, is $8,721,415,192,294. And we ran out of room on the poster, Mr. Speaker, but 43 cents. Our national debt, $8,721,415,192,294.43. That is a big number. What does it mean?

Well, Mr. Speaker, I will tell you what it means. For every man, woman and child living in America, including those children being born today, their share of the national debt is $29,093.20. It is what we refer to as the debt tax, D-E-B-T. That is one tax that cannot be cut, that cannot go away until we get our Nation's fiscal house in order.

Why is it important? Because our Nation is borrowing about $1 billion a day. But, Mr. Speaker, before we borrow $1 billion a day, we are going to spend a half a billion dollars paying interest on the debt we have already got. And many of America's priorities in the area of education, veterans benefits, health care, roads, many of America's priorities continue to go unmet and they will until we get our Nation's fiscal house in order.

As members of the Blue Dog Coalition, which is just another name for fiscally conservative Democrats, we are concerned about this. But, Mr. Speaker, our concerns do not end with the debt and the deficit. We are also concerned about accountability, and this Democratic Congress is going to restore accountability to this Chamber, to this administration, and, yes, to the Government of the United States of America.

The Constitution clearly gives Congress, not only the power and the authority, but it is our constitutional duty to provide oversight of this administration. And yet this Republican Congress that we have had for the past 6 years has been nothing more than a rubber stamp for President Bush and his administration.

It is time that Congress did its job. It is time that Congress put the rubber stamp in the drawer and pull out the Constitution and read it and understand that we have a duty, a constitutional duty, to provide oversight to this administration and to this government. We are going to do that. And we are doing it in many areas, including providing for accountability for how the hardworking people of this country's tax money is being spent in places like Iraq.

Mr. Speaker, you ask a hundred different people what they think about this Iraq war policy, you will get about a hundred different answers. And by the way, very few or none of them are going to agree with the direction that President Bush is currently going. If you ask fellow Blue Dog members, you will get different answers as well. I, personally, am opposed to the surge. Others may not be. That is something that we believe each Member must make a decision on and speak from their heart and represent their constituency.

But one of the things that we are united on as Blue Dog members is restoring accountability for how this money is being spent in Iraq.

Mr. Speaker, I want to show here a couple of numbers that are very important. One is the cost of the Iraq war. They spent $2.5 billion pre-invasion in 2001 and 2002. In 2003, $51 billion was spent. In 2004, $77.3 billion was spent. In 2005, $87.3 billion was spent. In 2006, $100.4 billion. 2007, to date, we are getting ready to vote on another supplemental appropriation bill for the war, but to date, $60 billion. That puts the total cost to the taxpayers of America at nearly $400 billion, $378.5 billion.

Now, what does that mean? That is a lot of money. How do you break it out? The total cost for 2006 alone, $100.4 billion. That is $8.44 billion per month of your tax money, Mr. Speaker, going to Iraq.

Another way of putting it, $275 million a day, or about 11 or $12 million per hour. And yet there has been a lack of accountability on how your tax money is being accounted for and how it is being spent in Iraq.

So we, Mr. Speaker, have what is called House Resolution 97 that we have filed as members of the Blue Dog Coalition. And it is a resolution to provide for Operation Iraqi Freedom cost accountability. And let me just get to the meat of it. Basically, the resolution says this: that within 30 days after the adoption of this resolution, and every 90 days thereafter, the Department of Defense Inspector General and the Special Inspector General for Iraq Reconstruction shall prepare and transmit to Congress an unclassified report with a classified annex, if necessary, that would contain, one, a detailed accounting of how military and reconstruction funds in Iraq have been spent thus far; two, a detailed accounting of the types and terms of contracts awarded on behalf of the United States, including the methods by which such contracts were awarded and contractors selected; three, a description of efforts to obtain support and assistance from other countries toward the rehabilitation of Iraq; and, four, an assessment of what additional funds is needed to complete military operations and reconstruction efforts in Iraq, including a plan for security of Iraq, a detailed plan for how any future funds will be spent and a statement of how those funds will advance the interests of the United States and Iraq.

If either Inspector General fails to submit a quarterly report, the Government Accountability Office shall conduct an audit and report to Congress. Sanctions shall be imposed against contractors who have engaged in fraud or abuse or war profiteering. Congress should create a Truman-like committee to conduct an ongoing study and investigation of the awarding and carrying out of contracts by the United States to conduct activities with regard to Operation Iraqi Freedom and make such recommendations to the House as the Select Committee deems appropriate.

Funding requests for Operation Iraqi Freedom in fiscal year 2008 and beyond must come through the regular appropriations process and not be hidden through these so-called emergency supplementals. In furtherance of the partnership that is critical to success in Operation Iraqi Freedom, the administration should firmly condition further American financial, military and political resources upon steady improvement in Iraq, assumption of principal responsibility for internally policing Iraq.

In other words, Mr. Speaker, this resolution says that it is time for this administration to be accountable for how the hardworking people of this country's tax money is being spent in Iraq, no more rubber stamps for this administration. We will fulfill our constitutional duty of providing oversight.

And it also says, Mr. Speaker, that the President should do all he can to get Iraq to take responsibility for their own actions and to take the lead on trying to restore order to that country.

And it also says that this administration must be held accountable for how your tax money is being spent, that there should be transparency to the process, and full disclosure of who is getting paid to do what in Iraq when it comes to private contractors, and to make sure that this war profiteering in Iraq by private contractors comes to an end. That is basically what the resolution says.

Mr. Speaker, every one of us in the Blue Dog Coalition, and I think every one of us in this Congress, Democrat and Republican alike, supports our troops. We can't do enough for our troops. And I can tell you, as far as I am concerned, as long as we have men and women in uniform in harm's way, I am going to do my part to ensure that we provide them the resources they need to get the job done as safely as possible.

But it is also important that this Congress fulfill its constitutional oversight responsibility and demand that this administration be accountable for how your tax money, some $275 million a day, is being spent in Iraq. And there are reports that indicate that at least 20 percent of the money going to Iraq cannot be accounted for.

Think what we could do to provide health care benefits, housing benefits and other benefits for our veterans. And in Iraq and Afghanistan we have got a new generation of veterans coming home, and we have got to be there for them as a country. We cannot do enough for our men and women in uniform. We cannot do enough for our veterans. We have got to be there for them.

We have also got to be sure that this money, some $100.4 billion in 2006 that this administration is sending to Iraq, is accounted for and that it is being spent in support of our soldiers and that we have the resources to take care and to honor our veterans, including a new generation of veterans coming home today from Iraq and Afghanistan.

A number of fellow Blue Dog members will be joining me this evening as we talk about providing for Operation Iraqi Freedom cost accountability. And one of those who has joined me is a fellow Blue Dog member, someone that is very active in the Blue Dogs, was a member of our nominating committee for officers earlier this year, and that is the gentleman from Kentucky (Mr. CHANDLER). And I yield to the gentleman from Kentucky.

Mr. CHANDLER. Mr. Speaker, I am happy to be here this afternoon to join the gentleman from Arkansas (Mr. ROSS) to talk a little bit about what is obviously a very, very important subject to the American people, the subject of accountability.

Now, Mr. ROSS talked a little bit about the national debt. He had a sign up which, as he said, Blue Dog offices all over the Capitol have up, showing what the national debt of this country is, and the fact that each and every American citizen owes over $29,000 just to pay off the national debt.

Now, I don't usually, or very often, come down here to join Mr. ROSS in what I do think is a worthy goal, and that is educating the American people on our financial situation in this country. But I could not resist today. Being a former State auditor in the Commonwealth of Kentucky, I am a little bit familiar with the issue of accountability. And you talk about this debt, the fact that it is as large as it is, the fact that our people owe, each and every one of them, over $29,000 to pay it off, well, your next question is well, what are we going to do about it? What are we going to do about this debt?

Well, one of the very first things that we can do about this debt is demand accountability in the spending. And one of the glaring examples that we have got is the lack of oversight, the lack of accountability in the spending on the war in Iraq. The numbers are huge; almost $280 million a day is what we are spending in Iraq.

Now, the Blue Dogs have made a decision to have a resolution which will show our interest in making sure that this war and the government of this country is accountable for the taxpayer dollars spent in this war. What we have done is, as Mr. ROSS laid out, proposed a resolution that is called the Operation Iraqi Freedom Cost Accountability Resolution. And the resolution focused on several crucial points in demanding fiscal responsibility in Iraq.

The main points, the most crucial, I think, are, one, a call for transparency on how Iraq war funds are spent. I think another important point is the need to fund the Iraq war through normal appropriations, through that process, rather than through emergency supplemental. The third point that I believe is crucial, and one that I want to touch on a little bit today, is the creation of the Truman committee to investigate the awarding of contracts.

Now, what we want to do, the Blue Dogs, what we are calling for is the creation of a modern-day Truman committee for this war, for expenditures in this war in particular, because, in my opinion, you cannot talk about accountability in this war without talking about the need for this kind of committee, a Truman committee.

Now, in 1940, Congress prepared for the eventual involvement of the United States of America in World War II by allocating $10 billion in defense contracts. Early in 1941, stories of contractor mismanagement reached the desk of, at that time a Missouri Senator, a future President of the United

States of America, Harry S Truman. Truman, when he saw this information, decided to take action and find out for himself if this mismanagement of funds was, in fact, true. He took a 10,000-mile tour of military bases and discovered that certain contractors were getting a greater share of contracts available and that other contractors were getting paid full price for work that was either poor or inefficient. In short, what he discovered was rampant waste and mismanagement in government war contracts.

□ 1700

Does that sound familiar?

Well, as a result of his findings, Harry Truman went back to Washington and called for a special Senate committee to investigate. They got a lot of criticism. Many immediately criticized the Missouri Senator saying that his efforts might hurt war morale, while others thought that President Roosevelt ought to welcome this committee since it was being headed by a member of his own party and, therefore, would not be used for political gain.

Well, by unanimous consent on March 1, 1941, the Senate created what has proved to be the most famous and, in my judgment, the most successful committee of its time. The Truman Committee, with a budget of a mere $15,000 at the time, saved our country in excess of $15 billion; and in the early 1940s, $15 billion was real money. Up here some of the people don't think it is these days, but it was big money to be saved.

Now, don't you think that we could use a Truman Committee today? It seems pretty obvious to me.

The United States has allocated some $50 billion to private contractors for reconstruction in the rebuilding efforts in Iraq since the beginning of the war, and despite this $50 billion expenditure on these contracts, we hear a lot of reports of mismanagement or certainly of inefficiency and not getting the job done that we expected to see done.

For instance, only 25 percent of Iraqis have access to clean water. And prior to the war the Iraqis had electricity for an average of 16 to 24 hours a day, now that number is down to about 4.3 hours per day.

$17 billion of the $50 billion that has been given in contracts has been given through no-bid contracts to Halliburton, just to one company.

There were over 14,000 weapons by the United States of America, bought by our taxpayers and intended for Iraqi troops. Those 14,000 weapons are now missing.

And in addition to that, over $8.8 billion of Iraqi reconstruction funds are simply unaccounted for by the Coalition Provisional Authority.

Mr. Speaker, we desperately need a modern-day Truman Committee to bring some accountability to this war. We have got to stop the bleeding. We have got to stop this expenditure from continuing to be wasteful. We have got to find out firsthand what is going on with the spending in Iraq. We owe it to the taxpayers of this country, we owe it to the troops who are fighting this war.

We owe it so much to the troops. This is money that the troops need for their welfare in Iraq that is being diverted through the wasteful spending of those who are going to be financing this war. We owe it to them to stop the mishandling, stop the mismanagement of money in Iraq.

I strongly support this Blue Dog effort to have a cost accountability ethic relative to the war in Iraq because it is past time, way past time to hold the leaders of this country accountable for the money they spend in Iraq.

Mr. Speaker, I yield back the balance of my time to the gentleman for Arkansas, and I thank him for all of his efforts on behalf of accountability to the taxpayers in this country.

Mr. ROSS. I thank the gentleman from Kentucky, former State auditor, former State attorney general for his leadership within the fiscally conservative Democratic Blue Dog Coalition, and someone who played an important role in helping us draft this resolution, House Resolution 97. And I certainly thank him for helping sponsor this resolution that, hopefully, we will get through the House to demand accountability, fiscal responsibility and accountability for how this administration spends billions of tax money, Mr. Speaker, in a place a long way from Arkansas and a long way from America, and that is in Iraq.

And I couldn't help but think when the gentleman from Kentucky was talking about accountability, I think it is important to note that Congress has appropriated over $25 billion to various departments and agencies for reconstruction projects that are intended to improve the lives and living standards of the Iraqi people, and, yes, to endear them to our way of life; and yet we find that only half the projects have been completed.

For example, the Special Inspector General for Iraq reconstruction reported that funds allocated for health care projects, health care projects, are more than 65 percent expended—that is, the funds—but fewer than 36 percent of the projects have been completed. Funds were allocated for construction of 142 primary health care clinics and only 20 were completed.

Likewise, the Inspector General reported that a contract was made to construct 20 rehabilitation hospitals, and only 12 were completed.

A New York Times report found that thousands of weapons intended for Iraqi forces, the good guys in Iraq, our allies in Iraq, are missing. This study investigated 19, count them, 19 contracts that totaled $133 million for more than 370,000 weapons. No one knows where these weapons are. Three hundred seventy thousand weapons in Iraq, bought with U.S. tax money, are missing, and no one can account for them.

We need accountability in Iraq.

Mr. CHANDLER. Mr. ROSS, do you have any idea why this situation has occurred? Do you know why? Do you have answers? Do any of you have answers at this point?

Mr. ROSS. Because this Republican Congress for the past 6 years did not fulfill its constitutional duty of providing oversight of this administration and the Department of Defense. There was no oversight. It was rubber stamp after rubber stamp, and more money after more money, and no accountability.

Mr. CHANDLER. It doesn't matter, in my view, which party is in control. If we had a Democratic President, I believe that a Democratic Congress ought to hold that administration accountable just like Truman did in World War II. We have had a Republican Congress that simply has not held this Republican administration accountable. That is just simply a loss for the taxpayers. That is all you can say.

Mr. ROSS. The gentleman is right. It shouldn't matter if it is a Democratic Congress or a Republican Congress, the American people are sick and tired of all the partisan bickering. What the American people want is for us to provide leadership and accountability on how their tax money is being spent. And I can assure you, Mr. Speaker, that as members of the fiscally conservative Democratic Blue Dog Coalition, we are going to do our part to hold this administration accountable to find out where in the world this $133 million of your tax money, Mr. Speaker, that went to purchase 370,000 weapons, what happened to them.

It doesn't matter if there is a Democratic President or a Republican President, the gentleman from Kentucky is absolutely right, what matters is being accountable and being good stewards of the tax money of the people of this country.

I yield to the gentleman from Kentucky.

Mr. CHANDLER. It is the least that we can do for the people of this country.

Mr. ROSS. And for the troops.

Mr. CHANDLER. And for the troops.

You mentioned a very important word, and that word is stewardship. That is what we owe to the people of this country, we owe them stewardship. We must be good stewards. And job one is to take care of their hard-earned resources that they send up here to Washington. And in this case, we are sending an incredible amount of those resources over to Iraq and nobody is watching what is happening with them. Nobody is holding that process accountable.

And I want to thank the gentleman from Arkansas for his efforts to bring light to this subject. I think it is very, very important. We need to continue to talk about this until something is done.

I am glad to see my colleague here from Georgia (Mr. SCOTT), who I know has come down here on a number of occasions to talk about this subject. He is a fine, fine member of our coalition. I am glad to be here with Mr. SCOTT, and I know he has a word or two to say about this also.

Mr. ROSS. I want to thank the gentleman from Kentucky for joining us today. And, Mr. Speaker, if you have any questions comments or concerns for Mr. SCOTT or any of us, you can e-mail us at BlueDog@mail.house.gov.

And it is a pleasure for me to be joined by a real leader within the Blue Dog Coalition, someone that demands fiscal responsibility and accountability, someone who is helping us with this House Resolution 97, a cosponsor of it, someone that helped author it, and a member of the NATO Parliamentary Assembly, Mr. CHANDLER, and that is my friend, the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Thank you so much. And thank you for those kind words you said about me. I appreciate it. And I would have called my mom, because she would have loved to hear those words, too.

You know, over this weekend, I did a couple of things when I was home. One was that I really got into the Constitution of the United States. I really got into that section in article I, section 8, that clearly gives us the exclusive responsibility as Congress to raise and support armies.

It is clear as a bell there. It gives it to us, it does not give it to the White House or the President or the executive branch. It gives it to Congress. And up until now we have failed the American people. The large measure of this—you touched upon it earlier, Mr. ROSS, but this Republican-led Congress has just completely rolled over and allowed this President to fund this war on emergency supplementals, which means that we in Congress cannot conduct the constitutionally required oversight to do what the Constitution wanted us to do.

Now, that is why we are in this situation we are in, and I would like to talk for a moment on two points.

When I was home, the other thing I did was I got around and I had some great interaction with my constituents out in Cobb County and Douglas County and in Clayton County and in Henry County. We all had town hall meetings, we had my office open. I mean, we had Chamber of Commerce annual dinners.

That is a great opportunity for folks to just come up to you and let you know exactly how they feel. And I can tell you, Mr. ROSS, they are proud to see us on this floor, offering this bill. This is not just a resolution that is nonbinding. We are going to have those that voice our opinion about this war, they are going to be voted on up or down.

Everybody knows my personal feelings about the mistake of this surge, but this resolution that we have carries a tremendous amount of weight. That is why I care about it so much. And I want to share with the American people exactly what it is in this resolution that we are doing and why it is needed and why, finally, this resolution provides a direct link and connection with what the Founding Fathers wrote in article I, section 8, of the Constitution over 200 years ago that we have the exclusive right to determine how we will manage.

Now, why do we need that?

The other thing I did over this weekend was, I read my home newspaper, the Atlanta Journal Constitution. And in there there was an extraordinary article by the Associated Press that I would like to make a part of this RECORD because this article points out the very need for this measure that we in the Blue Dog Coalition are pushing.

This article in the Atlanta Journal Constitution was written John Heilprin with the Associated Press. The title of it was this: Contractors Investigated After Army Fraud Alleged. Just listen to this, America. ''From high dollar fraud to conspiracy to bribery and bid-rigging, Army investigators have opened up to 50 criminal probes involving battlefield contractors in the war in Iraq and the U.S. fight against terrorism.''

□ 1715

What an opening sentence, what a declarative issue we have here.

It goes on to say, senior contracting officials, government employees, residents of other countries, and in some cases U.S. military personnel themselves have been implicated in millions of dollars of fraud allegations. ''All of these involve operations in Iraq, Afghanistan and Kuwait,'' Chris Grey, a spokesman for the U.S. Army Criminal Investigation Command, confirmed just this past Saturday. ''The agents will pursue leads into truth wherever it takes us. We take this very seriously.''

Here is the point. Battlefield contractors have been implicated in allegations of fraud and abuse since the United States invaded Iraq in the spring of 2003. Any wonder why this has happened? Because the Congress did not apply the oversight, because this Republican Congress just simply rubber-stamped everything.

The Special Inspector General's Office, focusing solely on reconstruction spending, has developed cases that have led to four criminal convictions. The problems stem in part from the Pentagon's struggle to get a handle on the unprecedented number of contractors now helping run the Nation's wars, and these contractors are used in battle zones to do nearly everything but fight. But they can war-profiteer, they can commit fraud, they can commit bribery, and they can abuse the taxpayers' money on the backs of our good, brave soldiers that are putting their lives on the line for much less than what these contractors are making.

They run the cafeterias, the laundries for the troops. They move supplies, run communication systems and repair weapons systems.

Special agents from the Army's Major Procurement Fraud Unit were recently dispatched to Iraq, Afghanistan and Kuwait where they are working closely and sharing information. One case involves an Army chief warrant officer accused of taking $50,000 in bribes to steer a contract for paper products and plastic flatware away from a government contractor to a Kuwaiti company, according to an indictment.

The Government Accountability Office reported in December that the military has been losing millions of dollars, and contractors are being investigated because it cannot monitor industry workers in far-flung locations. It summarizes this way: Commanders are often unsure how many contractors even use their bases or even require the food and housing protection, according to one report. One Army official quoted said, ''The service estimates losing $43 million each year just on free meals that are provided.'' That is why this bill is important.

Let me just mention specifically how this bill will help prevent and address this glaring situation that was reported in the Atlanta Journal Constitution by the Associated Press, John Heilprin, who I commend for doing an excellent job. Our bill will require, within 30 days of passage, that every 90 days hereafter the Department of Defense Inspector General and the Special Inspector General for Iraqi Reconstruction shall prepare and transmit to Congress an unclassified report, but with a classified annex, if necessary, that will contain the following:

One, a detailed accounting of how military and reconstruction funds in Iraq have been spent thus far;

Two, a detailed accounting of the types and terms of contracts awarded on behalf of the United States, including the methods by which such contracts were awarded and contractors selected;

Three, it will require a description of efforts to obtain support and assistance from other countries during the rehabilitation of Iraq;

Four, an assessment of what additional funding is needed to complete military operations and reconstruction efforts in Iraq, including a plan for security of Iraq, a detailed plan for how any future funds will be spent, and a statement of how those funds will advance the interests of the United States in Iraq.

If either inspector general fails to submit a quarterly report, the Government Accountability Office shall conduct an audit and report to Congress. Sanctions will be imposed against contractors who have engaged in fraud or abuse or war profiteering, and we will create the Truman Committee that Mr. CHANDLER spoke to earlier.

Funding requests for operations in Iraqi Freedom in fiscal year 2008 and

beyond must come through the regular appropriations process and not through these emergency supplementals that are explicitly designed to bypass oversight. That is why we have the problems we have here; and also, that is why there was not enough money put in the budget when we sent our Armed Forces over there 3 years ago, as you recall, the news reports where many of our soldiers were digging in dung heaps and landfills trying to get body armor for them.

No. No more. This Blue Dog resolution addresses that, and I would expect an extraordinarily large vote in getting it passed.

And it is so good to be on the floor with my good friend, Mr. ROSS, and also my good friend, Mr. ISRAEL from New York, who we serve together, both as cochairs on our Democratic Group on National Security. And we have been addressing these issues. So it is just a pleasure to be on the floor with you. I hope with this story and this Associated Press Atlanta Journal Constitution report, it will show the American people why we need the specific legislation and the importance in getting some accountability passed concerning our war funding.

Mr. ROSS. I thank the gentleman from Georgia, a fellow Blue Dog member, a member of the NATO Parliamentary Assembly, for joining us to discuss the fiscally conservative Democratic Blue Dog Coalition's House Resolution 97 that provides for Operation Iraqi Freedom cost accountability.

The Constitution clearly gives Congress oversight authority, and this Congress, this new Democratic Congress, is going to provide oversight of this administration, of this government, and fulfill our constitutional duty and demand that our troops get the money they need to get the job done as safely as possible; but also demand that it be done in a way to where this administration is held accountable for how, Mr. Speaker, your tax money is being spent in Iraq.

I recently received an e-mail from a soldier from my hometown. He wrote to me in an e-mail from Iraq, and there are a couple of points I would like to point out. I am quoting this soldier now in Iraq. ''Needless to say, war profiteering is high, and disgusting to witness as a taxpayer.'' This is a citizen soldier, this is a soldier that comes to us from the Army Reserve. He has now been in Iraq 7 months. And in his e-mail to me he said, ''Needless to say, war profiteering is high, and disgusting to witness as a taxpayer.''

He goes on to say, ''And the black market thrives over here as well. For example, much of the fuel never reaches the military; it ends up in the wrong hands through a complex network of interconnected relationships that truly reminds me of the Mafia.''

Another example from a soldier on the ground in Iraq that has been there 7 months about the need for accountability for how tax money, some $400 billion so far, some 20 percent of that $400 billion is unaccounted for, according to the most recent reports.

As members of the Blue Dog Coalition, we are offering up a resolution to demand that this money, your tax money, Mr. Speaker, be accounted for in how it is being spent in support of our soldiers in Iraq. And you know what? We might just find enough waste, fraud and abuse in Iraq that we could take that money and invest it in veterans' benefits, to ensure that our men and women coming home from Iraq and Afghanistan are properly cared for.

With that, I yield to a gentleman that knows a lot about this subject, a gentleman that is not only a very important member of the Blue Dog Coalition, but someone who served on the House Armed Services Committee, someone who now serves on the Foreign Operations Subcommittee of the House Appropriations Committee, and that is the gentleman from Long Island (Mr. ISRAEL).

Mr. ISRAEL. I thank my good friend for his leadership in the Blue Dogs, his leadership in the Congress, and my good friend from Georgia who, as he noted, cochairs with me the Democratic Study Group on National Security, which is intended to ensure that this Congress and Democrats in Congress continue to lead the fight on behalf of our troops, to lead the fight on behalf of our national security. We were founded in the acknowledgement that we need a robust, muscular military to protect us from the threats that are out there.

I think this topic is critically important, the topic of war profiteering. And who pays the price for war profiteering? Our taxpayers pay the price, our troops in Iraq, Afghanistan and around the world pay the price. But there is another group that is paying the price, and I would like to address that this evening, our National Guard units at home.

This morning there was a report in the National Journal's Congress Daily. It was headlined, National Guard May Lack Needed Gear to Deal With Domestic Crisis, GAO Says. And the report raises questions about whether the State-run National Guard units have adequate supplies to respond to disasters and emergencies on U.S. soil. It says it will remain unclear whether the Guard is equipped to respond effectively to the consequences of a large-scale terrorist attack or natural disaster.

The article in the National Journal states, ''Over the last several months, many State Guard leaders have complained that their unit took their best equipment with them when they deployed to Iraq, leaving the personnel at home short of trucks, radios and other equipment needed for domestic missions. Indeed, Lieutenant General Steven Blum, chief of the Pentagon's National Guard Bureau, told Congress last year that at least two-thirds of his units in the United States are not combat ready.''

Now this, to me, is just incredible that Halliburton made money, that these contractors made money. In my view, they gouged the military, gouged our taxpayers, marked up the services they provided, and National Guard units at home are short of the equipment they need.

I represent a district on Long Island. The World Trade Center was 40 miles from my hometown. We know what terrorism is like. We needed our emergency responders when that happened. We are likely to need them again, the gentleman from Georgia knows that very well. But when two-thirds of their equipment is sitting in Iraq, that creates a very serious problem. That is the cost of war profiteering.

Now, I understand the exigencies of war and I understand that when you go to war, you know, you have to make sure that your troops have everything they need, and there are all sorts of funding issues; but my goodness, Secretary Rumsfeld said, You go to war not with the Army you want but with the Army you have. You have got to budget for that Army. You never send people into war unequipped, underfunded, underequipped without the right number of coagulant bandages, without the right number of night vision goggles and up-armored Humvees.

If they found the money to pay these contractors that ripped us off, they can find the money to make sure that our National Guard units have the equipment they need. If they found the money to pay the excessive bills of these contractors so that they could raise their bottom lines, they could find the money to raise the equipment that the National Guard needs for the mission-critical equipment that will be required—not just in an act of terrorism, by the way, but when we have a major hurricane as we did with Katrina.

Long Island stands a very good chance of suffering a Category 3 hurricane or more. And it is going to be very difficult for me to explain to my constituents that they didn't have the National Guard equipment resources that they were depending on to respond to a Category 3 hurricane because that equipment was in Iraq; but Halliburton got what it wanted, its CEO got the salary increase he needed.

This isn't very complicated. We are short-funding our troops in Iraq and Afghanistan; we are undersupplying our National Guard units at home. The big corporations who are contracted as part of this war are making more money than ever. And there are still companies in the United States that can register their international headquarters at a P.O. Box in Bermuda so they can avoid their fair share of taxes at home. That is a disgrace.

It is time for accountability. It is time for oversight. It is time to put our money where our mouths are. It is time to quit talking about funding our

troops here and abroad and then not giving them the resources they need.

The Blue Dogs believe in fiscal accountability. We take second place to nobody when it comes to supporting our troops and supporting our military, to nobody. But we also understand that you can't say you are doing that; you have got to actually do it. You can't fight a war abroad, short-fund our troops there and be left with degraded National Guard units at home. It is time for accountability, for oversight. It is time for a different direction, and that is precisely what the Blue Dogs are going to insist on.

I thank the gentleman for recognizing me.

Mr. ROSS. I thank the gentleman from Long Island for his insight on this resolution to put an end to war profiteering and demand accountability on how the American people, the hard-working American people's tax money is being spent in Iraq.

I yield back to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. I want to build on the point that my good friend from New York (Mr. ISRAEL) talked about.

It was very important when James Madison wrote into the Constitution the words, ''Raise and support the Army is the exclusive domain of the Members of Congress.''

□ 1730

There was a reason for that. The reason was because Members of Congress, unlike the President, unlike the Senate, my good friends in the Senate, it is the Members of Congress that are closest to the people. Every other year we must run, and that is why they put it in there that if we are going to war, yes, we will spread this authority, some of that as Commander in Chief to the executive branch, but we must have a check and a balance. They put that in the bosom of the Congress, which has to go back before the people every other year and be accountable.

I am here to tell you the people of the United States are looking to this Congress. They are looking for us to bring some accountability to it. They are looking for us to be fair and understand what is at the core of this.

You know what is at the core of this is the soldier. When is somebody going to look at this war from the standpoint of that soldier that we are sending to Iraq now and placing in the cross hairs of a civil war, a questionable gambit at best?

The President of the United States does not have to run again. He can have all the surges he wants. He can do everything he wants. His concern now is building his legacy. He has his right to do whatever he wants to do, but the one thing he does not have to do, he does not have to go and face the American people again. We do. That is why Madison gave us the arbitrary decision to raise and support the military.

So when the Bush administration made the decision to use large numbers of these private contractors that were talked about on the battlefield in Iraq, it now has had somewhat of a perverse effect of incentivizing highly trained special operation force personnel to leave the Armed Forces. They are there voluntarily, in order to work as some of these contractors for much higher pay.

There is so much just built into this for war profiteering, but here is a statistic that we have got to be concerned about. We have got to look at this hardship on the soldier. These are not 21,500 other soldiers just sitting over there waiting. These soldiers are going, many of them, on their third and fourth tour of duties. We have a situation where we are running the military in the ground, and no more pointed example of that is this startling, disturbing and tragic information that has been handed to me by the National Security Advisory Group. Listen to this:

Between 2001 and 2004, divorce rates among active duty Army officers tripled and rates among Army enlisted soldiers grew, divorce rates by 50 percent, as deployments lengthened and with increased frequency as they are doing now. These divorce rates have served to underscore the severity of the strains on the active duty personnel and their families, and similarly, incidents of domestic violence increased over the same period. There is wear and tear not just on the equipment that we talked about, not just on not having the bulletproof vests or the Humvees riding around; it is wear and tear on the hearts and souls of our soldiers. It is too much of a strain, and we have got to correct this situation.

These and other warning signs have caused some commanders to fear that personnel who were willing to undertake successive deployments as part of, and they use these words, part of the surge cannot sustain this tempo of operations over the long term. If they do so, it will be at the adverse impact on their families.

How much more do we want to ask of our soldiers? I would tell you one thing, this Blue Dog resolution is dedicated to giving our soldiers the respect that they are due. We are going to make sure that the money we appropriate in here goes to them, and we are going to make doubly sure that we can end this situation in Iraq quickly and bring our soldiers home to their families.

Mr. ROSS. I thank the gentleman from Georgia for his heartfelt comments.

This war has had an impact on just about every family in America; and my brother-in-law, who is in the United States Air Force, career, is now in Kurdistan, which is one of the entry points to Afghanistan.

My first cousin, his wife, gave birth to their first child while he was in Iraq, and it has had a tremendous toll on the families, and not only for the military but also the citizen soldier, those who serve as members of a National Guard and as a member of an Army reserve.

When the President talks about a surge, when the President talks about adding another 21,500 troops to Iraq, that is code for calling back up the National Guard and the Reserves. Many folks in the National Guard today have been sent out of country at historic levels. In many instances, the citizen soldiers, those in the Guard, have been called up more times than some soldiers that are in the full-time military as a career. It has a tremendous toll on the family, the families that are left behind, and a huge increase in the number of divorces that occur when they come back.

The bottom line is we are creating a generation of veterans in Iraq and Afghanistan, and we can sit here and talk about being patriotic and supporting our soldiers all night long, but what is important is that we cast our votes in a way that honors them and ensures that they have health care and the things they need when they come back so hopefully we can minimize the number of divorces. We cannot do enough to thank our men and women in uniform for their service to our country.

One of the ways I think we can honor them is by demanding accountability for how tax money is being spent in Iraq, not only in the rebuilding efforts but also in support of them, making sure those men and women in uniform have the resources they need to stay safe while they are there.

Mr. Speaker, if you have got any comments, questions or concerns for us, I would encourage you to e-mail us at bluedog@mail.house.gov. Again, that is bluedog@mail.house.gov.

The gentleman from Kentucky (Mr. CHANDLER) was talking about Halliburton earlier. Let me just make this quick point and I want to yield to the gentleman from Long Island, but last year, the Special Inspector General for Iraq Reconstruction reported that the Coalition Provisional Authority could not track over $8 billion it had transferred to Iraqi ministries and that CPA officials left millions of dollars in cash unsecured in their offices.

Halliburton failed to complete required work under its oil infrastructure work, leaving distribution points unusable. Auditors in one region found that contract managers could not account for $97 million disbursed from the development fund for Iraq.

Under its no-bid contract to rebuild Iraq's oil infrastructure contract, Halliburton overcharged by over 600 percent for the delivery of fuel from Kuwait. An audit of programs designed to train guards to protect Iraq's oil and electrical infrastructure concluded that U.S. agencies could not provide reasonable assurance that $147 million expended under these programs was used for its intended purpose.

In one case, the Special Inspector General for Iraq Reconstruction found that a company which was awarded a security management contract worth

hundreds of millions of dollars could provide no assurance that it was providing the best possible safety for government and reconstruction personnel as required by the contract and could not even show that its employees, authorized to carry weapons, were trained to use those weapons.

Halliburton tripled the cost of hand towels, hand towels at taxpayer expense, by insisting on having its own embroidered logo on each towel, and Halliburton employees dumped 50,000 pounds of nails in the desert. Why? Because they ordered the wrong size, all at taxpayer expense because it was a cost-plus contract.

Halliburton double charged tax payers for $617,000 worth of soda and charged taxpayers for services that it never provided and tens of thousands of meals that it never served our soldiers.

That is why, Mr. Speaker, we have filed H. Res. 97 to demand accountability on how tax money is being spent in Iraq, and I yield to the gentleman from Long Island.

Mr. ISRAEL. Mr. Speaker, I would just close with one point.

I want to echo what the gentleman from Georgia has said. This soldier comes first. If you go into fight a global war on terror you better make sure the fighters have everything they need. Do not ask them to stand in line behind the corporate executives at Halliburton. Do not ask them to stand in line behind the CEO of Exxon Mobil who got a huge tax cut on top of his bonus, on top of his huge salary. Do not ask them to stand in line behind the big pharmaceutical companies that also got a windfall from the government in the Medicare part D program, despite their record-breaking profits.

The gentleman from Georgia and the gentleman from Arkansas and I believe more than anything else that our primary obligation in this place, in this House, is to support our Armed Forces and to keep this Nation safe. That takes the right priorities.

In the past, the priorities have been wrong. How do I know? Two-thirds of our National Guard units do not have the equipment they need to respond to an emergency or an act of terrorism at home because the equipment is sitting in Iraq because we did not fund the war fight properly.

It is time to put our soldiers first, not just in our rhetoric but in our budgets; and to do that, you need accountability.

Mr. SCOTT of Georgia. The final analysis of what we are saying is what the American people spoke to in November. They spoke to warning this Congress to stand up and demand accountability and be good stewards of their tax dollars, and that is the core of our Blue Dog resolution. I believe that and I hope that within the next couple of months we will have this resolution passed.

Might I ask for the benefit of our audience if I could ask Mr. ROSS if we could give the number of our House Resolution in the event that there might be some individuals who are in the C–SPAN audience who might want to give us a little helping hand here to help us get this bill passed.

Mr. ROSS. H. Res. 97, providing for Operation Iraqi Freedom cost accountability, and it is quite simple. We want this administration to be accountable for your tax money, Mr. Speaker, that is being spent in Iraq, number one.

Number two, we want a Truman-like commission to put an end to war profiteering in Iraq.

And, finally, we want this administration to stop playing games and asking for emergency supplementals to hide the true cost of the war and ask for the money the way that all other funds are appropriated by this Congress, through the normal process.

One hundred point four billion dollars was the cost for 2006. Over $400 billion has been spent since this war began. That is $8.4 billion a month. That is $275 million a day, and that is nearly $12 million an hour of your tax money, Mr. Speaker, and the tax money of every hardworking man and woman in this country; and it is time to restore commonsense, fiscal discipline and accountability to our government. That is one way, Mr. Speaker, that we believe we can honor our men and women in uniform.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Speaker would remind Members to direct their comments to the Chair.

WHAT IS GOOD FOR AMERICA

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

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege and the honor of being recognized to address you on the floor of the House of the United States House of Representatives, the people's House, this people's House and this new day, this new dawn that was pledged to come to this 110th Congress.

As you may or may not know, Mr. Speaker, I spend many hours here on the floor in these Special Orders and in debate on bills and in 1-minutes and in 5-minutes as we engage in this dialogue and raise the issue of what is good for America.

□ 1745

One of the very important things about determining what's good for America is to have a process for America that is conducive to the right result, and the right result in most cases, we will agree, I believe, would be the will of the people: the will of the people properly informed, the will of people properly educated, and the will of the people that have access through the first amendment rights to all the information and all the knowledge possible.

But, then, I would point out that we do not live in a democracy. As much as I have said about the reflection of the voice or the people here in the people's House, each one of us does have an obligation to listen carefully and attentively to our constituents, to the people in this country, and not just confined within our districts, but to listen to the Nation as a whole and focus on the interests of our district. But sometimes we have to put the Nation ahead of, sometimes, the will of our district.

But this is a constitutional Republic that we serve in, not a democracy. I point out that our Founding Fathers had a significant concern, and I will say even a literal fear of democracies.

On one of my earlier trips out here to Washington, DC, quite some years ago, I visited the National Archives on my first visit. As I waited in line to go around and be able to stand there and gaze upon the Declaration of Independence, upon the Constitution, upon the Bill of Rights in their original form, the original documents that our Founding Fathers placed their hands to and pledged their lives, their fortunes and their sacred honor, as I waited to view that for the first time, on display at the National Archives was a display of Greek artifacts.

The Greek artifacts that had come from 2- to 3,000 years ago in the era where the closest thing that there has been to a pure democracy from the standpoint of the Greek city-states, where of-age males would gather together, and they would debate; they would debate the issues of the day. They had a number of things they put in place for stopgap. One of the things they found out was, you will recognize the term ''demagogue.''

''Demagogue'' is a term that we use occasionally in our vernacular, perhaps here on the floor reluctantly, but also throughout our dialogue across the country. There is not a lot of history on demagogues. It is hard to Google demagogue and to become an expert, to look under amazon.com and to come up with real books that are written on real facts that identify demagogues in the Greek era. They are almost nonexistent in this Nation's literature, at least so far as I have been able to identify.

But what the Founders knew and what young Americans growing up today and, really, all of its citizens should have an understanding of is that in that purer form of democracy in the Greek-city state, they had Greek demagogues who had such an oratorical skill that they could stand up in front of that small coliseum, so to speak, and make their pitch in such a passionate, logical and rational way that it would move the emotions of the Greeks within that city.

They would not necessarily analyze the information behind that debate. They would not necessarily analyze the data, the calculations. They maybe were not even thinking for themselves. But what they would do is, they would

listen to the demagogue that had that ability to move the masses with their dialogue. That, sometimes, in fact, often, took the Greeks off on a path that was not necessarily the best path for them, because they didn't stop, step back and think about where they were going. They were moved by the emotion.

So a demagogue would be someone, then, who had that ability and that skill. When they were identified as detrimental to the best interests of the city-state, then they had a blackball system. That blackball system, again, as I recall it, was that they would each go through, and there would be a, let us call it a black marble and a white marble, and there would be one large gourd to drop the voting marble in and then one to discard your empty in. So each voting member of a city-state got two, a black marble and a white marble.

As they went through there and as they dropped that marble in, they said, I want to keep this individual here in the city-state because I like his position, or he is good for us, or he helps out with the knowledge he has, whatever the reason might be, the same way we vote for or against Presidential candidates in a lot of ways. They would drop a white ball if they wanted to keep him, into the voting.

It would actually be a piece of pottery, a smaller-necked piece of pottery, actually. Then they would discard the black ball in another piece of pottery. So no one knew how they voted; it was a secret ballot.

But if that demagogue received three black balls dropped down in the voting piece of pottery, then that would be all that was required from the entire city to banish that demagogue from the city for 7 years. That was one of the ways they protected themselves from the emotions of a democracy.

Mr. Speaker, I bring this up because quite often, I think, in the classrooms of America, it is taught consistently and continuously that this is a democracy. We toss the term around, we are in a democracy. This is a democracy that goes on over and over and over again, and I always argue, no, this is a constitutional Republic.

Our Founding Fathers crafted a constitutional Republic for the first time in the history of the world because they were shaping a form of government that would not have the failures of a democracy in it, but had the representation of democracy in it. That is why we are a constitutional Republic. That is why we are called Representatives here in the United States Congress, because we each represent about 600,000 people.

It isn't the 600,000 people, those that are qualified and registered, those that go to vote will select each one of us, and then it is our job to be their voice here. But the first thing that we owe our constituents is not to put our finger in the wind and listen to the polls. It isn't our job necessarily to put our ear to the ground and try to stay ahead of the moving public opinion, but it is our job to listen to that public opinion.

It is also our job to be involved in all of the dialogue here and have access to all this information that is available to us here in this capital city, the information center of the world, from my experience. We owe our constituents and all American people our best judgment as we serve in this constitutional Republic.

The voice of these Members here in Congress is essential. It is essential for the functionality of a republic, and it is essential for the functionality of this great Nation. In this system of government that we have now shaped, a tried and true system for more than 200 years, we found a way to use this process of gathering the information and the data and the input from our constituents who come through my office every day. And I sit down with them every day that we are open for business here, and it is for me to gather that kind of input and information. Then I exchange back with them the things that I know about policy from sitting here.

Then we have discussions about, well, here is our budget, these are our limitations, these are the policy questions. Here is the legality, here are some of the constitutional constraints that we have, and your needs are this. So how do we shape this together so that we can come forward with a proposal that meets the needs of my constituents or anyone's constituents, stays within the framework of our budget and the Constitution and moves this Nation forward to our destiny?

Those are the questions that we are obligated to struggle to resolve here in this Congress, and we have developed a process by which we have many, many public hearings. We bring forward in the public hearings witnesses that testify into the record under oath, so that we can rely on the accuracy and the honesty and the veracity of their statements. That is some of the information.

A lot of the other government reports and other data that come from nongovernmental organizations and individual citizens and the letters that come every day and the e-mails that come every day and the phone calls that come every day, we put that all together. We sort that. We synthesize that. We go to the subcommittee or the full committee for the hearings. We ask the appropriate questions so that we can probe into these issues to represent our constituents.

Then, after the hearing process is done, then a bill comes forward, a bill comes out through the subcommittee process for a markup, and that markup always must allow legitimate germane amendments in order. It is not just a theory; it is a tried and true proven fact. The reason for amendments is to improve the legislation.

The first term that you run into, as any, one step forward, to become a legislator, whatever level of government might be, whatever political subdivision it might be, is the law of unintended consequences. That is what happens when any of us, most often in our youthful idealism, come charging into the legislative process. We say, I have a law I want to pass, this is what I want it to be.

You write that down, put it into the right format, and you submit that into the process, and immediately the wake-up call is, well, what about this implication and that? What happens when you unfund this side of it. What happens when you don't have law enforcement on the other side? What happens when you punish more people than you were trying to help because you didn't think of all the aspects?

Well, that is the law of unintended consequences. That is what happens when you have a legislative process that circumvents or usurps this tried and true, more than two-centuries-old process that we have here in the United States Congress.

This constitutional Republic cannot sustain itself if we do not have a regular order of doing business that guarantees the rights of each Member to be heard, for each Member to bring their judgment to the hearing process, to probe the witnesses, to put into the record the background that they want to gather from the witnesses they choose, as well, to offer amendments at committee and subcommittee level and at the level up at the Rules Committee.

This is all a process to perfect legislation, to reduce, and, ideally, eliminate that Murphy's Law of unintended consequences, and also to improve the quality of the legislation so that it is far more effective than it may be as if just one person with their limited vision, their limited knowledge, limited background and limited understanding could bring to this legislative body.

I have to point out, the system and the process that I have described here is anything, but what has been taking place in this 110th Congress. This is the 110th Congress that was promised to be the most open and the term, I believe, was ''democratic Congress in history.'' The leadership was going to set up a system that had rules, that allowed for amendments at every level, that allowed for open dialogue, that allowed for open hearings. In fact, the Speaker of the House is clearly on record time after time after time, making those kinds of pledges.

Well, I will point out that has not been the case. I will get back to the facts of that here in a moment.

What I would like to do is illustrate this poster that tells us what has been going on here in this new 110th Congress, which began on the 4th day of January when we organized and first brought forth the rules.

The opinion that this Congress had to live by was the promise, campaign promise, and they won the majority. In the first 100 hours, six pieces of legislation shall pass; we will do this for the American people, was the argument.

So we have two different ways of keeping time. The American people would wonder, well, the first 100 hours, if that promise of doing these six pieces of legislation in the first 100 hours is so sacrosanct that you have to suspend, maybe temporarily, and maybe not temporarily, the regular order that we call it here. This really is the entire process that I have described: the suspension of hearings, subcommittee meetings, full committee meetings, rules, consideration of amendments, and amendments being allowed on the floor, being debated, so the American people can understand what this body is doing.

That entire process has been suspended, and it has been suspended because the argument was made by the incoming leadership that those six pieces of legislation couldn't be passed within the first 100 hours if we went to a regular order and allowed any Member to have any voice in trying to improve any piece of that legislation.

So here we are this first 100 hours. I thought, well, all right, if the promise of 100 hours is sacrosanct, and it is so important that this legislation that has never been done in the history of America has to be done in the first 100 hours, if that is so important, then we ought to know at least what the criteria are for turning it on and turning it off. We ought to be able to know when that 100 hours is over, when we will go back to regular order, and the people who have campaigned and been elected to legitimately represent their 600,000 people will have a choice in this Congress to improve and perfect legislation.

So I started the clock, and I have kept this clock from the beginning. You know, there are only two legitimate ways to count time. One of them would be the 110th Congress began when we gaveled in here on the 4th day of January. You could just let the clock run all through the day, the night, the next day, and it will just essentially tick when we get sine die, gavel out of the 110th Congress roughly 2 years from now.

I don't think that is necessarily a fair and legitimate way, that keeping track of 100 hours is sacrosanct. We may give them a little bit different way to do that. Let us make it the legitimate way of keeping time, was my proposal.

Fairly simply, when the gavel comes in here in the morning, and we gavel in to start our day, and we start with the prayer and the pledge, that is the beginning of this congressional day. When we finish these Special Orders and there is a motion to adjourn, and you adjourn this Chamber, click, with the stopwatch, time is over, that is how many hours it is for that day.

Well, the Pelosi clock has a different way of keeping time. But just by comparison—and first I want to point out that those six pieces of legislation were passed not in the form I thought they were going to come to the floor in, probably not the form that the American people thought that they would be passed in, but a form that had those six titles of that legislation that came to this floor, passed within the first real 100 hours of legislation.

□ 1800

And that ended on a Friday at 11:44 a.m. when the real clock ticked over at 100 hours. But the Pelosi clock which was on the Web page, that was put up so that they would have all the time that they wanted to have to get this legislation done, and we just took a little picture of that. That clock went to 42 hours and 25 minutes. That is how much, Mr. Speaker, had been expired on the Pelosi clock.

So one can only presume that this clock was a slow clock. The Pelosi office refuses to grant us any criteria as to when they turn their clock on and when they turn their clock off. The only thing we know is this clock was not going to run up to 100 hours until those six pieces of legislation were passed. So it is kind of a backwards figuring thing, but now it has been pulled down from the Web site of the Speaker, but that was the end of the game.

So when that 100 hours is over, the request was give us some time, give us some patience. We need to have the suspension of our rules. We are going to have to go to this draconian process that no Member has a voice in anything until these six pieces of legislation are passed. We are going to have to go to that to get our six pieces passed in the first 100 hours.

Well, the six pieces are passed. The 100 hours now, it is about 148-point-something actually, where it is going to be 149 when we finish this up. That is how many hours that we have invested here in this 110th Congress. But we are still under draconian martial law in this Congress.

We are bringing to the floor of the United States Congress tomorrow, and I don't mean me, but the leadership on the other side of the aisle is bringing an omnibus spending bill. That omnibus spending bill is coming to the floor, $463 billion, without a single hearing, without a single subcommittee or committee meeting, without a markup, without an amendment; and we are going to spend $463 billion out of here tomorrow on 30 minutes of debate from the dissenting side and 30 minutes of debate from the proponents' side, and the taxpayers are going to take the hit.

And I feel sorry, Mr. Speaker, for the American people. And I feel really sorry for the freshmen that came to this Congress, especially the large class of Democrats who no doubt said, I will be your voice in Congress. I promise you that you haven't been represented well. I will be effective. When I go there, I will be heard. I am going to delve into all of this policy and I will be there. You will see that come out in the language. It will go into law.

But to this day come to the floor and I will yield to anyone, any freshman especially, who could come down here and say, I went to a hearing and I offered an amendment in a subcommittee markup or in a full committee or I am going to be allowed to offer an amendment here on the floor and it is going to improve some legislation.

I think there was a freshman that ran some legislation here last week. I just don't know if she ever got to see the language before she came to the floor to be the sitting duck for the criticism, for the narrow debate that we had.

That is the tone of where we are. The American people are being cheated by this process. And I will be very happy to yield to the man who is a judge of that, Judge LOUIE GOHMERT from Texas.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from Iowa, my good friend (Mr. KING), for yielding.

As may be known, I was a history major in college. I have studied a great deal of government history, different countries; and I would ask if the gentleman from Iowa might engage me in a colloquy to answer one question, if you are aware of the difference between the process that the former Soviet Union arrived at in order to appropriate money and the process that has been used to appropriate $463 billion tomorrow.

Mr. KING of Iowa. I am going to have to guess. I am going to turn this back to you for a definitive answer. My speculation would be, Mr. GOHMERT, that Duma probably didn't see it and maybe we get to see it for a pro forma vote, or am I wrong?

Mr. GOHMERT. Well, obviously, none of us have seen it. It got posted and we have got people trying to make sense of the 140-or-so pages. But the main difference that I can tell, and this is just my opinion, but the main difference that I can tell is that the Soviets never promised to have an open, fair, transparent democratic process to appropriate money. That is the big difference I can see. Because that is what we have here.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman from Texas for that insightful input. In other words, he is so gentle and subtle when he said the Soviets kept their promise because they didn't make one.

And the thing that I am addressing here, Mr. Speaker, is that there were a lot of promises made, and the integrity in this system, that is what you have to function in this body. We have to give our word and we have got to keep our word. And when we do that, this system functions. When you give your word and you don't keep your word, the system breaks down. And the people that pay the price for that are the American people.

So I would submit that all of that whole series of promises were subordinated to the 100 hours' promise, which turned out to be 42 hours and 25 minutes. Fine. I am going to grant that that stuff got done in 100 real hours.

Actually, it got done just underneath the 100 real hours. But the clock has ticked over by anybody's measure. It is over 100 hours. And there was never a justification for it anyway. I mean, I want to be on record in this CONGRESSIONAL RECORD, Mr. Speaker. There is not a justification for expediting the process at the expense of the voice of the people.

But that is what has been done. Well, it has been done at least under the promise that when the 100 hours is up and the six pieces of legislation are passed, we are going to then try to keep our promise on the most open Congress in history. As we know, you cannot expedite legislation very well in the process that we have now and be able to improve it.

So what they have done is they have brought this 150-or-more-page bill that was just first available last night at 11:03 p.m. on the Internet. Some of our staff had actually quit work by that time and gone home to bed; so some of them didn't find that until this morning. But of those 150 or 160 pages, in there is 463-point-something billion dollars of spending and it has changed a fair amount of line items, and what it does is it increases the spending from the Republican plan by $7 billion, Mr. Speaker. Seven billion. And it changes the resources that are committed. They go back to the districts in some places.

We even have some locations, in our short little time of looking at this, where we believe that because they have underfunded and this budget has gone on now for almost half a year that there will be some agencies that may well have to pay back because of this omnibus spending bill. And they will come, Mr. Speaker, to the floor tomorrow, and they will say, Well, this is a CR. This is a continuing resolution. And a continuing resolution being that you pass a resolution that says we are going to keep funding government at the current level and all of its line item appropriations until such time as we can get the Senate to act.

And I have to say that the Senate needs to act. We passed nearly every single one of the appropriation bills last year, sent them over to the Senate, where they sat. And so that is one of the reasons that we end up with this ugly monstrosity of an omnibus spending bill.

But it would be one thing to pass a continuing resolution and say that stuff has been through the subcommittee, committee, the markup process, been to the floor, at Appropriations. We had worked our will on all of that. It is a different Congress, but we had worked our will in the 109th Congress. It would be one thing to pass a continuing resolution to meet those standards because that has been due diligence at least. It is quite another to take all of these dollars, roll them all up, package them up, rewrite them, and then throw them out here on the narrowest of notice, $463 billion, and then say, well, there won't be any input and there won't be any amendments and it is going to be strictly an up-or-down vote, and you get 30 minutes to tell us why it is a bad idea and try to convince our people whose arms are twisted up behind their shoulder blades that they are going to have to vote for it.

And there they sit with a large class of freshmen. Some of them served in State legislatures. In fact, I would speculate that most of them have. And I would also speculate that not a single one of them has experienced a process that was so closed in its loop, that was so narrow in its scope, that was so draconian that the collective wisdom of 435 Members of Congress and all the staff and all the constituents and all the media input all goes for naught.

I would be very happy to yield to the gentleman from Georgia, and I will pick up whenever I need to. Thank you, Mr. GINGREY.

Mr. GINGREY. Mr. Speaker, I want to thank the gentleman from Iowa for leading this Iowa Special Order, particularly in regard to what is going to be on the floor of this body tomorrow, Mr. Speaker, and that is this $463 billion monstrosity that, as the gentleman has already pointed out, gives no opportunity for Members of this body to have any input.

We heard all this rhetoric, as we started the 110th, about the need to pass those six per six bumper sticker issues that the Democratic majority had tested, had poll tested, that drew 75, 80 percent approval rating; so that was their justification of closing down the process and bundling all of those bills, H.R. 1 through 6, in a single rule, a single closed rule, and no opportunity for even Members on their own side of the aisle, the Democratic majority, the new Members of the Democratic majority, to have a voice and represent their constituents. I think it is appalling, Mr. Speaker, that they would do that.

But, also, as we railed against that process in the first 2 weeks, we had the assurance over and over again of the leadership of the Democratic majority that once they got through with their 100 hours, and as Representative KING has pointed out, we are up to 147 hours now, where is the fairness that they promised? Where is the open process? Here this $463 billion so-called CR or, in layman's terms, continuing resolution, gets posted on the Internet at 11 o'clock last night. I don't think that Members of this body were sitting up holding their breath every 15 minutes checking on the Internet to see if Mr. OBEY had finally posted the bill so that Members could see it and look at it and analyze it, study it, and hopefully come forward through the Rules Committee. Certainly there was no committee process in what they have done here.

And I do not know, maybe my colleagues can answer this question in just a minute, but I know the Rules Committee did meet today, and I am not going to hold my breath counting the number of amendments that were made in order.

But this is unconscionable, Mr. Speaker. First of all, it is not a CR. A CR would be a continuing resolution to continue to fund the government at last year's level. In fact, that would indeed save money. That would save the taxpayers money. This is no CR. A CR is three or four pages long. In fact, the last time we had a CR to cover an entire fiscal year was under the Democratic leadership back in 1987 and 1988. I don't know how long those bills were, but I do not think they were 123 pages, as this monstrosity is, Mr. Speaker.

I have heard this thing called a lot of terms other than a CR. I have heard some refer to it as a ''CRomnibus.'' To me, and maybe my colleagues can understand this better because ''CRomnibus'' is a little difficult to decipher, it looks like a hooker dressed up like a nun.

□ 1815

Now, I hope everybody can understand what I am talking about there. This is an appalling embarrassment to this body. And the Democratic majority talked about, in December and leading up to the election before that, how, give them the opportunity to lead this body and they will absolutely eliminate earmarks, totally eliminate earmarks in finishing up the fiscal 2007 and the fiscal 2008 budget.

This is a giant earmark, or if you want to call it an ''Obeymark.'' There are so many things in here. And, of course, you know we have had since about 9 o'clock this morning when people came to work, maybe a little earlier for some of us insomniacs, to study this bill. And the devil is, of course, in the details.

Mr. KING of Iowa. Mr. Speaker how much time do I have left?

The SPEAKER pro tempore (Mr. COHEN). Approximately 30 minutes.

Mr. GINGREY. I thank the gentleman from Iowa. I know he is limited in time, and I know our colleague from Florida is here, as well, and possibly other Members will be coming to weigh in on this.

But this is appalling, Mr. Speaker and my colleagues. I mean, the Democratic majority has talked about opening up this process and not doing as we did, as they say we did; but dawn of a new day, to start a new open process of bipartisanship. Whether they were truthful in that or not, I think if you say that, if you make that pledge as you ask people to vote or, in many instances, replace somebody on our side of the aisle, then you need to fulfill that contract.

That indeed was a pledge that has already been broken. And it does not have to be that way. It absolutely does not have to be that way.

So I thank the gentleman for allowing me to weigh in on this issue. With that, I will turn it back over to Mr. KING and continue this dialogue with my colleagues. Thank you.

Mr. KING of Iowa. I thank the esteemed gentleman from Georgia, Dr. PHIL, for his input. I did not mean to imply that I was short of time to deal with it. So if you feel the urge a little later as well, Mr. GINGREY, I am open to whatever dialogue you may have to bring to this floor. I appreciate that input.

We are here to represent the American people. We each represent roughly 600,000, for each of us 435 Members here in the United States Congress. There is not anybody in this Congress that would concede a point that there is anybody's constituents that deserve more representation than theirs.

I will just say it this way. There are no one's constituents in America that deserve more representation than my constituents. And, conversely, there are no constituents out there in America that deserve less. That means you have got to have an open process that provides for open dialogue, that provides for opportunities along the way to perfect legislation to avoid unintended consequences and to improve legislation to perfection if we possibly can.

That is the process that is absolutely missing. It has been totally usurped. It has been a rug jerked out from underneath this entire Congress. And the promise of an open process is a broken promise. The 100 hours are up, and no one knows that better than Mr. FEENEY from Florida. I yield to Mr. FEENEY.

Mr. FEENEY. Mr. Speaker, I am grateful to my friend from Iowa and to my good friend from Georgia. And I, too, just got off the last campaign cycle, and I watched the national newspapers. I saw it in the State of Florida, where over and over again I heard that there was a new, reformed Democratic Party, people that believed very differently than the Republicans in charge here in Washington, that we are going to reform the process, make it fairer and more transparent. I heard that we were going to be under new management.

Now I find it a little funny, because as I look at the chairmen of the committees, we have got one chairman that has been here for 56 years in Congress. We have got chairmen that have been here for 30 years in Congress, for 40 years that have been Chairmen before. So really it is deja vu in terms of who the leadership is of the important committees here in Congress. There is no change.

Americans need to know they are going to go back to the Jimmy Carter high-tax, high-regulation, high-speed, high-unemployment, high-inflation rates under their so-called new leadership because it is the same old, same old.

But I was really intent as I was working in my office, studying some of the crazy things that are coming up in our committee process this week, Mr. KING. And I heard you offer to the new members of the Democratic majority that say, We are going to be very different, we are going to be transparent, we are not going to be liberal Democrats, we are going to maintain a threshold on taxes.

And yet in the very first 2 weeks, what we here have passed without one amendment allowed, without one committee hearing allowed, without any debate other than maybe an hour on this floor allowed, with the results preordained by a maestro—and we have to give her credit; the Speaker has been a wonderful leader in terms of making the trains run on time, which we know that people that do not engage in democratic processes, but engage in totalitarian processes are successfully able to do.

The first thing that the new majority, conservatives supposedly or moderates, do is pass PAYGO, which makes its easier to pass tax increases. The next thing they do is pass a minimum wage bill that exempts American Samoa. And they pass an energy bill that actually increases taxes at the pump ultimately on the people in my district that buy gas.

And, of course, they also gave as part of the Committee of the Whole here, a vote to the delegate from American Samoa who represents, he is a friend of mine, he is a great guy, but he represents approximately 60,000 people who are not a State which the Constitution requires in order for you to have an equal vote here on the floor.

Now, I would tell my friend from Iowa that I have football stadiums not far from me that hold more than 60,000 people in them. The football stadiums are not represented by a delegate or a vote in Congress. And maybe every football stadium with 60,000 or more votes under their new premise ought to be included

Mr. KING of Iowa. Mr. Speaker, just an inquiry then. What are the odds of the people within your stadiums in Florida with 60,000 or more people in them, what are the odds of them paying Federal taxes compared to that of American Samoa?

Mr. FEENEY. Mr. Speaker, my guess is about 80 percent of them are either payers of the income tax, the Medicare tax, the Social Security tax, or some Federal tax.

And with respect to American Samoa, I admire them. I actually think that they are fortunate. I am envious. They do not pay Federal income taxes, as the gentleman wisely pointed out. But they have a vote here, just like my football stadiums with 60,000 people do not have; American Samoans who do not pay Federal taxes on the Federal income code do pay taxes.

Now, I will tell my two great friends, I hope that I do not upset them here, but the States of Georgia and Iowa are two of my favorite States in the Union. But I happen to be very jealous; and believe that I was the speaker of the house of the greatest State in the country, the State of Florida.

And I will have to tell you that passing budgets is a very difficult deal, passing appropriations bills, it is hard. I like to compare every budget that I have dealt with at the Federal level or the State level as like a Clint Eastwood movie; it is part of the good, part the bad, and part the ugly. The only thing that justifies a budget is the process.

Where every elected member at the committee level, for all of the different Appropriations Committees gets to fight for his or her priorities, where on the House floor you allow amendments, you allow the entire body to sit down and figure out collectively. And democracy is an ugly process, but the only thing that justifies the outcome of budgets, which are like a Clint Eastwood movie, The Good the Bad and the Ugly, is the process itself.

The process that we witnessed today in the Rules Committee, and my friend from Georgia alluded to the fact that the Rules Committee apparently has said that not one single amendment to this omnibus package that was passed, not by a committee, but was passed by one Member, this is the Pelosi omnibus package. Nobody else had any control or say in it. Not one Member had a chance.

Mr. GINGREY. Mr. Speaker, just a quick point. In these appropriation bills that come to the floor under regular order, each one of the 13 separate appropriations bills came to the floor with an open rule, an open process.

Mr. FEENEY. Mr. Speaker, traditionally that has always been true. This has never happened in modern history that any historian of the House can recollect.

But let me tell you exactly what has happened. I will have to admit, one of the very few things that I have liked in the first 60 days here is that the Democrats actually pledged that we are not going to have earmarks.

Now, they have pledged a lot of things. They violated virtually every promise that they made. But the earmark pledge is something I really like. I was one of the outspoken critics, even of Republican earmarks like the Bridge to Nowhere. But I have to tell you, you have got to give credit where credit is due, when they will stand up and say, we are not going to have earmarks. I thought, you know what, I can live by that policy if every other Member of the House can, or we are going to have transparent earmarks; everybody has to be honest about what they are spending the money on.

I want to read to you the definition from The Citizens Against Government Waste. An earmark is any proposal that does any one of the following seven things; if you do one of them, you are an earmark. This is important, because we are facing tomorrow the largest earmark in the history of the world under this definition that everybody uses, if you do any one of these things.

If you are requested by only one Chamber of Congress. This bill tomorrow is only going to be requested by

the U.S. House, not the Senate. If you are not specifically authorized by committees in the House. This bill has not been authorized, not one thing in it has been authorized by any committee.

If there are things in the bill that are not competitively awarded. Nothing in this bill requires any competitive awards for the new spending.

Number four, if it is not requested by the President. There are billions of dollars of spending in this bill that have not been even seen, let alone requested or reviewed by the President.

Number five, if it exceeds the President's budget request or the previous year's funding. We have issues here that have never been greater than in this bill that we have not seen because it is the Pelosi omnibus package that nobody had a chance to see or vote on.

Number six—remember, any one of those things makes it an earmark; this qualifies for all five so far—if it is not the subject of congressional hearings. Well, the funny thing is the Speaker and the Democratic leadership would not let us have a hearing on any of this spending. $463 billion, we have not had one minute of hearings, 1 minute of review.

And finally, number seven, if some of the things in the bill serve only a local or special interest. Now, I will leave you with this, Mr. KING, because I really admire the points you have made. Every taxpayer is paying the price of this horrible process. It is not just about process. This is a $463 billion earmark, not because it violates one of the rules, but all seven rules.

And I would finish with this. I was really offended when Republicans were in charge of this Chamber and we had a $250 million earmark that I referred to as the Bridge to Nowhere. The earmark tomorrow is 2,000 times greater than the Bridge to Nowhere. This is the Congress that supposedly was going to be about reform, ending earmarks, and have transparency. There is not one pledge that has been made that will not be broken tomorrow if this bill passes.

With that, I thank my friend.

Mr. KING of Iowa. Thank you, Mr. FEENEY, for adding the clarity to this issue and putting the numbers down and for also listing into the CONGRESSIONAL RECORD the seven points, any one of which qualifies as an earmark, all of which will be breaking the promise tomorrow, and 2,000 times larger than that large earmark that 80-some percent of America understands as the Bridge to Nowhere.

I would point out that there is a way to address this. And I have not been necessarily a critic of well-managed earmarks, as long as they are within the budget and as long as it is a Member initiative that actually is researched and debated, and it is open and it is public, there is an opportunity to go in and strike it out.

But the problem with the earmarks has been, they show up after it is too late, and the bill comes to the floor, and there is not time to read the bill, and not time to prepare amendments; or they come up in a conference, and then here comes the conference report with a whole stack of earmarks in there that are agreed to by the conference committee, but not aware, not made aware to the rest of the Members, and no access to it.

So I looked at this. And I thought, how can we fix this? And we have done some things with earmarks. But last year, in the middle of this, about this time a year ago, I began grinding and churning my way through and created an act called the Cut Act. And I have drafted and filed that information; I believe that both gentlemen here on the floor are cosponsors of that Cut Act.

But what that Act does, Mr. Speaker, is it recognizes that there will be legislation passed off the floor of this Congress, and that Members will not have an opportunity to act on that legislation, on that appropriation, and that there will be earmarks in there that are either identified or may be not identified, but maybe they are objectionable to the American people.

And it recognizes, Mr. Speaker, that this is an instantaneous Information Age if we give access on the Internet to the people in this country, all of whom have access to the Internet in one form or another.

We have not done that. We need to put sunlight on everything that we do. We need to let them have real-time bloggers be able to access all of the bills that are filed, all of the amendments that are filed. They need to be able to track this whole process. But then once we get that system set up and we provide sunlight, the Cut Act allows, recognizes that those appropriations bills will find their way over to the President's desk, and he will sign them to keep this government running.

□ 1830

And this is that there will be a whole collection of objectionable, irresponsible spending to projects that comes to mind. The bridge was referenced by Mr. FEENEY. The Cowgirl Hall of Fame strikes me as something that could be privately funded if we need one. There are a number of others out there that are objectionable earmarks. But if we pass the CUT Act, and the President signs the appropriation bill and the bloggers light up and they start sending this in and it becomes a national issue, or even just a tip that goes to a certain Member of Congress, like Mr. GINGREY for example, we could, under the CUT Act, once each quarter, four times a year, provide under the rule so that a bill would be brought to the floor that would allow for the rescission of any one of those individual line items.

So the Shell bill might come to the floor. Any Member would bring an amendment that would say I want to eliminate the funding for the Cowgirl Hall of Fame. We put it up here on the board. We vote it up or down. We do that to every single line item if we chose to do that, and it might take a long time to debate that first bill.

Mr. GINGREY. If the gentleman would yield.

Mr. KING of Iowa. I yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. And I hope I won't offend the gentleman, but just as he is pointing out, these earmarks are there but they are selected, in this instance, by one person. And as you start enumerating a few, like the ones that you have already mentioned, I have got to also say that the tropical rainforest in Iowa is back at $44.6 million. Now, I don't know how the gentleman feels about that one, but that is the whole point here. A CR is supposed to save money. It is literally supposed to save the taxpayers money, because instead of increasing the amount of spending at a rate of inflation or consumer price index, you go back to the last year and you just continue that process.

So, in fact, if we had done that, if we had this year-long CR, we are talking about maybe saving $6.1 billion. But, no, what the Democratic leadership of a committee of one or two decides to do is under that budget cap authority to plus this thing all the way up from 2006 levels to the budget cap, and that is an additional $6.11 billion burden on the taxpayer.

As I mentioned earlier, I won't repeat the phrase I used in referencing this bill. But people are going to call it all kind of things in addition to CRomnibus. But really it is a CR on steroids. Maybe we should call it a steroid.

And with that I will turn it back over to the gentleman from Iowa for the continuation of this discussion

Mr. KING of Iowa. Well, again I thank the gentleman from Georgia (Mr. GINGREY) for reminding me about some of the earmarks that we have out there. And the list is long. And my point on this is the American people can make that list a lot longer. And at least in theory, any piece of appropriation that comes across this floor that makes it through the process should have the majority support of the House of Representatives. It ought to have the majority support of the United States Senate. We ought to agree on that number, and it should go to the President for his signature. That is the process that is structured within our constitution. That is the process as the American people envision it. That is the process that we are struggling to attain here, that will not be, even presumed to be happening tomorrow when this—not a CR, but this omnibus spending bill which is a catch-all for every single appropriation that goes into discretionary spending for the rest of—until the first day of October is when this is over.

And, again, I am so sorry for the freshmen who come here that right now don't know any better, and they

aren't even outraged. They have been led, taken by the hand and led down the primrose path. And I have offered them time and again, come down here. I would be happy to yield. Tell me what legislation you have had a voice in. What have you made a difference in? Did you make the promise to represent your constituents or didn't you? Yes, you did. Obviously everybody makes that promise. So didn't you have some high and shining ideals? When you see the flag go up over the Capitol doesn't that make your heart beat a little faster? Don't you get that feeling in your stomach and that swelling sense of pride when you look up at the dome and that you are here to represent the American people of the United States Congress?

But my news to you is you are not representing them. You are not being allowed to represent them. You aren't even a voice. You haven't been heard. Your input is not there. The expertise that you bring with your background, whatever it might be, has no value in this place. It is just a handful of people in the cabal that decide what is coming down here, the same ones that make the promise that there is going to be that opportunity, freshman, for you to be able to have that kind of input.

So, Mr. Speaker, I illustrate that and the absence of rebuttal here on this floor is confirmation of my statement of my position and that of Mr. GINGREY and that of Mr. FEENEY here this afternoon. The absence of rebuttal speaks loudly and it echoes in my ears.

But on the earmark part of this, that is why I drafted the CUT Act, so that this Congress could be able to eliminate any line item that did not have the majority support of the House and the Senate and the President, and it recognizes that the President would sign an appropriations bill and that money would get off his desk and go to the agencies, wherever it might be, and it takes them sometimes the whole year to spend the last dollar. And at any point where we rescinded that funding, it would go to reduce the national debt automatically, and then that fund would no longer be available to whatever entity was about to receive it.

That is one way that gives Congress, the CUT Act gives Congress a line item veto. And that is the piece of policy that we need to get resolved here in this Congress, along with many others. But the open process, and this is going to be and has been so far, Mr. Speaker, a very closed process, a process so closed that I will point out that, not just a matter of information, I mean, I have sent my staff down to the majority leader's office to try to find out what the criteria was for the clock, or what is the criteria for providing and offering amendments; when is this draconian martial-law going to be lifted, this open process that is promised.

And I want to point out, the gentleman from Tennessee (Mr. COOPER) was doing a national television program here on the news, the beginning of the 110th Congress, a couple of days before we gaveled in. And they said to him, but you are going to suspend all the rules and you are going to drive all this legislation through without input from Members on either side. And he got kind of a funny look on his face and he said, well, just please, will you give us a little patience. Have some patience and let us get through this process. And once we get these six bills passed, you are going to see the most open, democratic Congress in history.

Mr. COOPER, I am waiting for you, too. I would be very happy to yield.

That is not the case today. The hundred hours is clearly up. The process is not open, and the American people are not being heard. They didn't decide they were going to anoint some people with a royalty position, whether they allege that they are the most powerful woman in the world or not. This is a government that rules by the consent of the people. And the people did not give their consent to a process that is not an open process, a process that muzzles 99 percent of the Members in this Congress.

And clearly, they are not here to speak up because they know they don't have a voice and they don't have an argument. And so we are going to continue to push on this process. We are going to go before the Rules Committee. I took an amendment up before the Rules Committee, and there were a number of us that did. We all know the results of that, the charade in the Rules Committee, which is, bring your amendment up. You can offer your amendment up here, but before you come up here, we are going to tell you we are not going to accept a single one, even if it is some kind of revelation. If it is an epiphany that just fixes the whole thing, we are not going to consider it because the meat cleaver has come down.

So we are going through a charade. No amendments, but come here and argue them anyway if you want to and we will sit through this and we will put one or two people up there and we will rotate and we will get through this process. And then we will say, why are you complaining? We had a rules process. You just didn't have any amendments with any merit. Oh, really? No amendments with any merit is the same result as no input into the process, Mr. Speaker. This government cannot function with that.

And I will also point out that the House of Representatives is where all the appropriations has to start. That is what the Constitution says and that is what we need to follow. But this bill, this omnibus bill, is going to go over to the Senate, over to those 100 Senators over there, and you can bet that they are going to be offering amendments and they are going to be improving this omnibus spending bill, and they are going to be fixing this all the way through their process. So their voice will be heard. And then we will get an amended omnibus bill back here again, and I would submit this question, will then, Mr. Speaker, will it come to the floor again with no opportunity for amendments again? And if that is the case, why have we ceded the improvement process to the United States Senate?

We are the hot cup of coffee here, and they are the saucer to cool it in. We are supposed to be the quick reaction force that has the elections every 2 years, so that vigor that comes with a new freshman class and that risk of being up for re-election every 2 years, it keeps us tuned in with our fingers on the pulse of the American people who can be heard in the legislative process.

The hot cup of coffee, the quick reaction force, the storm troops that are going to come in and fix things quickly, especially in the change-over of a majority, Mr. Speaker, is just what our Founding Fathers envisioned when they drafted our Constitution and set up this miraculous system of government that we have. But the leadership in this House of Representatives has handed over the amendment process to the United States Senate which they have a legitimate claim to their version of it, we also have a legitimate claim to ours and a constitutional duty to do so that has been usurped by this decision to make a promise and have that promise of 100 hours be sacrosanct and then like that draconian approach so much of not being challenged that they go ahead and shut the clock off at 42 hours and 25 minutes.

And we could go on in perpetuity until the American people revolt at the polls. That is what is coming. You are going to see mistake after mistake after mistake. One of those examples would be the Minimum Wage Act, American Samoa, and being exempted from the Minimum Wage Act of all of The states and territories of the United States of America, one place on the map with 60,000 people, we find out after the fact, after the minimum wage bill is passed, is exempted from the minimum wage. Well, if you can legislate wages to go up and help people, which is the argument that came out of this side of the aisle continually, Mr. Speaker, then why can't you do so in American Samoa? What is wrong with them that they don't deserve a raise like everybody else got in America that was working for a minimum wage? And the answer that I get back is, well, we had to do that because the tuna market there won't sustain this. The international competition won't sustain higher wages, so we would lose that to Asia or maybe South American companies that can produce that tuna cheaper than they can in the American Samoa.

Well, that is called competition. And how is it that Democrats can understand the effect of competition and the deleterious effect of minimum wage on a small business, large business in a small microcosm of a location like American Samoa? They can understand

it when it is a microcosm, but they can't understand it when it is 300 million people in a macrocosm. It is the same principle that applies, Mr. Speaker. But that is a fatal flaw of this approach of a closed process rather than an open process. That is what happens, Mr. Speaker, when we don't allow for amendments. And then things start to smell fishy.

What was the reason?

I would be happy to yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I thank the gentleman for yielding. I just wanted to point out, and I am sure the gentleman would agree with me, that there are things in this so-called CR that we approve of. As I look through the list, and of course, I have got a lot more looking to do, but as I see things like an increase in Pell Grants to $260 up to $4,310, I think that is good. And additional funding for the Head Start program. And I could go on and on and on. There are a number of things here that I see that I could vote in favor of, but there are a number that I would be opposed to.

And just as the gentleman points out, especially for the new Members on both sides of the aisle to not have an opportunity to go through regular order and a committee markup process, go to the Rules Committee with their amendments, I am talking now about majority Member amendments, things that they have heard about, as you pointed out, Mr. KING, from their constituents, as they campaigned for the very first time for Congress and the excitement of that, and you pointed that out as well. It is just sad. It really is sad. And if it wasn't so sad, it would be almost laughable.

So I just want to say that, again, it is not that, as I register tomorrow my vote against this, it is unfortunate because there are some things in here that I would be in favor of. But I am going to be voting against the usurp of power and putting the process under the jackboot of the new majority.

Mr. KING of Iowa. I thank the gentleman from Georgia (Mr. GINGREY). And I will say that my sympathy and heart goes out to especially freshmen Members of Congress when they go back home to their town hall meetings, and I would just ask you, out there, and Mr. Speaker, I convey that message to the people in America, that when these freshman especially show up for their first town hall meeting, I would say to the citizens, stand up and ask them, what has been your input? What has been your impact? How have you kept your promise so far? What do you think of the process? What has been your involvement? Have you produced any amendments? Have you done anything to impact this process whatsoever? And their answer is going to be ''no.'' You need to challenge them, Mr. Speaker, to come back here and open up this process.

□ 1845

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes.

Mr. PALLONE. Mr. Speaker, I am here tonight to talk about the President's health plan that he discussed or brought forth in the State of the Union address last week, but I couldn't help after listening to some of my colleagues on the other side of the aisle talk about the continuing resolution that is going to come to the floor tomorrow to just spend one minute before I get into my health care Special Order just mentioning why I think what they said is so wrong.

I of course have been in Congress for a number of years now, and last year which was the last Republican majority Congress that we have had, I guess, or that we are going to have, the Republican leadership passed a budget that was so unrealistic that they were unable to complete work on nine of the 11 annual appropriation bills. So I think everyone needs to understand, Mr. Speaker, that whatever the Democrats do tomorrow is simply cleaning up the mess that the Republican leadership left us. They didn't do their job; they didn't do their work.

Most people would say that the main purpose of the Congress is to pass a budget and pass the appropriations bills so that the government can continue to operate, and they simply did not do that. They left here in December with only two of the 11 appropriations bills. Those dealing with defense and the military were passed. The other nine were just left, and they passed their own CR, or continuing resolution, to take us through I guess February 15, and basically said, okay, we are getting out of town and we leave this mess to the Democrats. So back in December, Senator BYRD and Congressman OBEY announced a plan to wrap up the bills in a joint funding resolution, and that CR is coming to the floor tomorrow.

But I will stress, and I don't know how many times I can keep saying the same thing: there are no earmarks in that continuing resolution. None whatsoever. In fact, there is even language in the continuing resolution, and I will reference in title I, section 12 that says: ''Any language specifying an earmark in the committee report or statement of managers accompanying the appropriations act for this fiscal year or for the last fiscal year shall have no legal effect with respect to funds appropriated by this division.''

So essentially what that says is: we are not allowing any earmarks. But even if one of the bills in the committee report or in the statement of managers, which are not binding under the law, even if one of those suggests an earmark, that the Federal agency responsible for administering that program has no obligation under the law to implement it.

I don't know how more emphatic we could be in saying no earmarks, no suggestions of earmarks. Don't pay any attention to anybody who tries to suggest an earmark. That is essentially what this language says.

So this whole effort to say that somehow there are earmarks in this is just fabrication. And beyond that, the fact of the matter is that we have no choice but to adopt this continuing resolution because they left us this mess and we have to move on to the next budget year. So I just wanted to point that out, and then I would like to move on to the real issue that I came here tonight to discuss, which is the President's health insurance proposal.

I was glad to see that in his State of the Union address that the President prioritized health care, and he said that he wanted to solve the problems of the current system both in dealing with the large number of uninsured and also with the fact that costs, the costs of the health care system continue to rise. So I will give him credit for prioritizing this issue, because he has not done so in the past.

But I have to be critical and say for the last 6 years President Bush and the Republican Congresses have ignored our Nation's health care problems. Because of that neglect, we have seen health care premiums skyrocket over the last 6 years since he has been President and the number of uninsured increase after we witnessed reductions in the number of uninsured in the late 1990s. When President Clinton was in office in the last couple years of his Presidency, for the first time in a generation the number of uninsured actually went down because of his policies. But ever since President Bush took office, the number of uninsured has gone up. And I just want to give some statistics on the President's record.

Here is the information on the uninsured: when he took office in 2001, there were 41.2 million Americans who were uninsured. Five years later, in 2006, the number had grown to 47 million. That is an increase, Mr. Speaker, of 1 million Americans every year on the President's watch. That is the first and I think most significant statistic.

And then the next poster I wanted to show has a map of the United States. And I think a lot of times when you give numbers, people don't necessarily respond to them or they just sound like a lot of bureaucracy. But forgetting the numbers for the moment, what this map shows is that the number of uninsured now exceeds the cumulative population of 24 States and the District of Columbia that we have outlined in the shade of red or orange here. So that is a lot of uninsured. That is the number of people that live in those 24 States and in the District of Columbia that are now uninsured.

And then the third thing is in terms of the premiums, because again the

President has said that he wants to address not only the problem of the uninsured but also the problem of costs for health care. So if you look at this chart, you can see that workers are now paying an average of 1,094 more in annual health care premiums for their families than they did in 2000.

So that is essentially what has happened while the President was in office. And this is based on information from the National Coalition of Health Care: workers are now paying on the average $1,094 more in annual health premiums for their families than they did in 2000.

Now, again, I appreciate the fact that President Bush highlighted this issue and suggested it needs to be prioritized, and hopefully his statement during the State of the Union address would suggest that he wants to work with the Democratic Congress to try to address these two problems, but his proposals have essentially been a nonstarter because they don't address the actual problems that he is seeking to highlight.

Essentially what he has done, and this is the one thing that I think is the most incredulous, is he is talking about a tax increase, and many of you know that President Bush repeatedly said he would never support a tax increase. It has been sort of the hallmark of his 6 or 7 years in office now, that he didn't want tax increases. But he actually said that he would effectuate a tax increase on a lot of people through his health insurance plan, because what he does is basically take those people who have a very good comprehensive policy, what you might call a Cadillac or a gold-plated insurance policy, well, they are going to be taxed. And the way that he is going to pay for the program is essentially to say, I will tax the people who have very good insurance coverage in order to give a break, a tax break, if you will, to those people who don't, and I'll encourage people to go into the individual market because we will give them the tax break paid for by a tax increase for the first time on people that have a very good policy. Now, I know it gets a little complicated there, but I think it is very important for everyone to understand that he is actually proposing a tax increase on those people that have very good insurance coverage right now.

Now, I could talk for a lot longer on this, but I see that I have been joined by some of my colleagues. So rather just talking myself for the next 5 or 10 minutes, I would like to hear from some of them. I will start by yielding to the gentleman from Pennsylvania.

If I could just mention that both of my colleagues that are here tonight, one from Pennsylvania, one from Tennessee are new Members, and I particularly appreciate your coming down to discuss this.

The gentleman from Pennsylvania.

Mr. ALTMIRE. I thank the gentleman, and I would address the Chair. We have a situation in this country as was just outlined where we have 47 million Americans with no health insurance at all. We have tens of millions more that live in fear of losing their coverage. Employers often are unable to offer insurance to their employees. This is an epidemic in this country, and I heard about it back in the district this past weekend, I hear about it everywhere I go, because health insurance is an issue that affects everybody. It doesn't matter if you are rich or poor, live in an urban setting, rural area. No matter where you are from, health care affects you directly. And, unfortunately, for the past 6 years this issue has been ignored. And truth be told, it has been ignored for longer than that. And we need to look at this issue because this is affecting our economy.

At General Motors, $1,500 of the price of producing a car is because of their health benefits. We can't compete with the rest of the world when other countries have health insurance provided. So we are starting $1,500 in the hole.

So I do commend President Bush for including health care as one of his top priorities in the State of the Union address. It is something that is long overdue, and I am happy that he has finally decided to look seriously at this issue. Unfortunately, the plan that he has proposed is not going to be more than a drop in the bucket to solving that problem.

We have a President who has now proposed a solution based on changes in the Tax Code to solve a problem that I have outlined. We spend $2 trillion a year as a Nation on health care, so he has recommended that he in some cases actually raise the costs to people's out-of-pocket expenses by taxing health care benefits for people. And I want to tell you something, if you don't have enough money to buy health insurance right now, you are one of the 58 million families that don't have any taxable income now because you are not making enough money to pay taxes, a tax deduction is not going to help you afford health insurance. And under the President's most optimistic estimations, his plan only offers health insurance to 3 million of the 47 million Americans that currently lack health insurance. So there may be a role for a Tax Code solution to the health crisis that we are facing in this country, but it is a very small part of what is happening.

I am glad that the doctor from Wisconsin has joined us, and I am sure he will have a lot to say.

Mr. PALLONE. If I could just ask the gentleman to yield back. I just want to give an example of exactly what you were talking about.

Under the President's tax plan, a low-income person who was previously uninsured would receive about a $1,200 tax break. That is assuming that they are paying taxes. At a time when the average cost of coverage for a family is around $11,000 a year, a $1,200 tax break is not going to be enough to get that person insured. In contrast, the higher-income person who was previously uninsured would receive nearly $6,000. So the problem is, the person who is more likely to benefit from this is the higher-income person who doesn't have a very good plan. If their plan is good, then they are even going to get taxed on it.

So your point I think is very well taken, how is that little bit of a tax break going to get that person to be able to go out into the individual market and buy a health insurance policy? It is simply not the case.

I yield back to you.

Mr. ALTMIRE. I thank the gentleman. And what this does is provide an incentive for younger and healthier workers to purchase insurance outside of the employer's plan because those benefits will be taxed, leaving only the older and sicker workers in the employer's risk pool, which is going to raise costs not only for us as individuals but for employers. And that is the last thing we need to be doing. That is going in exactly the wrong direction, because ultimately the employer's insurance is going to become unaffordable as it is left with nothing but sicker people in the risk pool.

And we need a more efficient system where we encourage people who are younger and healthier to participate in the same risk pools as everybody else, because right now if you are a small employer especially and one of your employees get sick, you get a phone call from the insurance company that says, You have two choices: we are either going to quadruple your premiums, or we are going to drop you entirely. And this plan that the President has proposed exacerbates that problem. It makes it worse, because now your benefits are taxed on top of having your premiums quadrupled.

Mr. PALLONE. I would just ask the gentleman, my question, isn't it also possible under the scenario you laid out that under the President's plan that the employer has an incentive to essentially drop insurance coverage all together and say, Okay, well, now that you have this tax deduction, why don't you just go out and buy insurance on your own. And doesn't even offer the health insurance anymore. It actually could even make the situation worse in terms of the uninsured, because he says, Okay, you go out now and buy the insurance on your own.

Mr. ALTMIRE. And it is going to flood the insurance market with people who can't afford health insurance because of health problems.

□ 1900

Now if you are young and healthy and wealthy, that is a great plan. That sounds fine. Go out in the insurance market and buy a high-deductible, catastrophic plan, and you will be fine.

But for most American families in this country, we are going to see our insurance costs increase. Even if we are not participating in any of the new plans and nothing changes for us, our

costs are going to go up because folks who are younger and healthy are now outside the system, and we are in the same insurance pool with everybody else.

Mr. PALLONE. The other thing that bothers me is that a lot of people will either individually negotiate with their employer, or if they are part of a union, negotiate through their union, a better health package, and call it a Cadillac or gold-plated package. They trade that for not having a salary increase or some other benefit because they want that health care benefit for themselves or their family.

So why should they be penalized by having to pay an extra tax because they have made that decision? These are the kinds of life decisions that people make depending on their circumstances.

I yield to the gentleman from Tennessee.

Mr. COHEN. I had the distinct honor of presiding during the last 2½ hours, and I heard some verbiage that was thrown out to the freshmen about how we were not having participation in this process. And the gentleman who asked that question said nobody had answered his response. There is a rule that the Speaker cannot respond, and as a freshman it was difficult, but I restrained myself and now have an opportunity to respond.

The freshmen are happy with the procedures that are going on, and the processes, and are glad to be part of this Democratic majority.

We are funding more money in the budget for Pell Grants, which is an issue that I have great concern with. I know that Mr. ALTMIRE also does, and so does Dr. KAGEN. And we are also funding money for the COPS program and for Head Start. There are wonderful things for veterans and health care in the budget. The freshmen had input and feel comfortable with it.

I am afraid that a false impression was given to the people of America during the last hour.

Mr. PALLONE. If I may interrupt, this continuing resolution is essentially continuing the same level of funding; and yet it is making these advances, including a number in the health care area. Veterans' health care goes up, as does funding for the National Institutes of Health and funding for Ryan White and community health centers.

There is a lot of additional money to address the health care crisis in the country that we are focusing on tonight.

Mr. COHEN. If I may ask, you were here in the previous Congress. Didn't the Republican-controlled Congress have a chance to pass that budget and have all the input that they wanted, and they failed to do it? Why is the continuing resolution here?

Mr. PALLONE. Because they were the do-nothing Congress, essentially. That was their hallmark.

Today is January 30. We have met the majority of the business days this month. We have been in session. We passed bills during the 100 hours that affect so many things: negotiated prices for prescription drugs, cutting the interest rate for student loans in half, and the list goes on.

They met once in the previous session in January. The way the process works, and I know you are familiar with it, is that your appropriations bills are supposed to be passed in both the House and Senate by, say, June or July at the latest, and then you have conferences. And before October 1, which is the beginning of the fiscal year, you come back with the conference reports in September and you pass them before October 1, which is the end of the fiscal year.

They did none of that. They only passed those bills and sent them to the President in two cases: defense and military construction bills, both defense-oriented. Everything else was neglected. I don't believe the Senate passed a single bill. In the House we passed some, didn't pass others.

And when they had the lame duck session after the election, they simply went out of business. They passed a CR which just continues current levels of funding until February 15 and said, Okay, you guys won the election, you deal with it.

Normally, in January, we start the next fiscal year, having hearings and putting together the budget, and the President delivers it by the end of the month or the beginning of February. If we didn't pass the continuing resolution to get this year done quickly in the fashion we are going to tomorrow, or in the next couple of days or weeks, we would be having to deal with last year's budget left to us by them, this mess, and we wouldn't even have time to move on to the next fiscal year.

They just left this mess. The amazing thing is it has no earmarks, which is a reform, and yet they keep talking about it as if it does.

Mr. COHEN. The gentleman from Iowa talked about a cowgirl museum in Iowa. Is that in this budget?

Mr. PALLONE. I don't know the specifics in terms of each line item. It is a 400-page bill. But I would point out, we have that language in the bill that I read before that specifically says that any suggestion that there be an earmark, even if it is just in a committee report or even suggested by the managers, should be simply ignored by the agencies that are involved.

Imagine that, as Democrats in the majority, we are telling the agencies that are controlled by the Republican President, pay no attention to any suggestion of an earmark, do what you think is best. What can be more bipartisan than that? And yet they are saying it is filled with all of these earmarks.

Mr. COHEN. The gentleman started with some story about Greece. I thought about it and I thought about the Trojan horse and this health care plan. The State of the Union address mentioned health care, but when you get into it, it is really a tax increase, as Representative ALTMIRE mentioned. And it is going to affect charity hospitals, and that is the bottom line, the safety net, and it is probably going to destroy those hospitals. Is this plan not a Trojan horse?

Mr. PALLONE. I am glad you mentioned that. I think that is a very important point.

The President is very much aware of the fact that many States, and there are getting to be more and more—in my State in April there is going to be a proposal to have universal coverage in New Jersey. Many States are trying to cover everyone and get rid of all of the uninsured.

What the President said in the State of the Union address was, we will take money from disproportionate-share hospitals, and these are hospitals that are getting Federal dollars because they have a high number of charity care cases, people who have no insurance; he is saying we will cut back and we will give that to States, to the governors, so they can help deal with the problem of the uninsured.

Well, in many States, including my own, that will only aggravate the problem. They are getting that money to cover people who have no insurance. So it is like, what is the expression, robbing Peter to pay Paul. That is essentially what it is. We will take the money that is now being used to cover people, and we will cut that and give it back to you so you can cover them. It makes no sense.

Mr. COHEN. I appreciate the opportunity to speak.

We have one of our experts here, a physician and highly respected Member from Wisconsin, Representative KAGEN, and I would just say that I have learned from a lot of the briefings that the freshmen have had that the disparity of wealth in this country is the greatest it has been since the 1920s, and that is because of a lot of the actions of the previous Congress and this administration. And now they are going to make the disparity in health as great as the disparity in wealth, and we have already seen what they did with stealth.

So, Jesse Jackson, we are here.

Mr. PALLONE. I appreciate the gentleman's comments. Now that Dr. KAGEN has been mentioned, I will yield to you.

I want to say one thing, and that is, many times in the Energy and Commerce Committee the Republican side of the aisle would point out how they had a number of doctors and would suggest that they had a sort of exclusivity to their knowledge of medical and health care issues because they had these doctors. I am glad to see that there were doctors on the Republican side, but I am also glad to see we are getting more doctors on the Democratic side.

I yield to the gentleman from Wisconsin.

Mr. KAGEN. Thank you very much. I appreciate the opportunity to be here with you this evening.

Everyone in this room, everyone in this country has a health care story to tell. But if you want to talk first about the President's proposal, I think it falls not in terms of a Trojan horse, but a smoke screen, much like the Social Security crisis was a smoke screen to distract people from what was really going on.

I have a chart here that demonstrates that the number of uninsured Americans exceeds the cumulative population of 24 States in our country. Really what we are talking about is the uninsured and even those that have insurance coverage, just having insurance coverage doesn't guarantee that you are going to get coverage. After all, in my medical practice every day, when I would write a prescription, maybe one chance in two, one chance in three, it wasn't covered, it wasn't on the plan, or in Medicare part D on the 44 different lists we had in Wisconsin.

I would start off on a positive note and say that the President should be commended for raising this important crisis. It is, in my view, the most important crisis facing our economy. The impossible costs of health care are holding back employment. Employers are unable to employ new employees because of the high cost of insuring them.

In my hometown of Appleton, a new teacher this year will be paid $30,000, but his or her insurance coverage will be $12,000 to $13,000, in another neighboring city, $17,000. For anyone earning less than $48,000, the cost of health insurance coverage is simply out of reach.

Medically speaking, I would say thank you to the President, but your idea is DOA, dead on arrival. It simply won't work, and it will not solve the crisis we are all facing.

He had some other interesting and positive ideas. The idea of the health savings account, I think it is a great idea that people are saving money, but no matter how much money you are saving, it doesn't affect the cost of health insurance, it doesn't affect the cost of your physician's charges, the hospital expenses, or the prescription drugs that many people need.

Everyone has a health care story to tell, and it is for those people and everyone in the country that this 110th Congress must address this crisis.

Now let me ask all of you, Mr. ALTMIRE, don't you want to know the price of a pill before you swallow it?

Mr. ALTMIRE. Absolutely.

Mr. KAGEN. If you are buying a car or truck or new suit, don't you ask the price? And when you ask the price, you find out the price.

I challenge all of us in this room tonight and everyone listening at home, call up your local hospital and ask: Excuse me, what does it cost for a mammogram, and 99.9 percent of the time you are going to get this answer: ''Well, what insurance do you have?''

I think we need to have transparency, and this is one of the ideas that President Bush is in favor of, and I am sure our Republican colleagues would be as well.

I believe we need to openly disclose all prices in health care. I believe every citizen should get the same discount. I don't believe in discrimination.

Today, on average, if you are covered by Medicare part D, if you go to the pharmacy and you are in line behind somebody from the VA, you are going to pay 46 percent more for that prescription, the identical prescription being sold to a veteran patient, and yet you are paying more. I feel that is a form of discrimination.

So if we have an open and transparent marketplace where everyone gets the same discount, where prices are openly disclosed, we form one nation again, not State by State solutions which are very difficult and challenging and unique to the region.

I believe if you are a citizen, you should be in the risk pool across the country. Everyone has a health care story tonight, and what they need to understand is that the Democrats are really listening.

This health care crisis is something that I see and feel every day as a physician. It is something all of us in Congress hear about here in Washington and when we are back home listening to our constituents. I think we need to spread the word that this Congress, the 110th Congress, and especially if I can say the word, our freshmen class, will address this issue and take it on straight away.

Mr. PALLONE. The President talks about health care costs, but in my opinion the biggest thing that could be done or one of the major accomplishments would be if he would simply go along with what we passed in the first 100 hours, which is negotiated prices for prescription drugs. Imagine the amount of money we could save with that.

It passed the House and it is over in the Senate, but he has said he is opposed to it. I am hoping that we can pass something in the Senate and we can get something to his desk that he will sign.

It is sort of hypocrisy on the one hand to talk about increasing costs, and this would be one of the easiest ways to save money, and we did it as Democrats, with all the new Members' help in the first 100 hours, and I hope that he would reconsider his opposition to it.

□ 1915

Mr. KAGEN. You are quite right, and I would look at it and phrase it a little bit differently.

I believe our President must be kind to seniors and kind to all Americans, and he would be kind in signing the opportunity to negotiate for a lower price for medications. I believe it is discriminatory, as I said.

I look at the world and say, okay, what I am about to do, is it kind or unkind. I think it would be terribly unkind to all senior citizens, to anyone certainly in AARP, if President Bush were to veto that bill.

Mr. PALLONE. Mr. Speaker, I see we have also been joined by another new Member, the gentlewoman from Florida (Ms. CASTOR), and I would yield to her at this time.

Ms. CASTOR. Mr. Speaker, I thank my colleague, the distinguished gentleman from New Jersey, who has been a leader in this Congress on health care, and, yes, you are joined by a number of new Members tonight that were elected because of our desire to work on health care solutions for the American people.

So like my colleague from Wisconsin and my colleague from Pennsylvania, I also listened intently last week to what President Bush had to say on health care, and, unfortunately, I did not hear anything that will help one person go to the doctor's office and get health care. Instead, what he said is, you go to your accountant's office, not your doctor's office. You go to your accountant's office and you get a tax deduction and you work that out on your tax forms.

Well, that does not make sense for the vast majority of people, especially in the Tampa Bay area, 20 percent without health insurance today, having to go to the emergency room for their primary care, rather than going to a doctor's office for their primary care.

He says take a tax deduction. The problem is that so many people are just getting by. They are right there at the poverty level. That is $9,000 for an individual, about $20,000 for a family of four. Imagine trying to live off $20,000 for a family of four. They do not pay taxes. They do not pay income taxes. They pay sales tax, but that tax deduction that President Bush wants you to get to get your health care is not going to do anything for those hardworking families.

The second part of his plan is equally troubling because he wants to sock it to the hospitals in this country that are providing charity care. In Tampa, Tampa General Hospital provides millions of dollars in charity care, and they are able through Federal law to send up some money, match it and bring home some dollars, especially in Hillsboro County, a county of about 1.3 million people. We have an award-winning health care program where the citizens of the county and a lot of our tourists pay a sales tax, and we devote that to a system of clinics throughout our community. We also send up that money to the Federal Government, and they say you are doing such a good job on the local level, taking care of your citizens in a network of clinics and not in the ER, that we will give you further incentives through ''disproportionate share money'' they call it.

What the President would do is take those incentives away from local governments like mine, like in Hillsboro County, this network of doctors and

hospitals that we have built up, and say, you know what we are going to do with that stream of money, we are going to probably turn it over to the HMOs and privatize the system.

This, I think, is another attempt by the Bush administration to embark on a privatization scheme which sounds awfully similar to what he proposed for Social Security.

My locals, my hospitals, doctors and, most importantly, the hardworking families in my district are not going to be well-served by the President's health care proposals. What do you think this will do to hospitals in your area?

Mr. PALLONE. I yield to either one of you. I see the gentleman from Wisconsin has something to say.

Mr. KAGEN. I have a lot to say about this subject, a lot of feelings. I would say it this way:

Medicare part D has already been privatized because no longer is the benefit money going to go to a constituent, to a Medicare enrollee. It goes to the insurance company. In fact, all of us taxpayers paid money to private insurance companies for the marketing of this most fiscally irresponsible program ever to be rolled out by the Federal Government to help them to be successful to privatize the Medicare patients.

Ms. CASTOR. You are right. Add the Medicare part D privatization, all of those moneys going to HMO profits and pharmaceutical companies' profits, to Social Security privatization attempted by the Bush administration, why are hospitals' charity care next? Why the foundation of the last resort for so many families? Why do they want to take away resources from the hardworking doctors and our charity hospitals?

Mr. PALLONE. I would just say, you know, a lot of people will say, well, why would the President want to do this? Why does he privatize? Why does he give money to the HMOs? What is the reason? Because you would like to think he would make the right decisions and do the right things.

There are two things I have to point out: one is that he is often driven by ideology, and I think it is a mistake. You have to be practical. You have to look at what actually works and not just look and say, well, government is not good and privatizing is better. Sometimes government is better. Sometimes privatizing is better. But just do not be stuck in this ideology that it is always better to privatize.

The other thing, unfortunately, is the special interests. I mean, the bottom line is that the drug companies traditionally gave a lot of money to the Republican candidates and his own campaign, and the same with the HMOs. The HMOs were always the darling of the Republicans and the President, and they contributed a lot to their campaigns. So there is a special interest reason here, as well as an ideological reason unfortunately.

I yield to the gentleman.

Mr. KAGEN. I want to make it perfectly clear to everyone in this room and beyond that we Democrats are very much in favor of profits. We believe in capitalism, and the problem that your hospitals have in Florida or Pennsylvania or New Jersey or Wisconsin, the problem we have in large part is this thing called ''cost shifting.'' The cost of providing a service to a Medicare enrollee does not cover the overhead, does not cover the operating expense to provide that service. So someone has to make up that difference. It takes so much money to run a business, to run a hospital or a clinic or a drug company, but we want people to be profitable. So we are not against profits, but we are against the idea of privatization of what is an essential service, one of the greatest social programs ever rolled out by this Nation being Medicare.

Now, I would be the first to admit that Medicare is a mess. I do not know of any doctor or administrator that really understands all the 44,000 pages of the rules, but it does not mean that it cannot be fixed. It does not mean that we cannot take a positive attitude toward it and address it and fix it.

Now, I am also a small businessman. I want everyone in this room and beyond to understand, the Democrats are pro-small business. Every small business in this country is facing a crisis because they cannot afford their health insurance premiums. Whether you are a farmer, a photographer or an employer of 50 or fewer people, health care is out of reach. The cost is out of reach, and this Congress needs to step up, not with the President's idea of tax benefits, but we should take part of the good from his policy and bring it to the floor with a new idea.

Mr. PALLONE. I want to yield to the gentleman from Pennsylvania, but I would say if you were going to use the tax policy or the tax system as a way of addressing this in some meaningful way, it would be a lot more meaningful to a low-income person if it was a refundable tax credit than as a tax deduction, simply because they really cannot take advantage of the tax deduction.

At some point, I think we should also talk in the next 20 minutes or so about some of the alternatives that we would like to see instead of the President's plan, but I did not give the gentleman from Pennsylvania an opportunity. So I go back to him at this point.

Mr. ALTMIRE. Mr. Speaker, I thank the gentleman. I did want to talk about some of the out-of-pocket costs that individuals and families are going to be facing with this plan.

I did want to say how happy I am to see the gentlewoman from Florida, a very distinguished graduate from the Florida State University School of Law, here to join us tonight. I was excited to hear your remarks as well.

Something that has not been talked about but I want Members to think about this when they go home and talk to especially their seniors, but also folks who maybe are just starting in the workforce and have years, maybe decades left ahead of them to pay into the Social Security system and look forward to their Social Security benefits, I want those Members to talk to their constituents about the fact that this plan, as proposed by the President, does the tax deduction up to $15,000 of taxable income.

So what that does, as we have talked about it, is it taxes your health care benefits above that level, but more importantly, from the perspective of Social Security, it reduces your income subject to the calculation of Social Security year after year after year, compounding itself, and that is going to reduce the Social Security benefits, your monthly check, for millions of Americans. That is something that is not even being discussed in this debate.

We all know the out-of-pocket costs on our health care, and I am going to talk about that in a moment, but I want folks who have years ahead of them to pay into the Social Security system to think what that would do to have $15,000 removed from your calculatable income for the purposes of determining your Social Security benefits. That is a direct hit on working-class Americans.

I also want folks to think about the fact that that $15,000 is going to be subject to a cost-of-living-type adjustment, inflation adjustment each year, but the cost of health care rises often three and four times greater annually than the cost of living in this country. So if you are a younger worker paying into this system year after year, you are going to lose money year after year after year in inflation-adjusted dollars because it is adjusted on the $15,000 based on the cost of living, not the actual cost of increases in the health care. That is a real hit to working Americans and working families in this country.

Lastly, I spoke earlier about the fact that this provides an incentive to younger and healthier workers to opt-out of this system and maybe opt for catastrophic, high-deductible plans, hoping that they will not get sick. What young families do not realize, the exact people that I am talking about is often in almost every case, maternity care is not covered under those types of plans. So for those Members who want to go back and talk to some of their young families in their district, I would ask them to consider how expensive that would be if they had to pay out of pocket for the costs of their maternity care.

I know Dr. KAGEN could certainly comment on what those costs would be. We are talking about a real hit to working-class Americans. This does not benefit the majority of Americans, and, in fact, this makes the cost of health care more unaffordable for individuals. It raises costs on small businesses, employers, and it especially

hurts the self-employed because it removes the current deduction on health care for our self-employed.

So, again, the President has moved us in exactly the wrong direction that we need to be going.

Mr. PALLONE. I appreciate your comments because I think it is very important and I know it is a little detailed, but the fact of the matter is these points need to be made.

I just wanted to lead us, if I could, we have about 15, 20 minutes left, maybe not quite 20, into what we would do as an alternative. As I said, if you wanted to use tax policy as a way of trying to address the problems here, and I am not saying that that is the most effective way to do it, but if you did, certainly a refundable tax credit would be more useful to that lower-income person than this deduction that may not even be able to take advantage of.

But I just wanted to also point out that if you look at the problem with the uninsured right now, first is the employer-sponsored insurance which increasingly fewer and fewer people are able to take advantage of, even though they are working, because the employer simply does not provide either any coverage or a meaningful coverage that they can afford with their copayment.

What employers tell me is that we have to provide some sort of incentive for them if they are going to cover those people that work for them that they do not cover now, and that either means, again, if you are going to use tax policy, some kind of tax benefit to them or, alternatively, getting rid of some of the cost of the coverage.

For example, when Senator KERRY was running for President, he had proposed taking catastrophic insurance off the table. In other words, having the government in some way provide for catastrophic coverage because that is a big part of the cost and so the employers, if they did not have to pay for catastrophic coverage because the government was subsidizing that in some way, they would be a lot more likely to offer a health insurance plan with a relatively low copayment.

□ 1930

This is something the President hasn't mentioned.

The other thing, I think, and even more important, is that you have to realize there are a lot of people that are just never going to get employer-sponsored coverage, either because of the situation with their employment, whether it is full-time or part-time, or because they are not working and they are not, for some reason, eligible for existing government programs.

We also need to look at the government programs which the President completely ignores, whether it be, you know, Medicaid or Medicare or the SCHIP, you know, program for kids, and look at ways to expand eligibility and provide funding for those programs to sort of take up the gap.

I just want to throw those out as the types of things that the Democrats will be looking at in addition to the tax policy.

I yield to the gentlewoman from Florida.

Ms. CASTOR. I thank the gentleman.

There is good news now that we have the new Democratic Congress, and this year we are going to reauthorize that children's health insurance program. The gentleman from New Jersey has been a true leader in this effort, and I look forward to working with you in that effort.

But here is a real success story over the years where, under President Clinton, out of a program that grew out of the State of Florida, so I have a bit of pride in that, children of working families, and we are not talking about the low-income, impoverished, we are talking middle-class families that don't have any other way to take their son or daughter to the doctor in an affordable way.

Well, this year is our opportunity to look at what has worked across the country. There are programs in many States. Many States have been very aggressive, and they understand how important it is for children to be immunized, for them to make sure that a cold doesn't turn into pneumonia, because ultimately we will pay those higher costs on the back end if we don't treat them on the front end.

Unfortunately, in the State of Florida, we are not living up to the initiation of the program and the grant, the pride that comes from that originating in Florida. I am going to have to get one of these nice fancy charts one day. But I have got one here that shows what a success it was in Florida when we started, but because of bureaucratic barriers created under another Bush, under former Governor Bush, we have lost hundreds of thousands of children off the rolls, which doesn't mean that all children in Florida are healthier, we are still a growing State, but they have created such a costly bureaucracy for parents and for doctors and for all health care providers that we are not able to serve kids like we should.

So that is one of the critical solutions that I think we have got to work on.

Let us cut out this bureaucracy. What is wrong with allowing parents to take their child to the doctor's office, just take them to the doctor's office and get the health care they need without creating all of this paperwork and bean counters in Tallahassee and bean counters in Washington that are having to spend a lot of time and a lot of our resources that could be going into the health care for our kids?

Mr. PALLONE. I appreciate your comments. I think they are right on point. We, in our Health Subcommittee, the Energy and Commerce Committee, in about 2 weeks, are going to have hearings on the SCHIP, the kid care program. One of the things we will be looking at is how we can get kids, now eligible, enrolled, because there are too many barriers.

I mean, in my home State of New Jersey, I really believe in our State we have been doing everything we can to try to get kids enrolled who are eligible. But we still have the majority, we have more kids that are eligible for SCHIP that are not enrolled than we had kids that are actually enrolled.

So something has to be done, whether it is outreach, whether it is getting rid of the bureaucracy, streamlining the application process. These are some of the things that we as Democrats are going to take up here, because this is a major way of covering the uninsured.

The biggest group of uninsured continues to be children, so I appreciate the gentleman's comment.

I see the good doctor from Wisconsin.

I yield to the gentleman from Wisconsin.

Mr. KAGEN. I agree with you that many people get very confused when you start talking about bean counting and you get into the numbers. It gets very confusing. We might be better off for everyone to understand health care and simplify it if we talk about trying to identify the essential elements that should be in any successful universal health care initiative.

Those essential elements that I don't think anyone would disagree with would be that if you are a citizen, you should be in the risk pool. Because in every State, what they are trying to do now as they seek to find a solution to this urgent problem, every State is trying to form a larger buying group, a larger insurance pool. That is really their only game plan to leverage down the costs. But if we have 300 million in an insurance risk pool with regional modifiers, we can really begin to leverage down insurance costs.

I would ask this question, what is the purpose of having health insurance? Health insurance is a form of delayed income. You put your hard-earned money into the insurance company's hands so that when you or a member of your family becomes ill, you get it back. But unfortunately today, when the money goes into the insurance company, you have to fight like heck to get it back, and it may not come back in total.

Health insurance should be available to everyone at an openly disclosed price, so everyone has an opportunity to buy something that is affordable.

Let us look at the numbers. In 1989, 83 percent of Americans had health insurance coverage from work; in 2004, 56 percent. It was because employers couldn't afford to pay the price. The cost was impossible to pay. If we had numbers today, it might be below 50 percent. More and more people that are watching tonight are falling into this category, going to bed at night knowing that if anyone in the family is ill, they are going to lose their house.

What insurance ought to be all about is guaranteeing, if you do become ill or anyone in your family becomes ill, you

are still in your house and not the poorhouse. If we identify the essential elements that need to be in any solution that is universal, I think there are several. First, openly disclose the prices.

Second, every citizen should be allowed to pay the lowest price.

Third, I think we need that insurance risk pool to be nationwide. If you are a citizen, you are in with no cherry-picking.

Fourth, we need to have a deductible that is 3 percent of a household's Federal taxable income.

If Mr. ALTMIRE were to make $100,000 a year, he and his family could afford $3,000 on health care. But then give it to him as a tax deduction at the end of the year, up to that 3 percent limit.

Fifth, most importantly, I believe the measure of any nation is in how we treat those who are in need. So I would say it this way, that local, State and national governments must provide for those in need.

I think it is up to us here as Democrats and Republicans to come together and decide who is in need and what is it we should provide for them? If we can agree on the essential elements that should be in any national solution, the next step will be much more easy to take.

Mr. PALLONE. I wanted to yield to the gentleman from Pennsylvania. I think we have about 7 minutes left, but I did want to mention one other thing. I know the gentleman from Florida brought up community health centers and that type of thing. That has got to be an important part of this as well.

It is unfortunate, because a few years ago in his budget message or State of the Union, the President actually said he wanted to prioritize community health centers and create a lot more, but he never provided the funding to do that, which is often the case. We get the rhetoric, but we don't get the funding.

To the extent that you can, take a lot of the people who are uninsured and who will go to an emergency room, and become part of that uncompensated care that is a big burden on the hospital, and you can, instead, set up community health centers, whether in a fixed place or in a mobile van or whatever, and have people go there as they would go to a doctor, as you said, and get the preventive care they would get from a doctor, as opposed to an emergency room later. That is a big factor in this, as well, that we have to look at. I wanted to commend the gentlewoman for what she said in that regard.

I yield to the gentleman from Pennsylvania again.

Mr. ALTMIRE. I wanted to comment on what the gentleman from Wisconsin was discussing with regard to community rating, which means there are approximately 160 million people in this country that are privately insured, get their insurance through their employer, pay for it themselves, but they participate in the private market.

What the gentleman is recommending, which I think would be a good step, is to put those people, or at least a large portion of those people, in the same community-rated risk pool for the purposes of setting their insurance rates. You are still getting your insurance from the same people. You still have the same freedom of choice in the market and to choose your own health plan with this initial step, but the difference is, instead of you being viewed as an individual for the purposes of setting your rates, or small business, only your 10 employees being viewed together, you have 160 million people that are in the same pool.

So if you or a member of your family, or one of your employees in the case of a small business, has the misfortune to get sick or injured, you don't get that phone call from the insurance company saying, we are going to raise your rates, because you have your rates set by the health status of the pool at large, 160 million people, not just you as an individual or your employees.

I would commend the gentleman from Wisconsin for recommending that. I do think that would be a step in the right direction.

Mr. PALLONE. I yield to the gentlewoman from Florida.

Ms. CASTOR. Well, under the new Democratic Congress, I think we now can show some leadership when it comes to health care solutions. We have such expertise out in our country in the various universities and the medical schools and with the researchers, and it is time for a little leadership on wellness care and preventive medicine.

I was listening very intently to President Bush last week, hoping that he would be true to his conservative principles and say we need to conserve energy and you need to be conservative in how you take care of yourself.

I think now is the time for Democrats to provide this kind of leadership on diabetes, obesity prevention that is running rampant among our children.

How do you prevent heart disease? Show how important it is to exercise, eat well and sleep. These are simple things that if we commit as a country to wellness and preventive care, we are sure to save millions of dollars later when it comes to funding Medicare and those types of programs.

Mr. PALLONE. I appreciate what the gentlewoman is saying. You can look at every government program, whether it is Medicare, Medicaid, NIH, whatever it is, and you can try to look at those or reinvent them so that there is more of an emphasis on prevention and wellness. This is a theme that we can look at and try to make some changes, and I think it really would make a difference.

I appreciate your comments.

I yield to the gentleman from Wisconsin.

Mr. KAGEN. It is a tremendous concept, and it will work. It is an old saying, an ounce of prevention is worth a pound of cure. It works in health care. It works across the country, works on your automobile and will work on your body as well.

Here is another sentinel idea. Right now the insurance companies write their own policies that benefit them. I think it is time for Congress to consider writing a Federal standard, a basic health insurance policy. It becomes a Federal standard. We have Federal standards in automobile manufacturing. We have Federal standards in construction, in health care, in every industry that you can name. But we don't have a basic health care policy that each and every insurance company should have to sell.

You see, if every insurance company was selling the same piece of paper, then we could compare them based on the quality of their services and their price.

I think it is time to take that step. It is time for us in Congress to decide what should be covered. If it is in your body, head to toe, I think it should be covered. I think it is time to start writing a basic, standard health insurance policy, not mandating prices, but allow the insurance industry to set their own prices and compete for us.

Right now, back home in Wisconsin, my patients are on their hands and knees crawling to the insurance companies hoping to get in. Farmers will have their wife or themselves working on the farm during the daytime, working a nighttime job, just to get the health care benefits.

Mr. PALLONE. I know that we only have a couple of minutes left, if that, and I just wanted to thank all of you for joining with me tonight. Other than me, it was all new Members, and I think that gives us new, fresh insights into what we need to do that is really so crucial. Thank you.

If I could just say, Madam Speaker, in summing up, that, number one, we do commend the President for prioritizing health care in his State of the Union address, but essentially what he has suggested as a way of dealing with the problems is not a good start. In fact, it is very much the privatization and ideological answers that I don't think are going to work.

Democrats do have alternatives. We certainly intend, now that we are part of this majority, to move forward on those alternatives. But I know that with the input from the new Members we are going to make a difference.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. Res. 20, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2007

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110–6) on the resolution (H. Res. 116) providing for consideration of the joint resolution (H.J. Res. 20) making further continuing appropriations for the fiscal year 2007, and for other

purposes, which was referred to the House Calendar and ordered to be printed.

□ 1945

ENERGY

The SPEAKER pro tempore (Mrs. BOYDA of Kansas). Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Madam Speaker, this is the 22nd time, I believe, that I have come here to the well of the House to talk about a subject which I think will be the overarching concern of our world for the next decades and several decades beyond that. That subject is energy and specifically the energy that we get from oil.

As an illustration of the problems we face, I have here a map of the world as it would be drawn if each country was sized relative to the amount of oil reserves that it had. So this is the world according to oil. And you see here Saudi Arabia, and it would swallow up the United States. How many times would it swallow us up, a dozen, 15 times?

Notice the incredible wealth of oil in the Middle East. Venezuela looms, what, two, three times the size of the United States as far as reserves of oil are concerned. The little United Arab Emirates, you can hardly find them on a map. They are kind of a little pinpoint on a usual map, and there they are six, eight times larger than the United States with their reserves of oil. The famed reserves of Russia up there. Notice that the United Arab Emirates have more oil than Russia has. And Saudi Arabia, of course, and Iraq. And little Kuwait, a little province that Saddam Hussein thought ought to belong to Iraq when he invaded it more than a decade ago, has many times as much oil as the United States and more oil than Russia has.

Remember this map when we put the next map of the world up here because this is an interesting map. And this is a map with the continents, the countries drawn relative to their actual size. And you will notice here the little symbols that represent several things, and one of them is oil that China has bought around the world. And this is Unocal, which they almost bought in our country. Everywhere you see this little symbol, the Chinese have bought rights to oil. They are scouring the world for oil.

And the next chart shows a statement by Condoleezza Rice, who recognized this. And this is a pretty interesting statement made by our Secretary of State: ''We do have to do something about the energy problem.''

Thank you. I am pleased that you recognize that.

''I can tell you that nothing has really taken me aback more as Secretary of State than the way that the politics of energy is. I will use the word wharping diplomacy around the world. We have simply got to do something about the wharping now of diplomatic effort by the all-out rush for energy supply.'' And, of course, China has been preeminent in this.

Several days ago I came upon an article. I have no idea why it took so long to come to light. It really is not an article. It really is the script of a speech that was given by Rear Admiral Hyman Rickover, the father of the nuclear submarine. And he gave this speech, it will be 50 years this coming May 14, 1957. He gave this speech to a banquet of the Annual Scientific Assembly of the Minnesota State Medical Association in St. Paul, Minnesota. And we will recognize, celebrate the 50th anniversary of that here in a relatively few months. That speech, by the way, was just 14 months and 6 days after a really famous speech that was given by M. King Hubbert in San Antonio, Texas, to a group of oil people in which he made a prediction that we will be talking about this evening, and that is that the United States would reach its maximum oil production just 14 years after that in 1970.

And right on target, that is exactly what happened. And no matter what we have done since then, we have pumped less oil than before until now we are pumping about half the oil that we pumped in 1970. He predicted that the world would be peaking about now, and that is the subject that brings us here tonight. I have a few excerpts here from this speech that he gave:

''High energy consumption has always been a prerequisite of political power. The tendency is for political power to be concentrated in an ever smaller number of countries. Ultimately the nation which controls the largest energy resource will become dominant. If we give thought to the problem of energy resources, if we act wisely and in time to conserve what we have and prepare well for necessary future changes, we shall ensure this dominant position for our own country.''

He said this 50 years ago: ''If we act wisely and in time,'' he says 50 years ago, ''to conserve what we have and prepare well for the necessary future changes, we shall ensure this dominant position for our own country.'' We have done nothing in the last 50 years except try to find more and more gas and oil and coal and use more and more of what we have found.

Another quote from this very interesting speech: ''In the 8,000 years from the beginning of history to the year 2000 A.D., world population will have grown from 10 million to 4 billion . . .''

Now, he missed it a little because we are at nearly 7 billion now.

'' . . . with 90 percent of that growth taking place during the last 5 percent . . . ''

Way more than 90 percent taking place during the last 5 percent of that period.

'' . . . in 400 years. It took the first 3,000 years of recorded history to accomplish the first doubling of population, 100 years for the last doubling, but the next doubling will require only 50 years.'' And it occurred well before that because we are now at nearly 7 billion people.

The next chart shows what he says in chart 4. If you were to plot population on this chart, it would pretty much follow the curve here for the increased use of gas and oil. This is only about 400 years of the 8,000 years that he spoke of, of recorded history. So you can move this way, way back a great long distance here to see the whole history of the world. In the long history of the world, 8,000 years of recorded history, the Age of Oil will last but about 300 years. We are about 150 years into the Age of Oil from when we started to where we are now. And if M. King Hubbert was correct, and he was correct about the United States, but if he is correct about the world, for the next 150 years there will be less and less oil pumped at higher and higher prices until finally, roughly 150 years from now, there will be little or no more gas, oil, and coal which is economically recoverable.

This is an astounding picture, and future generations looking back at this Age of Oil may very well ask themselves how could they have done that, this incredible wealth?

In a few minutes I am going to read a fascinating history, a very brief history of the world and energy that Hyman Rickover gave to those lucky physicians that night nearly 50 years. They will ask themselves how could they have done that when they found this incredible wealth under the ground? Couldn't they have understood that it couldn't last forever? Wouldn't they have asked themselves what can we do with this to provide the most good for the most people for the longest time? But instead of that, we simply have used that energy as rapidly as we could with little or no thought for the future.

Another quote from this very interesting talk: ''I suggest that this is a good time to think soberly about our responsibilities to our descendants, those who will ring out the Fossil Fuel Age.'' And he recognized 50 years ago that there would be a Fossil Fuel Age. ''We might give a break to these youngsters by cutting fuel and metal consumption so as to provide a safer margin for the necessary adjustments which eventually must be made in a world without fossil fuels.''

Less than a month ago I came back from China. Nine of us went there, nine Members of Congress. We went there primarily to talk about energy. We met with a number of relatively high officials in the Chinese Government. I was surprised in our discussions first with the energy people and then with others that they began their discussion of energy by talking about post-oil. Hyman Rickover 50 years ago anticipated that there would be a world without fossil fuels when we had gone through the Age of Oil.

The next chart is another quote from this very interesting speech: ''There is nothing man can do to rebuild exhausted fossil fuels reserves. They were created by solar energy.'' He says: ''500 million years ago it took eons to grow to their present volume. In the face of the basic fact that fossil fuel reserves are finite, the exact length of time these reserves will last is important in only one respect. The longer they last, the more time that we have to invent ways of living off renewable or substitute energy sources and to adjust our economy to the vast changes which we can expect from such a shift.''

What a speech. Fifty years ago when the United States was king of oil, the biggest consumer in the world, biggest producer in the world, and he recognized, as I think any rational person would recognize, that gas and oil and coal cannot be forever. It is finite. It one day will be gone. The only question is when, which is what we are here to talk about.

And this is a great quote here: ''Fossil fuels resemble capital in the bank. A prudent and responsible parent will use his capital sparingly in order to pass on to his children as much as possible of his inheritance. A selfish and irresponsible parent will squander it in riotous living and care not one whit how his offspring will fare.'' I will suggest that this is precisely what our offspring will accuse us of doing.

You know, there are only a few places that we believe there are any meaningful amounts of oil left. One of those is in ANWR and the other is in offshore drilling. The vast majority of experts in the world believe that we have probably found 95 percent of all the oil we will ever find. And notice that the new finds of oil are way out there, difficult to get, expensive to get. That big find in the Gulf of Mexico under 7,000 feet of water, roughly 50,000 feet of rock and dirt under that. I am told, and I don't know whether this is true or not, you can hear a lot of things, that when oil is $211 a barrel, they will be able to develop that because it will cost that much to get that oil out.

What I would like to do now is to take a look at some of the thoughts in this speech given by Hyman Rickover. I wish I had been a physician 50 years ago. I would have been 30 years old at that time sitting in that audience. He predated me by about 10 years in thinking about this problem. It was probably 40 years, and maybe because I am a scientist that I started asking myself the question: you know, Roscoe, oil and gas and coal are finite. They are not an inexhaustible supply. At some point in time, we will have to be concerned about those supplies. Is that 1 year, 10 years, 100 years, 1,000 years? I had no idea, when I first asked myself this question, how long that time would be, but I knew that a time had to come when we would be asking ourselves the question isn't it time that we should start thinking about this.

Just a few excerpts from this really interesting speech: ''Each American has at his disposal each year energy equivalent to that obtainable from eight tons of coal.'' Then coal was the primary energy source, a primary energy source, much less important now. Eight tons of coal, that is a lot of energy.

''With high energy consumption goes a high standard of living. Thus enormous fuel energy which we in this country control feeds machines which makes each of us master of an army of mechanical slaves.''

And notice these numbers, and these were 50 years ago. You decide how much this has changed today. ''Man's muscle power is rated at 35 watts continuously, or one twentieth horsepower.''

Now, you can do more than that in working, but you can't do it 24 hours a day, and this is a 24/7 figure.

''Machines therefore furnish every American industrial worker with energy equivalent to that of 244 men, while at least 2,000 men push his automobile along the road, and his family is supplied with 33 faithful household helpers. Each locomotive engineer controls energy equivalent to that of 100,000 men; each jet pilot of 700,000 men. Truly, the humblest American enjoys the services of more slaves than were once owned by the richest nobles and lives better than most ancient kings.''

□ 2000

''In retrospect'', he says, and this is 50 years ago, ''and despite wars, revolutions and disasters, the 100 years just gone by'', 150 now, ''just gone by may well seem like a Golden Age.'' And well they will when we look back on this.

''Whether this Golden Age will continue depends entirely upon our ability to keep energy supplies in balance with the needs of our growing population.'' He thought it would grow to 4 billion by this time. It is nearly 7 billion.

Before I go into this question, let me review briefly the role of energy resources in the rise and fall of civilizations. And I found this part of his speech just captivating, fascinating. ''Possessant of surplus energy is of course a requisite for any kind of civilization, for if man possesses merely the energy of his own muscles, he must exhaust all of his strength, mental and physical, to obtain the bare necessities of life.

''Surplus energy provides the material foundation for civilized living: A comfortable and tasteful home, instead of a bare shelter; attractive clothing instead of mere covering to keep warm; appetizing food instead of anything that suffices to appease hunger. It provides the freedom from toil without which there can be no art, music, literature or learning.

''There is no need to belabor this point. What lifted man, one of the weaker animals'', an interesting observation. We are really weak in muscle power. A chimpanzee the size of a man has four or five times the strength of a man. A dog has enormously better smell than you, the eagle infinitely better eyesight than you. Man is indeed one of the weaker animals.

''What lifted man, one of the weaker animals above the animal world was that he could devise with his brain ways to increase the energy at his disposal, and use the leisure so gained to cultivate his mind and spirit. Where man must rely on the energy of his own body he can sustain only the most meager existence.

''Man's first step on the ladder of civilization dates from the discovery of fire and his domestication of animals. With these energy resources, he was able to build a pastoral culture. To move upward to an agricultural civilization, he needed more energy. In the past this was found in the labor of the pendent members of large patriarchal families, augmented by slaves obtained through purchase or as war booty.

There are some backward communities which to this day depend on this type of energy, less today thankfully than there were 50 years ago. ''Slave labor was necessary for the city states and the empires of antiquity. They frequently had slave populations larger than their free citizenry. As long as slaves were abundant and no moral censure attached to their ownership, incentives to search for alternative sources of energy were lacking.

''This may well have been the single most important reason why engineering advanced very little in ancient times. A reduction of per capita energy consumption has always in the past led to a decline in civilization, and a reversion to a more primitive way of life.''

I would like to pause for just a moment to reflect on that. If all of the energy available to the United States was the energy from the United States, we would now be living on half of the energy that we had available in 1970. If you believe that the United States is a microcosm of the world, and if you believe that M. King Hubbert's analyses, which were so right on for the United States, are probably pretty good for the world, then the world now or very shortly will reach its maximum oil production.

After that, no matter what we do, there will be less and less oil available. And finally over the next 150 years, if the second half of the age of oil is as long as the first half, and M. King Hubbert found a bell curve in the exploitation and exhaustion of each of these oil fields, then we will have available to us less and less fossil fuel energy.

Now, unless we can contrive to replace that fossil fuel energy by alternative energy sources, we will have available to us year by year less energy than we had the year before.

And I was fascinated by Hyman Rickover's discussion of how energy contributed to the development of civilizations. And then he notes here, ''That a

reduction of per capita energy consumption has always in the past led to a decline in civilization and a reversion to a more primitive way of life.''

Will we be able to avoid that? Will we be able to create enough energy sources, other than fossil fuels, that we can replace the energy that will not be available from fossil fuels as we exhaust, slowly exhaust their supplies in the world?

For example, exhaustion of wood fuel is believed to have been the primary reason for the fall of the Mayan civilization on this continent, and of the decline of once flourishing civilizations in Asia. India and China once had large forests, as did much of the Middle East. Deforestation not only lessened the energy base but had a further disastrous effect. Lacking plant cover, soil washed away, and with soil erosion the nutritional national base was reduced as well.

It is a sobering thought to recognize that life on this planet is largely dependent on about the upper, on average, 8 inches of our soil. That is the top soils which grow our crops. And then he notes something that few people want to talk about, I am glad he had the courage to mention, that another cause of declining civilization comes with pressure of population on available land.

No matter how clever we are at developing other energy sources, if population continues to grow, and I will say that I am a 100 percent pro-life person. I think there are ways to control population without killing the preborn. And so when I read this, do not think that I am advocating that we need abortion to control population.

''A point is reached where the land can no longer support both the people and their domestic animals. Horses and mules disappear first. Finally, even the versatile water buffalo is displaced by man, who is 2½ times as efficient an energy converter as are draft animals. It must always be remembered that while domestic animals and agriculture machines increase productivity for man, maximum productivity per acre is achieved only by intensive manual cultivation.

''It is a sobering thought that the impoverished people of Asia—'' now this is less true today with a booming economy in China and a good economy in India, but this was true in that day. ''It is a sobering thought that the impoverished peoples of Asia who today seldom go to sleep with their hunger completely satisfied,'' 20 percent of the world will go to bed tonight hungry, ''were once far more civilized and lived much better than the people of the west.''

And not so very long ago either. It was a story brought back by Marco Polo of the marvelous civilization in China which turned Europe's eyes to the riches of the East and induced the adventurous sailors to brave the high seas in their small vessels searching for direct routes to the fabulous Orient, which, of course, brought Columbus to our shores.

The wealth of the Indies is a phrase still used. But whatever wealth may be there is certainly not evident in the lives of the people today. Now, the last 50 years have seen meaningful industrialization in that part of the world, which just has consumed increasing amounts of energy.

Asia failed to keep technological pace with the needs of her growing populations and sank into such poverty that in many places man has become again the primary source of energy. That was true then, it is still true in rural areas in these countries.

Since other energy convertors have become too expensive, this might be obvious to the most casual observer. What this means is quite simply a reversion to a more primitive stage of civilization, with all that implies for human dignity and happiness.

Anyone who has watched a sweating Chinese farm worker strain at his heavily laden wheelbarrow creeping along a cobblestone street, or who has flinched as he drives past an endless procession of human beasts of burden moving to market in Java, the slender women bent under mountainous loads heaped on their heads.

Anyone who has seen statistics translated into flesh and bone realizes the degradations of man's stature when his muscle power becomes the only energy source he can afford. Civilization must wither when human beings are so degraded.

Let me skip now to a little later in this very interesting talk. I think no further elaboration is needed to demonstrate the significance of energy resources for our own future. Our civilization rests on the technological base which requires enormous quantities of fossil fuels.

True 50 years ago, truer today. And then this statement. Now, underline this. Use red ink. What assurance do we then have that our energy needs will continue to be supplied by fossil fuels? The answer is, in the long run, none. The earth is finite. Fossil fuels are not renewable. In this respect our energy base differs from that of all earlier civilizations, which is why the Hirsch report says that man has never faced, the world has never faced a problem like this. There is no precedent in history.

In this respect our energy base differs from that of all earlier civilizations. They could have maintained their energy supply by careful cultivation. We cannot. Fuel that has been burned is gone forever. Fuel is even more effervescent than metals. Metals too are nonrenewable resources, threatened with ultimate extinction, but something can be salvaged from scrap. Fuel leaves no scrap. And there is nothing that man can do to rebuild exhausted fossil fuel reserves. They were created by solar energy, he says, 500 millions years ago and took eons to grow to their present volume.

I might pause here to note that those who belief in a literal flood believe that all of this occurred with the upheavals that occurred during the flood and the time since then. But most people believe that it took a very, very long time. In the face of the basic fact that fossil fuel reserves are finite, the exact length of time these reserves will last is important in only one respect.

The longer they last, and I am repeating one of the charts I had. But you know we need to hear this again because this is so significant. The longer they last the more time do we have to invent ways of living off renewable or substitute energy sources, and to adjust our economy to the vast changes that we can expect from such a shift.

Fossil fuels resemble capital in the bank. And I am going to repeat this again. This needs to be heard again too. A prudent and responsible parent will use his capital sparingly. Now have we been using this energy capital sparingly? Anything but. In order to pass onto his children as much as possible of his inheritance. A selfish and irresponsible parent will squander it in riotous living and care not one whit how his offspring will fare.

I am afraid that that is exactly what our children and our children's children will say of us when they recognize how little attention we paid to the warnings that we have been given for a very long time. This is Hyman Rickover 5 years ago, and just a year before that, M. King Hubbert and his prediction.

Engineers whose work familiarizes them with energy statistics, far-seeing industrialists who know that energy is the principal factor which must enter into all planning for the future, responsible governments who realize that the wellbeing of their citizens and the political power of their countries depend on an adequate energy supply, all of these have begun to be concerned about energy resources. Gee, I wish that were true.

If they began, then they stopped. Because I notice hardly anybody today is concerned about this problem. In this country especially, many studies have been made in the past few years. 50 years ago, seeking to discover accurate information on fossil fuel reserves and foreseeable fuel needs.

Now he may have been referring to the studies that were made by M. King Hubbert just the year before when he predicted that the United States would peak in oil production in 1970.

The chart that I have here kind of indicates to us the dimensions of the problem that Hyman Rickover was talking about and the problem we face.

□ 2015

The little analogy I use for this is that we are very much like a young couple whose grandparents have died and left them a big inheritance. And they have established a lifestyle where 85 percent of all the money they spend

comes from their grandparents' inheritance and only 15 percent from their income. And they look at how old they are and how large the inheritance is and they recognize, gee, it is not going to last till we retire, so, obviously, we have got to do something. Either we have got to spend less or we have got to make more.

I use that analogy because that is precisely where we are. Today, 85 percent of all the energy we use comes from coal and oil and natural gas, and just 15 percent of it from other sources. Now, you may lump all of those as renewables, but they are not quite because a bit over half of that, 8 percent of the 15, comes from nuclear power. In this country, that is 8 percent of our energy, but it is 20 percent of our electricity, so as you drive home tonight, imagine that every fifth home and every fifth business and every fifth street light was dark. That is what our country would be without nuclear power.

Now, we have had not a single death, no meaningful accidents. By the way, 3–Mile Island, and I lived within the drift zone of that, that worked. The containment facility worked. Too bad we had the accident, but good that we had prepared for it.

A lot of people are concerned about nuclear energy. But they really don't reflect on how many people die from coal, all the black lung disease. I remember a number of years ago when I worked for NIH and had a contract to look at respiratory support devices, and one of the places I went to was West Virginia, where they had a lot of black lung disease. And I talked to the physicians there that were dealing with these patients, and each year thousands died from black lung disease. It wasn't so much, and this is not really related to energy, but the real problem there was silicosis. But the lungs were black from the coal, and so it was called black lung disease, but it was really rock dust primarily which was the offender there.

How many miners are killed when the mine caves in or when it explodes? How many people are killed at the railroad crossing when the coal train goes by? We just seem to accept that as a part of the cost of having coal to use.

There have been no injuries, I remind the listeners, from our use of nuclear. We have had no Chernobyls, aren't going to have any because we have designed them much better, so this could and probably should grow.

Then we come to the true renewables. And there we see them, solar, and I am a big supporter of solar. I have a second home beyond the grid and we have only solar power. We are shortly putting up a wind machine because very frequently when the sun is not shining, the wind is blowing and so they complement each other very nicely.

But notice how tiny they were. This was 2000. Now we are better today because they have been growing very rapidly. So they are several times bigger today. But that was 1 percent of 7 percent, .07 percent. Suppose it is four times bigger today, .28 percent. Big deal. We have a long, long way to go.

Notice the contribution of wood. That is the timber industry and paper industry wisely using that waste product.

Conventional hydro. We have pretty much peaked out on that. There is maybe as much as we could get from unconventional hydro, microhydro, small streams where it wouldn't have the environmental effect that big dams have.

The waste to energy here, that is 8 percent of the 7 percent. That could certainly grow. It is probably a whole lot better to burn it than it is to put it in the land fill.

But note that this is really kind of recycling fossil fuel energy because, in an energy deficient world, there would be no enormous piles of municipal waste. They are all produced with energy; and as we have less and less energy, we will be able to live with less and less waste. So that will be a diminishing source of energy in an energy deficient world.

I want to take just a moment here to talk about ethanol. There are a couple of bills, and I will have it up here in a few moments, that look at developing ethanol. The price of corn, from which most ethanol is made in this country, was $2.11 a bushel in September. It was $4.08 a bushel in December. And that was because of the pressure of the demand for corn for producing ethanol.

Now, I didn't read it in this speech, but Hyman Rickover cautioned that if you are going to get energy from agriculture, please note that you will be competing with two things for that energy. One, you will be competing with food.

We eat some corn meal. Most of the corn goes to our animals, and our dairy farmers are really hurting now, because milk has not gone up much and their feed has gone up enormously because of the pressures put on corn by ethanol.

Every gallon of ethanol that we burn represents at least three-quarters of a gallon of fossil fuel to produce it. Almost half the energy in producing corn comes from the natural gas that produces the nitrogen fertilizer.

If we were to grow corn with energy from corn, which is the only fair way to look at corn as an energy source, otherwise you are simply recycling fossil fuels and growing the corn and making ethanol from it.

If we were to grow corn with energy from corn, and if you wanted to replace just 10 percent of our current gasoline consumption, I checked these figures with CRS, I think they are correct, you would have to double our corn crop and use it all for ethanol to displace just 10 percent of our gasoline.

What is very likely to happen now that corn has doubled in price is that farmers, recognizing that, gee, if I planted more corn I would make more money, they are going to take land out of agricultural preserve where it has been reserved by putting it in a bank, and it is land that probably shouldn't have been farmed anyhow, which is why they took it out, and the government helps pay them for that, which I am supportive of, by the way, because it helps preserve that land.

If they take that out and plant it to corn, corn is one of the worst crops for erosion. It is one of the heaviest feeders that we have, demanding more fertilizer than almost anything else. The insult to our environment by the erosion and so forth of this land as the result of more corn cropping, may offbalance, offset the benefit we get from the small decreased production of carbon dioxide, which is the primary reason most people are thinking about ethanol today, because of global warming and greenhouse gases.

And if you are simply releasing the carbon dioxide that the plant picked up, you have not increased the amount of carbon dioxide up there, because the plant took it out of the air. You are burning it and putting it back into the air. So it is a balance.

Hyman Rickover also cautioned, be careful about your expectations for energy from biomass. And today you will hear a lot of hype about energy from cellulosic ethanol. And this is a fascinating pursuit. Cellulose is made up of a lot of glucose molecules, simple sugar, half of the sucrose which is your table sugar. But they are so tightly bound together that there are no enzymes in our body which will separate them. In fact, the cow and the goat don't have any either. But they harbor in their gut some little critters that do have enzymes that do that. And so this is a great example of symbiosis. They both benefit from that relationship. These little microbes split the cellulose into the glucose molecules, and then they are absorbed by the host animals.

Hyman Rickover cautioned, be careful how much of this biomass you think you can take from the soil because it is biomass, organic material, which makes top soil different from subsoil.

There were three men from the Department of Agriculture in my office several months ago talking excitedly about the potential for cellulosic ethanol. And I asked them if our top soils were increasing in quantity and quality. And the answer is obviously, no.

We are really good today compared to how we were 20, 30 years ago. But I am told that for every bushel of corn you grow in Iowa, three bushels of Iowa top soil go down the Mississippi River, which is why we have such a big delta down in Louisiana.

Well, these little microbes that exist in the gut of these animals we have now learned to bioengineer so we can do this in the laboratory. So we can now turn newspaper into alcohol and run your car on newspaper. That is doable. But be careful how much energy

you expect to get from that because for a few years you may mine the top soil, but soon you will decrease the product activity of the top soil. So there is a limit to that.

So what do we do? The next chart, we buy time. How do you do that?

I mentioned that I have been to China, came back 3 or so weeks ago. And they begin all of their discussions by talking about post-oil. And they have a 5-point plan. And it is not just the energy people. It is every member of government we talked to talked about this 5-point plan. So they recognize that energy is a real challenge for them.

The 5-point plan begins with conservation. You see, today there is no surplus oil. There is no surplus energy to invest in developing alternatives. If there was any surplus oil, it wouldn't be $55 a barrel.

So we have run out of time. We have run out of energy, but we can buy some time and free up some energy if we have an aggressive program in conservation. This is where they began their 5-point program: conservation.

Two and three were produce as much of your own energy as you can, and diversity will help. Don't put all your eggs in one basket. And the fourth one, a really good one, especially for them, be kind to the environment. They were apologetic. They are not kind to the environment, but they have 1.3 billion people who are clamoring for the kind of life style we have and want to go climb up that economic ladder and they aren't using energy very efficiently, and we need to help them.

The fifth point, a really interesting one, international cooperation. They recognize that this isn't a U.S. problem or a Chinese problem. This is a global problem because oil moves on a global marketplace. It doesn't really matter who owns the oil. The person who has the highest bid gets the oil. It sells to the people who have the money to buy it. And when it is in short supply, there is more demand for it, so the price goes up.

Once we have bought some time and freed up some energy, then we need to use it wisely. I think one of the things that we need is an ARPA-E. Many people know what DARPA is. It is an agency in our Defense Department that looks at far-out, really interesting things. They developed the Net, for one thing. And they invest in things that industry couldn't invest in because there is no imminent payoff, not even certain there will be any long-term payoff. You are running down a lot of dead roads. But, boy, when you hit it, you hit it big. And DARPA has been very creative. And we need something like that in the energy world because there are some things that may be big, big producers tomorrow, which may not be attractive to investors today.

I am a big fan of the marketplace, but the marketplace is neither omniscient nor omnipotent, and there is a role for government here. And I am one of the biggest small government people in Washington. But, you know, we ought to get the government out of things that are not productive and put them into things where they are productive.

And looking ahead and wisely deciding what some reasonable risk is and investing the taxpayer money has paid big dividends in DARPA, and I think it would in ARPA-E. Big benefits to this. We are now an incredible importer. I think this year the trade deficit we were $800 billion or something like that. We could again become a major exporter. The world is going to be clamoring for these renewable technologies, and we could be a leader in this.

□ 2030

Whether we like it or not, we are a role model. We are one person out of 22 in the world, and we use one-fourth of the world's energy. So we are a witness, we are a role model whether we like it or not.

There are a couple of bills that I wanted to mention. This is our bill, and I am proud of this bill because if we can't do this, we are in for a really rough ride. This is a bill that encourages our farms to become energy independent. Not just energy independent, because if that is all they did, then the people who live in the cities would be in a world of hurt when we run out of fossil fuels.

But the farmer must be able not only to produce enough energy to run his farm, but have some leftover energy, and I think this challenges him to produce as much leftover energy as he uses on his farm. And there are some rewards for farmers who can do this. There are a lot of creative ways we can do this, and we hope that these awards will challenge people to be as creative and innovative as Americans have always been, and I am looking forward to some very exciting developments here.

The next chart has some data on it that I referred to previously. There is nothing like seeing it in a pretty colored chart. We can look at the top part of the chart. And petroleum, of course, if you start out with 1 million Btus, you won't have 1 million Btus to burn because you have got to pump it and refine it and transport it and put it in your car and so forth. So to get 1 million, you must start out 1.23 million.

Here we look at ethanol, and there is a big advantage here because you get solar energy. These, I am told, are very optimistic figures. Dr. Pimental believes that if you look at all the energy input into producing corn, that more energy goes into producing corn than you get out of corn. I hope that is not true. Most people believe that it is energy positive.

You know, even if it were just balanced, once you have taken the ethanol out, you have left some really good feed. Tragically, many of the ethanol plants today carry that to the landfill. What a shame, almost a crime, because all the fat is left, all the corn oil is left, and all the protein is left. All we have taken out is the carbohydrate.

What this says is, as I have mentioned previously, for every gallon of ethanol you burn, you are burning at least three-fourths of a gallon of fossil fuels. That is a fossil fuel input. Now, this down here depicts the fossil fuel input. I mentioned that almost half of it, this big purple area here, comes from the natural gas that produced the nitrogen fertilizer.

Before we learn how to do that, by the way, the only nitrogen fertilizer—as a little kid I remember that pretty much the only nitrogen fertilizer was barnyard manures and guano. And you took the manure out of your barnyard, you spread it out on your fields, and the fertilizer attachment on your tractor was about three times as big as the seed, the corn bin. You put very little fertilizer on it. But now we have learned to make enormous—we mine the phosphate rock and the potash and we make nitrogen fertilizer as incredibly energy intensive, as you can see. All of these are other fossil fuel energy inputs, making the tractor, fueling the tractor, putting the tires on the tractor, harvesting the grain, hauling it to market, drying it, the chemicals that go into killing the bugs and so forth on it.

An incredible amount of energy goes into producing a bushel of corn. And if you were going to grow corn with energy from corn—I gave you the statistics a little bit earlier—I believe that you would have to double your corn and use it all for ethanol to displace just 10 percent of our gasoline.

That is an illustration of the huge challenge that we face. We use 21 million barrels of oil a day in this country, 70 percent of it in transportation. Each barrel of oil, as Hyman Rickover so graphically described, represents an enormous amount of human energy. One barrel of oil represents the work of 12 people working all year. For less than $10 you can hire a guy who is going to work all year for you. These are part of those 33 faithful household servants that Hyman Rickover said our energy use provided to the average family.

The next chart shows another energy bill, the DRIVE bill. This was dropped just very recently. We love acronyms down here, and this is a bill that has to do with transportation fuels, Dependable Reduction through Innovation and Vehicles and Energy Act, H.R. 670. I didn't sign on to any energy bills last year. There were some pretty good bills, but somewhat, not just somewhat, enormously exaggerated claims were made for them; and I did not want to give credibility to unrealistic expectations from these bills.

The next chart here quotes several people: Petroleum expert Colin Campbell. By the way, he kind of inherited the mantle from M. King Hubbert. He is kind of the godfather today of all of these scientists. Jean Laherrare, Ryan

Fleeley, Roger Blanchard, Richard Duncan, Albert Bartlett, no relative of mine. But if you put Albert Bartlett, do a Google search for Albert Bartlett and Energy, and you will put out the most fascinating 1-hour lecture I have ever listened to. He has given it more than 1,600 times. I will tell you, there will be no thriller on television that will be as interesting as Albert Bartlett's 1-hour lecture on energy. You will be captivated by it. They have all estimated that a peak in conventional oil production will occur at around 2005. This is now 2007.

By the way, the world oil production has been roughly 84 million, 85 million barrels a day for the last several years. That may or may not mean we have reached peak, but at least there has been a plateau. And if it weren't for a fact that there has been a 40 percent reduction of gasoline use in many South American countries, for instance, because it has just gotten too expensive, the price of oil would be far greater than roughly $55 a barrel today.

This has been what they call demand destruction. If you can destroy demand, you can reduce the price. And when it got too expensive to use, they just quit using it, so the price of oil has dropped because there is less pressure.

The next chart shows a number of experts and what they have predicted, and here are some of them there, Campbell and Goldstein and Deffeyes, Skrebowski, Simmons. Matt Simmons is an investment banker, a personal energy adviser to the President. They all believe that it is going to occur very shortly. The previous list had it in roughly 2005, these in the next decade and these further down. Now, CERA is one here that says it is going to be after 2020.

I want to show you the next chart here, and this is a CERA chart; and CERA believes that we will find maybe several times as much more energy as all the energy that now is known, all the oil that we now know is out there. They think we will find two or three times that much more oil.

Now, if we find only 5 percent more oil, then this will be when it peaks. If we find as much more oil as all that exist out there, this will be when it peaks. It still is not forever, it still is about 2040. And if we now are able to get enormous amounts of oil from these unconventional sources, the Canadian tar sands; and don't call it oil, please, it is tar, and the oil sands out in our west, and I don't know that we will ever achieve this, by the way. The Canadians are getting 1 million barrels a day, just a little over 1 percent of production, using incredible amounts of energy, incredible amounts of water, producing a big lake that they call tailing water; it is really toxic water, and they know that what they are doing is not sustainable because they don't have enough natural gas to produce the energy.

They are thinking about putting in a power plant. The vein, I understand, dips under an overlay so they will have to develop in situ, and they don't know how to do that. Enormous reserves, more than all the oil in the world potentially, are out in our West. Shell Oil Company had a little experiment out there. They said it would be 2013, I think, before they said they could even make a decision as to whether it was economically feasible to get that. So this is a huge ''if'' here.

The next chart is an interesting one. One of the world's experts in this, Jean Laherrare, made an assessment of the USGS report. What I was looking at was not a USGS report, but they were basing their prognosis on USGS data, so this comment is appropriate to that chart as well. The USGS estimate implies a fivefold increase in discovery rate and reserve addition through which no evidence is presented.

Such an improvement in performance is, in fact, utterly implausible given the great technical achievements of the industry over the past 20 years, the worldwide search, and the deliberate efforts to find the largest remaining prospect. We have computer modeling in 3–D seismic and enormously improved techniques for finding oil, and still every year we find on the average less oil than we found the year before.

This is a very heartening chart. As we face an energy-deficient world, I often think of this chart and the promise that it gives us. On the abscissa here we have energy consumption per capita here, and on the ordinate we have perception of how good life is. Now, it is not perfect for anybody, but there are a whole bunch of people who think that it is about 85 to 95 percent as good as paradise can be.

And notice where we are. We are the biggest users of energy. Little Switzerland is close behind us. But what this chart tells me is that you can use far less energy and be pretty happy with where you are. These many people, by the way, use less energy than we and are happier with their lives than we are, everybody above this imaginary line.

And notice that if you have very little energy, it is tough to feel good about life. As soon as you reach 25 percent, as much as we use, then you can feel pretty good, 80 percent compared to 90 percent, not much improvement for an incredibly large increase in energy. So this gives us hope.

Europe uses per capita about half as much energy as we use, and if you have traveled to Europe, nobody who has traveled to Europe believes that they live less well or are less content with their life than we are.

The next chart shows an interesting, and this is one of many, many, opportunities for efficiency, but this is such a dramatic one. This is the efficiency of getting light. And this is the old incandescent bulb, a red hot hairpin hung up in a bottle is the way one old farmer described it. And this is the amount of heat you produce, which is why you use it as a brooder for fish and to keep them warm, and baby chickens, and this is the light you get, 90 percent heat, 10 percent light.

This is fluorescence, which is why you have the little screw in fluorescence. A great Time magazine article that showed that each one of those bulbs saved a quarter of a ton of coal. And here is the light-emitting diode. I have a light-emitting diode flashlight; I have forgotten when I put the batteries in. They just last and last.

I have a couple of charts here, and we have only a few minutes remaining, and I just want to show a couple of them to refer you to very big studies paid for by our government, ignored by our government. One is the Corps of Engineers, and this is the Corps of Engineers study, and the other is the big Hirsch Report. You can find all of those on the Web. In fact, you can go to our Web site and either find these or find the link to it.

In general, all nonrenewable resources follow a natural supply curve. Production increases rapidly, slows, reaches a peak, and then declines at a rapid pace, remember, to its initial increase.

The major question for petroleum is not whether production will peak but when. There are many estimates of recoverable petroleum reserves giving rise to many estimates of when peak oil will occur and how high the peak will be. A careful review of all the estimates leads to the conclusion that world oil production may peak within a few short years.

This was paid for by the Army, essentially ignored by everybody.

The next one, a bigger study, paid for by our Department of Energy, SAIC, a big, prestigious organization: We cannot conceive of any affordable government-sponsored crash program to accelerate the normal replacement schedules to fill the gap created by a decline in oil production.

I won't use any more of these charts because the others, I have a dozen or so more, simply say the same thing, that one way or the other, in different words, we are either at or shortly will be at peak oil with potentially devastating consequences.

There is hope with leadership. We are an enormously creative society. I think that we can meet the challenge, but it is going to require a program I believe that has a total commitment of World War II, I lived through that, that has the technology challenge of putting a man on the moon and the urgency of the Manhattan Project. We can do that. It needs the help of every American, and leadership; our children and grandchildren are counting on it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WOLF (at the request of Mr. BOEHNER) for today on account of testifying before the Virginia State Corporation Commission on the proposed tolling for the Dulles Greenway.

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:)

Mr. CUMMINGS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

(The following Member (at the request of Mr. KUHL of New York) to revise and extend his remarks and include extraneous material:)

Mr. DUNCAN, for 5 minutes, today.

ADJOURNMENT

Mr. BARTLETT of Maryland. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 31, 2007, at 10 a.m.

RULES AND REPORTS SUBMITTED PURSUANT TO THE CONGRESSIONAL REVIEW ACT

Pursuant to 5 U.S.C. 801(d), executive communications [final rules] submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of May 18, 2006, through January 4, 2007, shall be treated as though received on Janaury 30, 2007. Original dates of transmittal, numberings, and referrals to committee of those executive communications remain as indicated in the Executive Communication section of the relevant CONGRESSIONAL RECORD.

EXECUTIVE COMMUNICATIONS, ETC.

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

470. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Fiscal Years 2002-2004 Family Violence Prevention and Services Act Program, pursuant to 42 U.S.C. 10405; to the Committee on Education and Labor.

471. A letter from the Inspector General, U.S. House of Representatives, transmitting the results of an audit of the U.S. House of Representatives' annual financial statements for the year ending December 31, 2005; to the Committee on House Administration.

472. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Arizona Advisory Committee; to the Committee on the Judiciary.

473. A letter from the Assistant Secretary for the Army for Civil Works, Department of Defense, transmitting an interim report on the status of the comprehensive plan examining the deauthorization of the Mississippi River-Gulf Outlet (MRGO), pursuant to Public Law 109-234; to the Committee on Transportation and Infrastructure.

474. A letter from the Director, Legislative Affairs, Office of the Director of National Intelligence, transmitting the Office's report entitled, ''An Overview of the United States Intelligence Community''; to the Committee on Intelligence (Permanent Select).

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 116. Resolution providing for consideration of the joint resolution (H.J. Res. 20) making further continuing appropriations for the fiscal year 2007, and for other purposes (Rept. 110–6). 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. TOM DAVIS of Virginia (for himself, Mr. TAYLOR, Mr. HAYES, and Mr. BUTTERFIELD):

H.R. 718. A bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes; to the Committee on Armed Services.

By Mr. POMEROY (for himself, Mr. GILLMOR, Mr. WEINER, Mr. CHABOT, and Mr. LAMPSON):

H.R. 719. A bill to require convicted sex offenders to register online identifiers, and for other purposes; to the Committee on the Judiciary.

By Mr. OBERSTAR (for himself, Mr. YOUNG of Alaska, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. TAUSCHER):

H.R. 720. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DAVIS of Alabama (for himself, Mr. BRADY of Texas, Mr. NORWOOD, Mr. JONES of North Carolina, Mr. MCHENRY, Mr. JINDAL, Mr. THOMPSON of Mississippi, Mr. REICHERT, Mr. SIMPSON, Mr. CRENSHAW, Mr. HALL of Texas, Mr. SMITH of Washington, Mr. BAIRD, Mr. INSLEE, Mr. MELANCON, Mr. LARSEN of Washington, Mr. BERRY, Mr. MANZULLO, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. GALLEGLY, Mr. MCHUGH, Mr. CONAWAY, Mr. HASTINGS of Washington, Mr. GORDON, Mr. BLUNT, Mr. LEWIS of Kentucky, Mr. BARTON of Texas, Mr. DAVIS of Kentucky, Mr. CUELLAR, Mr. BONNER, Mr. BUTTERFIELD, Ms. HOOLEY, Mr. BISHOP of Georgia, Mr. BROWN of South Carolina, Mr. WILSON of South Carolina, Mr. ALEXANDER, Mr. DICKS, Mr. SOUDER, Mr. BOUSTANY, Mr. PETRI, Mr. HAYES, Mr. DEFAZIO, Mr. TERRY, Mr. BOOZMAN, Mr. CANTOR, Mr. BARTLETT of Maryland, Ms. FOXX, Mr. MARCHANT, Mrs. CUBIN, Mr. ROSS, Mr. GOHMERT, Mr. ADERHOLT, and Mr. BAKER):

H.R. 721. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains; to the Committee on Ways and Means.

By Mr. BILIRAKIS:

H.R. 722. A bill to increase the maximum Pell Grant; to the Committee on Education and Labor.

By Mr. BISHOP of New York (for himself, Mr. LOBIONDO, Mr. BUCHANAN, Mr. ISRAEL, Mr. SAXTON, Mr. SMITH of New Jersey, and Mrs. DRAKE):

H.R. 723. A bill to amend the Federal Water Pollution Control Act to reauthorize programs to improve the quality of coastal recreation waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BURTON of Indiana (for himself, Mr. MCKEON, Mr. NORWOOD, Mr. GRAVES, Mr. HALL of Texas, Mr. SHUSTER, Mr. LINCOLN DAVIS of Tennessee, Mr. PAUL, Mr. FRANKS of Arizona, Mr. AKIN, Mr. GARRETT of New Jersey, Mr. CARTER, Mr. ROGERS of Kentucky, Mr. GINGREY, Mr. WILSON of South Carolina, Mr. KLINE of Minnesota, Mr. MILLER of Florida, Mr. BROWN of South Carolina, Mr. PENCE, Mr. BARTLETT of Maryland, Mrs. JO ANN DAVIS of Virginia, Mr. MANZULLO, Mr. HERGER, Mr. HOEKSTRA, Mr. HAYES, Mr. LINDER, Mr. RADANOVICH, Mr. FORBES, Mr. PITTS, Mr. JORDAN, Mr. BARRETT of South Carolina, Mr. MCCOTTER, Mr. ALEXANDER, Mr. HENSARLING, Mr. BARTON of Texas, Mrs. CUBIN, Mr. SAM JOHNSON of Texas, Mr. SALI, Mr. BOOZMAN, Mr. POE, Mr. JONES of North Carolina, and Mr. WAMP):

H.R. 724. A bill to amend title 28, United States Code, to limit Federal court jurisdiction over questions under the Defense of Marriage Act; to the Committee on the Judiciary.

By Mr. BURTON of Indiana (for himself, Mr. HUNTER, Mr. RADANOVICH, Mr. INGLIS of South Carolina, Mr. FRANKS of Arizona, Mr. AKIN, Mr. GARRETT of New Jersey, Mr. PENCE, Mr. NORWOOD, Mrs. EMERSON, Mr. SOUDER, Mr. WILSON of South Carolina, Mr. KLINE of Minnesota, Mr. MCCAUL of Texas, Mr. BACHUS, Mr. DOOLITTLE, Mr. GOODE, Mr. GINGREY, Mr. MCKEON, Mr. HERGER, Mr. HAYES, Mrs. JO ANN DAVIS of Virginia, Mr. CHABOT, Mr. MILLER of Florida, Mr. PITTS, Mr. CAMPBELL of California, Mr. ROGERS of Michigan, Mr. FORTUÑO, Mr. MCCOTTER, Mr. ALEXANDER, Mr. HENSARLING, Mr. BARTON of Texas, Mr. CALVERT, Ms. GINNY BROWN-WAITE of Florida, Mr. SAM JOHNSON of Texas, Mrs. CUBIN, Mr. SALI, Mr. RENZI, Mr. POE, Mr. JONES of North Carolina, Mr. KINGSTON, and Mr. SHIMKUS):

H.R. 725. A bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts:

H.R. 726. A bill to amend title II of the Social Security Act to restrict the application of the windfall elimination provision to individuals whose combined monthly income from benefits under such title and other monthly periodic payments exceeds a minimum COLA-adjusted amount of $2,500 and to

provide for a graduated implementation of such provision on amounts above such minimum amount; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas (for himself and Mr. BURGESS):

H.R. 727. A bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes; to the Committee on Energy and Commerce.

By Ms. HERSETH (for herself and Mr. CLAY):

H.R. 728. A bill to amend title 5, United States Code, to establish certain protections for preference eligibles selected for involuntary geographic reassignment; to the Committee on Oversight and Government Reform.

By Mr. INSLEE (for himself, Mr. BARTLETT of Maryland, Mr. EHLERS, Ms. LEE, Mr. FARR, Mr. SMITH of Washington, Ms. KAPTUR, Mr. HINCHEY, Mr. GRIJALVA, Mr. DEFAZIO, Mr. PAYNE, Mr. HONDA, and Ms. HOOLEY):

H.R. 729. A bill to amend the Public Utility Regulatory Policies Act of 1978 to promote energy independence and self-sufficiency by providing for the use of net metering by certain small electic energy generation systems, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JINDAL:

H.R. 730. A bill to provide funds to certain State and local governments to pay for utility costs resulting from the provision of temporary housing units to evacuees from Hurricane Katrina and other hurricanes of the 2005 season; to the Committee on Transportation and Infrastructure.

By Mr. LATHAM (for himself, Mr. TERRY, Mr. MCCOTTER, Mr. PATRICK MURPHY of Pennsylvania, and Mr. MCHUGH):

H.R. 731. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a program to provide regulatory compliance assistance to small business concerns, and for other purposes; to the Committee on Small Business.

By Mrs. MALONEY of New York:

H.R. 732. A bill to amend title II of the Social Security Act to reduce from 10 to 5 the number of years of marriage prior to divorce required for a divorced spouse to be eligible for benefits under such title; to the Committee on Ways and Means.

By Ms. NORTON (for herself and Mr. TOM DAVIS of Virginia):

H.R. 733. A bill to amend the District of Columbia Home Rule Act to eliminate all Federally-imposed mandates over the local budget process and financial management of the District of Columbia and the borrowing of money by the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. PITTS (for himself, Mr. BISHOP of Georgia, Mr. COSTA, Mr. ENGLISH of Pennsylvania, Mr. FRANK of Massachusetts, Mr. GERLACH, Mr. HOLDEN, Mr. MCGOVERN, Mr. NEUGEBAUER, Mr. PLATTS, Mr. ROGERS of Michigan, Mr. RUPPERSBERGER, Mr. SIMPSON, Mr. SOUDER, Mr. SULLIVAN, Mrs. TAUSCHER, Mr. TAYLOR, and Mr. UPTON):

H.R. 734. A bill to amend title 49, United States Code, to allow additional transit systems greater flexibility with certain public transportation projects; to the Committee on Transportation and Infrastructure.

By Mr. RANGEL:

H.R. 735. A bill to designate the Federal building under construction at 799 First Avenue in New York, New York, as the ''Ronald H. Brown United States Mission to the United Nations Building''; to the Committee on Transportation and Infrastructure.

By Mr. ROHRABACHER (for himself, Mr. BURTON of Indiana, Mr. GINGREY, Mr. MCHENRY, Mr. SIMPSON, Mr. NORWOOD, Mr. ALEXANDER, Mr. PLATTS, Mr. WICKER, Mr. SESSIONS, Mr. GOODE, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 736. A bill to amend title II of the Social Security Act to exclude from creditable wages and self-employment income wages earned for services by aliens illegally performed in the United States and self-employment income derived from a trade or business illegally conducted in the United States; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia (for himself, Mr. BISHOP of Georgia, Mr. CARNEY, Mr. CLEAVER, Mr. GRIJALVA, Mr. LYNCH, Mrs. MALONEY of New York, and Mr. PAYNE):

H.R. 737. A bill to correct an inequity in eligibility for military retired pay based on nonregular service in the case of certain members of the reserve components completing their reserve service before 1966; to the Committee on Armed Services.

By Mr. SKELTON (for himself, Mr. HUNTER, Mr. DICKS, and Mr. FILNER):

H. Con. Res. 47. Concurrent resolution supporting the goals and ideals of a National Medal of Honor Day to celebrate and honor the recipients of the Medal of Honor; to the Committee on Armed Services.

By Mr. CLAY:

H. Res. 105. A resolution expressing the sense of the House of Representatives that there should be established a National Orthodontic Health Month; to the Committee on Energy and Commerce.

By Mr. SCHIFF (for himself, Mr. RADANOVICH, Mr. PALLONE, Mr. KNOLLENBERG, Mr. SHERMAN, and Mr. MCCOTTER):

H. Res. 106. A resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues realted to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ACKERMAN (for himself, Mr. FRANK of Massachusetts, Ms. ROS-LEHTINEN, Mr. LANTOS, Mr. PENCE, and Mr. HASTINGS of Florida):

H. Res. 107. A resolution calling for the immediate and unconditional release of Israeli soldiers held captive by Hamas and Hezbollah, and for other purposes; to the Committee on Foreign Affairs.

By Ms. CORRINE BROWN of Florida:

H. Res. 108. A resolution supporting the Weed and Seed and COPS programs; to the Committee on the Judiciary.

By Mr. COSTA (for himself, Mr. RADANOVICH, Mr. CARDOZA, Mr. NUNES, and Mr. HONDA):

H. Res. 109. A resolution recognizing the historical significance of the Pinedale Assembly Center, the reporting site for 4,823 Japanese Americans who were unjustly interned during World War II; to the Committee on the Judiciary.

By Ms. DELAURO (for herself, Mr. LARSON of Connecticut, Mr. MURPHY of Connecticut, and Mr. COURTNEY):

H. Res. 110. A resolution honoring the life and achievements of George C. Springer, Sr., the Northeast regional director and a former vice president of the American Federation of Teachers; to the Committee on Education and Labor.

By Mr. KING of New York:

H. Res. 111. A resolution establishing a Select Committee on POW and MIA Affairs; to the Committee on Rules.

By Mr. KNOLLENBERG:

H. Res. 112. A resolution recognizing and congratulating Guardian Industries and its 75th anniversary of commitment and leadership in the United States and global glass, automotive, and building products industries; to the Committee on Energy and Commerce.

By Mr. PALLONE:

H. Res. 113. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued in commemoration of Diwali, a festival celebrated by people of Indian origin; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Res. 114. A resolution expressing support for a National Week of Reflection and Tolerance; to the Committee on Oversight and Government Reform.

By Mr. REHBERG:

H. Res. 115. A resolution expressing the sense of the House of Representatives that the United States should maintain a land-based intercontinental ballistic missile force of not less than 500 Minuteman III missiles; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GILLMOR:

H.R. 738. A bill for the relief of Manuel Bartsch; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 739. A bill for the relief of Kadiatou Diallo, Laouratou Diallo, Ibrahima Diallo, Abdoul Diallo, Mamadou Bobo Diallo, Mamadou Pathe Diallo, Fatoumata Traore Diallo, Sankarela Diallo, and Marliatou Bah; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 25: Mr. WHITFIELD and Mr. SULLIVAN.

H.R. 40: Mr. RANGEL and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 45: Mr. BLUMENAUER and Mr. NADLER.

H.R. 82: Mr. RADANOVICH, Mr. DELAHUNT, Mrs. EMERSON, Mr. WILSON of Ohio, Mr. MATHESON, Mr. BOREN, Ms. FOXX, and Mr. GONZALEZ.

H.R. 98: Mr. HUNTER, Mrs. BONO, Mr. SESSIONS, Mr. ROYCE, Mr. BLUNT, and Mr. MILLER of Florida.

H.R. 119: Mr. FORBES, Mr. KUCINICH, Mr. ISRAEL, Mr. MCCOTTER, Mr. DEFAZIO, Mr. PLATTS, Mr. LINCOLN DAVIS of Tennessee, Mr. WEXLER, Mr. CARNEY, Mr. BOUCHER, Mr. HINOJOSA, Mr. ALLEN, and Mr. CLEAVER.

H.R. 133: Mr. MCCOTTER.

H.R. 137: Mr. SCOTT of Virginia.

H.R. 159: Ms. KILPATRICK.

H.R. 172: Mr. ELLISON.

H.R. 207: Mr. GRIJALVA, Mr. HINCHEY, Mr. ENGEL, and Mr. MARKEY.

H.R. 211: Mr. SHAYS.

H.R. 213: Ms. SCHAKOWSKY, Ms. LEE, and Mr. TOWNS.

H.R. 216: Mr. KUCINICH and Mr. GRIJALVA.

H.R. 271: Mr. ALEXANDER, Mrs. MYRICK, and Mr. GENE GREEN of Texas.

H.R. 279: Mr. MILLER of Florida, Mr. AKIN, and Mrs. DRAKE.

H.R. 297: Mr. CASTLE.

H.R. 319: Mr. BAKER.

H.R. 404: Mr. MCCOTTER.

H.R. 446: Mr. GENE GREEN of Texas, Mr. HINOJOSA, and Mr. PAYNE.

H.R. 458: Mrs. MALONEY of New York and Mr. NADLER.

H.R. 471: Mr. SESSIONS, Mr. SHIMKUS, and Mr. FRANKS of Arizona.

H.R. 473: Mr. MCKEON.

H.R. 488: Ms. KILPATRICK and Ms. SCHAKOWSKY.

H.R. 489: Mr. BARRETT of South Carolina.

H.R. 503: Mr. RAMSTAD, Mr. PLATTS, Mr. CLAY, Mr. NEAL of Massachusetts, Mr. CASTLE, Mr. HOLT, Mr. DEFAZIO, Mr. LANGEVIN, Mr. YOUNG of Florida, Ms. ROS-LEHTINEN, Mr. ALTMIRE, Mr. FERGUSON, Mr. STARK, Mrs. BONO, Mr. ENGEL, Mr. SIRES, Mr. HINCHEY, Mr. TOM DAVIS of Virginia, Mr. RANGEL, Mr. PORTER, Mr. AL GREEN of Texas, Ms. PRYCE of Ohio, and Mr. BLUMENAUER.

H.R. 506: Ms. WOOLSEY, Mrs. MCCARTHY of New York, Mr. LIPINSKI, Ms. SCHAKOWSKY, Mr. BUTTERFIELD, Mr. TOWNS, Ms. MCCOLLUM of Minnesota, Mr. WYNN, Mr. CARDOZA, Mr. PETRI, Mr. KING of Iowa, Mr. GARRETT of New Jersey, and Mr. HENSARLING.

H.R. 508: Mr. SERRANO.

H.R. 511: Mr. PLATTS, Mr. KING of Iowa, Mr. HAYES, Mr. WAMP, Mr. AKIN, Mr. TIM MURPHY of Pennsylvania, Mrs. DRAKE, Mr. GOHMERT, Mr. GALLEGLY, Mr. BOUSTANY, Mrs. BONO, Ms. GINNY BROWN-WAITE of Florida, Mr. KELLER, and Mrs. MILLER of Michigan.

H.R. 526: Mr. MURPHY of Connecticut.

H.R. 549: Mr. WYNN, Mrs. DRAKE, Mr. PLATTS, Ms. HIRONO, Mr. HAYES, Mr. PAUL, Mr. HOLDEN, Mr. PAYNE, and Mr. ROGERS of Kentucky.

H.R. 563: Mr. BOOZMAN.

H.R. 566: Ms. CASTOR, Mr. DOGGETT, and Mr. WATT.

H.R. 569: Ms. NORTON, Mr. HIGGINS, Mrs. TAUSCHER, Mr. PALLONE, Ms. KILPATRICK, and Mrs. MILLER of Michigan.

H.R. 579: Mr. ORTIZ, Ms. SCHAKOWSKY, Mr. PLATTS, Mr. ABERCROMBIE, Mr. WEXLER, Mr. FILNER, Mrs. LOWEY, Mr. PASTOR, Mr. GOODE, and Mr. MILLER of Florida.

H.R. 583: Mr. BOUCHER, Mr. LARSON of Connecticut, Mr. GILLMOR, Mr. MCCOTTER, and Mr. VAN HOLLEN.

H.R. 589: Mr. RENZI and Mr. LANTOS.

H.R. 600: Mr. MCGOVERN, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, and Mr. COHEN.

H.R. 620: Mr. BARTLETT of Maryland, Mr. BAIRD, Mr. ANDREWS, Mr. ENGEL, Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. MATSUI, Mr. MCGOVERN, Mr. ALLEN, Ms. BERKLEY, Mr. BISHOP of New York, Mr. CAPUANO, Mr. EMANUEL, Mr. FILNER, Mr. HASTINGS of Florida, Mr. ISRAEL, Mr. KENNEDY, Mr. LANGEVIN, Mrs. MCCARTHY of New York, Mr. MILLER of North Carolina, Mr. PRICE of North Carolina, Mr. SHERMAN, Ms. SLAUGHTER, Mr. STARK, Ms. MILLENDER-MCDONALD, Mrs. TAUSCHER, and Mr. TIERNEY.

H.R. 622: Ms. CARSON and Mr. MCDERMOTT.

H.R. 645: Mr. ALLEN.

H.R. 652: Mr. REHBERG and Mr. WALSH of New York.

H.R. 653: Ms. JACKSON-LEE of Texas.

H.R. 661: Ms. BALDWIN.

H.R. 663: Mrs. MALONEY of New York, Mr. STARK, Mr. FATTAH, and Mr. ALLEN.

H.R. 670: Mr. MCNERNEY and Ms. ZOE LOFGREN of California.

H.R. 678: Mr. CUMMINGS and Mr. KUCINICH.

H.R. 684: Mr. RUSH and Mr. PAYNE.

H.R. 689: Mr. BISHOP of Utah, Mr. CAMP of Michigan, and Mr. SAM JOHNSON of Texas.

H.R. 695: Mr. UDALL of Colorado.

H.R. 697: Mr. BARRETT of South Carolina, Mr. WOLF, Mrs. MCMORRIS RODGERS, Mr. LATHAM, Mr. PUTNAM, Mr. SOUDER, Mr. BOUSTANY, and Mr. BISHOP of Utah.

H.R. 711: Mr. PAUL, Mr. REHBERG, Mr. UPTON, Mr. MOORE of Kansas, and Mr. BRADY of Pennsylvania.

H.R. 714: Mr. MCGOVERN, Mr. MAHONEY of Florida, Mr. BERRY, and Mr. BISHOP of New York.

H.J. Res. 14: Mr. BRADY of Pennsylvania and Mr. KENNEDY.

H.J. Res. 18: Ms. WASSERMAN SCHULTZ and Mr. COHEN.

H. Con. Res. 7: Mr. GEORGE MILLER of California.

H. Con. Res. 9: Mr. SCOTT of Virginia.

H. Con. Res. 13: Mr. SCHIFF, Mr. KANJORSKI, and Ms. LEE.

H. Con. Res. 22: Mr. TAYLOR.

H. Con. Res. 30: Mr. GENE GREEN of Texas, Mrs. MALONEY of New York, and Mr. CLEAVER.

H. Con. Res. 35: Mr. BUTTERFIELD, Mr. CLAY, and Mr. THOMPSON of Mississippi.

H. Con. Res. 40: Mr. NORWOOD.

H. Con. Res. 45: Mr. GILCHREST, Mr. CASTLE, and Mr. MCCAUL of Texas.

H. Res. 18: Mr. CALVERT and Mr. MILLER of Florida.

H. Res. 53: Mr. CLAY, Mr. CARNAHAN, Mr. GRAVES, Mrs. EMERSON, Mr. MOORE of Kansas, Mr. SKELTON, Mr. BERRY, Mr. HULSHOF, Ms. KILPATRICK, Mr. DAVIS of Alabama, Mr. WYNN, Mr. DOGGETT, and Mr. CUELLAR.

H. Res. 55: Mr. NADLER, Mr. PAYNE, Mr. DOGGETT, Mrs. MALONEY of New York, Ms. WOOLSEY, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COHEN, Mr. ELLISON, and Mr. MCNULTY.

H. Res. 72: Mr. MARIO DIAZ-BALART of Florida, Ms. CASTOR, Ms. MATSUI, Mr. EHLERS, Mr. KLEIN of Florida, Mr. FEENEY, Ms. WASSERMAN SCHULTZ, Mr. CRENSHAW, Mr. MACK, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. CARNAHAN.

H. Res. 79: Mr. YOUNG of Alaska.

H. Res. 84: Mr. WESTMORELAND, Mr. LATOURETTE, Mr. SHUSTER, Mr. ARCURI, Mr. DENT, Mr. BOOZMAN, Ms. FALLIN, Mr. MCHUGH, Mr. EHLERS, Mr. HIGGINS, Mr. DAVIS of Kentucky, Mr. PLATTS, Mr. CASTLE, Mr. ENGLISH of Pennsylvania, Mr. MARCHANT, Mr. GERLACH, Mr. PRICE of Georgia, Mr. FOSSELLA, Mr. WALSH of New York, Mr. JOHNSON of Illinois, Mr. PETRI, and Mr. MARIO DIAZ-BALART of Florida.

H. Res. 90: Ms. WATERS, Mr. STUPAK, Mr. WATT, Mr. BISHOP of Georgia, Mr. ELLSWORTH, and Mr. BOREN.

H. Res. 101: Mr. COHEN and Mr. CONYERS.

H. Res. 102: Mr. ROHRABACHER, Mr. BACA, Mr. HOLT, and Ms. ZOE LOFGREN of California.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

1. The SPEAKER presented a petition of Mr. Kent Gneiting, a citizen of Fort Collins, Colorado, relative to petitioning the Congress of the United States for an appeal for redress; to the Committee on Foreign Affairs.

2. Also, a petition of Mr. Jabbar Magruder, a citizen of Los Angeles, California, relative to petitioning the Congress of the United States for an appeal for redress; to the Committee on Foreign Affairs.

3. Also, a petition of the International Association of Chiefs of Police, relative to resolutions adopted by the membersip of the International Association of Chiefs of Police at its 112th Annual Conference; to the Committee on the Judiciary.

4. Also, a petition of the Union County Board of Chosen Freeholders, New Jersey, relative to Resolution No. 982-2006 calling for the resignation of Dennis Hastert, Speaker of the House of Representatives from his position as speaker and as a Congressman; to the Committee on Standards of Official Conduct.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, JANUARY 30, 2007 No. 18

Senate

The Senate met at 10 a.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

The PRESIDING OFFICER. Today's prayer will be offered by the Chief of Staff to the Senate Chaplain, Alan N. Keiran.

The guest Chaplain offered the following prayer:

PRAYER

Let us pray.

Spirit of the living God, discover us today. Remove the obstacles that keep us from You and reach into the barren places of our hearts. Permit us to hear Your whisper as we are guided by our conscience. Chasten us as You guide our feet to the right path.

Today, O Lord, speak to our Senators. Let some ennobling word of justice and beauty inspire them in this challenging hour. Strengthen them to mend broken relationships, to maintain their integrity, and to strive always to please You. Protect them with Your power. We pray this in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 30, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHERROD BROWN, a Senator from the State of Ohio, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BROWN 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. This morning, the Senate will be in a period for the transaction of morning business for 60 minutes, the first half controlled by the majority and the remaining half controlled by the Republicans. Following morning business, we will resume H.R. 2, the minimum wage bill, and debate on the motion to invoke cloture on the substitute amendment to H.R. 2 will extend until 12:15 p.m. today, and that time is equally divided. However, at 11:55 a.m., the Republican leader will be recognized for 10 minutes for whatever time he or his designee wishes to speak, and then the final 10 minutes prior to 12:15 p.m. will be controlled by the majority. The first 5 minutes of that time will be for Senator KENNEDY and the second 5 minutes will be for me.

Regardless of the outcome of the cloture vote, the Senate will recess for the party conferences and then reconvene at 2:15 p.m. For the information of the Senate, each Senator will have until 11 a.m. to file any additional second-degree amendments.

I will have more to say later today regarding the schedule, according to how the votes turn out.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes, with each Senator permitted to speak for up to 10 minutes each, with the first half of the time under the control of the majority and the second half of the time under the control of the minority.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

MINIMUM WAGE

Mr. DURBIN. Mr. President, at long last, I believe we are on the verge of passing legislation that is long overdue. Soon we are going to vote on a procedural motion, known as a cloture motion, for the Fair Minimum Wage Act, which takes us one step closer to raising the minimum wage to $7.25 per hour over the next 2 years.

It has been 10 years since Congress has raised the minimum wage for the lowest paid workers in America. Since we last raised the minimum wage, its value has eroded because of inflation, the rising cost of living. Unlike our congressional pay raises, it has not kept pace with the actual cost of living in America.

The Democrats have been trying for almost 10 years to convince the majority party, then Republicans, that there

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

are millions of Americans who go to work every single day and still can't make enough money to provide decent daycare for their kids, pay their medical and utility bills, and provide food and other essentials that are part of every family's life.

Many of those people working for a minimum wage in Illinois make about $6.50 an hour because we raised it on a State basis in my home State. Yet they understand the need to raise the minimum wage. One woman wrote to me and said:

> I can't support my daughter on the wages I have, and I have to rely on my family. I won't get a significant increase in my wages until you bump up the wages. I make about $14,000 a year. I'm sure that's nothing to you but I have to live off that.

This woman, by the way, is a college graduate trying to raise her child, trying to do the right thing.

What help has she received from this Congress over the last 10 years? Almost none. Keep in mind, she lives in a State where our minimum wage is higher than $5.15. I can't imagine, in the 21 States that are stuck at $5.15 an hour, how these folks get along.

I heard a lot of my colleagues stand up on the floor and make good speeches about family values. Let's all agree on one thing: The most important family value is helping a parent raise a child and provide the necessities of life, and $5.15 an hour will not do that.

So 6 million Americans are watching this debate. Those are the people living on the minimum wage. I urge my colleagues to keep them in mind when we get a chance to vote this afternoon.

THE ECONOMY

Mr. President, I am honored that the President of the United States is in my home State of Illinois today. He is visiting Peoria, a great city. It has a great major company, Caterpillar, which has had terrific success. Caterpillar has shown increases in revenues and profits. It is a great corporate citizen and neighbor in the Peoria area. We are proud it is doing well.

But I would like to talk for a minute about areas in Illinois that the President will not be visiting. He will not be visiting Herod, IL, which lost 1,000 jobs recently when its Maytag manufacturing plant closed; or DuQuoin, IL, where 356 manufacturing jobs were lost at Archway; and then Mount Vernon, where Joy Manufacturing lost 175 manufacturing jobs; and Pinckneyville, where Technicolor Media Services will be closing its plant on March 31, causing 444 people to lose their jobs. I could go on.

Today President Bush comes to Peoria to talk about the state of the America's economy. The reality of America's economy is that on his watch, we have lost 3 million manufacturing jobs. Some have been replaced with jobs in convenience stores, but we all know the harsh reality. A person working for a minimum wage in a convenience store is not going to be able to take care of their family similar to someone working in a manufacturing job.

We have to understand that America can do better. How can we do better? First, acknowledge that trade is part of our future; globalization is as real as gravity. But make sure the trade agreements we enter into are trade agreements that are sensible—sensible in terms of labor standards, environmental standards, and enforceable.

The one thing that troubles me the most is this Bush administration has refused to enforce the trade agreements on the books. We all know what is going on in China—currency manipulation, dumping, unfair subsidies. Under the Bush administration, in 6 years, they have only filed two complaints against China for unfair trade practices.

As we lose good-paying jobs in America to China and other countries, we need to stand up and enforce the trade agreements that this administration and others have entered. The Bush administration needs to stand up for working families and fight off unfair trade practices that steal good jobs from America.

We also have to understand another harsh reality. Most Americans today, when asked, don't believe their children will have as good a life as they have had. That is such a sad commentary in America. It reflects the fact that 47 million Americans have no health insurance. It reflects the fact that fewer and fewer Americans have a retirement plan on which they can count, and it shows us that the wages that are being paid to working families, middle-income families in America, are not keeping up with the cost of housing, the cost of utility bills, the cost of gasoline for their cars, and the cost of putting their children through college.

If you want to know the real state of the economy, don't sit down and talk to the economists. Talk to the real working families in Illinois and across America who are struggling each day to make ends meet, going deeper in debt on their credit card bills and wondering if their kids will have as good a chance in the America to come.

That is the reality of our economy. Oh, the stock market may be strong. The heads of major corporations may be making tens of millions, hundreds of millions of dollars. The Tax Code may be crafted by this administration to favor those who are doing so well. But the reality on Main Street in America is that people are struggling. We are losing manufacturing jobs. We are not enforcing our trade agreements, and we are not giving the kind of hope which they need to working families across America.

This Congress is going to start to turn that around. It will take some time. First, we are going to raise the Federal minimum wage. Then we are going to address the needs of the families who have kids in college, reduce the cost of those college student loans so kids don't end up with a mountain of debt when they finally graduate; find a way to make health care more affordable and bring down the cost of the prescription part of Medicare, Part D, so the seniors are not stuck with the highest drug bills in America.

That I hope is the real state of the economy. I hope the President will today acknowledge that reality.

IRAQ

One last point I would like to make—the major issue on the minds of most Americans is the situation in Iraq. The President now wants to send 21,000 more troops to Iraq. Many of us feel this is a serious mistake; this is a strategy which has not been thought out.

This morning's Washington Post tells a story which is ominous. It is entitled ''Equipment for Added Troops is Lacking.'' It goes on to say:

> New Iraq forces must make do, officials say.

And here is the grim reality. The 21,000 soldiers this President wants to send into Iraq to join the 144,000 there will go without the equipment and protection they need and deserve. This report, which comes from the Pentagon, tells us that whether we are talking about vehicles, armor kits or basic equipment, our troops will not have what they need. In fact, the statement in here is from LTG Stephen Speakes and suggests:

> We don't have the [armor] kits, and we don't have the trucks. . . . He said it will take the Army months, probably until summer, to supply and outfit the additional trucks. As a result, he said, combat units flowing into Iraq would have to share the trucks assigned to units now there, leading to increased use and maintenance.

I have to ask, before we put any more soldiers in harm's way, don't we owe them the very best equipment they need so they can fight and come home safely? Don't we owe that to them and their families?

Some argue that when we come to the floor and take exception to the policies of this administration, it undermines the morale of the troops. I couldn't disagree more. What undermines the morale of the Nation's soldiers is the notion that they have to go into combat with less than the best equipment, that they have to go into combat without the armor plate they need to come home safe and sound. That undermines morale a lot more than any debate on the floor of the Senate, and it is time for the White House and the Bush administration to answer honestly how can we escalate this war in Iraq if we don't at least improve the equipment for the troops who are going into battle? That is the reality of what our soldiers face today and have faced throughout this war in Iraq, and that is why we definitely need a new direction.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, we are in morning business at this time?

The ACTING PRESIDENT pro tempore. The Senator is correct. We are in morning business.

INCREASING THE MINIMUM WAGE

Mr. KENNEDY. Mr. President, I wish to, again, thank my friend from Illinois and also our leader for their strong support on the increase in the minimum wage. We will have more as we go on through the morning. We expect to vote at noontime today on the increase on the minimum wage. This is day seven. We had five courageous Republicans who voted with us to pass what we call a clean minimum wage law that would increase the minimum wage from $5.15 an hour to $7.25 without additional kinds of tax provisions in there. The nine times we have increased the minimum wage we have only added tax provisions on one time. It is not necessary to add additional tax provisions, since we are restoring the purchasing power of the minimum wage to what it was some 10 years ago.

But I raise another broader issue for a few moments and that is, What is it about these working families that so outrages our Republican friends? What is it about providing a decent wage—some would say it is not decent because it is still so low at $7.25 an hour—but what is it about our Republican friends that they refuse to give us a vote in the Senate? It is true that 80 Republicans voted for an increase over in the House of Representatives. But Republican leadership has been strongly opposed to this over the last 10 years that I tried to bring up an increase in the minimum wage. It goes back a long period of time. We are seeing it once again, here, as the President is against an increase in the minimum wage.

I remind those who are watching the Senate deliberations this morning that we do not have any amendments over here on our side. The Democrats do not have any. They have more than 90 amendments over on the other side. I reminded the Senate, they have had amendments for over $200 billion. Some are dealing with Social Security. There are $35 billion in tax cuts on education, but they didn't include any help or assistance for children on the IDEA, those with disabilities or, for the neediest children, the Pell grants. We haven't had any consideration on that. They dropped that amendment in on the minimum wage program, completely unrelated to the minimum wage program. They had health savings accounts to benefit people with incomes of $133,000. We have had all those kinds of amendments, and they continue, if you read through that list. I have gone through those amendments and they continue.

My question comes back to this. What is it that the Republican leadership has against working families? I have raised that over the period of the last few days and I raise it today. I was looking back at the record of our Republican friends over the last year or so. They eliminated 6 million workers from overtime. Do we understand that? In the last 2 years, 6 million workers have had their overtime effectively canceled.

Since the 1930s, under President Roosevelt, there was a recognition that if people work more than 40 hours a week, they were going to be able to get overtime. The number of those individuals who work more than 40 hours a week is significant. It is over 28 percent in our country today. But this administration eliminated that extra time and a half for 6 million workers.

We say: What is it about those 6 million workers? Then we think about the opposition to the increase in the minimum wage. We take away their overtime when we are seeing this extraordinary increase in executive salaries, salaries which are exploding through the ceiling. Take away that overtime for 6 million workers. All right.

Then we see the great tragedy we had with Katrina, and we saw the attempts to rebuild after Katrina. What was the first thing the administration said? Eliminate any coverage or protection for workers in terms of their wages down there, what they call the Davis-Bacon program. It means they are not going to get paid what they get paid in the various regions, eliminate that so you can drive wages down even further in New Orleans. What is the reason for that? It is a good way to drive wages down for workers.

What is it about people in the construction industry? They average, I think it is $29,000 a year. That is too much for our Republican friends? Or $10,712 for a working American, a man or woman at the minimum wage, and they refuse to give some increase in that to $7.25 an hour? Here you have the average construction worker at $29,000 a year, and you are saying that is too high. What is it about this Republican Party, against the working families?

What was in their minds when they eliminated safety positions and reduced the budget for mine safety, prior to the Sago and Alma mine disasters? What was in their minds at that time, to reduce the kind of safety provisions? Is the power of the mine companies so great they can increase the risks for workers? Oh, yes, there are workers down there. They are the ones we want to cut back on, in terms of their overtime. They are the ones we are going to cut back on, in terms of safety.

I remember when this President Bush—after the first hearings we had, I think, in our committee—acted to eliminate the protections that had been recommended by President Clinton in the area of ergonomics, particularly affecting women who spend a great deal of time on computers. It affects others—those in the meat-packing industry and poultry industry, workers who perform repetitive kinds of procedures. We had extensive hearings. The Clinton recommendations were very modest. He encouraged companies to get into this and work with industry. Some people thought they were too weak, but they were protecting workers, hard-working people doing some of the most difficult work in America, protecting them so they are not going to get the kinds of complicated health challenges that will disable so many of those.

We know what the science is. We have had study after study by the National Academy of Sciences that said do something in Congress. We did something. But oh, no, the Republican leadership said: No, we are not going to do that. We are not going to provide protection for those workers. We are going to cut back on safety for those who work in the mines. We are going to cut back on overtime for 6 million. We are going to refuse to cover the workers down there in New Orleans who are working, trying to rebuild, when this administration basically ignored the problems there. Workers who were out there working, we are going to cut back and skimp on their salaries on this.

What is it about working people that this administration—the list goes on. Look at the amendments that are lined up to weaken OSHA. We see the number of lives that have been saved—tens of thousands of lives were saved. We have cut the death rate by more than 77 percent since OSHA has been in effect. There are new problems, new challenges, in terms of toxic substances, we have to look at. What is the voice over there? We hear great speeches about what is happening to the middle class. Let's take a step that can make some difference—certainly to 6 million children who will benefit if we increase the minimum wage from $5.15 to $7.25—6 million children's parents will benefit. We will have that opportunity.

I don't know what has changed in productivity. We worked closely together, for years and years, for a decent wage. It shows back in the 1960s, 1965 into the 1970s, we saw where our great American economy was moving along, increasing productivity. That increase in productivity was shared between the corporate world, the business world, and the workers. That is what was happening. We will get the charts later on.

Evidently our friends on the other side want to prolong this debate. We will get the charts to show that all America moved along in the 1940s and the 1950s, all the way through the 1960s—each quintile moved along virtually together. If you saw growth in the economy, it benefited all the groups together.

What has come over this country, and particularly the Republican Party, to say that no longer works in the United States? We don't want an economy that is going to work for everyone. We want an economy that is going to work for some—a few. What is it about it? I termed it ''greed.'' It is greed.

We have seen now what has happened in the change, in the increase in productivity. Still, the minimum wage goes down.

Mr. President, my excellent staff found that chart I was referring to—''Growing Together, 1947 to 1973.'' The lowest quintile, the second, third, right up to the very top—if you look at the different colors, you will see that all America moved along together. Now look what has happened. Corporations get a $276 billion tax break, small business a $36 billion tax break, and no increase in the minimum wage.

I hope somewhere during the course of this debate, our Republican friends will come out and make at least some argument about either the economics—it is an impossible one to make. You can't say it is the loss of jobs. We have dealt with that issue.

They will say you can't increase the minimum wage because it is inflationary in our economy. We show it is less than one-fifth of 1 percent of total wages paid over the course of the year. That argument doesn't work.

They will try to say it is not what our country is about, we can't afford that in the richest country in the world, where people are working. We demonstrate that the States which have an increase in minimum wage have grown faster and grown stronger and have a better economic record. And most important, child poverty has gone down.

I imagine, over the period of this year, we will hear 100 speeches in the different parts of our country about our children being our future. We have an opportunity today at noontime to do something about that. You don't have to make a speech, you have to vote right. You can vote today and, with that vote, hopefully, expedited process, that we can wind this legislation up and work out the differences with the House of Representatives and get it to the President to sign. Six million children will benefit.

So if you are talking about your concerns about middle class, if you are talking about working families, if you are talking about fairness and decency, if you are talking about children's issues, women's issues, civil rights issues, today at noon you have a chance to do something about it.

So I hope we will have more of an opportunity as we get closer to the time to add some additional comments. But I would hope that finally this basic, fundamental, and I think irrational, irresponsible, unacceptable, postured position our Republican friends have in terms of opposition—continued opposition, opposition, opposition—to the minimum wage would end. Today we are on the seventh day, but we debated this 16 other days to try to get an increase in the minimum wage without the Republicans letting us have it. How many days? What is the price? We don't even know what the price is. What are we supposed to do—keep bidding it out and sweetening the pot until the Republicans come along? Is that what the Americans want us to do? That is not what we are prepared to do.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I assume we are proceeding as in morning business.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. BOND. I thank the Chair. I would just say that like many Members on my side of the aisle, we pushed for a minimum wage bill last fall. Regrettably, it was filibustered, so we couldn't bring it to a vote. We are looking for and I intend to support a minimum wage bill if it has some reasonable tax incentives for small businesses that would be seriously harmed in some instances by the cost of a very drastic rise in the minimum wage. But I am hoping we will be allowed and not be prevented from adding those tax breaks that I think everybody needs.

IRAQ AND RELATED ISSUES

Mr. BOND. Mr. President, I rise today to talk about Iraq and Iraq-related issues. I had the opportunity this past weekend and the previous weekend to spend a good deal of time with the Missouri National Guard men and women in Missouri who do a great job in providing civil response to tremendous problems, whether it is floods or tornadoes or, in some instances, an ice storm that was devastating. Many of them have been to Iraq and Afghanistan and are going back, and they are proud of what they do. They know they are doing the job the military was assigned to do, and they are proud of it and we should support them.

Mr. President, it is noteworthy that I mention again my colleague and National Guard Caucus Cochair Senator PAT LEAHY and I will reintroduce the National Defense Enhancement and National Guard Empowerment Act later today.

This comprehensive legislation recognizes the paramount contributions that our citizen soldiers and airmen have made not only in Iraq and Afghanistan, but all over the globe and particularly here at home.

The bill provides four central planks: the elevation of the Guard chief to the rank of general, a seat for the chief of the Guard Bureau on the Joint Chiefs of Staff; mandates that the Deputy NorthCom position be for an eligible National Guard officer; and it allows for the National Guard Bureau to identify and validate equipment requirements, particularly those unique to the Guard's homeland missions.

When we went after the terrorists in Afghanistan, the Guard was there. When we needed to establish order and stability in Iraq, the Guard was there. When Hurricanes Katrina and Rita devastated the Gulf Coast, the Guard was there. When a natural or man-made disaster strikes, the Governors call on the Guard, and the Guard is there. The next time America needs military forces overseas, the Guard will be there.

Unfortunately, when the Pentagon makes key decisions that impact the Guard, the Guard is still not there.

The need to empower the National Guard is not only still there but grows each day. We need to give the Guard more bureaucratic muscle, so that the force will not be continually pushed around in policy and budget debates within the Pentagon.

Time and time again, the National Guard has had to rely on the Congress, not its total force partners in the active duty, to provide and equip fully the resources it needs to fulfill its missions.

Our legislation will end this nonsense. We will put the National Guard on an equal footing with other decision makers responsible for national security and the transformation of the military forces.

As GEN Steve Blum, chief of the National Guard Bureau put it, they need to be ''in the huddle'' at the Pentagon if they are to be in the game. This will ensure that the next time the 430,000 National Guard citizen-soldiers and airmen of the Guard are discussed at the senior levels of the Pentagon, the Guard will be there.

Additionally, I remind my colleagues that the Fiscal Year 2007 Military Construction and Quality of Life Appropriations bill was not passed into law. As a result, approximately $17 billion in new construction and BRAC projects authorized by the Congress in 2007 cannot proceed.

The military service chiefs have urged the Congress to pass this legislation

The projects funded by the Fiscal Year 2007 MILCON bill are necessary to sustain readiness and quality of life for U.S. service personnel. I also ask that letter from the Navy and Army Secretaries and Service Chiefs that raise concern about the risk by operating under a continuing resolution be printed in the RECORD.

I ask unanimous consent that letters in support of this legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SECRETARY OF THE NAVY, CHIEF OF NAVAL OPERATIONS, COMMANDANT OF THE MARINE CORPS,
Washington, DC, December 22, 2006.

Hon. TRENT LOTT,
U.S. Senate,
Washington, DC.

DEAR SENATOR LOTT: We are seeking your assistance in lessening the severe burden placed on the Department of the Navy in the absence of a Military Construction, Quality of Life, and Veterans Affairs FY 2007 Appropriations bill, and to offer our continued support for expeditious passage of this important legislation.

Although the Continuing Resolution (CR) has provided some initial relief, a CR in its

current form of all of FY 2007 could severely impact Basic Allowance for Housing (BAH) and Base Realignment and Closure (BRAC) 05 accounts because funding has thus far been limited to the smaller programs requested and enacted in FY 2006 as compared to the larger programs requested in FY 2007. It poses particularly acute problems in the Family Housing Construction, Navy; Military Construction, Navy; and Military Construction Naval Reserve accounts because of the restriction on the award of ''new starts.''

BAH provides Sailors and Marines monthly cash payments for their housing costs. Facilities, Sustainment, Restoration and Modernization funds provide an immediate and visible improvement to quality of life in the workplace. Both of these accounts were moved from the Defense Bill to the Military Construction, Quality of Life, and Veterans Affairs for FY–07. It is important that the appropriations be made in the traditional accounts with normal flexibilities. If we are to manage under provisional levels for the full year, the Department must be able to address execution issues that inevitably will arise in these programs.

The CR is precluding our ability to provide modern, government owned or privatized quality housing to our Sailors, Marines and their families at a time when the Global War on Terror is placing enormous stress on our military and military families. The Department would be unable to complete a long standing Department of Defense goal to obligate funds needed to eliminate all inadequate housing by 2007. Specifically, we would have to postpone construction of 250 new homes at Naval Base Guam, and Marine Corps Logistics Base Barstow CA. We would also have to postpone housing privatization projects on over 8,000 homes at Navy and Marine Corps installations in California, Florida, Georgia, Hawaii, Massachusetts, Mississippi, North Carolina, South Carolina, and Texas.

If we are providing funding for ''new starts,'' we can also improve operational readiness with modernized facilities, reduce national security threats at our nuclear weapons facilities, and provide new training capabilities for our men and women in uniform. Without funding, the Department would be unable to award 44 ''new start'' military construction projects in 11 states and four overseas locations totaling $857 million. One example is the award of two $13 million military construction projects for Mobile User Objective System (MUOS) ground control and tracking stations—one in Hawaii and another in Sigonella, Italy. MUOS is a $6.5 billion narrowband UHF satellite communications capability vital to our joint war fighters. There are operational concerns as existing satellite communication systems are failing as they reach the end of their service life. Without these ground stations, planned launches of the MUOS satellites already funded will be delayed, and the Department faces additional costs for spacecraft and ground equipment storage, contractual and additional fees, and other related costs far greater than the cost of the construction.

With respect to BRAC 05, the CR can stymie our efforts to construct facilities and move equipment and people to receiver locations, and impede our ability to harvest savings and organizational efficiencies already accounted for in the budget. Delaying installation closures jeopardizes our ability to proceed with the many joint recommendations that require complex, sequential moves, all of which by statute must be accomplished by September 2011. The Department of the Navy's share of the Department of Defense BRAC account in FY 2007 is $690 million, compared to the FY 2006 enacted amount of $247 million. While the Office of Management and Budget has ruled that ''new starts,'' including BRAC construction, is not a concern in the BRAC 05 account, the current CR is limiting FY 2007 expenditures to the FY 2006 level. We will have to delay an estimated $382 million of BRAC construction and $61 million in civilian personnel moves, reductions, and hiring actions, primarily for BRAC actions in New Orleans, LA and southern California, until funding becomes available.

Prompt passage of an FY 2007 Military Construction, Quality of Life, and Veterans Affairs appropriations bill would resolve these difficulties. The appropriations bills endorsed by the full House and Senate differed little from the President's budget request for the Department of the Navy. Should an FY 2007 bill prove unattainable, we would ask that you expand the authority in the CR to allow funding to the lower of the FY 2007 House and Senate appropriation bills, and allow for ''new starts'' in military construction and family housing accounts, subject as always to requirements of the Authorization Act.

We appreciate your continued support for our country's Sailors, Marines and their families. We stand ready to respond to any questions or concerns that you may have.

Sincerely,

JAMES T. CONWAY,
General, U.S. Marine Corps.
MICHAEL G. MULLEN,
Admiral, U.S. Navy.
DONALD C. WINTER,
Secretary of the Navy.

DEPARTMENT OF THE ARMY,
Washington, DC, December 18, 2006.

Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCONNELL: Over the past several years, the Army has executed an aggressive and carefully integrated plan in support of our national security mission. Our plan provides for simultaneous organizing, manning, training, equipping, deploying and redeploying of units and Soldiers, as well as the required materiel. It also lays the foundation for retaining our position as the world's dominant land force, to include base consolidation, restationing of troops, and improvements essential to providing our Soldiers and their families the standard of living they deserve.

Miltariy construction and quality of life initiatives constitute large, crucial portions of this carefully synchronized plan. Yet, the limitations imposed by the Continuing Resolution (CR) are already causing our plan to fray, and it is likely to unravel completely should we go through the entire fiscal year under a CR. The potential negative effects on operational readiness cannot be overemphasized; the Army's ability to prosecute the Global War On Terrorism and to prepare for future conflicts would be severely hampered.

As an example, the Army's FY 2007 Military Construction Plan includes almost $400 million to support the Army Modular Force through construction of a battle command training center, vehicle maintenance facility, several brigade complex facilities, barracks and numerous child development centers. Our force rotation plan to Iraq and Afghanistan, as well as our overall readiness posture, relies on completing these conversions to the Army Modular Force on time. We have recruited and retained the Soldiers, purchased individual force protection equipment, repaired and replaced weapons, and established a training plan, but now we are faced with the real possibility of not having facilities ready for training, maintenance, communications and command activities. We will have Soldiers at Fort Campbell, Fort Drum, and Fort Stewart who are ready to fight, ready to lead and ready to defend this country, but won't have adequate places to train, work or sleep.

We will see similar situations in the Reserve Component. The Army National Guard will be without aviation support facilities, field maintenance shops and supply points. The Army Reserve will lack several reserve centers, training facilities and storage facilities. We will put at risk funding or land provided by the states for many of these projects. Citizens eager to serve this country will find a lack of updated facilities.

Base Realignment and Closure (BRAC) initiatives are quickly coming apart at the seams, as the Army will be limited to spending less than one-fourth of the amount needed to keep approved BRAC moves on schedule. Imbedded in BRAC is the movement of units from overseas back to the United States. Delaying BRAC means we won't meet our the 1st Armored Division from Germany to Fort Bliss and may hinder the establishment of two critically needed modular brigade combat teams. For every brigade combat team affected by these delays, thousands of Soldiers will lack facilities to train and work or, at best, will have only inadequate and outdated facilities.

In summary, the Army will experience unacceptable delays in constructing much needed facilities unless the Congress can pass a full Military Construction/Quality of Life Bill for FY 2007 by February or expand and enhance the next Continuing Resolution to permit the execution of all programs and projects requested in the FY 2007 President's Budget.

The Army's leadership is prepared to answer any questions you may have. We deeply appreciate your support of our men and women in uniform.

Sincerely,

PETER J. SCHOOMAKER,
General, United States Army,
Chief of Staff.
FRANCIS J. HARVEY,
Secretary of the Army.

Mr. BOND. Mr. President, one of the big questions that is being discussed today is what the President's plans are in Iraq and whether we should submit a resolution condemning the troop increases. I find it passing strange that many of the people pushing for a resolution to say we shouldn't send troops just adopted by a unanimous vote the confirmation of General Petraeus, who has said he believes he can do the job if he has the additional troops. He says the number is 21,000. Who are we to second-guess an experienced general who knows what the needs of his men and women in service are?

I have listened to many of the persuasive arguments on the other side about their concerns about the Iraq war. There are some who want to cut off completely our involvement—cut and run. They have an argument; they make a legitimate point. I hope we have a chance to vote on it because the intelligence community leaders from DNI to the military intelligence head to the CIA said cutting and running now would be a disaster resulting in chaos, in additional killing of Iraqi citizens, and giving the entire area over to al-Qaida and probably bringing in a region-wide conflict. So that is at

least a position that I understand how they take it, but I will fight very hard against it.

What I don't understand is the people who say they want to do several things: They want to see a change in policy in Iraq. They want to see more Iraqi responsibility. They want to change the rules of engagement so we can go after Shia death squads and there won't be any political restrictions on it. And they want to adopt the strategy of the Baker-Hamilton report. Many of these same people who are now urging the adoption of a resolution said we need to send more troops. Well, when you look at it, the President is sending some more troops for a new strategy which involves the Iraqi leadership, Prime Minister al-Maliki, the Shia, as well as the Sunni and Kurdish leaders. They are now fighting without limitations on the rules of engagement. Our additional forces will be there at the request of al-Maliki to help him stabilize the country. This is the last best chance. This is the chance to leave a stable Iraq which will not become a terrorist ground for al-Qaida.

Sunday, I had the opportunity to talk to Jim Baker, the lead name on the Baker-Hamilton report. I said: Jim, is the President's surge what you recommend militarily? He said yes. That is precisely what the Baker-Hamilton commission recommended. He also recommended additional diplomatic efforts. But in terms of the military effort, he said: This is what we recommended.

Now, how do we send troops over and then think maybe we can get some political cover back home by saying we don't really agree with it? I don't think that does anything of real significance. There are some things a resolution passed by this Congress expressing disapproval of the President's plan would do, and I think they are significant and serious.

No. 1, it would send a message to those we fight against—al-Qaida, the Baathists, Sunni insurgents—that we are not serious; we don't intend to support our men who are supporting the Iraqi military. It gives them cause to fight harder and stay longer.

No. 2, it sends a message to our friends whom Secretary Rice is trying to bring in to help rebuild the economy of Iraq and provide jobs for unemployed young Iraqis—essential if we want to win 80 percent of the battle against radical Islam, which is ideological. It would tell them: you probably better not put too much money on the Iraqis because the U.S. Congress is going to pull the plug and then it will descend into chaos and any dollars we invest will be gone.

Third, I would ask my colleagues to think about the message it sends to the troops who are there, to the troops who will be going there. They are over there fighting. They are risking their lives every day. They are willing to take on the fight because they believe it is an important fight. They believe it is a fight we can and we must win militarily. What message does it send to the families back home? I think you can guess what that answer is.

I saw a very interesting article in the Washington Post on Sunday. Robert Kagan at the Carnegie Endowment for International Peace, and a Transatlantic Fellow at the German Marshall Fund, has written a book. He said:

> Grand Delusion: Politicians in Both Parties Act as if They Can Make the War Go Away Soon. It Won't.

He warns about all we are doing when we have laid out a plan and reinforcements for the Iraqi troops. He said:

> Back in Washington, however, Democratic and Republican Members of Congress are looking for a different kind of political solution: The solution to their problems in presidential primaries and elections almost two years off. Resolutions disapproving the troop increase have proliferated on both sides of the aisle. Many of their proponents frankly, even proudly, admit they are responding to current public mood. Those who think they were elected sometimes to lead rather than to follow seem to be in the minority.

And he goes on to say that those who call for an end to the war don't want to talk about the fact that the war in Iraq and in the region will not end but will only grow more dangerous if and when we walk away.

As I said, our intelligence community leaders, in open testimony a couple of weeks ago before the Senate Intelligence Committee, said if we walk away, leaving Iraq without an army and a security force adequate to sustain general order, peace and order in that country, not only will innocent Iraqis be slaughtered, there will be an open invitation for others to come in. How long can the Shias oppress the Sunnis without having the Jordanians and the Saudis and maybe the Egyptians come in to support them? We have already heard they would do that, to protect the Sunnis. And if the Sunni supporters came in, it would take about a New York minute for Iran to come in on behalf of the Shia. What kind of conflagration would ensue? It would take a lot more American troops to protect our ally Israel and to try to stop the killing.

In addition, we know that al-Qaida would have a safe haven. And al-Qaida is not mad because we are in Iraq; they just want to win in Iraq. Muqtada al-Sadr, the No. 2 man, has been very eloquent, and he has been backed up by his boss, Osama bin Laden, who says: We have to win. Al-Qaida needs to restore chaos to Iraq so they will have a safe haven in which to operate, train their suicide bombers, their jihadists, develop means of command and control once again, perhaps get weapons of mass destruction. Well, that is what happens if we walk away and leave Iraq in chaos.

Back to Robert Kagan's piece:

> Some people assume that if we can get the troops withdrawn, then it won't be a problem for all of our Senators running for President in 2008. Should any one of them win, they think by getting out of Iraq now, it won't be a problem.

Bob Kagan says that:

> That is a delusion. Not only a democratic delusion, but some conservatives and Republicans have thrown up their hands. And they think that if we walk away, somehow the whole mess will simply solve itself and fade away.

He said:

> Talk about a fantasy. The fact is the United States cannot escape the Iraq crisis or the Middle East crisis of which it is a part and will not be able to escape it for years. And if Iraq does collapse, it will not be the end of our problems, but the beginning of a new and much bigger set of problems.

Well, Mr. President, I think that sets it up very well. I hope our colleagues will think about that. I hope they will consider that when they are talking about passing a resolution. It sends the wrong message to the enemies, to our allies, and to our troops and their families at home.

This war radical Islam has declared on us is a generational war, as the President said. We best be laying plans to do our best to protect our country from repeated attacks such as September 11 by al-Qaida. That is at stake. By being in Iraq, by having good intelligence at home, we have been fortunate to avoid another September 11 attack. If al-Qaida had planned and regrouped, we would be much more likely to have another.

I ask unanimous consent a copy of the article by Mr. Kagan be printed in the RECORD after my remarks on Iraq.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 28, 2007]

GRAND DELUSION: POLITICIANS IN BOTH PARTIES ACT AS IF THEY CAN MAKE THE WAR GO AWAY SOON. IT WON'T.

(By Robert Kagan)

It's quite a juxtaposition. In Iraq, American soldiers are finally beginning the hard job of establishing a measure of peace, security and order in critical sections of Baghdad—the essential prerequisite for the lasting political solution everyone claims to want They've launched attacks on Sunni insurgent strongholds and begun reining in Moqtada al-Sadr's militia. And they've embarked on these operations with the expectation that reinforcements will soon be on the way: the more than 20,000 troops President Bush has ordered to Iraq and the new commander he has appointed to fight the insurgency as it has not been fought since the war began.

Back in Washington, however, Democratic and Republican members of Congress are looking for a different kind of political solution: the solution to their problems in presidential primaries and elections almost two years off. Resolutions disapproving the troop increase have proliferated on both sides of the aisle. Many of their proponents frankly, even proudly, admit they are responding to the current public mood, as if that is what they were put in office to do. Those who think they were elected sometimes to lead rather than follow seem to be in a minority.

The most popular resolutions simply oppose the troop increase without offering much useful guidance on what to do instead, other than perhaps go back to the Baker-Hamilton commission's vague plan for a

gradual withdrawal. Sen. Hillary Clinton wants to cap the number of troops in Iraq at 137,500. No one explains why this is the right number, why it shouldn't be 20,000 troops lower or higher. But that's not really the point, is it?

Other critics claim that these are political cop-outs, which they are. These supposedly braver critics demand a cutoff of funds for the war and the start of a withdrawal within months. But they're not honest either, since they refuse to answer the most obvious and necessary questions: What do they propose the United States do when, as a result of withdrawal, Iraq explodes and ethnic cleansing on a truly horrific scale begins? What do they propose our response should be when the entire region becomes a war zone, when al-Qaeda and other terrorist organizations establish bases in Iraq from which to attack neighboring states as well as the United States? Even the Iraq Study Group acknowledged that these are likely consequences of precipitate withdrawal.

Those who call for an ''end to the war'' don't want to talk about the fact that the war in Iraq and in the region will not end but will only grow more dangerous. Do they recommend that we then do nothing, regardless of the consequences? Or are they willing to say publicly, right now, that they would favor sending U.S. troops back into Iraq to confront those new dangers? Answering those questions really would be honest and brave.

Of course, most of the discussion of Iraq isn't about Iraq at all. The war has become a political abstraction, a means of positioning oneself at home.

To the extent that people think about Iraq, many seem to believe it is a problem that can be made to go away. Once American forces depart, Iraq will no longer be our problem. Joseph Biden, one of the smartest foreign policy hands in the Senate, recently accused President Bush of sending more troops so that he could pass the Iraq war on to his successor. Biden must assume that if the president took his advice and canceled the troop increase, then somehow Iraq would no longer be a serious crisis when President Biden entered the White House in 2009.

This is a delusion, but it is by no means only a Democratic delusion. Many conservatives and Republicans, including erstwhile supporters of the war, have thrown up their hands in anger at the Iraqi people or the Iraqi government. They, too, seem to believe that if American troops leave, because Iraqis don't ''deserve'' our help, then somehow the whole mess will solve itself or simply fade away. Talk about a fantasy. The fact is, the United States cannot escape the Iraq crisis, or the Middle East crisis of which it is a part, and will not be able to escape it for years. And if Iraq does collapse, it will not be the end of our problems but the beginning of a new and much bigger set of problems.

I would think that anyone wanting to be president in January 2009 would be hoping and praying that the troop increase works. The United States will be dealing with Iraq one way or another in 2009, no matter what anyone says or does today. The only question is whether it is an Iraq that is salvageable or an Iraq sinking further into chaos and destruction and dragging America along with it.

A big part of the answer will come soon in the battle for Baghdad. Politicians in both parties should realize that success in this mission is in their interest, as well as the nation's. Here's a wild idea: Forget the political posturing, be responsible, and provide the moral and material support our forces need and expect. The next president will thank you.

Mr. BOND. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I start by telling the Senator from Missouri how much I appreciate his leadership on this issue. As the ranking member of the Senate Select Committee on Intelligence, he knows as well as anyone what is at stake in Iraq and in the global war on terror. I know his son, Sam, is a member of the Marine Corps and has served in Iraq. I believe he is either back or headed back here very soon, so this is a matter in which the Senator from Missouri has a personal investment, in addition to the larger investment all Americans have in making sure our security is protected to the extent possible. That is what it boils down to.

Some say we have to do this for the Iraqis. I suggest, as laudable as that is, we need to do this for us. What do I mean by ''this''? I mean what the Iraq Study Group—the bipartisan group created to look into the challenge of the conflict in Iraq—recommended. They pointed out quite clearly that it is in America's vital security interests to leave Iraq when we do. Of course, that is the goal we all share. We want to leave Iraq, but we must leave Iraq based on conditions where Iraq can sustain itself, defend itself, and govern itself.

It is bewildering to see a vote like we saw last Friday in the Senate where GEN David Petraeus, the new commander in Iraq, was confirmed unanimously by this Senate, yet there are those who say: Yes, we are going to confirm you, General, unanimously. We are going do say nice things about you and your talents and dedication and patriotism that you have demonstrated by your service, but the plan that you are the architect of, we are not going to support it. We are going to pass a sense-of-the-Senate resolution which, in his own words, undermines his ability to be successful in America's ability to protect its national security interests by leaving Iraq in a condition that it can sustain, govern, and defend itself, and which sends a wrong message to our enemies.

The consequences of failure in Iraq are best summed up by the Iraq Study Group on page 34. They said that a chaotic Iraq would provide a still stronger base of operations for terrorists who seek to act regionally or even globally. Al-Qaida will portray any failure by the United States in Iraq as a significant victory that will be featured prominently as they recruit for their cause in the region around the world.

It will surely be a failed state if we leave Iraq before conditions on the ground permit the Iraqis to govern, sustain, and defend themselves. It will likely lead to a failed state much as Afghanistan was after the Soviet Union was run out of Afghanistan in 1979.

What was that condition? We know all too well on September 11, 2001, when America was hit by al-Qaida on our own shores, that what happened in the interim between the time the Soviet Union left Afghanistan was a rise of the Taliban and al-Qaida, including Osama bin Laden, who was plotting and planning and training and then exporting terror attacks against the United States and against our allies.

It is entirely probable, in my opinion, that if we leave Iraq prematurely, before it can sustain, govern, and defend itself, Iraq will become another failed state like Afghanistan, another place where terrorists can train, recruit, and then export terrorist attacks against the United States and our allies.

It is also likely that if we leave Iraq prematurely, it would lead to a broader regional conflict, probably involving Syria, Iran, Saudi Arabia, and Turkey, and we may have to later return at a greater cost to our Nation.

This is another matter to which I don't think the people have paid enough attention: to leave Iraq prematurely would lead to massive human suffering. The other day, the Judiciary Committee had a hearing on Iraqi refugees. Of course, there are brave Iraqis who have worked alongside America and our allies to try to restore democracy to that country after Saddam's bloodthirsty reign. They are worried, as they should be, that if America pulls out, along with our coalition partners, before Iraq is able to sustain, govern, and defend itself, they will be slaughtered. It will be ethnic cleansing where Shia will kill Sunni. It will draw in, likely, the Sunni majority nations such as Saudi Arabia to defend the Sunnis against ethnic cleansing.

We are at a crossroads. The choices are not necessarily good ones, but they are the choices with which our Nation is confronted. We can either stay with the status quo which, frankly, I don't know anyone who believes the status quo is working or, No. 2, we can, as some have suggested, cut off funding for our troops and result in a precipitous withdrawal from Iraq or, No. 3, we can devise a new strategy in an effort to succeed where the current strategy has not in Iraq.

I believe the obvious choice is No. 3. If we are going to confirm a new Secretary of Defense, Robert Gates, as we have done; if we are going to confirm a new general leading coalition forces in Iraq, like David Petraeus, as we have done; if we are going to confirm a new commander of Central Command, Admiral Fallon, as I am confident we will do; we need to ask for their advice, get their advice, and, frankly, take their advice. I am afraid this has become far too political and not focused, as it should be, on a bipartisan basis, on what is in America's strategic and security self-interest.

The Washington Post summed it up in an editorial this way. They said legislators need a better way to act on their opposition to the current policy than passing a nonbinding resolution that may cover them politically but have no practical impact other than

perhaps the negative one suggested by the general—and they are talking about General Petreaus. What are the negative impacts? General Petreaus made that clear in the nomination hearings before the Senate Committee on Armed Services.

Senator MCCAIN asked:

Suppose we send you additional troops and we tell the troops, while we support you, we are convinced you cannot accomplish your mission, and we do not support the mission that we are sending you on. What effect does that have on the morale of the troops?

General Petraeus:

Well, it would not be a beneficial effect, sir.

Senator LIEBERMAN:

A Senate-passed resolution of disapproval for this new strategy in Iraq would give the enemy some encouragement, some feeling that well, some clear expression that the American people are divided?

General Petraeus:

That's correct, sir.

I understand as well as anybody the reservations that Members of the Senate have about the new plan. The question we all have is, Will it work? Obviously, there are no guarantees. However, I know there is one sure plan for failure that will embolden our enemies, undermine our allies, and demoralize our troops, and that is to pass a resolution of no confidence in the only plan that has now been proposed for a new way forward in Iraq: working with the Iraqi Government, Prime Minister Maliki, making it clear there are benchmarks they need to meet; that it is their country, and they need to take the lead. We will support them. We will help stiffen their spine, particularly when it comes to preventing sectarian violence and taking on the militias which have ruled the streets in so much of Iraq. But this is the only chance and the only alternative that has been offered by anyone, so far, as to the way forward.

I make an appeal to our colleagues on the Democratic side of the aisle. On November 7, we had an election. As a result of that election, Democrats no longer were a minority party but became the majority in the Congress, both in the House and in the Senate. While I understand that as a minority party frequently we do not have the opportunity to set the agenda or to provide the leadership and are left with criticizing what the majority party does, my hope would be that the new majority would rise to the occasion, would set partisanship aside as much as possible, particularly with regard to our national security interests, would not focus on the 2008 election or worry about individual political outcomes. My hope is the new majority would use this as an opportunity to work with the new minority to send a vote of confidence and to provide a plan, support for the plan that has been drafted by General Petraeus and supported by all our military leadership for the possibility of a successful way forward in Iraq.

Frankly, for our friends on the other side of the aisle to merely criticize and offer resolutions of no confidence that are not binding is not an act of encouragement. It is not an act of patriotism but, unfortunately, as General Petraeus said, it will undermine our troops' morale and embolden our enemies. We all owe it to the troops who have risked their lives, to the families who have paid the ultimate sacrifice in defense of freedom and to protect our security, to do our very best to work together to try to support a way forward in Iraq which has the best chance of success.

My hope is, in the coming days, through this debate, we will agree to do that, and we will avoid making political statements that have no binding effect and which serve only to embolden our enemies and undermine our friends.

I see the distinguished Senator from Arizona on the floor of the Senate, and I yield to him.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, I join my colleague, the Senator from Texas, in urging the Senate to think very carefully about passing what appears to be a nonbinding resolution, but what, in fact, has dramatic consequences.

It is true that a nonbinding resolution would not change the policy of the President; he is the Commander in Chief. He has decided on a new strategy after consultation with a lot of people, and that new strategy is now being implemented in Iraq as we speak.

The Senate, last Friday, confirmed GEN David Petraeus to carry out that policy. By the way, it seems quite incongruous we would, on the one hand, confirm General Petraeus, pat him on the back, and say: Go do the mission in Iraq—by the way, we disagree with the mission. That is one of the bad messages that is sent.

I would like to talk a little bit more about the sending of messages with the nonbinding resolutions. That is obviously what the proponents of the resolutions would like to do. They have talked about sending a message. Mostly they are trying to send a message to the President. Of course, any Senator who wants to talk to the President has that capability. We do not need to send messages to the President publicly in areas that cause harm. We should think about the consequences of such a message to our enemies, to our allies, and most especially to the troops that we send in harm's way.

Think for a moment about the consequences of a message that says that we disagree with the President's strategy, we disagree with the mission, and we don't believe that any more troops should be involved or that the United States should remain in Iraq beyond a very limited period of time. The message that sends to our enemies is a devastating one.

As General Petraeus testified before the Senate Committee on Armed Services, war is about breaking the will of your opponent. He feared the consequences of such a resolution which he said would not be helpful because it would send a signal to our enemies that we don't have the support in the United States Government necessary to break the will of the opponent.

These terrorists well understand this is a contest of wills. Can they outlast us? Osama bin Laden thinks we are the ''weak horse,'' as he puts it, and he is the ''strong horse''; that we left Vietnam, that we left Lebanon, that we left Somalia, and we will leave Iraq before the job is done as well. And he believes that. So there is a test of wills going on. And if the enemies come to believe they can outlast us, that their will is stronger than ours, then it is very difficult to defeat them in this war against terrorism.

The message it sends to our allies is we are not necessarily a reliable ally. Certainly, to people in the neighborhood—the people in Afghanistan, in Pakistan, and elsewhere—you can imagine they would quickly begin to hedge their bets because of the neighborhood in which they live. If we are going to leave, and they have to continue to live with these bad actors, then, as before September 11, you will see them begin to hedge their bets and provide support for, in one way or another, terrorists who live in that neighborhood. That is against the national security interest of the United States.

The message that is sent to our troops is perhaps the most devastating because it says: We have sent you on a mission, and yet we do not believe in the mission. We are putting you in harm's way. You may, in fact, die trying to complete your mission, but it is not a mission that we believe in.

Think about the message that sends to the troops and to the families.

Very interestingly, last Friday, ''NBC Nightly News'' had an interview with three soldiers from Iraq talking about this very point. It was in the Brian Williams newscast. He called on Richard Engel, reporting from Baghdad, who had interviewed these three soldiers. I think what they had to say should instruct us. He talked about the new mission they were on, and he said:

It's not just the new mission the soldiers are adjusting to. They have something else on their minds:

This is David Engel, the reporter, speaking—

the growing debate at home about the war. Troops here say they are increasingly frustrated by American criticism of the war. Many take it personally, believing it is also criticism of what they've been fighting for. Twenty-one-year-old Specialist Tyler Johnson is on his first tour in Iraq. He thinks skeptics should come over and see what it's like firsthand before criticizing.

Then, this is what SPC Tyler Johnson said:

Those people are dying. You know what I'm saying? You may support—''Oh, we support the troops,'' but you're not supporting what they do, what they share and sweat for, what they believe for, what we die for. It just don't make sense to me.

Engel then said:

Staff Sergeant Manuel Sahagun has served in Afghanistan and is now in his second tour in Iraq. He says people back home can't have it both ways.

Then SSG Manuel Sahagun said:

One thing I don't like is when people back home say they support the troops but they don't support the war. If they're going to support us, support us all the way.

Finally, Engel said:

Specialist Peter Manna thinks people have forgotten the toll the war has taken.

SPC Peter Manna said:

If they don't think we're doing a good job, everything that we've done here is all in vain.

Engel closed his report saying:

Apache Company has lost two soldiers and now worries their country may be abandoning the mission they died for.

That is the message we send to our troops: that they may be dying in vain, that they may be putting their life on the line in vain because we do not support the mission we put them in harm's way to accomplish. That is a devastating blow to morale.

Just imagine what you would do if you were the parent or the spouse of one of those soldiers who got killed and came to believe the mission we had sent them on was no longer a mission that we supported, and yet we continue to keep them in harm's way.

My view is, if you think this war is lost or that we cannot win it, that you have the courage of your convictions and vote to cut off the funds and bring the folks home right now before any more die. But if you believe, as the President does, that we must not leave Iraq a failed state, that there is still an opportunity there to succeed, and that his plan deserves a chance to succeed, then we should not support resolutions that send a different message.

That is why I want to urge my colleagues to think very carefully before supporting any of these resolutions which may be nonbinding on the President but, nevertheless, have severe consequences to our enemies, to our allies, and to the troops we put into harm's way. This is serious business we are about. We need to consider it seriously and not undercut the troops we put in harm's way.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. TESTER). The time for morning business has expired.

FAIR MINIMUM WAGE ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

Pending:

Reid (for Baucus) amendment No. 100, in the nature of a substitute.

McConnell (for Gregg) amendment No. 101 (to amendment No. 100), to provide Congress a second look at wasteful spending by establishing enhanced rescission authority under fast-track procedures.

Kyl amendment No. 115 (to amendment No. 100), to extend through December 31, 2008, the depreciation treatment of leasehold, restaurant, and retail space improvements.

Enzi (for Ensign/Inhofe) amendment No. 152 (to amendment No. 100), to reduce document fraud, prevent identity theft, and preserve the integrity of the Social Security system.

Enzi (for Ensign) amendment No. 153 (to amendment No. 100), to preserve and protect Social Security benefits of American workers, including those making minimum wage, and to help ensure greater Congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

Vitter/Voinovich amendment No. 110 (to amendment No. 100), to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns.

DeMint amendment No. 155 (to amendment No. 100), to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce, and to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements and the use of health savings accounts for the payment of health insurance premiums for high deductible health plans purchased in the individual market.

DeMint amendment No. 156 (to amendment No. 100), to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements.

DeMint amendment No. 157 (to the language proposed to be stricken by amendment No. 100), to increase the Federal minimum wage by an amount that is based on applicable State minimum wages.

DeMint amendment No. 159 (to amendment No. 100), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization.

DeMint amendment No. 160 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to allow certain small businesses to defer payment of tax.

DeMint amendment No. 161 (to amendment No. 100), to prohibit the use of flexible schedules by Federal employees unless such flexible schedule benefits are made available to private sector employees not later than 1 year after the date of enactment of the Fair Minimum Wage Act of 2007.

DeMint amendment No. 162 (to amendment No. 100), to amend the Fair Labor Standards Act of 1938 regarding the minimum wage.

Kennedy (for Kerry) amendment No. 128 (to amendment No. 100), to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns.

Martinez amendment No. 105 (to amendment No. 100), to clarify the house parent exemption to certain wage and hour requirements.

Sanders amendment No. 201 (to amendment No. 100), to express the sense of the Senate concerning poverty.

Gregg amendment No. 203 (to amendment No. 100), to enable employees to use employee option time.

Burr amendment No. 195 (to amendment No. 100), to provide for an exemption to a minimum wage increase for certain employers who contribute to their employees' health benefit expenses.

Chambliss amendment No. 118 (to amendment No. 100), to provide minimum wage rates for agricultural workers.

Kennedy (for Feinstein) amendment No. 167 (to amendment No. 118), to improve agricultural job opportunities, benefits, and security for aliens in the United States.

Enzi (for Allard) amendment No. 169 (to amendment No. 100), to prevent identity theft by allowing the sharing of social security data among government agencies for immigration enforcement purposes.

Enzi (for Cornyn) amendment No. 135 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to repeal the Federal unemployment surtax.

Enzi (for Cornyn) amendment No. 138 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

Sessions (for Kyl) amendment No. 209 (to amendment No. 100), to extend through December 31, 2012, the increased expensing for small businesses.

Division I of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division II of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division III of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division IV of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division V of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Durbin amendment No. 221 (to amendment No. 157), to change the enactment date.

The PRESIDING OFFICER. Under the previous order, the time until 12:15 p.m. shall be equally divided between the two leaders or their designees, with the time from 11:55 to 12:05 under the control of the minority leader, and the time from 12:05 to 12:15 under the control of the majority leader.

The Senator from Ohio.

Mr. BROWN. Mr. President, I yield myself 5 minutes to speak on the minimum wage.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, a little more than 2 years ago, Rev. Jim Wallis and Rev. Bob Griswold—who was then-head of the Episcopal Church—presented to Congress a document that

proved to be both prophetic and practical.

The basic tenets were that budgets are moral documents—these are coming from two people of faith, religious leaders in our country—and our values are represented by how we craft those documents.

The same can be said for legislation, and the same values represented in the fight, for example, to raise the minimum wage.

As wages have stagnated in States such as Ohio, CEO salaries have skyrocketed. And while Congress voted time and again to raise its own pay—six times in the 10 years since the minimum wage has been raised—it left behind millions of Americans who work hard, who play by the rules, and who too often have so little to show for their hard work.

In my home State of Ohio, voters in November echoed the national cry for social and economic justice by voting in favor of a ballot initiative to raise our State's minimum wage.

In 1963, Dr. Martin Luther King said:

> Equality means dignity. And dignity means a job and a paycheck that lasts through the week.

It is unacceptable that someone can work full time—and work hard—and not be able to lift her family out of poverty or even pay her bills. For too long Government priorities rewarded a system that allowed a minimum wage worker to earn less than $11,000 a year. Yet some CEOs in our great country make more than $11,000 an hour.

Those who vote against the minimum wage this week—those who have blocked a minimum wage increase in the House of Representatives and in this Senate for a decade—are saying to minimum wage workers such as the single mother working as a chambermaid in Cleveland and a farm worker outside Toledo and a janitor in Zanesville that they do not deserve a fraction—not a fraction—of what we get.

While the cost of living has gone up, the investment in workers has slowly declined. Family budgets are strained because of stagnant wages but pushed to the breaking point when you factor in soaring tuition costs, health care costs, and energy costs.

Yet while wages have stayed stagnant or gone down, worker productivity in this country, as Senator KENNEDY showed a moment ago, continues to go up. Those workers are not sharing in the wealth they are creating for their employers. It is time Congress stood on the side of the working men and women in this country.

This issue is not just about workers. Raising the minimum wage affects entire families and communities. In my State, the minimum wage increase will mean an increase for 500,000 wage earners, with 200,000 children living in those homes.

When workers earn a livable wage—and especially if we can expand the earned-income tax credit, a tax break for those workers—those families, who are working hard and playing by the rules, will spend that money locally, which supports small business and helps strengthen the community.

When workers earn a livable wage, stress and burdens that often cripple families struggling to survive are eased.

When workers earn a livable wage, they are more productive at work, which means thriving companies that can compete in the global economy.

Raising the minimum wage means so much more than a few extra dollars on Friday. It means a path out of poverty.

Raising the minimum wage is an affirmation that this Congress—finally—values American workers. It is about the right family values, and it is about time.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise today to speak in support of the motion to invoke cloture on the Baucus substitute to H.R. 2. At about the noon hour today, we will be voting to end the debate on the minimum wage bill. Regardless of how that vote turns out, I believe the direction this body has decided upon with regard to minimum wage is clear. And I appreciate it. The direction the Senate has taken is that raising the minimum wage without providing relief for small businesses would be wrong. And now we have a cloture vote on a bill that includes relief for small businesses, which will soften the impact that the minimum wage increase will have on small businesses.

We are trying to keep working families working. The people who run these small businesses are working families, too. They are taking a lot of risk and providing a lot of jobs. In fact, they are the engine that drives the United States. The big companies would like us to think they are. But small businesses create a lot of jobs.

Now, primarily, the jobs we are talking about are for people just entering the labor market, the ones often who dropped out of school, who have very low employment skills. Those small businesses teach them some skills and move them on up to the path of employment. They are a huge part of the job training system in this country and they rarely get any credit for job training.

We have had debate over the last week—and it has just been one week. I would like to point out that on Monday we did not have any votes. On Tuesday we were only allowed two votes. Through the whole week we only had 11 votes. We were not allowed any votes after Thursday, which included all of Friday and all of yesterday. That is really not an open process. That is only three days of voting on amendments.

When we began this session, we talked about having an open process, a very bipartisan process of doing things. I am not sure we got the message from the last election, which was that the American people want us to do these things, but they want us to do them in a bipartisan way. I am hearing some rhetoric on the Senate floor about the Republicans want to do this; and the Democrats want to do that.

What we need to talk about is what we need to do for America. We need to work together on these things. Right now we have a proposal for cloture that includes what both sides have been talking about, that takes care of the minimum wage worker and takes care of the businesses that employ them and gives them the training.

We in the Senate recognize that small businesses have been the steady engine for growing the economy and that they have been the source of new job creation. America's working families rely on small businesses, and small businesses rely on working families.

So I am proud this body has chosen a path that attempts to preserve this segment of the economy which employs so many working men and women. The Senate has recognized that our economy is interdependent. One simply cannot claim credit to be helping workers at the same time they are hurting the businesses that employ them. Recognition of this simple fact is the reason the bill before this body couples a raise in the minimum wage with relief to those businesses and working families that will face the most difficulty in meeting that mandate.

This body has also recognized the even simpler fact that raising the minimum wage is of no benefit to a worker without a job or a job seeker without a prospect.

I take this occasion to urge that these simple, real world truths be recognized by our colleagues in the other Chamber. I have gone through this process before on a number of bills and tried to figure out how it happens. A lot of time there is more animosity between the two Houses than there is between the two parties that serve in those Houses.

I know making any change to the minimum wage bill they sent over will upset them on that end, just as any change they make to a bill on their end upsets us. We send them perfect bills and they have to fiddle with it, and they send us perfect bills and we fiddle with it. There is some animosity between the two Chambers. And then we have to get into the rules as well. All tax measures have to start in the House. That is fine as long as they start them. But there has to be a way to get the process moving.

This bill has a way to get that process moving. It is more cumbersome than it probably ought to be, but I think with cooperation it will work, and I think the House will join us in this effort. It isn't as easy as just taking a small piece of something that affects the economy and doing it in isolation. When we start going to the broader economy, it gets more complicated.

That is why our forefathers designed this great system of cumbersome Government. We have 100 people with 100

views—I don't know, maybe we have 100 people with 200 views, and the House has 435 people with at least an equal number of views. The beauty of our system is that it has to get through this maze of all of these people with different backgrounds and different ideas and different ways of seeing the world, which results in amendments which result usually in things getting better.

It is often complicated, and that slows the process down. That is something we have to work through, but I think any mechanism we have that speeds things up usually results in us winding up with legislation we have to go back and correct. It is a tough system, a long system, but it works.

Unquestionably, as this Congress moves forward, we will need to confront a range of issues facing working families. We have to face the rising cost of health insurance and the availability of that insurance, the necessity and costs of education and job training, and the desire to achieve an appropriate balance between work and family life.

These are important issues, and the way this body has determined to address the minimum wage should give us an outline as to the way such other issues could be approached as well. We need to listen to each other and include those issues that make a difference without upsetting the whole world. It can be done. It has been done.

Senator GRASSLEY and Senator BAUCUS work together on legislation. They are the ones who put together this tax package. They said: No, this isn't exactly what I like or you like, but it is something we can like together, and it has a chance of passing this body.

I have been pleased that there hasn't been a rage against the tax package they put together, just as there hasn't been a rage against raising the minimum wage. We appear to have two points on which there is agreement. I think that will be reflected later in today's vote, too.

There are other issues. Those other issues have been reflected in amendments from our side. There have been a few, contrary to what has been said on the floor, amendments from the other side as well. When we were in the majority, we didn't put in nearly as many amendments on bills as the Democrats did, and I recognize why offering amendments is important. It is important because we have issues we think are important, and the only chance you have to have them passed on the floor is to put them in a bill as an amendment, if you are in the minority.

So on our side, we will likely offer more amendments to the bills that come up this year than those who got to draft the bill to begin with. They are ideas we want to have considered. We hope they will be considered in a reasonable way and in a reasonable amount of time.

I will be emphasizing to our side the need to keep those reasonable and to keep them within a reasonable timeframe. If we do that, we can progress through a lot of issues, such as the ones I mentioned.

The rising cost and availability of health insurance in this country is at a crisis and we have to do something about it. There are a number of plans that are floating out there, and all of them—all of them—have some good points to them. None of them is perfect. That bill will have to go through the Health, Education, Labor and Pensions Committee. It probably will. There are ways it can be written, I suppose, where it can be sent through the Judiciary Committee or sent through the Finance Committee. But usually that bill goes through the Health, Education, Labor and Pensions Committee.

The chairman of the committee and I as ranking member of that committee—and it doesn't matter what session of Congress we are talking about or what decade of Congress you are talking about—the chairman and the ranking member in that committee often have a huge disparity of views on how to solve the health, education, labor, and pensions issues.

We adopted 2 years ago a little rule that I found to be very useful when I was in the Wyoming legislature, and that is the 80–20 rule. That is, people agree on 80 percent of the issues and 80 percent of any issue. This isn't just a philosophy for Congress, this is a philosophy for one's daily life. If you are working with other people, you will probably find you will agree on 80 percent of whatever you are talking about. On any particular issue, you usually agree on 80 percent of that issue. If you concentrate on the 80 percent of agreement, there are a lot of possibilities for getting things done. If you concentrate on the 20 percent on which you don't agree, there is very little likelihood that you are going to progress on whatever it is you are talking about.

That is something we have instituted in this committee, and I think that rule has moved it from the most contentious committee to the most productive committee. I don't know if people noticed during the last session of Congress, there were 35 bills brought out of that committee. We got 25 of them considered in the Senate and even helped the House to get 2 of theirs through. So we helped to get 27 bills signed by the President. That is at least 20 more than usual for any committee and probably about 24 more than usual for any committee.

There are disadvantages to that. The press likes a good fight, and the press is more than willing to report on a good fight. We didn't have fights on those 27 bills that were signed. The most contentious one was the pension bill. The pension bill was 980 pages. It covers how to save people's pensions, how to make sure when they retire they will get what they have been promised, what they deserve, what they want, something that will give them quality of life in retirement. We made the most significant change in pension law in 30 years.

I remember that we had an agreement before we ever brought it to the floor that there would be 1 hour of debate, two amendments, and the final vote. I went to the Parliamentarian at that time and explained what we were doing and made sure it was getting written up properly so we could do that the moment we began the debate.

I asked: When is the last time that complicated of a bill had that kind of an agreement?

The words I heard back were: Not in my lifetime.

So it is possible to take difficult bills and arrive at agreement that will move the people's business forward.

The unfortunate thing for the people of America is that when they are watching us on this floor, what they usually get to see is the 20 percent with which we disagree, the 20 percent we are not going to give in on, the 20 percent that defines us.

I will be urging my side, and I have said it several times, there are issues that define us, but every issue is not an issue that defines us. We will probably be trying to figure out a way on every bill to make it a defining bill. With the amendments we have done on this bill, there has been some defining. But we have an opportunity today—I think it is going to happen at 12:15 p.m.—to invoke cloture on the package that includes what was asked for by this side and delivered by the other side.

That is pretty landmark. That is pretty good. We do have the other business that needs to get done. It doesn't have to be done on this bill. Maybe in the meantime there are some issues we can work on—the issues we talked about in some of these amendments—where we can reach that 80 percent agreement and we can move on with those issues.

In addressing the minimum wage, we have rejected the notion that it will be a clean bill. Ultimately, we did so because it is not a clean issue. By that, I mean neither the real world nor questions of national economics nor social policy are as simple as we would like them to be. Quite the contrary. They are complex and they are interrelated. While pretending that economic or social issues are simple, it often makes for great rhetoric here, and it makes for great politics, but it seldom makes responsible policy. Around here, clean more often than not simply means ''do it my way'' and does not respect the democratic process and allow the Senate to work its will.

I am pleased we rejected such false simplicity and chose the course of coupling an increased wage with provisions that will assist these small business employers who will be facing the greatest difficulties in paying these increased costs.

I hope we do not forget the wisdom of this approach as we address other workplace, economic, and social issues.

None of these are simple and none, no matter how laudable the end, are without costs or free from the danger of unintended consequences where, in an effort to do some good, we wind up causing great harm.

I am also heartened that in the course of this debate, this body has begun to recognize what I know from my life to be true. Working families are not only those who are employed by businesses, they are also those who own the businesses.

I have noted many times that I was a small business owner, that my wife and I operated mom-and-pop shoe stores in Wyoming and Montana. My story is not unique, particularly in today's economy. I know all small business owners have two families: their own and the families of those who work for them. I also know that business owners feel the pressure of rising costs, the dilemma of difficult options, and the uncomfortable squeeze of modern life in both of their families as much as many workers do on their own.

One will find that small business people are more connected to their workers. They work with them shoulder to shoulder on a daily basis. They know what is happening in their lives. I believe we have begun to realize this reality in the way we approach the minimum wage legislation. I do not think we should lose sight of it as it moves through this Congress.

I also note that while I am pleased with the overall approach this body adopted, I am somewhat disappointed that it was not as complete as it could have been. In the event cloture is invoked, we would not have addressed a range of issues that were offered as early amendments and should have been considered and voted on. In this respect, I mention again those I mentioned late last week: Senator GREGG's amendment on employee option time, something we allow Federal sector employees to do; Senator DEMINT's amendment dealing with the same matter, as well as Senator BURR's amendment on health insurance costs; and Senator VITTER's amendment that would have provided measured monetary relief for small businesses that make inadvertent paperwork errors in providing Government-required information—first-time basis, corrected, no impact to the employee.

All of these were well reasoned, would have provided benefits in addition to or in counterbalance to a minimum wage hike, and all were entitled to due consideration and a vote in this Chamber. We were not allowed to have a vote. Many have charged the majority denied us a vote on these amendments because they would have been adopted and that would have somehow represented a win for Republicans. Therefore, goes the theory, voting on these amendments was prevented.

Whether true or not, the lack of a vote on these amendments does nothing to lend credence to the view that Congress's partisanship too often trumps positive progress. The reality is good ideas do not simply fade away, and that if not here and now, then at some point in this Congress these and other good ideas must be given consideration and must be voted on. Fairness demands it, and our responsibility to working families and small businesses requires it.

A vote for cloture is a vote for small business and working families. It is a vote for a well-balanced and bipartisan solution. I am pleased that we are at this point. I will ask my colleagues to vote for cloture.

Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator has 5½ minutes.

Mr. ENZI. I yield the remainder of the time to the Senator from South Carolina.

Mr. DEMINT. There is 5 minutes left?

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. BROWN. Mr. President, how much time is left on the majority side?

The PRESIDING OFFICER. There is 20 minutes 48 seconds remaining.

Mr. DEMINT. Mr. President, I intend to vote against the bill before us today because it really does not do anything to help low wage workers in this country in supporting families, buying health care, or giving them the flexibility they need to deal with family issues as well as hold a full-time job. I have consistently opposed a Federal wage mandate because I believe it is bad policy that hurts the very people we are trying to help with this bill. Despite that, I have sought to engage in constructive debate on this bill and offer amendments that would make it better. Unfortunately, over the course of this discussion, I have been forced to conclude that this whole debate is—let's just say less than honest. What we are talking about here in the Senate is not really about helping low-income workers; this is about mandating a starting wage, not a minimum wage, in a select group of States. This is a mandated starting wage because the facts show that two-thirds of minimum wage workers earn a raise within a year. We also know that most of these are working for restaurants and small businesses, and most of them are teenagers or young folks working part time.

The Democratic proposal before us targets certain States disproportionately while leaving many other States completely or relatively unaffected. If passed, my home State of South Carolina would be subjected to a 41-percent increase in the Federal mandate and the inevitable job loss that will come with this. However, States such as California, Vermont, Massachusetts, Oregon, and others would not be required to raise their minimum wage at all. This is because 28 States plus the District of Columbia have passed laws raising their minimum wage above the federally mandated $5.15 per hour. Some of those States, such as the ones I just mentioned, have gone well beyond the $7.25 which this Federal mandate will implement.

If we are to have a minimum wage at all, it is better to have a Federalist system of government and individual States could continue to set their own minimum wage levels, rather than the Federal Government. After all, different States have very different economies as well as very different costs of living. We know that a dollar will go a lot further in San Antonio than in San Francisco, and we need to recognize that. Mr. President, $7.25 in San Francisco is not a bit of help, but in another State that is a lot more money.

To that effect, I have offered an amendment to the current proposal that would have raised the minimum wage $2.10 in every State across this land. Had my amendment been adopted, this bill would have at least been more fair in the way it imposed its unfunded mandate. Ironically, the motion to strike my amendment was based on the fact that it was an unfunded Federal mandate, which is precisely what the underlying bill is at this point.

We have tried to add some other provisions. There is some tax relief for small businesses that mostly hire minimum wage workers, but we have not gone nearly far enough.

I heard my dear colleague from Massachusetts oppose very vocally any tax relief for small businesses that will bear the brunt of an increased minimum wage. I think it is just important to point out what we are trying to do. This is a chart which compares the amount of, what some of us would call porkbarrel spending for what we call the Boston Big Dig. The Federal Government's part of bailing this out is $8.5 billion. What we are asking for, for thousands of businesses and millions of low wage workers across this country, is tax relief of less than that, that would help people keep more workers and be more profitable.

I understand I am running out of time. I hope this whole debate about helping low wage workers would include those areas which will really help people who are working full time at $8, $10, $12 an hour and having a difficult time getting by: If we could make that health care more accessible and more affordable; if we could do for them what we do for Federal Government workers and give them flexibility so if they need an afternoon off to drive on a field trip one day on one week, they can work an extra 4 or 5 hours the next week to make it up, then they call it even—there is no overtime, there is no penalty. Government workers get it, but we will not give that same benefit to workers all across this country.

I am going to vote against cloture on this bill because cloture is designed to cut off debate. Many of the amendments that would help low wage workers are being eliminated. What it comes down to is just an unfunded mandate on several States, leaving out others.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, how much time do we have?

The PRESIDING OFFICER. The Senator has 20 minutes 40 seconds.

Mr. KENNEDY. Then I believe the leader's time has been reserved?

The PRESIDING OFFICER. That is correct.

Mr. KENNEDY. I thank the Chair.

Mr. President, just to put this whole issue in some perspective, I thought I would just take a minute or two to refresh both this body and those who are interested in this issue about increasing the minimum wage from $5.15 to $7.25 an hour, about what has happened to workers and what has happened, basically, to the middle class over the period of the last years.

Looking at this chart here, from 1947 to 1973, this is when the country was moving along together. This shows the different incomes. It divides the incomes of Americans into five different—effectively buckets: the lowest 20 percent, the second 20 percent, the middle 20 percent, the fourth 20 percent, and the top.

If you look at this for a period of 26 years, you will see that all America grew together. The economy worked for all Americans. As a matter of fact, it worked a little bit better for those with the lowest income, but the economy worked for all America. During that period of time, we had Republicans and Democrats alike who voted for the increase in the minimum wage as we increased in productivity. America went along together.

What has happened in the last several years, from 2001 to 2004? Here we have the lowest 20 percent. This represents the low-income groups, the minimum wage workers, then the second, third, middle, fourth, and the highest 20 percent is the gray area, and the top 1 percent is demonstrated by the red area. See what has happened to the country, how we have grown further and further apart—the explosion in wealth for the very top and the collapse of the American promise at the very lowest; the cutting out of millions of Americans from the hopes and the dreams and the idea of a fair and just America.

Those are the statistics. Those are the facts. We had a minimum wage which reflected that progress for 26 years when America grew together. We have now had 10 years of no growth in the minimum wage, and we see America growing further apart. We have a chance to do something about it this noontime. I am hopeful that we will.

As I mentioned earlier, I don't know why it is our friends on the other side have really such a contemptuous attitude about low-income working people. They eliminated the overtime program for 6 million Americans last year—6 million Americans who otherwise would have gotten an increase in the minimum wage. They eliminated that. When we had the crisis down in New Orleans, one of the first things the administration did was eliminate what they call the Davis-Bacon program, which is to provide wages that will be pegged to what the average wage is in that particular region, where construction workers average $29,000 a year. What in the world is wrong with someone making $29,000 a year so that you want to reduce their pay while they are working for the recovery from Katrina? But oh, no, they eliminated that kind of protection. Just as they cut back on the unemployment compensation for workers who were coming out of Katrina, and after the National Academy of Sciences said that with what is happening in the poultry business and the meat-cutting business, with computers, we need to do something primarily about women in the workplace on the issues of ergonomics—no way. No way we are going to look out after workers.

It is difficult for me to understand. What is it about it? What really gets our Republican friends that they just can't stand hard-working people? We will hear a lot of comments and lectures about, let's make work pay, that work paying is a real value. I hope we don't hear that lecture anymore around here from that side. I hope we are not going to hear anymore talk of values about it. The leaders of the great religions are in strong support. I have put those comments into the RECORD. They are in strong support of this. They believe it is a moral issue, to follow the admonition of Saint Matthew: What you do to the least of these, you do unto me. Talk about poverty. Talk about the poor.

This is just about a wage, the minimum wage. But it is about a just wage. What is it about that?

I see my friend from Ohio on the Senate floor. I know he has been interested in and has spoken about the issues of minimum wage and also about what has been happening in the middle class. I am glad to entertain any questions he might have or yield for any comment that he might wish to make.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the Senator from Massachusetts. I appreciate especially his discussion about honoring work in this country. We hear talk of family values. We hear talk of honoring people who work hard and play by the rules. Yet, as the Senator recounted, the minimum wage hasn't been increased for 10 years. There has been almost a hostility to workers in this body and down the hall in the House of Representatives, where 6 million workers, as Senator KENNEDY pointed out, have lost their overtime or have had their overtime limited. There were attempts to cut the prevailing wage in Louisiana when the average wage of workers in Louisiana in the building trades was only $29,000.

When you look at the charts Senator KENNEDY pointed out, you see there is an absolute stagnation or decline in wages in the last 5 years for most Americans—for the 80 percent lowest paid Americans, if you will. But the top 20 percent have seen their wages, their salaries, just skyrocket. That is coupled with the fact that 1 percent, the wealthiest 1 percent of the people in this country possess more of the wealth of this country than the 90 percent lowest of the rest of us.

Mr. KENNEDY. Will the Senator yield on that issue?

Mr. BROWN. I will be happy to yield.

Mr. KENNEDY. The Senator understands. I have listened to him speak very eloquently in his maiden speech about what has happened in the middle class of America. The Senator understands that when we saw productivity increase in the 1960s and 1970s, all during this period when there was economic growth, we all went up together. The rising tide raised all the boats across the country. Then look at what happened. Productivity went up, and the real minimum wage went down.

Does the Senator not share the belief with me that if workers are going to work hard and produce—we have the labor force that is the hardest working labor force in the industrial world. It works longer, harder, and has had the greatest increase in productivity. Does the Senator not agree with me that at least some of that increase in productivity should have been passed on to working families?

Mr. BROWN. Absolutely. The real strength of our middle-class economy over the years, the opportunity through education, through hard work that has built a very prosperous country, really has operated under the assumption that if you are more productive, you share in the wealth you create—whether you are a minimum wage worker, whether you are an engineer, whether you are a schoolteacher—whoever you are. You are adding to the wealth of your employer, the wealth of our country, making our country better off. Clearly, when you talk about a higher minimum wage, when the minimum wage has declined and wages have declined overall, these workers are creating wealth for their employer, but simply are not sharing in that wealth. That is why one of the best selling books out there now is a book called ''War Against The Middle Class.''

As Senator KENNEDY has said, it is clear that as productivity has gone up, as workers are working harder than ever before, only a relatively small number of people are sharing in the wealth they create or sharing in the productivity gains that have always marked the success of our country and of our economy.

Mr. KENNEDY. Mr. President, can I ask the Senator another question. This good Senator was in the House of Representatives last year when the administration limited overtime pay for six million workers, and tens of thousands in my State of Massachusetts—tens of thousands. Close to 60,000 or 70,000

workers lost overtime pay. Overtime pay—if you are going to work more than 40 hours a week, you should be paid overtime. The administration eliminated that overtime pay for workers. They cut back on the protections of Davis-Bacon in the gulf and the recovery of the gulf. The workers down there who were unemployed, they ended the unemployment compensation for those workers who were otherwise eligible for it. This is unemployment compensation.

We want to remind everyone that the workers contribute to the unemployment compensation fund. They contribute as workers. If you don't contribute, you don't get unemployment compensation. So these are workers who have contributed to the fund. The fund was in surplus at that time. These are workers who have worked hard and couldn't find the jobs down there, and the administration cut back on those protections, cut back on the ergonomic protections. Even before the Sago mines, we find out they cut back in the mine safety and on safety officials. What is it? What is it, if the Senator from Ohio can help me.

I know about the great loss of jobs because of the support for tax incentives that sent jobs overseas and the failure to try and turn off that spigot. That means something for the middle-class workers. So if you add all of those together—we will find a chance now at 12 o'clock—if you add all of these together, we find the hostility—I call it hostility, not indifference—but hostility to workers, and I have difficulty understanding that.

Maybe the Senator could help me understand what has happened in his State that has been so adversely impacted, closing some of those provisions that affected impacted workers in the trade program.

Mr. BROWN. Absolutely. One of our friends from the other side of the aisle said this whole idea of raising the minimum wage is a less than honest effort to help working families. I am nonplussed by that.

Senator KENNEDY uses the term ''hostility'' toward workers. We are seeing more productivity and lower wages, except higher salaries for a relatively small number of people. That is not the American way. It is not the way we were taught in this country to honor work. It is not the way we were taught—to work hard and play by the rules.

Then, on top of that, we are now building more and more tax systems that give the greatest tax benefits to the wealthiest, that 20 percent squeezed out of that 1 percent who are absolutely doing the best, and we do no significant tax relief for working families, no significant tax relief for minimum wage workers. We are not willing to address the earned income tax credit, we are not willing to address helping those middle-class workers who are playing by the rules.

Mr. KENNEDY. Mr. President, if the Senator would yield for one more question, I appreciate him mentioning the earned income tax credit, because that can make a difference for families of three or more. They benefit with the earned income tax credit more than the minimum wage. If it is only an individual worker, an individual with a single child, they will benefit more with the increase. But the Senator is right, we ought to be trying to look at these issues in some harmony. But we don't hear any voices on that side to say: OK, Senator, if you want an increase in the minimum wage, we will give an increase in the earned income tax benefit. We will sit down and work something out. We don't hear any of that.

I want to draw to the attention of the Senator the fact that it has been 10 years since we have had an increase in the minimum wage, and over that period of time we have provided $276 billion in tax breaks for corporations, $36 billion in tax breaks for small businesses. We hear around here on the floor: Well, we haven't given the businesses enough and we have to put some more tax breaks on here in order to get an increase in the minimum wage.

Does the Senator buy that argument?

Mr. BROWN. No, I don't buy that argument. I came from the House of Representatives where I was for 14 years. I saw the minimum wage increase basically in 1 day in the House of Representatives a couple of weeks ago. We are now on the eighth day of delaying this minimum wage vote. The people who oppose this minimum wage don't think minimum wage workers should get a fraction of what we get in this body—the salary and benefits; they shouldn't even get a fraction of what we get. They are still unwilling to raise the minimum wage, just standing pure and simple.

The elections last year showed how many voters feel this Government has betrayed the middle class—betrayed them. They wanted to increase the minimum wage straightforwardly. We should have been able to pass on an up-or-down vote quickly the minimum wage. We can deal with tax issues later as this body always does. This should have been done more quickly. But there is, as Senator KENNEDY said, that hostility toward workers, whether it is overtime, whether it is Katrina workers, whether it is the refusal to raise the earned income tax credit, or whether it is their reluctance over 10 years, their digging-in reluctance against raising the minimum wage.

Mr. KENNEDY. Mr. President, if the Senator will yield, we are here on day seven now of this discussion. We had 16 days where we talked about the minimum wage another time. And this past week, since we started this debate, every Member of Congress has made $3,840 in the last week. Mr. President, $3,840 is what a minimum wage worker would make in 4 months—4 months. Three thousand eight hundred dollars, every Member of this Senate.

Does the Senator find it somewhat troublesome that we are getting paid $3,800 in this past week and we are standing here against an increase in the minimum wage, from $5.15 to $7.25, over a 2-year period? Does the Senator not share with me this extraordinary inequality that is so evident here in this body? Does he find it, as do I, highly depressing in terms of the actions of this body—not in terms of our will to continue fighting, but I was thinking of appropriate words and I kept rejecting the ones I was thinking about.

Mr. BROWN. Mr. President, let's look at the kind of work the minimum wage workers are doing. They are hotel workers in Cincinnati. They are farm workers in western Ohio. They are people who are working every bit as hard, and many would argue much harder, at much more difficult jobs in many ways while, as Senator KENNEDY said, we have made more in a week than they have made in 2 or 3 months. That is what makes for this Chamber's inability or unwillingness to pass this minimum wage increase more quickly—rather than continued delay, continued delay, continued delay, rather than having to do these tax breaks for some of their contributors, rather than do a straight up-or-down vote on whether we should increase the minimum wage for these workers who have worked hard and played by the rules. Don't they deserve a straight up-or-down vote?

Let's pass the minimum wage. Let's give them a chance, to bring up the minimum wage, to make up for the decline in the real value of the minimum wage over the last 10 years.

Again, as Senator KENNEDY has said, 6 times in the last 10 years while the House and Senate have refused to increase the minimum wage, 6 different times, these 2 bodies increased our own pay. That is shameful. That is reprehensible, when I hear my friends in this body or in Government talk about family values. Let's talk about real family values. Let's talk about making it possible for families to take care of their children, give their children a chance, an opportunity for education, an opportunity to find a decent job in the greatest country in the world.

Mr. KENNEDY. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. One minute.

Mr. KENNEDY. Just in that time, Ohio addressed the minimum wage, an increase in the minimum wage. Could the Senator in the last minute or so tell us what you found in traveling around, what was on people's minds and why they wanted to vote for it?

Mr. BROWN. I found overwhelming support for the minimum wage. In Ohio, 500,000 people got a raise because of what the voters in Ohio did in November, with overwhelming support of the minimum wage. Two hundred thousand children live in those 500,000 homes. Those are still families who often don't have health insurance, who often have great problems finding daycare for their children when they

are holding their minimum wage jobs. Those are families who are struggling to provide the opportunity for their children to go to school. We know all that. At least one thing we can do here is increase the minimum wage to give those families—not just in Youngstown and in Ravenna, and not just in Springfield and in Xenia—a real chance to raise their children.

Mr. KENNEDY. I thank the Senator. I believe our time has expired.

The PRESIDING OFFICER. Under the previous order, there is 10 minutes reserved for the Republican leader at this time.

Mr. ENZI. Mr. President, the Republican leader has given me his time unless he should appear on the floor, and so I will do that.

I am a little disturbed about what I have heard here in the last several speeches this morning. The vote we are about to have is on whether the minimum wage will increase and there will be tax breaks for small businesses.

When we returned for this session of Congress, we had a number of bipartisan meetings, and I was pleased we had bipartisan meetings and talked about how we could work together and why we needed to work together for America. We talked about minimum wage a little bit, and I even saw newspaper articles where the majority leader and others on the Democratic side talked about the importance of having tax breaks for small business to take care of the impact from the increase in the minimum wage. I was encouraged by that. I thought: We are having some bipartisanship here. We are having some working together. I am encouraged.

Now, of course, the minimum wage came to the floor and I felt for a while it was a bait and switch. After Senator BAUCUS, the Senator from Montana, and Senator GRASSLEY, the Senator from Iowa, worked together to come up with this tax package and the tax package was introduced as a substitute to the bill, I said: I think we are making progress. I think this is going to work. I think it can happen. I think we can work together. I think we can get it done.

Then, of course, we had the cloture vote on the straight minimum wage and I thought: What is going on here? Was that to get our attention and make us feel good and then rip it away? Rip away the comments that were made about the need to help small business? We don't need class warfare in this country.

I keep hearing about a book that was mentioned here, ''The War Against The Middle Class.'' Well, I am trying to figure out how the minimum wage worker made it into the middle class. I think we are talking about the small businessmen, who are being scrunched in from all angles, who are in the middle class, who are employing the people, sometimes at minimum wage, usually at a minimum skills position, and they train them to get better skills, and when they get better skills and can do more, they get paid more.

I always mention the McDonald's in Cheyenne, WY. A guy there starts people at minimum wage. Now, if they have to be at minimum wage more than about 3 weeks, they are probably not learning the job, probably not showing up on time. But the main point is he has had 3 people who started at minimum wage who now own 21 McDonald's. So there are opportunities out there, but you have to learn and improve to get more wages. We can raise the minimum wage and we are going to raise the minimum wage. And that will take the bottom step out of the ladder and people will be able to step up one more. Then, as we increase prices to help pay for that, unless we have the tax breaks, all we did was raise prices.

I hope we do not get into a class warfare. We do not need hostility to workers and between parties. It is 2 years until we have an election again. We do not need to start campaigns right now. We need to solve problems right now.

We have said one of the problems is the minimum wage, and we are going to solve it. They said we debated this six times in the last 10 years. We have. And every time it was brought up, we needed to do some decreases in taxes for the small businesses to take care of the impact this will have. That part got ignored every time. Consequently, raising of the minimum wage got ignored each time. Hopefully, we will not ignore either message and we will do both. The vote we will have this morning will be in regard to that.

Now, I will have to take some time after the vote and talk about some of the things that were raised because we cannot discuss them in a short period of time. There was talk about overtime taken away. We need to have debate on that. There was talk about unemployment. We need to have a little debate on it. When we are talking about safety officials at mines being cut back, we need to have a talk about that.

Senator KENNEDY, I, Senator ROCKEFELLER, and Senator ISAKSON went to West Virginia and looked at the Sago mine and talked to the people there. We talked to the mine officials. We talked to union officials. We talked to the families. We did a bill in 3 months that changed mine safety for the first time in 28 years because we worked together. We did not try to find divisions. We tried to find places we could come together.

Now, safety officials were cut back. They were cut back all over the Nation. The production of coal went down decidedly. Mines were closed. There were less mines. Of course, then the price of coal came back up and the mines opened again, and everything lags with the Federal Government.

There are problems we need to solve, but we do not need to make them into a war. We need to solve the problems that are involved in these instances and keep moving on for America. That is the vote we will take later today: a chance to move on for America. We will raise the minimum wage, and we are going to help out the small businesses, those people with all the risk out there who are employing people and training people so that they can continue to hire those people and pay those people so we can have the jobs and the training that the small business provides.

I hope that is the track we will go down. I know it will not be unanimous on either side, but we can get there if we work together.

I yield the floor and I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I believe I have 5 minutes.

The PRESIDING OFFICER (Mr. CASEY). The leader has 10 minutes.

Mr. REID. Mr. President, when we opened the Senate today, we asked that 10 minutes be divided between Senator KENNEDY and Senator REID. I yield 5 minutes.

Mr. KENNEDY. And would the Chair let me know when there is 1 minute remaining?

The PRESIDING OFFICER. The Senator will be notified.

Mr. KENNEDY. In the last few minutes, let me discuss what this issue is about. This issue is about John Hosier from Oklahoma who works at the Salvation Army for $6 an hour. He provides the family's sole paycheck. John and his wife Tina and their two children live on barely $200 a week. The family receives Government aid in the form of Medicare and food stamps but is still living on the verge of poverty. He said:

> It's hard on a small income . . . if it wasn't for the Salvation Army, I don't know where I'd be.

This is a vote on John Hosier.

This is a vote for Elizabeth Lipp of Missouri, a 21-year-old single mom. Elizabeth works two jobs, which, prior to a Missouri ballot initiative, paid $5.15. On weekdays Elizabeth worked as a housekeeper, and on the weekends she worked as a nurse's aide at a convalescent and retirement home. She lives with her mother and says:

> Getting by on $5.15 was a struggle. I pay out $75 a week alone for child care.

Extra money would help her mother with the bills, help pay off the car, and help her put aside some savings.

This is about Peggy Fraley from Wichita, KS, a 60-year-old grandmother. Her daughter, Karla, has five children, ages 6 to 17. Peggy works as a receptionist. Karla is a food service worker. Both women are working $5.15-an-hour jobs. The family is struggling to get by. Peggy explains:

> We can barely make it . . . but we've got each other. That's richer sometimes.

There it is. Those are the people we are fighting for and standing with. Those are the people we believe ought to get an increase from $5.15 to $7.25.

You can call that a paycheck. It is just a paycheck. What Democrats are fighting for is a just paycheck.

Finally, we have to understand at the end of this debate, these are our fellow citizens, our brothers and sisters, citizens in the United States of America. These are men and women of dignity, who take pride in the job they do. It is a difficult job, but they still do it. They care about their children, they have hopeful dreams for their children.

We are a Nation of many faiths, but all of the faiths talk about, and the Bible teaches the evilness of exploitation of the poor to profit the rich. All faiths say that is wrong. They all say that is wrong.

St. Matthew's Gospel says: Whatever you have done unto the least of my brethren, you have done unto me.

It is time we reach out to these men and women of dignity, these men and women—primarily women—who have children. This is a women's issue, it is a children's issue, it is a fairness issue. It is an issue of basic moral fairness. It is a civil rights issue because so many of those men and women are men and women of color. And, most of all, it is a fairness issue. In the United States of America, the richest country in the world, we are saying to those people who work 40 hours a week, 52 weeks of the year: You shouldn't have to live in poverty. The other side says no. The other side says no.

We stand for those individuals. It is the right thing to do. It is a defining issue of fairness and decency, and it is an indication of what we as Americans feel about our fellow citizens. I hope we will get a strong vote in favor.

Just remember, if there is any question in your mind, in the last week, the last 7 days, Senators have made $3,800. Every Member of this Senate has earned that, and Members are going to vote no? Members are going to vote no to increase the minimum wage from $5.15 to $7.25 over 2 years? And we have just earned $3,800 in 1 week?

Opposing the increase in the minimum wage is wrong. It is wrong. Six months after an election and 2 years before an election, it is wrong. It is wrong every single day of the year.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, the distinguished minority manager of this bill is easy to get along with. I want the record spread with the fact that he is a gentleman. I wish every Member in this Senate was as easy to work with as the Senator from Wyoming.

However, I do have some regard for how we have conducted ourselves on this bill in the majority. I have a memory. I know how things have happened in the past. No amendments, few amendments, or, if cloture was invoked on a bill, those amendments that were germane postcloture did not get a vote.

That is not how we are doing things. They may not have gotten all the votes they wanted, but it is interesting to note that the Members offering the amendments are not going to vote for the bill anyway.

We have a procedure. There are amendments germane postcloture, and we will vote on as many of those as we can. I prefer a straight minimum wage bill. The people of America deserve this raise after 10 years. However, the Republicans have said they want these $8 billion in tax cuts for business. If that is the only way we can get this bill out of here, I am willing to do that for the 13 million Americans who depend on minimum wage.

How could someone in the minority vote against what they asked for? We gave them what they asked for. They got all the business tax deductions, tax cuts, and then they are going to vote against cloture? I don't understand.

Raise the minimum wage to $7.25 for 13 million Americans—why can't we do that—and 5.5 million will have wages raised directly, and the other 7.5 million who make near the minimum wage will benefit when the lowest wages are lifted.

As Business Week magazine said a month ago, raising the minimum wage lifts the boat for everybody. I don't think Business Week magazine is seen as a bastion of liberality.

Of the 13 million Americans who stand to get a raise, more than 60 percent are women. For the majority of those women, that is the only money they get for them and their families. Almost 40 percent of the people who draw minimum wage are people of color. Eighty percent of the people who draw minimum wage are adults, many of them senior citizens. They are not all kids at McDonald's flipping hamburgers.

Mr. President, $7.25 may not seem like a lot of money in Washington, but it would mean almost $4,500 a year for the Nation's poorest people, the poorest working people in America. Do we want to drive those poor working people into welfare? The answer is, no.

Mr. President, $4,500 is a lot of money: 15 months of groceries for a family of three; 19 months of utilities; 8 months of rent. It helps with childcare and additional things they simply do not have the money to splurge on now.

After 10 years, it is time to stop talking about this issue and give the working poor of this country a raise after 10 years. I also advise my friends the majority believes this raise in the minimum wage is way overdue.

Everyone should understand, if cloture is not invoked, we are through with minimum wage. We are going to go to other matters. The first thing we go to is Iraq. We have to start debating Iraq this afternoon. Everyone should understand we are not going to come back in a day or two or 2 or 3 weeks. We have a lot of things to do. We have to allow Medicare to negotiate for lower priced drugs for the people who are Medicare recipients. We want to do something about stem cell. We want to implement the 9/11 Commission recommendations. We want to pass appropriations bills. And we want to pass immigration reform this year. Minimum wage is dead this year because of the minority. If they do not vote for cloture, it is over with.

I yield the floor.

The PRESIDING OFFICER. The Senator's time is expired. There is still 2 minutes remaining under the minority's control.

Mr. ENZI. I yield back the remainder of my time.

The PRESIDING OFFICER. The time is yielded back.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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, do hereby move to bring to a close debate on the Reid (for Baucus) substitute amendment No. 100 to Calendar No. 5, H.R. 2, providing for an increase in the Federal minimum wage.

Ted Kennedy, Barbara A. Mikulski, Daniel K. Inouye, Byron L. Dorgan, Jeff Bingaman, Frank R. Lautenberg, Jack Reed, Barbara Boxer, Daniel K. Akaka, Max Baucus, Patty Murray, Maria Cantwell, Tom Harkin, Robert Menendez, Tom Carper, Harry Reid, Charles E. Schumer, Richard Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 100, offered by the Senator from Montana, Mr. BAUCUS, an amendment in the nature of a substitute, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Kansas (Mr. BROWNBACK).

The PRESIDING OFFICER. Are they are any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 87, nays 10, as follows:

[Rollcall Vote No. 34 Leg.]

YEAS—87

Akaka	Cardin	Domenici
Alexander	Carper	Dorgan
Allard	Casey	Durbin
Baucus	Clinton	Enzi
Bayh	Cochran	Feingold
Bennett	Coleman	Feinstein
Biden	Collins	Graham
Bingaman	Conrad	Grassley
Bond	Corker	Hagel
Boxer	Cornyn	Harkin
Brown	Craig	Hatch
Bunning	Crapo	Hutchison
Byrd	Dodd	Inouye
Cantwell	Dole	Kennedy

Kerry	Menendez	Shelby
Klobuchar	Mikulski	Smith
Kohl	Murkowski	Snowe
Landrieu	Murray	Specter
Lautenberg	Nelson (FL)	Stabenow
Leahy	Nelson (NE)	Stevens
Levin	Obama	Sununu
Lieberman	Pryor	Tester
Lincoln	Reed	Thomas
Lott	Reid	Thune
Lugar	Roberts	Voinovich
Martinez	Rockefeller	Warner
McCain	Salazar	Webb
McCaskill	Sanders	Whitehouse
McConnell	Sessions	Wyden

NAYS—10

Burr	Ensign	Kyl
Chambliss	Gregg	Vitter
Coburn	Inhofe	
DeMint	Isakson	

NOT VOTING—3

Brownback	Johnson	Schumer

The PRESIDING OFFICER. On this vote, the yeas are 87, the nays are 10. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. DURBIN. I move to reconsider the vote.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senate. That was an extraordinarily strong vote. It certainly indicates that important progress is going to be made on this issue. I hope the sooner the better. We do have eight pending amendments that are germane. We are hopeful we can consider the DeMint amendment or a vote in relation to that. I understand there is a budget point of order on that that might be made. We look forward to trying to dispose of other amendments through the course of the afternoon.

For the benefit of the Members, we have 30 hours now on this particular proposal. We will have, unless the leaders are able to work something out tomorrow, another cloture vote on the underlying legislation.

We are prepared to move ahead on these amendments. I will talk to my friend and colleague, Senator ENZI, about them. Of the eight pending amendments, I believe six are under the jurisdiction of the Finance Committee. We will work that out with the members of the Finance Committee and inform the Senate as soon as possible thereon.

Mr. DORGAN. Will the Senator yield for a question?

Mr. KENNEDY. I am glad to yield.

Mr. DORGAN. I ask the manager, how many days have we been on the bill? I know this is legislation to increase the minimum wage. It has been on the floor for some long while. I understand there is a 30-hour postcloture period. I am curious: How long we have been on this bill and might we expect, for example, tomorrow to be able to complete legislation that would increase the minimum wage after 10 long years?

Mr. KENNEDY. To answer the Senator, this is the seventh day we have been on the minimum wage legislation. During this debate we have had 16 days where the Senate has addressed an increase in the minimum wage where we were unable to get a successful outcome. This is a subject that Members can understand quite readily. In one week since we started this, we have all received over $3,800 in pay ourselves, but we haven't increased the minimum wage from $5.15 to $7.25 over a 2-year period. I share the Senator's frustration about progress, the time it has taken us to get to this point. I hope our leaders can find a pathway that can expedite the process. Of the remaining issues, one is a DeMint amendment, which we have already addressed, that is adding the minimum wage on to all of the States rather than following the minimum wage standard. The other is a Chambliss amendment that ought to be on an immigration bill that deals with the AgJOBS payment. That is suitable for that rather than being on the minimum wage bill. But we are going to deal with these issues and do it in an expeditious way and continue to move forward.

Minimum wage workers ought to understand, though, that this was an important vote we have taken. I don't wish to be overly hopeful or optimistic, but I think help is on its way.

Mr. DORGAN. Mr. President, if the Senator will yield for one more question, this vote was encouraging. It gives us an opportunity to take another step. It has been a long and tortured trail because this subject has been discussed not just this year but in the last session and the session before that. This has been a long and tortured trail to get an increase in the minimum wage after 10 long years. My hope is that this cloture vote will give us an understanding that there is good will on all sides and a desire to move forward and get this completed. My hope is that we can complete this tomorrow. We have a lot of other issues Senator REID and others have suggested we ought to be moving to.

I thank my colleague for yielding.

Mr. KENNEDY. I thank the Senator.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, over the lunch hour, or shortly after that, the Senator from Massachusetts and I will work together to see what we can do on the amendments, to see if they can be voted on as expeditiously as possible. I, too, feel compelled to address the question of the Senator from North Dakota about the number of days we counted on this. The minority will always count the days on a bill as those days we are allowed to vote. We only voted three out of seven, until today when we got the second cloture vote. We will insist we get votes on amendments as we proceed through this bill and other bills.

I am pleased the Senator from Massachusetts is willing to work with us to see what we can do on the outstanding amendments.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator should be advised that there is an order to recess. Further debate would require unanimous consent.

Mr. LOTT. Mr. President, I ask unanimous consent that the order to recess be extended by 2 minutes so I may respond to some of the questions that have been raised.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, let me point out that was an important vote we had. It was overwhelming. The Senate voted for cloture 87 to 10. So there is not going to be any prolonged, dilatory action here. Republicans and Democrats want to get this bill to conclusion. People on both sides of the aisle want to make sure that we don't act on this legislation in such a way that we wind up costing people jobs or costing small business men and women the opportunity to provide jobs.

We are making progress. The Finance Committee came out with a unanimous, bipartisan package which is now going to be a part of what we do here. We are going to get through this process in a reasonable period of time.

Our leaders, I am sure, are talking about how exactly we can get to conclusion and what we will go to next. But we have only had about 3 days, as was pointed out, on which we were actually dealing with amendments and making progress.

There have been 76 amendments filed. There are still 26 pending. We have disposed of 17 amendments. So we are making progress. But the vote that just took place did block some Members who had legitimate amendments which are relevant, although they are not germane postcloture, and there are a few amendments that are germane postcloture. So I assume we will get to a conclusion after some of those amendments are considered, and we will complete this legislation before this week is out and then we can move on to the next issue which is of concern to everybody, and that is the Iraq resolution.

I wanted the RECORD to reflect we are making progress and that there is not an action out of the ordinary to delay this bill. We have been through this before, and actually we are going to complete action in what is probably about a normal period of time for this type of legislation.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:47 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

Mr. HARKIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

FAIR MINIMUM WAGE ACT OF 2007—Continued

Mr. KENNEDY. Madam President, we are prepared to move ahead on the amendments. We have some that are in the Finance Committee, some in our HELP Committee. We are prepared to move ahead on the Chambliss amendment. We would hope that the Senator might come to the floor to debate it. We are prepared to proceed. Senator FEINSTEIN is prepared to speak on it. I am prepared to debate it. The Finance Committee is in the process of working with Senator KYL on some of the other matters. It is 3:15 in the afternoon, and we are prepared to move ahead.

As I understand it, Senator DEMINT chose not to offer his amendment. So the Chambliss amendment would be the one amendment that is germane postcloture. We are prepared to deal with that at this time. We invite the Senator to come and debate the amendment.

We heard a great deal about how we want to move ahead, how we want to deal with the amendments. We are prepared to do so. I hope the good Senator will choose to come to the floor so we could continue to proceed with this legislation.

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. TESTER. 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. TESTER. Madam President, I rise today to talk about a subject that involves common decency and economic fairness—raising the minimum wage. In my State of Montana, thousands of workers struggle just to make ends meet with less than the State's current minimum standard. Twelve counties in Montana have 9 percent of their workforce making less than the State's current minimum wage standard. That makes it virtually impossible for those folks to try to obtain the middle class.

Raising the minimum wage is the first step to empowering the middle class, to making the middle class all it can be. We have talked about and for the last 6, 7 days we have heard about how important it is to raise the minimum wage. Let me tell my colleagues, if we are going to make this country all it can be, we need to show some attention to the middle class. This raising of the minimum wage, make no mistake about it, is the first step to empowering the middle class to make it vibrant once again. There are many things that can be done and I hope will be done when this 110th Congress goes forward. We are doing the right thing.

The fact is, people deserve a fair wage for the work they do. The current minimum wage at $5.15 an hour translates into less than $11,000 per year. One can't pay the bills with that kind of income.

I can tell my colleagues that as I drove around the State of Montana over the last year and a half, one of the fellows who made one of the biggest impressions on me was at a truck stop, when he asked me what I was going to do for average workers in the State of Montana. I said: What do you have in mind? He said: Currently, I work three jobs, and I still have difficulty making ends meet. What kind of quality of life can a person have working three jobs, struggling every day just to pay basic bills like heating, lights, and insurance?

The fact is that around this country, many States have passed minimum wage laws that have increased the minimum wage. Unfortunately, the leadership has not come from Washington, DC, on this issue; it has come from the States. And I think it is high time that this Congress—and it is unfortunate it hasn't happened before, but it is high time and it is welcomed that this Congress would step to the plate to increase the minimum wage from $5.15 to $7.25 an hour. It is the right thing to do, and it is a good first step. I will applaud the Senators if we, in fact, get this job done, which I think is entirely appropriate, to increase the minimum wage.

My State of Montana is one of six States that passed initiatives last November raising the minimum wage to a wage higher than the Federal standard. It passed with 73 percent of Montana's voters favoring this minimum wage increase. It is now at $6.50 an hour, indexed for inflation with no tip credit, meal credit, or training wage. This means employers may not count tips or benefits as part of the employee's wage for minimum wage purposes. This is a significant step forward for our workforce, and I hope the Federal Government will follow suit with passing this bill to make the economic struggles of almost 15 million Americans, including 7.3 million children, a little easier.

Raising the minimum wage is long overdue. It is about time, and it is about time we showed an appreciation for America's workforce.

I thank the Chair.

Mr. KENNEDY. Madam President, if the Senator will yield, I thank the Senator from Montana for his statement in support of the minimum wage. He comes from a very special part of this Nation, the northern part of the Rockies. It has great agriculture and farmlands. It has a number of communities—Butte, MT—where there is mining and a number of smaller communities where people have worked in manufacturing.

I thank the Senator for his statement and for his support. He has been on the floor a good deal of the time during the course of this debate, and having been just elected he brings to the Senate that fresh perspective of what people are thinking about in the heartland of the Nation. His comments bring additional strength to the argument in support of the increase. I express my appreciation to him for his good comments and statement in support of an increase. I thank the Senator.

Mr. TESTER. Madam President, I say to the Senator from Massachusetts, Montana is no different from any other State in this Union. We have a lot of hard-working folks who work for every penny they get. Quite frankly, sometimes they feel pretty unappreciated. It wasn't many years ago that we talked about American-made products and how proud we were of them and how proud we were of the workers who made those American-made products. We need to get back on that road once again.

I will say, as I said a few minutes earlier, this is long overdue and is something on which I wish the Federal Government would have taken the lead. But better late than never.

The PRESIDING OFFICER. The Senator from Georgia.

AMENDMENT NO. 118 WITHDRAWN

Mr. CHAMBLISS. Madam President, I have amendment No. 118 which is under consideration. After consultation with the Senator from Massachusetts, I am going to withdraw that amendment, but as I withdraw it, I want to say, as we move into the immigration debate, which we will do on the floor of the Senate hopefully sooner rather than later, this amendment will come up again. The importance of this amendment cannot be overstated. There are farmers and ranchers all across America who use a legal workforce versus an illegal workforce.

Between now and the time this debate comes up on immigration, I am afraid that by not moving ahead with the adoption of this amendment, we are going to encourage farmers and ranchers in the use of illegal immigrants. But the fact is, we have been debating this minimum wage bill now for 2 weeks or more. It is time to conclude it. This amendment has stirred up some controversy—for the right reasons, because we do need to talk about the amount of money we pay to our workforce in the agricultural sector. But I do appreciate the Senator from Massachusetts, in his conversations and his commitment to me, that as we move into the immigration debate we will talk about this once again, as we did last year.

Madam President, at this time I withdraw that amendment. I ask unanimous consent to do so.

The PRESIDING OFFICER. The amendment is withdrawn.

The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I thank the Senator from Georgia.

This is not a new issue. I know my friend and colleague from California is going to speak to the substance of it. The Senator from Georgia raised this during the last debate on the immigration bill. He has spoken about it a number of times earlier in the debate. These are complicated questions and issues that have enormous impact, these wage rate issues, in terms of agriculture across this country. He speaks for his State on this issue.

I am grateful he is going to withdraw this amendment at this time. I am very hopeful we are going to get to the immigration issue in a timely way. We have it as a high priority on our side to address it. We are very hopeful we are going to get to it in March, this year, and we will have an opportunity both in the committee and on the floor to come to grips with the substance of this issue.

I say, finally, the adverse wage goes back some 43 or 44 years. It goes back to a time when it was implemented and we had what they call the bracero program, which was a dark side of exploitation of workers from Mexico. It has been in effect, but the Senator is asking now that we get another look at this issue.

I know the Senator from California will speak on the substance of it. This wage rate has been frozen at a level for the last few years as part of another bill, the AgJOBS bill. But this is an immigration-related issue because we are talking about workers who are going to come from overseas. The Senator has spoken about it. I know he feels strongly about it. We know we are going to consider it in the course of that discussion and debate. But I appreciate the fact that he is not pressing it on this minimum wage bill. I thank him for it, and we look forward to trying to find a solution to it in the future.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I listened carefully to the Senator from Massachusetts, and I very much agree with his remarks. I also thank the Senator from Georgia for withdrawing this amendment.

This amendment muddies churning waters even more. I think it would be very difficult if put in at this time. The way to go about this is through something called the AgJOBS bill. I have seen the Senator from Idaho on the floor. The Senator from Idaho, the Senator from Massachusetts, and myself have all played a role in the AgJOBS bill.

If I understand what the Senator from Georgia was trying to do, it was to substantially change the H–2A program, which is the temporary agricultural worker program. That is a visa program, codified under section 218 of the Immigration and Naturalization Act. Under current law, employers of H–2A guest workers must pay the State minimum wage, the Federal minimum wage, the State's adverse effect wage rate—which is the market rate or the local prevailing wage, whichever is highest.

The Chambliss amendment would have required that H–2A employers pay the greater of either the Federal minimum wage or a newly defined prevailing wage.

My staff called both departments mentioned on line 6 at page 2 of his amendment—that is the Occupational Employment Statistics Program and the Bureau of Labor Statistics—neither of which had a prevailing rate they could certify.

This amendment, if promulgated, would have presented serious problems for our agricultural workers. For example, in my home State, the adverse effect wage rate is $9. This rate is higher than the Federal minimum wage. Because we do not know what the prevailing wage would mean in the Chambliss amendment, it would most likely result in a major cut of wages for agricultural workers.

Now, in AgJOBS, we have negotiated a 3 year freeze of the adverse wage rate so that a study could take place. It would give us a period of time to work this issue out. I think to do this as an amendment, without negotiation, without a real hearing, is a tremendous mistake. So I am very pleased the Senator chose to withdraw his amendment. I would have spoken as strongly as I possibly could against it had he not withdrawn it. I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Madam President, let me join with my colleagues on this issue in thanking the Senator from Georgia for withdrawing the amendment. It is possible to say that the concept of adverse wage is an anomaly unto itself, specific to the H–2A program. That is not to suggest it is right. It is to suggest that it was there and it ratcheted up on an automatic basis to establish the wage base for H–2A workers in the guest worker program.

The Senator from California is right. As we began to negotiate and create what is now known as AgJOBS, which she and I reintroduced earlier this year, in that was a back-off from the adverse wage and a holding of the line for a period of time to level out. What the Senator from Georgia is attempting to do is establish a new wage rate. I think the Senator from California is right; we are not sure where it would go or what it would mean.

I am going to stand here and say that is not to suggest a new wage rate is not the right way to go, to establish equity between H–2A and non-H–2A workers who are doing the same job in the field, or somewhere else in agriculture. But there ought to be a consistency. If we are going to bring large groups of guest workers in—and we will, we always have; there are certain types of work only they will do—then I think we have to be sensitive to the uniqueness of that situation.

But at the same time, it is important that we are sensitive to all of the other requirements we put upon the employer as a part of the total employment package. Is it housing? Certain other conditions along with the wage that they necessarily would not have to pay to a domestic worker who was doing comparable wage but was outside the H–2A program?

There is a disparity today. That is why we backed it off in the negotiations. H–2A workers, by their definition, were becoming noncompetitive. Of course, in the environment in which we were working, they were becoming noncompetitive to the illegal who was in the market. So you have disparity across the board. I don't dispute what the Senator from Georgia is attempting to do. I visited with some labor attorneys who found it very problematic. If you are going to do this, we ought to work collectively, review it appropriately, apply it against a variety of workforces to see that it is uniform and just for all employees and employers who may, because of their uniqueness, provide certain conditions for the worker that otherwise would not be necessary to provide.

I used to be in agriculture. We paid a certain wage. We provided a house and we provided fuel for the rig. We also provided certain grocery and food supplies. That was all viewed as a factor of employment with the employee. There are a variety of things we have to get correct. The Senator from California said it would have muddied the water a great deal. I think it would have frustrated it. I think it would have taken out part of the force that it is valuable that we keep together as we try to reform the H–2A program, deal with the problem we currently have to secure and stabilize a legal, transparent workforce for American agriculture, treat foreign nationals right who come here legally for the purpose of that kind of employment.

I don't know that this would have accomplished it. Withdrawing it, coming together with us, trying to resolve this problem I think offers us an opportunity to get our work done on this portion of immigration reform this year. I hope and I know the Senator from California agrees with me. I hope we can accomplish that by the end of the year.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. If I may, Madam President, I would make a statement and then ask the Senator from Idaho a question. This morning I was visited by a delegation from Tulare County, which is an agricultural county in the central valley of California. These were city and county officials who pointed out the enormous loss from the frost and the fact that it looks as though the citrus loss is going to be at least $800 million and the total loss will be over $1 billion. Nobody knows the tree loss yet, let alone the avocado or nursery plant loss or the row crop loss of strawberries and lettuce and other crops. But this will also have an impact on

the ability to find agricultural labor, and I think the Senator agrees, I know I agree, that we must pass the AgJOBS bill.

Madam President, an estimated 90 percent of agricultural labor in this country—the picker part of it, not necessarily the processing and canning part of it, but the picking part, the field work—an estimated 90 percent is by undocumented people. What we have tried to do is develop a plan, which actually passed the Senate once before as part of the comprehensive immigration bill, called AgJOBS. This also reformed the H–2A program.

We have been trying to get that bill up before this body for a vote. This next year is going to be a singularly difficult year for agriculture, and with the inability to get a consistent workforce, farmers don't know if they can plant, they don't know if they can prune, they don't know if they can pick, because they don't know if they will have enough labor.

My question to the Senator from Idaho through the Chair is, Do you agree with the statement I made?

Mr. CRAIG. I agree totally and I agree for all the reasons the Senator from California put forward—and a couple more. One of the things the Congress is committed to—both the Senators on the floor at this moment have voted for it—is to secure our Southwest border. We are investing heavily on that at this moment, and we should be. There is no question about that. We may argue about how many miles of fence, but we all recognize an unsecured border is a very problematic thing. It is closing. It is becoming secure and we are going to continue to invest in it. As we are doing that, all of these other problems are beginning to happen because that workforce is moving around and they are not staying with agriculture. The Senator lost a tremendous amount this year in the San Joaquin, in the greater agricultural area of California.

I spoke with young farmers and ranchers of the Idaho Farm Bureau this weekend. We have lost hundreds of millions—nowhere near what the Senator from California has lost, but we have a different kind of agriculture. The intensity of ours, the hand labor of ours is simply not as great as the Senator's. But there is a real problem and that problem is quite simple. If we don't get this corrected, we may well be looking at $5 billion worth of agricultural loss this year, and half of that or more will come from California alone, let alone all the other areas, and I may even be conservative in my guesstimate.

So the Senator is absolutely right. Now we are coupled with the natural weather disasters that have hit California and could hit my State at some time in the future. That is typical of agriculture. But, if we provide a stable and secure workforce that is legal, then we have helped our agriculture a great deal in knowing that when they do produce a crop, they have the people there to help them get it out of the field, get it to the processor and ultimately to the retail shelves of America.

Mrs. FEINSTEIN. Madam President, I thank the Senator from Idaho. My plea, and I know the Senator joins with me, is that the people of America will weigh in and say: Get this bill passed; that agricultural labor will weigh in, corn and citrus, potatoes, apples, wherever it is in the United States, wherever they need a consistent, legal workforce, will please weigh in and say to this body: Get that bill up and get it passed, and will say to the other body: Get that bill up and get it passed. Senator CRAIG and I have been coming to the floor from time to time to plead to give us time. I believe the majority leader will give us time—I am uncertain as to when, but I believe it is going to happen. My hope is that it happens sooner rather than later because the predictability is so important. Here we are, we are at the end of January, we are going into February. People are getting their loans to plant and that kind of thing, and they need to know they can deliver a crop. They need to know they can get the workforce to deliver that crop. So this is a huge issue economically for America and for the agricultural industry.

So I wish to say to the Senator from Idaho and to the Senator from Massachusetts, I thank them so much for their work on this issue. I wish that the Senator from Georgia would be with us on AgJOBS, because I believe it is the right way to go, and I believe his State—Georgia—will also be benefited by the H–2A reforms in the bill. For California, the H–2A reforms mean that this program, which hasn't been used by agriculture because it was so cumbersome, will now be used by agriculture. It, in effect, is the guest worker program. So passing AgJOBS secures a legal guest worker program for agriculture and also a path to legalization for those who have engaged in agricultural labor who will pay a fine, who will pay their taxes, who will commit to work in agricultural labor for another 3 years, thereby providing that consistent workforce.

So I very much hope that the day will not be far distant when the Senator from Idaho and I will be on the floor and will, hopefully, be able to mount a substantial vote for this important bill.

I thank the Chair.

Mr. OBAMA. Madam President, I come to the floor today to support a long overdue raise for America's lowest paid workers from $5.15 an hour to $7.25 an hour.

As you know, more than 6 million hourly workers currently earn less than $7.25 an hour. They work hard, they pay taxes, they try to raise strong families. For a few them, it is a first job, they are young, and they do not have to support anyone else. But 80 percent of them are adults, and about half of them are their household's primary breadwinner. Forty-seven percent of them are poor, and many have to work two or three jobs just to make ends meet.

Work should keep Americans out of poverty. It should make it possible for you to live with dignity and respect, to have a comfortable place to live in a safe neighborhood, to see a doctor, to have a shot at education, to save a little money, to enjoy the opportunities of this great country. But that's out of reach for most people at $5.15 and hour. It is time that we do better by those in our workforce who make the least.

The Federal minimum wage is at its lowest inflation-adjusted level since 1955, and it has been stagnant for almost a decade. That does not reflect well on our country and Americans are overwhelmingly supportive of an increase. In fact 29 States and countless cities have taken action and set higher minimums of their own. It is time for the Federal Government to do the same. And I know we can achieve that in a bipartisan way.

We have had a vigorous debate about the impact of the minimum wage on employment levels and on small businesses. And I agree that all policy decisions must be made with full consideration of possible unintended consequences. But the evidence clearly indicates that raising the minimum wage is good for workers and that the effects on small businesses are negligible.

Following the most recent increase in the Federal minimum wage in 1997, the low-wage labor market actually performed better than it had in decades, with lower unemployment rates, higher average hourly wages, higher family income and lower rates of poverty. And most studies of State minimum wage increases have found no measurable negative impact on employment.

A group of 650 economists, including several Nobel laureates, recently issued a statement, saying: ''We believe that a modest increase in the minimum wage would improve the well-being of low-wage workers and would not have the adverse effects that critics have claimed.''

They further note:

> While controversy about the precise employment effects of the minimum wage continues, research has shown that most of the beneficiaries are adults, most are female, and the vast majority are members of low-income working families.

But raising the minimum wage is not just good economics, it is also a statement of our commitment to each other as Americans. I am convinced that most Americans agree that the person who serves your food or handles your checkout at the grocery store deserves to be paid a decent wage. Most people agree that parents working full time—no matter what their job or occupation—should not have to raise their children in poverty.

In fact, I think that most Americans worry, as I do, that even $7.25 an hour

is not enough in many parts of the country where a living wage that would cover housing, schooling and healthcare needs might have to be twice as high or more.

But the increase to $7.25 would restore the value of the minimum wage that inflation has eroded since the last increase nearly a decade ago. It would mean an additional $4,200 in annual earnings for a full-time, minimum wage worker. It would trigger additional increases in the earned-income tax credit for low-income parents.

Today, a family of four with one minimum-wage earner lives in poverty. With the increase in the minimum wage, that family would be lifted 5 percent above the poverty line instead of being 11 percent below the poverty line in 2009, as it would be under current law.

The minimum wage cannot be the end of our commitment to help working families. But it is an important place to start.

Mr. DORGAN. Madam President, I voted in opposition to the Gregg amendment, No. 101, which he said would establish a legislative line-item veto.

However, the Gregg amendment is not a line-item veto at all. It is an enhanced rescission proposal that would give the President unprecedented powers to wait for up to 1 full year before unilaterally deciding to rescind areas of spending that Congress has previously determined are in the public interest.

That is not what I call a line-item veto.

A line-item veto would give the President short term authority when he is signing legislation to extract certain portions of that legislation. But to suggest the President should have the power to decide, up to 1 year after the appropriations process has been completed, that he wishes to withhold certain areas of expenditures is one of the most unusual transfers of power from the legislative branch to the President that I have ever seen proposed.

The power of the purse belongs to the legislative branch, and I am willing to work with the legislative branch and the White House to try to find a way to reduce inappropriate Federal spending. But I am not willing to give the President the authority that would allow him to use a fast track process or enhanced recission authority to undermine Social Security or take any number of other actions that would give a President virtually unlimited powers of the purse.

That is not the way the Constitution intended the separation of powers to work and I could not support the overreaching amendment offered by Senator GREGG.

ORDER OF PROCEDURE

Madam President, if I may, I ask unanimous consent that at 4:10 p.m., the Senate proceed to executive session to consider en bloc Executive Calendar nominations 6 and 7; that there be 10 minutes for debate equally divided between Senators LEAHY and SPECTER or their designees; and that upon the use or yielding back of the time, the Senate proceed to vote on the nomination of Lisa Godbey Wood to be United States District Judge, to be followed immediately by a vote on the nomination of Philip S. Gutierrez to be a United States District Judge; that motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative business; that all time consumed in executive session count postcloture; and that there be 2 minutes between each vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

NOMINATION OF LISA GODBEY WOOD

Mrs. FEINSTEIN. Madam President, one of these judges, Philip Gutierrez, is for the central district of California. Vice Judge Terry Hatter, who at one point was the chief judge, a very good chief judge, has retired. Mr. GUTIERREZ is one of two judicial emergencies we need to fill. His nomination went through the special commission that we have, which is Republicans and Democrats who screen these judicial nominations. He has served on the Los Angeles County Superior Court. He also served on the municipal court. He is a Los Angeles native. He graduated from Notre Dame and UCLA Law School. I strongly support his nomination.

Madam President, I yield the floor.

Mr. CRAIG. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ISAKSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF PHILIP S. GUTIERREZ

Mr. ISAKSON. Madam President, in a few moments the Senate will be considering the vote on the confirmation of Lisa Godbey Wood as a judge in the State of Georgia. First of all, I wish to thank the chairman of the Judiciary Committee, Senator LEAHY, for all the commitments he made last year as ranking member and that he has followed through on this year as chairman to bring this judge's confirmation to the full Senate for a vote. Senator LEAHY has been a gentleman. He has been diligent. He has lived up to every responsibility he accepted. I, personally, along with Senator CHAMBLISS, am very grateful for the opportunity to confirm this outstanding jurist.

I also wish to say that Lisa Godbey Wood brings to the bench for the Federal courts of the United States of America the integrity, the intellect, the sense, and the judgment that all of us seek in a fine judge. I am pleased to stand before the Senate today to commend her to each and every Member of the Senate, and my sincerest hope is that her confirmation will be a unanimous vote.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

LISA GODBEY WOOD TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF GEORGIA

PHILIP S. GUTIERREZ TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations en bloc, which the clerk will report.

The legislative clerk read the nomination of Lisa Godbey Wood, of Georgia, to be United States District Judge for the Southern District of Georgia, and Philip S. Gutierrez, of California, to be United States District Judge for the Central District of California.

Mrs. FEINSTEIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Madam President, today the Senate is considering the first judicial nominations of the year. If these nominees are confirmed, it will be the 101st and 102nd while I have served as Judiciary Committee Chairman under this President. If confirmed, these nominees will bring the total number of President Bush's nominees confirmed during his tenure to 260.

Last Thursday, the Judiciary Committee held its first business meeting of the year. We were delayed a few weeks by the failure of the Senate to pass organizing resolutions on January 4, when this session first began. The Republican caucus had meetings over several days after we were in session before finally agreeing on January 12 to S. Res. 27 and S. Res. 28, the resolutions assigning Members to Senate committees.

The Judiciary Committee has traditionally met on Thursday. Regrettably, the delay in Senate organization meant that I could not notice or convene a meeting of the Committee the morning of January 11, as I had hoped. We devoted the intervening Thursday to our oversight hearing with the Attorney

General. January 18 was the date the Attorney General selected as most convenient for him, and we accommodated him in that.

Accordingly, it was last Thursday that we were first able to meet. At our first meeting, I included on our agenda the nominations of five men and women to lifetime appointments as federal judges. Three were for vacancies that have been designated judicial emergencies by the Administrative Office of the Courts. Before proceeding, I inquired of each Member of the Committee whether a hearing was requested on these nominations this year. They were each nominees we had considered in the Committee last year. They were returned to the President without Senate action when Republican Senators objected to proceeding with certain nominees in September and December last year. Last week I thanked the Members of the Judiciary Committee for working with me to expedite consideration of these nominations this year. In particular, I extend thanks to our new Members, the Senators from Maryland and Rhode Island.

All five nominations were not sent to the Senate until January 9. We have moved promptly to vote to report them on January 25 and now begin the process of final Senate consideration. I know from last year that Senators CHAMBLISS and ISAKSON are strong supporters of Ms. Wood's nomination to fill the emergency vacancy in Georgia. I appreciate that they have both worked with me and am delighted that hers is the first nomination to be considered by the Senate this year.

The second nomination we will consider is that of Philip S. Gutierrez, another nominee to a seat deemed to be a judicial emergency. He has been nominated to the U.S. District Court for the Central District of California after a distinguished career in private practice and as a Los Angeles County Superior and Municipal Court judge. While on the Superior Court, Judge Gutierrez served as a founding member of the Judicial Ethics Committee, which developed a curriculum for ethics training for every California judicial officer, and devoted significant time to improving the court system statewide. Judge Gutierrez, a Los Angeles native, is a graduate of the University of Notre Dame and UCLA Law School.

This new Congress presents an opportunity for a fresh start on judicial nominations, one that emphasizes qualifications and bipartisan consensus over political game-playing by the other side. President Bush made the right decision in not resubmitting this year several controversial and troublesome nominees who failed to win confirmation from a Republican-controlled Senate. Of course it is unfortunate that we lost many months of valuable time on those failed nominations. We spent far too much time engaged in political fights over a handful of nominees in the last Congress, time the Senate could have spent making progress on filling vacancies with qualified consensus nominees.

I do wish the President had gone further and renominated three nominees for vacancies in the Western District of Michigan who were reported out of Committee, but left pending on the Senate's Executive Calendar when some on the other side of aisle blocked the nomination of Judge Janet Neff for one of those seats. All three nominations were for vacancies that are judicial emergency vacancies—three in one federal district. The Senators from Michigan had worked with the White House on the President's nomination of three nominees to fill those emergency vacancies. The Judiciary Committee proceeded unanimously on all three. Working with then-Chairman SPECTER, the Democratic Members of the Committee cooperated to expedite their consideration. On September 16, we held a confirmation hearing for those three nominees on an expedited basis and reported them out of Committee on September 29.

Regrettably, rather than meet to work out a process to conclude the consideration of judicial nominations last session, the Republican leadership apparently made the unilateral decision to stall certain of these nominations, including those for the judicial emergencies in the Western District of Michigan and, in particular, the President's nomination of Judge Janet Neff. After the last working session in October, I learned that several Republicans were objecting to Senate votes on some of President Bush's judicial nominees. According to press accounts, Senator BROWNBACK had placed a hold on Judge Neff's nomination, even though he raised no objection to her nomination when she was unanimously reported out of Judiciary Committee. Later, without going through the Committee, Senator BROWNBACK sent questions to Judge Neff about her attendance at a commitment ceremony held by some family friends several years ago in Massachusetts. Senator BROWNBACK spoke of these matters and his concerns on one of the Sunday morning talk shows.

I wondered at the end of the last Congress whether it could really be that Judge Neff's attendance at a commitment ceremony of a family friend failed some Republican litmus test of ideological purity, that her lifetime of achievement and qualifications were to be ignored, and that her nomination was to be pocket filibustered by Republicans.

I do not know why the President has not chosen to renominate Judge Neff or the other two Western District nominees. But the approach to nominations we saw in the last Congress, of using nominations to score political points rather than filling vacancies and administering justice, has led to a dire situation in the Western District of Michigan. Judge Robert Holmes Bell, Chief Judge of the Western District, wrote to me and to others about the situation in that district, where several judges on senior status—one over 90 years old—continue to carry heavy caseloads to ensure that justice is administered in that district. Judge Bell is the only active judge. If not for Republican objections, these nominations would be filled by now.

I urge the President to fill these and other outstanding vacancies with consensus nominees. The Administrative Office of the U.S. Courts list 59 judicial vacancies, 28 of which have been deemed to be judicial emergencies. So far in this Congress, the President has sent us 30 judicial nominations. There remain 17 judicial emergency vacancies—17—now without any nominee at all.

We continue to make progress today towards filling longstanding judicial vacancies. If the President consults with us and works with us to send consensus selections instead of controversial nominations for important lifetime appointments, we can make good progress filling vacancies.

The American people expect the federal courts to be fair forums where justice is dispensed without favor to the right or the left. I intend to do all that I can to ensure that the federal judiciary remains independent and able to provide justice to all Americans. These are the only lifetime appointments in our entire government, and they matter. I will also continue in the 110th Congress to work with Senators from both sides of the aisle, as I have with Senators CHAMBLISS and ISAKSON as well as Senators FEINSTEIN and BOXER. I congratulate Ms. Woods and Judge Gutierrez on their confirmations today.

Mrs. FEINSTEIN. Madam President, I yield back the time.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Lisa Godbey Wood, of Georgia, to be U.S. District Judge for the Southern District of Georgia? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Kansas (Mr. BROWNBACK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0 as follows:

[Rollcall Vote No. 35 Ex.]

YEAS—97

Akaka	Bunning	Cochran
Alexander	Burr	Coleman
Allard	Byrd	Collins
Baucus	Cantwell	Conrad
Bayh	Cardin	Corker
Bennett	Carper	Cornyn
Bingaman	Casey	Craig
Bond	Chambliss	Crapo
Boxer	Clinton	DeMint
Brown	Coburn	Dodd

Dole	Landrieu	Rockefeller
Domenici	Lautenberg	Salazar
Dorgan	Leahy	Sanders
Durbin	Levin	Schumer
Ensign	Lieberman	Sessions
Enzi	Lincoln	Shelby
Feingold	Lott	Smith
Feinstein	Lugar	Snowe
Graham	Martinez	Specter
Grassley	McCain	Stabenow
Gregg	McCaskill	Stevens
Hagel	McConnell	Sununu
Harkin	Menendez	Tester
Hatch	Mikulski	Thomas
Hutchison	Murkowski	Thune
Inhofe	Murray	Vitter
Inouye	Nelson (FL)	Voinovich
Isakson	Nelson (NE)	Warner
Kennedy	Obama	Webb
Kerry	Pryor	Whitehouse
Klobuchar	Reed	Wyden
Kohl	Reid	
Kyl	Roberts	

NOT VOTING—3

Biden	Brownback	Johnson

The nomination was confirmed.

NOMINATION OF PHILIP S. GUTIERREZ

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Gutierrez nomination.

Mr. LEAHY. Madam President, Philip S. Gutierrez is the second nomination we consider today to a seat deemed to be a judicial emergency. We considered his nomination in the Judiciary Committee late last week and the two Senators from California have urged we move this nomination without further delay. I am pleased that we are able to do so today. As I said earlier before the vote to confirm Lisa Godbey Wood to fill an emergency vacancy in Georgia, Judge Gutierrez's nomination will be the 102nd to be confirmed while I have served as Judiciary Committee chairman and the 260th nominee of President Bush to be confirmed.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I thank the majority leader and Chairman LEAHY for bringing up the nomination of Philip Gutierrez. He has an outstanding academic record. His bachelor's degree is from the University of Notre Dame. He has a law degree from UCLA. He has been rated ''well qualified'' by the American Bar Association.

Judge Gutierrez was nominated during the last Congress and his nomination reported out of the Judiciary Committee with a favorable recommendation on September 21, 2006. The Senate, however, did not act on his nomination prior to adjournment of the 109th Congress.

President Bush renominated Judge Gutierrez in the 110th Congress and his nomination reported out of the Judiciary Committee on January 25, 2006.

Judge Gutierrez received his BA degree from the University of Notre Dame in 1981 and a JD from the UCLA School of Law in 1984.

Judge Gutierrez's substantial experience both in private practice and on the California Superior Court have prepared him to serve on the Federal bench.

He began his legal career as an associate with the Los Angeles firm Wolf, Pocrass & Reyes from 1984 to 1986 and then worked as an associate with Kern & Wooley from 1986 to 1988. At both firms, Judge Gutierrez worked on civil tort liability litigation.

In 1988, Judge Gutierrez joined the law firm of Cotkin & Collins in Santa Ana as managing partner. At Cotkin, he focused his practice on business litigation with an emphasis in professional liability and insurance coverage.

In 1997, Judge Gutierrez was appointed to serve on the Whittier Municipal Court where he presided over misdemeanors, felony arraignments, and civil matters.

In 2000, he was elevated to the Los Angeles County Superior Court where he currently sits in the Pomona division. He presides over a range of significant civil and criminal matters, including felony cases.

Active in judicial governance and education, Judge Gutierrez currently serves on the Los Angeles County Superior Court Executive Committee and the California Judges Association's Committee on Judicial Ethics, of which he is a former chair.

He serves on several committees of the California Center for Judicial Education and Research.

The American Bar Association has rated Judge Gutierrez unanimously ''well qualified.''

Madam President, I know the Members on the Senate floor would like to have a detailed description of his résumé, but they will have to read it in the CONGRESSIONAL RECORD. I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PHILIP STEVEN GUTIERREZ

UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA

Birth: October 13, 1959, Los Angeles, CA

Legal Residence: California.

Education: B.A., 1981, University of Notre Dame; J.D., 1984, U.C.L.A. School of Law.

Employment: Associate, Wolf, Pocrass & Reyes, 1984–1986; Associate, LaFollette, Johnson, DeHaas, Fesler & Ames, 07/86–09/86; Associate, Kern & Wooley, October 1986–1988; Managing Partner, Cotkin & Collins, 1988–1997; Judge, Whittier Municipal Court, 1997–2000; Judge, Los Angeles Superior Court, 2000–Present.

Selected Activities: Chair, California Judges Association, Committee on Judicial Ethics, 2003–2004; Vice Chair, 2002–2003; Member, Los Angeles Superior Court Executive Committee, 2005–Present; Member, California Center for Judicial Education and Research, 2000–Present; Seminar Leader and Faculty Member, B.E. Witkin California Judicial College, 2004–2005; Member, State Bar Committee on Professional Liability Insurance, 1991–1997; Member, American Bar Association, Tort and Insurance Practice Insurance Coverage Litigation Committee, 1992–1997; Member, Orange County Bar Association, 1988–1997; Board Member, Hispanic Bar Association of Orange County, 1993–1995; Board Member, Westside Legal Services, 1986–1998.

Madam President, I yield the floor.

Mr. CRAIG. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Philip S. Gutierrez, of California, to be United States District Judge for the Central District of California. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Kansas (Mr. BROWNBACK).

The PRESIDING OFFICER (Mr. SALAZAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 36 Ex.]

YEAS—97

Akaka	Durbin	Mikulski
Alexander	Ensign	Murkowski
Allard	Enzi	Murray
Baucus	Feingold	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Graham	Obama
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagel	Reid
Brown	Harkin	Roberts
Bunning	Hatch	Rockefeller
Burr	Hutchison	Salazar
Byrd	Inhofe	Sanders
Cantwell	Inouye	Schumer
Cardin	Isakson	Sessions
Carper	Kennedy	Shelby
Casey	Kerry	Smith
Chambliss	Klobuchar	Snowe
Clinton	Kohl	Specter
Coburn	Kyl	Stabenow
Cochran	Landrieu	Stevens
Coleman	Lautenberg	Sununu
Collins	Leahy	Tester
Conrad	Levin	Thomas
Corker	Lieberman	Thune
Cornyn	Lincoln	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	Webb
Dodd	McCain	Whitehouse
Dole	McCaskill	Wyden
Domenici	McConnell	
Dorgan	Menendez	

NOT VOTING—3

Biden	Brownback	Johnson

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. OBAMA. 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. OBAMA. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Mr. OBAMA. Mr. President, today in Iraq we sadly find ourselves at the very point I feared when I opposed giving the President the open-ended authority to wage this war in 2002, an occupation of undetermined length and undetermined cost, with undetermined consequences in the midst of a country torn by civil war.

The American people have waited. The American people have been patient. We have given chance after chance for a resolution that has not come and, more importantly, watched with horror and grief at the tragic loss of thousands of brave young American soldiers.

The time for waiting in Iraq is over. The days of our open-ended commitment must come to a close. The need to bring this war to an end is here.

That is why today I am introducing the Iraq War De-escalation Act of 2007. This plan would not only place a cap on the number of troops in Iraq and stop the escalation; more importantly, it would begin a phased redeployment of United States forces with the goal of removing all United States combat forces from Iraq by March 31, 2008, consistent with the expectations of the bipartisan Iraq Study Group that the President has so assiduously ignored.

The redeployment of troops to the United States, Afghanistan, and elsewhere in the region would begin no later than May 1 of this year, toward the end of the timeframe I first proposed in a speech more than 2 months ago.

In a civil war where no military solution exists, this redeployment remains our best leverage to pressure the Iraqi Government to achieve the political settlement between its warring factions, that can slow the bloodshed and promote stability. My plan allows for a limited number of United States troops to remain as basic force protection, to engage in counterterrorism, and to continue the training of Iraqi security forces.

If the Iraqis are successful in meeting the 13 benchmarks for progress laid out by the Bush administration itself, this plan also allows for the temporary suspension of the redeployment, provided Congress agrees that the benchmarks have actually been met and that the suspension is in the national security interest of the United States.

The United States military has performed valiantly and brilliantly in Iraq. Our troops have done all we have asked them to do and more, but no amount of American soldiers can solve the political differences at the heart of somebody else's civil war, nor settle the grievances in the hearts of the combatants.

It is my firm belief that the responsible course of action for the United States, for Iraq and for our troops, is to oppose this reckless escalation and to pursue a new policy. This policy I have laid out is consistent with what I have advocated for well over a year, with many of the recommendations of the bipartisan Iraq Study Group, and with what the American people demanded in the November election.

When it comes to the war in Iraq, the time for promises and assurances, for waiting and for patience, is over. Too many lives have been lost and too many billions of dollars have been spent for us to trust the President on another tired and failed policy that is opposed by generals and experts, Democrats and Republicans, Americans, and many of the Iraqis themselves.

It is time for us to fundamentally change our policy. It is time to give the Iraqis back their country. And it is time to refocus America's efforts on the challenges we face at home and the wider struggle against terror yet to be won.

Thank you very much, Mr. President.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MENENDEZ). Without objection, it is so ordered.

TRADE RELATIONS WITH LATIN AMERICA

Mr. GRASSLEY. Mr. President, I rise to speak on the U.S. trade agenda. There are a number of important items on this year's trade agenda, including reauthorization of Trade Promotion Authority for the President and reauthorizing our trade adjustment assistance programs for workers who are displaced by trade. I will speak on those priorities another day.

Today I want to focus on our trade relations with our neighbors in Central and South America. During my chairmanship of the Finance Committee, Congress passed implementing bills for trade agreements covering 12 countries. Out of these 12 countries, over half—7—are located in Latin America. I am pleased that Congress acted to strengthen our economic relations with Chile, the Dominican Republic, Guatemala, Honduras, El Salvador, Nicaragua, and Costa Rica, by implementing our trade agreements with these neighbors to the south. And I think we should all be pleased that these seven countries made it a priority to develop closer economic ties with us and to further commit themselves to transparency and the rule of law.

I hope that the current Congress will continue working to strengthen economic relations between the United States and Latin America. Fortunately, we already have a roadmap for doing so. We have concluded free trade agreements with Peru and Colombia, and we are about to sign an agreement with Panama. It is up to this Congress to pass implementing legislation for these agreements. Failure to do so would only damage our relations with these important allies and embolden other southern neighbors who are increasingly hostile to the United States.

Moreover, by implementing our trade agreements with Peru, Colombia, and Panama, we would provide an important boost for U.S. exporters. During my time in the Senate, I have heard many of my colleagues complain that the global trade situation reflects an uneven playing field. To some extent, I agree. In too many cases, the duties imposed on U.S. exports by our trading partners are much higher than our duties. That is certainly the situation with Peru, Colombia, and Panama. Right now, almost all imports from those three countries enter the United States duty free. Ninety percent of the value of our imports from Colombia enter duty-free. With respect to Panama, it is over 95 percent, and with respect to Peru it is 97 percent.

On the other hand, our exports to these countries face significant duties. Colombia's tariffs generally range from 10 to 20 percent, while those of Peru range from 12 to 25 percent. After Panama acceded to the World Trade Organization in 1997 its tariffs averaged 8 percent, but since then Panama has raised tariffs on certain agricultural products. For example, Panama's tariff on pork—a major Iowa product—is currently 74 percent, while its tariff on chicken imports is 273 percent. Now that is what I call a one-way street.

This imbalance is largely the result of unilateral trade benefits that we extend to these nations. Panama gets duty-free access to our markets under the Caribbean Basin Initiative, while Peru and Colombia are eligible under the Andean Trade Preference Act. And all three are eligible under our Generalized System of Preferences.

The nonpartisan U.S. International Trade Commission, ITC, analyzed our trade agreements with Peru and Colombia. The ITC concluded that these agreements will help to level the playing field that is currently tilted against U.S. exporters.

Here is what the ITC has to say about our trade promotion agreement with Peru:

> Given the substantially larger tariffs faced by U.S. exporters to Peru than Peruvian exporters to the United States, the TPA is likely to result in a much larger increase in U.S. exports than in U.S. imports.

The ITC goes on to state that the agreement will likely increase U.S. exports to Peru by 25 percent, while Peruvian exports to the United States will grow by 8 percent.

The ITC's analysis of our trade promotion agreement with Colombia draws similar conclusions. The ITC report states that:

> Colombian exporters generally face substantially lower tariffs in the U.S. market

than do U.S. exporters in the Colombian market. . . . The TPA is likely to result in a much larger increase in U.S. exports to Colombia than in U.S. imports from Colombia.

The ITC predicts that after implementing the agreement, U.S. exports to Colombia will be $1.1 billion higher than today, and U.S. imports from Colombia will be $487 million higher.

The ITC has not yet completed its analysis of our trade agreement with Panama. But given the disparity in tariff levels between the United States and Panama, I think it is safe to assume that the ITC will reach similar conclusions regarding the likely economic impact of that agreement as well. And the benefits of these three trade agreements will be spread across all major sectors of our economy. U.S. agricultural producers, manufacturers, and service providers all stand to gain.

According to the American Farm Bureau Federation, our trade agreement with Peru could increase U.S. agricultural exports by over $705 million annually. With respect to Colombia, the Farm Bureau predicts that full implementation of our trade agreement will have an annual net benefit of over $660 million for the U.S. agricultural sector. The Farm Bureau hasn't finished its analysis of the impact of our trade agreement with Panama, but I am confident that it will find major benefits for U.S. farmers.

Our manufacturers stand to gain as well. According to the International Trade Commission, U.S. producers of machinery, chemicals, rubber, and plastic products will be among the biggest beneficiaries of these agreements. And Panama will eliminate tariffs on manufactured products within 10 years of implementing our trade agreement.

U.S. service providers will also gain from increased trade with Peru, Colombia, and Panama. Under their respective agreements, each of those countries agree to exceed the commitments they made on services in the World Trade Organization.

In addition, Panama is scheduled to initiate a $5.25 billion expansion project for the Panama Canal in 2008. Our trade agreement with Panama will help ensure market access for U.S. service providers for this major project.

So to those of my colleagues who complain that the current world trading situation is unfair, here is a chance to help fix the problem. By implementing trade agreements with Peru, Colombia, and Panama, Congress will level the playing field for U.S. farmers, manufacturers, and service providers in these important markets. These agreements will boost U.S. exports and help create jobs. I think it is ironic that some of my colleagues oppose these free trade agreements and yet at the same time complain the loudest about the trade deficit and how the deck is stacked against U.S. exporters.

These agreements level the playing field. It is beyond me as to how someone could oppose that. Now, I understand that there is rising protectionism in Congress. But let's look at the facts. Take as an example the Dominican Republic-Central America Free Trade Agreement, otherwise known as CAFTA.

According to the U.S. Department of Commerce, our exports to the CAFTA countries were up 17 percent in the period January through November 2006, while our imports from the CAFTA countries were up 3 percent. As a result, our trade balance swung from a $1.2 billion deficit 2 years ago to an annualized surplus of $1 billion last year. That is what happens when you level the playing field.

And we are not the only ones who stand to benefit. Peru, Colombia, and Panama will also benefit from implementing our trade agreements. The leaders of these countries are to be commended. By pursuing trade agreements with the United States, they have demonstrated a commitment to locking in economic reforms, increasing economic freedoms, and enhancing transparency and respect for the rule of law.

That leadership and foresight will be rewarded once our trade agreements are implemented. I read recently in the Wall Street Journal of a joint study conducted by the Journal and the Heritage Foundation. According to the article, their study found that ''economically free countries enjoy significantly greater prosperity than those burdened by heavy government intervention.''

We certainly see examples of heavy-handed government intervention in some other Latin American countries. Instead of fostering individual and economic liberty, these governments are embracing the failed policy of statism. Chief among them is the Government of Venezuela.

President Chavez has announced plans to turn Venezuela into a ''socialist republic.'' To that end, he announced this month that he plans to nationalize Venezuela's telecommunications and electricity industries. That decision will directly impact U.S. companies with investments in those sectors of the Venezuelan economy.

President Chavez also might nationalize Venezuela's mining sector, and he intends to increase state control over the oil industry as well. Significantly, President Chavez is demonstrating that those who withdraw economic rights often seek to withdraw political rights, and that those who centralize economic power tend to centralize political power. For example, he has stated that he plans to pull the broadcasting license of one of Venezuela's oldest television broadcasters, which also happens to be one of his major critics. President Chavez is also proposing changes in Venezuelan laws that will enable him to rule by decree for 18 months, permit his indefinite reelection as President, and reduce the power of state governors and mayors.

Unfortunately, President Chavez is not alone. Two other countries in the region are moving toward increased state control of their economies. Bolivia and Ecuador each currently enjoy duty-free access to the U.S. market under the Andean Trade Preference Act. Yet last year Bolivia undertook a de facto nationalization of its natural gas industries, forcing companies to renegotiate their contracts with the state. Bolivian President Morales is also considering nationalizing the country's mining, electricity, and telecommunications sectors. In the case of Ecuador, last year the government revoked the operating license of a U.S. oil company and seized $1 billion of the company's assets.

So Latin America is clearly divided. Some countries, led by Venezuela, are consolidating economic power in the state. President Chavez is also clearly seeking to centralize political power, and has demonstrated an active hostility to the United States.

That stands in stark contrast to our allies and trading partners, Peru, Colombia, and Panama. The governments of these three countries have gone out on a limb. They have demonstrated they want closer economic ties with the United States. They appreciate that, by working with us, by building more links between businesses in their countries and ours, they can better improve the lives of their citizens. We need to reward that leadership. We should do so by implementing our respective trade agreements as soon as possible. If we don't, we will be turning our backs on allies in the region. We will be sending a signal to Latin America that we don't really care about opening markets and enhancing the rule of law. Instead, we'd help build the clout of Chavez and other leaders in the region who see the failed policy of statism as Latin America's future. And we would be shooting ourselves in the foot by giving up a chance to level the playing field. Why would we want to do that?

Before concluding, I would like to address two other sets of issues that have arisen with respect to our trade agreements with Peru, Colombia, and Panama. First are the labor and environment chapters of the agreements, and second is the Andean Trade Preference Act.

I understand that some in Congress would like to see the labor and environment chapters of these agreements renegotiated. I disagree. I believe that the provisions on labor and the environment are strong. And I note that renegotiation would effectively preclude implementation of these agreements under the current Trade Promotion Authority, which is set to expire on July 1.

I question whether those who would insist on renegotiation aren't really trying to kill the agreements outright. In my view, the best thing we can do to advance labor rights and environmental protections in these countries is to implement our trade agreements with them. Implementation will increase the rate of economic growth and

prosperity in these countries. It will increase business activity and awareness of labor rights. It will create new bodies for more active oversight of labor and the environment.

As important as labor and the environment are to some of my colleagues, I don't see how they can justify holding back these trade agreements that are so good for the United States. They should be embarrassed for holding them up. The sooner we implement these agreements, the sooner our farmers, manufacturers, and service providers will benefit from them. That being said, I understand that U.S. Trade Representative Susan Schwab is in discussions with some of my colleagues to explore ways to address their concerns regarding labor and the environment. I am willing to listen to any constructive proposals that are put forward.

Separately, I note that the Andean Trade Preference Act has been extended until June 30. That leaves Congress sufficient time to implement our trade agreements with Peru and Colombia, so that their preferential access to the U.S. market does not terminate.

But with respect to Bolivia and Ecuador, their preferential access to the U.S. market will terminate after June 30 because we don't have comprehensive trade agreements lined up with those two countries.

Some of my colleagues are already talking about extending the Andean Trade Preference Act beyond June 30. I see no reason to do so. If Congress acts responsibly and implements our trade agreements with Peru and Colombia by June 30, neither of those countries will need unilateral preferential trade benefits.

As far as Bolivia and Ecuador go, I see no reason to extend preferential trade benefits to them. Not only are they withholding market access from U.S. exporters, they are actively engaged in nationalizing industries and expropriating foreign assets.

It wouldn't be right to treat imports from Bolivia and Ecuador the same as products from Peru and Colombia. Why should Congress be in the business of rewarding bad behavior? So I disagree with my colleagues who favor extending the Andean Trade Preference Act past June 30.

In sum, Mr. President, I hope that the administration will soon be in a position to send implementing legislation for the U.S-Peru Trade Promotion Agreement to Congress. And I urge my colleagues to work with me to implement not only that agreement, but also our agreements with Colombia and Peru as soon as possible. Our agricultural producers, manufacturers, and service providers are counting on us. Our allies are counting on us. It is in our economic interest, and it is in our national interest. Now it is up to Congress. We have to execute our responsibilities without delay. We cannot let the opportunities embodied in these trade agreements slip us by.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES RULES OF PROCEDURE

Mr. LEVIN. Mr. President, I ask unanimous consent, in accordance with rule XXVI, paragraph 2, of the Standing Rules of the Senate, to have printed in the RECORD the Rules of the Committee on Armed Services.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON ARMED SERVICES RULES OF PROCEDURE

1. Regular Meeting Day. The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. Additional Meetings. The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. Special Meetings. Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. Open Meetings. Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. Presiding Officer. The Chairman shall preside at all meetings and hearings of the Committee except that in his absence the Ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. Quorum. (a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate 26.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. Proxy Voting. Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member is being recorded and has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. Announcement of Votes. The results of all roll call votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report, unless previously announced by the Committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member, may hold open a roll call vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. Subpoenas. Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The

subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. Hearings. (a) Public notice shall be given of the date, place and subject matter of any hearing to be held by the Committee, or any subcommittee thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) The Chairman of the Committee or subcommittee shall consult with the Ranking Minority Member thereof before naming witnesses for a hearing.

(e) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the Chairman and the Ranking Minority Member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee. All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(f) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(g) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(h) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. Nominations. Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. Real Property Transactions. Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than $50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. Legislative Calendar. (a) The clerk of the Committee shall keep a printed calendar for the information of each Committee member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. Powers and Duties of Subcommittees. Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen, after consultation with Ranking Minority Members of the subcommittees, shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

FRANKLIN DELANO ROOSEVELT

Mr. SCHUMER. Mr. President, it is with great honor that I rise to recognize our 32nd President, Franklin Delano Roosevelt. One hundred and twenty-five years ago today, FDR was born at Hyde Park, NY. During his childhood, Franklin developed a lifelong love for the natural beauty and history of the Hudson River Valley.

Like his famous cousin, President Theodore Roosevelt, FDR enjoyed a rapid rise in politics. A graduate of Harvard College and Columbia Law School, FDR was first elected to the New York State Senate in 1910. Following service as Assistant Secretary of the Navy during the Woodrow Wilson administration, he was the Democratic Party's unsuccessful nominee for Vice President of the United States in 1920.

Just months later, his personal and political world was upended when polio left him paralyzed below the waist. Most assumed his public life was over. Yet Roosevelt turned aside all thought of retreat. With the help of his wife Eleanor, he maintained his political contacts and was determined to continue serving his State and country.

Roosevelt's resolve was rewarded in 1928 when he triumphantly reentered political office, winning election as Governor of New York. Two years later, with America now in the grip of the Great Depression, he was reelected in a landslide. He set out to make New York a laboratory for aggressive efforts to use government to provide economic relief and put people back to work.

In 1932, the darkest year of the Depression, the Democratic Party turned to FDR as its nominee for President. His resounding victory gave him a mandate for fundamental change. When he took the oath of office on March 4, 1933, our Nation was on the brink of economic collapse, with 13 million Americans unemployed. FDR quickly sprang into action to meet this challenge. Declaring that the only thing the Nation had to fear was ''fear itself,'' he created Federal programs that put millions of people back to work and provided aid for others so that they could feed their families. He reformed banking, aided organized labor, invested in the Nation's infrastructure, and established social programs, including Social Security, that changed the way in which Americans and their government interact. Most important, he restored people's hope and self-respect.

On December 7, 1941—a date that Roosevelt said would live ''in infamy''—America entered the war. During the daunting years that followed, FDR led the Nation as Commander in Chief. He directed a massive effort to convert America's economy to wartime production, encouraged his fellow citizens to sacrifice for the common good, and helped lead an international coalition in a global war to defeat the Axis Powers. Roosevelt envisioned a postwar world shaped by four fundamental human freedoms: freedom of speech, freedom of religion, freedom from want, and freedom from fear. To help achieve this vision, he was a forceful advocate for a postwar United Nations Organization.

In 1944, with the war still underway, FDR faced a decision on whether to run for an unprecedented fourth term as President. ''All that is within me,'' he declared, ''cries out to go back to my home on the Hudson River, to avoid public responsibilities, and to avoid also the publicity which in our democracy follows every step of the Nation's Chief Executive.'' Yet despite his yearning to retire to the quiet of Hyde Park, FDR answered the call of duty to finish the job of winning the war. In November 1944 he was elected President once again.

In March 1945, with the war nearly won, an exhausted Roosevelt made what would be his final visit to Hyde Park. Worn down by heart disease and the stresses of wartime leadership, he then departed for a brief stay in Washington, DC, before heading to his retreat at Warm Springs, GA for a short vacation. Two weeks later, on April 12, 1945, he died there of a cerebral hemorrhage. On April 15, 1945, he came home to his beloved Hyde Park for the last time and was buried in a large rose garden just steps from his home and library.

Today, as we mark the 125th birthday of a great 20th century President, we also remember his special connection to New York State. In the Roosevelt Library, among millions of documents preserved for historians, is the draft of a speech FDR was working on the day before his death. The speech outlined his hopes for the postwar world. The final lines of that speech, handwritten

in pencil by the President, speak eloquently of Franklin Roosevelt's unconquerable optimism and idealism: ''The only limit to our realization of tomorrow will be our doubts of today. Let us move forward with strong and active faith.''

So today let us remember our 32nd President, and let us also honor his memory by dedicating ourselves to overcome our own doubts of today in order to realize our visions of tomorrow.

ADDITIONAL STATEMENTS

AWARDS FOR OUTSTANDING ACHIEVEMENT

• Mr. THUNE. Mr. President, today I recognize Rodney Kraft, Eric Anderson, Nick Hodgin, and Cecilia Cedeno, all of whom received the Founder's Award for Outstanding Achievement from the Black Hills Workshop in Rapid City, SD. This is a prestigious award that reflects the recipients' hard work and dedication to achieving independent living. It also reflects the valuable role they have played in giving back to their local community.

Rodney Kraft has worked as a clerk at Ellsworth Air Force Base's supply store for the past 10 years. He is a dependable worker who is well liked by his fellow staff members and customers. Rodney also has a vast knowledge of computers which makes him an excellent resource for his coworkers.

Eric Anderson is a food service attendant at Ellsworth Air Force Base's Bandit Inn. He has been an excellent addition to their staff and has been rewarded for his hard work by receiving the Employee of the Month and Employee of the Quarter awards. He has recently completed his first degree brown belt in jujitsu and hopes to someday earn his black belt.

Nick Hodgin is an enthusiastic member of the janitorial team at Ellsworth AFB. In the past year, Nick has been promoted from a being a member of a supervised crew to working independently. Nick also loves working on diesel engines and is currently preparing to take the entrance exam for Western Dakota Technical Institute. In his spare time, he volunteers with the Black Hills Humane Society.

Cecelia Cedeno has recently retired from her work as a dishwasher at the Corn Exchange Restaurant in Rapid City, SD. As a dishwasher, Cecelia was praised by her employer for her strong work ethic and her kindness to the other staff members. Since her retirement, she has been spending part of the year visiting family in Arizona and the rest of her time enjoying her time in Rapid City.

It gives me great pleasure to rise with Rodney Kraft, Eric Anderson, Nick Hodgin, and Cecilia Cedeno to congratulate them on receiving these well-earned awards and wish them continued success in the years to come.•

COMMANDER LEDA MEI LI CHONG

• Mr. INOUYE. Mr. President, I am pleased to congratulate Commander Leda Mei Li Chong upon the completion of her career of service in the U.S. Navy. Throughout her 20-year military career, Commander Chong served with distinction and dedication.

As the first member in her family to serve in the military, Commander Chong received her commission from the United States Navy in 1987. She went on to teach math, chemistry, materials, and radiological controls at the Naval Nuclear Power School in Orlando, FL. From there, Commander Chong served in various technical positions always providing vital operational and training support to the naval fleet. Highlights include having been the Department of Defense military satellite communications liaison to the U.S. Coast Guard where she provided expert technical and policy guidance on ultra high frequency satellite capabilities. She was also deputy J6 to the commander, Iceland Defense Force where she provided critical command, control, and communications in support of NATO defense. Commander Chong volunteered as a White House social aide where she provided support to the President of the United States during important State events. Her most recent assignments were as a Navy congressional liaison to the Senate and House Armed Services Committees as well as to the Senate and House Defense Appropriations subcommittees. As a congressional liaison, her straightforward approach and complete grasp of all facets concerning C4ISR, information technology, and space programs have been of great benefit to my staff, the U.S. Congress and our national security. Commander Chong ensured that the U.S. congress had the information necessary to determine how to best equip, maintain and support the U.S. Navy.

Her family and her fellow shipmates can be proud of her distinguished service. Her parents Paul and Su and her husband Kevin have given her strong support during her naval career. As she departs the Pentagon to start her second career, I call upon my colleagues to wish Commander Chong and her family every success, and the traditional Navy ''fair winds and following seas.''•

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:02 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 188. An act to provide a new effective date for the applicability of certain provisions of law to Public Law 105–331.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Select Committee on Intelligence, without amendment:

S. Res. 50. An original resolution amending Senate Resolution 400 (94th Congress) to make amendments arising from the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 and to make other amendments (Rept. No. 110–3).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. Res. 46. An original resolution authorizing expenditures by the Committee on Environment and Public Works.

By Mr. LEVIN, from the Committee on Armed Services, without amendment:

S. Res. 48. An original resolution authorizing expenditures by the Committee on Armed Services.

By Mr. ROCKEFELLER, from the Select Committee on Intelligence, without amendment:

S. Res. 51. An original resolution authorizing expenditures by the Select Committee on Intelligence.

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. FEINGOLD:

S. 427. A bill to provide for additional section 8 vouchers, to reauthorize the Public and Assisted Housing Drug Elimination Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON of Florida (for himself, Ms. SNOWE, and Mrs. CLINTON):

S. 428. A bill to amend the Wireless Communications and Public Safety Act of 1999, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INOUYE (for himself and Mr. AKAKA):

S. 429. A bill to amend the Native Hawaiian Health Care Improvement Act to revise and extend that Act; to the Committee on Indian Affairs.

By Mr. BOND (for himself, Mr. LEAHY, Mr. NELSON of Nebraska, and Ms. SNOWE):

S. 430. A bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes; to the Committee on Armed Services.

By Mr. SCHUMER (for himself and Mr. MCCAIN):

S. 431. A bill to require convicted sex offenders to register online identifiers, and for other purposes; to the Committee on the Judiciary.

By Mrs. LINCOLN (for herself, Ms. COLLINS, Mr. COLEMAN, Mr. DURBIN, and Mr. PRYOR):

S. 432. A bill to amend title XVIII of the Social Security Act to provide coverage for kidney disease education services under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. OBAMA:

S. 433. A bill to state United States policy for Iraq, and for other purposes; to the Committee on Foreign Relations.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. REED, Ms. CANTWELL,

Mr. LIEBERMAN, Mr. LEAHY, Mr. COLEMAN, and Mr. INOUYE):

S. 434. A bill to amend title XXI of the Social Security Act to permit qualifying States to use a portion of their allotments under the State children's health insurance program for any fiscal year for certain medicaid expenditures; to the Committee on Finance.

By Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. DORGAN, Mr. ENZI, Ms. COLLINS, Mr. HAGEL, Mr. HARKIN, Mr. SCHUMER, Mr. LEAHY, Mr. LEVIN, Mr. SPECTER, Mr. NELSON of Nebraska, and Mr. SANDERS):

S. 435. A bill to amend title 49, United States Code, to preserve the essential air service program; to the Committee on Commerce, Science, and Transportation.

By Mr. FEINGOLD:

S. 436. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on Finance.

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 437. A bill to provide for the conveyance of an A–12 Blackbird aircraft to the Minnesota Air National Guard Historical Foundation; to the Committee on Armed Services.

By Mr. ROCKEFELLER (for himself, Mr. SCHUMER, Mr. KOHL, and Mr. LEAHY):

S. 438. A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the marketing of authorized generic drugs; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BOXER:

S. Res. 46. An original resolution authorizing expenditures by the Committee on Environment and Public Works; from the Committee on Environment and Public Works; to the Committee on Rules and Administration.

By Mr. DODD:

S. Res. 47. A resolution honoring the life and achievements of George C. Springer, Sr., the Northeast regional director and a former vice president of the American Federation of Teachers; to the Committee on the Judiciary.

By Mr. LEVIN:

S. Res. 48. An original resolution authorizing expenditures by the Committee on Armed Services; from the Committee on Armed Services; to the Committee on Rules and Administration.

By Mr. STEVENS (for himself and Ms. MURKOWSKI):

S. Res. 49. A resolution recognizing and celebrating the 50th anniversary of the entry of Alaska into the Union as the 49th State; to the Committee on the Judiciary.

By Mr. ROCKEFELLER:

S. Res. 50. An original resolution amending Senate Resolution 400 (94th Congress) to make amendments arising from the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 and to make other amendments; from the Select Committee on Intelligence; placed on the calendar.

By Mr. ROCKEFELLER:

S. Res. 51. An original resolution authorizing expenditures by the Select Committee on Intelligence; from the Select Committee on Intelligence; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 43

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 43, a bill to amend title II of the Social Security Act to preserve and protect Social Security benefits of American workers and to help ensure greater congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

S. 46

At the request of Mr. ENSIGN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 46, a bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include premiums for non-group high deductible health plan coverage.

S. 65

At the request of Mr. INHOFE, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 91

At the request of Mr. ENSIGN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 91, a bill to require the Congressional Budget Office and the Joint Committee on Taxation to use dynamic economic modeling in addition to static economic modeling in the preparation of budgetary estimates of proposed changes in Federal revenue law.

S. 121

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 121, a bill to provide for the redeployment of United States forces from Iraq.

S. 156

At the request of Mr. MCCAIN, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 156, a bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent.

S. 166

At the request of Mr. MCCAIN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 166, a bill to restrict any State from imposing a new discriminatory tax on cell phone services.

S. 184

At the request of Mr. INOUYE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 184, a bill to provide improved rail and surface transportation security.

S. 231

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 240

At the request of Mr. CRAIG, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 240, a bill to reauthorize and amend the National Geologic Mapping Act of 1992.

S. 254

At the request of Mr. ENZI, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Colorado (Mr. SALAZAR) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 254, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 261

At the request of Ms. CANTWELL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 280

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 280, a bill to provide for a program to accelerate the reduction of greenhouse gas emissions in the United States by establishing a market-driven system of greenhouse gas tradeable allowances, to support the deployment of new climate change-related technologies, and to ensure benefits to consumers from the trading in such allowances, and for other purposes.

S. 309

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 309, a bill to amend the Clean Air Act to reduce emissions of carbon dioxide, and for other purposes.

S. 340

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 340, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 344

At the request of Mr. SPECTER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 344, a bill to permit the televising of Supreme Court proceedings.

S. 357

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 357, a bill to improve passenger automobile fuel economy and safety, reduce greenhouse gas emissions, reduce dependence on foreign oil, and for other purposes.

S. 368

At the request of Mr. BIDEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 368, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to

enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 382

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 382, a bill to amend the Public Health Service Act to establish a State family support grant program to end the practice of parents giving legal custody of their seriously emotionally disturbed children to State agencies for the purpose of obtaining mental health services for those children.

S. 415

At the request of Mr. BROWNBACK, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 415, a bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments.

S. CON. RES. 2

At the request of Mr. BIDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. Con. Res. 2, a concurrent resolution expressing the bipartisan resolution on Iraq.

S. RES. 34

At the request of Mr. KERRY, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. Res. 34, a resolution calling for the strengthening of the efforts of the United States to defeat the Taliban and terrorist networks in Afghanistan.

S. RES. 39

At the request of Mr. BYRD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 39, a resolution expressing the sense of the Senate on the need for approval by the Congress before any offensive military action by the United States against another nation.

AMENDMENT NO. 154

At the request of Mr. ENSIGN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 154 proposed to H.R. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FEINGOLD:

S. 427. A bill to provide for additional section 8 vouchers, to reauthorize the Public and Assisted Housing Drug Elimination Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. FEINGOLD. Mr. President, today I am reintroducing the Affordable Housing Expansion and Public Safety Act to address some of the housing affordability issues faced by my constituents and by Americans around the country, including unaffordable rental burdens, lack of safe and affordable housing stock, and public safety concerns in public and federally assisted housing. My legislation is fully offset, while also providing $2.69 billion in deficit reduction over the next 10 years.

Increasing numbers of Americans are facing housing affordability challenges, whether they are renters or homeowners. But the housing affordability burden falls most heavily on low-income renters throughout our country. Ensuring that all Americans have safe and secure housing is about more than just providing families with somewhere to live, however. Safe and decent housing provides children with stable environments, and research has shown that students achieve at higher rates if they have secure housing. Affordable housing allows families to spend more of their income on life's other necessities including groceries, health care, and education costs as well as save money for their futures. I have heard from a number of Wisconsinites around my State about their concerns about the lack of affordable housing, homelessness, and the increasingly severe cost burdens that families have to undertake in order to afford housing.

This bill is especially needed now, given the breakdown in the fiscal year 2007 appropriations process. This week, the House is scheduled to pass a joint funding resolution to fund federal agencies through the rest of fiscal year 2007. I have heard from Wisconsinites concerned that the funding levels in the resolution could affect the ability of various local housing authorities to serve the same number of individuals as were assisted last year, never mind trying to serve the increasing numbers of individuals around the State who need housing assistance. Yesterday, the House Appropriations Committee filed the joint funding resolution and I am pleased to see the Committee included a boost in funding for Section 8 tenant-based and project-based vouchers, allowing HUD to renew the vouchers that are currently in use by families. In addition to maintaining the current level of vouchers, I hope that we in Congress can work together this year to fund new Section 8 vouchers to help address the critical rental assistance needs throughout the country.

My bill does not address every housing need out there, but I believe it is a good, necessary first step. My legislation does address a number of different issues that local communities in my State and around the country are facing, including the need for more rental assistance, the creation and preservation of more affordable housing units, and the ability to more adequately address public safety concerns of residents of federally assisted housing.

Congress needs to act on other vital housing needs this year including addressing the large shortfall in the public housing operating fund. I have heard from housing authorities ranging in size from Menomonie Housing Authority to Milwaukee Housing Authority about the shortfall in operating funds and the negative impact it is having on the communities these housing agencies are serving. This shortfall in operating subsidies impacts public housing authorities and the people they serve by reducing funding for maintenance costs associated with running buildings and limiting the services that housing authorities can provide, such as covering utility cost increases. The joint funding resolution filed yesterday also included an increase of $300 million for public housing authorities to pay for these important operating costs, including the increases in utility costs. This is a good start and we must continue working this year to provide much-needed assistance to these housing authorities and the individuals and families they serve.

Unfortunately, affordable housing is becoming less, not more, available in the United States. Research shows that the number of families facing severe housing cost burdens grew by almost two million households between 2001 and 2004. Additionally, one in three families spends more than 30 percent of their earnings on housing costs. The National Alliance to End Homelessness reports that at least 500,000 Americans are homeless every day and two million to three million Americans are homeless for various lengths of time each year. Cities, towns, and rural communities across the country are confronting a lack of affordable housing for their citizens. This is not an issue that confronts just one region of the Nation or one group of Americans. Decent and affordable housing is so essential to the well-being of Americans that the Federal Government must provide adequate assistance to our citizens to ensure that all Americans can afford to live in safe and affordable housing.

Congress has created effective affordable housing and community development programs, but as is the case with many of the Federal social programs, these housing programs are inadequately funded and do not meet the need in our communities. We in Congress must do what we can to ensure these programs are properly funded, while taking into account the tight fiscal constraints we are facing.

The Section 8 Housing Choice Voucher Program, originally created in 1974, is now the largest Federal housing program in terms of HUD's budget with approximately two million vouchers currently authorized. Yet the current number of vouchers does not come close to meeting the demand that exists in communities around our country. In my State of Wisconsin, the city of Milwaukee opened up their Section 8 waiting list for the first time since 1999 earlier this year for twenty four hours and received more than 17,000 applications. The city of Madison has not accepted new applications for Section 8

in over three years and reports that hundreds of families are on the waiting list.

Unfortunately, situations like this exist around the country. According to the 2005 U.S. Conference of Mayors Hunger and Homelessness Survey, close to 5,000 people are on the Section 8 waiting list in Boston. Detroit has not taken applications for the past two years and currently has a waiting list of over 9,000 people. Phoenix closed its waiting list in 2005 and reported that 30,000 families were on its waiting list. In certain cities, waiting lists are years long and according to the Center on Budget and Policy Priorities, the typical waiting period for a voucher was two and a half years in 2003. Given these statistics, it is clear there is the need for more Section 8 vouchers than currently exist.

While there are certainly areas of the Section 8 program that need to be examined and perhaps reformed, a number of different government agencies and advocacy organizations all cite the effectiveness of Section 8 in assisting low-income families in meeting some of their housing needs. In 2002, the Government Accountability Office determined that the total cost of a one-bedroom housing unit through the Section 8 program costs less than it would through other federal housing programs. The same year, the Bipartisan Millennial Housing Commission reported to Congress that the Section 8 program is ''flexible, cost-effective, and successful in its mission.''

The Commission further stated that the vouchers ''should continue to be the linchpin of a national policy providing very low-income renters access to the privately owned housing stock.'' The Commission also called for funding for substantial annual increments of vouchers for families who need housing assistance. This recommendation echoes the calls by advocates around the country, many of whom have called for 100,000 new, or incremental, Section 8 vouchers to be funded annually by Congress.

My bill takes this first step, calling for the funding of 100,000 incremental vouchers in fiscal year 2008. I have identified enough funds in my offsets to provide money for the renewal of these 100,000 vouchers for the next decade. While this increase does not meet the total demand that exists out there for Section 8 vouchers, I believe it is a strong first step. My legislation is fully offset and if it were passed in its current form, would provide for the immediate funding of these vouchers. I believe Congress should take the time to examine where other spending could be cut in order to continue to provide sizeable annual increases in new vouchers for the Section 8 program. According to the Congressional Research Service, incremental vouchers have not been funded since fiscal year 2002. During the past three to four years, the need for Federal housing assistance has grown and it will continue to grow in future years. We need to make a commitment to find the resources in our budget to ensure continued and increased funding for Section 8 vouchers.

We should examine doing more than just providing more money for Section 8. There have been numerous stories in my home State of Wisconsin about various concerns with the Section 8 program, ranging from potential discrimination on the part of landlords in declining to rent to Section 8 voucher holders to the administrative burdens landlords face when participating in the Section 8 program. Additionally, there are substantial concerns with the funding formula the Bush Administration is currently using for the Section 8 program. I look forward to working with my colleagues in this Congress to address these and other issues and make the Section 8 program more effective, more secure, and more accessible to citizens throughout the country.

But providing rental assistance is not the only answer to solving the housing affordability problem in our country. We must also work to increase the availability of affordable housing stock in our communities through facilitating production of housing units affordable to extremely low and very low income Americans. The HOME Investments Partnership Program, more commonly known as HOME, was created in 1990 to assist states and local communities in producing affordable housing for low income families. HOME is a grant program that allows participating jurisdictions the flexibility to use funds for new production, preservation, and rehabilitation of existing housing stock. HOME is an effective federal program that is used in concert with other existing housing programs to provide affordable housing units for low income Americans throughout the country.

According to recent data from HUD, since fiscal year 1992, over $23 billion has been allocated through the HOME program to participating jurisdictions around the country. There have been over 800,000 units committed, including over 200,000 new construction units. HUD reports that over 700,000 units have been completed or funded. Communities in my State of Wisconsin have received over $370 million since 1992 and have seen over 20,000 housing units completed since 1992. Cities and States around the country are able to report numerous success stories in part due to the HOME funding that has been allocated to participating jurisdictions since 1992. The Bipartisan Millennial Housing Commission found that the HOME program is highly successful and recommended a substantial increase in funding for HOME in 2002.

Unfortunately, for the past two fiscal years, the HOME program has seen a decline in funding. In fiscal year 2005, HOME was funded at $1.9 billion and in fiscal year 2006, HOME was funded at a little more than $1.7 billion. As a result of this decline in funding, all participating jurisdictions in Wisconsin saw a decline in HOME dollars, with some jurisdictions seeing a decline of more than six percent. We need to ensure these funding cuts to HOME do not continue in the future and we must provide more targeted resources within HOME for the people most in need.

But, as successful as the HOME program is, more needs to be done to assist extremely low income families. My legislation seeks to target additional resources to the Americans most in need by using the HOME structure to distribute new funding to participating jurisdictions with the requirement that these participating jurisdictions use these set-aside dollars to produce, rehab, or preserve affordable housing for extremely low income families, or people at 30 percent of area median income or below.

As we all know, extremely low income households face the most severe affordable housing cost burdens of any Americans. According to data from HUD and the American Housing Survey, 56 percent of extremely low income renter households deal with severe affordability housing issues while only 25 percent of these renters are not burdened with affordability concerns. HUD also found that half of all extremely low income owner households are severely burdened by affordability concerns. Data shows more than 75 percent of renter households with severe housing affordability burdens are extremely low income families and more than half of extremely low income households pay at least half of their income on housing. The Bipartisan Millennial Housing Commission has stated that ''the most serious housing problem in America is the mismatch between the number of extremely low income renter households and the number of units available to them with acceptable quality and affordable rents.'' The Commission also noted that there is no federal program solely for the preservation or production of housing for extremely low or moderate income families.

Because of these severe burdens and the high cost of providing safe and affordable housing to families at 30 percent or below of area median income, my bill would provide $400 million annually on top of the money that Congress already appropriates through HOME. I have heard from a number of housing advocates in Wisconsin that we have effective housing programs but the programs are not funded adequately. This is why I decided to administer this funding through the HOME program; local communities are familiar with the requirements and regulations of the HOME program and I think it is important not to place unnecessary and new administrative hurdles on local cities and communities.

Participating jurisdictions will be able to use this new funding under the eligible uses currently allowed by HOME to best meet the needs of the extremely low income families in their

respective communities. But participating jurisdictions must certify that this funding is going to extremely low income households and must report on how the funds are being utilized in their communities. Funds are intended to be distributed on a pro-rata basis to ensure participating jurisdictions around the country receive funding. I also require that the Secretary notify participating jurisdictions that this new funding for extremely low income households in no way excuses such jurisdictions from continuing to use existing HOME dollars to serve extremely low income families. It is my hope that this extra funding will provide an increased incentive to local cities and communities to dedicate more resources to producing and preserving affordable housing for the most vulnerable Americans.

My bill would also reauthorize a critical crime-fighting grant program: the Public and Assisted Housing Crime and Drug Elimination Program, formerly known as ''PHDEP.'' Unfortunately, the PHDEP program has not been funded since 2001, and its statutory authorization expired in 2003. It is time to bring back this important grant program, which provided much-needed public safety resources to public housing authorities and their tenants. My legislation would authorize $200 million per year for five years for this program.

After more than a decade of declining crime rates, new FBI statistics indicate that 2005 brought an overall increase in violent crime across the country, and particularly in the Midwest. Nationwide, violent crime increased 2.3 percent between 2004 and 2005, and in the Midwest, violent crime increased 5.6 percent between 2004 and 2005. Housing authorities and others providing assisted housing are feeling the effects of this shift, but just as the crime rate is rising, their resources to fight back are dwindling. We need to provide them with funding targeted at preventing and reducing violent and drug-related crime, so that they can provide a safe living environment for their tenants.

Reauthorizing the Public and Assisted Housing Crime and Drug Elimination Program should not be controversial. The program has long enjoyed bipartisan support. It was first sponsored by Senator LAUTENBERG in 1988, and first implemented in 1989 under then-Housing and Urban Development Secretary Jack Kemp. When in effect, it funded numerous crime-fighting measures in housing authorities all over the country.

In Milwaukee, grants under this program funded a variety of important programs. It provided funding to the Housing Authority of the City of Milwaukee to hire public safety officers who are on site 24 hours a day to respond to calls and intervene when problems arise, and who work collaboratively with local law enforcement agencies. According to the Housing Authority, by the time the PHDEP program was defunded, public safety officers were responding to more than 8,000 calls per year, dealing quickly and effectively with thefts, drug use and sales, and other problems. Grants under the program also allowed the Housing Authority in Milwaukee to conduct crime prevention programs through the Boys and Girls Club of Greater Milwaukee and other on-site agencies, providing youths and others living in public housing with a variety of educational, job training and life skill programs.

When the PHDEP program was defunded during the fiscal year 2002 budget cycle, the Administration argued that crime-fighting measures should be funded through the Public Housing Operating Fund and promised an increase in that Fund to account for part of the loss of PHDEP funds. That allowed some programs previously funded under PHDEP to continue for a few years. But now there is a significant shortfall in the Operating Fund and HUD is proposing limits on how capital funds can be used, and housing authorities nationwide—including in Milwaukee—have been faced with tough decisions, including cutting some or all of their crime reduction programs.

It is time for Congress to step in and reauthorize these grants. Everyone deserves a safe place to live, and we should help provide housing authorities and other federally assisted low-income housing entities with the resources they need to provide that to their tenants.

But we can do more than just provide public housing authorities with grant money. The Federal Government also needs to provide more resources to help housing authorities spend those funds in the most effective way possible. That is why my legislation also contains several provisions to enhance the effectiveness of this grant program. It would: Require HUD's Office of Policy Development & Research (PD&R) to conduct a review of existing research on crime fighting measures and issue a report within six months identifying effective programs, providing an important resource to public housing authorities; require PD&R to work with housing authorities, social scientists and others to develop and implement a plan to conduct rigorous scientific evaluation of crime reduction and prevention strategies funded by the grant program that have not previously been subject to that type of evaluation, giving housing authorities yet another source of information about effective strategies for combating crime; and require HUD to report to Congress within four years, based on what it learns from existing research and evaluations of grantee programs, on the most effective ways to prevent and reduce crime in public and assisted housing environments, the ways in which it has provided related guidance to help grant applicants, and any suggestions for improving the effectiveness of the program going forward.

As with any grant program, it is essential that HUD monitor the use of the grants and that grantees be required to report regularly on their activities, as was required by HUD regulations when the program was defunded. The bill also clarifies the types of activities that can be funded through the grant program to ensure that funds are not used inappropriately.

My bill also includes a sense of the Senate provision calling on Congress to create a National Affordable Housing Trust Fund. At the outset, I want to commend my colleagues in the Senate, Senator KERRY, Senator REED, Senator SANDERS and others for all their work on advancing the cause of a National Affordable Housing Trust fund. I look forward to working with them and others in the 110th Congress to push for the creation of such a trust fund.

I agree with my colleagues that such a trust fund should have the goal of supplying 1,500,000 new affordable housing units over the next 10 years. It should also contain sufficient income targeting to reflect the housing affordability burdens faced by extremely low income and very low income families and contain enough flexibility to allow local communities to produce, preserve, and rehabilitate affordable housing units while ensuring that such affordable housing development fosters the creation of healthy and sustainable communities.

Hundreds of local housing trust funds have been created in cities and states throughout the country, including recently in the city of Milwaukee. I want to commend the community members in Milwaukee for working to address the housing affordability issues that the city faces and it is my hope that we in Congress can do our part to help Wisconsin's communities and communities around the country provide safe and affordable housing to all Americans.

This Nation faces a severe shortage of affordable housing for our most vulnerable citizens. Shelter is one of our most basic needs, and, unfortunately, too many Wisconsinites and people around the country are struggling to afford a place to live for themselves and their families. This legislation does not solve all the affordable housing issues that communities are facing, but I believe it is a good first step. This issue is about more than providing a roof over a family's head, however. Good housing and healthy communities lead to better jobs, better educational outcomes, and better futures for all Americans. Local communities, States, and the Federal Government must work together to dedicate more effective resources toward ensuring that all Americans have a safe and decent place to live. I look forward to working with my colleagues in this new Congress to advance my bill and other housing initiatives and work towards meeting the

goal of affordable housing and healthy communities for all Americans.

I ask unanimous consent that the text of my 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. 427

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 ''Affordable Housing Expansion and Public Safety Act''.

SEC. 2. INCREASE IN INCREMENTAL SECTION 8 VOUCHERS.

(a) IN GENERAL.—In fiscal year 2008 and subject to renewal, the Secretary of Housing and Urban Development shall provide an additional 100,000 incremental vouchers for tenant-based rental housing assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated $8,650,000,000 for the provision and renewal of the vouchers described in subsection (a).

(2) AVAILABILITY.—Any amount appropriated under paragraph (1) shall remain available until expended.

(3) CARRYOVER.—To the extent that any amounts appropriated for any fiscal are not expended by the Secretary of Housing and Urban Development in such fiscal year for purposes of subsection (a), any remaining amounts shall be carried forward for use by the Secretary to renew the vouchers described in subsection (a) in subsequent years.

(c) DISTRIBUTION OF AMOUNTS.—

(1) ADMINISTRATIVE COSTS.—The Secretary may not use more than $800,000,000 of the amounts authorized under paragraph (1) to cover the administrative costs associated with the provision and renewal of the vouchers described in subsection (a).

(2) VOUCHER COSTS.—The Secretary shall use all remaining amounts authorized under paragraph (1) to cover the costs of providing and renewing the vouchers described in subsection (a).

SEC. 3. TARGETED EXPANSION OF HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM.

(a) PURPOSE.—The purposes of this section are as follows:

(1) To authorize additional funding under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et. seq), commonly referred to as the Home Investments Partnership (''HOME'') program, to provide dedicated funding for the expansion and preservation of housing for extremely low-income individuals and families through eligible uses of investment as defined in paragraphs (1) and (3) of section 212(a) of the Cranston-Gonzalez National Affordable Housing Act.

(2) Such additional funding is intended to supplement the HOME funds already allocated to a participating jurisdiction to provide additional assistance in targeting resources to extremely low-income individuals and families.

(3) Such additional funding is not intended to be the only source of assistance for extremely low-income individuals and families under the HOME program, and participating jurisdictions shall continue to use non-set aside HOME funds to provide assistance to such extremely low-income individuals and families.

(b) SET ASIDE FOR EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES.—

(1) ELIGIBLE USE.—Section 212(a) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12742(a)) is amended by adding at the end the following:

''(6) EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES.—

''(A) IN GENERAL.—Each participating jurisdiction shall—

''(i) use funds provided under this subtitle to provide affordable housing to individuals and families whose incomes do not exceed 30 percent of median family income for that jurisdiction; and

''(ii) ensure the use of such funds does not result in the concentration of individuals and families assisted under this section into high-poverty areas.

''(B) EXCEPTION.—If a participating jurisdiction can certify to the Secretary that such participating jurisdiction has met in its jurisdiction the housing needs of extremely low-income individuals and families described in subparagraph (A), such participating jurisdiction may use any remaining funds provided under this subtitle for purposes of subparagraph (A) to provide affordable housing to individuals and families whose incomes do not exceed 50 percent of median family income for that jurisdiction.

''(C) RULE OF CONSTRUCTION.—The Secretary shall notify each participating jurisdiction receiving funds for purposes of this paragraph that use of such funds, as required under subparagraph (A), does not exempt or prevent that participating jurisdiction from using any other funds awarded under this subtitle to provide affordable housing to extremely low-income individuals and families.

''(D) RENTAL HOUSING.—Notwithstanding section 215(a), housing that is for rental shall qualify as affordable housing under this paragraph only if such housing is occupied by extremely low-income individuals or families who pay as a contribution toward rent (excluding any Federal or State rental subsidy provided on behalf of the individual or family) not more than 30 percent of the monthly adjusted income of such individual or family, as determined by the Secretary.''.

(2) PRO RATA DISTRIBUTION.—Section 217 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12747) is amended by adding at the end the following:

''(e) PRO RATA DISTRIBUTION FOR EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES.—Notwithstanding any other provision of this Act, in any fiscal year the Secretary shall allocate any funds specifically approved in an appropriations Act to provide affordable housing to extremely low-income individuals or families under section 212(a)(6), such funds shall be allocated to each participating jurisdiction in an amount which bears the same ratio to such amount as the amount such participating jurisdiction receives for such fiscal year under this subtitle, not including any amounts allocated for any additional set-asides specified in such appropriations Act for that fiscal year.''.

(3) CERTIFICATION.—Section 226 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12756) is amended by adding at the end the following:

''(d) CERTIFICATION.—

''(1) IN GENERAL.—Each participating jurisdiction shall certify on annual basis to the Secretary that any funds used to provide affordable housing to extremely low-income individuals or families under section 212(a)(6) were actually used to assist such families.

''(2) CONTENT OF CERTIFICATION.—Each certification required under paragraph (1) shall—

''(A) state the number of extremely low-income individuals and families assisted in the previous 12 months;

''(B) separate such extremely low-income individuals and families into those individuals and families who were assisted by—

''(i) funds set aside specifically for such individuals and families under section 212(a)(6); and

''(ii) any other funds awarded under this subtitle; and

''(C) describe the type of activities, including new construction, preservation, and rehabilitation of housing, provided to such extremely low-income individuals and families that were supported by—

''(i) funds set aside specifically for such individuals and families under section 212(a)(6); and

''(ii) any other funds awarded under this subtitle.

''(3) INCLUSION WITH PERFORMANCE REPORT.—The certification required under paragraph (1) shall be included in the jurisdiction's annual performance report submitted to the Secretary under section 108(a) and made available to the public.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated under any other law or appropriations Act to carry out the provisions of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 et seq.), there are authorized to be appropriated to carry out the provisions of this section $400,000,000 for each of fiscal years 2008 through 2012.

SEC. 4. PUBLIC AND ASSISTED HOUSING CRIME AND DRUG ELIMINATION PROGRAM.

(a) TITLE CHANGE.—The chapter heading of chapter 2 of subtitle C of title V of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901 et seq.) is amended to read as follows:

''CHAPTER 2—PUBLIC AND ASSISTED HOUSING CRIME AND DRUG ELIMINATION PROGRAM''.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) AMOUNTS AUTHORIZED.—Section 5129(a) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11908(a)) is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this chapter $200,000,000 for each of fiscal years 2008, 2009, 2010, 2011, and 2012.''.

(2) SET ASIDE FOR THE OFFICE OF POLICY DEVELOPMENT AND RESEARCH.—Section 5129 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11908) is amended by adding at the end the following:

''(d) SET ASIDE FOR THE OFFICE OF POLICY DEVELOPMENT AND RESEARCH.—Of any amounts made available in any fiscal year to carry out this chapter not less than 2 percent shall be available to the Office of Policy Development and Research to carry out the functions required under section 5130.''.

(c) ELIGIBLE ACTIVITIES.—Section 5124(a)(6) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11903(a)(6)) is amended by striking the semicolon and inserting the following: '', except that the activities conducted under any such program and paid for, in whole or in part, with grant funds awarded under this chapter may only include—

''(A) providing access to treatment for drug abuse through rehabilitation or relapse prevention;

''(B) providing education about the dangers and adverse consequences of drug use or violent crime;

''(C) assisting drug users in discontinuing their drug use through an education program, and, if appropriate, referring such users to a drug treatment program;

''(D) providing after school activities for youths for the purpose of discouraging, reducing, or eliminating drug use or violent crime by youths;

''(E) providing capital improvements for the purpose of discouraging, reducing, or eliminating drug use or violent crime; and

''(F) providing security services for the purpose of discouraging, reducing, or eliminating drug use or violent crime.''.

(d) EFFECTIVENESS.—

(1) APPLICATION PLAN.—Section 5125(a) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11904(a)) is amended by adding at the end the following: ''To the maximum extent feasible, each plan submitted under this section shall be developed in coordination with relevant local law enforcement agencies and other local entities involved in crime prevention and reduction. Such plan also shall include an agreement to work cooperatively with the Office of Policy Development and Research in its efforts to carry out the functions required under section 5130.''

(2) HUD REPORT.—Section 5127 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11906) is amended by adding at the end the following:

''(d) EFFECTIVENESS REPORT.—The Secretary shall submit a report to the Congress not later than 4 years after the date of the enactment of the Affordable Housing Expansion and Public Safety Act that includes—

''(1) aggregate data regarding the categories of program activities that have been funded by grants under this chapter;

''(2) promising strategies related to preventing and reducing violent and drug-related crime in public and federally assisted low-income housing derived from—

''(A) a review of existing research; and

''(B) evaluations of programs funded by grants under this chapter that were conducted by the Office of Policy Development and Review or by the grantees themselves;

''(3) how the information gathered in paragraph (2) has been incorporated into—

''(A) the guidance provided to applicants under this chapter; and

''(B) the implementing regulations under this chapter; and

''(4) any statutory changes that the Secretary would recommend to help make grants awarded under this chapter more effective.''.

(3) OFFICE OF POLICY DEVELOPMENT AND RESEARCH REVIEW AND PLAN.—Chapter 2 of subtitle C of title V of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901 et seq.) is amended by adding at the end the following:

''SEC. 5130. OFFICE OF POLICY DEVELOPMENT AND RESEARCH REVIEW AND PLAN.

''(a) REVIEW.—

''(1) IN GENERAL.—The Office of Policy Development and Research established pursuant to section 501 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1) shall conduct a review of existing research relating to preventing and reducing violent and drug-related crime to assess, using scientifically rigorous and acceptable methods, which strategies—

''(A) have been found to be effective in preventing and reducing violent and drug-related crimes; and

''(B) would be likely to be effective in preventing and reducing violent and drug-related crimes in public and federally assisted low-income housing environments.

''(2) REPORT.—Not later than 180 days after the date of enactment of the Affordable Housing Expansion and Public Safety Act, the Secretary shall issue a written report with the results of the review required under paragraph (1).

''(b) EVALUATION PLAN.—

''(1) IN GENERAL.—Upon completion of the review required under subsection (a)(1), the Office of Policy Development and Research, in consultation with housing authorities, social scientists, and other interested parties, shall develop and implement a plan for evaluating the effectiveness of strategies funded under this chapter, including new and innovative strategies and existing strategies, that have not previously been subject to rigorous evaluation methodologies.

''(2) METHODOLOGY.—The plan described in paragraph (1) shall require such evaluations to use rigorous methodologies, particularly random assignment (where practicable), that are capable of producing scientifically valid knowledge regarding which program activities are effective in preventing and reducing violent and drug-related crime in public and other federally assisted low-income housing.''.

SEC. 5. SENSE OF THE SENATE REGARDING THE CREATION OF A NATIONAL AFFORDABLE HOUSING TRUST FUND.

(a) FINDINGS.—Congress finds the following:

(1) Only 1 in 4 eligible households receives Federal rental assistance.

(2) The number of families facing severe housing cost burdens grew by almost 2,000,0000 households between 2001 and 2004.

(3) 1 in 3 families spend more than 30 percent of their earnings on housing costs.

(4) More than 75 percent of renter households with severe housing affordability burdens are extremely low-income families.

(5) More than half of extremely low-income households pay at least half of their income on housing.

(6) At least 500,000 Americans are homeless every day.

(7) 2,000,000 to 3,000,0000 Americans are homeless for various lengths of time each year.

(8) It is estimated that the development of an average housing unit creates on average more than 3 jobs and the development of an average multifamily unit creates on average more than 1 job.

(9) It is estimated that over $80,000 is produced in government revenue for an average single family unit built and over $30,000 is produced in government revenue for an average multifamily unit built.

(10) The Bipartisan Millennial Housing Commission stated that ''the most serious housing problem in America is the mismatch between the number of extremely low income renter households and the number of units available to them with acceptable quality and affordable rents.''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Congress shall create a national affordable housing trust fund with the purpose of supplying 1,500,000 additional affordable housing units over the next 10 years;

(2) such a trust fund shall contain sufficient income targeting to reflect the housing affordability burdens faced by extremely low-income and very low-income families; and

(3) such a trust fund shall contain enough flexibility to allow local communities to produce, preserve, and rehabilitate affordable housing units while ensuring that such affordable housing development fosters the creation of healthy and sustainable communities.

SEC. 6. OFFSETS.

(a) REPEAL OF MULTIYEAR PROCUREMENT AUTHORITY FOR F–22A RAPTOR FIGHTER AIRCRAFT.—Effective as of October 17, 2006, section 134 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), relating to multiyear procurement authority for F–22A Raptor fighter aircraft, is repealed.

(b) ADVANCED RESEARCH FOR FOSSIL FUELS.—Notwithstanding any other provision of law, the Secretary of Energy shall not carry out any program that conducts, or provides assistance for, applied research for fossil fuels.

By Mr. INOUYE (for himself and Mr. AKAKA):

S. 429. A bill to amend the Native Hawaiian Health Care Improvement Act to revise and extend that Act; to the Committee on Indian Affairs.

Mr. INOUYE. Mr. President, I rise today to introduce a bill to reauthorize the Native Hawaiian Health Care Improvement Act. Senator AKAKA joins me in sponsoring this measure.

The Native Hawaiian Health Care Improvement Act was enacted into law in 1988, and has been reauthorized several times throughout the years.

The Act provides authority for a range of programs and services designed to improve the health care status of the native people of Hawaii.

With the enactment of the Native Hawaiian Health Care Improvement Act and the establishment of Native Hawaiian health care systems on most of the islands that make up the State of Hawaii, we have witnessed significant improvements in the health status of Native Hawaiians, but as the findings of unmet needs and health disparities set forth in this bill make clear, we still have a long way to go.

For instance, Native Hawaiians have the highest cancer mortality rates in the State of Hawaii—rates that are 22 percent higher than the rate for the total State male population and 64 percent higher than the rate for the total State female population. Nationally, Native Hawaiians have the third highest mortality rate as a result of breast cancer.

With respect to diabetes, in 2004 Native Hawaiians had the highest mortality rate associated with diabetes in the State—a rate which is 119 percent higher than the statewide rate for all racial groups.

When it comes to heart disease, the mortality rate of Native Hawaiians associated with heart disease is 86 percent higher than the rate for the entire State, and the mortality rate for hypertension is 46 percent higher than that for the entire State.

These statistics on the health status of Native Hawaiians are but a small part of the long list of data that makes clear that our objective of assuring that the Native people of Hawaii attain some parity of good health comparable to that of the larger U.S. population has not yet been achieved.

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. 429

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 ''Native Hawaiian Health Care Improvement Reauthorization Act of 2007''.

SEC. 2. AMENDMENT TO THE NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT ACT.

The Native Hawaiian Health Care Improvement Act (42 U.S.C. 11701 et seq.) is amended to read as follows:

''SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

''(a) SHORT TITLE.—This Act may be cited as the 'Native Hawaiian Health Care Improvement Act'.

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

''Sec. 1. Short title; table of contents.
''Sec. 2. Findings.
''Sec. 3. Definitions.
''Sec. 4. Declaration of national Native Hawaiian health policy.
''Sec. 5. Comprehensive health care master plan for Native Hawaiians.
''Sec. 6. Functions of Papa Ola Lokahi.
''Sec. 7. Native Hawaiian health care.
''Sec. 8. Administrative grant for Papa Ola Lokahi.
''Sec. 9. Administration of grants and contracts.
''Sec. 10. Assignment of personnel.
''Sec. 11. Native Hawaiian health scholarships and fellowships.
''Sec. 12. Report.
''Sec. 13. Use of Federal Government facilities and sources of supply.
''Sec. 14. Demonstration projects of national significance.
''Sec. 15. Rule of construction.
''Sec. 16. Compliance with Budget Act.
''Sec. 17. Severability.

''SEC. 2. FINDINGS.

''(a) IN GENERAL.—Congress finds that—

''(1) Native Hawaiians begin their story with the Kumulipo, which details the creation and interrelationship of all things, including the evolvement of Native Hawaiians as healthy and well people;

''(2) Native Hawaiians—

''(A) are a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago within Ke Moananui, the Pacific Ocean; and

''(B) have a distinct society that was first organized almost 2,000 years ago;

''(3) the health and well-being of Native Hawaiians are intrinsically tied to the deep feelings and attachment of Native Hawaiians to their lands and seas;

''(4) the long-range economic and social changes in Hawai'i over the 19th and early 20th centuries have been devastating to the health and well-being of Native Hawaiians;

''(5) Native Hawaiians have never directly relinquished to the United States their claims to their inherent sovereignty as a people or over their national territory, either through their monarchy or through a plebiscite or referendum;

''(6) the Native Hawaiian people are determined to preserve, develop, and transmit to future generations, in accordance with their own spiritual and traditional beliefs, their customs, practices, language, social institutions, ancestral territory, and cultural identity;

''(7) in referring to themselves, Native Hawaiians use the term 'Kanaka Maoli', a term frequently used in the 19th century to describe the native people of Hawai'i;

''(8) the constitution and statutes of the State of Hawai'i—

''(A) acknowledge the distinct land rights of Native Hawaiian people as beneficiaries of the public lands trust; and

''(B) reaffirm and protect the unique right of the Native Hawaiian people to practice and perpetuate their cultural and religious customs, beliefs, practices, and language;

''(9) at the time of the arrival of the first nonindigenous people in Hawai'i in 1778, the Native Hawaiian people lived in a highly organized, self-sufficient, subsistence social system based on communal land tenure with a sophisticated language, culture, and religion;

''(10) a unified monarchical government of the Hawaiian Islands was established in 1810 under Kamehameha I, the first King of Hawai'i;

''(11) throughout the 19th century until 1893, the United States—

''(A) recognized the independence of the Hawaiian Nation;

''(B) extended full and complete diplomatic recognition to the Hawaiian Government; and

''(C) entered into treaties and conventions with the Hawaiian monarchs to govern commerce and navigation in 1826, 1842, 1849, 1875, and 1887;

''(12) in 1893, John L. Stevens, the United States Minister assigned to the sovereign and independent Kingdom of Hawai'i, conspired with a small group of non-Hawaiian residents of the Kingdom, including citizens of the United States, to overthrow the indigenous and lawful government of Hawai'i;

''(13) in pursuance of that conspiracy—

''(A) the United States Minister and the naval representative of the United States caused armed forces of the United States Navy to invade the sovereign Hawaiian Nation in support of the overthrow of the indigenous and lawful Government of Hawai'i; and

''(B) after that overthrow, the United States Minister extended diplomatic recognition of a provisional government formed by the conspirators without the consent of the native people of Hawai'i or the lawful Government of Hawai'i, in violation of—

''(i) treaties between the Government of Hawai'i and the United States; and

''(ii) international law;

''(14) in a message to Congress on December 18, 1893, President Grover Cleveland—

''(A) reported fully and accurately on those illegal actions;

''(B) acknowledged that by those acts, described by the President as acts of war, the government of a peaceful and friendly people was overthrown; and

''(C) concluded that a 'substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people required that we should endeavor to repair';

''(15) Queen Lili'uokalani, the lawful monarch of Hawai'i, and the Hawaiian Patriotic League, representing the aboriginal citizens of Hawai'i, promptly petitioned the United States for redress of those wrongs and restoration of the indigenous government of the Hawaiian nation, but no action was taken on that petition;

''(16) in 1993, Congress enacted Public Law 103–150 (107 Stat. 1510), in which Congress—

''(A) acknowledged the significance of those events; and

''(B) apologized to Native Hawaiians on behalf of the people of the United States for the overthrow of the Kingdom of Hawai'i with the participation of agents and citizens of the United States, and the resulting deprivation of the rights of Native Hawaiians to self-determination;

''(17) between 1897 and 1898, when the total Native Hawaiian population in Hawai'i was less than 40,000, more than 38,000 Native Hawaiians signed petitions (commonly known as 'Ku'e Petitions') protesting annexation by the United States and requesting restoration of the monarchy;

''(18) despite Native Hawaiian protests, in 1898, the United States—

''(A) annexed Hawai'i through Resolution No. 55 (commonly known as the 'Newlands Resolution') (30 Stat. 750), without the consent of, or compensation to, the indigenous people of Hawai'i or the sovereign government of those people; and

''(B) denied those people the mechanism for expression of their inherent sovereignty through self-government and self-determination of their lands and ocean resources;

''(19) through the Newlands Resolution and the Act of April 30, 1900 (commonly known as the '1900 Organic Act') (31 Stat. 141, chapter 339), the United States—

''(A) received 1,750,000 acres of land formerly owned by the Crown and Government of the Hawaiian Kingdom; and

''(B) exempted the land from then-existing public land laws of the United States by mandating that the revenue and proceeds from that land be 'used solely for the benefit of the inhabitants of the Hawaiian Islands for education and other public purposes', thereby establishing a special trust relationship between the United States and the inhabitants of Hawai'i;

''(20) in 1921, Congress enacted the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), which—

''(A) designated 200,000 acres of the ceded public land for exclusive homesteading by Native Hawaiians; and

''(B) affirmed the trust relationship between the United States and Native Hawaiians, as expressed by Secretary of the Interior Franklin K. Lane, who was cited in the Committee Report of the Committee on Territories of the House of Representatives as stating, 'One thing that impressed me . . . was the fact that the natives of the islands . . . for whom in a sense we are trustees, are falling off rapidly in numbers and many of them are in poverty.';

''(21) in 1938, Congress again acknowledged the unique status of the Native Hawaiian people by including in the Act of June 20, 1938 (52 Stat. 781), a provision—

''(A) to lease land within the extension to Native Hawaiians; and

''(B) to permit fishing in the area 'only by native Hawaiian residents of said area or of adjacent villages and by visitors under their guidance';

''(22) under the Act of March 18, 1959 (48 U.S.C. prec. 491 note; 73 Stat. 4), the United States—

''(A) transferred responsibility for the administration of the Hawaiian home lands to the State; but

''(B) reaffirmed the trust relationship that existed between the United States and the Native Hawaiian people by retaining the exclusive power to enforce the trust, including the power to approve land exchanges and legislative amendments affecting the rights of beneficiaries under that Act;

''(23) under the Act referred to in paragraph (22), the United States—

''(A) transferred responsibility for administration over portions of the ceded public lands trust not retained by the United States to the State; but

''(B) reaffirmed the trust relationship that existed between the United States and the Native Hawaiian people by retaining the legal responsibility of the State for the betterment of the conditions of Native Hawaiians under section 5(f) of that Act (73 Stat. 6);

''(24) in 1978, the people of Hawai'i—

''(A) amended the constitution of Hawai'i to establish the Office of Hawaiian Affairs; and

''(B) assigned to that Office the authority—

''(i) to accept and hold in trust for the Native Hawaiian people real and personal property transferred from any source;

''(ii) to receive payments from the State owed to the Native Hawaiian people in satisfaction of the pro rata share of the proceeds of the public land trust established by section 5(f) of the Act of March 18, 1959 (48 U.S.C. prec. 491 note; 73 Stat. 6);

''(iii) to act as the lead State agency for matters affecting the Native Hawaiian people; and

''(iv) to formulate policy on affairs relating to the Native Hawaiian people;

''(25) the authority of Congress under the Constitution to legislate in matters affecting the aboriginal or indigenous people of the United States includes the authority to legislate in matters affecting the native people of Alaska and Hawai'i;

''(26) the United States has recognized the authority of the Native Hawaiian people to continue to work toward an appropriate form of sovereignty, as defined by the Native Hawaiian people in provisions set forth in legislation returning the Hawaiian Island of Kaho'olawe to custodial management by the State in 1994;

''(27) in furtherance of the trust responsibility for the betterment of the conditions of Native Hawaiians, the United States has established a program for the provision of comprehensive health promotion and disease prevention services to maintain and improve the health status of the Hawaiian people;

''(28) that program is conducted by the Native Hawaiian Health Care Systems and Papa Ola Lokahi;

''(29) health initiatives implemented by those and other health institutions and agencies using Federal assistance have been responsible for reducing the century-old morbidity and mortality rates of Native Hawaiian people by—

''(A) providing comprehensive disease prevention;

''(B) providing health promotion activities; and

''(C) increasing the number of Native Hawaiians in the health and allied health professions;

''(30) those accomplishments have been achieved through implementation of—

''(A) the Native Hawaiian Health Care Act of 1988 (Public Law 100–579); and

''(B) the reauthorization of that Act under section 9168 of the Department of Defense Appropriations Act, 1993 (Public Law 102–396; 106 Stat. 1948);

''(31) the historical and unique legal relationship between the United States and Native Hawaiians has been consistently recognized and affirmed by Congress through the enactment of more than 160 Federal laws that extend to the Native Hawaiian people the same rights and privileges accorded to American Indian, Alaska Native, Eskimo, and Aleut communities, including—

''(A) the Native American Programs Act of 1974 (42 U.S.C. 2991 et seq.);

''(B) the American Indian Religious Freedom Act (42 U.S.C. 1996);

''(C) the National Museum of the American Indian Act (20 U.S.C. 80q et seq.); and

''(D) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

''(32) the United States has recognized and reaffirmed the trust relationship to the Native Hawaiian people through legislation that authorizes the provision of services to Native Hawaiians, specifically—

''(A) the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.);

''(B) the Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1987 (42 U.S.C. 6000 et seq.);

''(C) the Veterans' Benefits and Services Act of 1988 (Public Law 100–322);

''(D) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

''(E) the Native Hawaiian Health Care Act of 1988 (42 U.S.C. 11701 et seq.);

''(F) the Health Professions Reauthorization Act of 1988 (Public Law 100–607; 102 Stat. 3122);

''(G) the Nursing Shortage Reduction and Education Extension Act of 1988 (Public Law 100–607; 102 Stat. 3153);

''(H) the Handicapped Programs Technical Amendments Act of 1988 (Public Law 100–630);

''(I) the Indian Health Care Amendments of 1988 (Public Law 100–713); and

''(J) the Disadvantaged Minority Health Improvement Act of 1990 (Public Law 101–527);

''(33) the United States has affirmed that historical and unique legal relationship to the Hawaiian people by authorizing the provision of services to Native Hawaiians to address problems of alcohol and drug abuse under the Anti-Drug Abuse Act of 1986 (21 U.S.C. 801 note; Public Law 99–570);

''(34) in addition, the United States—

''(A) has recognized that Native Hawaiians, as aboriginal, indigenous, native people of Hawai'i, are a unique population group in Hawai'i and in the continental United States; and

''(B) has so declared in—

''(i) the documents of the Office of Management and Budget entitled—

''(I) 'Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity' and dated October 30, 1997; and

''(II) 'Provisional Guidance on the Implementation of the 1997 Standards for Federal Data on Race and Ethnicity' and dated December 15, 2000;

''(ii) the document entitled 'Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring and Enforcement' (Bulletin 00-02 to the Heads of Executive Departments and Establishments) and dated March 9, 2000;

''(iii) the document entitled 'Questions and Answers when Designing Surveys for Information Collections' (Memorandum for the President's Management Council) and dated January 20, 2006;

''(iv) Executive order number 13125 (64 Fed. Reg. 31105; relating to increasing participation of Asian Americans and Pacific Islanders in Federal programs) (June 7, 1999);

''(v) the document entitled 'HHS Tribal Consultation Policy' and dated January 2005; and

''(vi) the Department of Health and Human Services Intradepartment Council on Native American Affairs, Revised Charter, dated March 7, 2005; and

''(35) despite the United States having expressed in Public Law 103–150 (107 Stat. 1510) its commitment to a policy of reconciliation with the Native Hawaiian people for past grievances—

''(A) the unmet health needs of the Native Hawaiian people remain severe; and

''(B) the health status of the Native Hawaiian people continues to be far below that of the general population of the United States.

''(b) FINDING OF UNMET NEEDS AND HEALTH DISPARITIES.—Congress finds that the unmet needs and serious health disparities that adversely affect the Native Hawaiian people include the following:

''(1) CHRONIC DISEASE AND ILLNESS.—

''(A) CANCER.—

''(i) IN GENERAL.—With respect to all cancer—

''(I) as an underlying cause of death in the State, the cancer mortality rate of Native Hawaiians of 218.3 per 100,000 residents is 50 percent higher than the rate for the total population of the State of 145.4 per 100,000 residents;

''(II) Native Hawaiian males have the highest cancer mortality rates in the State for cancers of the lung, colon, and rectum, and for all cancers combined;

''(III) Native Hawaiian females have the highest cancer mortality rates in the State for cancers of the lung, breast, colon, rectum, pancreas, stomach, ovary, liver, cervix, kidney, and uterus, and for all cancers combined; and

''(IV) for the period of 1995 through 2000—

''(aa) the cancer mortality rate for all cancers for Native Hawaiian males of 217 per 100,000 residents was 22 percent higher than the rate for all males in the State of 179 per 100,000 residents; and

''(bb) the cancer mortality rate for all cancers for Native Hawaiian females of 192 per 100,000 residents was 64 percent higher than the rate for all females in the State of 117 per 100,000 residents.

''(ii) BREAST CANCER.—With respect to breast cancer—

''(I) Native Hawaiians have the highest mortality rate in the State from breast cancer (30.79 per 100,000 residents), which is 33 percent higher than the rate for Caucasian Americans (23.07 per 100,000 residents) and 106 percent higher than the rate for Chinese Americans (14.96 per 100,000 residents); and

''(II) nationally, Native Hawaiians have the third-highest mortality rate as a result of breast cancer (25.0 per 100,000 residents), behind African Americans (31.4 per 100,000 residents) and Caucasian Americans (27.0 per 100,000 residents).

''(iii) CANCER OF THE CERVIX.—Native Hawaiians have the highest mortality rate as a result of cancer of the cervix in the State (3.65 per 100,000 residents), followed by Filipino Americans (2.69 per 100,000 residents) and Caucasian Americans (2.61 per 100,000 residents).

''(iv) LUNG CANCER.—Native Hawaiian males and females have the highest mortality rates as a result of lung cancer in the State, at 74.79 per 100,000 for males and 47.84 per 100,000 females, which are higher than the rates for the total population of the State by 48 percent for males and 93 percent for females.

''(v) PROSTATE CANCER.—Native Hawaiian males have the third-highest mortality rate as a result of prostate cancer in the State (21.48 per 100,000 residents), with Caucasian Americans having the highest mortality rate as a result of prostate cancer (23.96 per 100,000 residents).

''(B) DIABETES.—With respect to diabetes, in 2004—

''(i) Native Hawaiians had the highest mortality rate as a result of diabetes mellitis (28.9 per 100,000 residents) in the State, which is 119 percent higher than the rate for all racial groups in the State (13.2 per 100,000 residents);

''(ii) the prevalence of diabetes for Native Hawaiians was 12.7 percent, which is 87 percent higher than the total prevalence for all residents of the State of 6.8 percent; and

''(iii) a higher percentage of Native Hawaiians with diabetes experienced diabetic retinopathy, as compared to other population groups in the State.

''(C) ASTHMA.—With respect to asthma and lower respiratory disease—

''(i) in 2004, mortality rates for Native Hawaiians (31.6 per 100,000 residents) from chronic lower respiratory disease were 52 percent higher than rates for the total population of the State (20.8 per 100,000 residents); and

''(ii) in 2005, the prevalence of current asthma in Native Hawaiian adults was 12.8 percent, which is 71 percent higher than the prevalence of the total population of the State of 7.5 percent.

''(D) CIRCULATORY DISEASES.—

''(i) HEART DISEASE.—With respect to heart disease—

''(I) in 2004, the mortality rate for Native Hawaiians as a result of heart disease (305.5 per 100,000 residents) was 86 percent higher than the rate for the total population of the State (164.3 per 100,000 residents); and

''(II) in 2005, the prevalence for heart attack was 4.4 percent for Native Hawaiians, which is 22 percent higher than the prevalence for the total population of 3.6 percent.

''(ii) CEREBROVASCULAR DISEASES.—With respect to cerebrovascular diseases—

''(I) the mortality rate from cerebrovascular diseases for Native Hawaiians (75.6 percent) was 64 percent higher than the rate

for the total population of the State (46 percent); and

''(II) in 2005, the prevalence for stroke was 4.9 percent for Native Hawaiians, which is 69 percent higher than the prevalence for the total population of the State (2.9 percent).

''(iii) OTHER CIRCULATORY DISEASES.—With respect to other circulatory diseases (including high blood pressure and atherosclerosis)—

''(I) in 2004, the mortality rate for Native Hawaiians of 20.6 per 100,000 residents was 46 percent higher than the rate for the total population of the State of 14.1 per 100,000 residents; and

''(II) in 2005, the prevalence of high blood pressure for Native Hawaiians was 26.7 percent, which is 10 percent higher than the prevalence for the total population of the State of 24.2 percent.

''(2) INFECTIOUS DISEASE AND ILLNESS.—With respect to infectious disease and illness—

''(A) in 1998, Native Hawaiians comprised 20 percent of all deaths resulting from infectious diseases in the State for all ages; and

''(B) the incidence of acquired immune deficiency syndrome for Native Hawaiians is at least twice as high per 100,000 residents (10.5 percent) than the incidence for any other non-Caucasian group in the State.

''(3) INJURIES.—With respect to injuries—

''(A) the mortality rate for Native Hawaiians as a result of injuries (32 per 100,000 residents) is 16 percent higher than the rate for the total population of the State (27.5 per 100,000 residents);

''(B) 32 percent of all deaths of individuals between the ages of 18 and 24 years resulting from injuries were Native Hawaiian; and

''(C) the 2 primary causes of Native Hawaiian deaths in that age group were motor vehicle accidents (30 percent) and intentional self-harm (39 percent).

''(4) DENTAL HEALTH.—With respect to dental health—

''(A) Native Hawaiian children experience significantly higher rates of dental caries and unmet treatment needs as compared to other children in the continental United States and other ethnic groups in the State;

''(B) the prevalence rate of dental caries in the primary (baby) teeth of Native Hawaiian children aged 5 to 9 years of 4.2 per child is more than twice the national average rate of 1.9 per child in that age range;

''(C) 81.9 percent of Native Hawaiian children aged 6 to 8 have 1 or more decayed teeth, as compared to—

''(i) 53 percent for children in that age range in the continental United States; and

''(ii) 72.7 percent of other children in that age range in the State; and

''(D) 21 percent of Native Hawaiian children aged 5 demonstrate signs of baby bottle tooth decay, which is generally characterized as severe, progressive dental disease in early childhood and associated with high rates of dental disorders, as compared to 5 percent for children of that age in the continental United States.

''(5) LIFE EXPECTANCY.—With respect to life expectancy—

''(A) Native Hawaiians have the lowest life expectancy of all population groups in the State;

''(B) between 1910 and 1980, the life expectancy of Native Hawaiians from birth has ranged from 5 to 10 years less than that of the overall State population average;

''(C) the most recent tables for 1990 show Native Hawaiian life expectancy at birth (74.27 years) to be approximately 5 years less than that of the total State population (78.85 years); and

''(D) except as provided in the life expectancy calculation for 1920, Native Hawaiians have had the shortest life expectancy of all major ethnic groups in the United States since 1910.

''(6) MATERNAL AND CHILD HEALTH.—

''(A) IN GENERAL.—With respect to maternal and child health, in 2000—

''(i) 39 percent of all deaths of children under the age of 18 years in the State were Native Hawaiian;

''(ii) perinatal conditions accounted for 38 percent of all Native Hawaiian deaths in that age group;

''(iii) Native Hawaiian infant mortality rates (9.8 per 1,000 live births) are—

''(I) the highest in the State; and

''(II) 151 percent higher than the rate for Caucasian infants (3.9 per 1,000 live births); and

''(iv) Native Hawaiians have 1 of the highest infant mortality rates in the United States, second only to the rate for African Americans of 13.6 per 1,000 live births.

''(B) PRENATAL CARE.—With respect to prenatal care—

''(i) as of 2005, Native Hawaiian women have the highest prevalence (20.9 percent) of having had no prenatal care during the first trimester of pregnancy, as compared to the 5 largest ethnic groups in the State;

''(ii) of the mothers in the State who received no prenatal care in the first trimester, 33 percent were Native Hawaiian;

''(iii) in 2005, 41 percent of mothers with live births who had not completed high school were Native Hawaiian; and

''(iv) in every region of the State, many Native Hawaiian newborns begin life in a potentially hazardous circumstance, far higher than any other racial group.

''(C) BIRTHS.—With respect to births, in 2005—

''(i) 45.2 percent of live births to Native Hawaiian mothers were nonmarital, putting the affected infants at higher risk of low birth weight and infant mortality;

''(ii) of the 2,934 live births to Native Hawaiian single mothers, 9 percent were low birth weight (defined as a weight of less than 2,500 grams); and

''(iii) 43.7 percent of all low birth-weight infants born to single mothers in the State were Native Hawaiian.

''(D) TEEN PREGNANCIES.—With respect to births, in 2005—

''(i) Native Hawaiians had the highest rate of births to mothers under the age of 18 years (5.8 percent), as compared to the rate of 2.7 percent for the total population of the State; and

''(ii) nearly 62 percent of all mothers in the State under the age of 19 years were Native Hawaiian.

''(E) FETAL MORTALITY.—With respect to fetal mortality, in 2005—

''(i) Native Hawaiians had the highest number of fetal deaths in the State, as compared to Caucasian, Japanese, and Filipino residents; and

''(ii)(I) 17.2 percent of all fetal deaths in the State were associated with expectant Native Hawaiian mothers; and

''(II) 43.5 percent of those Native Hawaiian mothers were under the age of 25 years.

''(7) BEHAVIORAL HEALTH.—

''(A) ALCOHOL AND DRUG ABUSE.—With respect to alcohol and drug abuse—

''(i)(I) in 2005, Native Hawaiians had the highest prevalence of smoking of 27.9 percent, which is 64 percent higher than the rate for the total population of the State (17 percent); and

''(II) 53 percent of Native Hawaiians reported having smoked at least 100 cigarettes in their lifetime, as compared to 43.3 percent for the total population of the State;

''(ii) 33 percent of Native Hawaiians in grade 8 have smoked cigarettes at least once in their lifetime, as compared to—

''(I) 22.5 percent for all youth in the State; and

''(II) 28.4 percent of residents of the United States in grade 8;

''(iii) Native Hawaiians have the highest prevalence of binge drinking of 19.9 percent, which is 21 percent higher than the prevalence for the total population of the State (16.5 percent);

''(iv) the prevalence of heavy drinking among Native Hawaiians (10.1 percent) is 36 percent higher than the prevalence for the total population of the State (7.4 percent);

''(v)(I) in 2003, 17.2 percent of Native Hawaiians in grade 6, 45.1 percent of Naive Hawaiians in grade 8, 68.9 percent of Native Hawaiians in grade 10, and 78.1 percent of Native Hawaiians in grade 12 reported using alcohol at least once in their lifetime, as compared to 13.2, 36.8, 59.1, and 72.5 percent, respectively, of all adolescents in the State; and

''(II) 62.1 percent Native Hawaiians in grade 12 reported being drunk at least once, which is 20 percent higher than the percentage for all adolescents in the State (51.6 percent);

''(vi) on entering grade 12, 60 percent of Native Hawaiian adolescents reported having used illicit drugs, including inhalants, at least once in their lifetime, as compared to—

''(I) 46.9 percent of all adolescents in the State; and

''(II) 52.8 of adolescents in the United States;

''(vii) on entering grade 12, 58.2 percent of Native Hawaiian adolescents reported having used marijuana at least once, which is 31 percent higher than the rate of other adolescents in the State (44.4 percent);

''(viii) in 2006, Native Hawaiians represented 40 percent of the total admissions to substance abuse treatment programs funded by the State Department of Health; and

''(ix) in 2003, Native Hawaiian adolescents reported the highest prevalence for methamphetamine use in the State, followed by Caucasian and Filipino adolescents.

''(B) CRIME.—With respect to crime—

''(i) during the period of 1992 to 2002, Native Hawaiian arrests for violent crimes decreased, but the rate of arrest remained 38.3 percent higher than the rate of the total population of the State;

''(ii) the robbery arrest rate in 2002 among Native Hawaiian juveniles and adults was 59 percent higher (6.2 arrests per 100,000 residents) than the rate for the total population of the State (3.9 arrests per 100,000 residents);

''(iii) in 2002—

''(I) Native Hawaiian men comprised between 35 percent and 43 percent of each security class in the State prison system;

''(II) Native Hawaiian women comprised between 38.1 percent to 50.3 percent of each class of female prison inmates in the State;

''(III) Native Hawaiians comprised 39.5 percent of the total incarcerated population of the State; and

''(IV) Native Hawaiians comprised 40 percent of the total sentenced felon population in the State, as compared to 25 percent for Caucasians, 12 percent for Filipinos, and 5 percent for Samoans;

''(iv) Native Hawaiians are overrepresented in the State prison population;

''(v) of the 2,260 incarcerated Native Hawaiians, 70 percent are between 20 and 40 years of age; and

''(vi) based on anecdotal information, Native Hawaiians are estimated to comprise between 60 percent and 70 percent of all jail and prison inmates in the State.

''(C) DEPRESSION AND SUICIDE.—With respect to depression and suicide—

''(i)(I) in 1999, the prevalence of depression among Native Hawaiians was 15 percent, as

compared to the national average of approximately 10 percent; and

''(II) Native Hawaiian females had a higher prevalence of depression (16.9 percent) than Native Hawaiian males (11.9 percent);

''(ii) in 2000—

''(I) Native Hawaiian adolescents had a significantly higher suicide attempt rate (12.9 percent) than the rate for other adolescents in the State (9.6 percent); and

''(II) 39 percent of all Native Hawaiian adult deaths were due to suicide; and

''(iii) in 2006, the prevalence of obsessive compulsive disorder among Native Hawaiian adolescent girls was 17.7 percent, as compared to a rate of—

''(I) 9.2 percent for Native Hawaiian boys and non-Hawaiian girls; and

''(II) a national rate of 2 percent.

''(8) OVERWEIGHTNESS AND OBESITY.—With respect to overweightness and obesity—

''(A) during the period of 2000 through 2003, Native Hawaiian males and females had the highest age-adjusted prevalence rates for obesity (40.5 and 32.5 percent, respectively), which was—

''(i) with respect to individuals of full Native Hawaiian ancestry, 145 percent higher than the rate for the total population of the State (16.5 per 100,000); and

''(ii) with respect to individuals with less than 100 percent Native Hawaiian ancestry, 97 percent higher than the total population of the State; and

''(B) for 2005, the prevalence of obesity among Native Hawaiians was 43.1 percent, which was 119 percent higher than the prevalence for the total population of the State (19.7 percent).

''(9) FAMILY AND CHILD HEALTH.—With respect to family and child health—

''(A) in 2000, the prevalence of single-parent families with minor children was highest among Native Hawaiian households, as compared to all households in the State (15.8 percent and 8.1 percent, respectively);

''(B) in 2002, nonmarital births accounted for 56.8 percent of all live births among Native Hawaiians, as compared to 34 percent of all live births in the State;

''(C) the rate of confirmed child abuse and neglect among Native Hawaiians has consistently been 3 to 4 times the rates of other major ethnic groups, with a 3-year average of 63.9 cases in 2002, as compared to 12.8 cases for the total population of the State;

''(D) spousal abuse or abuse of an intimate partner was highest for Native Hawaiians, as compared to all cases of abuse in the State (4.5 percent and 2.2 percent, respectively); and

''(E)(i) ½ of uninsured adults in the State have family incomes below 200 percent of the Federal poverty level; and

''(ii) Native Hawaiians residing in the State and the continental United States have a higher rate of uninsurance than other ethnic groups in the State and continental United States (14.5 percent and 9.5 percent, respectively).

''(10) HEALTH PROFESSIONS EDUCATION AND TRAINING.—With respect to health professions education and training—

''(A) in 2003, adult Native Hawaiians had a higher rate of high school completion, as compared to the total adult population of the State (49.4 percent and 34.4 percent, respectively);

''(B) Native Hawaiian physicians make up 4 percent of the total physician workforce in the State; and

''(C) in 2004, Native Hawaiians comprised—

''(i) 11.25 percent of individuals who earned bachelor's degrees;

''(ii) 6 percent of individuals who earned master's degrees;

''(iii) 3 percent of individuals who earned doctorate degrees;

''(iv) 7.9 percent of the credited student body at the University of Hawai'i;

''(v) 0.4 percent of the instructional faculty at the University of Hawai'i at Manoa; and

''(vi) 8.4 percent of the instructional faculty at the University of Hawai'i Community Colleges.

"SEC. 3. DEFINITIONS.

''In this Act:

''(1) DEPARTMENT.—The term 'Department' means the Department of Health and Human Services.

''(2) DISEASE PREVENTION.—The term 'disease prevention' includes—

''(A) immunizations;

''(B) control of high blood pressure;

''(C) control of sexually transmittable diseases;

''(D) prevention and control of chronic diseases;

''(E) control of toxic agents;

''(F) occupational safety and health;

''(G) injury prevention;

''(H) fluoridation of water;

''(I) control of infectious agents; and

''(J) provision of mental health care.

''(3) HEALTH PROMOTION.—The term 'health promotion' includes—

''(A) pregnancy and infant care, including prevention of fetal alcohol syndrome;

''(B) cessation of tobacco smoking;

''(C) reduction in the misuse of alcohol and harmful illicit drugs;

''(D) improvement of nutrition;

''(E) improvement in physical fitness;

''(F) family planning;

''(G) control of stress;

''(H) reduction of major behavioral risk factors and promotion of healthy lifestyle practices; and

''(I) integration of cultural approaches to health and well-being (including traditional practices relating to the atmosphere (lewa lani), land ('aina), water (wai), and ocean (kai)).

''(4) HEALTH SERVICE.—The term 'health service' means—

''(A) service provided by a physician, physician's assistant, nurse practitioner, nurse, dentist, or other health professional;

''(B) a diagnostic laboratory or radiologic service;

''(C) a preventive health service (including a perinatal service, well child service, family planning service, nutrition service, home health service, sports medicine and athletic training service, and, generally, any service associated with enhanced health and wellness);

''(D) emergency medical service, including a service provided by a first responder, emergency medical technician, or mobile intensive care technician;

''(E) a transportation service required for adequate patient care;

''(F) a preventive dental service;

''(G) a pharmaceutical and medicament service;

''(H) a mental health service, including a service provided by a psychologist or social worker;

''(I) a genetic counseling service;

''(J) a health administration service, including a service provided by a health program administrator;

''(K) a health research service, including a service provided by an individual with an advanced degree in medicine, nursing, psychology, social work, or any other related health program;

''(L) an environmental health service, including a service provided by an epidemiologist, public health official, medical geographer, or medical anthropologist, or an individual specializing in biological, chemical, or environmental health determinants;

''(M) a primary care service that may lead to specialty or tertiary care; and

''(N) a complementary healing practice, including a practice performed by a traditional Native Hawaiian healer.

''(5) NATIVE HAWAIIAN.—The term 'Native Hawaiian' means any individual who is Kanaka Maoli (a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State), as evidenced by—

''(A) genealogical records;

''(B) kama'aina witness verification from Native Hawaiian Kupuna (elders); or

''(C) birth records of the State or any other State or territory of the United States.

''(6) NATIVE HAWAIIAN HEALTH CARE SYSTEM.—The term 'Native Hawaiian health care system' means any of up to 8 entities in the State that—

''(A) is organized under the laws of the State;

''(B) provides or arranges for the provision of health services for Native Hawaiians in the State;

''(C) is a public or nonprofit private entity;

''(D) has Native Hawaiians significantly participating in the planning, management, provision, monitoring, and evaluation of health services;

''(E) addresses the health care needs of an island's Native Hawaiian population; and

''(F) is recognized by Papa Ola Lokahi—

''(i) for the purpose of planning, conducting, or administering programs, or portions of programs, authorized by this Act for the benefit of Native Hawaiians; and

''(ii) as having the qualifications and the capacity to provide the services and meet the requirements under—

''(I) the contract that each Native Hawaiian health care system enters into with the Secretary under this Act; or

''(II) the grant each Native Hawaiian health care system receives from the Secretary under this Act.

''(7) NATIVE HAWAIIAN HEALTH CENTER.—The term 'Native Hawaiian Health Center' means any organization that is a primary health care provider that—

''(A) has a governing board composed of individuals, at least 50 percent of whom are Native Hawaiians;

''(B) has demonstrated cultural competency in a predominantly Native Hawaiian community;

''(C) serves a patient population that—

''(i) is made up of individuals at least 50 percent of whom are Native Hawaiian; or

''(ii) has not less than 2,500 Native Hawaiians as annual users of services; and

''(D) is recognized by Papa Ola Lokahi as having met each of the criteria described in subparagraphs (A) through (C).

''(8) NATIVE HAWAIIAN HEALTH TASK FORCE.—The term 'Native Hawaiian Health Task Force' means a task force established by the State Council of Hawaiian Homestead Associations to implement health and wellness strategies in Native Hawaiian communities.

''(9) NATIVE HAWAIIAN ORGANIZATION.—The term 'Native Hawaiian organization' means any organization that—

''(A) serves the interests of Native Hawaiians; and

''(B)(i) is recognized by Papa Ola Lokahi for planning, conducting, or administering programs authorized under this Act for the benefit of Native Hawaiians; and

''(ii) is a public or nonprofit private entity.

''(10) OFFICE OF HAWAIIAN AFFAIRS.—The term 'Office of Hawaiian Affairs' means the governmental entity that—

''(A) is established under article XII, sections 5 and 6, of the Hawai'i State Constitution; and

''(B) charged with the responsibility to formulate policy relating to the affairs of Native Hawaiians.

''(11) PAPA OLA LOKAHI.—

''(A) IN GENERAL.—The term 'Papa Ola Lokahi' means an organization that—

''(i) is composed of public agencies and private organizations focusing on improving the health status of Native Hawaiians; and

''(ii) governed by a board the members of which may include representation from—

''(I) E Ola Mau;

''(II) the Office of Hawaiian Affairs;

''(III) Alu Like, Inc.;

''(IV) the University of Hawaii;

''(V) the Hawai'i State Department of Health;

''(VI) the Native Hawaiian Health Task Force;

''(VII) the Hawai'i State Primary Care Association;

''(VIII) Ahahui O Na Kauka, the Native Hawaiian Physicians Association;

''(IX) Ho'ola Lahui Hawaii, or a health care system serving the islands of Kaua'i or Ni'ihau (which may be composed of as many health care centers as are necessary to meet the health care needs of the Native Hawaiians of those islands);

''(X) Ke Ola Mamo, or a health care system serving the island of O'ahu (which may be composed of as many health care centers as are necessary to meet the health care needs of the Native Hawaiians of that island);

''(XI) Na Pu'uwai or a health care system serving the islands of Moloka'i or Lana'i (which may be composed of as many health care centers as are necessary to meet the health care needs of the Native Hawaiians of those islands);

''(XII) Hui No Ke Ola Pono, or a health care system serving the island of Maui (which may be composed of as many health care centers as are necessary to meet the health care needs of the Native Hawaiians of that island);

''(XIII) Hui Malama Ola Na 'Oiwi, or a health care system serving the island of Hawai'i (which may be composed of as many health care centers as are necessary to meet the health care needs of the Native Hawaiians of that island);

''(XIV) such other Native Hawaiian health care systems as are certified and recognized by Papa Ola Lokahi in accordance with this Act; and

''(XV) such other member organizations as the Board of Papa Ola Lokahi shall admit from time to time, based on satisfactory demonstration of a record of contribution to the health and well-being of Native Hawaiians.

''(B) EXCLUSION.—The term 'Papa Ola Lokahi' does not include any organization described in subparagraph (A) for which the Secretary has made a determination that the organization has not developed a mission statement that includes—

''(i) clearly-defined goals and objectives for the contributions the organization will make to—

''(I) Native Hawaiian health care systems; and

''(II) the national policy described in section 4; and

''(ii) an action plan for carrying out those goals and objectives.

''(12) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services.

''(13) STATE.—The term 'State' means the State of Hawaii.

''(14) TRADITIONAL NATIVE HAWAIIAN HEALER.—The term 'traditional Native Hawaiian healer' means a practitioner—

''(A) who—

''(i) is of Native Hawaiian ancestry; and

''(ii) has the knowledge, skills, and experience in direct personal health care of individuals; and

''(B) the knowledge, skills, and experience of whom are based on demonstrated learning of Native Hawaiian healing practices acquired by—

''(i) direct practical association with Native Hawaiian elders; and

''(ii) oral traditions transmitted from generation to generation.

"SEC. 4. DECLARATION OF NATIONAL NATIVE HAWAIIAN HEALTH POLICY.

''(a) DECLARATION.—Congress declares that it is the policy of the United States, in fulfillment of special responsibilities and legal obligations of the United States to the indigenous people of Hawai'i resulting from the unique and historical relationship between the United States and the indigenous people of Hawaii—

''(1) to raise the health status of Native Hawaiians to the highest practicable health level; and

''(2) to provide Native Hawaiian health care programs with all resources necessary to effectuate that policy.

''(b) INTENT OF CONGRESS.—It is the intent of Congress that—

''(1) health care programs having a demonstrated effect of substantially reducing or eliminating the overrepresentation of Native Hawaiians among those suffering from chronic and acute disease and illness, and addressing the health needs of Native Hawaiians (including perinatal, early child development, and family-based health education needs), shall be established and implemented; and

''(2) the United States—

''(A) raise the health status of Native Hawaiians by the year 2010 to at least the levels described in the goals contained within Healthy People 2010 (or successor standards); and

''(B) incorporate within health programs in the United States activities defined and identified by Kanaka Maoli, such as—

''(i) incorporating and supporting the integration of cultural approaches to health and well-being, including programs using traditional practices relating to the atmosphere (lewa lani), land ('aina), water (wai), or ocean (kai);

''(ii) increasing the number of Native Hawaiian health and allied-health providers who provide care to or have an impact on the health status of Native Hawaiians;

''(iii) increasing the use of traditional Native Hawaiian foods in—

''(I) the diets and dietary preferences of people, including those of students; and

''(II) school feeding programs;

''(iv) identifying and instituting Native Hawaiian cultural values and practices within the corporate cultures of organizations and agencies providing health services to Native Hawaiians;

''(v) facilitating the provision of Native Hawaiian healing practices by Native Hawaiian healers for individuals desiring that assistance;

''(vi) supporting training and education activities and programs in traditional Native Hawaiian healing practices by Native Hawaiian healers; and

''(vii) demonstrating the integration of health services for Native Hawaiians, particularly those that integrate mental, physical, and dental services in health care.

''(c) REPORT.—The Secretary shall submit to the President, for inclusion in each report required to be submitted to Congress under section 12, a report on the progress made toward meeting the national policy described in this section.

"SEC. 5. COMPREHENSIVE HEALTH CARE MASTER PLAN FOR NATIVE HAWAIIANS.

''(a) DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary may make a grant to, or enter into a contract with, Papa Ola Lokahi for the purpose of coordinating, implementing, and updating a Native Hawaiian comprehensive health care master plan that is designed—

''(A) to promote comprehensive health promotion and disease prevention services;

''(B) to maintain and improve the health status of Native Hawaiians; and

''(C) to support community-based initiatives that are reflective of holistic approaches to health.

''(2) CONSULTATION.—

''(A) IN GENERAL.—In carrying out this section, Papa Ola Lokahi and the Office of Hawaiian Affairs shall consult with representatives of—

''(i) the Native Hawaiian health care systems;

''(ii) the Native Hawaiian health centers; and

''(iii) the Native Hawaiian community.

''(B) MEMORANDA OF UNDERSTANDING.—Papa Ola Lokahi and the Office of Hawaiian Affairs may enter into memoranda of understanding or agreement for the purpose of acquiring joint funding, or for such other purposes as are necessary, to accomplish the objectives of this section.

''(3) HEALTH CARE FINANCING STUDY REPORT.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of the Native Hawaiian Health Care Improvement Reauthorization Act of 2007, Papa Ola Lokahi, in cooperation with the Office of Hawaiian Affairs and other appropriate agencies and organizations in the State (including the Department of Health and the Department of Human Services of the State) and appropriate Federal agencies (including the Centers for Medicare and Medicaid Services), shall submit to Congress a report that describes the impact of Federal and State health care financing mechanisms and policies on the health and well-being of Native Hawaiians.

''(B) COMPONENTS.—The report shall include—

''(i) information concerning the impact on Native Hawaiian health and well-being of—

''(I) cultural competency;

''(II) risk assessment data;

''(III) eligibility requirements and exemptions; and

''(IV) reimbursement policies and capitation rates in effect as of the date of the report for service providers;

''(ii) such other similar information as may be important to improving the health status of Native Hawaiians, as that information relates to health care financing (including barriers to health care); and

''(iii) recommendations for submission to the Secretary, for review and consultation with the Native Hawaiian community.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out subsection (a).

"SEC. 6. FUNCTIONS OF PAPA OLA LOKAHI.

''(a) IN GENERAL.—Papa Ola Lokahi—

''(1) shall be responsible for—

''(A) the coordination, implementation, and updating, as appropriate, of the comprehensive health care master plan under section 5;

''(B) the training and education of individuals providing health services;

''(C) the identification of and research (including behavioral, biomedical, epidemiological, and health service research) into the diseases that are most prevalent among Native Hawaiians; and

''(D) the development and maintenance of an institutional review board for all research

projects involving all aspects of Native Hawaiian health, including behavioral, biomedical, epidemiological, and health service research;

''(2) may receive special project funds (including research endowments under section 736 of the Public Health Service Act (42 U.S.C. 293)) made available for the purpose of—

''(A) research on the health status of Native Hawaiians; or

''(B) addressing the health care needs of Native Hawaiians; and

''(3) shall serve as a clearinghouse for—

''(A) the collection and maintenance of data associated with the health status of Native Hawaiians;

''(B) the identification and research into diseases affecting Native Hawaiians;

''(C) the availability of Native Hawaiian project funds, research projects, and publications;

''(D) the collaboration of research in the area of Native Hawaiian health; and

''(E) the timely dissemination of information pertinent to the Native Hawaiian health care systems.

''(b) CONSULTATION.—

''(1) IN GENERAL.—The Secretary and the Secretary of each other Federal agency shall—

''(A) consult with Papa Ola Lokahi; and

''(B) provide Papa Ola Lokahi and the Office of Hawaiian Affairs, at least once annually, an accounting of funds and services provided by the Secretary to assist in accomplishing the purposes described in section 4.

''(2) COMPONENTS OF ACCOUNTING.—The accounting under paragraph (1)(B) shall include an identification of—

''(A) the amount of funds expended explicitly for and benefitting Native Hawaiians;

''(B) the number of Native Hawaiians affected by those funds;

''(C) the collaborations between the applicable Federal agency and Native Hawaiian groups and organizations in the expenditure of those funds; and

''(D) the amount of funds used for—

''(i) Federal administrative purposes; and

''(ii) the provision of direct services to Native Hawaiians.

''(c) FISCAL ALLOCATION AND COORDINATION OF PROGRAMS AND SERVICES.—

''(1) RECOMMENDATIONS.—Papa Ola Lokahi shall provide annual recommendations to the Secretary with respect to the allocation of all amounts made available under this Act.

''(2) COORDINATION.—Papa Ola Lokahi shall, to the maximum extent practicable, coordinate and assist the health care programs and services provided to Native Hawaiians under this Act and other Federal laws.

''(3) REPRESENTATION ON COMMISSION.—The Secretary, in consultation with Papa Ola Lokahi, shall make recommendations for Native Hawaiian representation on the President's Advisory Commission on Asian Americans and Pacific Islanders.

''(d) TECHNICAL SUPPORT.—Papa Ola Lokahi shall provide statewide infrastructure to provide technical support and coordination of training and technical assistance to—

''(1) the Native Hawaiian health care systems; and

''(2) the Native Hawaiian health centers.

''(e) RELATIONSHIPS WITH OTHER AGENCIES.—

''(1) AUTHORITY.—Papa Ola Lokahi may enter into agreements or memoranda of understanding with relevant institutions, agencies, or organizations that are capable of providing—

''(A) health-related resources or services to Native Hawaiians and the Native Hawaiian health care systems; or

''(B) resources or services for the implementation of the national policy described in section 4.

''(2) HEALTH CARE FINANCING.—

''(A) FEDERAL CONSULTATION.—

''(i) IN GENERAL.—Before adopting any policy, rule, or regulation that may affect the provision of services or health insurance coverage for Native Hawaiians, a Federal agency that provides health care financing and carries out health care programs (including the Centers for Medicare and Medicaid Services) shall consult with representatives of—

''(I) the Native Hawaiian community;

''(II) Papa Ola Lokahi; and

''(III) organizations providing health care services to Native Hawaiians in the State.

''(ii) IDENTIFICATION OF EFFECTS.—Any consultation by a Federal agency under clause (i) shall include an identification of the effect of any policy, rule, or regulation proposed by the Federal agency.

''(B) STATE CONSULTATION.—Before making any change in an existing program or implementing any new program relating to Native Hawaiian health, the State shall engage in meaningful consultation with representatives of—

''(i) the Native Hawaiian community;

''(ii) Papa Ola Lokahi; and

''(iii) organizations providing health care services to Native Hawaiians in the State.

''(C) CONSULTATION ON FEDERAL HEALTH INSURANCE PROGRAMS.—

''(i) IN GENERAL.—The Office of Hawaiian Affairs, in collaboration with Papa Ola Lokahi, may develop consultative, contractual, or other arrangements, including memoranda of understanding or agreement, with—

''(I) the Centers for Medicare and Medicaid Services;

''(II) the agency of the State that administers or supervises the administration of the State plan or waiver approved under title XVIII, XIX, or XXI of the Social Security Act (42 U.S.C. 1395 et seq.) for the payment of all or a part of the health care services provided to Native Hawaiians who are eligible for medical assistance under the State plan or waiver; or

''(III) any other Federal agency providing full or partial health insurance to Native Hawaiians.

''(ii) CONTENTS OF ARRANGEMENTS.—An arrangement under clause (i) may address—

''(I) appropriate reimbursement for health care services, including capitation rates and fee-for-service rates for Native Hawaiians who are entitled to or eligible for insurance;

''(II) the scope of services; or

''(III) other matters that would enable Native Hawaiians to maximize health insurance benefits provided by Federal and State health insurance programs.

''(3) TRADITIONAL HEALERS.—

''(A) IN GENERAL.—The provision of health services under any program operated by the Department or another Federal agency (including the Department of Veterans Affairs) may include the services of—

''(i) traditional Native Hawaiian healers; or

''(ii) traditional healers providing traditional health care practices (as those terms are defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

''(B) EXEMPTION.—Services described in subparagraph (A) shall be exempt from national accreditation reviews, including reviews conducted by—

''(i) the Joint Commission on Accreditation of Healthcare Organizations; and

''(ii) the Commission on Accreditation of Rehabilitation Facilities.

''SEC. 7. NATIVE HAWAIIAN HEALTH CARE.

''(a) COMPREHENSIVE HEALTH PROMOTION, DISEASE PREVENTION, AND OTHER HEALTH SERVICES.—

''(1) GRANTS AND CONTRACTS.—The Secretary, in consultation with Papa Ola Lokahi, may make grants to, or enter into contracts with 1 or more Native Hawaiian health care systems for the purpose of providing comprehensive health promotion and disease prevention services, as well as other health services, to Native Hawaiians who desire and are committed to bettering their own health.

''(2) LIMITATION ON NUMBER OF ENTITIES.—The Secretary may make a grant to, or enter into a contract with, not more than 8 Native Hawaiian health care systems under this subsection for any fiscal year.

''(b) PLANNING GRANT OR CONTRACT.—In addition to grants and contracts under subsection (a), the Secretary may make a grant to, or enter into a contract with, Papa Ola Lokahi for the purpose of planning Native Hawaiian health care systems to serve the health needs of Native Hawaiian communities on each of the islands of O'ahu, Moloka'i, Maui, Hawai'i, Lana'i, Kaua'i, Kaho'lawe, and Ni'ihau in the State.

''(c) HEALTH SERVICES TO BE PROVIDED.—

''(1) IN GENERAL.—Each recipient of funds under subsection (a) may provide or arrange for—

''(A) outreach services to inform and assist Native Hawaiians in accessing health services;

''(B) education in health promotion and disease prevention for Native Hawaiians that, wherever practicable, is provided by—

''(i) Native Hawaiian health care practitioners;

''(ii) community outreach workers;

''(iii) counselors;

''(iv) cultural educators; and

''(v) other disease prevention providers;

''(C) services of individuals providing health services;

''(D) collection of data relating to the prevention of diseases and illnesses among Native Hawaiians; and

''(E) support of culturally appropriate activities that enhance health and wellness, including land-based, water-based, ocean-based, and spiritually-based projects and programs.

''(2) TRADITIONAL HEALERS.—The health care services referred to in paragraph (1) that are provided under grants or contracts under subsection (a) may be provided by traditional Native Hawaiian healers, as appropriate.

''(d) FEDERAL TORT CLAIMS ACT.—An individual who provides a medical, dental, or other service referred to in subsection (a)(1) for a Native Hawaiian health care system, including a provider of a traditional Native Hawaiian healing service, shall be—

''(1) treated as if the individual were a member of the Public Health Service; and

''(2) subject to section 224 of the Public Health Service Act (42 U.S.C. 233).

''(e) SITE FOR OTHER FEDERAL PAYMENTS.—

''(1) IN GENERAL.—A Native Hawaiian health care system that receives funds under subsection (a) may serve as a Federal loan repayment facility.

''(2) REMISSION OF PAYMENTS.—A facility described in paragraph (1) shall be designed to enable health and allied-health professionals to remit payments with respect to loans provided to the professionals under any Federal loan program.

''(f) RESTRICTION ON USE OF GRANT AND CONTRACT FUNDS.—The Secretary shall not make a grant to, or enter into a contract with, an entity under subsection (a) unless the entity agrees that amounts received under the grant or contract will not, directly or through contract, be expended—

''(1) for any service other than a service described in subsection (c)(1);

''(2) to purchase or improve real property (other than minor remodeling of existing improvements to real property); or

''(3) to purchase major medical equipment.

''(g) LIMITATION ON CHARGES FOR SERVICES.—The Secretary shall not make a grant to, or enter into a contract with, an entity under subsection (a) unless the entity agrees that, whether health services are provided directly or under a contract—

''(1) any health service under the grant or contract will be provided without regard to the ability of an individual receiving the health service to pay for the health service; and

''(2) the entity will impose for the delivery of such a health service a charge that is—

''(A) made according to a schedule of charges that is made available to the public; and

''(B) adjusted to reflect the income of the individual involved.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) GENERAL GRANTS.—There are authorized to be appropriated such sums as are necessary to carry out subsection (a) for each of fiscal years 2007 through 2012.

''(2) PLANNING GRANTS.—There are authorized to be appropriated such sums as are necessary to carry out subsection (b) for each of fiscal years 2007 through 2012.

''(3) HEALTH SERVICES.—There are authorized to be appropriated such sums as are necessary to carry out subsection (c) for each of fiscal years 2007 through 2012.

''SEC. 8. ADMINISTRATIVE GRANT FOR PAPA OLA LOKAHI.

''(a) IN GENERAL.—In addition to any other grant or contract under this Act, the Secretary may make grants to, or enter into contracts with, Papa Ola Lokahi for—

''(1) coordination, implementation, and updating (as appropriate) of the comprehensive health care master plan developed under section 5;

''(2) training and education for providers of health services;

''(3) identification of and research (including behavioral, biomedical, epidemiologic, and health service research) into the diseases that are most prevalent among Native Hawaiians;

''(4) a clearinghouse function for—

''(A) the collection and maintenance of data associated with the health status of Native Hawaiians;

''(B) the identification and research into diseases affecting Native Hawaiians; and

''(C) the availability of Native Hawaiian project funds, research projects, and publications;

''(5) the establishment and maintenance of an institutional review board for all health-related research involving Native Hawaiians;

''(6) the coordination of the health care programs and services provided to Native Hawaiians; and

''(7) the administration of special project funds.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out subsection (a) for each of fiscal years 2007 through 2012.

''SEC. 9. ADMINISTRATION OF GRANTS AND CONTRACTS.

''(a) TERMS AND CONDITIONS.—The Secretary shall include in any grant made or contract entered into under this Act such terms and conditions as the Secretary considers necessary or appropriate to ensure that the objectives of the grant or contract are achieved.

''(b) PERIODIC REVIEW.—The Secretary shall periodically evaluate the performance of, and compliance with, grants and contracts under this Act.

''(c) ADMINISTRATIVE REQUIREMENTS.—The Secretary shall not make a grant or enter into a contract under this Act with an entity unless the entity—

''(1) agrees to establish such procedures for fiscal control and fund accounting as the Secretary determines are necessary to ensure proper disbursement and accounting with respect to the grant or contract;

''(2) agrees to ensure the confidentiality of records maintained on individuals receiving health services under the grant or contract;

''(3) with respect to providing health services to any population of Native Hawaiians, a substantial portion of which has a limited ability to speak the English language—

''(A) has developed and has the ability to carry out a reasonable plan to provide health services under the grant or contract through individuals who are able to communicate with the population involved in the language and cultural context that is most appropriate; and

''(B) has designated at least 1 individual who is fluent in English and the appropriate language to assist in carrying out the plan;

''(4) with respect to health services that are covered under a program under title XVIII, XIX, or XXI of the Social Security Act (42 U.S.C. 1395 et seq.) (including any State plan), or under any other Federal health insurance plan—

''(A) if the entity will provide under the grant or contract any of those health services directly—

''(i) has entered into a participation agreement under each such plan; and

''(ii) is qualified to receive payments under the plan; and

''(B) if the entity will provide under the grant or contract any of those health services through a contract with an organization—

''(i) ensures that the organization has entered into a participation agreement under each such plan; and

''(ii) ensures that the organization is qualified to receive payments under the plan; and

''(5) agrees to submit to the Secretary and Papa Ola Lokahi an annual report that—

''(A) describes the use and costs of health services provided under the grant or contract (including the average cost of health services per user); and

''(B) provides such other information as the Secretary determines to be appropriate.

''(d) CONTRACT EVALUATION.—

''(1) DETERMINATION OF NONCOMPLIANCE.—If, as a result of evaluations conducted by the Secretary, the Secretary determines that an entity has not complied with or satisfactorily performed a contract entered into under section 7, the Secretary shall, before renewing the contract—

''(A) attempt to resolve the areas of noncompliance or unsatisfactory performance; and

''(B) modify the contract to prevent future occurrences of the noncompliance or unsatisfactory performance.

''(2) NONRENEWAL.—If the Secretary determines that the noncompliance or unsatisfactory performance described in paragraph (1) with respect to an entity cannot be resolved and prevented in the future, the Secretary—

''(A) shall not renew the contract with the entity; and

''(B) may enter into a contract under section 7 with another entity referred to in section 7(a)(3) that provides services to the same population of Native Hawaiians served by the entity the contract with which was not renewed by reason of this paragraph.

''(3) CONSIDERATION OF RESULTS.—In determining whether to renew a contract entered into with an entity under this Act, the Secretary shall consider the results of the evaluations conducted under this section.

''(4) APPLICATION OF FEDERAL LAWS.—Each contract entered into by the Secretary under this Act shall be in accordance with all Federal contracting laws (including regulations), except that, in the discretion of the Secretary, such a contract may—

''(A) be negotiated without advertising; and

''(B) be exempted from subchapter III of chapter 31, United States Code.

''(5) PAYMENTS.—A payment made under any contract entered into under this Act—

''(A) may be made—

''(i) in advance;

''(ii) by means of reimbursement; or

''(iii) in installments; and

''(B) shall be made on such conditions as the Secretary determines to be necessary to carry out this Act.

''(e) REPORT.—

''(1) IN GENERAL.—For each fiscal year during which an entity receives or expends funds under a grant or contract under this Act, the entity shall submit to the Secretary and to Papa Ola Lokahi an annual report that describes—

''(A) the activities conducted by the entity under the grant or contract;

''(B) the amounts and purposes for which Federal funds were expended; and

''(C) such other information as the Secretary may request.

''(2) AUDITS.—The reports and records of any entity concerning any grant or contract under this Act shall be subject to audit by—

''(A) the Secretary;

''(B) the Inspector General of the Department of Health and Human Services; and

''(C) the Comptroller General of the United States.

''(f) ANNUAL PRIVATE AUDIT.—The Secretary shall allow as a cost of any grant made or contract entered into under this Act the cost of an annual private audit conducted by a certified public accountant to carry out this section.

''SEC. 10. ASSIGNMENT OF PERSONNEL.

''(a) IN GENERAL.—The Secretary may enter into an agreement with Papa Ola Lokahi or any of the Native Hawaiian health care systems for the assignment of personnel of the Department of Health and Human Services with relevant expertise for the purpose of—

''(1) conducting research; or

''(2) providing comprehensive health promotion and disease prevention services and health services to Native Hawaiians.

''(b) APPLICABLE FEDERAL PERSONNEL PROVISIONS.—Any assignment of personnel made by the Secretary under any agreement entered into under subsection (a) shall be treated as an assignment of Federal personnel to a local government that is made in accordance with subchapter VI of chapter 33 of title 5, United States Code.

''SEC. 11. NATIVE HAWAIIAN HEALTH SCHOLARSHIPS AND FELLOWSHIPS.

''(a) ELIGIBILITY.—Subject to the availability of amounts appropriated under subsection (c), the Secretary shall provide to Papa Ola Lokahi, through a direct grant or a cooperative agreement, funds for the purpose of providing scholarship and fellowship assistance, counseling, and placement service assistance to students who are Native Hawaiians.

''(b) PRIORITY.—A priority for scholarships under subsection (a) may be provided to employees of—

''(1) the Native Hawaiian Health Care Systems; and

''(2) the Native Hawaiian Health Centers.

''(c) TERMS AND CONDITIONS.—

''(1) SCHOLARSHIP ASSISTANCE.—

''(A) IN GENERAL.—The scholarship assistance under subsection (a) shall be provided in accordance with subparagraphs (B) through (G).

''(B) NEED.—The provision of scholarships in each type of health profession training shall correspond to the need for each type of health professional to serve the Native Hawaiian community in providing health services, as identified by Papa Ola Lokahi.

''(C) ELIGIBLE APPLICANTS.—To the maximum extent practicable, the Secretary shall select scholarship recipients from a list of eligible applicants submitted by Papa Ola Lokahi.

''(D) OBLIGATED SERVICE REQUIREMENT.—

''(i) IN GENERAL.—An obligated service requirement for each scholarship recipient (except for a recipient receiving assistance under paragraph (2)) shall be fulfilled through service, in order of priority, in—

''(I) any of the Native Hawaiian health care systems;

''(II) any of the Native Hawaiian health centers;

''(III) 1 or more health professions shortage areas, medically underserved areas, or geographic areas or facilities similarly designated by the Public Health Service in the State;

''(IV) a Native Hawaiian organization that serves a geographical area, facility, or organization that serves a significant Native Hawaiian population;

''(V) any public agency or nonprofit organization providing services to Native Hawaiians; or

''(VI) any of the uniformed services of the United States.

''(ii) ASSIGNMENT.—The placement service for a scholarship shall assign each Native Hawaiian scholarship recipient to 1 or more appropriate sites for service in accordance with clause (i).

''(E) COUNSELING, RETENTION, AND SUPPORT SERVICES.—The provision of academic and personal counseling, retention and other support services—

''(i) shall not be limited to scholarship recipients under this section; and

''(ii) shall be made available to recipients of other scholarship and financial aid programs enrolled in appropriate health professions training programs.

''(F) FINANCIAL ASSISTANCE.—After consultation with Papa Ola Lokahi, financial assistance may be provided to a scholarship recipient during the period that the recipient is fulfilling the service requirement of the recipient in any of—

''(i) the Native Hawaiian health care systems; or

''(ii) the Native Hawaiians health centers.

''(G) DISTANCE LEARNING RECIPIENTS.—A scholarship may be provided to a Native Hawaiian who is enrolled in an appropriate distance learning program offered by an accredited educational institution.

''(2) FELLOWSHIPS.—

''(A) IN GENERAL.—Papa Ola Lokahi may provide financial assistance in the form of a fellowship to a Native Hawaiian health professional who is—

''(i) a Native Hawaiian community health representative, outreach worker, or health program administrator in a professional training program;

''(ii) a Native Hawaiian providing health services; or

''(iii) a Native Hawaiian enrolled in a certificated program provided by traditional Native Hawaiian healers in any of the traditional Native Hawaiian healing practices (including lomi-lomi, la'au lapa'au, and ho'oponopono).

''(B) TYPES OF ASSISTANCE.—Assistance under subparagraph (A) may include a stipend for, or reimbursement for costs associated with, participation in a program described in that paragraph.

''(3) RIGHTS AND BENEFITS.—An individual who is a health professional designated in section 338A of the Public Health Service Act (42 U.S.C. 254*l*) who receives a scholarship under this subsection while fulfilling a service requirement under that Act shall retain the same rights and benefits as members of the National Health Service Corps during the period of service.

''(4) NO INCLUSION OF ASSISTANCE IN GROSS INCOME.—Financial assistance provided under this section shall be considered to be qualified scholarships for the purpose of section 117 of the Internal Revenue Code of 1986.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out subsections (a) and (c)(2) for each of fiscal years 2007 through 2012.

''SEC. 12. REPORT.

''For each fiscal year, the President shall, at the time at which the budget of the United States is submitted under section 1105 of title 31, United States Code, submit to Congress a report on the progress made in meeting the purposes of this Act, including—

''(1) a review of programs established or assisted in accordance with this Act; and

''(2) an assessment of and recommendations for additional programs or additional assistance necessary to provide, at a minimum, health services to Native Hawaiians, and ensure a health status for Native Hawaiians, that are at a parity with the health services available to, and the health status of, the general population.

''SEC. 13. USE OF FEDERAL GOVERNMENT FACILITIES AND SOURCES OF SUPPLY.

''(a) IN GENERAL.—The Secretary shall permit an organization that enters into a contract or receives grant under this Act to use in carrying out projects or activities under the contract or grant all existing facilities under the jurisdiction of the Secretary (including all equipment of the facilities), in accordance with such terms and conditions as may be agreed on for the use and maintenance of the facilities or equipment.

''(b) DONATION OF PROPERTY.—The Secretary may donate to an organization that enters into a contract or receives grant under this Act, for use in carrying out a project or activity under the contract or grant, any personal or real property determined to be in excess of the needs of the Department or the General Services Administration.

''(c) ACQUISITION OF SURPLUS PROPERTY.—The Secretary may acquire excess or surplus Federal Government personal or real property for donation to an organization under subsection (b) if the Secretary determines that the property is appropriate for use by the organization for the purpose for which a contract entered into or grant received by the organization is authorized under this Act.

''SEC. 14. DEMONSTRATION PROJECTS OF NATIONAL SIGNIFICANCE.

''(a) AUTHORITY AND AREAS OF INTEREST.—

''(1) IN GENERAL.—The Secretary, in consultation with Papa Ola Lokahi, may allocate amounts made available under this Act, or any other Act, to carry out Native Hawaiian demonstration projects of national significance.

''(2) AREAS OF INTEREST.—A demonstration project described in paragraph (1) may relate to such areas of interest as—

''(A) the development of a centralized database and information system relating to the health care status, health care needs, and wellness of Native Hawaiians;

''(B) the education of health professionals, and other individuals in institutions of higher learning, in health and allied health programs in healing practices, including Native Hawaiian healing practices;

''(C) the integration of Western medicine with complementary healing practices, including traditional Native Hawaiian healing practices;

''(D) the use of telehealth and telecommunications in—

''(i) chronic and infectious disease management; and

''(ii) health promotion and disease prevention;

''(E) the development of appropriate models of health care for Native Hawaiians and other indigenous people, including—

''(i) the provision of culturally competent health services;

''(ii) related activities focusing on wellness concepts;

''(iii) the development of appropriate kupuna care programs; and

''(iv) the development of financial mechanisms and collaborative relationships leading to universal access to health care; and

''(F) the establishment of—

''(i) a Native Hawaiian Center of Excellence for Nursing at the University of Hawai'i at Hilo;

''(ii) a Native Hawaiian Center of Excellence for Mental Health at the University of Hawai'i at Manoa;

''(iii) a Native Hawaiian Center of Excellence for Maternal Health and Nutrition at the Waimanalo Health Center;

''(iv) a Native Hawaiian Center of Excellence for Research, Training, Integrated Medicine at Molokai General Hospital; and

''(v) a Native Hawaiian Center of Excellence for Complementary Health and Health Education and Training at the Waianae Coast Comprehensive Health Center.

''(3) CENTERS OF EXCELLENCE.—Papa Ola Lokahi, and any centers established under paragraph (2)(F), shall be considered to be qualified as Centers of Excellence under sections 485F and 903(b)(2)(A) of the Public Health Service Act (42 U.S.C. 287c–32, 299a–1).

''(b) NONREDUCTION IN OTHER FUNDING.—The allocation of funds for demonstration projects under subsection (a) shall not result in any reduction in funds required by the Native Hawaiian health care systems, the Native Hawaiian Health Centers, the Native Hawaiian Health Scholarship Program, or Papa Ola Lokahi to carry out the respective responsibilities of those entities under this Act.

''SEC. 15. RULE OF CONSTRUCTION.

''Nothing in this Act restricts the authority of the State to require licensing of, and issue licenses to, health practitioners.

''SEC. 16. COMPLIANCE WITH BUDGET ACT.

''Any new spending authority described in subparagraph (A) or (B) of section 401(c)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 651(c)(2)) that is provided under this Act shall be effective for any fiscal year only to such extent or in such amounts as are provided for in Acts of appropriation.

''SEC. 17. SEVERABILITY.

''If any provision of this Act, or the application of any such provision to any person or circumstance, is determined by a court of competent jurisdiction to be invalid, the remainder of this Act, and the application of the provision to a person or circumstance other than that to which the provision is held invalid, shall not be affected by that holding.''.

By Mr. BOND (for himself, Mr. LEAHY, Mr. NELSON of Nebraska, and Ms. SNOWE):

S. 430. A bill to amend title 10, United States Code, to enhance the national defense through empowerment

of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes; to the Committee on Armed Services.

Mr. LEAHY. Mr. President, today I introduce legislation about the National Guard with Senator KIT BOND, my fellow co-chair of the Senate's National Guard Caucus, and Senator BEN NELSON, a longtime caucus member and a subcommittee chair of the Senate Armed Services Committee. The National Guard Empowerment Act of 2007 would improve the management of the National Guard, and it will give the Guard more responsibility in improving our defense arrangements at home, where the Guard works in tandem with the Nation's governors to help keep our communities safe. This legislation will strengthen the National Guard, the military, and our Nation, and I believe it is something that deserves our attention and approval.

As Senators, we know all too well the many ways in which our communities rely on the National Guard. The soldiers of the National Guard, like their active duty counterparts, have expended an extraordinary amount of will and sacrifice in the wars in Afghanistan and Iraq. The National Guard comprised almost 50 percent of the forces on the ground in Iraq less than 2 years ago, and now, as the Pentagon plans to implement the President's plans for a troop escalation, the percentage of Guard troops on the ground is set to rise once again.

At the same time, we are constantly witness to the equally heralded work that the National Guard has done to increase security at home. Along with efforts to increase security along both the northern and southern borders, the Guard has bolstered security at special events across the country, including the Olympics, the national political party conventions, and events here in our Nation's capital. Most importantly, the National Guard provided the best—the very best—response of any agency, Federal, State or local, in the disastrous aftermath of Hurricane Katrina, sending tens of thousands of troops to the hardest-hit communities in relatively short order.

When you look at these examples, it is indisputable that the National Guard is only limited in what it can do for us by the authorities, policies, available equipment, responsibilities, and support that we give them.

It is time to give the Guard more tools and support to effectively carry out these responsibilities.

With the knowledge that the use of the National Guard is sure to increase in the future, the President, the Secretary of Defense, and the Chairman of the Joint Chiefs need unfettered and unmediated advice about how to utilize the force, whether balancing both the domestic and overseas missions of the National Guard or using the Guard to support the Nation's governors in domestic emergencies. Given this need for greater input on Guard matters, it is only logical that the leadership within the National Guard should be the ones doing the advising. And, as the Guard becomes more active within the military's total force, it only makes sense to increase the number of Guard generals at the highest reaches of the military command, where key force management decisions are made.

At the same time, the National Guard is in a position to deal with some of the basic missions at home that are simply not being address by the Department of Defense. We have some real heroes at the recently established Northern Command, which is working with various civilian agencies to prevent another attack at home. Yet, the processes to deal with the mission of having military support of civilian authorities in domestic emergencies are as yet undefined.

Northern command, meanwhile, is taking only perfunctory input from the nation's governors who, along with local officials, will bear much of the responsibility in disaster situations. Five years after September 11, we cannot wait to give more definition to how the military will support civil authorities in an emergency, and we cannot wait until an actual emergency to inform State governors about what resources are available to them. With some new authorities, we can give the Guard the mission of leading the effort to support civilian authorities at home and in working with the States and governors to plan for such disasters.

Elevating the National Guard bureaucratically, increasing the quality advice on the Guard to the senior command, and improving response to domestic emergencies are exactly what the provisions of the National Guard Empowerment Act will accomplish.

First, the National Guard Empowerment Act elevates the Chief of the National Guard Bureau from the rank of lieutenant general to general with four-stars, with a seat on the Joint Chiefs of Staff. This move will give the Nation's governors and adjutants general a straight line of communication to the Joint Chiefs Chairman, the Secretary of Defense, and the President. Having personnel with more knowledge and experience with the Guard involved in key budget and policy deliberations, the branches of the active duty services will be less willing to try to balance budgets on the back of the reserve forces like the Guard, which only goes against our overall ability to respond.

Second, the act gives the National Guard the responsibility of working with the States to identify gaps in their response capabilities, of setting equipment requirements, and procuring these much needed items. The act will ensure that a National Guard commander is the deputy commander of Northern Command and that the Guard—and thus, in turn, the governors—work in tandem with the command to set out specific plans to support our elected and civilian leaders in an emergency.

Let me be clear about what this legislation does not do. The Guard Empowerment Act does not make the National Guard a separate armed service. The Guard will remain an integral partner of the Army and the Air Force. Nor is the act some kind of wanton power grab. Instead, the act would bring the National Guard's bureaucratic position in line with what it is already doing and what we will expect of it in the future. Passage of the act will, utmost, not disturb or undermine our defense arrangements. Rather, it will empower the entire military to deal with critically important problems that it is simply not addressing.

This legislation has been carefully crafted over the past year and a half, and it incorporates the input we received from the adjutants general, the National Guard leadership, the governors, and key officers across the defense establishment. I would like to submit for the RECORD letters of support from the National Guard Association of the United States, the Enlisted Association of the National Guard of the United States, and the Adjutants General Association of the United States.

This drive to empower the Guard is also gaining momentum in Congress. Since 9/11 we have been asking the Guard to do more and more, and they have superbly handled their dual role at home and abroad. But strains are showing in the system. The Guard is a 21st century military organization that has to operate under a 20th century bureaucracy. The Guard's ability to help the Nation is limited only by the resources, authorities, and responsibility we give it. Let us put the trust in the men and women of the Guard that they have deserved and earned, by giving them the seat at the table that they need.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL GUARD ASSOCIATION
OF THE UNITED STATES, INC.,
Washington, DC, January 25, 2007.

Hon. PATRICK LEAHY,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEAHY: The National Guard Association of the United States continues to support the critical changes that were included in the National Defense Enhancement and National Guard Empowerment Act of 2006. We appreciate your efforts, along with Senator Bond, in introducing a new bill in the Senate that incorporates these same areas of concern.

S. 2658 was a bold step in the last session to provide the National Guard with an adequate voice in the deliberations of the Department of Defense as together we meet the future threats to the nation, both here at home and overseas.

As you know, NGAUS worked vigorously in 2006 to secure passage of S. 2658 and we have continued that aggressive support in hearings before the Commission on the National Guard and Reserve. While we regret that their deliberations have created some delay

in implementing these key solutions to National Guard issues we remain hopeful that they too will recognize the wisdom contained in the National Guard Empowerment Act of 2007.

Thank you for your assistance on behalf of the National Guard. Please let us know how we may be of further assistance in this endeavor.

Sincerely,

STEPHEN M. KOPER,
Brigadier General (Ret), President.

JANUARY 30, 2007.

Hon. BEN NELSON,
U.S. Senate, Washington, DC.
Hon. PATRICK LEAHY,
U.S. Senate, Washington, DC.
Hon. KIT BOND,
U.S. Senate, Washington, DC.
Hon. OLYMPIA SNOWE,
U.S. Senate, Washington, DC.

As you are most certainly aware the Adjutants General of the 54 states, territories, and District of Columbia have provided trained and ready National Guard forces to protect the nation inside and outside of its borders in unprecedented numbers since 9/11. Since then we have sought reform within the Department of Defense for the National Guard to fully transform from a strategic reserve to an operational reserve.

We are united in support of the National Guard Empowerment Act of 2007. The legislation contains key elements that will enhance the ability of the National Guard to equip and train for its dual role missions. Elevating the Chief, National Guard Bureau to four-star rank is needed to ensure representation at the highest levels when addressing homeland security and National Guard usage. Making the National Guard Bureau a joint activity in DoD responds directly to White House recommendations contained in its report on Hurricane Katrina. A greater National Guard presence is needed at USNORTHCOM. Your legislation does this by requiring the deputy commander to be a National Guard general. Other provisions deal with expanding opportunities for National Guard leaders to compete for top level assignments. Finally, the legislation focuses on identifying and correcting critical gaps in resources needed to protect U.S. citizens.

Recent events have demonstrated again what we all already know that the National Guard will continue to be needed at unprecedented levels for missions impossible to contemplate. The National Guard will be part of the build up in Iraq to finally defeat terrorist and sectarian elements which will require extraordinary sacrifices by families and employers. The National Guard continues to assist in securing the nation's southwest border.

The National Guard Empowerment Act of 2007 is comprehensive and visionary. It acknowledges how the nature of warfare and national security has changed and offers bold changes to reshape military leadership to meet new threats. Testimony from DoD's highest leaders to the Commission on National Guard and Reserve in December indicates that no other plan is in work to strengthen the voice of the National Guard in the halls of the Pentagon.

You can count on support from the Adjutants General Association of the United States in seeking critical changes that will assure a strong National Guard ready to serve this great nation domestically and fighting terrorism.

Sincerely,

ROGER P. LEMPKE,
Major General, President.

EANGUS,
Alexandria, VA, January 25, 2007.

Hon. PATRICK LEAHY,
U.S. Senate, Washington, DC.
Hon. CHRISTOPHER BOND,
U.S. Senate, Washington, DC.

The Enlisted Association of the National Guard of the United States (EANGUS) is the only military service association that represents the interests of every enlisted soldier and airmen in the Army and Air National Guard. With a constituency base of over 414,000 soldiers and airmen, their families, and a large retiree membership, EANGUS engages Capitol Hill on behalf of courageous Guard persons across this nation.

On behalf of EANGUS, and the soldiers and airmen it represents, I'd like to communicate our support for legislation to elevate the position of Chief National Guard Bureau to General, to place the Chief on the Joint Chiefs of Staff, and to enhance the responsibilities of the Chief of the National Guard Bureau and the functions of the National Guard Bureau. For years, the Chief of the National Guard Bureau, and the National Guard as a whole, has deliberately been in the shallow end of the resource pool, bearing the brunt of budget cuts to the Army and Air Force, and having to "take it out of hide" to accomplish federal and state missions that were required by statute but not fully funded by the services or Department of Defense.

Our association stands firm in support of Congressional action to remedy this long-endured and untenable situation. The lack of trust and respect of the National Guard by DOD political and military leaders, as well as the service secretaries, the consistent under-funding of National Guard appropriations accounts, and the intentional lack of communication and coordination all have the probability of being rectified by this legislation by making the National Guard a full player in the decision-making and appropriations process.

Thank you for taking legislative action that is not only timely, but unfortunately necessary, and long overdue. We look forward to working with your staff as this legislation works its way into law.

Working for America's Best!

MSG MICHAEL P. CLINE, USA (RET),
Executive Director.

By Mr. SCHUMER (for himself and Mr. MCCAIN):

S. 431. A bill to require convicted sex offenders to register online identifiers, and for other purposes; to the Committee on the Judiciary.

Mr. MCCAIN. Mr. President, I am pleased to join my colleague, Senator SCHUMER, in sponsoring the "Keeping the Internet Devoid of Sexual-Predators Act of 2007," otherwise known as the KIDS Act. This bill would require a convicted sex offender to register any e-mail address, instant message address or other similar Internet identifying information the sex offender uses or may use with the Department of Justice's National Sex Offender Registry. This information would then be made available to commercial social networking websites for the purpose of screening the website's user database to ensure convicted sex offenders are not using the website to prey on innocent children.

The Internet is likely the greatest invention of the 21st century; however, it has also brought ready access to millions of children by would be pedophiles. There are thousands of social networking websites and chat rooms where children post personal information about themselves hoping to connect with other children. Many children who access the Internet in a safe environment, such as their home or school, combined with the natural trust of a child, forget that they are sharing personal information with complete strangers. This allows strangers that a child would likely never speak with in the "real world" to prey on children more easily.

In a Pew Internet and American Life survey released earlier this month, 55 percent of adolescents polled said they have posted a profile on a social networking website, and 48 percent of adolescents polled say they visit a social networking website every day. These statistics prove that the fight to protect our children from sexual predators has moved from the playground to the Internet.

For this reason, Senator SCHUMER and I are introducing legislation that would enable social networking websites to protect their young users from convicted sex offenders. By requiring sex offenders to register e-mail addresses and other Internet identifying information with the Department of Justice, and allowing the Department to offer this information to commercial social networking websites, Congress is providing websites with the tools to come forth with innovative solutions to protect children. A similar proposal was included in S. 4089, the Stop the Exploitation of Our Children Act of 2006, which I introduced on December 6, 2006.

According to the same Pew Internet and American life survey, fully 85 percent of adolescents who have created an online profile say the profile they use or update most often is on MySpace, while 7 percent update a profile on Facebook. Consequently, I am pleased to report that both MySpace and Facebook endorse the KIDS Act. I look forward to other commercial social networking websites endorsing the bill and using the registry information after the bill is signed into law. Additionally, the bill is endorsed by the American Family Association. We all know that engaged parents are the best deterrent against sexual predators looking to prey on our children on the Internet. Parents that monitor their children's access to the Internet or are present when the child or adolescent is on-line are able to better ensure their children are not drawn into inappropriate online conversations with sexual predators.

Last week I received an e-mail from a police detective who investigates Internet sex crimes in Ohio. The detective gave his full endorsement for this legislation stating, "What a great idea . . . [Congress] continues to arm us with great legislation to help protect our nation's children." I agree and

hope my colleagues will join with Senator SCHUMER and me in supporting this bill to give websites and law enforcement this important tool in their fight to protect our children.

By Mr. OBAMA:

S. 433. A bill to state United States policy for Iraq, and for other purposes; to the Committee on Foreign Relations.

Mr. OBAMA. Mr. President, there are countless reasons that the American people have lost confidence in the President's Iraq policy, but chief among them has been the Administration's insistence on making promises and assurances about progress and victory that have no basis whatsoever in the reality of the facts on the ground.

We have been told that we would be greeted as liberators. We have been promised that the insurgency was in its last throes. We have been assured again and again that we were making progress, that the Iraqis would soon stand up, that our brave sons and daughters could soon stand down. We have been asked to wait, and asked to be patient, and asked to give the President and the new Iraqi government six more months, and then six more months after that, and then six more months after that.

Despite all of this, a change of course still seemed possible. Back in November, the American people had voted for a new direction in Iraq. Secretary Rumsfeld was on his way out at the Pentagon. The Iraq Study Group was poised to offer a bipartisan consensus. The President was conducting his own review. After years of missteps and mistakes, it was time for a responsible policy grounded in reality, not ideology.

Instead, the President ignored the counsel of expert civilians and experienced soldiers, the hard-won consensus of prominent Republicans and Democrats, and the clear will of the American people.

The President's decision to move forward with this escalation anyway, despite all evidence and military advice to the contrary, is the terrible consequence of the decision to give him the broad, open-ended authority to wage this war in 2002. Over four years later, we cannot revisit that decision or reverse its outcome, but we can do what we didn't back then and refuse to give this President more open-ended authority for this war.

The U.S. military has performed valiantly and brilliantly in Iraq. Our troops have done all we have asked them to do and more. But no quantity of American soldiers can solve the political differences at the heart of somebody else's civil war, nor settle the grievances in the hearts of the combatants.

I cannot in good conscience support this escalation. As the President's own military commanders have said, escalation only prevents the Iraqis from taking more responsibility for their own future. It's even eroding our efforts in the wider war on terror, as some of the extra soldiers could come directly from Afghanistan, where the Taliban has become resurgent.

The course the President is pursuing fails to recognize the fundamental reality that the solution to the violence in Iraq is political, not military. He has offered no evidence that more U.S. troops will be able to pressure Shiites, Sunnis, and Kurds towards the necessary political settlement, and he's attached no conditions or consequences to his plan should the Iraqis fail to make progress.

In fact, just a few weeks ago, when I repeatedly asked Secretary Rice what would happen if the Iraqi government failed to meet the benchmarks that the Administration has called for, she could not give me an answer. When I asked her if there were any circumstances whatsoever in which we would tell the Iraqis that their failure to make progress would mean the end of our military commitment, she still could not give me an answer.

This is not good enough. When you ask how many more months and how many more lives it will take to end a policy that everyone knows has failed, ''I don't know'' isn't good enough.

Over the past four years, we have given this Administration chance after chance to get this right, and they have disappointed us so many times. That is why Congress now has the duty to prevent even more mistakes. Today, I am introducing legislation that rejects this policy of escalation, and implements a comprehensive approach that will promote stability in Iraq, protect our interests in the region, and bring this war to a responsible end.

My legislation essentially puts into law the speech I gave in November, 2006, and is, I believe, the best strategy for going forward.

The bill implements—with the force of law—a responsible redeployment of our forces out of Iraq, not a precipitous withdrawal. It implements key recommendations of the bipartisan Iraq Study Group. It applies real leverage on the Iraqis to reach the political solution necessary to end the sectarian violence that is tearing Iraq apart. It holds the Iraqi government accountable, making continued U.S. support conditional on concrete Iraqi progress. It respects the role of military commanders, while fulfilling Congress's responsibility to uphold the Constitution and heed the will of the American people.

First, this legislation caps the number of U.S. troops in Iraq at the number in Iraq on January 10, 2007—the day the President gave his ''surge speech'' to the nation. This cap could not be lifted without explicit authorization by the Congress.

Yet our responsibilities to the American people and to our servicemen and women go beyond opposing this ill-conceived escalation. We must fashion a comprehensive strategy to accomplish what the President's surge fails to do: pressure the Iraqi government to reach a political settlement, protect our interests in the region, and bring this war to a responsible end.

That is why my legislation commences a phased redeployment of U.S. troops to begin on May 1, 2007 with a goal of having all combat brigades out of Iraq by March 31, 2008, a date that is consistent with the expectation of the Iraq Study Group. The legislation provides exceptions for force protection, counterterrorism, and training of Iraqi security forces.

To press the Iraqi government to act, this drawdown can be suspended for 90-day periods if the President certifies and the Congress agrees that the Iraqi government is meeting specific benchmarks and the suspension is in the national security interests of the United States. These benchmarks include: Meeting security responsibilities. The Iraqi government must deploy brigades it promised to Baghdad, lift restrictions on the operations of the U.S. military, and make significant progress toward assuming full responsibility for the security of Iraq's provinces. Cracking down on sectarian violence. The Iraqi government must make significant progress toward reducing the size and influence of sectarian militias, and the presence of militia elements within the Iraqi Security Forces. Advancing national reconciliation. The Iraqi government must pass legislation to share oil revenues equitably; revise de-Baathification to enable more Iraqis to return to government service; hold provisional elections by the end of the year; and amend the Constitution in a manner that sustains reconciliation. Making economic progress. The Iraqi government must make available at least $10,000,000,000 for reconstruction, job creation, and economic development as it has promised to do. The allocation of these resources, the provision of services, and the administration of Iraqi Ministries must not proceed on a sectarian basis.

These benchmarks reflect actions proposed by the President and promised by the Iraqi government. It is time to hold them accountable.

Recognizing that the President has not been straightforward with the American people about the war in Iraq, my legislation allows the Congress—under expedited procedures—to overrule a Presidential certification and continue the redeployment.

Time and again, we have seen deadlines for Iraqi actions come and go—with no consequences. Time and again we have heard pledges of progress from the administration—followed by a descent into chaos. The commitment of U.S. troops to Iraq represents our best leverage to press the Iraqis to act. And the further commitment of U.S. economic assistance to the Government of Iraq must be conditional on Iraqi action.

As the U.S. drawdown proceeds, my legislation outlines how U.S. troops

should be redeployed back to the United States and to other points in the region. In the region, we need to maintain a substantial over-the-horizon force to prevent the conflict in Iraq from becoming a wider war, to reassure our allies, and to protect our interests. And we should redeploy forces to Afghanistan, so we not just echo—but answer—NATO's call for more troops in this critical fight against terrorism.

Within Iraq, we may need to maintain a residual troop presence to protect U.S. personnel and facilities, go after international terrorists, and continue training efforts. My legislation allows for these critical but narrow exceptions as the redeployment proceeds and is ultimately completed.

My legislation makes it U.S. policy to undertake a comprehensive diplomatic strategy to promote a political solution within Iraq, and to prevent wider regional strife. This diplomatic effort must include our friends in the region, but it should also include Syria and Iran, who need to be part of the conversation about stabilizing Iraq. Not talking is getting us nowhere. Not talking is not making us more secure, nor is it weakening our adversaries.

The President should appoint a special envoy with responsibility to implement this regional engagement. And as we go forward, we must make it clear that redeployment does not mean disengagement from the region. On the contrary, it is time for a more comprehensive engagement that skillfully uses all tools of American power.

Finally, my legislation compels the President to formulate a strategy to prevent the war in Iraq from becoming a wider conflagration.

Let me conclude by saying that there are no good options in Iraq. We cannot undo the mistake of that congressional authorization, or the tragedies of the last four years.

Just as I have been constant in my strong opposition to this war, I have consistently believed that opposition must be responsible. As reckless as we were in getting into Iraq, we have to be as careful getting out. We have significant strategic interests in Iraq and the region. We have a humanitarian responsibility to help the Iraqi people. Above all, we have an obligation to support our courageous men and women in uniform—and their families back home—who have sacrificed beyond measure.

It is my firm belief that the responsible course of action—for the United States, for Iraq, and for our troops—is to oppose this reckless escalation and to pursue a new policy. This policy is consistent with what I have advocated for well over a year, with many of the recommendations of the bipartisan Iraq Study Group, and with what the American people demanded in November.

When it comes to the war in Iraq, the time for promises and assurances, for waiting and patience, is over. Too many lives have been lost and too many billions have been spent for us to trust the President on another tried and failed policy opposed by generals and experts, Democrats and Republicans, Americans and even the Iraqis themselves. It is time to change our policy. It is time to give Iraqis their country back. And it is time to refocus America's efforts on the wider struggle against terror yet to be won.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. REED, Ms. CANTWELL, Mr. LIEBERMAN, Mr. LEAHY, Mr. COLEMAN, and Mr. INOUYE):

S. 434. A bill to amend title XXI of the Social Security Act to permit qualifying States to use a portion of their allotments under the State children's health insurance program for any fiscal year for certain Medicaid expenditures; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, since the passage of the Children's Health Insurance Program, or CHIP, in 1997, a group of States that expanded coverage to children in Medicaid prior to the enactment of CHIP has been unfairly penalized for that expansion. States are not allowed to use the enhanced matching rate available to other States for children at similar levels of poverty under the act. As a result, a child in the States of New York, Florida, and Pennsylvania, because they were grandfathered in the original act or in Iowa, Montana, or a number of other States at 134 percent of poverty is eligible for an enhanced matching rate in CHIP but that has not been the case for States such as New Mexico, Vermont, Washington, Rhode Island, Hawaii, and a number of others, including Connecticut, Tennessee, Minnesota, New Hampshire, Wisconsin, and Maryland.

As the health policy statement by the National Governors' Association reads, ''The Governors believe that it is critical that innovative states not be penalized for having expanded coverage to children before the enactment of S–CHIP, which provides enhanced funding to meet these goals. To this end, the Governors support providing additional funding flexibility to states that had already significantly expanded coverage of the majority of uninsured children in their states.''

For 6 years, our group of States have sought to have this inequity addressed. Early in 2003, I introduced the ''Children's Health Equity of 2003'' with Senators JEFFORDS, MURRAY, LEAHY, and Ms. CANTWELL and we worked successfully to get a compromise worked out for inclusion in S. 312 by Senators ROCKEFELLER, and CHAFEE. This compromise extended expiring CHIP allotments only for fiscal years 1998 through 2001 in order to meet budgetary caps.

The compromise allowed States to be able to use up to 20 percent of our State's CHIP allotments to pay for Medicaid eligible children about 150 percent of poverty that were part of our State's expansions prior,to the enactment of CHIP. That language was maintained in conference and included in H.R. 2854 that was signed by the President as Public Law 108–74. Unfortunately, a slight change was made in the conference language that excluded New Mexico and Hawaii, Maryland, and Rhode Island needed specific changes so an additional bill was passed, H.R. 3288, and signed into law as Public Law 108–107, on November 17, 2003. This second bill included language from legislation that I introduced with Senator DOMENICI, S. 1547, to address the problem caused to New Mexico by the conference committee's change. Unfortunately, one major problem with the compromise was that it must be periodically reauthorized. Most recently, this authority was renewed through Fiscal Year 2007 in Section 201(b) of the National Institutes of Health Reform Act of 2006, Pub. L. No 109–482. Without future authority, the inequity would continue with CHIP allotments.

This legislation would address that problem and ensure that all future allotments give these 11 States the flexibility to use up to 20 percent of our CHIP allotments to pay for health care services of children. In order to bring these requirements in-line with those of other states, it also would lower the threshold at which New Mexico and other effected states could utilize the funds from 150 percent of the Federal poverty level to 125 percent.

This rather technical issue has real and negative consequences in States such as New Mexico. In fact, due to the CHIP inequity, New Mexico has been allocated $266 million from CHIP between fiscal years 1998 and 2002, and yet, has only been able to spend slightly over $26 million as of the end of last fiscal year. In other words, New Mexico has been allowed to spend less than 10 percent of its federal CHIP allocations.

This legislation would correct this problem.

The bill does not take money from other States's CHIP allotments. It simply allows our States to spend our States' specific CHIP allotments from the Federal Government on our uninsured children—just as other States across the country are doing.

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. 434

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 ''Children's Health Equity Technical Amendments Act of 2007''.

SEC. 2. AUTHORITY FOR QUALIFYING STATES TO USE PORTION OF SCHIP ALLOTMENT FOR ANY FISCAL YEAR FOR CERTAIN MEDICAID EXPENDITURES.

(a) IN GENERAL.—Section 2105(g)(1)(A) of the Social Security Act (42 U.S.C.

1397ee(g)(1)(A)), as amended by section 201(b) of the National Institutes of Health Reform Act of 2006 (Public Law 109–482) is amended by striking ''fiscal year 1998, 1999, 2000, 2001, 2004, 2005, 2006, or 2007'' and inserting ''a fiscal year''.

(b) MODIFICATION OF ALLOWABLE EXPENDITURES.—Section 2105(g)(1)(B)(ii) of such Act (42 U.S.C. 1397ee(g)(1)(B)(ii)) is amended by striking ''150'' and inserting ''125''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007, and shall apply to expenditures made on or after that date.

By Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. DORGAN, Mr. ENZI, Ms. COLLINS, Mr. HAGEL, Mr. HARKIN, Mr. SCHUMER, Mr. LEAHY, Mr. LEVIN, Mr. SPECTER, Mr. NELSON of Nebraska, and Mr. SANDERS):

S. 435. A bill to amend title 49, United States Code, to preserve the essential air service program; to the Committee on Commerce, Science, and Transportation.

Mr. BINGAMAN. Mr. President, I rise today with 12 other senators to introduce the bipartisan Essential Air Service Preservation Act of 2007. I am pleased again to have my colleague Senator SNOWE as the principal cosponsor of the bill. Senator SNOWE has been a long-time champion of commercial air service in rural areas, and I appreciate her continued leadership on this important legislation. Senators DORGAN, ENZI, COLLINS, HAGEL, HARKIN, SCHUMER, LEAHY, LEVIN, SPECTER, BEN NELSON, and SANDERS are also cosponsors of the bill.

Congress established the Essential Air Service Program in 1978 to ensure that communities that had commercial air service before airline deregulation would continue to receive scheduled service. Without EAS, many rural communities would have no commercial air service at all.

Our bill is very simple. It preserves Congress' intent in the Essential Air Service program by repealing a provision in the 2003 FAA reauthorization bill that would for the first time require communities to pay for their commercial air service. The legislation that imposed mandatory cost sharing on communities to retain their commercial air service had been stricken from both the House and Senate versions of the FAA reauthorization bill, but was reinserted by conferees. I believe that any program that forces communities to pay to continue to receive their commercial air service could well be the first step in the total elimination of scheduled air service for many rural communities.

In response, every year since mandatory cost sharing was enacted Congress has blocked it from being implemented. Since 2003, a bipartisan group of senators have included language in each of the Department of Transportation's appropriations acts that bars the use of funds to implement the mandatory cost sharing program. Our bill would simply make Congress' ongoing ban permanent.

All across America, small communities face ever-increasing hurdles to promoting their economic growth and development. Today, many rural areas lack access to interstate or even four-lane highways, railroads or broadband telecommunications. Business development in rural areas frequently hinges on the availability of scheduled air service. For small communities, commercial air service provides a critical link to the national and international transportation system.

The Essential Air Service Program currently ensures commercial air service to over 100 communities in thirty-five States. EAS supports an additional 39 communities in Alaska. Because of increasing costs and the continuing financial turndown in the aviation industry, particularly among commuter airlines, about 40 additional communities have been forced into the EAS program since the terrorist attacks in 2001.

In my State of New Mexico, five cities currently rely on EAS for their commercial air service. The communities are Clovis, Hobbs, Carlsbad, Alamogordo and my hometown of Silver City. In each case commercial service is provided to Albuquerque, the State's business center and largest city.

I believe this ill-conceived proposal requiring cities to pay to continue to have commercial air service could not come at a worse time for small communities already facing depressed economies and declining tax revenues.

As I understand it, the mandatory cost-sharing requirements could affect communities in as many as 22 states. These communities could be forced to pay as much s $130,000 per year to maintain their current air service. Based on an analysis by my staff, the individual cities that could be affected are as follows:

Alabama, Muscle Shoals; Arizona, Prescott, Kingman; Arkansas, Hot Springs, Harrison, Jonesboro; California, Merced, Visalia; Colorado, Pueblo; Georgia, Athens; Iowa, Fort Dodge, Burlington; Kansas, Salina; Kentucky, Owensboro; Maine, Augusta, Rockland; Maryland, Hagerstown; Michigan, Iron Mt.; Mississippi, Laurel; Missouri, Joplin, Ft. Leonard Wood; New Hampshire, Lebanon; New Mexico, Hobbs, Alamogordo, Clovis; New York, Watertown, Jamestown, Plattsburgh; Pennsylvania, Johnstown, Oil City, Bradford, Altoona, Lancaster; South Dakota, Brookings, Watertown; Tennessee, Jackson; Vermont, Rutland; West Virginia, Clarksburg/Fairmont, Morgantown.

This year the Senate Commerce Committee and its Aviation Subcommittee will be taking up the reauthorization of aviation programs. I look forward to working with my colleagues Chairmen INOUYE and ROCKEFELLER and Ranking Members STEVENS and LOTT to improve commercial air service programs for rural areas. I do believe our bill is one important step in that process.

As I see it, the choice here is clear: If we do not preserve the Essential Air Service Program today, we could soon see the end of all commercial air service in rural areas. The EAS program provides vital resources that help link rural communities to the national and global aviation system. Our bill will preserve the essential air service program and help ensure that affordable, reliable, and safe air service remains available in rural America. Congress is already on record opposing any mandatory cost sharing. I hope all senators will once again join us in opposing this attack on rural America.

I ask unanimous consent that the text of the bill be printed in the RECORD.

Ms. SNOWE. Mr. President, I rise today to join my colleague, Senator BINGAMAN, to introduce the bipartisan Essential Air Service Preservation Act. I am proud to join with Senator BINGAMAN, who has been a steadfast and resolute guardian of commercial aviation service to all communities, particularly rural areas that would otherwise be deprived of any air service.

I have always believed that reliable air service in our Nation's rural areas is not simply a luxury or a convenience. It is an imperative. It is a critical element of economic development, vital to move people and goods to and from areas that may otherwise have dramatically limited transportation options. Quite frankly, I have long held serious concerns about the impact deregulation of the airline industry has had on small- and medium-size cities in rural areas, like Maine. That fact is, since deregulation, many small- and medium-size communities, in Maine and elsewhere, have experienced a decrease in flights and size of aircraft while seeing an increase in fares. More than 300 have lost air service altogether.

This legislation will strike a detrimental provision in the 2003 Federal Aviation Reauthorization. This provision, which would require communities to actually pay to continue to participate in a program that already acknowledges their economic hardship, is patently unfair. Ignoring the promise of the EAS, to protect these communities after deregulating the airlines in 1978, is not an option. Our colleagues have clearly greed with our position, as this provision has been struck down in every appropriations bill since the passage of the 2003 reauthorization. Our bill would make this prohibition permanent.

EAS-eligible communities typically have financial problems of their own and rely heavily on the program for economic development purposes. It is obvious to me, Senator BINGAMAN, and many of my colleagues, that if the 2003 proposal were enacted, it would mean the end of EAS service in dozens of cities and towns across the country. In Maine, which has four participants in the integral EAS program, we would suffer the possible loss of half of our EAS airports. In a small, rural State like Maine, such a reduction would be disastrous to our economy. That is why

I feel compelled to reintroduce this legislation.

In closing, the truth is, everyone benefits when our Nation is at its strongest economically. Most importantly in this case, greater prosperity everywhere, including in rural America, will, in the long run, mean more passengers for the airlines. Therefore, it is very much in our national interests to ensure that every region has reasonable access to air service. And that's why I strongly believe the Federal Government has an obligation to fulfill the commitment it made to these communities in 1978 to safeguard their ability to continue commercial air service.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 435

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 ''Essential Air Service Preservation Act of 2007''.

SEC. 2. REPEAL OF EAS LOCAL PARTICIPATION PROGRAM.

(a) IN GENERAL.—Subchapter II of chapter 417 of title 49, United States Code, is amended by striking section 41747, and such title shall be applied as if such section 41747 had not been enacted.

(b) CLERICAL AMENDMENT.—The chapter analysis at the beginning of such chapter is amended by striking the item relating to section 41747.

By Mr. FEINGOLD:

S. 436. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on Finance.

Mr. FEINGOLD. Mr. President, today I will introduce a bill to repair and strengthen the presidential public financing system. The Presidential Funding Act of 2007 will ensure that this system will continue to fulfill its promise in the 21st century. The bill will take effect in January 2009, so it will first apply in the 2012 presidential election.

The presidential public financing system was put into place in the wake of the Watergate scandals as part of the Federal Election Campaign Act of 1974. It was held to be constitutional by the Supreme Court in Buckley v. Valeo. The system, of course, is voluntary, as the Supreme Court required in Buckley. Every major party nominee for President since 1976 has participated in the system for the general election and, prior to 2000, every major party nominee had participated in the system for the primary election, too. In the last election, President Bush and two Democratic candidates, Howard Dean and the eventual nominee JOHN KERRY, opted out of the system for the presidential primaries. President Bush and Senator KERRY elected to take the taxpayer-funded grant in the general election. President Bush also opted out of the system for the Republican primaries in 2000 but took the general election grant.

It is unfortunate that the matching funds system for the primaries has become less practicable. The system protects the integrity of the electoral process by allowing candidates to run viable campaigns without becoming overly dependent on private donors. The system has worked well in the past, and it is worth repairing so that it can work in the future. If we don't repair it, the pressures on candidates to opt out will increase until the system collapses from disuse.

This bill makes changes to both the primary and general election public financing system to address the weaknesses and problems that have been identified by participants in the system, experts on the presidential election financing process, and an electorate that is increasingly dismayed by the influence of money in politics. First and most important, it eliminates the State-by-State spending limits in the current law and substantially increases the overall spending limit from the current limit of approximately $45 million to $150 million, of which up to $100 million can be spent before April 1 of the election year. This should make the system much more viable for serious candidates facing opponents who are capable of raising significant sums outside the system. The bill also makes available substantially more public money for participating candidates by increasing the match of small contributions from 1:1 to 4:1.

One very important provision of this bill ties the primary and general election systems together and requires candidates to make a single decision on whether to participate. Candidates who opt out of the primary system and decide to rely solely on private money cannot return to the system for the general election. And candidates must commit to participate in the system in the general election if they want to receive Federal matching funds in the primaries. The bill also increases the spending limits for participating candidates in the primaries who face a nonparticipating opponent if that opponent raises more than 20 percent more than the spending limit. This provides some protection against being far outspent by a nonparticipating opponent. Additional grants of public money are also available to participating candidates who face a nonparticipating candidate spending substantially more than the spending limit.

The bill also sets the general election spending limit at $100 million, indexed for inflation. And if a general election candidate does not participate in the system and spends more than 20 percent more than the combined primary and general election spending limits, a participating candidate will receive a grant equal to twice the general election spending limit.

This bill also addresses what some have called the ''gap'' between the primary and general election seasons. Presumptive presidential nominees have emerged earlier in the election year over the life of the public financing system. This has led to some nominees being essentially out of money between the time that they nail down the nomination and the convention where they are formally nominated and become eligible for the general election grant. For a few cycles, soft money raised by the parties filled in that gap, but the Bipartisan Campaign Reform Act of 2002 fortunately has now closed that loophole. This bill allows candidates who are still in the primary race as of April 1 to spend an additional $50 million. In addition, the bill allows the political parties to spend up to $25 million between April 1 and the date that a candidate is nominated and an additional $25 million after the nomination. The total amount of $50 million is over three times the amount allowed under current law. This should allow any gap to be more than adequately filled.

Obviously, these changes make this a more generous system. So the bill also makes the requirement for qualifying more difficult. To be eligible for matching funds, a candidate must raise $25,000 in matchable contributions—up to $200 for each donor—in at least 20 States. That is five times the threshold under current law.

The bill also makes a number of changes in the system to reflect the changes in our presidential races over the past several decades. For one thing, it makes matching funds available starting six months before the date of the first primary or caucus, that's approximately 6 months earlier than is currently the case. For another, it sets a single date for release of the public grants for the general election—the Friday before Labor Day. This addresses an inequity in the current system, under which the general election grants are released after each nominating convention, which can be several weeks apart.

The bill also prohibits federal elected officials and candidates from soliciting soft money for use in funding the party and requires presidential candidates to disclose bundled contributions. Additional provisions, and those I have discussed in summary form here, are explained in a section-by-section analysis of the bill that I ask unanimous consent to be printed in the RECORD, following my statement. I will also ask unanimous consent that the text of the bill itself be printed in the RECORD.

The purpose of this bill is to improve the campaign finance system, not to advance one party's interests. In fact, this is an excellent time to make changes in the Presidential public funding system. The 2008 presidential campaign, which is already underway, will undoubtedly be the most expensive in history. It is likely that a number of candidates from both parties will once again opt out of the primary matching funds system, and some experts predict that one or both major party nominees will even refuse public grants for the

general election period. It is too late to make the changes needed to repair the system for the 2008 election. But if we act now, we can make sure that an updated and revised system is in place for the 2012 election. If we act now, I am certain that the 2008 campaign cycle will confirm our foresight. If we do nothing, 2008 will continue and accelerate the slide of the current system into irrelevancy.

Fixing the presidential public financing system will cost money, but our best calculations at the present time indicate that the changes to the system in this bill can be paid for by raising the income tax check-off on an individual return from $3 to just $10. The total cost of the changes to the system, based on data from the 2004 elections, is projected to be around $360 million over the 4-year election cycle. To offset that increased cost, this bill caps taxpayer subsidies for promotion of agricultural products, including some brand-name goods, by limiting the Market Access Program to $100 million per year.

Though the numbers are large, this is actually a very small investment to make to protect our democracy and preserve the integrity of our presidential elections. The American people do not want to see a return to the pre-Watergate days of unlimited spending on presidential elections and candidates entirely beholden to private donors. We must act now to ensure the fairness of our elections and the confidence of our citizens in the process by repairing the cornerstone of the Watergate reforms.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESIDENTIAL FUNDING ACT OF 2006—SECTION BY SECTION ANALYSIS

SECTION 1: SHORT TITLE

SECTION 2: REVISIONS TO SYSTEM OF PRESIDENTIAL PRIMARY MATCHING PAYMENTS

(a) Matching Funds: Current law provides for a 1-to-1 match, where up to $250 of each individual's contributions for the primaries is matched with $250 in public funds. Under the new matching system, individual contributions of up to $200 from each individual will be matched at a 4–to-l ratio, so $200 in individual contributions can be matched with $800 from public funds.

Candidates who remain in the primary race can also receive an additional 1-to-1 match of up to $200 of contributions received after March 31 of a presidential election year. This additional match applies both to an initial contribution made after March 31 and to contributions from individuals who already gave $200 or more prior to April 1.

The bill defines ''contribution'' as ''a gift of money made by a written instrument which identifies the person making the contribution by full name and mailing address.''

(b) Eligibility for matching funds: Current law requires candidates to raise $5,000 in matchable contributions (currently $250 or less) in 20 states. To be eligible for matching funds under this bill, a candidate must raise $25,000 of matchable contributions (up to $200 per individual donor) in at least 20 states.

In addition, to receive matching funds in the primary, candidates must pledge to apply for public money in the general election if nominated and to not exceed the general election spending limits.

(c) Timing of payments: Current law makes matching funds available on January 1 of a presidential election year. The bill makes such funds available six months prior to the first state caucus or primary.

SECTION 3: REQUIRING PARTICIPATION IN PRIMARY PAYMENT SYSTEM AS CONDITION OF ELIGIBILITY FOR GENERAL ELECTIONS PAYMENTS

Currently, candidates can participate in either the primary or the general election public financing system, or both. Under the bill, a candidate must participate in the primary matching system in order to be eligible to receive public funds in the general election.

SECTION 4: REVISIONS TO EXPENDITURE LIMITS

(a) Spending limits for candidates: In 2004, under current law, candidates participating in the public funding system had to abide by a primary election spending limit of about $45 million and a general election spending limit of about $75 million (all of which was public money). The bill sets a total primary spending ceiling for participating candidates in 2008 of $150 million, of which only $100 million can be spent before April 1. State by state spending limits are eliminated. The general election limit, which the major party candidates will receive in public funds, will be $100 million.

(b) Spending limit for parties: Current law provides a single coordinated spending limit for national party committees based on population. In 2004 that limit was about $15 million. The bill provides two limits of $25 million. The first applies after April 1 until a candidate is nominated. The second limit kicks in after the nomination. Any part of the limit not spent before the nomination can be spent after. In addition, the party coordinated spending limit is eliminated entirely until the general election public funds are released if there is an active candidate from the opposing party who has exceeded the primary spending limits by more than 20 percent.

This will allow the party to support the presumptive nominee during the so-called ''gap'' between the end of the primaries and the conventions. The entire cost of a coordinated party communication is subject to the limit if any portion of that communication has to do with the presidential election.

(c) Inflation adjustment: Party and candidate spending limits will be indexed for inflation, with 2008 as the base year.

(d) Fundraising expenses: Under the bill, all the costs of fundraising by candidates are subject to their spending limits.

SECTION 5: ADDITIONAL PAYMENTS AND INCREASED EXPENDITURES LIMITS FOR CANDIDATES PARTICIPATING IN PUBLIC FINANCING WHO FACE CERTAIN NONPARTICIPATING OPPONENTS

(a) Primary candidates: When a participating candidate is opposed in a primary by a nonparticipating candidate who spends more than 120 percent of the primary spending limit ($100 million prior to April 1 and $150 million after April 1), the participating candidate will receive a 5-to–1 match, instead of a 4–to–1 match for contributions of less than $200 per donor. That additional match applies to all contributions received by the participating candidate both before and after the nonparticipating candidate crosses the 120 percent threshold. In addition, the participating candidate's primary spending limit is raised by $50 million when a nonparticipating candidate raise spends more than the 120 percent of either the $100 million (before April 1) or $150 million (after April 1) limit. The limit is raised by another $50 million if the nonparticipating candidate spends more than 120 percent of the increased limit. Thus, the maximum spending limit in the primary would be $250 million if an opposing candidate has spent more than $240 million.

(b) General election candidates: When a participating candidate is opposed in a general election by a nonparticipating candidate who spends more than 120 percent of the combined primary and general election spending limits, the participating candidate shall receive an additional grant of public money equal to the amount provided for that election—$100 million in 2008. Minor party candidates are also eligible for an additional grant equal to the amount they otherwise receive (which is based on the performance of that party in the previous presidential election).

(c) Reporting and Certification: In order to provide for timely determination of a participating candidate's eligibility for increased spending limits, matching funds, and/or general election grants, non-participating candidates must notify the FEC within 24 hours after receiving contributions or making expenditures of greater than the applicable 120 percent threshold. Within 24 hours of receiving such a notice, the FEC will inform candidates participating in the system of their increased expenditure limits and will certify to the Secretary of the Treasury that participating candidates are eligible to receive additional payments.

SECTION 6: ESTABLISHMENT OF UNIFORM DATE FOR RELEASE OF PAYMENTS FROM PRESIDENTIAL ELECTIONS CAMPAIGN FUNDS TO ELIGIBLE CANDIDATES

Under current law, candidates participating in the system for the general election receive their grants of public money immediately after receiving the nomination of their party, meaning that the two major parties receive their grants on different dates. Under the bill, all candidates eligible to receive public money in the general election would receive that money on the Friday before Labor Day, unless a candidate's formal nomination occurs later.

SECTION 7: REVISIONS TO DESIGNATION OF INCOME TAX PAYMENTS BY INDIVIDUAL TAXPAYERS

The tax check-off is increased from $3 (individual) and $6 (couple) to $10 and $20. The amount will be adjusted for inflation, and rounded to the nearest dollar, beginning in 2009.

The IRS shall require by regulation that electronic tax preparation software does not automatically accept or decline the tax checkoff. The FEC is required to inform and educate the public about the purpose of the Presidential Election Campaign Fund (''PECF'') and how to make a contribution. Funding for this program of up to $10 million in a four year presidential election cycle, will come from the PECF.

SECTION 8: AMOUNTS IN PRESIDENTIAL ELECTION CAMPAIGN FUND

Under current law, in January of an election year if the Treasury Department determines that there are insufficient funds in the PECF to make the required payments to participating primary candidates, the party conventions, and the general election candidates, it must reduce the payments available to participating primary candidates and it cannot make up the shortfall from any other source until those funds come in. Under the bill, in making that determination the Department can include an estimate of the amount that will be received by the PECF during that election year, but the estimate cannot exceed the past three years' average contribution to the fund. This will allow primary candidates to receive their

full payments as long as a reasonable estimate of the funds that will come into the PECF that year will cover the general election candidate payments. The bill allows the Secretary of the Treasury to borrow the funds necessary to carry out the purposes of the fund during the first campaign cycle in which the bill is in effect.

SECTION 9: REPEAL OF PRIORITY IN USE OF FUNDS FOR POLITICAL CONVENTIONS

Current law gives the political parties priority on receiving the funds they are entitled to from the PECF. This means that parties get money for their conventions even if adequate funds are not available for participating candidates. This section would make funds available for the conventions only if all participating candidates have received the funds to which they are entitled.

SECTION 10: REGULATION OF CONVENTION FINANCING

Federal candidates and officeholders are prohibited from raising or spending soft money in connection with a nominating convention of any political party, including funds for a host committee, civic committee, or municipality.

SECTION 11: DISCLOSURE OF BUNDLED CONTRIBUTIONS

(a) Disclosure requirement: The authorized committees of presidential candidate committee must report the name, address, and occupation of each person making a bundled contribution and the aggregate amount of bundled contributions made by that person.

(b) Definition of bundled contribution. A bundled contribution is a series of contributions totaling $10,000 or more that are (1) collected by one person and transferred to the candidate; or (2) delivered directly to the candidate from the donor but include a written or oral communication that the funds were ''solicited, arranged, or directed'' by someone other than the donor. This covers the two most common bundling arrangements where fundraisers get ''credit'' for collecting contributions for a candidate.

SECTION 12: OFFSET

This section provides an offset for the increased cost of the presidential public funding system. It caps taxpayer subsidies for promotion of agricultural products, including some brand-named goods, by limiting the Market Access Program to $100 million per year.

SECTION 13: EFFECTIVE DATE

Provides that the amendments will apply to presidential elections occurring after January 1, 2009.

S. 436

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Presidential Funding Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Revisions to system of Presidential primary matching payments.
Sec. 3. Requiring participation in primary payment system as condition of eligibility for general election payments.
Sec. 4. Revisions to expenditure limits.
Sec. 5. Additional payments and increased expenditure limits for candidates participating in public financing who face certain nonparticipating opponents.
Sec. 6. Establishment of uniform date for release of payments from Presidential Election Campaign Fund to eligible candidates.
Sec. 7. Revisions to designation of income tax payments by individual taxpayers.
Sec. 8. Amounts in Presidential Election Campaign Fund.
Sec. 9. Repeal of priority in use of funds for political conventions.
Sec. 10. Regulation of convention financing.
Sec. 11. Disclosure of bundled contributions.
Sec. 12. Offset.
Sec. 13. Effective date.

SEC. 2. REVISIONS TO SYSTEM OF PRESIDENTIAL PRIMARY MATCHING PAYMENTS.

(a) INCREASE IN MATCHING PAYMENTS.—

(1) IN GENERAL.—Section 9034(a) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''an amount equal to the amount'' and inserting ''an amount equal to 400 percent of the amount''; and

(B) by striking ''$250'' and inserting ''$200''.

(2) ADDITIONAL MATCHING PAYMENTS FOR CANDIDATES AFTER MARCH 31 OF THE ELECTION YEAR.—Section 9034(b) of such Code is amended to read as follows:

''(b) ADDITIONAL PAYMENTS FOR CANDIDATES AFTER MARCH 31 OF THE ELECTION YEAR.—In addition to any payment under subsection (a), an individual who is a candidate after March 31 of the calendar year in which the presidential election is held and who is eligible to receive payments under section 9033 shall be entitled to payments under section 9037 in an amount equal to the amount of each contribution received by such individual after March 31 of the calendar year in which such presidential election is held, disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person after such date exceeds $200.''.

(3) CONFORMING AMENDMENTS.—Section 9034 of such Code, as amended by paragraph (2), is amended—

(A) by striking the last sentence of subsection (a); and

(B) by inserting after subsection (b) the following new subsection:

''(c) CONTRIBUTION DEFINED.—For purposes of this section and section 9033(b), the term 'contribution' means a gift of money made by a written instrument which identifies the person making the contribution by full name and mailing address, but does not include a subscription, loan, advance, or deposit of money, or anything of value or anything described in subparagraph (B), (C), or (D) of section 9032(4).''.

(b) ELIGIBILITY REQUIREMENTS.—

(1) AMOUNT OF AGGREGATE CONTRIBUTIONS PER STATE.—Section 9033(b)(3) of such Code is amended by striking ''$5,000'' and inserting ''$25,000''.

(2) AMOUNT OF INDIVIDUAL CONTRIBUTIONS.—Section 9033(b)(4) of such Code is amended by striking ''$250'' and inserting ''$200''.

(3) PARTICIPATION IN SYSTEM FOR PAYMENTS FOR GENERAL ELECTION.—Section 9033(b) of such Code is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting '', and''; and

(C) by adding at the end the following new paragraph:

''(5) if the candidate is nominated by a political party for election to the office of President, the candidate will apply for and accept payments with respect to the general election for such office in accordance with chapter 95, including the requirement that the candidate and the candidate's authorized committees will not incur qualified campaign expenses in excess of the aggregate payments to which they will be entitled under section 9004.''.

(c) PERIOD OF AVAILABILITY OF PAYMENTS.—Section 9032(6) of such Code is amended by striking ''the beginning of the calendar year in which a general election for the office of President of the United States will be held'' and inserting ''the date that is 6 months prior to the date of the earliest State primary election''.

SEC. 3. REQUIRING PARTICIPATION IN PRIMARY PAYMENT SYSTEM AS CONDITION OF ELIGIBILITY FOR GENERAL ELECTION PAYMENTS.

(a) MAJOR PARTY CANDIDATES.—Section 9003(b) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3); and

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

''(1) the candidate received payments under chapter 96 for the campaign for nomination;''.

(b) MINOR PARTY CANDIDATES.—Section 9003(c) of such Code is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3); and

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

''(1) the candidate received payments under chapter 96 for the campaign for nomination;''.

SEC. 4. REVISIONS TO EXPENDITURE LIMITS.

(a) INCREASE IN EXPENDITURE LIMITS FOR PARTICIPATING CANDIDATES; ELIMINATION OF STATE-SPECIFIC LIMITS.—

(1) IN GENERAL.—Section 315(b)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(b)(1)) is amended by striking ''may make expenditures in excess of'' and all that follows and inserting ''may make expenditures—

''(A) with respect to a campaign for nomination for election to such office—

''(i) in excess of $100,000,000 before April 1 of the calendar year in which the presidential election is held; and

''(ii) in excess of $150,000,000 before the date described in section 9006(b) of the Internal Revenue Code of 1986; and

''(B) with respect to a campaign for election to such office, in excess of $100,000,000.''.

(2) CLERICAL CORRECTION.—Section 9004(a)(1) of the Internal Revenue Code of 1986 is amended by striking ''section 320(b)(1)(B) of the Federal Election Campaign Act of 1971'' and inserting ''section 315(b)(1)(B) of the Federal Election Campaign Act of 1971''.

(b) INCREASE IN LIMIT ON COORDINATED PARTY EXPENDITURES.—Section 315(d)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)(2)) is amended to read as follows:

''(2)(A) The national committee of a political party may not make any expenditure in connection with the general election campaign of any candidate for President of the United States who is affiliated with such party which exceeds $25,000,000.

''(B) Notwithstanding the limitation under subparagraph (A), during the period beginning on April 1 of the year in which a presidential election is held and ending on the date described in section 9006(b) of the Internal Revenue Code of 1986, the national committee of a political party may make additional expenditures in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party in an amount not to exceed $25,000,000.

''(C)(i) Notwithstanding subparagraph (B) or the limitation under subparagraph (A), if any nonparticipating primary candidate (within the meaning of subsection (b)(3)) affiliated with the national committee of a political party receives contributions or makes expenditures with respect to such candidate's campaign in an aggregate amount greater than 120 percent of the expenditure limitation in effect under subsection

(b)(1)(A)(ii), then, during the period described in clause (ii), the national committee of any other political party may make expenditures in connection with the general election campaign of a candidate for President of the United States who is affiliated with such other party without limitation.

''(ii) The period described in this clause is the period—

''(I) beginning on the later of April 1 of the year in which a presidential election is held or the date on which such nonparticipating primary candidate first receives contributions or makes expenditures in the aggregate amount described in clause (i); and

''(II) ending on the earlier of the date such nonparticipating primary candidate ceases to be a candidate for nomination to the office of President of the United States and is not a candidate for such office or the date described in section 9006(b) of the Internal Revenue Code of 1986.

''(iii) If the nonparticipating primary candidate described in clause (i) ceases to be a candidate for nomination to the office of President of the United States and is not a candidate for such office, clause (i) shall not apply and the limitations under subparagraphs (A) and (B) shall apply. It shall not be considered to be a violation of this Act if the application of the preceding sentence results in the national committee of a political party violating the limitations under subparagraphs (A) and (B) solely by reason of expenditures made by such national committee during the period in which clause (i) applied.

''(D) For purposes of this paragraph—

''(i) any expenditure made by or on behalf of a national committee of a political party and in connection with a presidential election shall be considered to be made in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party; and

''(ii) any communication made by or on behalf of such party shall be considered to be made in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party if any portion of the communication is in connection with such election.

''(E) Any expenditure under this paragraph shall be in addition to any expenditure by a national committee of a political party serving as the principal campaign committee of a candidate for the office of President of the United States.''.

(c) CONFORMING AMENDMENTS RELATING TO TIMING OF COST-OF-LIVING ADJUSTMENT.—

(1) IN GENERAL.—Section 315(c)(1) of such Act (2 U.S.C. 441a(c)(1)) is amended—

(A) in subparagraph (B), by striking ''(b), (d),'' and inserting ''(d)(3)''; and

(B) by inserting at the end the following new subparagraph:

''(D) In any calendar year after 2008—

''(i) a limitation established by subsection (b) or (d)(2) shall be increased by the percent difference determined under subparagraph (A);

''(ii) each amount so increased shall remain in effect for the calendar year; and

''(iii) if any amount after adjustment under clause (i) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.''.

(2) BASE YEAR.—Section 315(c)(2)(B) of such Act (2 U.S.C. 441a(c)(2)(B)) is amended—

(A) in clause (i)—

(i) by striking ''subsections (b) and (d)'' and inserting ''subsection (d)(3)''; and

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

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(iii) for purposes of subsection (b) and (d)(2), calendar year 2007.''.

(d) REPEAL OF EXCLUSION OF FUNDRAISING COSTS FROM TREATMENT AS EXPENDITURES.—Section 301(9)(B)(vi) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)(vi)) is amended by striking ''in excess of an amount equal to 20 percent of the expenditure limitation applicable to such candidate under section 315(b)'' and inserting the following: ''who is seeking nomination for election or election to the office of President or Vice President of the United States''.

SEC. 5. ADDITIONAL PAYMENTS AND INCREASED EXPENDITURE LIMITS FOR CANDIDATES PARTICIPATING IN PUBLIC FINANCING WHO FACE CERTAIN NONPARTICIPATING OPPONENTS.

(a) CANDIDATES IN PRIMARY ELECTIONS.—

(1) ADDITIONAL PAYMENTS.—

(A) IN GENERAL.—Section 9034 of the Internal Revenue Code of 1986, as amended by section 2, is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

''(c) ADDITIONAL PAYMENTS FOR CANDIDATES FACING NONPARTICIPATING OPPONENTS.—

''(1) IN GENERAL.—In addition to any payments provided under subsections (a) and (b), each candidate described in paragraph (2) shall be entitled to—

''(A) a payment under section 9037 in an amount equal to the amount of each contribution received by such candidate on or after the beginning of the calendar year preceding the calendar year of the presidential election with respect to which such candidate is seeking nomination and before the qualifying date, disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person exceeds $200, and

''(B) payments under section 9037 in an amount equal to the amount of each contribution received by such candidate on or after the qualifying date, disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person exceeds $200.

''(2) CANDIDATES TO WHOM THIS SUBSECTION APPLIES.—A candidate is described in this paragraph if such candidate—

''(A) is eligible to receive payments under section 9033, and

''(B) is opposed by a nonparticipating primary candidate of the same political party who receives contributions or makes expenditures with respect to the campaign—

''(i) before April 1 of the year in which the presidential election is held, in an aggregate amount greater than 120 percent of the expenditure limitation under section 315(b)(1)(A)(i) of the Federal Election Campaign Act of 1971, or

''(ii) before the date described in section 9006(b), in an aggregate amount greater than 120 percent of the expenditure limitation under section 315(b)(1)(A)(ii) of such Act.

''(3) NONPARTICIPATING PRIMARY CANDIDATE.—In this subsection, the term 'nonparticipating primary candidate' means a candidate for nomination for election for the office of President who is not eligible under section 9033 to receive payments from the Secretary under this chapter.

''(4) QUALIFYING DATE.—In this subsection, the term 'qualifying date' means the first date on which the contributions received or expenditures made by the nonparticipating primary candidate described in paragraph (2)(B) exceed the amount described under either clause (i) or clause (ii) of such paragraph.''.

(B) CONFORMING AMENDMENT.—Section 9034(b) of such Code, as amended by section 2, is amended by striking ''subsection (a)'' and inserting ''subsections (a) and (c)''.

(2) INCREASE IN EXPENDITURE LIMIT.—Section 315(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(b)) is amended by adding at the end the following new paragraph:

''(3)(A) In the case of an eligible candidate, each of the limitations under clause (i) and (ii) of paragraph (1)(A) shall be increased—

''(i) by $50,000,000, if any nonparticipating primary candidate of the same political party as such candidate receives contributions or makes expenditures with respect to the campaign in an aggregate amount greater than 120 percent of the expenditure limitation applicable to eligible candidates under clause (i) or (ii) of paragraph (1)(A) (before the application of this clause), and

''(ii) by $100,000,000, if such nonparticipating primary candidate receives contributions or makes expenditures with respect to the campaign in an aggregate amount greater than 120 percent of the expenditure limitation applicable to eligible candidates under clause (i) or (ii) of paragraph (1)(A) after the application of clause (i).

''(B) Each dollar amount under subparagraph (A) shall be considered a limitation under this subsection for purposes of subsection (c).

''(C) In this paragraph, the term 'eligible candidate' means, with respect to any period, a candidate—

''(i) who is eligible to receive payments under section 9033 of the Internal Revenue Code of 1986;

''(ii) who is opposed by a nonparticipating primary candidate; and

''(iii) with respect to whom the Commission has given notice under section 304(i)(1)(B)(i).

''(D) In this paragraph, the term 'nonparticipating primary candidate' means, with respect to any eligible candidate, a candidate for nomination for election for the office of President who is not eligible under section 9033 of the Internal Revenue Code of 1986 to receive payments from the Secretary of the Treasury under chapter 96 of such Code.''.

(b) CANDIDATES IN GENERAL ELECTIONS.—

(1) ADDITIONAL PAYMENTS.—

(A) IN GENERAL.—Section 9004(a)(1) of the Internal Revenue Code of 1986 is amended—

(i) by striking ''(1) The eligible candidates'' and inserting ''(1)(A) Except as provided in subparagraph (B), the eligible candidates''; and

(ii) by adding at the end the following new subparagraph:

''(B) In addition to the payments described in subparagraph (A), each eligible candidate of a major party in a presidential election with an opponent in the election who is not eligible to receive payments under section 9006 and who receives contributions or makes expenditures with respect to the primary and general elections in an aggregate amount greater than 120 percent of the combined expenditure limitations applicable to eligible candidates under section 315(b)(1) of the Federal Election Campaign Act of 1971 shall be entitled to an equal payment under section 9006 in an amount equal to 100 percent of the expenditure limitation applicable under such section with respect to a campaign for election to the office of President.''.

(B) SPECIAL RULE FOR MINOR PARTY CANDIDATES.—Section 9004(a)(2)(A) of such Code is amended—

(i) by striking ''(A) The eligible candidates'' and inserting ''(A)(i) Except as provided in clause (ii), the eligible candidates''; and

(ii) by adding at the end the following new clause:

''(ii) In addition to the payments described in clause (i), each eligible candidate of a minor party in a presidential election with an opponent in the election who is not eligible to receive payments under section 9006

and who receives contributions or makes expenditures with respect to the primary and general elections in an aggregate amount greater than 120 percent of the combined expenditure limitations applicable to eligible candidates under section 315(b)(1) of the Federal Election Campaign Act of 1971 shall be entitled to an equal payment under section 9006 in an amount equal to 100 percent of the payment to which such candidate is entitled under clause (i).''.

(2) EXCLUSION OF ADDITIONAL PAYMENT FROM DETERMINATION OF EXPENDITURE LIMITS.—Section 315(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(b)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(4) In the case of a candidate who is eligible to receive payments under section 9004(a)(1)(B) or 9004(a)(2)(A)(ii) of the Internal Revenue Code of 1986, the limitation under paragraph (1)(B) shall be increased by the amount of such payments received by the candidate.''.

(c) PROCESS FOR DETERMINATION OF ELIGIBILITY FOR ADDITIONAL PAYMENT AND INCREASED EXPENDITURE LIMITS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(i) REPORTING AND CERTIFICATION FOR ADDITIONAL PUBLIC FINANCING PAYMENTS FOR CANDIDATES.—

''(1) PRIMARY CANDIDATES.—

''(A) NOTIFICATION OF EXPENDITURES BY INELIGIBLE CANDIDATES.—

''(i) EXPENDITURES IN EXCESS OF 120 PERCENT OF LIMIT.—If a candidate for a nomination for election for the office of President who is not eligible to receive payments under section 9033 of the Internal Revenue Code of 1986 receives contributions or makes expenditures with respect to the primary election in an aggregate amount greater than 120 percent of the expenditure limitation applicable to eligible candidates under clause (i) or (ii) of section 315(b)(1)(A), the candidate shall notify the Commission in writing that the candidate has received aggregate contributions or made aggregate expenditures in such an amount not later than 24 hours after first receiving aggregate contributions or making aggregate expenditures in such an amount.

''(ii) EXPENDITURES IN EXCESS OF 120 PERCENT OF INCREASED LIMIT.—If a candidate for a nomination for election for the office of President who is not eligible to receive payments under section 9033 of the Internal Revenue Code of 1986 receives contributions or makes expenditures with respect to the primary election in an aggregate amount greater than 120 percent of the expenditure limitation applicable to eligible candidates under section 315(b) after the application of paragraph (3)(A)(i) thereof, the candidate shall notify the Commission in writing that the candidate has received aggregate contributions or made aggregate expenditures in such an amount not later than 24 hours after first receiving aggregate contributions or making aggregate expenditures in such an amount.

''(B) CERTIFICATION.—Not later than 24 hours after receiving any written notice under subparagraph (A) from a candidate, the Commission shall—

''(i) certify to the Secretary of the Treasury that opponents of the candidate are eligible for additional payments under section 9034(c) of the Internal Revenue Code of 1986;

''(ii) notify each opponent of the candidate who is eligible to receive payments under section 9033 of the Internal Revenue Code of 1986 of the amount of the increased limitation on expenditures which applies pursuant to section 315(b)(3); and

''(iii) in the case of a notice under subparagraph (A)(i), notify the national committee of each political party (other than the political party with which the candidate is affiliated) of the inapplicability of expenditure limits under section 315(d)(2) pursuant to subparagraph (C) thereof.

''(2) GENERAL ELECTION CANDIDATES.—

''(A) NOTIFICATION OF EXPENDITURES BY INELIGIBLE CANDIDATES.—If a candidate in a presidential election who is not eligible to receive payments under section 9006 of the Internal Revenue Code of 1986 receives contributions or makes expenditures with respect to the primary and general elections in an aggregate amount greater than 120 percent of the combined expenditure limitations applicable to eligible candidates under section 315(b)(1), the candidate shall notify the Commission in writing that the candidate has received aggregate contributions or made aggregate expenditures in such an amount not later than 24 hours after first receiving aggregate contributions or making aggregate expenditures in such an amount.

''(B) CERTIFICATION.—Not later than 24 hours after receiving a written notice under subparagraph (A), the Commission shall certify to the Secretary of the Treasury for payment to any eligible candidate who is entitled to an additional payment under paragraph (1)(B) or (2)(A)(ii) of section 9004(a) of the Internal Revenue Code of 1986 that the candidate is entitled to payment in full of the additional payment under such section.''.

SEC. 6. ESTABLISHMENT OF UNIFORM DATE FOR RELEASE OF PAYMENTS FROM PRESIDENTIAL ELECTION CAMPAIGN FUND TO ELIGIBLE CANDIDATES.

(a) IN GENERAL.—The first sentence of section 9006(b) of the Internal Revenue Code of 1986 is amended to read as follows: ''If the Secretary of the Treasury receives a certification from the Commission under section 9005 for payment to the eligible candidates of a political party, the Secretary shall, on the last Friday occurring before the first Monday in September, pay to such candidates of the fund the amount certified by the Commission.''.

(b) CONFORMING AMENDMENT.—The first sentence of section 9006(c) of such Code is amended by striking ''the time of a certification by the Comptroller General under section 9005 for payment'' and inserting ''the time of making a payment under subsection (b)''.

SEC. 7. REVISIONS TO DESIGNATION OF INCOME TAX PAYMENTS BY INDIVIDUAL TAXPAYERS.

(a) INCREASE IN AMOUNT DESIGNATED.—Section 6096(a) of the Internal Revenue Code of 1986 is amended—

(1) in the first sentence, by striking ''$3'' each place it appears and inserting ''$10''; and

(2) in the second sentence—

(A) by striking ''$6'' and inserting ''$20''; and

(B) by striking ''$3'' and inserting ''$10''.

(b) INDEXING.—Section 6096 of such Code is amended by adding at the end the following new subsection:

''(d) INDEXING OF AMOUNT DESIGNATED.—

''(1) IN GENERAL.—With respect to each taxable year after 2008, each amount referred to in subsection (a) shall be increased by the percent difference described in paragraph (2), except that if any such amount after such an increase is not a multiple of $1, such amount shall be rounded to the nearest multiple of $1.

''(2) PERCENT DIFFERENCE DESCRIBED.—The percent difference described in this paragraph with respect to a taxable year is the percent difference determined under section 315(c)(1)(A) of the Federal Election Campaign Act of 1971 with respect to the calendar year during which the taxable year begins, except that the base year involved shall be 2008.''.

(c) ENSURING TAX PREPARATION SOFTWARE DOES NOT PROVIDE AUTOMATIC RESPONSE TO DESIGNATION QUESTION.—Section 6096 of such Code, as amended by subsection (b), is amended by adding at the end the following new subsection:

''(e) ENSURING TAX PREPARATION SOFTWARE DOES NOT PROVIDE AUTOMATIC RESPONSE TO DESIGNATION QUESTION.—The Secretary shall promulgate regulations to ensure that electronic software used in the preparation or filing of individual income tax returns does not automatically accept or decline a designation of a payment under this section.''.

(d) PUBLIC INFORMATION PROGRAM ON DESIGNATION.—Section 6096 of such Code, as amended by subsections (b) and (c), is amended by adding at the end the following new subsection:

''(f) PUBLIC INFORMATION PROGRAM.—

''(1) IN GENERAL.—The Federal Election Commission shall conduct a program to inform and educate the public regarding the purposes of the Presidential Election Campaign Fund, the procedures for the designation of payments under this section, and the effect of such a designation on the income tax liability of taxpayers.

''(2) USE OF FUNDS FOR PROGRAM.—Amounts in the Presidential Election Campaign Fund shall be made available to the Federal Election Commission to carry out the program under this subsection, except that the amount made available for this purpose may not exceed $10,000,000 with respect to any Presidential election cycle. In this paragraph, a 'Presidential election cycle' is the 4-year period beginning with January of the year following a Presidential election.''.

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

SEC. 8. AMOUNTS IN PRESIDENTIAL ELECTION CAMPAIGN FUND.

(a) DETERMINATION OF AMOUNTS IN FUND.—Section 9006(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''In making a determination of whether there are insufficient moneys in the fund for purposes of the previous sentence, the Secretary shall take into account in determining the balance of the fund for a Presidential election year the Secretary's best estimate of the amount of moneys which will be deposited into the fund during the year, except that the amount of the estimate may not exceed the average of the annual amounts deposited in the fund during the previous 3 years.''.

(b) SPECIAL RULE FOR FIRST CAMPAIGN CYCLE UNDER THIS ACT.—

(1) IN GENERAL.—Section 9006 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) SPECIAL AUTHORITY TO BORROW.—

''(1) IN GENERAL.—Notwithstanding subsection (c), there are authorized to be appropriated to the fund, as repayable advances, such sums as are necessary to carry out the purposes of the fund during the period ending on the first presidential election occurring after the date of the enactment of this subsection.

''(2) REPAYMENT OF ADVANCES.—

''(A) IN GENERAL.—Advances made to the fund shall be repaid, and interest on such advances shall be paid, to the general fund of the Treasury when the Secretary determines that moneys are available for such purposes in the fund.

''(B) RATE OF INTEREST.—Interest on advances made to the fund shall be at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average

market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding and shall be compounded annually.''.

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

SEC. 9. REPEAL OF PRIORITY IN USE OF FUNDS FOR POLITICAL CONVENTIONS.

(a) IN GENERAL.—Section 9008(a) of the Internal Revenue Code of 1986 is amended by striking the period at the end of the second sentence and all that follows and inserting the following: '', except that the amount deposited may not exceed the amount available after the Secretary determines that amounts for payments under section 9006 and section 9037 are available for such payments.''.

(b) CONFORMING AMENDMENT.—The second sentence of section 9037(a) of such Code is amended by striking ''section 9006(c) and for payments under section 9008(b)(3)'' and inserting ''section 9006''.

SEC. 10. REGULATION OF CONVENTION FINANCING.

Section 323 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441i) is amended by adding at the end the following new subsection:

''(g) NATIONAL CONVENTIONS.—Any person described in subsection (e) shall not solicit, receive, direct, transfer, or spend any funds in connection with a presidential nominating convention of any political party, including funds for a host committee, civic committee, municipality, or any other person or entity spending funds in connection with such a convention, unless such funds—

''(1) are not in excess of the amounts permitted with respect to contributions to the political committee established and maintained by a national political party committee under section 315; and

''(2) are not from sources prohibited by this Act from making contributions in connection with an election for Federal office.''.

SEC. 11. DISCLOSURE OF BUNDLED CONTRIBUTIONS.

(a) IN GENERAL.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(9) in the case of an authorized committee of a candidate for President, the name, address, occupation, and employer of each person who makes a bundled contribution, and the aggregate amount of the bundled contributions made by such person during the reporting period.''.

(b) BUNDLED CONTRIBUTION.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following new paragraph:

''(27) BUNDLED CONTRIBUTION.—The term 'bundled contribution' means a series of contributions that are, in the aggregate, $10,000 or more and—

''(A) are transferred to the candidate or the authorized committee of the candidate by one person; or

''(B) include a written or oral notification that the contribution was solicited, arranged, or directed by a person other than the donor.''.

SEC. 12. OFFSET.

(a) IN GENERAL.—Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking ''and $200,000,000 for each of fiscal years 2006 and 2007'' and inserting ''$200,000,000 for fiscal year 2006, and $100,000,000 for fiscal year 2007''.

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

SEC. 13. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by this Act shall apply with respect to elections occurring after January 1, 2009.

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 437. A bill to provide for the conveyance of an A–12 Blackbird aircraft to the Minnesota Air National Guard Historical Foundation; to the Committee on Armed Services.

Mr. COLEMAN. Mr. President, today I am introducing a bill to transfer ownership of a 1960s A–12 Blackbird spy plane to the Minnesota Air National Guard Historical Foundation.

The legislation will allow the A–12 to stay in the Minnesota Air National Guard Museum and to be displayed for educational and other appropriate public purposes.

The A–12 Blackbird planes were in many ways the apex of jet design. No known jet is believed to have flown faster—three times the speed of sound, or higher—above 90,000 feet. It is a landmark in the history of aviation that will never be repeated again.

The Minnesota A–12, retired in 1968 and rescued by Minnesota volunteers from a California scrap heap more than a decade ago, is housed at the 133rd Airlift Wing of the Minneapolis-St. Paul International Airport. Almost fifteen thousand Minnesotans contributed to the restoration of the A–12 and the creation of the Blackbird program. Ever since, it has been the centerpiece of the Minnesota Air National Guard Museum. The aircraft is the only A–12 currently used as a hands-on educational resource with a group of highly trained instructors who provide meaningful insight for the general public into the aircraft's history and meaning.

This aircraft is of great significance not only to the volunteers who sacrificed time and resources to restore a great remnant of American history, but also to the citizens of Minnesota and around the country who have benefited greatly from this knowledge of our military history.

Unfortunately, the A–12 is considered to be ''on loan'' from the U.S. Air Force, which recently has decided to transfer the plane to the CIA Headquarters as part of the agency's 60th anniversary celebration. If this plan goes ahead, the plane will no longer be available for public viewing.

Over the years, volunteers throughout Minnesota have generously devoted their time and resources to maintaining this plane. To transfer the plane away from the very people whose hard work has made the aircraft what it is today is simply unfair. It is necessary that we retain this piece of Minnesota history, and keep the Blackbird in a place where it will always be accessible to the public. I hope the Senate will be able to act on this legislation and help to save a significant piece of history.

I ask unanimous consent that the bill I introduce today, to provide for the conveyance of an A–12 Blackbird aircraft to the Minnesota Air National Guard Historical Foundation, 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. 437

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

SECTION 1. CONVEYANCE OF A–12 BLACKBIRD AIRCRAFT TO THE MINNESOTA AIR NATIONAL GUARD HISTORICAL FOUNDATION.

(a) CONVEYANCE REQUIRED.—The Secretary of the Air Force shall convey, without consideration, to the Minnesota Air National Guard Historical Foundation, Inc. (in this section referred to as the ''Foundation''), a non-profit entity located in the State of Minnesota, A–12 Blackbird aircraft with tail number 60–6931 that is under the jurisdiction of the National Museum of the United States Air Force and, as of January 1, 2007, was on loan to the Foundation and display with the 133rd Airlift Wing at Minneapolis-St. Paul International Airport, Minnesota.

(b) CONDITION.—The conveyance required by subsection (a) shall be subject to the requirement that Foundation utilize and display the aircraft described in that subsection for educational and other appropriate public purposes as jointly agreed upon by the Secretary and the Foundation before the conveyance.

(c) RELOCATION OF AIRCRAFT.—As part of the conveyance required by subsection (a), the Secretary shall relocate the aircraft described in that subsection to Minneapolis-St. Paul International Airport and undertake any reassembly of the aircraft required as part of the conveyance and relocation. Any costs of the Secretary under this subsection shall be borne by the Secretary.

(d) MAINTENANCE SUPPORT.—The Secretary may authorize the 133rd Airlift Wing to provide support to the Foundation for the maintenance of the aircraft relocated under subsection (a) after its relocation under that subsection.

(e) REVERSION OF AIRCRAFT.—

(1) REVERSION.—In the event the Foundation ceases to exist, all right, title, and interest in and to the aircraft conveyed under subsection (a) shall revert to the United States, and the United States shall have immediate right of possession of the aircraft.

(2) ASSUMPTION OF POSSESSION.—Possession under paragraph (1) of the aircraft conveyed under subsection (a) shall be assumed by the 133rd Airlift Wing.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance required by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

By Mr. ROCKEFELLER (for himself, Mr. SCHUMER, Mr. KOHL, and Mr. LEAHY):

S. 438. A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the marketing of authorized generic drugs; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, I rise today with Senators SCHUMER,

KOHL and LEAHY to reintroduce an important bill for all Americans. The bill that we are reintroducing today would reduce barriers to affordable prescription drugs by eliminating one of the prominent loopholes brand name drug companies use to limit access to generic drugs.

Our bill, the Fair Prescription Drug Competition Act of 2007, would end the marketing of so-called ''authorized generics'' during the 180-day period Congress created exclusively for true generics to enter the market. I have spoken with my colleagues many times about this important issue.

In an effort to balance the need for returns on research facilitated by brand name prescription drug companies with the need for more affordable prescription drug options for consumers, Congress passed the Hatch-Waxman law in 1984. This law provided brand name companies with a number of incentives for investing in the research and development of new medications. These included a 20-year patent on drugs, 5 years of data exclusivity, 3 years of exclusivity for clinical trials, up to 5 years of patent extension, 6 months exclusivity for conducting pediatric testing, and a 30-month automatic stay against generic competition if the generic challenges the brand patent. Generic prescription drug manufacturers, on the other hand, received a 180-day exclusivity period, awarded to the first company to successfully challenge a brand name patent and enter the market.

This 6-month exclusivity period has been crucial to encouraging generic drug companies to make existing drugs more affordable. Challenging a brand name drug's patent takes time, money, and involves absorbing a great deal of risk. Generic drug companies rely on the added revenue provided by the 180-day exclusivity period to recoup their costs, fund new patent challenges where appropriate, and ultimately pass savings onto consumers.

Since 1984, there have been many attempts to exploit loopholes in the law in order to delay generic entry to the market and extend brand monopolies. The 2003 Medicare law addressed many of these loopholes. However, brand name manufacturers have found another loophole in current law, so-called ''authorized generics.''

An authorized generic drug is a brand name prescription drug produced by the same brand manufacturer on the same manufacturing lines, yet repackaged as a generic in order to confuse consumers and shut true generics out of the market. Because it is not a true generic and does not require an additional FDA approval, an authorized generic can be marketed during the federally mandated 6-month exclusivity period for generics. This discourages true generic companies from entering the market and offering lower-priced prescription drugs.

As I have said many times, authorized generics are a sham. This practice of re-labeling a brand product and placing it on the market to undermine the 180-day exclusivity period will only serve to reduce generic competition and lead to longer brand monopolies and higher healthcare costs over the long-term.

Brand name drug companies are expected to lose as much as $75 billion over the next 5 years as some of their best sellers go off-patent and generic competition increases. So, not surprisingly, these big pharmaceutical companies are desperately trying to protect their market share and prevent consumers from cashing in on savings from generic drugs,

Today, generic medications comprise more than 56 percent of all prescriptions in this country, and yet they account for only 13 percent of our nation's drug costs. In fact, generic drugs provide 50 to 80 percent cost-savings over brand name drugs. These savings make a big difference in the lives of working families. That is why we must protect the true intent of Hatch-Waxman.

The bill we are introducing today eliminates the authorized generic loophole, protects the integrity of the 180 days, and improves consumer access to lower-cost generic drugs. I urge my colleagues to support this timely and important piece of legislation.

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. 438

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 ''Fair Prescription Drug Competition Act''.

SEC. 2. PROHIBITION OF AUTHORIZED GENERICS.

Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended by adding at the end the following:

''(o) PROHIBITION OF AUTHORIZED GENERIC DRUGS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, no holder of a new drug application approved under subsection (c) shall manufacture, market, sell, or distribute an authorized generic drug, direct or indirectly, or authorize any other person to manufacture, market, sell, or distribute an authorized generic drug.

''(2) AUTHORIZED GENERIC DRUG.—For purposes of this subsection, the term 'authorized generic drug'—

''(A) means any version of a listed drug (as such term is used in subsection (j)) that the holder of the new drug application approved under subsection (c) for that listed drug seeks to commence marketing, selling, or distributing, directly or indirectly, after receipt of a notice sent pursuant to subsection (j)(2)(B) with respect to that listed drug; and

''(B) does not include any drug to be marketed, sold, or distributed—

''(i) by an entity eligible for exclusivity with respect to such drug under subsection (j)(5)(B)(iv); or

''(ii) after expiration or forfeiture of any exclusivity with respect to such drug under such subsection (j)(5)(B)(iv).''.

Mr. LEAHY. Mr. President, I am pleased today to join Senators ROCKEFELLER, KOHL and SCHUMER in introducing legislation to end the use of so-called ''authorized generics'' during the 180-day period that Congress intended for true generic market exclusivity. Authorized generics are nothing more than repackaged brand name drugs purporting to be a generic, but without the benefit of a true generic's lower cost. This practice is anticompetitive and anti-consumer.

Amendments to the Hatch-Waxman Act of 1984, enacted as part of the Medicare Modernization Act (Title XI, PL 108–173) in 2003, generally grant a generic company that successfully challenges the patent of a name brand pharmaceutical company 180 days of marketing exclusivity on that generic drug. Having co-sponsored those amendments, I know that they were designed to give greater incentives for generic manufacturers to bring generic drugs quickly to the market, thus promoting competition and lowering prices for consumers.

In 2005, Senators GRASSLEY and ROCKEFELLER and I raised concerns about the practice of manufacturing authorized generics. We feared that practice could have a negative impact on competition for both blockbuster and smaller drugs, because the generic industry would be less inclined to invest in their production. According to a recent Generic Pharmaceutical Association study, our fears were well founded: Authorized generics diminish Hatch-Waxman incentives for generic firms to challenge brand name patents, resulting in higher consumer prices.

The legislation we introduce today bars brand name drug firms from producing ''authorized generics.'' Slapping a different name on a patented drug and calling it generic is not real competition, and it saps incentives from real generic drug makers to compete by making lower-cost generic drugs. Consumers deserve the lower costs and real choices of truly generic medicines.

I look forward to working with my colleagues on both sides of the aisle to make this good bill into a good law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 46—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. BOXER submitted the following resolution; from the Committee on Environment and Public Works; which was referred to the Committee on Rules and Administration:

S. RES. 46

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI

of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 2007, through September 30, 2007; October 1, 2007, through September 30, 2008; and October 1, 2008, through February 28, 2009, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2007, through September 30, 2007, under this resolution shall not exceed $2,841,799, of which amount (1) not to exceed $4,667 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed $1,167 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(b) For the period October 1, 2007, through September 30, 2008, expenses of the committee under this resolution shall not exceed $4,978,284, of which amount (1) not to exceed $8,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed $2,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) For the period October 1, 2008, through February 28, 2009, expenses of the committee under this resolution shall not exceed $2,113,516, of which amount (1) not to exceed $3,333 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed $833 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2009.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2007, through September 30, 2007; October 1, 2007 through September 30, 2008; and October 1, 2008, through February 28, 2009, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations''.

SENATE RESOLUTION 47—HONORING THE LIFE AND ACHIEVEMENTS OF GEORGE C. SPRINGER, SR., THE NORTHEAST REGIONAL DIRECTOR AND A FORMER VICE PRESIDENT OF THE AMERICAN FEDERATION OF TEACHERS

Mr. DODD submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 47

Whereas George C. Springer, Sr., formerly Northeast regional director of the American Federation of Teachers (AFT), president of AFT Connecticut, and AFT vice president, was an accomplished union leader, a pillar of the civil rights community, a high school teacher and athletics coach, and a dedicated family man and devoted friend;

Whereas George Springer was known by those who worked with him as a generous mentor, a conciliator, and a skilled problem-solver;

Whereas George Springer, as president of AFT Connecticut, helped strengthen and expand the statewide organization to include not only teachers but also paraprofessionals and other school-related personnel, higher education faculty, healthcare professionals, and public employees, and united them around his vision of a shared destiny and a common commitment to quality services and professional integrity;

Whereas George Springer was an AFT vice president for 13 years and served for 4 years as the chair of the AFT's human rights and community relations committee;

Whereas George Springer cared deeply about the cause of civil rights, was a leader in the National Commission for African American Education, a board member of Amistad America, Inc., vice president of the John E. Rogers African American Cultural Center, and president of the New Britain, Connecticut chapter of the National Association for the Advancement of Colored People;

Whereas George Springer was born in the Panama Canal Zone in 1932, attended Central Connecticut State University, formerly Teachers College of Connecticut, and received a graduate degree from the University of Hartford;

Whereas George Springer was a union activist throughout his 20-year teaching career in New Britain;

Whereas George Springer succumbed on December 19, 2006, at the age of 74, after a long battle with cancer; and

Whereas George Springer is survived by his wife, Gerri Brown-Springer, 4 children, 10 grandchildren, and 4 great-grandchildren: Now, therefore, be it

Resolved, That the Senate honors George C. Springer, Sr. as a dedicated and pioneering leader, and a man of generous spirit who took on tough challenges with courage and compassion.

SENATE RESOLUTION 48—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Mr. LEVIN submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration:

S. RES. 48

Resolved, That in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2007, through September 30, 2007; October 1, 2007, through September 30, 2008; and October 1, 2008, through February 28, 2009, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the Committee on Armed Services for the period March 1, 2007, through September 30, 2007, under this Resolution shall not exceed $4,073,254, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2007, through September 30, 2008, expenses of the Committee on Armed Services under this Resolution shall not exceed $7,139,800, of which amount—

(1) not to exceed $80,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under the procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2008, through February 28, 2009, expenses of the Committee on Armed Services under this Resolution shall not exceed $3,032,712, of which amount—

(1) not to exceed $50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under the procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the Committee on Armed Services under this Resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required—

(1) for the disbursement of salaries of employees paid at an annual rate;

(2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate;

(4) for payments to the Postmaster, United States Senate;

(5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(6) for the payment of Senate Recording and Photographic Services; or

(7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the Committee on Armed Services from March 1, 2007, through September 30, 2007; October 1, 2007, through September 30, 2008; and October 1, 2008, through February 28, 2009, to be paid from the Appropriations account for ''EXPENSES OF INQUIRIES AND INVESTIGATIONS'' .

SENATE RESOLUTION 49—RECOGNIZING AND CELEBRATING THE 50TH ANNIVERSARY OF THE ENTRY OF ALASKA INTO THE UNION AS THE 49TH STATE

Mr. STEVENS (for himself and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas July 7, 2008 marks the 50th anniversary of the enactment of the Alaska Statehood Act as approved by the United States Congress and signed by President Dwight D. Eisenhower;

Whereas the Alaska Statehood Act authorized the entry of Alaska into the Union on January 3, 1959;

Whereas the land once known as ''Seward's Folly'' is now regarded as critical to the strategic defense of the United States and important to our national and economic security;

Whereas the people of Alaska remain committed to the preservation and protection of the Union, with among the highest rates of veterans and residents in active military service of any State in the Nation;

Whereas Alaska is the northernmost, westernmost, and easternmost State of the Union, encompassing an area one-fifth the size of the United States;

Whereas the State of Alaska has an abundance of natural resources vital to the Nation;

Whereas Alaska currently provides over 16 percent of the daily crude oil production in the United States and has 44 percent of the undiscovered oil resources and 36 percent of undiscovered conventional gas in the United States;

Whereas Alaska's 34,000 miles of shoreline form a gateway to one of the world's greatest fisheries, providing over 60 percent of the country's commercial seafood harvest;

Whereas over 230 million acres of Alaska are set aside in national parks, wildlife refuges, national forests, and other conservation units for the benefit of the entire country;

Whereas over 58 million acres are designated wilderness in Alaska, representing 55 percent of the wilderness areas in the United States;

Whereas Alaska Natives, the State's first people, are an integral part of Alaska's history, and preserving the culture and heritage of Alaska's Native people is of primary importance;

Whereas the passage of the Alaska Native Claims Settlement Act in 1971 signaled a new era of economic opportunity for Alaska Natives;

Whereas Alaska's Native people have made major contributions to the vitality and success of Alaska as a State;

Whereas the people of Alaska represent the pioneering spirit that built this great Nation and contribute to our cultural and ethnic diversity; and

Whereas the golden anniversary, on January 3, 2009, provides an occasion to honor Alaska's entry into the Union: Now, therefore, be it

Resolved, That Congress recognizes and celebrates the 50th anniversary of the entry of Alaska into the Union as the 49th State.

SENATE RESOLUTION 50—AMENDING SENATE RESOLUTION 400 (94TH CONGRESS) TO MAKE AMENDMENTS ARISING FROM THE ENACTMENT OF THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004 AND TO MAKE OTHER AMENDMENTS)

Mr. ROCKEFELLER submitted the following resolution; from the Select Committee on Intelligence; which was placed on the calendar:

S. RES. 50

Resolved,

SECTION 1. AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS) ARISING FROM ENACTMENT OF INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended—

(1) in section 3—

(A) in subsection (a)—

(i) by redesignating paragraphs (2), (3), and (4), as paragraphs (3), (4), and (5), respectively;

(ii) by striking paragraph (1) and inserting the following new paragraphs:

''(1) The Office of the Director of National Intelligence and the Director of National Intelligence.

''(2) The Central Intelligence Agency and the Director of the Central Intelligence Agency.''; and

(iii) in paragraph (5), as so redesignated—

(I) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively;

(II) by striking subparagraph (A) and inserting the following new subparagraphs:

''(A) The Office of the Director of National Intelligence and the Director of National Intelligence.

''(B) The Central Intelligence Agency and the Director of the Central Intelligence Agency.''; and

(III) in subparagraph (H), as so redesignated—

(aa) by striking ''clause (A), (B), or (C)'' and inserting ''clause (A), (B), (C), or (D)''; and

(bb) by striking ''clause (D), (E), or (F)'' both places it appears and inserting ''clause (E), (F), or (G)''; and

(B) in subsection (b)(1), by striking ''clause (1) or (4)(A)'' and inserting ''clause (1), (2), (5)(A), or (5)(B)'';

(2) in section 4(b), by inserting ''the Director of National Intelligence,'' before ''the Director of the Central Intelligence Agency'';

(3) in section 6, by striking ''the Director of Central Intelligence'' both places it appears and inserting ''the Director of National Intelligence''; and

(4) in section 12—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(B) by striking paragraph (1) and inserting the following new paragraphs:

''(1) The activities of the Office of the Director of National Intelligence and the Director of National Intelligence.

''(2) The activities of the Central Intelligence Agency and the Director of the Central Intelligence Agency.''.

SEC. 2. TECHNICAL AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS) RELATING TO REDESIGNATION OF SELECT COMMITTEE ON STANDARDS AND CONDUCT AS SELECT COMMITTEE ON ETHICS.

Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended—

(1) in section 6, by striking ''the Select Committee on Standards and Conduct'' and inserting ''the Select Committee on Ethics''; and

(2) in section 8—

(A) in subsection (d), by striking ''the Select Committee on Standards and Conduct'' and inserting ''the Select Committee on Ethics''; and

(B) in subsection (e), by striking ''the Select Committee on Standards and Conduct'' both places it appears and inserting ''the Select Committee on Ethics''.

SEC. 3. TECHNICAL AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS) RELATING TO REMOVING REFERENCE TO THE INTELLIGENCE DIVISION OF THE FEDERAL BUREAU OF INVESTIGATION.

Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended by striking '', including all activities of the Intelligence Division'' in—

(1) paragraph (5)(F) of section 3(a), as redesignated by section 1(1)(A)(i); and

(2) paragraph (7) of section 12, as redesignated by section 1(4)(A).

SEC. 4. TECHNICAL AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS) RELATING TO REFERENCES TO SENATE RULES.

Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended—

(1) in section 2(b), by striking ''paragraph 6(f)'' and inserting ''paragraph 4(e)(1)''; and

(2) in section 8(b)(5)—

(A) in the matter preceding subparagraph (A), by striking ''section 133(f) of the Legislative Reorganization Act of 1946'' and inserting ''paragraph 5 of rule XVII of the Standing Rules of the Senate''; and

(B) in the flush text after subparagraph (C), by striking ''section 133(f) of the Legislative Reorganization Act of 1946'' and inserting ''paragraph 5 of rule XVII of the Standing Rules of the Senate''.

SEC. 5. OTHER TECHNICAL AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS).

Section 3(b)(3) of Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended by striking ''the session'' and inserting ''in session''.

SENATE RESOLUTION 51—AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON INTELLIGENCE

Mr. ROCKEFELLER submitted the following resolution; from the Select Committee on Intelligence; which was referred to the Committee on Rules and Administration:

S. RES. 51

Resolved,

SECTION 1. AUTHORITY TO MAKE EXPENDITURES.

In carrying out its powers, duties, and functions under Senate Resolution 400, agreed to May 19, 1976 (94th Congress), as amended by Senate Resolution 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under section 3 and section 17 of such Senate Resolution 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such Senate Resolution 400, the Select Committee on Intelligence is authorized during the periods from

March 1, 2007 through September 30, 2007, from October 1, 2007 through September 30, 2008, and from October 1, 2008 through February 28, 2009, in the Committee's discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the department or agency of the United States concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis, the services of personnel of any such department or agency.

SEC. 2. AMOUNT OF EXPENDITURES.

(a) MARCH 1, 2007 THROUGH SEPTEMBER 30, 2007.—The expenses of the Select Committee on Intelligence for the period March 1, 2007 through September 30, 2007, under this resolution shall not exceed $3,334,682.15, of which amount—

(1) not to exceed $32,083.00 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); and

(2) not to exceed $5,834.00 may be expended for the training of the professional staff of such Committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j)).

(b) OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008.—For the period October 1, 2007 through September 30, 2008, expenses of the Select Committee on Intelligence under this resolution shall not exceed $5,848,084.42, of which amount—

(1) not to exceed $55,000.00 may be expended for the procurement of the services of individual consultants or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); and

(2) not to exceed $10,000.00 may be expended for the training of the professional staff of such Committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j)).

(c) OCTOBER 1, 2008 THROUGH FEBRUARY 28, 2009.—For the period October 1, 2008 through February 28, 2009, expenses of the Select Committee on Intelligence under this resolution shall not exceed $2,483,179.75, of which amount—

(1) not to exceed $22,917.00 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 194 (2 U.S.C. 72a(i)); and

(2) not to exceed $4,166.00 may be expended for the training of the professional staff of such Committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j)).

SEC. 3. REPORT.

The Select Committee on Intelligence shall report the Committee's findings, together with such recommendations for legislation as the Committee deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2009.

SEC. 4. EXPENSES PAID FROM THE CONTINGENT FUND.

Expenses of the Select Committee on Intelligence authorized to be paid under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee, except that vouchers shall not be required—

(1) for the disbursement of salaries of employees paid at an annual rate;

(2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate;

(4) for payments to the Postmaster, United States Senate;

(5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(6) for the payment of Senate Recording and Photographic Services; or

(7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. AUTHORITY FOR AGENCY CONTRIBUTIONS.

There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the Select Committee on Intelligence, from March 1, 2007 through September 30, 2007, from October 1, 2007 through September 30, 2008, and from October 1, 2008 through February 28, 2009, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

AMENDMENTS SUBMITTED AND PROPOSED

SA 222. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; which was ordered to lie on the table.

SA 223. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2, supra; which was ordered to lie on the table.

SA 224. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 219 submitted by Ms. LANDRIEU and intended to be proposed to the amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra; which was ordered to lie on the table.

SA 225. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 118 proposed by Mr. CHAMBLISS (for himself, Mr. ISAKSON, and Mr. BURR) to the amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra; which was ordered to lie on the table.

SA 226. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2, supra; which was ordered to lie on the table .

SA 227. Mr. REID submitted an amendment intended to be proposed to amendment SA 118 proposed by Mr. CHAMBLISS (for himself, Mr. ISAKSON, and Mr. BURR) to the amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra; which was ordered to lie on the table.

SA 228. Mr. SMITH submitted an amendment intended to be proposed to amendment SA 166 submitted by Mr. SMITH and intended to be proposed to the bill H.R. 2, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 222. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after date of enactment.

SA 223. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after date of enactment.

SA 224. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 219 submitted by Ms. LANDRIEU and intended to be proposed to the amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

On page 5 of the amendment, strike lines 3 through 6, and insert the following:

(e) APPLICABLE CALENDAR QUARTER.—For purposes of this section, the term "applicable calendar quarter" means any calendar quarter beginning after the date of the enactment of this Act and before January 1, 2008.

SA 225. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 118 proposed by Mr. CHAMBLISS (for himself, Mr. ISAKSON, and Mr. BURR) to the amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

Strike all after the first word of the matter to be inserted and insert the following:

____. WAGES FOR AGRICULTURAL WORKERS.

Section (6)(a)(5) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(5)) is amended to read as follows:

"(5) if such employee is employed in agriculture, not less than the greater of—

"(A) the minimum wage rate in effect under paragraph (1) after December 31, 1977; or

"(B) the prevailing wage established by the Occupational Employment Statistics program, or other wage survey, conducted by the Bureau of Labor Statistics in the county of intended employment, for workers who are employed in agriculture in the area of work to be performed.".

SA 226. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROVISIONS TO IMPROVE AND EXPAND THE AVAILABILITY OF HEALTH SAVINGS ACCOUNTS.

(a) PROVISIONS RELATING TO ELIGIBILITY TO CONTRIBUTE TO HSAs.—

(1) INDIVIDUALS ELIGIBLE FOR REIMBURSEMENT UNDER SPOUSE'S FLEXIBLE SPENDING ARRANGEMENT.—Section 223(c)(1) (defining eligible individual) is amended by adding at the end the following new subparagraph:

"(C) SPECIAL RULE FOR CERTAIN FLEXIBLE SPENDING ARRANGEMENTS.—For purposes of subparagraph (A)(ii), an individual shall not

be treated as covered under a health plan described in such subparagraph merely because the individual is covered under a flexible spending arrangement (within the meaning of section 106(c)(2)) which is maintained by an employer of the spouse of the individual, but only if—

''(i) the employer is not also the employer of the individual, and

''(ii) the individual certifies to the employer and to the Secretary (in such form and manner as the Secretary may prescribe) that the individual and the individual's spouse will not accept reimbursement under the arrangement for any expenses for medical care provided to the individual.''.

(2) INDIVIDUALS OVER AGE 65 AUTOMATICALLY ENROLLED IN MEDICARE PART A.—Section 223(b)(7) (relating to contribution limitation on medicare eligible individuals) is amended by adding at the end the following new sentence: ''This paragraph shall not apply to any individual during any period the individual's only entitlement to such benefits is an entitlement to hospital insurance benefits under part A of title XVIII of such Act pursuant to an automatic enrollment for such hospital insurance benefits under the regulations under section 226(a)(1) of such Act.''

(3) INDIVIDUALS ELIGIBLE FOR CERTAIN VETERANS BENEFITS.—Section 223(c)(1) (defining eligible individual), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(D) SPECIAL RULE FOR INDIVIDUALS ELIGIBLE FOR CERTAIN VETERANS BENEFITS.—For purposes of subparagraph (A)(ii), an individual shall not be treated as covered under a health plan described in such subparagraph merely because the individual receives periodic hospital care or medical services for a service-connected disability under any law administered by the Secretary of Veterans Affairs but only if the individual is not eligible to receive such care or services for any condition other than a service-connected disability.''.

(b) FAMILY PLAN MAY HAVE INDIVIDUAL ANNUAL DEDUCTIBLE LIMIT.—Section 223(c)(2) (defining high deductible health plan) is amended by adding at the end the following new subparagraph:

''(E) SPECIAL RULE FOR FAMILY COVERAGE.—A health plan providing family coverage shall not fail to meet the requirements of subparagraph (A)(i)(II) merely because the plan elects to provide both—

''(i) an aggregate annual deductible limit for all individuals covered by the plan which is not less than the amount in effect under subparagraph (A)(i)(II), and

''(ii) an annual deductible limit for each individual covered by the plan which is not less than the amount in effect under subparagraph (A)(i)(I).''.

(c) DEFINITION OF QUALIFIED MEDICAL EXPENSES.—

(1) PREMIUMS FOR LOW PREMIUM HEALTH PLANS TREATED AS QUALIFIED MEDICAL EXPENSES.—Subparagraph (C) of section 223(d)(2) is amended by striking ''or'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting '', or'', and by adding at the end the following new clause:

''(v) a high deductible health plan, but only if the expenses are for coverage for a month with respect to which the account beneficiary is an eligible individual by reason of the coverage under the plan.''.

(2) SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.—Paragraph (2) of section 223(d) is amended by adding at the end the following new subparagraph:

''(D) CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT TREATED AS QUALIFIED.—An expense shall not fail to be treated as a qualified medical expense solely because such expense was incurred before the establishment of the health savings account if such expense was incurred—

''(i) during either—

''(I) the taxable year in which the health savings account was established, or

''(II) the preceding taxable year in the case of a health savings account established after the taxable year in which such expense was incurred but before the time prescribed by law for filing the return for such taxable year (not including extensions thereof), and

''(ii) for medical care of an individual during a period that such individual was an eligible individual.

For purposes of clause (ii), an individual shall be treated as an eligible individual for any portion of a month the individual is described in subsection (c)(1), determined without regard to whether the individual is covered under a high deductible health plan on the 1st day of such month.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SA 227. Mr. REID submitted an amendment intended to be proposed to amendment SA 118 proposed by Mr. CHAMBLISS (for himself, Mr. ISAKSON, and Mr. BURR) to the amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

Strike all after the first word of the matter to be inserted and insert the following:

____. MINIMUM WAGE.

(a) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $5.85 an hour, beginning on the 60th day after the date of enactment of the Fair Minimum Wage Act of 2007;

''(B) $6.55 an hour, beginning 12 months after that 60th day; and

''(C) $7.25 an hour, beginning 24 months after that 60th day;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of enactment of this Act.

SA 228. Mr. SMITH submitted an amendment intended to be proposed to amendment SA 166 submitted by Mr. SMITH and intended to be proposed to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 2 and all that follows through page 4, line 2, and insert the following:

SEC. ____. EXPANSION OF DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS.

(a) IN GENERAL.—Paragraph (1) of section 162(l) of the Internal Revenue Code of 1986 (relating to special rules for health insurance costs of self-employed individuals) is amended to read as follows:

''(1) ALLOWANCE OF DEDUCTION.—In the case of a taxpayer who is an employee within the meaning of section 401(c)(1), there shall be allowed as a deduction under this section an amount equal to the sum of—

''(A) the amount paid during the taxable year for insurance which constitutes medical care for the taxpayer, the taxpayer's spouse, and dependents, and

''(B) in the case of any taxable year beginning in 2008, the amount paid during the taxable year for insurance which constitutes medical care for—

''(i) any individual—

''(I) who was not the spouse, determined without regard to section 7703, of the taxpayer at any time during the taxable year of the taxpayer,

''(II) who has not attained the age of 19 as of the close of the calendar year in which the taxable year of the taxpayer begins or who is a student who has not attained the age of 24 as of the close of such calendar year,

''(III) who, for the taxable year of the taxpayer, has the same principal place of abode as the taxpayer and is a member of the taxpayer's household, and

''(IV) with respect to whom the taxpayer provides over one-half of the individual's support for the calendar year in which the taxpayer's taxable year begins, and

''(ii) an individual—

''(I) who is designated by the taxpayer for purposes of this paragraph,

''(II) who is not the spouse of the taxpayer and does not bear any relationship to the taxpayer described in subparagraphs (A) through (G) of section 152(d)(2), and

''(III) who, for the taxable year of the taxpayer, has the same principal place of abode as the taxpayer and is a member of the taxpayer's household.

For purposes of subparagraph (B)(ii), not more than 1 person may be designated by the taxpayer for any taxable year.''.

(b) TECHNICAL AMENDMENT.—Subparagraph (B) of section 162(l)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(B) OTHER COVERAGE.—

''(i) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any calendar month for which the taxpayer is eligible to participate in any eligible subsidized health plan.

''(ii) APPLICATION OF SUBPARAGRAPH.—Clause (i) shall be applied separately with respect to—

''(I) plans which include coverage for qualified long-term care services (as defined in section 7702B(c)) or are qualified long-term care insurance contracts (as defined in section 7702B(b)), and

''(II) plans which do not include such coverage and are not such contracts.

''(iii) ELIGIBLE SUBSIDIZED HEALTH PLAN.—For purposes of this subparagraph, the term 'eligible subsidized health plan' means a subsidized health plan maintained by any employer of—

''(I) the taxpayer or the taxpayer's spouse, or

''(II) in the case of any taxable year beginning in 2008, any individual described in paragraph (1)(B).''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, January 31, 2007, at 9:30 a.m., to conduct its organization meeting for the 110th Congress.

For further information regarding this meeting, please contact Howard Gantman at the Rules and Administration Committee at 224–6352.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee

on Rules and Administration will meet on Wednesday, February 7, 2007, at 10 a.m., to conduct a hearing on the Hazards of Electronic Voting—Focus on the Machinery of Democracy.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee at 224–6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, January 30, 2007, at 9:30 a.m., in open session to consider the nomination of Admiral William J. Fallon, USN, to be reappointed in the grade of Admiral and to be Commander, United States Central Command.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Tuesday, January 30, 2007, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the status of Federal land management agencies' efforts to contain the costs of their wildfire suppression activities and to consider recent independent reviews of and recommendations for those efforts.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Tuesday, January 30, 2007, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on transportation sector fuel efficience, including challenges to and incentives for increased oil savings through technological innovation including plug-in hybrids.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet in Executive Session during the session of the Senate on Tuesday, January 30, 2007, at 9 a.m. in room SD–406.

The Environment and Public Works Committee will hold a Business Meeting to consider the following agenda:

COMMITTEE FUNDING RESOLUTION

The full Committee on Environment and Public Works will conduct a hearing entitled, ''Senators' Perspectives on Global Warming.'' The purpose of the hearing is to hear from each Senator about his or her views on global warming, and what the Senator believes the Nation's response should be to the issue.

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 Tuesday, January 30, 2007, at 9:15 a.m. to hold a nomination hearing.

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 Tuesday, January 30, 2007, at 1 p.m. to hold a hearing on Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the committee on the Judiciary be authorized to meet to conduct a hearing on ''Exercising Congress's Constitutional Power to End a War'' for Tuesday, January 30, 2007 at 10 a.m. in Dirksen Senate Office Building Room 226.

Witness List

Panel I: David J. Barron, Professor of Law, Harvard Law School, Cambridge, MA; Bradford Berenson, Partner, Sidley Austin LLP, Washington, DC.; Walter Dellinger, Douglas B. Maggs Professor of Law, Duke University School of Law, Former Acting Solicitor General of the United States, Durham, NC; Louis Fisher, Specialist in Constitutional Law, Law Library, Library of Congress, Washington, DC; Robert F. Turner, Center for National Security Law, University of Virginia School of Law, Charlottesville, VA.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 30, 2007 at 2:30 p.m. to hold a closed hearing and business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR STAR PRINT—S. 149

Mr. REID. Mr. President, I ask unanimous consent that S. 149 be star printed with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I said at a meeting with the press earlier today how much I appreciate the Republicans supporting cloture on this minimum wage bill. I hope we are going to have a good bipartisan vote on this bill. There is no question in my mind we will. We have done ethics reform. We are going to do the minimum wage and then move on to something else. I hope we can work on a bipartisan basis.

Mr. President, as you know, we have debate on Iraq coming up when we finish this bill. We are trying to figure out exactly what we are going to be debating because it is a moving target on both sides. We hope to get that done.

I want the record to reflect that I think we are making good progress, and we are doing some legislating. That is very important to the Senate and the country.

ORDERS FOR WEDNESDAY, JANUARY 31, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until Wednesday, January 31, at 9:30 a.m.; that on Wednesday following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the first 30 minutes under the control of the Republicans and the final 30 minutes under the control of Senator WYDEN; that following morning business, the Senate resume consideration of H.R. 2, the minimum wage bill; that all time during the recess on Tuesday and during the adjournment count against the 30-hour postcloture rule.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, for the information of the Senate, we are now close to completing action on all germane amendments that are pending to H.R. 2. It is my understanding that Senator KYL will be here in the morning, and we will resume the bill to debate his amendments. Therefore, Members should be advised to expect rollcall votes tomorrow, and the votes could occur prior to noon.

Does the distinguished Republican leader have anything to say?

Mr. MCCONNELL. No. Let me say to my friend, the majority leader, I think we have gotten off to a good start this year. We are close to accomplishing two important pieces of legislation with overwhelming bipartisan support. We look forward to moving ahead with a rather contentious debate next week but a debate we obviously ought to have. It is the most important issue in the country with a lot of passionate feelings on both sides of the issue, and

we will have a grand debate in the tradition of the United States Senate next week.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Wednesday, January 31, 2007, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Tuesday, January 30, 2007:

THE JUDICIARY

LISA GODBEY WOOD, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF GEORGIA.

PHILIP S. GUTIERREZ, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE HELLENIC ASSOCIATION KRIKOS ON THE OCCASION OF THE GREEK ORTHODOX NEW YEAR

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mrs. MALONEY of New York. Madam Speaker, I rise today to pay tribute to the Hellenic organization Krikos. Founded in 1974 to preserve and enrich Hellenic heritage and culture, Krikos and its members are dedicated to fostering and promoting co-operation and fellowship among Hellenes and phil-Hellenes throughout the world,

In its ongoing effort to increase the understanding of issues affecting people of Greek descent and a greater appreciation of Hellenic culture, Krikos has organized more than 50 conferences throughout the world, frequently publishing reports of their proceedings, Among the subjects examined at various conferences were topics including the growing impact of globalism, biotechnology, telecommunications, the Greek response to military conflicts in the Balkans, domestic political and cultural issues, Hellenic and Hellenic-American contributions to the art land culture of the United States, and thought-provoking issues in Hellenic and American culture.

Krikos has provided guidance to college and college-bound Hellenic youth in the United States and elsewhere in the world. Additionally, Krikos has made it possible for students to visit abroad through a world-study program. In keeping with this dedication to scholarship and education, Krikos donated 5,000 books to the Polytechnic University in Athens.

Krikos was instrumental in documenting the artistic and historic treasures located in the Saint Catherine Monastery on Mount Sinai. For hundreds of years St. Catherine's has been a prime destination for pilgrims to the Holy Land. Krikos and its dedicated members helped facilitate this sacred monument's ability to serve its vital mission in the modern world by computerizing its properties and their operations. In the past many prominent Hellenes and phil-Hellenes have been honored by Krikos and spoken at various symposiums, conferences and testimonial events.

This exemplary organization is now headed by Denise Constantopoulou, President, and John Belleas, past President. Under their able leadership, Krikos continues to make significant and enduring contributions to Hellenic and world culture and civilization.

Madam Speaker, I ask my colleagues to join me in acknowledging the tremendous contributions to the civic and cultural life of our Nation and our world by Krikos and its members.

HONORING MRS. MARY EDITH BROWN COLEMAN ON HER 90TH BIRTHDAY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure and honor that I congratulate Mrs. Mary Edith Brown Coleman on a momentous milestone, her 90th birthday, which will be on February 13, 2007. Edith will be celebrating this milestone with family and friends on Saturday, February 10, 2007, at her home in Schererville, Indiana. Throughout the past 67 years, Edith's presence in Northwest Indiana has allowed her the opportunity to touch the lives of countless people.

Edith Brown was born on February 13, 1917 in Muskogee, Oklahoma. She was one of four children born to Luther Albert Brown and Dora Rozolia Draper Brown. Having gone on to live in Kansas City, Kansas and Chicago, Illinois, Edith finally relocated to Gary, Indiana in 1940. Quite the accomplished student, Edith c6mpleted her Bachelor of Science and Master of Science degrees in education at Indiana University in Bloomington. From there, she decided to go into the teaching profession. As a teacher at Frederick Douglass Elementary School in Gary for over 27 years, Edith was able to enrich the lives of so many young people in the Gary community. For her commitment to the youth of Northwest Indiana, she is worthy of the highest praise.

Equally as impressive, Edith has always been seen as the foundation of her family. She and her husband, the late William Henry Coleman, were blessed with the births of two wonderful children: Norma Louise Coleman and Merle Jean Coleman. Edith's family, as well as those whose lives she has touched, admire her for devoting unselfish love, time, dedication, guidance, and spirit to her family, her students, and her friends.

As well as being dearly loved and respected by her family, her students, and her community, Edith is also well known for her involvement with her church, the First Church of God in Gary, and several other organizations. For years, Edith has been a distinguished member of the American Association of University Women, the Women's Association of the Northwest Indiana Symphony Society, the Red Hat Society, and the Sigma Gamma Rho Sorority. Since her arrival in Northwest Indiana, Edith has always been known as a good-hearted woman who is always willing to help the people in her community. For her selflessness, she is to be commended and admired.

Madam Speaker, Mary Edith Brown Coleman has always given her time and efforts selflessly to the youth and the community in Northwest Indiana throughout her illustrious life. She has taught every member of her family and extended family the true meaning of service to others. I respectfully ask that you and my other distinguished colleagues join me in wishing Edith a very happy 90th birthday.

A CONGRESSIONAL TRIBUTE TO THE CITY OF DOWNEY ON THE OCCASION OF THE CITY'S 50TH YEAR ANNIVERSARY CELEBRATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to pay tribute to the city of Downey and ask my colleagues to join me in congratulating its residents on the city's recent 50th anniversary. I am honored to represent this unique and proud city as part of my 34th Congressional District of California.

Although we celebrate 50 years since the city's official incorporation, the history of Downey begins in the late 1700s when Spanish missionaries settled along the California coast. In 1784, former soldier Juan Nietos was granted provisional use of 300,000 acres of ranch land and, after his death, the portion of the land lying between the San Gabriel and Rio Hondo Rivers was carved out and named Rancho San Gertrudes. In 1873, a 96-acre parcel of the Rancho became the central district of a community called Downey City. The town was named after John Gately Downey, an Irish immigrant who journeyed to California during the Gold Rush and later became governor of the State.

The development of Downey City began slowly. A tract map from 1873 shows a town consisting of only 16 blocks with 10 acres for a railroad station. However, the small city prospered, soon becoming a commercial center for agricultural products and poultry raising. It was that agricultural industry that made it possible for Downey to sustain itself during the Depression.

By the early 20th century, Downey had become a haven for business, entering an era that became known as the city's "golden age." Downey's "dare devil" era brought the aviation industry to the city, and the Downey Board of Trade, known today as the Downey Chamber of Commerce, was founded.

The 1940s and '50s brought a population boom to Downey, growing from 12,000 residents in 1940 to over 86,000 residents by 1956. With its significant increase in population, Downey's leaders moved to incorporate, and on December 4, 1956, the Los Angeles County Board of Supervisors approved the incorporation of the city. The new City Council, under the leadership of the city's first mayor, James L. Stamps, were trailblazers, paving the way for the city's resounding future success.

Today, Downey boasts its "Future Unlimited' slogan and is a prosperous city that has managed to maintain its small town atmosphere. The city's residents and visitors can enjoy a wide range of activities—from great shopping to parks and museums; from golf courses to the Symphony Orchestra or the model City Library. Downey is where the Apollo Space program began its journey to the stars, and

where you can find the world's oldest McDonald's and the site of the first Taco Bell eatery.

Fifty years since its incorporation in 1956, Downey has grown to a population of over 110,000 residents. The city serves as a hub for business, with California Business Magazine recently rating Downey in the top 25 percent of ''100 Cities To Do Business In.'' Downey has made many outstanding contributions to the region, and was a leader in the founding of the Gateway Cities Council of Governments. This partnership, comprised of 27 cities in Southeast Los Angeles County, effectively works to address the region's challenges, particularly with respect to transportation planning and economic development.

The city of Downey recently hosted a fun-filled 50th anniversary celebration for its residents. The ''Birthday Bash,'' which featured tunes honoring its hometown singing duo ''The Carpenters,'' marked another milestone in the rich history of this city that I am so proud to represent. I ask my colleagues to join me in celebrating Downey's first 50 years as this prosperous city looks toward its ''Future Unlimited.''

IN RECOGNITION OF LITTLE MISSIONARY'S DAY NURSERY ON THE OCCASION OF ITS THIRD ANNUAL SARA CURRY BENEFIT AWARDS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mrs. MALONEY of New York. Madam Speaker, I rise to pay tribute to the Little Missionary's Day Nursery, the oldest continuously operating non-sectarian school in New York City. Founded in 1896 by Miss Sara Curry, the Little Missionary's Day Nursery is dedicated to providing affordable day care in a warm, nurturing environment in which children of diverse socioeconomic, ethnic and religious backgrounds are encouraged to take their first steps in embracing lives inspired by the values of a sound and well-rounded education and a spirit of sharing and caring.

The Little Missionary's Day Nursery has remained true to the progressive dream of its visionary founder, Sara Curry, a remarkable, energetic, and accomplished woman who dedicated her life to improving conditions for the underprivileged children and families of Manhattan's Lower East Side. Then, as now, ''Loisaida'' was a haven for immigrants from all over the world, many enduring conditions of severe deprivation and adversity. Practically a century ahead of her time, Sara Curry grasped the need for many mothers to secure quality, affordable day care in order to enter and stay in the work force to support their economically struggling families. In fighting narrow-minded contemporary strictures against working women that were then prevalent, Sara Curry—and the Day Nurseries that she founded—helped provide an engine of opportunity that allowed countless families to lift themselves out of poverty while inculcating values of learning and compassion in their children.

In recognition of her indefatigable and effective stewardship of the institution, Miss Curry was lovingly dubbed the ''little missionary'' by grateful parents and supporters. And, to honor her more than four decades of compassionate and visionary stewardship, the institution was renamed the Little Missionary's Day Nursery in her honor. In 1901, the nursery purchased its own building at 93 St. Mark's Place, which has remained its home ever since. Today, under the capable leadership of Director Eileen Johnson and Board President Herman Hewitt, the Little Missionary's Day Nursery continues to serve the families of the Lower East Side, dedicating a portion of its income to providing generous tuition assistance.

This year, the Little Missionary's Day Nursery is honoring three outstanding individuals at its third annual Sara Curry Awards Benefit. The honorees include the renowned Gloria Steinem, the inspirational writer, lecturer, editor, and women's activist who has become an international symbol of the struggle for women's equality and dignity. An equally deserving honoree of the nursery this year is the dedicated public servant, the Honorable Margarita Lopez, a champion of the Lower East Side and its historic progressive values, who represented this incredibly diverse and exciting neighborhood with distinction for two terms on the New York City Council before assuming a position of citywide leadership as a member of the Board of the New York City Housing Authority. The third honoree is Ms. Margaritte Malfy, the remarkably accomplished chef and restaurateur. In addition to her accomplishments as an artist and as the co-owner and co-executive chef of La Palapa Cocina Mexicana, Ms. Malfy has dedicated her prodigious energies to many worthwhile causes that benefit the people of the Lower East Side, and indeed around the world, including human rights and children's organizations such as Art/NY, the Nepalese Children's Home in Nepal, and, of course, the Little Missionary's Day Nursery.

Madam Speaker, I ask my colleagues to join me in recognizing Little Missionary's Day Nursery and its three remarkable honorees this year as well as the tremendous contributions this outstanding educational and child care facility and its graduates have made to our Nation.

TRIBUTE TO THE BACHAN FAMILY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great pride and respect that I wish to commend one of Northwest Indiana's finest families for their bravery in the field of battle and their willingness to fight for their country. The history of the Bachan family of East Chicago, Indiana, and their commitment and service to the United States of America, is a true source of pride in Northwest Indiana. The Bachans represent a great model of unwavering patriotism.

Natives of East Chicago, these local heroes served and were stationed in many locations, including Korea, Germany, and Vietnam. For a single family to offer so much in defense of our freedom, they are to be commended with the highest praise and admiration. The men I stand to honor today are: Paul Bachan, Milan Bacan, Richard Bacan, Michael Bacan, the late Joseph Bachan, Daniel Bachan, Robert Bachan, and Steven Darryl Mihailovich, as well as their brothers-in-law, Donald Knieriemen, a veteran of the United States Navy, and the late Henry Butch Haluska, a veteran of the United States Air Force.

To further demonstrate their desire to serve their country, two of these men, Joseph and Robert Bachan, chose to make careers of their service. Joseph served his entire military career in the United States Army, the branch where all of the brothers served, while Robert split his time serving both in the United States Army and the United States Navy.

It came as no surprise to those who knew the Bachan boys that these men would make the decision to serve their country. These men grew up together in East Chicago and always felt tremendous pride for their country, knowing all too well the dangers that would exist if they chose to enlist. Undeterred, they would go on to serve their country with selfless sacrifice and bravery. Their courage and heroism will always be remembered, and their sacrifice, along with the sacrifice of all of our veterans, lives on in the hearts and minds of all Americans. Surely, it is through the service of brave citizens like the Bachan brothers that we can enjoy the freedoms and values we so dearly treasure today.

Madam Speaker, at this time I ask that you and my other distinguished colleagues join me in honoring these fine individuals. Let us never forget their service and the sacrifices they made to preserve the ideals of freedom and democracy. I can say with certainty that Northwest Indiana is proud to be the home of the Bachan family.

HONORING THE 36-YEAR SERVICE OF FRANK BARNES TO THE U.S. HOUSE OF REPRESENTATIVES

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. SKELTON. Madam Speaker, I rise today to honor Mr. Frank Barnes, a long-time House Armed Services Committee employee, on his retirement from the U.S. House of Representatives after 36 years of exemplary and professional service.

Frank began his congressional career by joining the Office of the Speaker and Parliamentarian in 1972. Already then, Madam Speaker, were Frank's trademark traits—professionalism, dedication, loyalty, and kindness of spirit—in evidence. In fact, in a letter commending him for his service, Speaker Carl Albert wrote to Frank the following:

> ''Your ability to deal directly with the Members of the House and their staffs when the occasion arose was outstanding. This sets your job above most of those in other offices around the Capitol, and your performance in this regard has brought credit to yourself and to the Office of the Speaker and Parliamentarian. But beyond your ability to do a great job, I want to thank you for the manner in which you did it. You were always courteous, thoughtful and helpful. No task ever proved too difficult, and you consistently seemed to do more than what was asked.

Since March 5, 1979, the House Armed Services Committee has been fortunate to benefit from his abilities and skills. Serving six

committee chairmen, Frank's contributions ensured the smooth operation of committee business, under frequently demanding hearing and mark-up schedules, and helped facilitate the annual defense authorization process. His dedication was such that even after suffering a stroke last year before markup, Frank chided his doctor for not allowing him to leave the hospital and go to work.

Madam Speaker, too often public perception of Congress is colored by the actions of a few powerful or well-known figures. However, as one who shares Frank's long tenure on Capitol Hill, I know that Congress relies on the dedicated staff who steadfastly complete their work in the shadow of the dome and in the shadow of the limelight. Frank has tenaciously labored on behalf of our men and women in uniform as well as each of us in this Chamber and his absence will be felt by all who have had the privilege of working with him.

Simply stated, Frank leaves a legacy that is both remarkable and unsurpassable.

On behalf of all of the members of the House Armed Services Committee and his colleagues on the HASC staff, I congratulate Frank on his retirement and thank him for his exemplary public service. With deep appreciation, we extend to Frank, his wife Ann, his sons Frank Jr. and Glenn and their families every best wish for health and happiness in the years to come.

IN RECOGNITION OF DIRK McCALL ON THE OCCASION OF HIS BEING HONORED BY THE QUEENS LESBIAN & GAY PRIDE COMMITTEE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mrs. MALONEY of New York. Madam Speaker, I rise to pay tribute to Mr. Dirk McCall, an outstanding New Yorker who has devoted himself to public service and to his community, his city, and his country throughout his career. Dirk McCall is a beloved and well-respected leader of New York City's lesbian, gay, bisexual, and trans gender, LGBT, community, the largest of any city in our Nation, and a determined, effective, and compassionate professional advocate for persons with autism. This month, Dirk McCall and our esteemed and distinguished colleague, the Honorable BARNEY FRANK of Massachusetts, are being honored by the Queens Lesbian and Gay Pride Committee at its annual Winterpride celebration in Astoria, New York.

A proud son of a military family, Dirk McCall grew up on a series of military bases throughout the southern United States. Following his dream of making his mark in the Big Apple, he made his home in Astoria in the Borough of Queens after his graduation from Emory University in Atlanta. For the last 13 years, he has devoted his prodigious energies in service to his neighborhood, to his fellow members of New York's LGBT community, and to the service of those in need.

As the president of the Stonewall Democratic Club of New York City, the largest LGBT political club in the Nation's greatest metropolis, Dirk McCall presided over a period of enormous growth in that organization's membership and its influence over key policy-makers on the city, State, and Federal levels. An indefatigable activist, he also co-founded Out Astoria, a social organization for northwest Queens' rapidly growing LGBT community. He also founded and led the LGBT Caucus of New York State Young Democrats.

CONGRATULATING THE STAFF OF WAPAKONETA MANOR

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. JORDAN of Ohio. Madam Speaker, I take great pride in recognizing the staff of Wapakoneta Manor, a skilled nursing facility in my congressional district. Wapakoneta Manor was one of only 11 facilities among the nearly 1,000 nursing homes in Ohio to be designated "deficiency-free" by the Ohio Department of Health in 2006.

Wapakoneta Manor has been serving the senior citizens of the Wapakoneta area for nearly four decades. This 97-bed facility excels in a wide variety of assistance and rehabilitation areas, including physical, occupational, and speech therapy.

When you consider that nursing homes may be cited for any number of minor violations during health and safety inspections, Wapakoneta Manor's deficiency-free rating is even more impressive. Such outstanding performance is the norm for the facility's staff, which has received citation-free evaluations in four of the last five survey periods.

A record like that, Madam Speaker, is not compiled through happenstance. It requires staff members who know the value of teamwork, who care about residents and their families, and who give their all to maintain a top-quality facility to best serve the senior population of the Wapakoneta region.

On behalf of the Fourth Congressional District of Ohio, I congratulate the skilled professional staff of Wapakoneta Manor on this exceptional achievement. The people of Wapakoneta and Auglaize County can take great pride in this remarkable record of service.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. GRAVES. Madam Speaker, I would like to state for the record my position on the following votes I missed due to reasons beyond my control.

On Monday January 29, 2007 I had to tend to some family matters and thus missed rollcall votes Nos. 58, 59, and 60. Had I been present, I would have voted "yea" on all votes.

IN RECOGNITION OF WILHELMINA COLE HOLLADAY ON RECEIVING THE NATIONAL ARTS CLUB'S GOLD MEDAL OF HONOR

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mrs. MALONEY of New York. Madam Speaker, I rise to pay tribute to Wilhelmina Cole Holladay, a great American who has devoted her life to promoting the development and appreciation of great women artists. In November of 1981, Wilhelmina Cole Holladay founded the National Museum of Women in the Arts in our Nation's Capital. In the ensuing quarter century, the Museum has enlightened countless members of the public about the remarkable achievements of women artists throughout history by acquiring, preserving and exhibiting great works of art by women. This month, Wilhelmina Cole Holladay is receiving the Gold Medal of Honor from the National Arts Club of New York City in recognition of her remarkable, visionary leadership and her tremendous contributions to the arts.

In the 1960s, in concert wit her husband Wallace, Wilhelmina Cole Holladay began carefully assembling a unique and invaluable collection of significant works of art by women, whose tremendous creative contributions to the fine arts had historically been grievously underappreciated and often overlooked altogether. The Holladay Collection constituted the core of the offerings of the National Museum of Women in the Arts when it was founded in 1981, and the basis of its permanent collection.

To fulfill its mission of increasing exposure to and appreciation of great art by women, the National Museum of Women in the Arts cares for and displays this magnificent permanent collection, offers special exhibitions, conducts outreach and education programs, maintains a research center and library, produces periodicals and books on women artists, and provides support to artists and fine arts groups around the globe. The Museum also offers a home in the capital area to those devoted to the appreciation of the performing and literary arts and other creative disciplines.

During the first 5 years of its existence, the National Museum of Women in the Arts operated from temporary offices, with docents conducting tours of its collection and special exhibitions at the Holladays' own residence. Two decades ago, the Museum opened its permanent home in a 78,810-square-foot Washington landmark located by the White House, previously a Masonic Temple. The Museum's handsome building was refurbished to meet the most demanding design, museum, and security standards, and has since earned several architectural awards.

Wilhelmina Cole Holladay's significant and enduring contribution's to American art and culture are very appropriately being recognized this month by the National Arts Club, an institution dedicated to stimulating, fostering and promoting public interest in the fine arts since its founding in 1898. Located in the architectural gem of the Samuel Tilden Mansion on Manhattan's picturesque Gramercy Park, the National Arts Club is a designated New York and National Historic Landmark and a pillar of the culture and artistic heritage of the United States of America.

Madam Speaker, I ask that my distinguished colleagues join me recognizing the enormous contributions to the civic and cultural life of our Nation by Wilhelmina Cole Holladay, founder of the National Museum of Women in the Arts.

ENCOURAGE CITIZENS TO PARTICIPATE IN THEIR LOCAL BLOOD DRIVE

HON. TIMOTHY WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. WALBERG. Madam Speaker, the renowned author William Shakespeare once wrote, "How far that little candle throws his beams! So shines a good deed in a weary world."

It is in that spirit of brotherly love that I come before this House to address an issue of great urgency back in my south-central Michigan district.

According to a January 28, 2007 article in the Lansing State Journal, Michigan's statewide blood inventory levels "have remained below an adequate supply for all negative blood types since early January.

The article goes on to state that a 72-hour supply of blood is typically necessary for the needs of patients in Michigan's 127 hospitals, but the inventory level of certain blood types in Michigan has dropped to just a 12- to 24-hour supply.

This past weekend I had the opportunity to participate in the St. Gerard Blood Drive held in Delta Township in Michigan's Eaton County. While I confess I have never been a fan of needles, the feeling of civic duty experienced by myself and all the donors that day far outweighed any temporary pain we may have felt as a result of a needle.

It's said that a faithful friend is the medicine of life, and I urge my fellow Michiganders and Americans across this great country to heed the call of organizations like the Red Cross and make an appointment at your local blood donation center.

HONORING ORTHODONTISTS

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. CLAY. Madam Speaker, I rise today to pay tribute to Orthodontists everywhere by introducing a Resolution to establish a National Orthodontic Health Month. Since the early 1900s, the specialty of orthodontics has been a growing part of our Nation's dental health system. This resolution expresses the sense of Congress that U.S. citizens should observe a National Orthodontic Health Month to recognize the advancing art and science of orthodontics. In addition, this Resolution aims to encourage Americans to learn more about the benefit of quality orthodontic care.

Over 5 million citizens of all ages are currently undergoing orthodontic treatment. An attractive smile contributes to self-esteem and self-image, improving a person's self-confidence and contributing to both social and career success. An attractive smile simply makes people more comfortable and more willing to open up to the world around them.

I have been impressed by the impact that orthodontists have not only on their patients, but also the communities in which they serve. Orthodontists are truly dental specialists, undergoing years of training to learn how to safely and effectively correct misaligned jaws and teeth. In addition, orthodontists donate over 62 million dollars worth of pro-bono dental services each year.

The American Association of Orthodontists is the leading voice for orthodontists in this country. The organization represents almost 95 percent of American orthodontists and is dedicated to maintaining the high quality of orthodontic care and promoting advances in orthodontic treatment and technology. I am proud that the American Association of Orthodontists is headquartered within my district in St. Louis, Missouri and I wholeheartedly support efforts to publicize the benefits of orthodontic treatment and the practice of orthodontics.

Madam Speaker, it is with great privilege that I recognize orthodontists today before Congress and I urge my colleagues to join me in working to establish a National Orthodontic Health Month. I myself can attest to the positive benefits of orthodontic care, as I have become one of the millions of adults who use braces to improve my oral health. By establishing a National Orthodontic Health Month we are taking a big first step towards educating people about the importance of orthodontic care as part of their overall oral health.

"DEPUTY ASSISTANT SECRETARY FOR THE INDEFENSIBLE"

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. FRANK of Massachusetts. Madam Speaker, earlier this session I inserted into the RECORD a cogent editorial from the Boston Globe calling for the dismissal of Deputy Assistant Secretary Charles Stimson, who outrageously urged corporations in America to boycott attorneys who performed their duty as lawyers in defending people accused of violating the law who were incarcerated in Guantanamo. While Mr. Stimson has since been forced to apologize, the apology was an entirely unconvincing one, in which he claimed not to have meant what he clearly said. A recent article in The Washington Post by the very able writer Richard Cohen correctly questions the apology, makes clear once again how wildly outrageous Mr. Stimson's comments were, and concludes correctly that "his words show that he is unfit for government service. . ." I ask that Mr. Cohen's thoughtful column be printed here because it is our responsibility as elected officials to continue to protest Mr. Stimson's presence in our Government, particularly in a position where he should be advocating policies exactly the opposite of his call for the boycott of conscientious and courageous attorneys.

DEPUTY ASSISTANT SECRETARY FOR THE INDEFENSIBLE

(By Richard Cohen)

"On the cold moonlit evening of March 5, 1770," writes David McCullough in his magisterial "John Adams," "the streets of Boston were covered by nearly a foot of snow." A crowd set upon a lone British sentry at Boston's Province House, taunting him. Quickly, reinforcements arrived, and so did a larger crowd. Soon the crowd hurled snowballs, chunks of ice, oyster shells and stones. The soldiers, now nine, opened fire, killing five Bostonians—"bloody butchery," Samuel Adams called it. Only one lawyer would defend the British soldiers. He was a different Adams—John Adams, a good man on the path to being great.

I resurrect this tale about Adams because it is sorely needed. Just this month, an official in the Bush administration, a deputy assistant secretary of defense named Charles D. Stimson, suggested that lawyers who defend terrorism suspects being held at Guantanamo not only should not do so but that their firms ought to be blackballed as a result.

"I think, quite honestly, when corporate CEOs see that those firms are representing the very terrorists who hit their bottom line back in 2001, those CEOs are going to make those law firms choose between representing terrorists or representing reputable firms," he said in a radio interview. You may want to read that again.

It's hard to know where to begin. Shall it be with the notion that the Sept. 11 terrorists did not so much murder about 3,000 people as hit the "bottom line" of American corporations? This is a stunningly original take on that awful day, an auditor's reading of history that Stimson, in the spare time he deserves to have in abundance, might want to apply to the bombing of Pearl Harbor or the burning of Atlanta. I doubt that any CEO look at Sept. 11 as a bad day at the office.

More to the point, what sort of lawyer—and Stimson is one—not only thinks that a terrorism suspect does not deserve counsel but that the counsel ought to be punished as a result? It's hard to fathom a lawyer saying such a thing—even hard to fathom it from a mere citizen.

It would be just a waste of my time, I suppose, to point out that the Guantanamo suspects are just suspects, convicted so far of nothing. In fact, some of them have been released and others, arrested and held elsewhere, turned out to not be the mass murderers and master criminals the government, in a fit of hype, originally accused them of being. Anyone who thinks all prosecutors speak nothing but the truth need only familiarize themselves with the case of the lacrosse players at Duke. There's a sad lesson in American jurisprudence for you.

Naturally enough, Stimson's repudiation of everything John Adams stood for produced some protest, condemnation and outrage. Following the well-established Washington rule, Stimson apologized, doing so in a letter to The Post. He said his remarks did not reflect his "core beliefs." He did not blame his utterance on drugs, booze, Twinkies or a deep depression; he merely said that his words had left the wrong "impression." With that, he has returned to the obscurity from whence he came, his job presumably secure.

I, for one, do not accept Stimson's apology. I think it is insincerely offered and beside the point. What matters most is that he retains his job, which means he retains the confidence of his superiors in the government. How anyone can have confidence in such a man is beyond me. There are only two explanations, one inexcusable, the other chilling. The first is that his bosses don't care. The second is that they agree with him.

I would guess that Stimson strongly felt it was No. 2—agreement. From the get-go, the Bush administration has taken the position that anyone it detained on terrorism charges

was guilty. Throw away the key. No need for lawyers. No need for judges. No need for anything except, of course, the word of the authorities. In recent months, a more assertive Congress and the courts have unaccountably challenged this view, and the Bush administration has beaten a tactical retreat on unchecked eavesdropping and the legality of trying alleged terrorists before military commissions. Still, we all know where its heart is on these matters. Justice is what the administration says it is.

By now, any other administration would have fired Stimson, apology or not. His words show that he is unfit for government service, not to mention membership in the bar. Fortunately for him, if and when someone does drop the ax, some misguided lawyer, infused with the spirit of John Adams, will defend him. I hope Stimson will forgive him.

LANE EVANS POST OFFICE BUILDING

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 29, 2007

Mrs. MALONEY of New York. Mr. Speaker, I rise today in strong support of H.R. 521, which will designate a ''Lane Evans Post Office Building'' in Rock Island, Illinois.

For more than 20 years, Lane was a champion of veterans and Parkinson's issues on Capitol Hill and a great friend to both communities. We worked together as co-chairs of the Congressional Working Group on Parkinson's Disease, and I came to truly admire his dedication, kindness, and courage.

Last year Lane helped to pass into law a program that he conceived and created, Parkinson's Disease Research, Education and Clinical Centers, PADRECCs. These centers will provide valuable assistance to American veterans battling Parkinson's disease.

As a former Marine, Ranking Member on the House Veterans' Affairs Committee, and person battling Parkinson's Disease, Lane Evans knows better than most the challenges facing both constituencies. While his presence in this chamber is sorely missed, I hope to continue his legacy while working with the newly renamed Bicameral Congressional Caucus on Parkinson's Disease to find a cure for this terrible disease.

I am truly proud to have served with my dear friend Lane and to support this fitting tribute to him.

SPOKANE, WASHINGTON: AN AMERICA'S PROMISE ''100 BEST COMMUNITIES FOR YOUNG PEOPLE''

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to recognize the City of Spokane, Washington, and the efforts of the Spokane Regional Youth Department for being named an America's Promise ''100 Best Communities for Young People.''

Spokane is committed to youth service and leadership opportunities. When nominating Spokane for the America's Promise award, Matthew Rivera, a 17-year-old student leader, said, ''Spokane provides us with the tools and inspiration to pursue our goals.''

Spokane is a city of promise because of people like Matthew, who are partnering with caring adults to serve our community. He, along with many other youth in the area, impact Spokane's future on a daily basis through their participation in organizations such as the Spokane Regional Youth Department, Chase Youth Commission and the Teen Advisory Council.

Devon Clark, another local high school student, says that ''Spokane is fortunate to have such a great network of youth, but it is also important to see that the network of adults who support our youth is just as much an integral part of the team.'' That network has contributed to a low high school drop-out rate in Spokane County and a commitment to mentoring underserved populations.

Finally, Katherine Merck, a participant in Youth Leadership Spokane, said ''Spokane deserves the honor of being named one of our national 100 Best Communities for Young People, because our community focuses on youth, is a safe place, has outstanding schools, and offers many opportunities for young people to become involved in the community.''

Madam Speaker, I rise today to commend the City of Spokane for their work to develop civic participation in our young people, to provide them with an outlet to express their views, and to give the youth of Spokane the opportunity to serve their community through partnering with adult leaders in the city. I invite my colleagues to join me in celebration of Spokane, Washington, an America's Promise ''100 Best Communities for Young People.''

HONORING MRS. FISHER'S ON THE OCCASION OF ITS 75TH ANNIVERSARY

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. MANZULLO. Madam Speaker, the congressional district I represent is home to two of the finest home style, thick-sliced potato chips manufacturers in the country, Mrs. Fisher's and Ole Salty's. I am pleased today to honor Mrs. Fisher's on the occasion of its 75th anniversary.

Mrs. Fisher's was founded in Rockford, Illinois in 1932 by Mrs. Ethel Fisher. Eugene and Ethel Fisher began cooking potato chips in their basement on a two burner wash stove in order to make extra income during the Depression. From this humble beginning, Mrs. Fisher's now ships its product throughout the entire United States and is one of oldest chip manufacturers in the Midwest.

Mrs. Fisher's is currently owned and operated by the DiVenti family, who were employees of Mrs. Fisher's at the time they purchased the company. Under the ownership of the DiVenti family, Mrs. Fisher's now employs 13 full time workers and has three shipping routes that make daily deliveries to Dixon, Rochelle, Freeport, Crystal Lake, and Janesville, Wisconsin.

Generations of individuals in northern Illinois have grown up with Mrs. Fisher's, and I commend the DiVenti family for carrying on the great Fisher's tradition.

INTRODUCTION OF THE VETERANS REASSIGNMENT PROTECTION ACT

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Ms. HERSETH. Madam Speaker, today I am pleased to introduce the Veterans Reassignment Protection Act of 2007. This bill would ensure the application of veterans' preference protections to Federal and postal employees who are the unfortunate victims of downsizing actions that threaten to unfairly and involuntarily reassign them to locations far from their homes.

I have drafted this legislation to directly address the actions of some Federal agencies that are attempting to circumvent the application of certain employment preferences to military veterans in their ranks. These Federal entities in the course of downsizing actions, under the authority of so-called ''repositioning rules,'' are seeking to deny the longstanding employment preference entitlements Congress has conferred upon eligible veterans in connection with reduction-in-force actions. If traditional veterans' preference rights were available, veterans would likely remain employed in comparable positions in the same geographic area when a downsizing action occurred.

Since the time of the Civil War, veterans of our Armed Forces have been given some degree of preference in hiring and other personnel actions by the Federal Government. Recognizing their sacrifice, Congress has enacted laws to prevent veterans from being penalized for their time in military service. Veterans' employment preferences recognize the economic loss and sacrifice suffered by citizens who have served their country in uniform, restore veterans to a favorable competitive position in Government employment, and acknowledge the larger obligation owed to disabled veterans.

The blatant actions of some Federal agencies to circumvent preference eligible protections in the course of downsizing actions must be ended, especially in light of legal challenges by involuntarily reassigned employees that have generally been resolved in favor of their employing agency because of a loophole in the law that requires preference eligible veterans to accept involuntary reassignment or be administratively discharged for the refusal. My legislation would close that loophole. The Veterans Reassignment Protection Act would ensure the application of veterans' preference rights to employees who are involuntarily reassigned in the course of reorganizations or transfers of function within their agency, regardless of the characterization of such personnel actions by their agency.

I introduced similar legislation late in the 109th Congress, which was endorsed by the American Legion, Veterans of Foreign Wars, the National Association of Postal Supervisors, and the National Association of Postmasters of the United States. I appreciate the continued support of these groups and look forward to the added endorsements of additional veteran service organizations and others.

The rights and protections of our Nation's military veterans, especially in light of their continuing sacrifices in Iraq, Afghanistan and other dangerous lands, should not permit the unfair and wrongheaded employment policies by the Federal Government to stand. I am proud to support the selfless and patriotic sacrifice of our Nation's military veterans, and I urge the swift consideration and passage by the Congress of this necessary and important legislation.

LANE EVANS POST OFFICE BUILDING

SPEECH OF

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 29, 2007

Mr. BUYER. Mr. Speaker, I rise in strong support of H.R. 521, a bill to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the ''Lane Evans Post Office Building.''

Lane Evans completed 24 years of remarkable service to his nation as a member of the House of Representatives and the Committee on Veterans' Affairs. His work here reflected the principles that guided him throughout his life. Lane's concern for our military men and women, the environment, and those less fortunate speaks to his character and commitment to make life better. But it was his unwavering support for the Nation's veterans that best defined his time in Congress. Agent Orange, Post Traumatic Stress Disorder, Spina Bifida, and expanded services for women veterans are just some of the causes for which Lane will be fondly remembered by his colleagues and our veterans.

I served on both the Armed Services and the Veterans' Affairs Committees with Lane, and have always respected his counsel, especially in his role as my Ranking Member when I chaired the House Committee on Veterans' Affairs. Even when we disagreed on policy matters, I never doubted that his positions on veterans issues were rooted in his service as a United States Marine during the Vietnam Era. Lane is a man of integrity, compassion, and honor.

Mr. Speaker, I strongly urge my colleagues to support H.R. 521. Naming this post office is a small, but lasting and appropriate way to honor Lane, and I hope those who visit this facility will recognize the contributions of the man for whom it is to be named.

HONORING THE 50TH ANNIVERSARY OF FOSS AVENUE BAPTIST CHURCH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. KILDEE. Madam Speaker, I ask the House of Representatives to salute Foss Avenue Baptist Church as it celebrates the 50th anniversary of the Church's founding. The congregation will hold a banquet on March 24th in my hometown of Flint, Michigan to mark the occasion.

In late 1956 several ministers in Flint meet with the purpose of organizing a Baptist church on Foss Avenue. It was agreed to organize a church and the first applications for membership were made. The first members were Preston Johnson, Emma J. Simpson, Marvell Arkansas, and Reverend and Mrs. Avery Aldridge. A motion was made to name the church Foss Avenue Baptist Church and on December 2, 1956 the new church was born.

The original church was dedicated on January 6, 1957. Under the direction of Pastor Avery Aldridge the second church building was entered on March 30, 1958 with the cornerstone being laid on March 22, 1959. The church was rebuilt in 1964, and the west addition was dedicated on February 9, 1969. The cornerstone was re-laid on December 10, 1978 when the north and south side additions were dedicated. As the congregation grew Pastor Aldridge organized many auxiliaries and services under the auspices of Foss Avenue Baptist Church and the congregation moved into the current sanctuary in 1989. In 2005 the original sanctuary was renovated and dedicated as the Mildred Light Aldridge Christian Education Center.

Through the years the members of Foss Avenue Baptist Church have contributed to the church enterprises. Foss Avenue Baptist Church has an active Usher Board, a Music Department, a Foreign Mission Board, Church School Department, Mother's Board, Deaconess Board, a Trustee Board, Mission Department, and Kitchen Entourage. In addition the congregation operated Foss Avenue Christian School and the first Black Dairy Queen in the Flint area. Through the efforts of this congregation, thousands of persons have been helped, inspired and educated.

Pastor Aldridge devoted his life to making Foss Avenue Baptist Church a reflection of God's glory and a beacon of light to the people of Flint. Under the current leadership of Pastor Roosevelt Austin, a lifelong friend of Pastor Aldridge, the congregation continues to respond overwhelmingly to God's call and to carry on His work.

Madam Speaker, please join me in applauding Foss Avenue Baptist Church as it celebrates 50 years of worship, fellowship, and homage to Our Lord, Jesus Christ. The clergy and members are to be commended for their service to their community and world.

INTRODUCTION OF H.R. 718 NATIONAL GUARD EMPOWERMENT ACT OF 2007

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to introduce H.R. 718, the National Guard Empowerment Act of 2007.

The National Guard needs a voice to ensure that its people get the same training, equipment and benefits as their active-duty counterparts. It needs a voice to speak for the needs of governors and the guardsmen who defend and protect us from natural disasters and acts of terror.

Asking the Department of Defense to approve one four-star General for the National Guard and allow this Guard General a seat at the Joint Chiefs of Staff is not overly reaching or a threat to national security. It's simply a matter of providing a seat at the table to an organization that has earned it.

When it comes to the Guard, Cold War thinking still prevails at the Pentagon. So a bipartisan and bicameral group of Members of Congress stand united behind this bill. This year, we have added three important provisions to: allow Guard officers to advance to the highest ranks of leadership; force better accountability in service procurement for the National Guard; and, define and improve the fractured planning and operational relationships between the Department of Defense, the National Guard Bureau, U.S. Northern Command and our Governors.

After 9/11, the President issued an Executive Order making the security of the homeland the No.1 priority of the Department of Defense. But the Department's attempts to empower the Guard have so far been date have been hollow, with no clear standards, no firm requirements and only minimal funding.

The Department of Defense seems to be in denial about the essential role the National Guard plays in times of need. The Pentagon needs to show more concern for the force that protects Americans first, arrives first, acts first and stays longest.

Today, the Government Accountability Office released a study sponsored by the Oversight and Government Reform Committee entitled: ''Actions Needed to Identify National Guard Domestic Equipment Requirements and Readiness.'' This study points out that the Department of Defense has yet to take decisive action to improve the National Guard's domestic capabilities and clearly points out why this basic Guard empowerment bill is absolutely necessary.

If you want to know why the Guard deserves a seat at the table, take a look at what the Air Force has budgeted this year for First Air Force, which is made up of the nation's top Air National Guard wings. These are the fighters who protect the skies over America. Their command budget and manpower is being cut almost in half. And it should come as no surprise that these Air Guard wings are not on the Air Force list to get F–22s or F–35s.

Last year's BRAC decimated Air National Guard units that provided critical airlift capability during Hurricane Katrina, moving people, water and supplies through catastrophic damage. Without that capability, we may be in a worse position today in terms of emergency supply movement than we were when the storm struck.

Or consider the readiness of the Army's chemical and biological response units, most of which rest in the Reserve Component units. GAO soon will release a study sponsored by the Oversight and Government Reform Committee that will show the Army has not seen fit to enhance these units for homeland defense. As a result, Americans remain vulnerable to the chemical-biological attack many fear likely if not inevitable.

A year and a half after Hurricane Katrina, the findings and basic recommendations in the Select Committee Report on Hurricane Katrina have not been adequately addressed.

Moreover, the National Guard continues to perform valiantly in the Global War on Terrorism. The National Guard provides almost half the manpower, support and transportation

our military uses overseas, yet it has just 35 percent of the equipment it needs. The time has come to fix this.

Since 9/11, every single person in this country has benefited from the exemplary service provided by the men and women of the Guard. I urge the new leadership in this Congress, as they examine defense policies and budgets, to keep in mind the needs of the these brave men and women, who for too long have been treated as second-class citizens by our military. This country cannot afford a broken state/federal response to homeland emergencies.

Madam Speaker, those National Guardsmen responsible for our homeland defense and military assistance to civilian authorities deserve the resources, planning and training they need. These reforms are long overdue, and the National Guard Empowerment Act of 2007 represents an essential step in the right direction.

HONORING RONALD PHILLIPS—3 MILLION MILES ACCIDENT FREE

HON. DAVID DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. DAVID DAVIS of Tennessee. Madam Speaker, I rise today to pay tribute to Ronald Phillips, a resident of the First Congressional District of Tennessee, who has recently accumulated over 3 million accident-free miles during his career as a truck driver.

In June 2004, Ronald was the first driver to receive the 2 Million Mile Safe Driving Award at Con-way.

His other accomplishments include: 25,000 Safe Driver & Worker Hours Distinguished Driver Recipient; Member Con-way Freight's Elite President's Club; Quarterly Leaders Award from Con-way; National Finalist for Ray O'Brien Award in 2003, 2004, and 2005; Tennessee Truck Driving Championships—2nd place in straight truck class in 2006; Highway Watch Member; Certified Driver Trainer and Mentor; Con-way Defensive Driver Trainer; National Eagle Scout Association Member; Regional Values Task Force Member for Conway; Member Trucker Buddy International.

Ronald Phillips is an AWANA leader at his church and has participated in several mission trips and charitable work.

Ronald Phillips resides in Gray, Tennessee with his wife of 23 years, JoAnn. They are the proud parents of one daughter, Regina (21) who is graduating from King College this year.

Madam Speaker, I ask you and my fellow members to join me in honoring Ronald Phillips, a testament to hard-work, determination and the values that have made this Nation so great.

HRANT DINK'S DEATH A LOSS FOR MANY

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. CAPUANO. Madam Speaker, I supported H. Res. 102 and I condemn in the strongest possible terms the cowardly murder of journalist Hrant Dink in Istanbul on January 19. I find particularly contemptible the actions of those who seemingly chose a seventeen-year-old youth—the alleged killer—to commit this appalling crime. This despicable act should not, however, obscure the inspiring solidarity of tens of thousands of secular, Muslim, and Armenian Christian Turks who filed past Mr. Dink's bier and marched in his funeral procession. Western news media have estimated the crowds between 50,000 and. 100,000. Important Turkish officials, such as Deputy Prime Minister Mehmet Ali Sahin; Interior Minister Abdulkadir Aksu; the governor of Istanbul, Muammer Guler; the head of the security forces, Celalettin Cerrah; and two generals joined Arman Kirakossian, the deputy Foreign Minister of Armenia, and other Armenian officials at the funeral service.

Everyone in the world who cherishes freedom and brotherhood must take heart when signs proclaiming "We are all Armenians" are carried through the streets of Istanbul. I wish to express my condolences to the family and friends of Hrant Dink. I want also to express my profound respect for all his fellow citizens who protested his murder and mourned his death.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA BUDGET AUTONOMY ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Ms. NORTON. Madam Speaker, next to H.R. 328, the bill to give the District its first full vote in the House, the bill we introduce today is the most important bill to the District of Columbia that will come before Congress this session. The District of Columbia Budget Autonomy Act that Oversight and Government Reform Ranking Member TOM DAVIS and I introduce would give the District the right to enact its local budget without annual congressional oversight. The original Senate version of the Home Rule Act provided for budget autonomy, and 32 years of unnecessary difficulties and delay occasioned by the extra layer of oversight offer ample evidence that the time is at hand for Congress to permit the city to enact its local budget and move forward immediately to operate and manage the city.

This is the most important of the bills to be introduced as part of the "Free and Equal D.C." series of bills designed to accomplish two goals: (1) to give the city control over its core functions, such as budget, legislation and criminal justice; and (2) to transfer to the District the Home Rule Act provisions that prescribe the city's structure and others that make it necessary to come to Congress for changes, as well as many other provisions that have been included in the Act over the years. Budget Autonomy is most important because the ability to enact a budget and spend its own taxpayer funds as authorized is central to a jurisdiction's ability to operate and manage a functioning government. For that reason, the budget process is essential to the right to self government. By definition, Congress will retain jurisdiction over the District of Columbia under Article I, Section 8 of the Constitution. Since, therefore, Congress could in any case affect changes in the District's budget and laws at will, it is unnecessary to require lengthy repetition of the District's budget process here. The redundancy of the congressional appropriations process is its most striking feature, considering that few if any changes in the budget itself are made.

I am gratified that Congress itself has moved toward the position embodied in this bill. The congressional experience with the District's budget has matured, and year after year, Congress has made no changes. At the same time, there has been increasing recognition of the hardship and delays that the annual appropriations process causes. As a result, Congress has already begun freeing the city from the congressional appropriations network. Last year, Congress approved the Mid-year Budget Autonomy bill, offering the first freedom from the federal appropriations process, the most important structural change for the city since passage of the Home Rule Act 32 years ago. The District can now spend its local funds annually without congressional approval, instead of returning mid-year to become a part of the federal supplemental appropriation in order to spend funds collected since the annual appropriations bill. Moreover during the past few years, appropriators have responded to our concern about the hardships resulting from delays in enacting the D.C. appropriation. I appreciate the agreement that has allowed the local D.C. budget to be in the first continuing resolution, permitting the city to spend its local funds at the next year's level. This approach has ended the lengthy processes that began years before I was elected, whereby the D.C. budget was delayed for floor fights about local policy and laws unrelated to the budget.

I have long argued that budget autonomy would benefit the city financially and operationally without withdrawing congressional jurisdiction. Only statehood would completely eliminate congressional power over the budget, but that option is not available at this time because the Mayor and City Council turned over the costs for some state functions carried by the city to the federal government in 1997. However, permitting the local budget to go into effect on time benefits the District and the Congress alike. For the city, a timely budget would: eliminate the uncertainty of the congressional process that in turn affects the city's bond rating and adds unnecessary interest for local taxpayers to pick up; significantly increase the District's ability to make accurate revenue forecasts; and reduce the countless operational problems, large and small, that result when the city cannot proceed on budget on time. Among the many examples, one particularly comes to mind that resulted when the D.C. budget was enacted five months late. Despite significant cuts in most functions, the city had increased the budget of the D.C. Public Schools (DCPS), but DCPS was forced to spend at the prior year's levels under a Continuing Resolution without the benefit of its urgently needed increase. As a result, for example, textbooks had to be returned to publishers under contract provisions; school supplies were returned; school buses under the bus lease contract were reduced, creating longer rides for disabled children; and tuition payments for special education students went unpaid.

Leaving its local budget to the District also would bring benefits to Congress. The D.C.

budget typically has had to come to the floor repeatedly before it passes because of attachments. Members then complain about the time and effort spent on the smallest appropriation affecting no other members. No budget autonomy bill can eliminate the possibility of attachments because there are countless ways to attach riders, but our bill reduces the likelihood that they will hold the city's local budget hostage and sometimes the appropriations process itself.

Members of Congress were sent here to do the business of the nation. They have no reason to be interested in or to become knowledgeable about the many complicated provisions of the local budget of a single city. In good times and in bad, the House and Senate pass the District's budget as is. Our bill takes the Congress in the direction it is moving based on its own experience and completes the process. Three decades of congressional interference into the vital right to self government should end this year and end first with budget autonomy for the District of Columbia.

TRIBUTE TO SERGEANT JEDEDIAH BERMAN, BOISE, IDAHO

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. SIMPSON. Madam Speaker, I rise today to honor Sergeant Jedediah Berman, an Idaho native, a constituent of mine, and a proud member of the United States Military for over 15 years.

In 2004, Sergeant Berman was serving in Iraq when he was seriously wounded by an IED explosion next to his Fox vehicle. The right side of his head was badly injured. His arm was mangled, his lung had collapsed, his knee was injured, and he had shrapnel in his shoulder. He was treated first at Landstuhl Regional Medical Center in Germany, then transferred to Walter Reed Medical Center here in Washington, and finally sent to Madigan Medical Center in Fort Lewis to undergo intensive treatment and rehabilitation. While his doctors were able to rebuild much of his face, they could not replace his eye or repair his hearing in his right ear. Shrapnel remained lodged in his body and his brain, his knees continued to cause him intense pain, and he had only limited use of his arm.

Despite these enormous hardships and the significant pain of his injuries, Sergeant Berman badly wanted to return to Iraq to be with his unit, the Stryker Brigade Combat Team, which had been redeployed to Iraq while Berman was recovering. Last November, he received good news from the review board that he was fit for duty and would be able to rejoin his fellow soldiers. He deployed a few days before Christmas and has rejoined the Stryker Brigade in Iraq where he continues to serve our great Nation.

Madam Speaker, Sergeant Berman is an inspiration and example to us all. He exemplifies the sort of brave and honorable military men and women that are protecting our Nation in Iraq, Afghanistan, and throughout the rest of the world. I am proud and honored to represent him and many others like him in Congress, and I am grateful for their service to our great Nation. I would also like to recognize Sergeant Berman's family, and the many other military families throughout America, for their sacrifices and thank his mother, in particular, who brought her son's service and commitment to my attention.

As we conduct our business in Congress, I know that my colleagues and I will continue to recognize and pay tribute to the honorable men and women who are serving our country and honor the many Sergeant Bermans who willingly make such great sacrifices to protect those of us at home. To our military men and women serving at home and abroad, the American people thank you for your great service to our country.

CONGRATULATING IRVIN ''CHOPPY'' SMITH

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. BOUSTANY. Madam Speaker, I rise today to applaud the devoted service of Irvin ''Choppy'' Smith to the people of Acadia Parish. Choppy recently retired following 22 years of dedicated work as the Chief Deputy in the Acadia Parish Tax Assessor's Office.

During his distinguished service to Acadia Parish, Choppy was known as a devoted public servant who always provided a warm and welcoming environment for the many parish residents that sought the service of the Tax Assessor's Office. Choppy's vast knowledge of Acadia Parish was invaluable as he assisted countless taxpayers.

Madam Speaker, it is people like Choppy Smith that continue to inspire all of us, and I ask my colleagues to join me and the people of Acadia Parish in congratulating Choppy for his invaluable accomplishments for the State of Louisiana.

A TRIBUTE TO REV. JAMES MOORE, SR.

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor Rev. James Moore, Sr. the pastor of the Second Mount Zion Baptist Church, upon the occasion of his installation as the president of Black Clergy, Inc. of Philadelphia and Vicinity.

Rev. Moore is a man of uncompromising faith and vision. His absolute devotion to church and community is recognized by his parishioners, his fellow clergy members and civic officials.

As the president of the Black Clergy I know he will take the organization to even greater heights because of his commitment to build working partnerships beyond the walls of the church to solve some of the serious problems our communities are facing.

Biblically guided by Philippians 2:5, ''Let this mind be in you which was also in Christ Jesus,'' Rev. Moore, in spite of his accomplishments, walks the path of humility as he offers spiritual inspiration to those in need.

I know that all of my colleagues in the Congress join me in honoring Rev. Moore.

CONDEMNING ABBAS'S REMARKS AGAINST ISRAEL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. WILSON of South Carolina. Madam Speaker, at a Fatah party rally on January 11, 2007, Palestinian Authority President Mahmoud Abbas reportedly said that Palestinians ''have a legitimate right to direct our guns against the occupation [Israel]'' and that Fatah's ''fighting'' stance is a ''model for liberation.''

I find it disheartening and deeply troubling that Abbas would sanction violence against Israel instead of calling upon his people to support peaceful compromise with Israel.

Palestinian leaders must understand that they can no longer support peace when speaking to Western audiences while advocating violence against Israel when addressing their people. Abbas' statements suggest that he is not the ''moderate'' Palestinian leader that many claim he is. Unless he renounces violence once and for all and takes steps to disarm terrorists, Abbas may not deserve additional U.S. aid.

CONGRATULATIONS TO THE NEWARK PUBLIC LIBRARY ON THEIR BLACK HISTORY MONTH EXHIBITION

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. PAYNE. Madam Speaker, it is my distinct pleasure to congratulate the Director and Board of Trustees of The Newark Public Library, and Dr. Sibyl E. Moses, guest curator, on the occasion of the opening of the Library's Black History Month exhibition entitled ''The Creativity and Imagination of African American Women Writers in New Jersey.'' As the representative from the 10th Congressional District, I am very proud of my long affiliation with the library and the valuable services they render to our community.

The exhibition at Newark Public Library celebrates the diversity and richness of published works created by African American women in New Jersey. The exhibition documents an important aspect of New Jersey's cultural history, and brings this information together in one place and at one time, for the people of Newark and for all residents of New Jersey. I applaud The Newark Public Library for interpreting their collections for all to see.

I also commend Sibyl E. Moses, the guest curator, for her achievements and many years of commitment and service to the people of New Jersey. She is an outstanding citizen, whose leadership is recognized nationally and internationally in the field of library and information science. For more than 20 years, she has identified, preserved, and promoted an awareness of books published by African American women in New Jersey. Her book, African American Women Writers in New Jersey, 1836–2000: A Biographical Dictionary and Bibliographic Guide (Rutgers University Press), upon which this exhibition is based,

won recognition from the American Association for State and Local History and by The New Jersey Center for the Book.

I am pleased to join all those in attendance at the opening of the exhibition, in wishing the Director and Board of Trustees of The Newark Public Library, and Dr. Sibyl E. Moses, continued success for the work they are doing to preserve and promote an awareness of African American history in New Jersey.

HONORING PRESIDENTIAL MEDAL OF FREEDOM RECIPIENT MRS. RUTH COLVIN

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. WALSH of New York. Madam Speaker, I rise today in tribute to Mrs. Ruth Colvin, a 2006 recipient of the Presidential Medal of Freedom for her work as the founder of Literacy Volunteers of America.

Literacy Volunteers of America is a national, educational, non-profit organization that trains volunteers to teach Adult Basic Literacy (ABL) and English to Speakers of Other Languages (ESOL). In 2002 Literacy Volunteers of America merged with Laubach Literacy International to become ProLiteracy Worldwide, and now has 1200 affiliates across the United States and over 50 partners worldwide. Her work has made Syracuse, NY, the center of global literacy efforts.

Ruth Colvin is a literacy pioneer and one of our Nation's most effective ambassadors to the world on the importance of education. The founder of Literacy Volunteers of America, she has dedicated her life to helping the less fortunate gain the reading and language skills they need to succeed. Her work has inspired others to lead lives of service and devote their time and talents to combating illiteracy. The United States honors Ruth Johnson Colvin for her extraordinary efforts to provide hope and opportunity to people everywhere.

REMEMBERING THE 50TH ANNIVERSARY OF THE HUNGARIAN UPRISING

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. SMITH of New Jersey. Madam Speaker, this past October, Hungary celebrated the 50th anniversary of the Hungarian Uprising. As President Bush said in his October 18 Presidential Proclamation, "the story of Hungarian democracy represents the triumph of liberty over tyranny." Like the President, I honor the men and women who struggled—not only in 1956 but for many years thereafter—for democracy in Hungary.

The following remarks were made by Istvan Gereben, a man who came to this country after the 1956 revolution, but who never forgot his homeland. They were delivered by Mr. Gereben in San Francisco on October 22, 2006, at the Remember Hungary 1956 Commemoration, at the California State Building.

REVOLUTION, REBIRTH, FREEDOM: HUNGARY 1956

From the shadows of blood, iron bars, gallows and simple wooden crosses we step today into the sunshine of remembrance, hope, duty and responsibility. During the past sixteen years the ideas, guiding principles, heroes and martyrs of 1956 gained amends. The moral and political legacy of the Hungarian Revolution, however, still, even today, is misunderstood, misrepresented and waiting to be fully appreciated.

We remember . . . our friends, the Kids of Pest, the colleagues, the relatives, the familiar strangers. The brave Hungarians. Let's remember the dead here, thousands of miles away from their graves but close to their soul, grieving woefully, but full with hope. We pray for those who in their defeat became triumphant. "For what they have done has been to expose the brutal hypocrisy of Communism for all mankind"—declared Archibald McLeish in the Special Report of Life Magazine in 1957.

Why did it happen? The best answer can be found in Sandor Marai's poem: Christmas 1956. Angel from Heaven.

The whole world is talking about the miracle.
Priests talk about bravery in their sermons.
A politician says the case is closed.
The Pope blesses the Hungarian people.
And each group, each class, everybody
Asks why it happened this way.
Why didn't they die out as expected?
Why didn't they meekly accept their fate?
Why was the sky torn apart?
Because a people said, "Enough!"
They who were born free do not understand,
They do not understand that
"Freedom is so important, so important!"

The fight waged by Hungarians in 1956 was inspired by a burning desire for freedom of the individual and the nation, by want for national independence, by thirst for full national and individual sovereignty and by hunger for inner democracy. This Revolution against the Soviet occupiers was a defining moment in Hungarian history and in the nation's political culture. 1956 was one of the most powerful nails driven into the coffin of an evil and fraudulent tyranny.

Then and continuously since we witness the expression of praise, admiration of and support for the aims of this miracle that is called the Hungarian Revolution.

Let's refresh our memory with some of the more striking observations by our friends here in America and elsewhere in the World:

President John F. Kennedy: "October 23, 1956 is a day that will forever live in the annals of free men and free nations. It was a day of courage, conscience and triumph. No other day since history began has shown more clearly the eternal unquenchability of man's desire to be free, whatever the odds against success, whatever the sacrifice required." (Statement, October 23, 1960)

President Ronald Reagan: "The Hungarian Revolution of 1956 was a true revolution of, by and for the people. Its motivations were humanity's universal longings to live, worship, and work in peace and to determine one's own destiny. The Hungarian Revolution forever gave the lie to communism's claim to represent the people, and told the world that brave hearts still exist to challenge injustice." (Excerpt from the Presidential Proclamation issued on October 20, 1986.)

President George W. Bush: "On the 50th anniversary of the Hungarian Revolution, we celebrate the Hungarians who defied an empire to demand their liberty; we recognize the friendship between the United States and Hungary; and we reaffirm our shared desire to spread freedom to people around the world." (Excerpt from the Presidential Proclamation issued on October 18, 2006.)

Milovan Djilas: "The changes in Poland mean the triumph of national Communism, which in a different form we have seen in Yugoslavia. The Hungarian uprising is something more, a new phenomenon, perhaps no less meaningful than the French or Russian Revolutions . . . The revolution in Hungary means the beginning of the end of Communism." (Excerpt from "The Storm in Eastern Europe," "The New Leader," No. 19, 1956.)

The New York Times: "We accuse the Soviet Government of murder. We accuse it of the foulest treachery and the basest deceit known to man. We accuse it of having committed so monstrous crime against the Hungarian people yesterday that its infamy can never be forgiven or forgotten." (In an editorial in the paper's November 1956 issue.)

I could continue with Statements made by Albert Camus, President Richard Nixon, Sir Leslie Munroe, Henry Kissinger, Leo Chern, Pablo Picasso, Nehru and I could read hundreds and hundreds of pages from the Congressional Record listing the praising remarks of hundreds and hundreds lawmakers uttered in the past 50 years. All the words were saved for posterity, everyone can find and savor them.

October 23, 1956 happened when two powerful ideas—tyrannical communism and the eternal human principles of democracy—met and clashed in the middle of Europe, in the small and defenseless Hungary. In this inherently uneven conflict blood was shed and lives were lost. Imre Nagy and his colleagues were arrested, tried and most of them along with countless Freedom Fighters were executed on June 16, 1958.

Since their death, the political and human challenge has been to find the rationale for their supreme sacrifice. This rationale is the indestructible dignity of every human being. By refusing to beg for his life, Imre Nagy repudiated his personal past for a more hopeful future of Hungary and the world at large.

The significance of his and countless other Hungarians' sacrifice is etched onto the political map of the 21st century. The invented hope of the Hungarian Revolution is taking shape in the recent developments throughout the world. That is the real miracle of the events of 1956 and the subsequent human sacrifices of Imre Nagy and his fellow Freedom Fighters.

The Revolution was brutally and unavoidably defeated.

Why was the fate of the Revolution predetermined? Why did it happen so that when we in the last days of October and the early days of November in 1956 enthusiastically and full with hope sensing victory strolled the streets of Budapest and the cities and villages of Hungary not suspecting that our fate, independently from us, already has been determined. The deadly sentence was delivered by the powers of the world? And if it is so why was the verdict such as it was?

Even after 50 years there is still no answer.

The questions are not new. The lack of answer frustrated many historians, political scientists but none had the determination, the skill, the objectivity and patience to provide an authentic answer.

Robert Murphy, who, in the absence of Secretary of State John Foster Dulles from Washington, attended to the day to day business of the State Department during the Hungarian Revolution, summarized his frustration caused by not being able to find a satisfactory answer to Hungary's demands in his autobiography, Diplomat Among Warriors, published in 1964 this way:

"In retrospect, world acceptance of the Russian aggression in Hungary is still incredible. For sheer perfidy and relentless

suppression of a courageous people longing for their liberty, Hungary will always remain a classic symbol. Perhaps history will demonstrate that the free world could have intervened to give the Hungarians the liberty they sought, but none of us in the State Department had the skill or the imagination to devise a way.''

This answer seems to be the most honest one.

Hungarians have fallen back in the Soviet yoke. But the nation persevered.

There are times when remembrance is the bravest action—declared Gyula Illyes, the eminent Hungarian poet in the middle of the twentieth century. Today such times are present in Hungary. The time for bravery to remain faithful to the moral and political maxims of the Revolution. Bravery witnessed not against the tanks, soldiers and henchmen of the occupying empire, bravery not contesting a strange, inhuman ideology, but courage to face insensitivity, to confront and solve the problems of humdrum everyday life, the bravery necessary to assume the responsibility and sacrifice of building a truly modern country, which is democratic, committed to observe the rule of law and governed by the constitution. At the present, this kind of bravery does not uniformly characterize all Hungarians.

Hungary was redeemed 35 years after the defeated Revolution. During that 35 years her plight to fulfill the demands of 1956 gained respect and support in the West. The courage, the intelligence, the determination and the skill of the Hungarian Democratic Opposition to engage a first bloodthirsty, later, sophisticated dictatorship resulted in recognition of the opposition's leaders as authoritative spokesmen for the fulfillment of the desires of the Hungarian people. They were inspired by the spirit of the Revolution and adopted its maxims.

In the United States, Presidents and ordinary citizens lined up in support behind the Democratic Opposition. The United States, by publicly expressing support in words and in action provided protection for individuals and the whole community of the dissidents.

The U.S. Government published English translations of selected samizdat literature produced by opposition activists. Many volumes, each with hundreds of pages of these, were printed and distributed in the '70s and the '80s. A collection of these is deposited in the National Szechenyi Library in Budapest.

Information provided by the dissidents was used by the Hungarian Freedom Fighters Federation U.S.A. and the Coordinating Committee of Hungarian Organizations in North America in their countless testimonies before Congress, the U.S Commission on Security and Cooperation, and in numerous briefings presented in the White House and in the State and Defense Departments.

A longstanding issue between the Hungarian Communist Government and the Opposition, Hungarians abroad and more significantly the United States Government was the unwillingness of the Communist Government to identify the secret location of the graves in which the executed Freedom Fighters were buried. A campaign covering several decades by U.S. Presidents, Congressman, the Commission on Security and Cooperation, hundreds of leading public figures and civic organizations culminated in a letter sent on June 20, 1988, by Congressman Frank Horton, along with 43 other Representatives urging Prime Minister Karoly Grosz of Hungary to comply with the many requests filed with the Hungarian Government in the past and allow the family members of the executed to have access to the body of their relatives. Responding in letter dated July 18, 1988 the Prime Minister wrote:

''My Government has the intention to settle this problem in a humane spirit in the near future, enabling the families to rebury the dead and to pay their tribute at the graves.''

The public ceremony of the reburial took place on June 16, 1989 in the presence of 200,000 grieving Hungarians. With this act the road opened to free parliamentary and local elections in 1990 and the formation of a free Government.

The demands of the Hungarian people were fulfilled. The building of a constitutional parliamentary democracy is under way.

In these days worrisome news comes from Hungary indicating that the road is not smooth. The diamond of twentieth century Hungarian history that was formed in 1956 under the stresses of the circumstances and in the fire burning in every Hungarian's heart is being tested today in Hungary. False prophets, eager mouths, zealous hands driven by dark emotions attempt to pulverize this gem into powder of coal and then burn it into ashes and dross. They will not succeed. History and we will not let them to succeed.

On this 50th Anniversary when we remember and pay tribute to the ideals and heroes of 1956, we also affirm our deeply felt conviction that lasting freedom and democracy will not take hold in Hungary unless the precepts of the Revolution regarding resolute unity, sacrifice, human and political wisdom are practically and fully implemented. We call upon those who are responsible for Hungary's welfare to heed to the principles for which so many died in 1956 and to whose memory we pay tribute today.

We pray that it will be so! Lord Hear our prayer . . . God bless Hungary . . . Isten aldd meg a magyart!

HONORING THE MOODY MEN'S COLLEGIATE CHOIR

HON. TIMOTHY WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. WALBERG. Madam Speaker, I rise today to recognize the 50th anniversary of a very special organization.

More than 1000 young men have sung in the Moody Men's Collegiate Choir since it's founding in 1957 as the Moody Men's Glee Club under the vision of founding conductor, Robert Carbaugh; a distinguished former professor of the Sacred Music Department of Moody Bible Institute in Chicago. Like all male choruses or glee clubs, the choir's members have enjoyed experiences of singing, touring, camaraderie and a wealth of tradition.

Distinctive to this organization is a significant focus on the praise of God—Father, Son and Holy Spirit—and the proclamation of God's Word through music. The mission of singing about their faith has taken this outstanding choral ensemble and its conductors over the years to all 50 of our United States, to Canada and to numerous destinations overseas, most recently to Australia and New Zealand in 2005. We salute former conductors Mr. Robert Carbaugh, Dr. Kerchal Armstrong, Mr. John Wilson, Mr. Vann Trapp, the late Mr. Robert Iler, Dr. Terry Strandt, and Dr. Timothy Newton, current conductor Dr. H.E. Singley III and all the members of the Moody Men's Collegiate Choir past and present for 50 years of music-making in service to their Lord, Moody Bible Institute and the Christian church around the world.

Madam Speaker, we also honor them for their commitment to be men of character and faith. Their challenge can be heard in the words of a piece of music sung by these choirs over the years: ''God wants a man honest and true and brave, a man who hates the wrong and loves the right, a man who scorns all compromise with sin, who for the truth courageously will fight. God wants a man in lowly walk or high, who to the world by daily life will prove that Christ abides within the yielded heart, fitting that heart for service and for love. God wants a man who dares to tell the truth, who in the market place will stand four-square, whose word men trust, a man who never stoops to hurt his fellowman or act unfair. God wants a man of action and of faith whose life is something more than can't and talk, who lives each day as though it were his last and proves his faith by a consistent life. God wants a man of action and of faith.'' We honor the Moody Men's Choir for their 50 years of service and extend our best wishes for a bright future of expanded ministry.

FLOWERS FOODS NAMED ''BEST MANAGED'' BY FORBES MAGAZINE

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor a company that has done much for the 2nd Congressional District of Georgia, Flowers Foods, recently named by Forbes magazine as one of the best managed companies in America.

To create the list, Forbes looked at more than 1,000 publicly traded companies with at least $1 billion in revenue, and chose 400 based on metrics, earnings forecasts, corporate governance ratings, and other public company information. From that list, Forbes editors picked one best-managed company from each of the 26 industries represented—and Flowers Foods was among the ''best of the best.'' Forbes selected these companies not just for their financial performance, but also for leadership, innovation, and execution.

Flowers Foods is a leading producer and marketer of packaged bakery goods in the United States. The company operates 36 highly efficient bakeries that produce breads, buns, rolls, snack cakes and pastries which are distributed to foodservice and retail customers in the Southeastern, Southwestern, and Mid-Atlantic States, and frozen to national foodservice and retail customers.

Founded in Thomasville, GA in 1919 by brothers William Howard and Joseph Hampton Flowers, Flowers Foods produces many well-known brands of baked goods including Nature's Own, Sunbeam, ButterKrust, Mi Casa and Bluebird.

In Thomasville alone, which is in my district, Flowers employs 550 people at one bakery. Statewide, Flowers employs 2,110 people at seven bakeries.

Flowers Foods is a publicly traded company on the New York Stock Exchange, ticker symbol FLO.

Again, please join me in congratulating Flowers Foods on their recent award. It is an excellent company and an integral part of the business community of the 2nd Congressional District of Georgia.

TROOPS TO TEACHERS IMPROVEMENT ACT OF 2007

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Ms. MATSUI. Madam Speaker, my colleague, Mr. PETRI, and I are reintroducing the Troops to Teachers Improvement Act. I am proud to bring this bipartisan effort before the House in the newly-elected 110th Congress. I first learned about the Troops to Teachers program at a California Purple Heart Veterans Day event in my district. Two different veterans who are participating in Troops to Teachers spoke with me about how the program offered them the chance to continue to contribute to our country. After serving their country in the Armed Forces, they were now able to teach in high-need school districts.

With a slogan like, ''Proud to Serve Again,'' Troops to Teachers is a unique program that provides stipends to military retirees to obtain the necessary certification for a second career in teaching. Equally important, the program places much-needed math, science and special education teachers in the classroom. In fact, over 55 percent of Troops to Teachers participants teach in these critical areas. Right now, our country is seeing 7 percent of its teaching force leave every year, and we have a need for highly-qualified science and math teachers. Additionally, veterans who participate in the Troops to Teachers program fill another void for male and ethnic minority teachers. Qualities learned in the military including: discipline, problem solving and leadership skills make veterans ideal role models for our students. Simply put, the Troops to Teachers program has never been more important.

Since first learning about the Troops to Teachers program, I have had the pleasure of hearing many stories of how participants' lives have changed after transitioning from the military to the classroom. One of my constituents has such a story. After 21 years in the Air Force, Kelly Sullivan retired from the military, with two young children to care for. Using a $3,000 award from Troops to Teachers, she was able to pay for graduate school classes, as well as nine required teaching certification exams. Needless to say, the award was a financial relief for her, especially as she set out to begin her second career.

Kelly is now teaching English at Hiram Johnson High School in Sacramento. She has found that her two decades in the Air Force gave her the maturity, wisdom and life experiences that enable her to motivate and encourage her students to succeed in school. These skills are especially important as gangs and increased violence are all too prevalent in her school's neighborhood. One thing is for sure, when her students need help Kelly is there—thanks to Troops to Teachers.

Kelly is a prime example of the goal of the Troops to Teachers program, which was authorized in 1993 to help members of the military obtain teaching credentials to teach in large districts with low-income schools. A variety of retired, separated, active duty and transitioning military members and veterans—including disabled veterans—are eligible to participate. Those who are interested are required to have a bachelor's or advanced degree. If applying for a vocational or technical teaching position, candidates are required to have at least 6 years of experience in the field. The program has successfully recruited and placed almost 10,000 veterans in school districts since it was created. In my home state of California, 571 veterans are currently participating in the program.

Unfortunately, a small change under the No Child Left Behind Act, NCLB, of 2001 greatly affected where veterans could fulfill their teaching obligation. In some areas of the country, retiring military and veterans interested in the program now have to drive 50 to 100 miles to find an eligible school. This has resulted in a 20–30 percent drop-off in veteran participation, which has seriously hindered this productive and necessary program.

The bill that my esteemed colleague Mr. PETRI and I are reintroducing today would fix this error. It would allow participants to fulfill their teaching obligation at any school considered high-need under NCLB, meaning that the school receives Title I funding. Prior to the NCLB change, participants were able to fulfill their teaching obligation in any school within my district in Sacramento, as they all receive Title I funding. However, under the more restrictive rule, only 211 of the 350 schools in my district are eligible. Currently, 61 percent of the high schools in my district are not eligible.

I continue to believe in this program and want to see disabled and retiring military offered a second chance at serving our country. Just last week, the Troops to Teachers program had a conference in Washington, DC. Once again, we heard stories of participants' dedication to serving our country and the sense of fulfillment they receive from educating future generations. Additionally, the program brings important math, science, and foreign language expertise to our classroom and fills a critical need among our educators. These characteristics make Troops to Teachers an excellent source of highly-qualified educators.

Mr. PETRI and I are committed to fulfilling the intent of this program, and we introduce this bill so that more veterans, like my constituent Kelly, will continue to be able to serve our country—whether in the military or in the classroom. I look forward to swiftly passing this bipartisan bill in the 110th Congress and urge my colleagues to continue to work to support the Troops to Teachers program.

DISDAIN OF AIR PASSENGER DELAYS

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. RAHALL. Madam Speaker, recently, I received an offer from American Express entitled, Travel Delay Protection. That's right for $9.95 per person per trip you can get an insurance plan to safeguard against flight delays and their associated hassles and costs. Has American aviation really been brought to this level Madam Speaker? Like Lloyds of London of old responding to sinking ships, American Express simply sees a modern opportunity in a far too sinking industry.

We have been told that the recent debacle in Texas in which passengers were held hostage for almost a day, was an anomaly. We are told that to legislatively address the basic rights of air passengers is an overreaction.

Well, Madam Speaker, if American Express, no dummy of a company, sees profit in the misfortunes of America's airline industry, I think Congress at least should listen to the collective voice of countless aggrieved passengers. Especially, Congress should hear passengers who suffer regularly from flight delays and disruptions, but because they are not caught up in the major anomaly of the season, they don't get to air their disdain on the national news. They just suffer.

RECOGNIZING THE CAREER AND RETIREMENT OF MARGARET BLACKSHERE, PRESIDENT OF THE ILLINOIS AFL/CIO

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in recognizing the career and retirement of Margaret Blackshere, President of the Illinois AFL/CIO.

Margaret Blackshere, who has been an effective leader and advocate at all levels of organized labor, began her career as a kindergarten teacher in Madison, Illinois in the 1960's. Her first involvement in organized labor began with the efforts of her district's teachers to secure both just compensation and more of a voice in the decisions that directly influenced the educational processes in their district.

From that early involvement, Ms. Blackshere would become president of her local union and then Statewide Vice President of the Illinois Federation of Teachers. She served as the Secretary-Treasurer of the Illinois AFL/CIO before winning election as the first woman President of that organization in 2000, the position from which she is now retiring.

As president of the Illinois AFL/CIO, with 1,500 local affiliates and over 1 million members, Margaret Blackshere has had significant influence in the direction of organized labor, not only at the state and national level, but internationally as well. As president, Ms. Blackshere has been responsible for maintaining unity within the Illinois AFL/CIO even though there have been signs of discord in other locations during recent years.

In addition to her tireless work for her labor organizations, Ms. Blackshere has been involved in a number of civic and political organizations as well. These organizations include the Alliance for Retired Americans Labor-Management Cooperation Council, United Way of Illinois, Voices for Illinois Children, Workers Compensation Advisory Board, the Chicago Council on Global Affairs and the American Red Cross of Greater Chicago. She has also been a delegate to the Democratic National Convention and has been a member of the Democratic National Committee.

While Ms. Blackshere is retiring from her position as President of the Illinois AFL/CIO, she has indicated that she will continue to consult, assist and volunteer her time for the causes that have been important to her. For those in organized labor and for everyone who appreciates the positive impact that the labor movement has had in our overall quality of

life, Margaret Blackshere has been a true champion.

Madam Speaker, I ask my colleagues to join me in an expression of appreciation to Margaret Blackshere for her years of dedicated service to the working men and women in Illinois and our nation and to wish her the very best in the future.

HONORING THE USA TAP DANCE TEAM ON THEIR SUCCESS AT THE WORLD TAP DANCE CHAMPIONSHIPS

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Ms. DELAURO. Madam Speaker, it is with the greatest pride that I rise today to extend my sincere congratulations and very best wishes to the USA Tap Dance Team, based out of the Greater New Haven area, as they celebrate their tremendous success at the 2007 World Tap Dance Championships recently held in Reisa, Germany. In all, 51 dancers ranging in age from 10 to 20 years old made the trip and returned with a total of 11 medals! Our communities certainly have cause for celebration with the wonderful accomplishments of these young people.

Participating in three divisions, the USA Tap Dance Team has worked very hard over the last several months to be able to compete in this year's competitions. Coming together from across Connecticut and even New York, the dancers practiced for countless hours for solo, duo, small group, and formation events. The commitment these young people have demonstrated is truly inspiring. They have worked so hard to master the required high-level skills and the necessary symmetry of their movements.

I had the distinct honor of joining them for a very special evening as they prepared to leave for Germany and, as a former tap dancer myself, I was truly impressed with the level of dedication, passion, and talent of the team. It was this combination of drive and spirit that led to the team to come home with three gold medals, seven silver medals, one bronze medal, and several other finishing places—placing and medaling in each of three divisions—a remarkable showing!

I am also pleased to recognize the incomparable Gloria Jean Cuming for her outstanding leadership and instruction as well as the six choreographers who worked with the dancers and traveled to Germany with them. Their work with individuals and groups helped to secure this outstanding triumph. In addition, I would also extend a note of thanks and appreciation to the parents and volunteers whose support has enabled the dancers to practice and travel for their competitions. Without their efforts, the success of the USA Tap Dance Team would not be possible.

I am thrilled to stand today to join our local communities in extending my sincere congratulations to the USA Tap Dance Team on their great success at the 2007 World Tap Dance Championships. You have all made us proud!

A TRIBUTE TO MR. CARLOS LEZAMA—PRESIDENT EMERITUS OF THE WEST INDIAN AMERICAN DAY CARNIVAL ASSOCIATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. RANGEL. Madam Speaker, I rise today to pay tribute to the life and legacy of Carlos Lezama, West Indian community leader who left this world at the age of 83 years and to enter into the RECORD an article in the Daily News by Bill Hutchinson entitled "West Indian Carnival Founder Carlos Lezama Dies at 83."

Carlos Lezama was born in Trinidad and spent his formative years on the island. He played the Cello and was nicknamed "Celloman" a name and position he enjoyed while working on a passenger ship before migrating to the USA in the early fifties. He joined the New York Metropolitan Transit Authority, in the mid-sixties. At NYTA he moved up steadily for the next twenty years until he became a Machinist. In 1989, he retired from that Agency.

Lezama long ago recognized the cultural significance of Carnival, since he played Mas' in Trinidad. When he came to New York he naturally gravitated towards the Carnival which took place in Harlem. In the mid-nineteen sixties, he directed his efforts to firmly establish Carnival in Brooklyn with his friend Rufus Goring, who brought the celebration to Brooklyn.

Under the stewardship of Lezama, the Brooklyn Caribbean Carnival grew from a five-block affair to the status of the largest outdoor parade in the United States. It attracts in excess of three million people on Eastern Parkway every year on the first Monday in September. Over the years the West Indian American Day Carnival Association has grown to a full-fledged community service organization and provides scholarships and a host of annual calendar events of cultural and educational events.

Lezama has been officially recognized and honored by scores of organizations, four New York State Governors (Govs. Rockefeller, Carey, Cuomo, and Pataki), and numerous awards from Mayors John Lindsay, Abe Beame, Ed Koch, David Dinkins and Rudy Giuliani for his efforts in promoting the rich culture of Caribbean people and thus enriching the cultural life of New York City. In 2001, the Carnival route—Eastern Parkway was renamed Carlos Lezama Parkway.

Even though Carlos Lezama passed away on January 22, 2007, his contributions to the diversity of the United States of America will continue to resonate through the Annual Brooklyn Carnival held each Labor Day Monday.

[From the New York Daily News]

WEST INDIAN CARNIVAL FOUNDER CARLOS LEZAMA DIES AT 83

(By Bill Hutchinson)

Carlos Lezama, who transformed the West Indian American Day Carnival from a five-block affair into one of the city's biggest events, died yesterday. He was 83.

Lezama, a retired machinist for the Metropolitan Transportation Authority, died at Kings County Hospital after a brief illness.

"Throughout our lives, my siblings, as well as my mother, have been privileged to share my father with the millions who are part of the carnival family," said Lezama's daughter, Yolanda Lezama-Clark.

"I am grateful that he has left an impressive legacy of which we all as Caribbean people can be proud," added Lezama-Clark, president of the West Indian American Day Carnival Association.

Born in Trinidad, Lezama grew up playing the steel pan and the cello, garnering the nickname "Celloman" while working on a cruise ship.

When he immigrated to America, he gravitated to the annual carnival event in Harlem. In the mid-1960s, he and a friend, Rufus Goring, brought the celebration to Brooklyn, and in 1967 he was elected the first president of the carnival association.

"He was a major force with respect to the West Indian Day parade, which now has millions of people," former Mayor Ed Koch said of Lezama yesterday. "It's really not a parade. It's a mass of people, having a great time together."

Former Mayor David Dinkins said it was Lezama's "vision and foresight" that turned the parade into a city cultural icon.

"I thought he was terrific," Dinkins said. "He had a drive, he was determined that the parade was going to go off and he didn't particularly care about the politics of it. I thought he did a great job."

Besides his daughter, Lezama is survived by his son, Kenwyn; four grandchildren, and two great-grandchildren.

WATER QUALITY FINANCING ACT OF 2007

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. OBERSTAR. Madam Speaker, in 1972, the passage of the Clean Water Act secured the nation's commitment to rescuing our waters and expelling the pollutants that were killing our water supply and the wildlife that depended on it. Today, Mr. YOUNG, former Chairman of the Committee on Transportation and Infrastructure, Ms. EDDIE BERNICE JOHNSON, Chairwoman of the Subcommittee on Water Resources and Environment, Congresswoman ELLEN TAUSCHER, and I introduce bipartisan legislation that definitively renews our commitment to these waters and authorizes increased funding for wastewater infrastructure through a reauthorization of the Clean Water State Revolving Loan Fund program.

The Water Quality Financing Act of 2007 authorizes $20 billion in Federal grants over five years to capitalize Clean Water State Revolving Funds. These funds provide low interest loans to communities for wastewater infrastructure. This bill also provides additional subsidies, including principal forgiveness and negative interest loans for communities that meet a state's affordability criteria, for individual ratepayers that will experience significant hardship from potential rate increases, and for the construction and implementation of innovative or alternative processes, materials, or technologies to meet the nation's wastewater treatment needs. It encourages long-term asset management planning and flnancing that will ensure sustainable systems and the potential to reduce overall capital and operation and maintenance costs and it promotes communities to consider alternative and innovative processes, materials, and technologies (including "green infrastructure") that

provide greater environmental benefits, or the same benefits using less energy or at a reduced cost. Water quality benefits are the primary criterion for determining which projects receive funding, and encourages watershed approaches to solving water quality problems, as well as traditional infrastructure.

Since 1972, the federal government has provided more than $82 billion for wastewater infrastructure and other assistance. Overall investment in the nation's infrastructure—including that from federal, state, and local sources—has been over $250 billion.

Today, twice as many waters are considered fishable and swimmable as they were before the Clean Water Act was passed into law. Our infrastructure systems include 16,000 publicly owned wastewater treatment plants, 100,000 major pumping stations, 600,000 miles of sanitary sewers, and 200,000 miles of storm sewers. Toxic chemicals and other pollutants have been greatly reduced. Wildlife has returned in abundance to waters that were once declared ''dead''. One in ten tourists is destined for the beach—providing our travel and vacation industries with customers and business.

Many of these success stories have occurred, in part, because of a strong commitment to fund necessary projects to improve water quality. Title VI of the Clean Water Act provides for the establishment and capitalization of Clean Water State Revolving Loan Funds (''Clean Water SRFs'') to aid in funding the construction of wastewater treatment works and other wastewater infrastructure around the country. Since 1987, individual states and territories have maintained Clean Water SRFs to help provide for low-cost financing for approved water quality infrastructure projects.

These advances aside, one-third of our nation's waters are still in deplorable condition. Although federal funding of Clean Water SRFs had been steady at a level of $1.35 billion annually, in recent years, funding for the program has been cut dramatically. From just fiscal year 2006 to fiscal year 2007, the administration's budget request for Clean Water SRFs decreased $199.2 million, dropping from $886.7 million to $687.5 million.

These declines come at a time when funding is vital for progress. Our population is booming, putting more pressure on already over-burdened systems. In addition, much of the wastewater infrastructure in this country is rapidly approaching or has already exceeded its projected useful life. These antiquated systems need maintenance and rebuilding to protect our physical, economic, and natural environments.

Without increased investment in wastewater infrastructure, in less than a generation, the U.S. could lose much of the gains it made thus far in improving water quality as a result of the 1972 Clean Water Act.

I urge my colleagues to support this bipartisan bill, to continue funding our infrastructure, to make repairs where maintenance is needed, and to renew our commitment to our nation's waters.

REMEMBERING THE LIFE OF OFFICER DAN BESSANT OF THE OCEANSIDE POLICE DEPARTMENT

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. ISSA. Madam Speaker, I rise today to remember the life and service of Oceanside Police Officer Dan Bessant, who was killed in the line of duty on December 20, 2006.

A 3-year police department veteran, Officer Bessant was fatally shot while responding to a fellow officer's call for assistance on a routine traffic stop in Oceanside, California. It is intolerable that such a fine young man should be taken from those he loved in the prime of his life to a senseless act of youth violence.

Just as he did on that fateful day, Officer Bessant spent his life of 25 years committed to serving the public—first as police cadet, then as a Police Community Safety Assistant, and finally as an Oceanside Police Officer. Each day of Officer Bessant's service made Oceanside a safer place.

Officer Bessant will be remembered as a dedicated officer, passionate for his work and eager to improve the community where he was born and raised. His family and friends will remember him as a proud, new father and devoted husband. By all, he will be recalled for his unwavering honor and courage.

On this day, Congress should remember Officer Bessant's passion for law enforcement and his endless devotion to Oceanside. May God bring peace to his wife Katelyn, 2 month-old son Wyatt, and his family, friends and colleagues.

HONORING THE LIFE OF EMMA FAUST TILLMAN

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. LARSON of Connecticut. Madam Speaker, I rise today to pay great honor to Mrs. Emma Faust Tillman, who passed away on January 28, 2007. Mrs. Tillman, a longtime resident of the Hartford area, was the oldest known living peson prior to her death at 114 years of age. Though her reign lasted only 4 days, the legacy of her life can provide inspiration to us all.

Born November 22, 1892 in Gibsonville, North Carolina, Mrs. Tillman was one of 23 siblings. Her parents, former slaves, moved Mrs. Tillman and her family to Glastonbury, Connecticut in 1900. After graduating high school in 1909 as the only black student in her class, Mrs. Tillman went on to work as a cook, maid, and party caterer, eventually owning her own catering service and baking for many of Hartford's notable residents, including Hartford Hospital's Dr. Thomas Hepburn, father of legendary actress Katharine Hepburn. She wed Arthur Tillman in 1914 and they had 2 daughters before his death in 1939.

Deeply religious from a young age, Mrs. Tillman became involved with her church memberships. After being christened at age 13, she began singing in her church choir, an activity in which she was engaged in for over 80 years. A longtime member of the A.M.E. Zion Church in Hartford, she was considered the ''mother of the church'' by Rev. Terry L. Jones, not only for her ripe age, but also for her fervent faith. When commenting on the longevity of her life, Mrs. Tillman would always credit ''God's will.''

Madam Speaker, I ask my colleagues to join me today in honoring the life of Emma Faust Tillman. In her 114 years, she deeply touched and inspired those who knew her, and those who have heard her tremendous story. My thoughts and prayers are with her friends and family, in particular, her surviving daughter Marjorie. The Hartford community is thankful for the honor of knowing Emma Faust Tillman.

LANE EVANS POST OFFICE BUILDING

SPEECH OF

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 29, 2007

Mr. EMANUEL. Mr. Speaker, I rise today in support of H.R. 521 as a tribute to Congressman Lane Evans, my friend and former colleague. Congressman Evans faithfully and dutifully represented the people of the 17th District of Illinois. Today, we honor former Congressman Evans by naming the Post Office located at 2633 11th Street in Rock Island, Illinois, after him. I thank my fellow Illinoisan and Mr. Evans' successor, Congressman PHIL HARE, for introducing this legislation to honor our friend and former member of this body.

Lane Evans grew up in Rock Island, Illinois. The son of a firefighter, he joined the Marine Corps right out of high school and served our country in Vietnam from 1969 to 1971. After his tour of duty, Congressman Evans went to college and then to Georgetown University Law Center to earn his J.D.

Lane Evans was first elected to Congress in 1982 and served for eleven terms. Throughout his tenure in Congress, Evans was a tireless champion for veterans across the nation. He served on the House Veterans' Affairs Committee from 1983 through till his final term and was the ranking member of that committee for the last 10 years.

During his time in Washington, Lane Evans worked tirelessly to secure many benefits for America's servicemen and women. He campaigned to increase assistance to homeless veterans, to fund research on complex combat-related injuries, to expand VA home loans, to increase G.I. worker training benefits, and was a staunch advocate of increasing veterans' health benefits. Specifically, he led efforts to help combat veterans cope with post-traumatic stress disorder.

Although Lane Evans worked diligently for our men and women in uniform, he was also a leading advocate for many other causes. Mr. Evans fought hard to ban landmines, which kill and maim thousands every year, to protect American workers from cheaper foreign competition, to have fair trade policies with other nations, to protect America's farmers and our environment.

Mr. Speaker, last year, Congressman Evans chose not to run for reelection to the 110th

Congress. For 24 years, Congressman Evans was a dedicated public servant to the 17th District of Illinois and to the country as a whole. I ask my colleagues to join me in this small gesture to honor our former colleague by naming a Rock Island Post Office after him. I wish my friend and former colleague the best of luck in all his future endeavors.

REV. ROBERT F. DRINAN, SCHOLAR, HUMAN RIGHTS ACTIVIST, AND FORMER MEMBER OF CONGRESS

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise to pay tribute to a great American and a former member of this House. The Rev. Robert Drinan, was a Jesuit Catholic priest, lawyer, human rights activist, and a former Member of Congress from Massachusetts. He was also a law professor at Georgetown University Law Center for the last 26 years of his life. Father Drinan, who died Sunday, January 28, 2007, was one of the most admired members of this body and was beloved by all who knew him. He will be missed immensely. All of us mourn his loss and extend our condolences to his family and loved ones.

Father Robert Frederick Drinan, S.J. was born November 15, 1920 in Boston, Massachusetts and grew up in Hyde Park, Massachusetts. He graduated from Hyde Park High School in 1938. He received a B.A. and an M.A. from Boston College in 1942 and joined the Jesuit Order the same year; he was ordained as a Catholic priest in 1953. He earned his LL.B. and LL.M degrees from Georgetown University Law Center in 1950. He received his doctorate in theology from Gregorian University in Rome in 1954. Over the course of his life he would be the recipient of 21 honorary degrees. He studied in Florence for 2 years before returning to Boston, where he was admitted to the bar in 1956.

Father Drinan was appointed Dean of the Boston College Law School in 1956 and served until 1970, during which time he also taught family law and church-state relations. As dean he called for the desegregation of Boston public schools during the 1960s and challenged his students to become involved in civil rights issues. During this period, he was also a visiting professor at other schools including the University of Texas. He also served the public interest by his membership on several Massachusetts state commissions created to improve the administration of justice.

In 1970, Father Drinan, who strongly opposed the Vietnam War, was elected to Congress defeating Congressman Philip J. Philbin, the Chair of the Armed Services Committee in the Democratic primary. Father Drinan went on to win re-election to the U.S. House of Representatives four times, serving from 1971 until 1981. He was the first Roman Catholic priest to serve as a voting member of Congress.

In the House, Father Drinan served on several committees but is perhaps best known for his service on the Judiciary Committee, where he chaired the Subcommittee on Criminal Justice. He was the first member of Congress to introduce a resolution in Congress calling for the impeachment of President Nixon. Father Drinan believed strong and with considerable justification that it was illegal for President Nixon to widen the Vietnam War by the secret of bombing Cambodia.

Father Drinan was an early and staunch supporter of a woman's right to choose. This stance took considerable political courage for a Roman Catholic politician from Boston in the early 1970s. His stand on abortion rights drew considerable criticism and significant opposition from Church leaders, who were also opposed to the idea of a priest holding political office.

Father Drinan reconciled his political position with official Church doctrine by stating that while he was personally opposed to abortion, its legality was a separate issue from its morality. This distinction did not satisfy his critics, notably Pope John Paul II, who in 1980, decreed that all priests everywhere withdraw from electoral politics. Though framed as a general order, to many it seemed that Father Drinan was the principal target. But true to his ordination vows, Father Drinan obeyed and did not seek reelection. He said: "It is just unthinkable, [the idea of renouncing the priesthood to stay in office]. I am proud and honored to be a priest and a Jesuit. As a person of faith I must believe that there is work for me to do which somehow will be more important than the work I am required to leave." But he continued to be a vocal supporter of a woman's right to choose after leaving the Congress, much to the chagrin of the Church, and strongly supported President Clinton's veto of the Partial-Birth Abortion Ban Act in 1996.

Father Drinan joined the faculty of the Georgetown University Law Center in 1981 and served for the next 26 years. He taught legal ethics and international human rights, and traveled to 16 countries, including as Chile, the Philippines, El Salvador, and Vietnam on human rights missions. He was a regular contributor to law reviews and journals, and authored several books, including The Mobilization of Shame: A World View of Human Rights, published by Yale University Press in 2001.

Father Drinan served as a member of the American Bar Association House of Delegates until his death and was chair of the ABA Section on Individual Rights and Responsibilities. He served on the Board of Directors of the International League for Human Rights, the Lawyer's Committee for International Human Rights, the Council for a Livable World Educational Fund, the International Labor Rights Fund, Americans for Democratic Action, and the NAACP Legal Defense and Educational Fund.

In 2004, the American Bar Association called Father Drinan "the stuff of which legends are made" when awarding him its 2004 ABA Medal, an honor shared by such legal luminaries as Thurgood Marshall and Sandra Day O'Connor. Just last summer Father Drinan was presented the 2006 Congressional Distinguished Service Award by now-House Speaker NANCY PELOSI, which is given to former Members of the House of Representatives who have performed their duties "with such extraordinary distinction and selfless dedication as to merit special recognition."

Madam Speaker, a great man has finished his course, has run the great race, and has gone on to claim his great reward. We are deeply saddened by the loss of this tireless champion for human rights and social justice. But his good works will be with us for eternity. For that we can all be grateful.

INTRODUCTION OF PINEDALE ASSEMBLY CENTER RESOLUTION

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 30, 2007

Mr. COSTA. Mr. Speaker, I rise today to introduce a Resolution recognizing the Pinedale Assembly Center site as having historical significance to our Nation on behalf of myself, Congressman RADANOVICH, Congressman CARDOZA, Congressman NUNES, and Congressman HONDA.

As we approach the 65th Anniversary of Executive Order 9066, we are reminded of what was the beginning of a dark chapter in United States history. On February 19, 1942, President Franklin D. Roosevelt signed the order authorizing the forced internment of Japanese Americans. Over the following three years, the United States Government forced 120,000 Americans of Japanese ancestry into internment camps, the single largest relocation of Americans in our Nation's history.

This internment placed tremendous hardship on innocent Americans and in many cases resulted in the loss of their jobs, homes, businesses and dignity. Furthermore, the internment was a violation of their fundamental Constitutional rights.

Executive Order 9066 included provisions which ordered Japanese Americans to report to assembly centers where they would be held until they were moved to permanent War Relocation centers. During World War II, 4,823 individuals reported to the Pinedale Assembly Center in Fresno, California.

On November 28, 2006, the Fresno City Council unanimously approved Resolution 2006–532 designating a portion of the Pinedale Assembly Center site known as "Remembrance Plaza" to the Local Register of Historic Resources.

The Pinedale Assembly Center Memorial Project Committee is currently charged with the task of establishing a memorial that recognizes the historic tragedy that took place at that site.

February 19, 2007, known as "The Day of Remembrance", marks the 65th anniversary of the Executive Order 9066, making it an appropriate day for the groundbreaking ceremony of the Pinedale Memorial Center.

Today over 5,000 Japanese Americans, many former World War II internees and their families, live in Fresno County, California. The Pinedale Memorial would serve to honor these and thousands of other Japanese Americans who suffered during this period. In addition, this memorial would serve as a lesson so future generations will not repeat the mistakes of the past.

The Pinedale Assembly Center Memorial sends the message that we are committed to healing historical wounds and replacing prejudice and fear with the values of equality and justice.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1299–S1358

Measures Introduced: Twelve bills and six resolutions were introduced, as follows: S. 427–438, and S. Res. 46–51. **Pages S1326–27**

Measures Reported:

S. Res. 50, amending Senate Resolution 400 (94th Congress) to make amendments arising from the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 and to make other amendments. (S. Rept. No. 110–3)

S. Res. 46, authorizing expenditures by the Committee on Environment and Public Works.

S. Res. 48, authorizing expenditures by the Committee on Armed Services.

S. Res. 51, authorizing expenditures by the Select Committee on Intelligence. **Page S1326**

Fair Minimum Wage: Senate continued consideration of H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage, taking action on the following amendments proposed thereto: **Pages S1307–19**

Withdrawn:

Chambliss Amendment No. 118 (to Amendment No. 100), to provide minimum wage rates for agricultural workers. **Page S1316**

Pending:

Reid (for Baucus) Amendment No. 100, in the nature of a substitute. **Page S1307**

McConnell (for Gregg) Amendment No. 101 (to Amendment No. 100), to provide Congress a second look at wasteful spending by establishing enhanced rescission authority under fast-track procedures. **Page S1307**

Kyl Amendment No. 115 (to Amendment No. 100), to extend through December 31, 2008, the depreciation treatment of leasehold, restaurant, and retail space improvements. **Page S1307**

Enzi (for Ensign/Inhofe) Amendment No. 152 (to Amendment No. 100), to reduce document fraud, prevent identity theft, and preserve the integrity of the Social Security system. **Page S1307**

Enzi (for Ensign) Amendment No. 153 (to Amendment No. 100), to preserve and protect Social Security benefits of American workers, including those making minimum wage, and to help ensure greater Congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect. **Page S1307**

Vitter/Voinovich Amendment No. 110 (to Amendment No. 100), to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns. **Page S1307**

DeMint Amendment No. 155 (to Amendment No. 100), to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce, and to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements and the use of health savings accounts for the payment of health insurance premiums for high deductible health plans purchased in the individual market. **Page S1307**

DeMint Amendment No. 156 (to Amendment No. 100), to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements. **Page S1307**

DeMint Amendment No. 157 (to the language proposed to be stricken by Amendment No. 100), to increase the Federal minimum wage by an amount that is based on applicable State minimum wages. **Page S1307**

DeMint Amendment No. 159 (to Amendment No. 100), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization. **Page S1307**

DeMint Amendment No. 160 (to Amendment No. 100), to amend the Internal Revenue Code of 1986 to allow certain small businesses to defer payment of tax. **Page S1307**

DeMint Amendment No. 161 (to Amendment No. 100), to prohibit the use of flexible schedules by Federal employees unless such flexible schedule

benefits are made available to private sector employees not later than 1 year after the date of enactment of the Fair Minimum Wage Act of 2007. **Page S1307**

DeMint Amendment No. 162 (to Amendment No. 100), to amend the Fair Labor Standards Act of 1938 regarding the minimum wage. **Page S1307**

Kennedy (for Kerry) Amendment No. 128 (to Amendment No. 100), to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns. **Page S1307**

Martinez Amendment No. 105 (to Amendment No. 100), to clarify the house parent exemption to certain wage and hour requirements. **Page S1307**

Sanders Amendment No. 201 (to Amendment No. 100), to express the sense of the Senate concerning poverty. **Page S1307**

Gregg Amendment No. 203 (to Amendment No. 100), to enable employees to use employee option time. **Page S1307**

Burr Amendment No. 195 (to Amendment No. 100), to provide for an exemption to a minimum wage increase for certain employers who contribute to their employees health benefit expenses. **Page S1307**

Kennedy (for Feinstein) Amendment No. 167 (to Amendment No. 118), to improve agricultural job opportunities, benefits, and security for aliens in the United States. **Page S1307**

Enzi (for Allard) Amendment No. 169 (to Amendment No. 100), to prevent identity theft by allowing the sharing of social security data among government agencies for immigration enforcement purposes. **Page S1307**

Enzi (for Cornyn) Amendment No. 135 (to Amendment No. 100), to amend the Internal Revenue Code of 1986 to repeal the Federal unemployment surtax. **Page S1307**

Enzi (for Cornyn) Amendment No. 138 (to Amendment No. 100), to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use. **Page S1307**

Sessions (for Kyl) Amendment No. 209 (to Amendment No. 100), to extend through December 31, 2012, the increased expensing for small businesses. **Page S1307**

Division I of Sessions (for Kyl) Amendment No. 210 (to Amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit. **Page S1307**

Division II of Sessions (for Kyl) Amendment No. 210 (to Amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit. **Page S1307**

Division III of Sessions (for Kyl) Amendment No. 210 (to Amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit. **Page S1307**

Division IV of Sessions (for Kyl) Amendment No. 210 (to Amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit. **Page S1307**

Division V of Sessions (for Kyl) Amendment No. 210 (to Amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit. **Page S1307**

Durbin Amendment No. 221 (to Amendment No. 157), to change the enactment date. **Page S1307**

During consideration of this measure today, Senate also took the following action:

By 87 yeas to 10 nays (Vote No. 34), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Reid (for Baucus) Amendment No. 100 (listed above). **Pages S1314–15**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, January 31, 2007; that all time during the recess on Tuesday, January 30, 2007, and during the adjournment on Tuesday, January 30, 2007 count against the 30 hours post-cloture. **Page S1357**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 97 yeas (Vote No. EX. 35), Lisa Godbey Wood, of Georgia, to be United States District Judge for the Southern District of Georgia. **Pages S1319–21, S1358**

By unanimous vote of 97 yeas (Vote No. EX. 36), Philip S. Gutierrez, of California, to be United States District Judge for the Central District of California. **Pages S1319–21, S1358**

Messages from the House: **Page S1326**

Additional Cosponsors: **Pages S1327–28**

Statements on Introduced Bills/Resolutions: **Pages S1328–55**

Additional Statements: **Page S1326**

Amendments Submitted: **Pages S1355–56**

Notices of Hearings/Meetings: **Pages S1356–57**

Authorities for Committees to Meet: Page S1357

Record Votes: Three record votes were taken today. (Total—36) Pages S1314–15, S1320–21

Adjournment: Senate convened at 10 a.m., and adjourned at 6:49 p.m., until 9:30 a.m., on Wednesday, January 31, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S1357–58.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Admiral William J. Fallon, USN, for reappointment to the grade of admiral and to be Commander, United States Central Command, after the nominee testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported an original resolution (S. Res. 48) authorizing expenditures by the Committee.

Also, committee adopted its rules of procedure for the 110th Congress and announced the following subcommittee assignments:

Subcommittee on Airland: Senators Lieberman, (Chairman), Akaka, Bayh, Clinton, Pryor, Webb, McCaskill, Cornyn, Warner, Inhofe, Sessions, Ensign, and Chambliss.

Subcommittee on Emerging Threats and Capabilities: Reed (Chairman), Kennedy, Byrd, Nelson (FL), Nelson (NE), Bayh, Clinton, Dole, Warner, Collins, Graham, Cornyn, and Martinez.

Subcommittee on Personnel: Nelson (NE) (Chairman), Kennedy, Lieberman, Webb, McCaskill, Graham, Collins, Chambliss, and Dole.

Subcommittee on Readiness and Management Support: Akaka (Chairman), Byrd, Bayh, Clinton, Pryor, McCaskill, Ensign, Inhofe, Sessions, Chambliss, and Dole.

Subcommittee on Seapower: Kennedy (Chairman), Lieberman, Reed, Akaka, Nelson (FL), Webb, Thune, Warner, Collins, Ensign, and Martinez.

Subcommittee on Strategic Forces: Nelson (FL) (Chairman), Byrd, Reed, Nelson (NE), Pryor, Sessions, Inhofe, Graham, and Thune.

Senators Levin and McCain are ex officio members of each of the Subcommittees.

FISCAL CHALLENGES

Committee on the Budget: Committee concluded a hearing to examine long-term fiscal challenges, focusing on the current budget situation and outlook, and long-run imbalance and related solutions, after receiving testimony from Robert D. Reischauer, and C. Eugene Steuerle, both of the Urban Institute, and Robert Greenstein, Center on Budget and Policy Priorities, all of Washington, D.C.

WILDLIFE SUPPRESSION ACTIVITIES COSTS

Committee on Energy and Natural Resources: Committee held a hearing to examine the status of Federal land management agencies' efforts to contain the costs of their wildlife suppression activities and to consider recent independent reviews of and recommendations for those efforts, receiving testimony from Mark Rey, Under Secretary for Natural Resources and the Environment, and Phyllis K. Fong, Inspector General, both of the Department of Agriculture; Nina Rose Hatfield, Deputy Assistant Secretary of the Interior for Business Management and Wildland Fire; Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; James Caswell, Idaho Office of Species Conservation, Boise, on behalf of the Strategic Issues Panel on Fire Suppression Costs of the Wildland Fire Leadership Council; Kirk Rowdabaugh, Arizona State Forester, Phoenix, on behalf of sundry organizations; and Bruce D. McDowell, National Academy of Public Administration, Washington, D.C.

Hearing recessed subject to the call.

FUEL EFFICIENCY

Committee on Energy and Natural Resources: Committee held a hearing to examine transportation sector fuel efficiency, focusing on challenges to and incentives for increased oil savings through technological innovation including plug-in hybrid vehicles, receiving testimony from Senator Stabenow; Elizabeth Lowery, General Motors Corporation, Detroit, Michigan; John German, American Honda Motor Company, Inc., and Walter S. McManus, University of Michigan Transportation Research Institute, both of Ann Arbor; Menahem Anderman, Advanced Automotive Batteries, Oregon House, California; William J. Logue, FedEx Express, Memphis, Tennessee; and David L. Greene, Oak Ridge National Laboratory, Knoxville, Tennessee.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported an original resolution (S. Res. 46) authorizing expenditures by the Committee.

GLOBAL WARMING

Committee on Environment and Public Works: Committee concluded a hearing to examine Senators' perspectives on global warming, focusing on Senators'

views on global warming and what each Senator believes the Nation's response should be to the issue, after receiving testimony from Senators Bingaman, Feinstein, Kerry, McCain, Obama, Levin, Murkowski, Akaka, Lincoln, Durbin, and Nelson (FL).

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of John D. Negroponte, of New York, to be Deputy Secretary of State, after the nominee, who was introduced by Senators Lieberman and Stevens, testified and answered questions in his own behalf.

IRAQ

Committee on Foreign Relations: Committee resumed hearings to examine securing America's interests in Iraq, focusing on the remaining options, alternative plans and the Iraq Study Group, receiving testimony from James A. Baker, III, and Lee H. Hamilton, both a Co-Chair, Iraq Study Group.

Hearings to continue on Wednesday, January 31.

CONSTITUTIONAL POWER

Committee on the Judiciary: Committee concluded a hearing to examine exercising Congress' constitutional power to end a war, after receiving testimony from Louis Fisher, Specialist in Constitutional Law, Library of Congress Law Library; David J. Barron, Harvard Law School, Cambridge, Massachusetts; Robert F. Turner, University of Virginia School of Law Center for National Security Law, Charlottesville; Bradford A. Berenson, Sidley Austin LLP, Washington, D.C.; and Walter Dellinger, Duke University School of Law, Durham, North Carolina, former Acting Solicitor General of the United States.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters and ordered favorably reported the following business items:

S. Res. 50, an original resolution amending Senate Resolution 400 (94th Congress) to make amendments arising from the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 and to make other amendments; and

S. Res. 51, an original resolution authorizing expenditures by the Committee.

Prior to this action, Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

BUSINESS MEETING

Special Committee on Aging: On Monday, January 29, 2007, Committee approved for reporting an original resolution (S. Res. 45) authorizing expenditures by the Committee and adopted its rules of procedure for the 110th Congress.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 718–737; 2 private bills, H.R. 738–739; and 12 resolutions, H. Con. Res. 47; and H. Res. 105–115 were introduced. **Pages H1053–54**

Additional Cosponsors: **Pages H1054–55**

Reports Filed: A report was filed today as follows:

H. Res. 116, providing for consideration of H.J. Res. 20, making further continuing appropriations for the fiscal year 2007 (H. Rept. 110–6). **Page H1053**

Speaker: Read a letter from the Speaker wherein she appointed Representative Meeks to act as Speaker Pro Tempore for today. **Page H989**

Recess: The House recessed at 10:45 a.m. and reconvened at 12 p.m. **Page H991**

United States Group of the NATO Parliamentary Assembly—Appointment: The Chair announced the Speaker's appointment of the following Members of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Representatives Gillmor, Regula, Boozman, and Shimkus. **Page H995**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Establishing the House Democracy Assistance Commission for the One Hundred Tenth Congress: H. Res. 24, amended, to establish the House Democracy Assistance Commission for the One Hundred Tenth Congress, by a ⅔ yea-and-nay vote of 426 yeas with none voting "nay," Roll No. 62; **Pages H995–H1000, H1018–19**

Calling on the Government of the United Kingdom to immediately establish a full, independent,

and public judicial inquiry into the murder of Northern Ireland defense attorney Patrick Finucane: H. Con. Res. 20, amended, to call on the Government of the United Kingdom to immediately establish a full, independent, and public judicial inquiry into the murder of Northern Ireland defense attorney Patrick Finucane, as recommended by Judge Peter Cory as part of the Weston Park Agreement, in order to move forward on the Northern Ireland peace process, by a ⅔ yea-and-nay vote of 364 yeas to 34 nays, with 25 voting "present," Roll No. 63; and **Pages H1000–04, H1019–20**

Congratulating Lovie Smith of the Chicago Bears and Tony Dungy of the Indianapolis Colts on becoming the first African-American head coaches of National Football League teams to qualify for the Super Bowl: H. Res. 90, to congratulate Lovie Smith of the Chicago Bears and Tony Dungy of the Indianapolis Colts on becoming the first African-American head coaches of National Football League teams to qualify for the Super Bowl, by a ⅔ yea-and-nay vote of 425 yeas with none voting "nay," Roll No. 61. **Pages H1014–18**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed until Wednesday, January 31.

Supporting the goals and ideals of National Engineers Week: H. Res. 59, to support the goals and ideals of National Engineers Week; **Pages H1004–07**

Honoring the life of Percy Lavon Julian, a pioneer in the field of organic chemistry research and development and the first and only African American chemist to be inducted into the National Academy of Sciences: H. Con. Res. 34, to honor the life of Percy Lavon Julian, a pioneer in the field of organic chemistry research and development and the first and only African American chemist to be inducted into the National Academy of Sciences; and **Pages H1007–09**

Expressing support for the designation and goals of "Hire a Veteran Week" and encouraging the President to issue a proclamation supporting those goals: H. Con. Res. 5, to express support for the designation and goals of "Hire a Veteran Week" and encouraging the President to issue a proclamation supporting those goals. **Pages H1010–14**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H1018, H1019 and H1019–20. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 6:49 p.m.

Committee Meetings

HOMELAND SECURITY GOALS

Committee on Appropriations, Subcommittee on Homeland Security held a hearing on 5 and 10 year Homeland Security Goals: Where We Need To Be as a Nation and How We Judge Progress. Testimony was heard from the following former Senators: Warren Rudman of New Hampshire; and Gary Hart of Colorado; the following officials of the 9/11 Commission: former Representative Timothy J. Roemer of Indiana; and Jamie S. Gorelick; and public witnesses.

AFGHANISTAN SECURITY AND STABILITY

Committee on Armed Services: Held a hearing on Security and Stability in Afghanistan: Challenges and Opportunities. Testimony was heard from public witnesses.

FORCE REQUIREMENTS DETERMINATION PROCESS

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on examination of the force requirements determination process. Testimony was heard from the following officials of the Department of Defense: MG Richard P Formica, USA, Director, Force Management, Deputy Chief of Staff, G3, Headquarters, U.S. Army; MG Stephen T. Johnson, USMC, Deputy Commanding General, Marine Corps Combat Development Command; and Michael F. Applegate, Director, Manpower Plans and Policy, Manpower and Reserve Affairs, Headquarters, U.S. Marine Corps; and Janet St. Laurent, Director, Defense Capabilities and Management Team, GAO.

CBO'S BUDGET AND ECONOMIC OUTLOOK

Committee on the Budget: Held a hearing on the Congressional Budget Office's Budget and Economic Outlook. Testimony was heard from Peter R. Orszag, Director, CBO.

GENETIC DISCRIMINATION OF WORKERS

Committee on Education and Labor: Subcommittee on Health, Employment, Labor and Pensions held a hearing on Protecting Workers from Genetic Discrimination. Testimony was heard from Representatives Slaughter and Biggert; and public witnesses.

LOS ALAMOS NATIONAL LABORATORY SECURITY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Continuing Security Concerns at Los Alamos National Laboratory." Testimony was heard from the following officials of the Department of Energy: Gregory H. Friedman, Inspector General; Glenn S.

Podonsky, Chief Health, Safety and Security Officer, Office of Health, Safety and Security; Clay Sell, Deputy Secretary, Office of the Secretary; Thomas N. Pyke, Jr., Chief Information Officer; Thomas P. D'Agostino, Acting Administrator; William J. Desmond, Associate Administrator and Chief for Defense Nuclear Security; and Linda Wilbanks, Chief Information Officer, all with the National Nuclear Security Administration; Michael R. Anastasio, Director, Los Alamos National Laboratory; and a public witness.

ALLEGATIONS OF POLITICAL INTERFERENCE WITH WORK OF CLIMATE CHANGE SCIENTISTS

Committee on Oversight and Government Reform: Held a hearing on allegations of political interference with the work of government climate change scientists. Testimony was heard from Drew Shindell, Goddard Institute for Space Studies, NASA; and public witnesses.

FURTHER CONTINUING APPROPRIATIONS FISCAL YEAR 2007

Committee on Rules. Granted, by a vote of 8 to 4, a closed rule providing one hour of debate in the House on H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against the joint resolution and against its consideration (except for clause 9 or 10 of Rule XXI). The rule also provides that the joint resolution shall be considered as read. Finally, the rule provides one motion to recommit. Testimony was heard from Chairman Obey and Representatives Lewis of California, Knollenberg, Weldon of Florida, Hall of Texas, Moran of Kansas, Sessions, Walden of Oregon, Flake, Brown-Waite of Florida, Feeney, King of Iowa and Campbell of California.

ADVANCE FUELS INFRASTRUCTURE RESEARCH AND DEVELOPMENT ACT

Committee on Science and Technology: Subcommittee on Energy and Environment held a hearing on H.R. 547, Advanced Fuels Infrastructure Research and Development Act. Testimony was heard from public witnesses.

OVERSIGHT—COAST GUARD INTEGRATED DEEPWATER SYSTEM

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing of Coast Guard Integrated Deepwater System. Testimony was heard from ADM Thad W. Allen, USCG, Commandant, U.S. Coast Guard; Department of Homeland Security; and public witnesses.

FEDERAL RAILROAD SAFETY PROGRAM REAUTHORIZATION

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing on Reauthorization of the Federal Rail Safety Program. Testimony was heard from the following officials of the Department of Transportation: Joseph Boardman, Administrator, Federal Railroad Administration; and Calvin Scovel, Inspector General; Mark Rosenker, Chairman, National Transportation Safety Board; and Katherine Siggerud, Director, Physical Infrastructure Issues, GAO.

Hearings continue tomorrow.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Veterans' Affairs: Met for organizational purposes.

The Committee approved an Oversight Plan for the 110th Congress.

TRADE AND GLOBALIZATION

Committee on Ways and Means: Held a hearing on Trade and Globalization. Testimony was heard from public witnesses.

SUBCOMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Select Revenue Measures met for organizational purposes.

SUBCOMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Trade met for organizational purposes.

COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 31, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: organizational business meeting to consider an original resolution authorizing expenditures for committee operation; to be followed by a hearing to examine the roles of Federal food assistance programs in family economic security and nutrition, 9:45 a.m., SR–328A.

Committee on Armed Services: to receive a closed briefing regarding the Iraq "surge" plan, 10 a.m., SR–222.

Subcommittee on Readiness and Management Support, to resume hearings to examine abusive practices in Department of Defense contracting for services and interagency contracting, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 110th Congress, and subcommittee assignments; to be followed by a hearing to examine the Department of the Treasury's report to Congress on International Economic and Exchange Rate Policy (IEERP) and the U.S.-China strategic economic dialogue, 10 a.m., SD–G50.

Committee on the Budget: to hold hearings to examine solutions to long-term fiscal challenges, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: business meeting to consider pending calendar business; to be followed by a hearing to examine economic and security concerns relating to promoting travel to America, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: business meeting to consider S. 202, to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska, S. 216, to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico, S. 220, to authorize early repayment of obligations to the Bureau of Reclamation within the A & B Irrigation District in the State of Idaho, S. 232, to make permanent the authorization for watershed restoration and enhancement agreements, S. 235, to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District, S. 240, to reauthorize and amend the National Geologic Mapping Act of 1992, S. 241, to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System, S. 245, to authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace Home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, S. 255, to provide assistance to the State of New Mexico for the development of comprehensive State water plans, S. 260, to establish the Fort Stanton-Snowy River Cave National Conservation Area, S. 262, to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, S. 263, to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy, S. 264, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, S. 265, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon, S. 266, to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, S. 268, to designate the Ice Age Floods National Geologic Trail, S. 275, to establish the Prehistoric Trackways National Monument in the State of New Mexico, S. 277, to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Subdivision, S. 278, to establish a program and criteria for National Heritage Areas in the United States, S. 283, to amend the Compact of Free Association Amendments Act of 2003, S. 320, to provide for the protection of paleontological resources on Federal lands, H.R. 57, to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands, and S. 200, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, 11:30 a.m., SD–366.

Committee on Finance: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, subcommittee assignments, and the nominations of Michael J. Astrue, of Massachusetts, to be Commissioner of Social Security, and Dean A. Pinkert, of Virginia, and Irving A. Williamson, of New York, each to be a Member of the United States International Trade Commission, 10 a.m., SD–215.

Committee on Foreign Relations: to continue hearings to examine securing America's interests in Iraq, focusing on the remaining options in Iraq in the strategic context, 9:30 a.m., SH–216.

Committee on Health, Education, Labor, and Pensions: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 110th Congress, and subcommittee assignments; committee will also consider the Genetic Information Nondiscrimination Act, 10 a.m., SD–430.

Committee on the Judiciary: to hold hearings to examine the Iraq Study Group, focusing on recommendations for improvements to Iraq's police and criminal justice system, 10 a.m., SD–226.

Subcommittee on Terrorism, Technology and Homeland Security, to hold hearings to examine challenges and strategies for securing the U.S. border, 2:30 p.m., SD–226.

Committee on Rules and Administration: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 110th Congress, and subcommittee assignments, 9:30 a.m., SR–301.

Committee on Small Business and Entrepreneurship: to hold hearings to examine Federal small business assistance programs for veterans and reservists, 10 a.m., SR–428A.

Special Committee on Aging: to hold hearings to examine if Medicare Part D is working for low-income seniors, 10:30 a.m., SD–562.

House

Committee on Armed Services, Subcommittee on Air and Land Forces and the Subcommittee on Readiness, joint hearing on Army equipment reset, 10 a.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on the Department of Energy's implementation of the National

Nuclear Security Administration Act of 2000, 1 p.m., 2226 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on current manning, equipping and readiness challenges facing Special Operations Forces, 3 p.m., 2118 Rayburn.

Committee on Education and Labor, hearing on Strengthening America's Middle Class: Evaluating the Economic Squeeze on America's Families, 10:30 a.m., 2175 Rayburn.

Committee on Financial Services, to meet for organizational purposes, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Understanding the Iran Crisis, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, oversight hearing entitled ''Presidential Signing Statements under the Bush Administration: A Threat to Checks and Balances and the Rule of Law?'' 10:15 a.m., 2141 Rayburn.

Committee on Science and Technology, to mark up the following measures: H.R. 547, Advanced Fuels Infrastructure Research and Development Act; and H. Res. 72, Recognizing the work and accomplishments of Mr. Britt ''Max'' Mayfield, Director of the National Hurricane Center's Tropical Center's Tropical Prediction Center upon his retirement, 11 a.m., 2318 Rayburn.

Committee on Small Business, to meet for organizational purposes, 12 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines, and Hazardous Materials, to continue hearings on Reauthorization of the Federal Rail Safety Program, 2 p.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, to mark up the following: the Water Quality Financing Act of 2007; H.R. 569, Water Quality Investment Act of 2007; and a measure to amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects; and other pending business, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, hearing on the Economic Challenges Facing Middle Class Families, 2 p.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine ensuring the economic future by promoting middle-class prosperity, 9:30 a.m., SD–106.

Next Meeting of the SENATE

9:30 a.m., Wednesday, January 31

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of H.R. 2, Fair Minimum Wage.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, January 31

House Chamber

Program for Wednesday: Consideration of H.J. Res. 20, making further continuing appropriations for the fiscal year 2007.

Extensions of Remarks, as inserted in this issue

HOUSE

Bishop, Sanford D., Jr., Ga., E218
Boustany, Charles W., Jr., La., E216
Brady, Robert A., Pa., E216
Buyer, Steve, Ind., E214
Capuano, Michael E., Mass., E215
Clay, Wm. Lacy, Mo., E212
Costa, Jim, Calif., E222
Costello, Jerry F., Ill., E219
Davis, David, Tenn., E215
Davis, Tom, Va., E214
DeLauro, Rosa L., Conn., E220
Emanuel, Rahm, Ill., E221
Frank, Barney, Mass., E212
Graves, Sam, Mo., E211
Herseth, Stephanie, S.D., E213
Issa, Darrell E., Calif., E221
Jackson-Lee, Sheila, Tex., E222
Jordan, Jim, Ohio, E211
Kildee, Dale E., Mich., E214
Larson, John B., Conn., E221
McMorris Rodgers, Cathy, Wash., E213
Maloney, Carolyn B., N.Y., E209, E210, E211, E211, E213
Manzullo, Donald A., Ill., E213
Matsui, Doris O., Calif., E219
Norton, Eleanor Holmes, D.C., E215
Oberstar, James L., Minn., E220
Payne, Donald M., N.J., E216
Rahall, Nick J., II., W.Va., E219
Rangel, Charles B., N.Y., E220
Roybal-Allard, Lucille, Calif., E209
Simpson, Michael K., Idaho, E216
Skelton, Ike, Mo., E210
Smith, Christopher H., N.J., E217
Visclosky, Peter J., Ind., E209, E210
Walberg, Timothy, Mich., E212, E218
Walsh, James T., N.Y., E217
Wilson, Joe, S.C., E216

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.