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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. SALAZAR).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 27, 2007.

I hereby appoint the Honorable JOHN T. SALAZAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

O Creator of the heavens and Earth, You have endowed this planet, the ground for all our living, with innumerable gifts of nature held in delicate balance.

So many resources have been given by You to Mother Earth so that life for Your people all over the globe may be sustained and developed.

May this great Nation, led by gratitude and imagination in government, study with sincerity the laws of nature and share with others its discoveries so that a just distribution of all Earth's resources may be assured according to principles of justice and solidarity. Then will the poor and the hungry over all the Earth be given voice and sing praise and thanksgiving to You both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SCOTT of Georgia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
February 20, 2007.

Hon. NANCY PELOSI,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 20, 2007, at 12:00 p.m.:

That the Senate passed S. 171.

That the Senate agreed to without amendment H. Con. Res. 67.

That the Senate passed without amendment H.R. 577.

That the Senate passed without amendment H.R. 514.

That the Senate passed without amendment H.R. 433

That the Senate passed without amendment H.R. 521.

That the Senate passed without amendment H.R. 335.

That the Senate passed without amendment H.R. 49.

Appointments:

United States-China Economic Security Review Commission.

United States Commission on Civil Rights.

Japan-United States Friendship Commission.

Commission on Security and Cooperation in Europe (Helsinki).

National Council on the Arts.

With best wishes, I am,
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

THE TRUCKS ARE COMING, THE TRUCKS ARE COMING

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

Mr. POE. Mr. Speaker, the next sound you hear will be the rumble of thousands of Mexican trucks streaming across our southern border. The U.S. Government has agreed to allow 100 Mexican trucking companies to send trucks on the highways and byways of America. Presently, Mexican trucks may only go 20 miles inside the U.S. border. The U.S. Government says they will inspect the trucks for safety and inspect the drivers as well. Yeah, right. There are already 6,000 trucks a day crossing in each direction just between Laredo, Texas, and Nuevo Laredo, Mexico; and only a fraction of these are inspected.

This country has no way of inspecting each and every Mexican truck for safety, and there is no telling what could be in them, whether it is legitimate cargo, narcotics or contaminated food. Not to mention, Mexican trucks are not up to the standards of the U.S. trucking industry. Overweight, polluting Mexican trucks driven by low paid, unqualified drivers that may not even be able to read highway signs is a dangerous policy for the citizens of this country.

Once again, our government seems to be more concerned about Mexico than it is about our Nation, our highways or our people.

And that's just the way it is.

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OUR COUNTRY MUST APOLOGIZE FOR SLAVERY

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

Mr. COHEN. Mr. Speaker, ladies and gentlemen of the House, today I am going to introduce a bill to call on the United States Government to apologize for the history in this country of having a slave system and for Jim Crow laws that went on for a hundred additional years.

The State of Virginia is to be commended for its action this past week in making, in essence, an apology saying they regretted a system of slavery in this country.

For 246 years, our Constitution and our laws allowed a system that made people slaves, that divided people from their families and treated them as property. And for 100 years thereafter, a system of laws in many States throughout the country had Jim Crow laws that deprived people of the opportunity for equal access to education, health care, public facilities, and other types of programs. These ended by law in the sixties somewhat through the efforts of Thurgood Marshall and other attorneys in Brown v. Board of Education, but the effects are lingering.

This country needs to apologize for a brutal, inhumane system of slavery and Jim Crow laws. President Bush has made remarks similar to this in Senegal; President Clinton also in the State of Virginia most recently.

I hope we will have all our colleagues sign on and pass this unanimously, as the State of Virginia did, and make a proper apology for a harmful and unfortunate part of our history.

DIANE E. SUMPTER RECOGNIZED FOR SUCCESS

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

Mr. WILSON of South Carolina. Mr. Speaker, during Black History Month, Diane Sumpter has earned front-page cover status in the Greater Columbia Business Monthly of South Carolina for developing one of the most prestigious minority business firms. DESA, Inc., has grown to be a nationally recognized management consultant firm.

Ms. Sumpter is a native of Jacksonville, Florida. She later moved to Columbia, where she graduated from Booker T. Washington High School and then attended the University of South Carolina, where she obtained both a B.A. in English and a master's degree in social work.

Ms. Sumpter's dedication to the growth and success of minority- and women-owned businesses is evidenced in her efforts with the South Carolina Minority Business Development Center, which is operated by her company. The center has assisted businesses by acting as a liaison to facilitate business growth for over 10 years.

Since DESA was started in 1986, it has been awarded service contracts from HHS, the Department of Commerce, the Minority Business Development Agency, the Army, the Air Force, the Small Business Administration, as well as various contracts from the private sector. DESA works with companies from the very beginning of projects until their completion.

In conclusion, God bless our troops, and we will never forget September 11 and the courageous service of Army Chief Warrant Officer II, Jason De Frenn of Barnwell, South Carolina.

ILLEGALS USING FED TO WIRE MONEY

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

Mrs. BLACKBURN. You know, the United States is a Nation founded on the rule of law. Those who do not follow the law are held accountable, except when you are an illegal immigrant.

We have already learned that a few of our major banks are issuing credit cards to illegal immigrants, but a recent article in the L.A. Times uncovered a program through our own Federal Reserve Bank that makes it easier for illegal entrants to send money back to Mexico, direct to Mexico. A federally sponsored program allows illegal immigrants without a Social Security number to wire money through the Federal system for a fee.

What is even more shocking is that the Fed expanded the program that allows anyone, illegal or not, to open accounts at participating banks. This is a big business. We have learned it is 27,000 transfers from illegal immigrants every month, totaling $23 billion a year, all with the help of our Federal Government.

We are sending mixed messages, Mr. Speaker. We say we want to stem the tide of illegal immigration, but once again, here we go. We will not only turn a blind eye; we will make it easy for illegal immigrants to send money back to Mexico.

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 after 6:30 p.m. today.

SUPPORTING THE GOALS AND IDEALS OF A NATIONAL MEDAL OF HONOR DAY

Mr. SKELTON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 47) supporting the goals and ideals of a National Medal of Honor Day to celebrate and honor the recipients of the Medal of Honor.

The Clerk read as follows:

H. CON. RES. 47

Whereas the Medal of Honor is the highest award that can be bestowed to a member of the Armed Forces for valor in action against an enemy force;

Whereas the Medal of Honor is awarded by the President, in the name of the Congress, to members of the Armed Forces who have distinguished themselves conspicuously by gallantry and intrepidity at the risk of their lives above and beyond the call of duty;

Whereas the United States will forever be in debt to the recipients of the Medal of Honor for their bravery and sacrifice in times of war or other armed conflict;

Whereas the Medal of Honor was first awarded on March 25, 1863, during the Civil War;

Whereas, of the millions of men and women who have served in the Armed Forces in war, military operations, or other armed conflicts, only 3,443 members have thus far been awarded the Medal of Honor;

Whereas 111 Medal of Honor recipients are still living as of January 1, 2007;

Whereas it is appropriate to commemorate and honor the recipients of the Medal of Honor and to recognize their bravery and sacrifice for the United States;

Whereas the designation of a National Medal of Honor Day would raise the awareness of the American people regarding the significance and meaning of the Medal of Honor and help focus the efforts of national, State, and local organizations striving to foster public appreciation and recognition of Medal of Honor recipients; and

Whereas March 25 would be an appropriate date to observe National Medal of Honor Day: Now, therefore, be it

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

(1) recognizes the heroism and sacrifice of Medal of Honor recipients for the United States;

(2) recognizes the educational opportunity that a National Medal of Honor Day would present to the American public; and

(3) supports the goals and ideals of a National Medal of Honor Day to celebrate and honor the contributions of Medal of Honor recipients.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. SKELTON) and the gentleman from North Carolina (Mr. JONES) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

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

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

There was no objection.

Mr. SKELTON. Mr. Speaker, I yield myself as much time as I may consume.

Today I rise in support of House Concurrent Resolution 47, which I introduced to recognize the extraordinary heroism and sacrifice of the Nation's

Medal of Honor recipients and to increase America's awareness of the significance and meaning of the Medal of Honor among our American citizens.

I want to thank my colleague on the House Armed Services Committee, the gentleman from North Carolina (Mr. JONES) for being here in support of this issue this afternoon.

The Congressional Medal of Honor is our Nation's highest military award for valor in action against an enemy that can be bestowed on any member of the Armed Forces.

Since the medal was created in 1861, more than 3,400 individuals who have served our Nation in uniform have been awarded the Medal of Honor.

The first medal was established by the United States Navy to recognize sailors and marines who distinguish themselves in war. President Abraham Lincoln signed Public Resolution 82 into law, and thus the first medal of valor was created. The Army shortly followed in 1862 by establishing a Medal of Honor to recognize commissioned officers and privates who distinguished themselves by their gallantry in action. The Medal of Honor became a permanent decoration in 1863. The first award was given to Army Assistant Surgeon Bernard J.D. Irwin for his bravery in rescuing 60 soldiers at Apache Pass, Arizona, in 1861.

It is very interesting, Mr. Speaker, that a Medal of Honor was awarded a Union soldier years after the 1861 Battle of Lexington, Missouri, my hometown, for his gallantry in helping to retake the Anderson House, which was the hospital at the time of that battle, September 18, 19 and 20, 1861. His name was Palmer.

The current conflict in Iraq sadly has posthumously added two heroic and courageous individuals to the rolls, Sergeant First Class Paul Smith of the United States Army, and Corporal Jason Dunham of the United States Marines. These two individuals continue to epitomize the recipients of the Medal of Honor, whose uncommon valor and extraordinary bravery are standard characteristics.

□ 1415

It is interesting to note also, Mr. Speaker, that in the history of the medal, 19 men received a second award. 14 of them received two separate medals for separate actions, and one was awarded to a woman. Of the more than 3,400 medals awarded, 266 of those were awarded for action during World War II, and 154 were awarded for action during the Vietnam conflict. Today there are only 111 living recipients of the Medal of Honor. America is rapidly losing its greatest and true heroes.

It is also important to note that when Missouri's President, Harry Truman, awarded the Medal of Honor to a soldier at the end of the Second World War, he said he would rather have this medal than being president.

The resolution before the House seeks to recognize the heroism and sacrifice of the Nation's Medal of Honor recipients, and to urge the establishment of a National Medal of Honor Day to ensure that all Americans continue to celebrate and to honor the contributions and ideals that the Medal of Honor recipients exemplify.

Mr. Speaker, I urge the support of this resolution.

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

Mr. JONES of North Carolina. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I want to thank Chairman SKELTON for giving me this great privilege of honoring these fine Americans.

Today we join together in support of H. Con. Res. 47, as the United States House of Representatives, to honor what is arguably the most select group of Americans to ever wear the uniform of this great Nation.

The Medal of Honor is this Nation's highest award bestowed on a member of the United States Armed Services who distinguishes himself or herself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty while engaged in an action against an enemy of the United States.

The Medal of Honor confers special privileges on its recipients, both by tradition and by law.

By tradition, all other soldiers, sailors, marines and airmen, even higher ranking officers up to the President of the United States, initiate the salute of the Medal of Honor and its recipient.

Mr. Speaker, I would like to discuss briefly the history of the Medal of Honor. The first award of the Medal of Honor was made March 25 of 1863 to Private Jacob Parrott and five others. Since then, there have been 3,463 Medals of Honor awarded for 3,456 separate acts of heroism performed by 3,443 individuals, including nine unknowns.

Today there are 112 living recipients of the Medal of Honor, out of a population of more than 301 million Americans. Forty-six percent of the living earned their medals more than 50 years ago while serving in World War II, 36, or Korea, 15. There are 61 living who performed actions in Vietnam. The youngest recipient is Gordon R. Roberts, age 56. He was born June 14, 1950. He was 19 years old when he earned this high honor.

Mr. Speaker, at this time, I would like to yield to Dr. BURGESS, the gentleman from Texas, for 4 minutes.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding, and I thank the chairman, the gentleman from Missouri, for bringing this concurrent resolution to the floor.

This is a resolution that honors the bravest of the brave, the men and women who have gone above and beyond the call of duty, who have risked their lives in fighting for our Nation, indeed, fighting for our basic freedom.

Today's resolution pays homage to the basic principles of our military, duty, honor, country. The Medal of Honor recognizes and is emblematic of great courage, selflessness and sacrifice.

It is with great pride that I stand here on the floor of Congress today, as Congress is recognizing these extraordinary members of our Armed Services by establishing March 25 as the National Medal of Honor Day. This national day of observance and remembrance is long overdue, and I urge my colleagues to vote in favor of this resolution, to vote in favor of our Armed Forces.

While a National Medal of Honor Day is a wonderful way to honor these great citizens, I would be remiss if I did not also mention another great endeavor that seeks to honor Medal of Honor recipients. The city of Gainesville, Texas established the Medal of Honor Host City Program in 2001 with this simple mission statement: It shall be the privilege and the responsibility of the city of Gainesville, Texas, to welcome our Nation's Medal of Honor recipients at every available opportunity. The Local Veterans of Foreign Wars, post number 1922, along with the community volunteers and community members, welcome all Medal of Honor recipients with open arms and provides a stipend to cover lodging, food and fuel expenses during their visit.

The recipients are invited to attend schools, clubs and local organizations, thereby imparting their own views of patriotism and duty throughout the community. It is truly a remarkable program, and the true beauty of it is that other cities can establish their own Medal of Honor Host City program to further honor and recognize those heroic recipients.

Mr. Speaker, to take a line from the Gainesville, Texas mission statement, I feel that it is Congress's privilege and Congress's responsibility to honor the Medal of Honor recipients at every opportunity. With this resolution, and with programs like the Medal of Honor Host City Program, we take a step in fulfilling that most noble and honorable of all missions.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, since I have been in Congress, America has presented this award on behalf of an extremely grateful Nation a total of 22 times, 13 of which were presented posthumously.

Some recent heroes include Tibor ''Ted'' Rubin for actions in Korea, between 1950 and 1953. He received the award on September 23, 2005.

Before that, the medal was awarded posthumously to the family of SFC Paul R. Smith on April 4 of 2005. For his actions in Iraq in 2003, bravely holding the enemy at bay so that the wounded could be safely carried out.

Before that, the Medal of Honor was awarded posthumously to Army MSG Gary I. Gordon and SFC Randall D. Shughart for action in Somalia in 1993.

Most recently, Cpl Jason Dunham, U.S. Marine Corps, was posthumously

recognized with the Medal of Honor on Thursday, January 11, 2007 for sacrificing his life for his fellow Marines. Corporal Dunham bravely fought hand-to-hand with the enemy and selflessly hurled himself on a live grenade to protect fellow Marines.

Just yesterday, President Bush awarded LTC Bruce P. Crandall the Medal of Honor in a White House ceremony. It was just this morning when several members of the DAV, Disabled American Veterans from my district, stated very simply, after meeting Colonel Crandall, and they said this was his comment when they said congratulations; thank you for what you did for our Nation. His comment was this, he just did what his country asked him to do. He was a volunteer.

Throughout the history, there have been 19 double recipients who have twice received this high honor.

Mr. Speaker, as this resolution so clearly states, the designation of a National Medal of Honor Day will raise the awareness of the American people regarding the significance and the meaning of the Medal of Honor, and help focus the effort on our national, State and local organizations striving to foster public appreciation and recognition of Medal of Honor recipients.

Mr. Speaker, the Medal of Honor has touched the lives, directly or indirectly, of millions of Americans, but there are many more firsts or lone recipients of this award. For example:

Douglas Munro was the only Coast Guard recipient. He was awarded the Medal of Honor for his actions at Point Cruz, Guadalcanal, on September 27 of 1942.

Mary Walker was the only woman awarded the Congressional Medal of Honor at Bull Run on July 21 of 1861.

Today, Mr. Speaker, there are four Medal of Honor recipients currently living in the State of North Carolina. Throughout its history, there have been 19 Medal of Honor recipients from my great state of North Carolina.

Before I close, I would like to take just a couple of minutes, Mr. Speaker. There are many who have won this award, Medal of Honor, who are the heroes of this great Nation. One I would like to bring to mind is a friend of mine whose name is Walter Joseph Marm, Jr.

I will not read the entire citation. I just want to read part of it before I close.

Joe Marm, First Lieutenant, Army Company A, First Battalion, 7th Cavalry, 1st Cavalry Division (Airmobile). Place: Vicinity of la Drang Valley, Republic of Vietnam, 14 November 1965. Entered service at Pittsburgh, Pennsylvania. Born 20 November 1941.

And I want to read just two or three paragraphs from the citation, Mr. Speaker, as he received the Medal of Honor.

Realizing that his platoon could not hold very long, and seeing four enemy soldiers moving into his position, he moved quickly under heavy fire and annihilated all four.

Quickly, disregarding the intense fire directed at him and his platoon, he charged 30 meters across open ground and hurled grenades into the enemy position, killing some of the eight insurgents manning it.

Although severely wounded, when his grenades were expended, armed with only a rifle, he continued the momentum of his assault on the position and killed the remainder of the enemy.

Lieutenant Marm's selfless action reduced the fire on his platoon, broke the enemy assault, and rallied his unit to continue toward the accomplishments of this mission.

Lieutenant Marm's gallantry on the battlefield and his extraordinary risk of his life are in the highest traditions of U.S. Army and reflect great credit upon himself and the Armed Forces of this country.

With that, I thank the gentleman from Missouri (Mr. SKELTON) for this privilege to be part of this debate.

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

Mr. SKELTON. Mr. Speaker, I am pleased that we are able to bring this resolution to the floor. It is highly important that we recognize those very special individuals who received the Medal of Honor and will bear the recognition throughout their lives, as well as their family receiving recognition should they be awarded posthumously.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Con. Res. 47, supporting the goals and ideals of a National Medal of Honor Day to celebrate and honor the recipients of the Medal of Honor. The Medal of Honor is the highest award that can be bestowed on a member of the Armed Fores for his or her valiant acts of bravery while engaged in combat against an enemy of the United States.

The Medal of Honor is awarded by the President, in the name of the Congress, to members of the Armed Forces who have distinguished themselves conspicuously by gallantry and intrepidity and risked their lives above and beyond the call of duty. The first Medal of Honor was awarded on March 25, 1863 during our country's Civil War to PVT Jacob Parrott during the American Civil War for his role in Andrews Raid. He was the first of only 3,443 members in war, military operations and other armed conflicts of our Armed Forces who have received this great honor.

There are 111 Medal of Honor recipients still living and serving our country in their own capacity and I, as well as the entire Nation, will forever be indebted to all recipients of this award for their valor during armed conflict.

It is appropriate and necessary to commemorate and honor the recipients of the Medal of Honor and to recognize their valiant sacrifices for our country. That is why I support the designation of a National Medal of Honor Day which would heighten the understanding and appreciation of the American people regarding the significance and meaning of the Medal of Honor.

It is essential that our Nation celebrate and salute those members of the Armed Forces who have risked their lives to ensure our safety and the safety of our country. Designating this day will also help to focus the efforts of national, State, and local organizations striving to foster public appreciation and recognition of Medal of Honor recipients.

I sincerely appreciate the sacrifices the members of our Armed Forces make each and every day on behalf of our country. I support the designation of March 25 as National Medal of Honor Day in honor of all those members of the Armed Forces who performed valiant acts of bravery during combat against an enemy of the United States.

Mr. BUYER. Mr. Speaker, I rise in support of H. Con. Res. 47—a resolution establishing a national day of remembrance, reflection, and celebration for those citizens who so valiantly defended our Nation and protected their fellow servicemembers through extraordinary feats of courage and achievement—recipients of the Congressional Medal of Honor.

I extend a thank you to my colleagues from the House Armed Services Committee for leading the effort to commemorate the recipients of our Nation's highest military honor. As a Nation, we can never forget the sacrifices these men and women have made to keep America free.

The first Medal of Honor was awarded on March 25, 1864. As we approach this anniversary, let us reflect on the lives and deeds of those brave soldiers, sailors, airmen and Marines who have received this honor throughout our Nation's history.

In 1782, General George Washington started the tradition of recognizing the valiant actions of American soldiers by establishing what became known as the Badge of Military Merit. Washington presented a heart of purple cloth to three of his soldiers in August of that year, an act that was largely lost in history as the Revolutionary War came to a close. This honor was the predecessor to what we now know as the Purple Heart.

Though the Badge of Military Merit faded into the past, the idea of awarding a decoration to recognize the gallant efforts of our soldiers never died. In 1847, not long after the outbreak of the Mexican-American War, a "certificate of merit" was established to recognize troops who distinguished themselves in battle. No medal accompanied the certificate and the award was again discontinued at the end of that conflict.

During the Civil War another proposal arose to establish a medal, but the idea was rejected by then General-In-Chief of the Army Winifield Scott. The Navy, however, adopted this concept, and in December 1861, President Abraham Lincoln signed legislation that established a Navy medal for valor. Not to be outdone by their friendly rival, the Army quickly followed suit with their own resolution to establish a similar award, signed into law in July 1862.

In 1863, Congress established the Medal of Honor as a permanent means to recognize our Nation's most gallant warriors. Since then, it has been awarded to almost 3,400 of our Nation's bravest citizens.

Today, the number of living Medal of Honor recipients is at its lowest point in history—there remain only 111 as of February 1. This resolution is a lasting tribute to those 111 men and women, the recipients who are no longer with us, and to those to come in the future who stood up and answered the call to protect and defend this land.

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Missouri (Mr. SKELTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 47.

The question was taken.

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

Mr. SKELTON. 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.

PROMOTING TRANSPARENCY IN FINANCIAL REPORTING ACT OF 2007

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 755) to require annual oral testimony before the Financial Services Committee of the Chairperson or a designee of the Chairperson of the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board, relating to their efforts to promote transparency in financial reporting.

The Clerk read as follows:

H.R. 755

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 ''Promoting Transparency in Financial Reporting Act of 2007''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Transparent and clear financial reporting is integral to the continued growth and strength of our capital markets and the confidence of investors.

(2) The increasing detail and volume of accounting, auditing, and reporting guidance pose a major challenge.

(3) The complexity of accounting and auditing standards in the United States has added to the costs and effort involved in financial reporting.

SEC. 3. ANNUAL TESTIMONY ON REDUCING COMPLEXITY IN FINANCIAL REPORTING.

The Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board shall annually provide oral testimony by their respective Chairpersons or a designee of the Chairperson, beginning in 2007, and for 5 years thereafter, to the Committee on Financial Services of the House of Representatives on their efforts to reduce the complexity in financial reporting to provide more accurate and clear financial information to investors, including—

(1) reassessing complex and outdated accounting standards;

(2) improving the understandability, consistency, and overall usability of the existing accounting and auditing literature;

(3) developing principles-based accounting standards;

(4) encouraging the use and acceptance of interactive data; and

(5) promoting disclosures in ''plain English''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentleman from Kentucky (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material therein.

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

There was no objection.

Mr. SCOTT of Georgia. Mr. Speaker, I rise in support of H.R. 755, and I yield myself such time as I may consume.

(Mr. SCOTT of Georgia asked and was given permission to revise and extend his remarks.)

□ 1430

Mr. SCOTT of Georgia. Mr. Speaker, this Promoting Transparency in Financial Reporting Act is a bipartisan bill that the House considered last year and passed on a voice vote. The legislation, however, failed to become law during the 109th Congress; and as a result, we now must consider these matters anew in the 110th Congress.

H.R. 755 has a simple premise, Mr. Speaker. For the next 5 years, it would require annual testimony before the House Financial Services Committee by those entities most involved in establishing and implementing our Nation's financial reporting system. These parties include the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board.

Since the 1930s, the Securities and Exchange Commission has required public companies to file financial reports like income statements and balance sheets. Today, companies also rely on the generally accepted accounting principles developed by the Financial Accounting Standards Board to prepare these reporting documents. This independent accounting standard-setter came into existence in the 1970s. The tidal wave of accounting scandals at the start of this decade led Congress to reassess our Nation's financial reporting system and adopt further reforms in the Sarbanes-Oxley Act. Among other things, this landmark law created the Public Company Accounting Oversight Board. This body establishes the auditing standards used to examine public company accounting statements. It also registers and inspects the auditors of public companies.

Even without this legislation, the Financial Services Committee is already working to examine accounting and auditing issues and the work of each of these parties. Earlier this month we approved an oversight plan for the 110th Congress. Several of the action items in that plan address accounting issues. For example, the oversight plan calls for the committee to review the efforts of the Financial Accounting Standards Board to improve financial accounting standards. It also calls for us to study the progress being made on establishing international accounting standards. The plan further calls for the committee to examine the work of the Public Company Accounting Oversight Board as it implements the auditing improvements made by the Sarbanes-Oxley Act. This legislation, therefore, builds on what we had already planned to do in the 110th Congress and what other sessions of Congress should plan to do.

These proposed annual hearings over the next 5 years will help us to reassess complex accounting standards. It will help us improve the understandability of financial statements, and it will encourage the acceptance of interactive data. Even though it seems highly likely that the parties subject to this legislation would testify before the Financial Services Committee on these matters if asked, this bill will make certain that the committee remains focused on these important issues in the immediate future.

In addition, the adoption of H.R. 755 will help to encourage our regulators and standard-setters to fulfill their own roles and initiatives to achieve greater transparency, promote greater uniformity, and reduce complexity in financial reporting not only at home but also around the world.

In recent years, our financial reporting standards have become more and more complex and complicated, especially as we have sought to address more difficult issues like the accounting treatment of derivatives and hedging instruments. This complexity has created difficulties not only for the companies that operate in the United States or that access our capital markets but also the investors and advisers who read and use financial statements.

For our Nation to remain competitive, we need to have robust capital markets. For our capital markets to be strong, we need to have transparent, clear, and understandable financial reporting. We also need to ensure that the entities responsible for accounting and auditing issues continue to work smoothly together. H.R. 755 will help us to stay focused on achieving these important and desirable goals.

In conclusion, Mr. Speaker, I want to commend the hard work of the gentleman from Kentucky (Mr. DAVIS), who is the primary sponsor on this bill. And I want to commend Mr. DAVIS for introducing this measure, and I am proud to work with him as the lead cosponsor over these last years. And, hopefully, this time will be the charm.

This bill is aimed at ensuring that individuals have access to the information that they truly need to make better investment decisions. And I urge support for H.R. 755.

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

Mr. DAVIS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 755, the Promoting Transparency in Financial Reporting Act. And I also would like to thank the gentleman from Georgia for his hard work on this bill. We started nearly 18 months ago, and it is, I think, a true credit to bipartisanship in a way that it is going to help the American people, help small business, and ultimately help to create jobs and give people the opportunity to see clearly into the operation of the financial markets.

In the post-Enron financial era, transparent reporting has become an increasingly important component of promoting a healthy corporate environment. Financially stable and accountable corporations are essential for expanding the U.S. business sector, promoting investor confidence, and strengthening the economy.

However, it is important to examine ways in which such accountability and reporting standards can become both more efficient and more transparent. A cumbersome, costly system will only reduce our competitiveness in a connected world economy and ultimately cost us jobs.

I regularly hear complaints from business owners and executives in Kentucky about the costs and complexities of financial reporting requirements mandated by the Federal Government. As a former small business consultant, I know firsthand the difficulties faced during the time-consuming and costly processes of accounting and financial disclosure. Unfortunately, financial reporting remains an arduous task with too many opportunities for error and for manipulation. Reassessing outdated accounting standards and improving the ability of the average investor to understand and utilize financial documents are essential to the livelihood of American business and the protection of America's investors.

Requiring annual congressional testimony by the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board stresses that simplification, cost reduction, and transparency in accounting standards and financial reporting are public priorities. H.R. 755 will help hold the SEC, FASB, and PCAOB, as well as Congress, accountable for making progress on these important issues. H.R. 755 will give Congress a way to measure progress on the efforts of these organizations over the next 5 years and ensure they are working to streamline and to modernize the process of financial reporting.

As stated in the bill, we would like to direct attention to several areas of interest: first, we would like to reassess outdated and complex accounting standards; improve the understandability, consistency, and overall usability of the existing accounting and auditing literature; develop principles-based accounting standards; and encourage the use and acceptance of interactive data or extensible business reporting language, also known as XBRL; and, finally, to promote disclosures in plain English. I think it would be great ultimately for investors not to need a CPA and a lawyer to understand their own financial statements or the reports that they receive from companies they invest in.

H.R. 755 isn't intended to imply that these organizations have yet to move towards these goals. In fact, there are many examples of progress already. Each organization has already taken strides to improve financial reporting and the implementation of the Sarbanes-Oxley Act, and I applaud these efforts.

For example, in December, 2006, PCAOB proposed new standards for auditing of internal controls designed to focus auditors on the most important issues. The proposed standards eliminate unnecessary audit requirements and, most importantly, provide guidance on how to adjust the audit for a smaller, less complex company. I appreciate the willingness of the PCAOB to respond to feedback from Congress and the investment community.

Another example is the SEC's encouragement of the use of interactive data. Interactive data uses ''tags'' for key facts in financial statements so investors can quickly extract and analyze information in an easily understandable format. The SEC recently announced the expansion of the voluntary test program, which already includes two dozen companies representing more than $1 trillion of market value. Participating companies are rewarded with expedited reviews of SEC filings. In turn, the test group will help the SEC to decide how interactive data can be of most use to investors. These kinds of public and private partnerships will ultimately serve the American people best and keep our markets robust and strong.

Many have criticized the burden and cost of Sarbanes-Oxley, and particularly section 404, on small public companies. It is critical that we strike the right balance between requiring financial reporting to bolster investor confidence and keeping our markets open to both domestic and foreign investment. H.R. 755 will help Congress maintain an active and essential role in this balancing act.

Modernizing reporting processes, increasing transparency, and reducing the costs of financial reporting will help ease the regulatory burden on businesses and strengthen the ability of individual investors to make educated financial decisions. To quote SEC Chairman Chris Cox, this process is going to be ''a long one, but it is worth it to make sure that the capital markets remain strong and vibrant.''

The Promoting Transparency in Financial Reporting Act will hold the SEC, FASB, and PCAOB, as well as Congress, accountable for making progress on these important issues.

Let's pass this bill as a first step towards creating a process for continuous improvement that will simplify our financial reporting regulatory framework.

I would like to thank in particular Ranking Member BACHUS, Chairman FRANK, and Chairman KANJORSKI for their support and my friend from Georgia for his hard work on this to bring this to the floor now.

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

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

This is, as we mentioned, a very important bill that will certainly increase the confidence of the American people in our financial systems and make it smoother and with less complexity.

And I want to also thank the leadership of the Financial Services Committee, Chairmen BARNEY FRANK and KANJORSKI, for their excellent leadership on this very, very important and timely issue. And, again, I want to commend the hard work of my colleague Mr. DAVIS in providing leadership on this.

Ms. WATERS. Mr. Speaker, I rise in support of H.R. 755, Promoting Transparency in Financial Reporting Act of 2007.

H.R. 755 is a simple, but important measure. It requires the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Board to provide annual testimony by their respective chairpersons or designees of the chairperson starting next year and for five subsequent years to the Committee on Financial Services on their efforts to reduce the complexity of financial reporting to provide a more accurate and clear financial information to investors, including:

Reassessing complex and outdated accounting standards; improving the understandability, consistency, and overall usability of the existing accounting and auditing literature; developing principles-based accounting standards; encouraging the use and acceptance of interactive data; and promoting disclosures in plain English.

In view of the different accounting standards being used in the private sector and government, it is clear that we need to have information that is reliable and credible. Financial information that does not meet rigorous and acceptable standards sends the wrong signals to investors as well as to the public about the real the financial condition of a business.

As we have witnessed over the past several years, the quality of financial information can make the difference between the true value of a company and what the public perceives to be its condition. H.R. 755 is an important first step towards making sure that the information being reported to investors and to the public is believable. As such, I ask my colleagues to join me in supporting this bill.

Mr. SCOTT of Georgia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr.

SCOTT) that the House suspend the rules and pass the bill, H.R. 755.

The question was taken.

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

Mr. DAVIS of Kentucky. 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.

DEPOSITORY INSTITUTION COMMUNITY DEVELOPMENT INVESTMENTS ENHANCEMENT ACT

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1066) to increase community development investments by depository institutions, and for other purposes.

The Clerk read as follows:

H.R. 1066

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 ''Depository Institution Community Development Investments Enhancement Act''.

SEC. 2. TECHNICAL CORRECTIONS.

(a) NATIONAL BANKS.—The first sentence of the paragraph designated as the ''Eleventh'' of section 5136 of the Revised Statutes of the United States (12 U.S.C. 24) (as amended by section 305(a) of the Financial Services Regulatory Relief Act of 2006) is amended by striking ''promotes the public welfare by benefiting primarily'' and inserting ''is designed primarily to promote the public welfare, including the welfare of''.

(b) STATE MEMBER BANKS.—The first sentence of the 23rd undesignated paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 338a) (as amended by section 305(b) of the Financial Services Regulatory Relief Act of 2006) is amended by striking ''promotes the public welfare by benefiting primarily'' and inserting ''is designed primarily to promote the public welfare, including the welfare of''.

SEC. 3. INVESTMENTS BY FEDERAL SAVINGS ASSOCIATIONS AUTHORIZED TO PROMOTE THE PUBLIC WELFARE.

(a) IN GENERAL.—Section 5(c)(3) of the Home Owners' Loan Act (12 U.S.C. 1464(c)) is amended by adding at the end the following new subparagraph:

''(D) DIRECT INVESTMENTS TO PROMOTE THE PUBLIC WELFARE.—

''(i) IN GENERAL.—A Federal savings association may make investments, directly or indirectly, each of which is designed primarily to promote the public welfare, including the welfare of low- and moderate-income communities or families through the provision of housing, services, and jobs.

''(ii) DIRECT INVESTMENTS OR ACQUISITION OF INTEREST IN OTHER COMPANIES.—Investments under clause (i) may be made directly or by purchasing interests in an entity primarily engaged in making such investments.

''(iii) PROHIBITION ON UNLIMITED LIABILITY.—No investment may be made under this subparagraph which would subject a Federal savings association to unlimited liability to any person.

''(iv) SINGLE INVESTMENT LIMITATION TO BE ESTABLISHED BY DIRECTOR.—Subject to clauses (v) and (vi), the Director shall establish, by order or regulation, limits on—

''(I) the amount any savings association may invest in any 1 project; and

''(II) the aggregate amount of investment of any savings association under this subparagraph.

''(v) FLEXIBLE AGGREGATE INVESTMENT LIMITATION.—The aggregate amount of investments of any savings association under this subparagraph may not exceed an amount equal to the sum of 5 percent of the savings association's capital stock actually paid in and unimpaired and 5 percent of the savings association's unimpaired surplus, unless—

''(I) the Director determines that the savings association is adequately capitalized; and

''(II) the Director determines, by order, that the aggregate amount of investments in a higher amount than the limit under this clause will pose no significant risk to the affected deposit insurance fund.

''(vi) MAXIMUM AGGREGATE INVESTMENT LIMITATION.—Notwithstanding clause (v), the aggregate amount of investments of any savings association under this subparagraph may not exceed an amount equal to the sum of 15 percent of the savings association's capital stock actually paid in and unimpaired and 15 percent of the savings association's unimpaired surplus.

''(vii) INVESTMENTS NOT SUBJECT TO OTHER LIMITATION ON QUALITY OF INVESTMENTS.—No obligation a Federal savings association acquires or retains under this subparagraph shall be taken into account for purposes of the limitation contained in section 28(d) of the Federal Deposit Insurance Act on the acquisition and retention of any corporate debt security not of investment grade.

''(viii) APPLICABILITY OF STANDARDS TO EACH INVESTMENT.—The standards and limitations of this subparagraph shall apply to each investment under this subparagraph made by a savings association directly and by its subsidiaries.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 5(c)(3)(A) of the Home Owners' Loan Act (12 U.S.C. 1464(c)(3)(A)) is amended to read as follows:

''(A) [Repealed]''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. FRANK) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1066.

It does occur to me on reflection that we should have asked the gentleman from Florida and the gentleman from Washington, Mr. HASTINGS and Mr. HASTINGS, to join in supporting this bill given its number. But in their absence, I will note that this is a bill that passed the House last year unanimously as part of a larger regulatory relief bill that came out of the Committee on Financial Services. It went to the Senate, and the Senate passed much of what we sent them but not all of it.

□ 1445

The Senate deleted some provisions. We, in the interest of getting some legislation through, accepted the Senate's proposal, and so much of what we sent originally did become law. Some pieces did not.

This is a piece that provides more flexibility for banks that are engaging in what is called, and it is a particular legal term here, public welfare investments. Banks are allowed to spend, invest up to 15 percent of their capital in what are called public welfare investments. This would allow that very good policy some more flexibility.

I would note, that, for instance, the Association of Affordable Housing Lenders, people who build subsidized housing, are in favor of this change. What it does is it broadens the definition. It doesn't change the 15 percent, but it gives more flexibility.

We have this situation where we do want these investments to be for the benefit of low and moderate income people. But it is one thing to say that they should generally be for the benefit of low and moderate income people, and another to strictly confine them to areas that have this direct benefit. What you do is you lose the flexibility we would like.

Mr. Speaker, I will include in the record at this point letters from John Reich, the Director of the Office of Thrift Supervision, and John Dugan, the Comptroller of the Currency.

OFFICE OF THRIFT SUPERVISION,
DEPARTMENT OF THE TREASURY,
Washington, DC, February 23, 2007.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, House of Representatives, Washington, D.C.
Hon. SPENCER BACHUS,
Ranking Member, Committee on Financial Services, House of Representatives, Washington, D.C.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: I am writing to provide my support for H.R. 1066, the ''Depository Institution Community Development Investment Enhancements Act,'' legislation that you recently introduced and that I understand will soon be considered by the House. H.R. 1066 will enhance the ability of savings associations to support important public welfare initiatives. I encourage Congress to take swift action on this bill.

Similar to Section 202 of H.R. 3505, the ''Financial Services Regulatory Relief Act of 2005,'' which passed on a bipartisan basis in the full House of Representatives and H.R. 6062, the ''Community Development Investment Enhancements Act of 2006,'' which also passed on a voice vote by the full House, H.R. 1066 will enable savings associations to support important community development programs.

Specifically, H.R. 1066 will increase the ability of federal savings associations to make investments primarily designed to promote the public welfare of low- and moderate-income communities and families through the provision of housing, services, and jobs. Your bill accomplishes this by raising the limits on the ability of federal thrifts to invest in entities primarily engaged in making these public welfare investments.

Thank you for your leadership in sponsoring this important legislation and your continued interest is this issue. I applaud your efforts to remove barriers to the growth and stability of low- and moderate-income communities and urge immediate consideration of H.R. 1066. If you have any questions, please do not hesitate to contact me or

Kevin Petrasic, Managing Director of External Affairs, at 2012–906–6452.

Respectifully yours,

JOHN M. REICH,
Director.

COMPTROLLER OF THE CURRENCY ADMINISTRATOR OF NATIONAL BANKS,
Washington, DC, February 26, 2007.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, House of Representatives, Washington, D.C.

DEAR CHAIRMAN FRANK: Thank you for having introduced H.R. 1066, the Depository Institution Community Development Investments Enhancement Act, which would restore the preexisting, longstanding authority of national and state member banks to make investments ''designed primarily to promote the public welfare, including the welfare of low- and moderate-income communities or families.''

Returning to this standard will restore several major categories of public welfare investments in areas determined by federal, state and local governments to be in need of such investments. These categories of investments, which were eliminated with passage of The Financial Services Regulatory Relief Act of 2006, include investments that:

Revitalize or stabilize designated disaster areas, including areas devastated by hurricanes.

Revitalize or stabilize underserved or distressed middle-income rural communities.

Utilize New Markets Tax Credits to promote development in middle-income census tracts with greater than 20 percent poverty rates.

Finance mixed-income affordable housing in government targeted areas for revitalization.

Since 1992, the preexisting standard has been implemented by the OCC in a transparent manner to generate national bank community development investments in every state of the nation amounting to over $16 billion. Every approved public welfare investment made by a national bank is posted by the OCC on our public website. Further, all public welfare investments made by national banks have been, and will continue to be under the provisions of H.R. 1066, subject to key controls designed to protect against risks to the safety and soundness of the bank and to the deposit insurance fund.

Restoring the previously qualifying categories of investments, in combination with the recent increase in allowable investments to 15 percent of capital and surplus, can potentially generate as much as $30 billion in national bank investment to help revitalize local ommunities across the nation—without the use of any taxpayer funds. I urge prompt passage of H.R. 1066 to help achieve this significant impact.

Sincerely,

JOHN C. DUGAN,
Comptroller of the Currency.

Mr. Speaker, in Mr. Dugan's letter, for example, he says giving this flexibility would allow ''finance mixed-income affordable housing in government targeted areas for revitalization.'' It maintains the purpose of helping low and moderate income people, but it provides the flexibility in doing it, which we would all support.

I know of no opposition to the bill. People might have raised the question, well, the groups that are the primary advocates, the low and moderate income people, do they think it might hit them? No, the answer is they do not. And several groups that try to promote this kind of mixed economic benefit development think this would be useful.

As I said, it is a bill the House passed last year. It is supported by banks. We have banks that want to be socially responsible, within the context of making a profit and meeting their safety and soundness requirements. We should not unduly burden them when they try to do that.

So I hope that the House will once again pass this, and that this time, looking at them alone with a little more leisure, the Senate will go along.

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

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

Mr. Speaker, I rise today in support of H.R. 1066, the Depository Institution Community Development Investments Enhancement Act, and I want to commend Chairman FRANK for introducing this legislation.

The regulatory relief legislation that was signed into law last October increased the authority of banks to invest in projects that benefit low and moderate income communities. The legislation increases the allowable percentage of public welfare investments from 10 to 15 percent of a thrift's capital and surplus. Banks currently have this authority.

H.R. 1066 would expand this authority in allowing thrifts to invest in distressed areas, as well as the low and moderate income communities. This enhanced authority is important because the need for investment in government-designated disaster areas may not necessarily be confined to low to moderate income areas.

H.R. 1066 also would make it easier for banks to invest in projects in devastated and abandoned communities on the gulf coast or to revitalize rural areas that are underserved or distressed. This legislation allows greater opportunities for banks and thrifts to provide housing, community services and jobs to communities throughout our Nation. It also helps these institutions meet their obligations under the Community Reinvestment Act. Since the law was enacted in 1992, existing authority has already generated more than $16 billion of investments.

Twice last year legislation similar to H.R. 1066 passed the House overwhelmingly. H.R. 6062, the Community Development Investment Enhancement Act of 2006 passed the House by voice vote in September. The same language also was included in the House passed version of regulatory relief legislation, H.R. 3505, which cleared this body last March by a vote of 415–2, as Chairman FRANK noted.

Mr. Speaker, I urge my colleagues to support H.R. 1066.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 1066.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BROWNFIELDS REDEVELOPMENT ENHANCEMENT ACT

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 644) to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields.

The Clerk read as follows:

H.R. 644

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 ''Brownfields Redevelopment Enhancement Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) returning the Nation's brownfield sites to productive economic use could generate more than 550,000 additional jobs and up to $2,400,000,000 in new tax revenues for cities and towns;

(2) redevelopment of brownfield sites and reuse of infrastructure at such sites will protect natural resources and open spaces;

(3) lack of funding for redevelopment is a primary obstacle impeding the reuse of brownfield sites;

(4) the Department of Housing and Urban Development is the agency of the Federal Government that is principally responsible for supporting community development and encouraging productive land use in urban areas of the United States;

(5) grants under the Brownfields Economic Development Initiative of the Department of Housing and Urban Development provide local governments with a flexible source of funding to pursue brownfields redevelopment through land acquisition, site preparation, economic development, and other activities;

(6) to be eligible for such grant funds, a community must be willing to pledge community development block grant funds as partial collateral for a loan guarantee under section 108 of the Housing and Community Development Act of 1974, and this requirement is a barrier to many local communities that are unable or unwilling to pledge such block grant funds as collateral; and

(7) by de-linking grants for brownfields development from section 108 community development loan guarantees and the related pledge of community development block grant funds, more communities will have access to funding for redevelopment of brownfield sites.

(b) PURPOSE.—The purpose of this Act is to provide cities and towns with more flexibility for brownfields development, increased accessibility to brownfields redevelopment funds, and greater capacity to coordinate and collaborate with other government agencies—

(1) by providing additional incentives to invest in the development and redevelopment of brownfield sites; and

(2) by de-linking grants for brownfields development from community development loan guarantees and the related pledge of community development block grant funds.

SEC. 3. BROWNFIELDS DEVELOPMENT INITIATIVE.

Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended by adding at the end the following new section:

"SEC. 123. BROWNFIELDS DEVELOPMENT INITIATIVE.

''(a) IN GENERAL.—The Secretary may make grants under this section, on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545), only to eligible public entities (as such term is defined in section 108(o) of this title) and Indian tribes for carrying out projects and activities to assist the development and redevelopment of brownfield sites, which shall include mine-scarred lands.

''(b) USE OF GRANT AMOUNTS.—Amounts from grants under this section—

''(1) shall be used, as provided in subsection (a) of this section, only for activities specified in section 108(a);

''(2) shall be subject to the same requirements that, under section 101(c) and paragraphs (2) and (3) of section 104(b), apply to grants under section 106; and

''(3) shall not be provided or used in a manner that reduces the financial responsibility of any nongovernmental party that is responsible or potentially responsible for contamination on any real property and the provision of assistance pursuant to this section shall not in any way relieve any party of liability with respect to such contamination, including liability for removal and remediation costs.

''(c) AVAILABILITY OF ASSISTANCE.—The Secretary shall not require, for eligibility for a grant under this section, that such grant amounts be used only in connection or conjunction with projects and activities assisted with a loan guaranteed under section 108.

''(d) APPLICATIONS.—Applications for assistance under this section shall be in the form and in accordance with procedures as shall be established by the Secretary.

''(e) SELECTION CRITERIA AND LEVERAGING.—The Secretary shall establish criteria for awarding grants under this section, which may include the extent to which the applicant has obtained other Federal, State, local, or private funds for the projects and activities to be assisted with grant amounts and such other criteria as the Secretary considers appropriate. Such criteria shall include consideration of the appropriateness of the extent of financial leveraging involved in the projects and activities to be funded with the grant amounts.

''(f) DEFINITION OF BROWNFIELD SITE.—For purposes of this section, the term 'brownfield site' has the meaning given such term in section 101(39) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(39)). Such term includes a site that meets the requirements under subparagraph (D) of such section for inclusion as a brownfield site for purposes of section 104(k) of such Act (42 U.S.C. 9604(k)).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section such sums as may be necessary for each of fiscal years 2008 through 2012.''.

SEC. 4. CLARIFICATION OF BROWNFIELDS REDEVELOPMENT AS ELIGIBLE CDBG ACTIVITY.

(a) TECHNICAL CORRECTION.—Subsection (a) of section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) by striking paragraph (24) and all that follows through the end of the subsection and inserting the new paragraph (24) inserted by section 2(3) of Public Law 108–146 (117 Stat. 1883);

(2) by adding at the end (after the paragraph added by paragraph (1) of this subsection) the new paragraph (20) added by section 907(b)(1)(C) of Public Law 101–625 (104 Stat. 4388) and redesignating such paragraph as paragraph (25); and

(3) by adding at the end (after the paragraphs added by paragraphs (1) and (2) of this subsection) the new paragraph (21) added by section 1012(f)(3)) of Public Law 102–550 (106 Stat. 3905) and redesignating such paragraph as paragraph (26).

(b) BROWNFIELDS REDEVELOPMENT ACTIVITIES.—Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)), as in effect pursuant to subsection (a) of this section, is amended—

(1) in paragraph (24) (as added by subsection (a)(1) of this section), by striking ''and'' at the end;

(2) in paragraph (25) (as added by subsection (a)(2) of this section), by striking the period at the end and inserting a semicolon;

(3) in paragraph (26) (as added by subsection (a)(3) of this section), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following new paragraph:

''(27) economic development and redevelopment activities related to projects for brownfields sites (as such term is defined in section 123(f)), in conjunction with the appropriate environmental regulatory agencies, except that assistance pursuant to this paragraph shall not be provided in a manner that reduces the financial responsibility of any nongovernmental party that is responsible or potentially responsible for contamination on any real property and the provision of assistance pursuant to this paragraph shall not in any way relieve any party of liability with respect to such contamination, including liability for removal and remediation costs.''.

SEC. 5. TECHNICAL AMENDMENT TO ALLOW USE OF CDBG FUNDS TO ADMINISTER RENEWAL COMMUNITIES.

Section 105(a)(13) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(13)) is amended by inserting ''and renewal communities'' after ''enterprise zones''.

SEC. 6. APPLICABILITY.

The amendments made by this Act shall apply only with respect to amounts made available for fiscal year 2008 and fiscal years thereafter for use under the provisions of law amended by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. FRANK) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a bill to give more flexibility to our municipalities. They are allowed to use Community Development Block Grant funds for cleaning up brownfields.

By the way, I do want to comment for a minute on brownfields. We hear a great deal about public sector-private sector, and I believe that people have unwisely seen this as if there was an opposition. In fact, we need to cooperate, and I particularly here want to call attention to an aspect of this bill that is relevant to those who tend to see the private sector as the fountain of all benefits and the public sector as somehow a source of negative activity.

What we are doing here is giving local governments the right to use Federal money to clean up messes that were left behind by the private sector. Brownfields overwhelmingly are the result of industrial activity that was once profitable and no longer is. That doesn't mean that the people that did it were bad people, necessarily. It does mean given the change in economics, private sector entities walked away in many cases and left the public sector responsible for these cleanups.

What we are doing here is giving more flexibility to local communities so that they don't have to take out a section 108 loan, which can tie up their Community Development Block Grant funds for a long time. It does give in to local judgment.

I do want to note one very important point that the gentleman from Michigan, the chairman of the Energy and Commerce Committee, has stressed, and a point on which I am in complete agreement with him, namely that the funding flexibility here should be for brownfields, not for Superfund sites.

In the Superfund situation, we have provisions for those who polluted to have to pay in to cleaning up the messes they left behind. We do not want the brownfields money here to be used in any way to diminish that liability.

So I very much agree with the point that was made by the gentleman from Michigan (Mr. DINGELL). In fact, when we sent this bill previously to the Senate, they removed the restriction that we had put in there that would have prevented this from happening, and we then would not pass the bill. We will send this again to the Senate and we hope they will accept that this is for brownfields, it is not for Superfund. It should be used in this very strict way so as to not become a substitute for private contributions that ought to be coming.

If we limit this to CDBG money for the brownfields situation, we will be doing it right. This bill is entitled the Brownfields Redevelopment Enhancement Act. We want moneys that are freed up here to be used only for that purpose.

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

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

Mr. Speaker, I rise today in support of H.R. 644, the Brownfields Redevelopment Enhancement Act of 2007. I want to commend Congressman MILLER of California for introducing this legislation for the fourth time.

This bill aims to provide local communities greater access to the Department of Housing and Urban Development's brownfields program to clean up and redevelop contaminated sites. More importantly, the bill will help local communities create new jobs and expand their tax base.

The revitalization of brownfields sites has always been a familiar topic in Illinois, as my home State has thousands of these underused or vacant

properties. Brownfields are those sites where redevelopment is complicated by potential environmental contamination. They are less seriously contaminated than those covered under the Superfund Act, and there are an estimated 500,000 of them across the country.

HUD administers a brownfields program called the Brownfields Economic Development Initiative, or BEDI. The main purpose of BEDI is to spur economic and community development of the brownfields sites. The problem is that due to a loan guarantee requirement, the program has been underutilized. Over the past 5 years, the Financial Services Committee has sought to make HUD's program more effective, specifically the BEDI program.

At hearings, we learned that many communities had been shut out of the BEDI program because they can't get a grant without going through the cumbersome process of applying for a section 108 loan. That is very hard on those smaller communities.

Under current law, HUD's brownfields redevelopment projects must be backed by those section 108 guaranteed loans. The section 108 loans require a local community to provide loan security by collateralizing its BEDI project with that community's current and future CDBG allocations. Therefore, many small communities have been hesitant to reply for BEDI because they are unwilling or unable to pledge their block grants as collateral for the guaranteed loans. In short, H.R. 644 amends the HUD Act of 1974 to permit HUD to issue BEDI grants independent of the section 108 loan guarantees.

This bill does not create a new program and would not trigger new spending or receipts. This bill will facilitate brownfields redevelopment in thousands of communities across the country, thereby encouraging economic development, expanding communities' tax bases and, most importantly, creating new jobs.

I applaud the bill's sponsors for introducing H.R. 644. I urge my colleagues to support this important piece of legislation.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WATERS), the chair of the Housing Subcommittee, from which this bill came.

Ms. WATERS. Thank you very much, Mr. Chairman.

Mr. Speaker, I rise in support of H.R. 644, the Brownfields Redevelopment Enhancement Act, a bill of which I am an original cosponsor. I certainly applaud the distinguished chairman of Committee on Financial Services, Mr. FRANK, for working to get this bill to the floor. I also want to thank Mr. GARY MILLER, who introduced the bill and who has been working on this subject for quite some time, as well as all of the other cosponsors of this bill.

The House passed a bill identical to H.R. 644 in the 109th Congress because many of us recognized the importance of preserving a means of remedying the numerous hazardous sites that remain in this country.

Under the Brownfields Act, the Environmental Protection Agency awards grants for the assessment and cleanup of sites that pose a serious threat to human health and the environment than sites addressed by the Superfund.

Many of these sites thwart the development and revitalization of communities in distressed areas of the country, including the City of Los Angeles and Los Angeles County. In fact, it is these sites that make development efforts impossible because of the potential risks.

The Brownfields Redevelopment Enhancement Act becomes a powerful economic development tool when used in conjunction with other Federal economic redevelopment resources, CDBG and section 108 loan guarantees. It is precisely the kind of leveraging tool that we must utilize to spur development in places where development costs are uncertain given the presence of hazardous materials.

The Brownfields Redevelopment Enhancement Act, if passed, will continue to provide four types of competitive grants: Assessment grants used as planning tools by grantees to conduct due diligence related to the affected sites; revolving loan fund grants to capitalize the loans for the cleanup of the sites; cleanup grants that provide for the recipient to undertake cleanup activities; and job training grants made available to nonprofits and educational entities to develop environmental job training programs.

Mr. Speaker, we cannot afford to postpone passage of this bill any longer. It sends a bad signal to the communities across the Nation who are trying to rebuild, reinvest and strengthen their economic local economies. Any Federal tool to leverage private investment must be preserved, particularly in this pay-as-you-go economic environment. The Brownfields Enhancement Act is a tool, and therefore I urge my colleagues to support it.

□ 1500

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise today in strong support of H.R. 644. As a former mayor of the third largest city in New Jersey, Paterson, the first planned industrial city in the Nation and home to some of the country's oldest brownfield sites, I know this bill will be beneficial to our Nation's communities.

H.R. 644 authorizes HUD to offer much-needed grants for the environmental cleanup and economic development of brownfield sites, places we drive by every day of our lives. We want to rehabilitate those sites, including inactive factories, gas stations, salvage yards, abandoned warehouses.

This bill also makes brownfield-related environmental cleanup and economic development activities eligible for Community Development Block Grants assistance. These sites drive down property values, provide little or no tax revenue, and contribute to community blight.

Since the inception of brownfield programs, Mr. Speaker, the Federal Government has allocated over $800 million in brownfield assessment and cleanup funds. In addition, this investment has leveraged over $8 billion in cleanup and redevelopment dollars, a better than 10 to 1 return on investment. It has resulted in the assessment of more than 8,000 properties and helped create over 37,000 jobs. It is a winner.

This is because the EPA and HUD grants work in conjunction with funds that come from both the State and local governments, and of course private sources, to address cleanup of brownfield sites. If we don't do this, those sites will remain abandoned and barren for years ahead of us.

This is an exciting time in the brownfields marketplace. Federal brownfields programs have provided the foundation on which State initiatives have flourished. Throughout the country, there are thousands of abandoned structures that were once thriving businesses, often part of large industrial centers. Economic development matched with environmental cleanup has resulted in the rebirth of many industrial and commercial properties and surrounding neighborhoods.

Anyone who cares about our Nation's cities celebrates these successes. HUD's particular expertise in incorporating brownfields remediation into a larger strategy for economic development and community revitalization is essential to the success we have had and will continue to have in the future. This is a stimulant to the economy, a real stimulant.

Mr. Speaker, I urge my colleagues to support this very worthwhile legislation.

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

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to make any comments for the RECORD that they wish, and also to include extraneous material on H.R. 644 and H.R. 1066.

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

There was no objection.

Mrs. MALONEY of New York. Mr. Speaker and Chairman FRANK, on behalf of New York City, which I represent, I am pleased that the House is considering the Brownfields Redevelopment Enhancement Act.

I am proud to have been an original cosponsor of this legislation in every session since it was first introduced in the 107th Congress.

As you know, the primary purpose of the bill is to increase the flexibility of the Housing and Urban Development Department's Brownfields Economic Development Initiative (BEDI) and to make the program available to more local Governments.

The legislation eliminates the requirement that communities applying for BEDI grants must pledge their Community Block Development Grant (CBDG) funding as security for the loan—a rule that puts local Governments between a rock and a hard place.

Since its inception, the larger brownfields program has proven an effective Government response to a serious environmental problem, and it is important that we maximize its use.

Brownfields are abandoned, or under-used industrial and commercial facilities where further redevelopment is impeded by environmental contamination. They spot our country from coast to coast, especially in areas with high or formerly high levels of industrial activity, such as older urban areas. New York City, including my district, is full of them.

These locations have potential for economic development but are held back by the environmental problems created by former or current users. The program has successfully used a variety of financial and technical assistance to restore these sites which would otherwise be doomed to further decay.

I am very pleased to support this legislation and thank Representative GARY MILLER for introducing it again this year and Chairman BARNEY FRANK and Ranking Member BACHUS for their leadership on this bipartisan issue.

Mr. SHAYS. Mr. Speaker, as a coauthor of the original legislation which created the Brownfields program, I rise in support of H.R. 644, which makes Brownfield Economic Development Initiative, BEDI, grants far more accessible to smaller communities by eliminating a requirement for communities to guarantee their BEDI grant with their Community Development block grant funds.

I believe the Brownfields program is one of the most successful programs the Federal Government has to help revitalized urban areas. These sites, typically in the heart of urban areas, lie idle because no one wants to incur the large costs associated with Superfund cleanups.

This, in turn should encourage more-environmental cleanup and economic development of brownfield sites. As a result, cities are marked by abandoned buildings and vacant lots while developers construct new buildings on what was previously open space in the suburbs.

Though small, these grants serve as seed money, enabling dozens of communities to leverage millions of State and private dollars to move into the actual cleanup phase.

By reusing Brownfields sites, we not only rebuild blighted communities, but also target development in city centers and avoid unnecessary urbanization on the fringes of metropolitan areas.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 644.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROMOTING ANTITERRORISM COOPERATION THROUGH TECHNOLOGY AND SCIENCE ACT

Mr. THOMPSON of Mississippi. Mr. Speaker, we have a bill, but in our traditional, bipartisan way, I yield to the gentleman from New York (Mr. KING).

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 884) to provide for the establishment of the Science and Technology Homeland Security International Cooperative Programs Office, and for other purposes.

The Clerk read as follows:

H.R. 884

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 ''Promoting Antiterrorism Cooperation through Technology and Science Act'' or the ''PACTS Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The development and implementation of technology is critical to combating terrorism and other high consequence events and implementing a comprehensive homeland security strategy.

(2) The United States and its allies in the global war on terrorism share a common interest in facilitating research, development, testing, and evaluation of equipment, capabilities, technologies, and services that will aid in detecting, preventing, responding to, recovering from, and mitigating against acts of terrorism.

(3) Certain United States allies in the global war on terrorism, including Israel, the United Kingdom, Canada, Australia, and Singapore have extensive experience with, and technological expertise in, homeland security.

(4) The United States and certain of its allies in the global war on terrorism have a history of successful collaboration in developing mutually beneficial equipment, capabilities, technologies, and services in the areas of defense, agriculture, and telecommunications.

(5) The United States and its allies in the global war on terrorism will mutually benefit from the sharing of technological expertise to combat domestic and international terrorism.

(6) The establishment of an office to facilitate and support cooperative endeavors between and among government agencies, for-profit business entities, academic institutions, and nonprofit entities of the United States and its allies will safeguard lives and property worldwide against acts of terrorism and other high consequence events.

SEC. 3. PROMOTING ANTITERRORISM THROUGH INTERNATIONAL COOPERATION ACT.

(a) IN GENERAL.—The Homeland Security Act of 2002 is amended by inserting after section 313 (6 U.S.C. 193) the following:

''SEC. 314. PROMOTING ANTITERRORISM THROUGH INTERNATIONAL COOPERATION PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director selected under subsection (b)(2).

''(2) INTERNATIONAL COOPERATIVE ACTIVITY.—The term 'international cooperative activity' includes—

''(A) coordinated research projects, joint research projects, or joint ventures;

''(B) joint studies or technical demonstrations;

''(C) coordinated field exercises, scientific seminars, conferences, symposia, and workshops;

''(D) training of scientists and engineers;

''(E) visits and exchanges of scientists, engineers, or other appropriate personnel;

''(F) exchanges or sharing of scientific and technological information; and

''(G) joint use of laboratory facilities and equipment.

''(b) SCIENCE AND TECHNOLOGY HOMELAND SECURITY INTERNATIONAL COOPERATIVE PROGRAMS OFFICE.—

''(1) ESTABLISHMENT.—The Under Secretary shall establish the Science and Technology Homeland Security International Cooperative Programs Office.

''(2) DIRECTOR.—The Office shall be headed by a Director, who—

''(A) shall be selected by and shall report to the Under Secretary; and

''(B) may be an officer of the Department serving in another position.

''(3) RESPONSIBILITIES.—

''(A) DEVELOPMENT OF MECHANISMS.—The Director shall be responsible for developing, in consultation with the Department of State, understandings or agreements that allow and support international cooperative activity in support of homeland security research, development, and comparative testing.

''(B) PRIORITIES.—The Director shall be responsible for developing, in coordination with the Directorate of Science and Technology, the other components of the Department of Homeland Security, and other Federal agencies, strategic priorities for international cooperative activity in support of homeland security research, development, and comparative testing.

''(C) ACTIVITIES.—The Director shall facilitate the planning, development, and implementation of international cooperative activity to address the strategic priorities developed under subparagraph (B) through mechanisms the Under Secretary considers appropriate, including grants, cooperative agreements, or contracts to or with foreign public or private entities, governmental organizations, businesses, federally funded research and development centers, and universities.

''(D) IDENTIFICATION OF PARTNERS.—The Director shall facilitate the matching of United States entities engaged in homeland security research with non-United States entities engaged in homeland security research so that they may partner in homeland security research activities.

''(4) COORDINATION.—The Director shall ensure that the activities under this subsection are coordinated with those of other relevant research agencies, and may run projects jointly with other agencies.

''(5) CONFERENCES AND WORKSHOPS.—The Director may hold international homeland security technology workshops and conferences to improve contact among the international community of technology developers and to help establish direction for future technology goals.

''(c) INTERNATIONAL COOPERATIVE ACTIVITIES.—

''(1) AUTHORIZATION.—The Under Secretary is authorized to carry out international cooperative activities to support the responsibilities specified under section 302.

''(2) MECHANISMS AND EQUITABILITY.—In carrying out this section, the Under Secretary may award grants to and enter into

cooperative agreements or contracts with United States governmental organizations, businesses (including small businesses and small and disadvantaged businesses), federally funded research and development centers, institutions of higher education, and foreign public or private entities. The Under Secretary shall ensure that funding and resources expended in international cooperative activities will be equitably matched by the foreign partner organization through direct funding or funding of complementary activities, or through provision of staff, facilities, materials, or equipment.

''(3) LOANS OF EQUIPMENT.—The Under Secretary may make or accept loans of equipment for research and development and comparative testing purposes.

''(4) COOPERATION.—The Under Secretary is authorized to conduct international cooperative activities jointly with other agencies.

''(5) FOREIGN PARTNERS.—Partners may include Israel, the United Kingdom, Canada, Australia, Singapore, and other allies in the global war on terrorism, as appropriate.

''(6) EXOTIC DISEASES.—As part of the international cooperative activities authorized in this section, the Under Secretary, in coordination with the Chief Medical Officer, may facilitate the development of information sharing and other types of cooperative mechanisms with foreign countries, including nations in Africa, to strengthen American preparedness against threats to the Nation's agricultural and public health sectors from exotic diseases.

''(d) BUDGET ALLOCATION.—There are authorized to be appropriated to the Secretary, to be derived from amounts otherwise authorized for the Directorate of Science and Technology, $25,000,000 for each of the fiscal years 2008 through 2011 for activities under this section.

''(e) FOREIGN REIMBURSEMENTS.—Whenever the Science and Technology Homeland Security International Cooperative Programs Office participates in an international cooperative activity with a foreign country on a cost-sharing basis, any reimbursements or contributions received from that foreign country to meet its share of the project may be credited to appropriate current appropriations accounts of the Directorate of Science and Technology.

''(f) REPORT TO CONGRESS ON INTERNATIONAL COOPERATIVE ACTIVITIES.—

''(1) INITIAL REPORT.—Not later than 180 days after the date of enactment of this section, the Under Secretary, acting through the Director, shall transmit to the Congress a report containing—

''(A) a brief description of each partnership formed under subsection (b)(4), including the participants, goals, and amount and sources of funding; and

''(B) a list of international cooperative activities underway, including the participants, goals, expected duration, and amount and sources of funding, including resources provided to support the activities in lieu of direct funding.

''(2) UPDATES.—At the end of the fiscal year that occurs 5 years after the transmittal of the report under subsection (a), and every 5 years thereafter, the Under Secretary, acting through the Director, shall transmit to the Congress an update of the report required under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of contents for the Homeland Security Act of 2002 is amended by adding after the item relating to section 313 the following new item:

''Sec. 314. Promoting antiterrorism through international cooperation program.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and insert extraneous material on the bill.

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

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the outset, let me thank the gentleman from Mississippi, Chairman THOMPSON, for his cooperation, not just in the previous Congress on putting this legislation together, but also today in his generosity in allowing me to go forward on it. To me, this is typical and symbolic of the bipartisanship which he has brought to the committee both as ranking member and now as chairman. I thank him for that. And more than his personal kindness and generosity, let me also say that it is so vitally important that on issues such as this that there be bipartisan cooperation working across the aisle because all of our lives changed on September 11. All of us realized we had to change the way we did business, whether it was creating the Department of Homeland Security, whether it was creating the law enforcement agencies at all levels of government to cooperate, whether it meant adopting specific legislation on chemical plants or port security, or any of the other areas included within the umbrella of Homeland Security.

But it also requires us to establish firmer relationships with our allies, finding areas of common ground among us and our allies, and that is what H.R. 884 will do. H.R. 884 is the Promoting Antiterrorism Cooperation through Technology and Science Act, PACTS.

It is an effort by us to have our Department of Homeland Security and our government work with our allies and friends around the world to find common ways to confront terrorism, to use technology to confront terrorism, and it does that initially by establishing the International Cooperation Programs Office within the Science and Technology Directorate of the Department of Homeland Security.

It also authorizes $25 million a year in fiscal years 2008, 2009, 2010, and 2011. So $25 million for each of the next four fiscal years. It specifies by name Great Britain, Singapore, Israel, Canada, and Australia as countries that we should especially work more closely with to exchange technology and research, and to work together on a common effort at the government level, at the university level, private foundations, to put aside any technical differences that may separate us, to try to work through any legal impediments there may be to the type of cooperation that we believe is absolutely essential.

This legislation did pass our committee in the last Congress and passed the House. Unfortunately, it was blocked in the Senate. We certainly hope that under the leadership of Chairman THOMPSON it will again pass the House this year, and hopefully the Senate will do the right thing this year and we can get this legislation to the President's desk.

The war on terrorism will involve many of us for many years. The more allies and partners and friends we can have working with us, the more we can share our expertise and technology that make us stronger and make the enemy weaker.

I urge the adoption of H.R. 884 and thank the gentleman from Mississippi for his cooperation.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 884, Promoting Antiterrorism Cooperation through Technology and Science Act, a bill considered in one form or another since the 108th Congress.

There is an old saying we tell school children: if at first you don't succeed, try, try again.

Although these words of encouragement may have originally applied to the grade school study of algebra or Latin, they are equally motivational to those of us serving in the 110th Congress.

I first raised the idea of this bill in January of 2005, soon after I became the ranking member. I know my Democratic colleagues had pushed for it in the 108th Congress at well.

Well, after years of trying, this Congress will succeed in sending this legislation to the President's desk. I know the other body will be taking up a similar provision attached to their bill seeking to fulfill the recommendations of the 9/11 Commission. I am very pleased that they will soon join the House in passing this legislation.

Why is this bill so important? The answer lies in the nature of the terrorist threat. Terrorism is an international threat to the democratic way of life. Though we have experienced terrible tragedies of our own, terrorist attacks occur all over the world.

Terrorists have attacked buses in London; hotels in Israel; trains in Mumbai; embassies in Indonesia; resorts in Bali; and schools in Russia. As the global threat of terrorism is evident, so too is the solution to limiting those attacks. By promoting international cooperation, we will defeat the efforts of our enemies. Cooperation in developing antiterrorism technologies should be a top priority. The different challenges faced by our friends around the world have resulted in new approaches that the United

States should leverage to protect our citizens.

International cooperation is nothing new for our country. In fact, the United States has a history of productive scientific and technical collaborations with Israel, the United Kingdom, Canada, Australia and others.

The Department of Homeland Security has participated in some of these partnerships with foreign governments and other entities.

This legislation will encourage and strengthen those efforts and direct the Department to look for new partners beyond those we already have. This includes working with folks in the small business community who can bring exciting technologies to the table.

I am especially heartened that the bill will strengthen the means for protecting our Nation from exotic diseases. Active collaborations with scientists in Africa, where many of these diseases originate, should be promoted. This bill encourages that collaboration.

Too often, the United States presents a posture of unilateralism to the world. I hope that through programs like the ones authorized in this legislation, we encourage a more cooperative approach to fighting terrorism.

Mr. Speaker, I strongly support H.R. 884. I urge my colleagues to do the same.

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

Mr. KING of New York. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I thank the ranking member of the Homeland Security Committee.

Mr. Speaker, I rise today in strong support of H.R. 884, the Promoting Antiterrorism Cooperation through Technology and Science Act, a long name for a great bill and an idea whose time clearly has come.

The world knows that we changed on the morning of September 11, 2001. We found ourselves raw, exposed, attacked on our own soil, and mourning friends and loved ones killed that tragic morning. We learned the true nature of Islamic militants and the extent of their indiscriminate hatred of Americans.

But we did not sit by silently, waiting for another attack. We acted, molding our government into a new security-focused body, willing and able to help protect our citizens. And, Mr. Speaker, we partnered with other countries in the global war on terror working to weed out terrorist cells across the globe and stop them before they have a chance to harm anyone else.

This bill today builds on our partnership with international allies, directing the Department of Homeland Security to coordinate international research programs and strategic planning coalitions.

H.R. 884 enhances these cooperative tools to improve our interactions with great allies like Israel, Canada, Australia, Japan, the United Kingdom, and Singapore.

Mr. Speaker, we cannot fight the war on terror alone. We need our international partners to stand with us to stop the murderous terrorist groups wherever they spring up.

Today's bill supports and enhances these partnerships, and I am very proud to support it. I urge my colleagues to do the same. I want to commend the chairman of the committee and the ranking member of the committee for their great work on this bill.

□ 1515

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield as much time as he may consume to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I thank the chairman and ranking member. I really commend the work that you have done, both Mr. THOMPSON and Mr. KING, in this area of reaching across the aisle and not just speaking about it, but doing something about it.

This is a very important piece of legislation, H.R. 884. It has been a product of bipartisan effort and collegial dedication by a lot of people on both sides of the aisle, the staffs of both sides of the aisle, and I am heartened at the process by which the bill has moved forward.

The commitment of Mr. THOMPSON and Mr. KING to this vitally important legislation has been unwavering, and the collaboration offered epitomizes the very best of what the homeland security can and should be. I was honored to serve on that committee for 4 years, and this is a tremendous achievement to see this proposal move forward.

This legislation will help to ensure that the Department of Homeland Security works with our allies in the war on terror to develop and share the best homeland security technologies possible, and we will all be better off because of it.

In fact, it was not that long ago that several of us went to Europe, to various capitals of Europe, to see what they were doing in terms of homeland security. That proved to be a very productive trip, and we learned from the Brits and from the Spanish and from the Italians, and they learned from us. This is a true collaboration here.

Specifically, H.R. 884 will establish what we call the Science and Technology Homeland Security International Cooperative Programs Office. Its objective will be to facilitate international cooperative activities throughout the Directorate of Science and Technology within the Department of Homeland Security.

These international cooperative activities will be supported through grants and cooperative agreements, contracts with the U.S. governmental organizations, businesses, federally-funded research and developmental centers, institutions of higher education, and foreign public and private entities.

This bill seeks to strengthen ongoing partnerships, as well as encourage new ones. As has been mentioned by both the chairman and the ranking member, the global war on terrorism is one we have joined with with Israel and the United Kingdom, Canada, Australia and Singapore and many other countries.

To be sure, the United States could greatly benefit from joint international homeland security development programs between the U.S. and our allies in this war on terror.

The fact is this: Many of our allies have substantial experience dealing with terror, and by necessity, they have become op-eds for counterterrorism research.

The bill would authorize $25 million for international cooperative activities for each of the fiscal years of 2008 to 2011. Now, that is not a lot of money when we consider the vast array of benefits that such cooperative agreements can produce.

Forming these partnerships, Mr. Speaker, and working together in a way that will ultimately help secure America is the main objective of the bill, and it should always be the main objective of this whole body. Passage of this legislation today shows that the House takes this austere responsibility seriously.

A final point, Mr. Speaker, if I may, the point of global strategy was at the center of the 9/11 Commission Report, Chapter 12. The Commission made recommendations about global strategy. The kind of partnership and cooperation at the heart of our port security, for instance, is determined by how well the other country where goods and services are coming from will cooperate with us. We can't check every ship that comes into our ports, but we certainly could get the cooperation of other countries with state-of-the-art science and technology to do that.

Once again, I commend, and I do not speak empty or hollow of the work that both Mr. THOMPSON and Mr. KING did.

Mr. KING of New York. Mr. Speaker, first let me tell the gentleman from New Jersey that we miss him on the committee. We miss his charm and his insights and his lively personality and his dedication.

With that, I yield such time as he may consume to the gentleman from Tennessee (Mr. DAVID DAVIS), a member of the committee.

Mr. DAVID DAVIS of Tennessee. Mr. Speaker, I rise in support of H.R. 884. I would like to thank the chairman and the ranking member for bringing this important piece of legislation.

The development and implementation of technology to combat terrorism is critical. The United States and our allies in the war on terror share a common interest in furthering research and development of homeland security-related technology.

As such, this legislation directs the Department of Homeland Security's research and development arm, the

Science and Technology Division, to coordinate international cooperative programs with our allies in the war on terror to advance this important homeland security research.

This legislation implements a 9/11 Commission recommendation that the United States should engage other Nations in developing a comprehensive coalition strategy against Islamic extremists.

H.R. 884 establishes the Science and Technology Homeland Security International Cooperative Programs Office within the Science and Technology Division to promote cooperation between entities of the United States and its allies to engage in cooperative endeavors focused on the research, development and commercialization of high-priority technologies directed at countering acts of terrorism and other high consequence events to address the homeland security needs of Federal, State and local governments.

This bill enables the Science and Technology Division within DHS to coordinate with our allies. By encouraging joint research studies, the sharing of scientific and technological information, the training and exchange of scientists and engineers, as well as the joint use of laboratory equipment and facilities, H.R. 884 further directs DHS to collaborate with their strongest allies that include Israel, the United Kingdom, Canada, Australia, and Singapore in the development of homeland security technologies.

This legislation is modeled after a partnership created by Congress in 1977 between the United States and Israel. That was called the Binational Industrial Research and Development Foundation, also known as the BIRD Foundation. In 29 years, the BIRD Foundation has invested $225 million in 690 cooperative research and development projects mutually beneficial to the United States and to Israel.

H.R. 884 will facilitate collaboration with countries which have extensive experience in combating terrorism and will enable us to benefit and tailor their technology solutions to address our needs.

Israel is a country that has developed successful models to mitigate security threats. Most notably, Israel has pioneered efforts and behavioral pattern recognition, also known as BPR. The United States has begun adopting BPR at airports and is now training police and security officers to detect people who are behaving in a suspicious manner.

It is for these reasons that I support H.R. 884, and I encourage my colleagues to do the same.

Mr. THOMPSON of Mississippi. Mr. Speaker, I have no further speakers. I would like to basically thank the gentleman from New York for working with me on the bill, and I encourage all Members to vote ''aye'' for its passage.

I also submit the following exchange of letters for the RECORD.

COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, February 26, 2007.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR MR. CHAIRMAN, I am writing to you concerning the jurisdictional interest of the Committee on Science and Technology in H.R. 884, the Promoting Antiterrorism Cooperation through Technology and Science Act. The Committee on Science and Technology has jurisdictional interest in this bill based on the Committee's jurisdiction over the Department of Homeland Security Science and Technology Directorate (''DHS S&T'') and other DHS research and development. [See Rule X(o)(14) which grants the Committee on Science and Technology jurisdiction over ''Scientific research, development, and demonstration, and projects therefor.'']

This bill would amend the Homeland Security Act of 2002 to establish a ''Science and Technology Homeland Security International Cooperative Programs Office.'' All of the international cooperative activities authorized by the bill relate to homeland security research (e.g., ''coordinated research projects, joint research projects, or joint ventures;'' ''joint studies or technical demonstrations;'' ''coordinated field exercises, scientific seminars, conferences, symposia, and workshops;'' ''training of scientists and engineers;'' ''visits and exchanges of scientists, engineers, or other appropriate personnel;'' ''exchanges or sharing of scientific and technological information;'' and ''joint use of laboratory facilities and equipment''). In addition, the funding for such activities is to be derived from amounts otherwise authorized to DHS S&T.

The Committee on Science and Technology acknowledges the importance of H.R. 884 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this bill, I agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forgo a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Science and Technology, and that a copy of this letter and of your response will be included in the Congressional Record when the bill is considered on the House Floor.

The Committee on Science and Technology also expects that you will support our request to be conferees during any House-Senate conference on this legislation.

Thank you for your attention to this matter.

Sincerely,

BART GORDON,
Chairman.

COMMITTEE ON HOMELAND SECURITY,
Washington, DC, February 26, 2007.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the Science and Technology Committee's jurisdictional interest in H.R. 884, the ''Promoting Antiterrorism Cooperation through Technology and Science Act.'' The Committee on Homeland Security acknowledges your claim to jurisdiction over provisions contained in this bill, as amended, and appreciates your agreement not to request a sequential referral. The Committee on Homeland Security understands that nothing in the legislation or your decision to forgo a sequential referral waives, reduces or otherwise affects the jurisdiction of the Science and Technology Committee, and that a copy of this letter and of our response will be included in the CONGRESSIONAL RECORD when the bill is considered on the House Floor. The Committee on Homeland Security will also support your request to be conferees during any House-Senate conference on this legislation.

Thank you for your cooperation as we work toward the enactment of H.R. 884.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, February 27, 2007.

BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN THOMPSON: I am writing to you concerning the bill H.R. 884, the ''Promoting Antiterrorism Cooperation through Technology and Science Act.'' There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Foreign Affairs, including provisions relating to programs that may provide appropriated funds to foreign governments and entities.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this Committee's right to sequential referral on this legislation. I do so with the understanding that by waiving consideration of the bill the Committee on Foreign Affairs does not waive, reduce or otherwise affect any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you support our efforts to have Members of this Committee named to any conference committee which is formed to consider any such provisions either in this bill or in any other legislation that includes this legislation.

Please place this letter into the CONGRESSIONAL RECORD during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have addressed this matter and I look forward to working with you as H.R. 884 proceeds through the legislative process.

Cordially,

TOM LANTOS,
Chairman.

COMMITTEE ON HOMELAND SECURITY,
Washington, DC, February 27, 2007.

TOM LANTOS,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the Committee on Foreign Affairs' jurisdictional interest in H.R. 844, the ''Promoting Antiterrorism Cooperation through Technology and Science Act.''

The Committee on Homeland Security appreciates your willingness to work cooperatively on this important legislation. The Committee on Homeland Security recognizes your jurisdictional interest over provisions contained in this bill, as amended, and appreciates your agreement not to request a sequential referral. The Committee on Homeland Security acknowledges that your decision to forgo a sequential referral on this legislation does not waive, reduce or otherwise affect the jurisdiction of the Committee on Foreign Affairs. Accordingly, the Committee on Homeland Security will support your efforts to participate as conferees in any House-Senate conference on this legislation or in any other legislation that includes this legislation.

A copy of this letter, together with the letter you sent on this matter will be included in the CONGRESSIONAL RECORD when the bill is considered on the House floor.

Thank you for your continued cooperation and I look forward to working with you as H.R. 884 proceeds through the legislative process.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

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

Mr. KING of New York. Mr. Speaker, let me again thank Chairman THOMPSON for his efforts and his cooperation and for his generosity as far as moving this bill forward, and I, again, thank him for that. I think it speaks volumes as to the quality of leadership that he has brought to the committee.

I would also be remiss if I did not thank staff on our side, Dr. Diane Berry, Colleen O'Keefe and Adam Paulson for their work in bringing this together, and again, bring it to fruition today.

Also, Mr. Speaker, what we are doing today is really a very important continuation of what our governments and other governments have been trying to do. Just several weeks ago, the Secretary of Homeland Security signed a Memorandum of Understanding with Israel's minister of public security, again pledging cooperation. This is codifying that and making clear we want to do more; we want to keep going forward on that.

Again, I thank the chairman for his support and his cooperation, and I urge the adoption of H.R. 884.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 884, which establishes the Science and Technology Homeland Security International Cooperative Programs Office. H.R. 884 is an improved version of a similar bill, H.R. 4942, passed by the House during the 109th Congress. The purpose of these minor, non-substantive changes is to align the House bill more closely with its Senate counterpart, S. 1554, which will be considered when the Senate takes up H.R. 1, which implements the recommendations of the 9/11 Commission.

The purpose of H.R. 884 and S. 1554 is to establish an office charged with promoting cooperation between entities of the United States and its allies in the global war on terrorism in the areas of research, development, and commercialization of high-priority technologies intended to detect, prevent, respond to, recover from, and mitigate against acts of terrorism and other high consequence events. The bill also addresses the homeland security needs of Federal, State, and local governments.

The House bill authorizes $25 million per year for international cooperative activities for the fiscal years 2008 through 2011 and establishes an International Cooperative Programs Office within the Science and Technology Directorate of the Department of Homeland Security, DHS, headed by a Director. The Director is responsible for:

Promoting cooperative research between the U.S. and its allies on homeland security technologies;

Developing strategic priorities for international cooperative activity and addressing them through agreements with foreign entities;

Facilitating the matching of U.S. entities—including small businesses—engaged in homeland security research with appropriate foreign research partners;

Ensuring that activities of the office are coordinated with other relevant research agencies; and

Planning and executing conferences and workshops to improve contact among technology developers and to help establish direction for future technology goals.

H.R. 884 also establishes a Science and Technology Homeland Security International Cooperative Programs Office to facilitate international cooperative activities throughout the Directorate of Science and Technology.

The United States currently participates in similar bilateral programs such as the Bi-National Industrial Research and Development—BIRD Foundation—in which the United States and Israel cooperate on defense-related R&D. The office would conduct similar activities, but they would be run by the Department of Homeland Security rather than a private foundation.

The Director of the Office reports directly to the Under Secretary for Science and Technology and is responsible for developing understandings and agreements that allow and support international cooperative activity in support of homeland security research, development, and comparative testing. The legislation also makes the Director responsible for developing strategic priorities for international cooperative activity in support of homeland security research, development, and comparative testing.

Mr. Speaker, facilitating international cooperative activity to address strategic priorities through appropriate mechanisms such as grants, cooperative agreements or contracts with foreign public or private entities is another important objective that this legislation prudently vests in the Director. The Director shall also be mandated to identify and match domestic entities engaged in homeland security research with foreign entities so that they may partner in homeland security research activities.

Finally, the Director is obligated to work toward bringing about the coordination of the Department's international cooperative activities with the activities of other relevant research agencies and to holding international homeland security technology workshops and conferences. These international cooperative activities are to be supported through grants, cooperative agreements, or contracts with Federal governmental organizations, businesses—including small businesses, federally funded research and development centers, institutions of higher education, and foreign and private entities.

Mr. Speaker, this bill would encourage equal partnership by requiring that the foreign partner equitably match U.S. funding expended through direct funding or funding of complementary activities, or through provision of staff, facilities, material, or equipment. It strengthens ongoing partnerships and encourages new ones.

In addition, partnerships are encouraged with the nations of Africa to facilitate the development of information sharing and other types of collaboration to strengthen American preparedness against threats to our Nation's agricultural sector and public health from exotic diseases.

Mr. Speaker, I strongly support H.R. 884 and urge my colleagues to do so as well.

Mr. LANTOS. Mr. Speaker, I rise in strong support of H.R. 884, and I commend the gentlemen from New York and Mississippi for moving this legislation forward.

In the war on terrorists, we are often racing against our enemies as they develop new threats and we develop new countermeasures. This has been true throughout the history of warfare and it remains true today, whether we are talking about improvised explosive devices, shoe bombs, or attacks using chlorine gas.

In this competition to combat new threats, cooperation on science and technology with our allies is a key force multiplier, and I commend the gentlemen for moving forward with this legislation.

But we have to make sure that these cooperative programs are properly coordinated and consistent with existing programs and law. I believe that before the Department of Homeland Security initiates a new program, the Secretary of State should be in full agreement with the proposed cooperation to ensure that there is no duplication of efforts with State Department anti-terrorism efforts. In addition, this new framework should recognize that:

In accordance with section 622(c) of the Foreign Assistance Act of 1961, the Secretary of State is responsible "for continuous supervision and general direction" of U.S. foreign assistance;

In accordance with section 504 of the Foreign Relations Authorization Act, fiscal year 1979, the Secretary of State shall have primary responsibility for coordination and oversight with respect to all major science or science and technology agreements and activities between the United States and foreign countries; and

In accordance with the Case-Zablocki Act, no international agreement may be signed or otherwise concluded without prior consultation by the Secretary of State.

While I do not believe that H.R. 844 is inconsistent with coordination with the Secretary of State or with these authorities and requirements, I look forward to working with the gentleman from Mississippi and gentleman from New York as H.R. 844 moves forward on legislative language to provide for a specific role for the Secretary of State in this process and to reflect these existing authorities. And I appreciate the gentlemen's willingness to work with me on these issues.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 884 to establish a Science and Technology Homeland Security International Cooperative Programs Office. In an ongoing effort to promote effective methods of addressing antiterrorism, this legislation would establish a Science Technology Homeland Security International Cooperative Programs Office to facilitate international cooperative activities throughout the Directorate of Science and Technology.

Terrorism is no longer confined to one country. It is now a threat to international security. The means, missions and motives of terrorism have changed, forcing the counter-terrorism community to react accordingly. Our strategies and implementations, in order to be more effective, need to be global. The most disturbing developments have been a growing partnership in organized crime between countries. As a result, and since the 9/11 attacks, the international community has focused on the issue of terrorism with renewed intensity. Gathering,

coordinating and sharing of information among the international community is a critical effort to prevent and combat terrorism. H.R. 884 creates this opportunity by facilitating international cooperative activity that encourages international partnerships in the fight against terrorism.

Mr. Speaker, it is important that we join our allies on and off the battlefield. Terrorism is a global phenomenon that requires a coordinated global response. H.R. 884 provides a global response to terrorism. This legislation was passed in the House during the 109th Congress and I urge my colleagues to support it again.

Mr. SHAYS. Mr. Speaker, as a cosponsor of H.R. 884, the PACTS Act, I am pleased we are moving quickly and considering this legislation, which implements a key 9/11 Commission recommendation that "the United States should engage other nations in developing a comprehensive coalition strategy against Islamist terrorism."

The bill enables the Department of Homeland Security to join forces with our closest international allies to develop homeland security technologies and share scientific information to help prevent terrorist attacks.

As co-chairman of the bipartisan 9/11 Commission Caucus, I know how important it is to implement the core recommendations of the 9/11 Commission and to hold the administration and relevant Federal agencies accountable to implement them.

Mr. Speaker, I urge the support of this legislation.

Mr. KING of New York. Mr. 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 York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 884.

The question was taken.

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

Mr. THOMPSON of Mississippi. 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.

RECOGNIZING ANN RICHARDS' EXTRAORDINARY CONTRIBUTIONS TO TEXAS AND AMERICAN PUBLIC LIFE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 42) recognizing Ann Richards' extraordinary contributions to Texas and American public life.

The Clerk read as follows:

H. RES. 42

Whereas Dorothy Ann Willis Richards, the First Lady of Texas politics, an American icon and patriot, who touched the lives of Texans and Americans across the Nation, passed away September 13, 2006, after a valiant fight with esophageal cancer;

Whereas her political philosophy was one of government openness and she was a forceful champion for economic and social justice for all Americans, opening Texas government to all Texans, including African Americans, Hispanics, women, and the disadvantaged;

Whereas, before her service ended, of her nearly 3,000 appointments, 46 percent were female, 15 percent were black, 20 percent were Hispanic and 2 percent were Asian American;

Whereas her service to Texas and the Nation included teaching Texas schoolchildren, serving as County Commissioner in Travis County, serving 2 terms as Texas State Treasurer, and finally serving as the Governor of Texas;

Whereas Richards raised 4 incredible children, and 8 "almost perfect" grandchildren and touched the lives of countless friends throughout her life;

Whereas Governor Richards revitalized the Texas economy, yielding 2 percent growth when the United States economy was shrinking; she streamlined Texas's government and regulatory institutions for business and the public; she revitalized and positioned Texas's corporate infrastructure for the explosive economic growth it experienced later in the decade, and she saved Texas taxpayers more than $6 billion;

Whereas Richards reformed the Texas prison system by establishing a substance abuse program for inmates, reducing the number of violent offenders released, and increasing prison space to deal with a growing prison population;

Whereas Richards instituted the Texas lottery to supplement school finances and she sought to decentralize control over education policy to districts and individual campuses, instituting site-based management;

Whereas Richards inspired an entire generation of young women, admonishing them with the words "well-behaved women rarely make history";

Whereas, in 1989, with co-author Peter Knobler, she wrote her autobiography "Straight from the Heart", inspiring Texans with her personal story and folksy humor;

Whereas, in 2004, she authored "I'm Not Slowing Down, Winning My Battle with Osteoporosis" and became an international spokesperson for women battling the disease;

Whereas, after her diagnosis with esophageal cancer, Richards inspired all of us with her determination to win against all the odds, and her fearless battle until the very last day in her beloved Austin, Texas;

Whereas her sense of humor, delivery, and understanding of Texas's "old boy" politics was legendary, charming, and disarming; and

Whereas Governor Dorothy Ann Willis Richards was an American original, an irreplaceable public servant, a patriot who loved the Nation and its expansive land, ideas, and the Constitution: Now, therefore, be it

Resolved, That the House of Representatives recognizes and commends Ann Richards' extraordinary contributions to Texas and American public life.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. 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. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, at the memorial service of Ann Richards, the former mayor of Dallas, Texas, Ron Kirk, the mayor's lifelong friend said, "Ann Richards was as fierce a warrior and advocate for justice as any public servant I've ever known. She embraced every person she met, no matter their station in life, with dignity, and love, and compassion."

The former Governor of Texas was a witty, flamboyant and outspoken homemaker who captured the hearts and minds of the people of Texas, as well as the Nation. She burst into national prominence as a keynote speaker to the 1988 Democratic National Convention when she uttered the famous line about the wealthy, then-Vice President George H.W. Bush, and she said, "Poor George, he can't help it; he was born with a silver foot in his mouth." The speech set the tone for her political future as the first woman elected to treasurer, a statewide office, in Texas in 50 years.

In 1990, Ann Richards won the Democratic gubernatorial nomination against attorney general and former Congressman Jim Mattox and former Governor Mark White. Her Republican opponent was multimillionaire rancher Clayton Williams, Jr. The campaign between the two was brutal, but Richards prevailed in the election on November 6, 1990, by a margin of 49–47 percent.

As Governor, Ann Richards wanted a more inclusive Texas. She called it the "New Texas," where she made nearly 3,000 appointments, 46 percent were female, 15 percent were African American, 20 percent were Hispanic and 2 percent were Asian Americans. Among Governor Richards' appointment of firsts are: the first African American to the University of Texas regent; the first crime victim to join the State criminal justice board; the first disabled person to serve on human services board; and the first teacher to lead the State board of education. During her tenure, she oversaw the fabled Texas Rangers pin stars on their first African American and female officers.

Richards implemented an economic revitalization program to address the Texas economy that was in a slump since the mid-1980s, compounded by a downturn in the U.S. economy. Her policy initiatives yielded a 2 percent growth in 1991 for the Texas economy, while the U.S. economy as a whole shrank.

Ann Richards reformed the Texas prison system by establishing a substance abuse program for inmates in prison and reduced the number of violent offenders released back into society. She was a supporter of proposals to reduce the sale of semiautomatic

firearms and cop killer bullets in the State.

□ 1530

She vetoed legislation that would allow people to carry concealed handguns and automatic weapons inside public establishments without the owner's permission. Some political analysts believe that this veto cost her her reelection bid for Governor in 1994. Richards lost her reelection bid to George W. Bush. After her unsuccessful bid for reelection, someone asked her, ''What would you have done differently if you knew you would be a one-term Governor?'' Richards grinned and said, ''Oh, I would probably have raised more hell.''

Mr. Speaker, I urge all my colleagues to support this resolution.

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

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

Mr. Speaker, I rise today to join my fellow Members of Congress in recognizing Dorothy Ann Willis Richards' really extraordinary contribution to Texas and to American public life.

A steadfast political activist who first entered the political arena as a student at the University of Texas, Ann Richards rose through the political ranks first as a volunteer in State and local political campaigns and ultimately to a national figure.

A feminist icon, Ann Richards first came to national attention to many as the Texas State treasurer, when she delivered the keynote address at the 1988 National Democratic Convention. Serving as the Governor of Texas from 1991 to 1995, Governor Richards was widely acknowledged as an inspirational national leader, civil rights advocate, and role model. Her political philosophy was one of government openness and was noted for her unprecedented appointments of women and minorities to important positions.

Throughout her life, Governor Richards had a particular interest in social interests such as advancing women's rights and equality for all groups and individuals. She believed, if given a chance, all women could perform as well or better than men, and I would emphasize she probably thought better than men. She once offered a memorable salute to the achievements of women by reminding her audience, and I love this quote, ''Ginger Rogers did everything that Fred Astaire did. She just did it backwards and in high heels.''

Always willing to use her upbringing as an example for others, she once said that, ''Where I grew up, there wasn't much tolerance for self-importance, people who put on airs,'' and she lived by that philosophy.

During her tenure as Governor, she not only expanded the State's economic base through a program for economic revitalization, but created one of the most inclusive and representative governments in the history of Texas.

Soon after becoming Governor, she sought government efficiency by authorizing comprehensive audits of every State agency, that ultimately saved the taxpayers of Texas reportedly $6 billion.

As a result of her interest in law enforcement and her own personal battles with alcoholism, Governor Richards reformed the Texas prison system by establishing a substance abuse program for inmates, decreasing the number of violent offenders released, and increasing prison space.

Governor Richards was always tireless in her efforts on behalf of children and education. While Governor, she instituted the Texas lottery as a means of supplementing school funding.

After leaving office, in her final year of life, the Austin Independent School District announced, ''The Ann Richards School For Young Women Leaders.'' Opening in the fall of 2007, this institution will serve as a college preparatory school for girls in grades 6 through 12. The curriculum will focus on math, science, and technology. This initiative is one of many lasting tributes to Governor Richards' all-encompassing devotion to the citizens of Texas.

Sadly, Ann Richards passed away from cancer on September 16, 2006. She was 73 years old, leaving behind a legacy of political achievement and a record of championing equality and justice.

I ask all Members to join by supporting this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is now my pleasure to yield 3 minutes to the distinguished gentleman from Texas and the author of this legislation, Representative SOLOMON ORTIZ.

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

Mr. ORTIZ. Mr. Speaker, today we are here to pay tribute to the life of the late Governor of Texas, Dorothy Ann Willis Richards. And I want to thank Chairman WAXMAN, the majority leader, and my good friend, DANNY DAVIS, for bringing this bill to the floor, and my colleagues for taking time from their busy schedule to do what we are doing today.

America and the State of Texas both suffered a great loss on September 13, 2006, when Ann Richards met our Maker after a brave struggle with cancer.

Growing up as the son of migrant workers in segregated South Texas, I was painfully aware of the power dynamics in place that placed those of privilege high above the working poor. Ann Richards sought to turn that tide around. During her service as Governor of Texas, she appointed more females and minorities than any Governor by far.

It was Ann's spunk and her dedication to the people of our beloved State, all the people, that earned her love and admiration of millions of Americans.

Following her philosophy of life in public service, ''well-behaved women rarely make history,'' Ann's charm and passion for life propelled her far in the history books.

A lifelong public servant, Ann began her career as a Texas school teacher. She later served in Austin as Travis County Commissioner and Texas State Treasurer prior to being elected State Governor in a historic campaign.

During her entire public service career, Ann remained a teacher, teaching Texans that the advantage of working together benefited the economy of our State. Even today she still teaches us.

Ann Richards is remembered today and always not only for her accomplishments, but also for the way she carried them out. Her disarming wit and wisdom won opponents time and time again. Her big as Texas hair, hearty laugh, piercing blue eyes, and smiling face are unforgettable. She was one of those people you just couldn't help but like, and today I am so happy that they gave us time to honor a great American, a great Governor, and a great friend, Ann Richards.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentlewoman from Texas with whom I had the good fortune to spend Saturday with at Paul Quinn College where we were discussing the issues related to African American males, Representative EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute to the legacy of an exceptional public servant, the late Governor Ann Richards.

When Governor Richards passed away in September, I not only lost an esteemed colleague, but a dear and trusted friend. I am proud to say that our friendship endured for more than 40 years.

First, we are from the same hometown. But I didn't meet her there, I met her in Dallas, Texas when she lived there in the 1960s. And then she moved to Austin, and the first thing that she did, she always helped in everybody's campaign, but the first thing she did in Austin was manage Sarah Weddington's campaign for the Texas House, and we won at the same time. Sarah Weddington is the young lawyer that defended Rowe v. Wade before the Supreme Court.

As women in politics, and especially Ann, we shared some of the same views and many of the same colleagues, and I did encourage her that she had come to her time that she can maybe serve in elective office herself. And we knew that Texans were not that supportive of women running for office, but she ran for the County Commissioner's Court and won.

She was not afraid to be herself, and she really listened to people and she was supportive of people. Her independent spirit and charm not only won

her votes, but it really generated a great deal of respect. And she often used humor to get her point across, but she did get her point across. People respected her, and they knew that she would work hard on their behalf and there was never a question about that.

She took pride in her accomplishments as Governor. First she won as Treasurer, and I had the pleasure of running her campaign in Dallas County during that time. But when she won as Governor, it was a very male-dominated situation, and she right away appointed more women and minorities to important boards than anyone else ever had done in history.

For the first time there were women and minorities on the board of regents of Texas universities all over the State and many other women positions that was on the medical examiners board. Those medical examiners didn't know what had taken place. But she was not afraid to do it.

She utilized the latest technology as Texas Treasurer. When she came into office there was a big deficit, and she hired a consultant to come down and help, and that consultant was Franklin Raines. That is when I first met him.

We did so much together. And when she was in office and was able to see how to get through those many problems, she earned the support of the business community, which was mostly white men of course. Ann broke her way from the mold.

I rise today to pay tribute to the legacy of an exceptional public servant, the late Governor Ann Richards.

When Governor Richards passed away in September, I not only lost an esteemed colleague, but a dear and trusted friend.

I'm proud to say that our friendship endured for more than 40 years.

I first met Ann Richards in the sixties when she lived in Dallas and was running for Travis County Commissioner.

As women in politics, Ann and I shared many of the same views and also many of the same challenges.

Texas in the 1970's wasn't very supportive of women running for political office, so you really had to earn each and every vote.

Ann wasn't afraid to be herself, and she compelled people to listen to her.

Her independent spirit and charm not only won her votes, but it garnered respect.

People respected her, and they knew that she would work hard on their behalf.

Ann took pride in her accomplishments in the male dominated Texas politics. She had hoped that her success may serve as inspiration to young women.

She certainly served as inspiration to me.

In 1982 Ann successfully ran for Texas State Treasurer.

As State Treasurer she utilized the latest technology to transform the Texas Treasury into a modern operation.

Along the way, Ann earned the respect of the business community who appreciated her foresight and vision.

In 1990 Ann became the first woman Governor of Texas elected in her own right.

Ann broke away from the mold of previous Governors. She wasn't afraid to shake things up and speak her mind.

In her tenure as Governor she was adamant about appointing minorities on state boards and commissions.

Ann wanted the Texas Government to reflect the diversity and culture of the people of the State.

Ann was a hands-on Governor, and she didn't let much get by her.

She did her best to eliminate inefficiency and waste within the government.

She demanded that the Texas government fully serve the people, and she did everything in her power to realize that.

She had a strong will for justice and fairness for all.

Governor Richards was one of the finest of Texans that I've ever known.

She dedicated herself to the State and the people of Texas.

She broke down barriers for women, and made us believe that anything was possible.

She was truly an original, and her absence is immensely felt.

The recognition she is receiving today is very well deserved.

Her many contributions to the State of Texas and to America will not be forgotten.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure now to yield 3 minutes to an individual who had the good fortune to be a close neighbor of Governor Richards, Representative LLOYD DOGGETT of Texas.

Mr. DOGGETT. I thank the gentleman and my colleagues for this resolution honoring our friend, Ann Richards.

Despite the great sense of loss that so many of us continue to feel, I must say that the wonderful gathering that we had last year in Austin for Ann Richards was about the most joyous memorial service that I have ever participated in. There was so much to celebrate about this person, about this life.

Ann came to Austin in the 1970s. She was a true life force. She became our County Commissioner and our State Treasurer before becoming Governor. And during most of my tenure in Congress, I had the good fortune to have her as a next-door neighbor.

She had a quick wit, but she also had a very warm smile. And it was her smile, her warmth, and her sense of humor that could win over even the most ardent foe.

She believed in straight talk. Her candor about her personal life enabled her to tell hard truths in her political life. And in her waning months, she faced her battle with cancer with the same fighting spirit and the same sense of humor that defined her life.

I think that there are two places not often the focus of reflecting on Ann Richards' life where her effect is particularly notable. One is in our schools. Until January, I represented Ann Richards Middle School in La Joya, Texas. I could see how those young people from a poor economic area were enriched by their contact with Ann Richards and the inspiration that she provided them with her continued participation long after she completed her tenure as Governor. And, now in Austin, we are starting the Ann Richards School For Young Women. Its purpose is one that Ann devoted much of her personal life to—inspiring and serving as a mentor for young women. And now, in this school, many middle school girls will find that they too can fulfill their dreams and fully participate in all sectors of our society.

□ 1545

A former teacher, Ann knew what a difference quality public education could make in the lives of young women and young men, and these institutions serve to remind us of what she accomplished.

But the second place is with her family. She has two daughters, two sons, who are active participants in the life of our community and of our country. I think that they speak volumes about the kind of mother and the kind of family person that Ann Richards is, and they continue to live the legacy that she established.

She set high standards and inspired countless Americans to do the same. Her loss means that all of us who share her values must redouble our efforts.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Speaker, I am proud to have been able to call Ann Richards a friend of mine and of my family. Just like she inspired millions of young women in Texas and across this Nation, she inspired my oldest daughter, Hillary, who I often took along with me to meetings in Austin.

At one meeting with the Governor, Hillary pulled out this yellowed copy of Ann's keynote address to the 1988 Democratic National Convention and proceeded to quote lines back to her. Hillary's favorite line from that speech was one that Ann had popularized in her famously wry tone: ''Ginger Rogers did everything that Fred Astaire did. She just did it backwards and in high heels.'' To me, that line epitomizes Ann Richards: skillful, determined, and equal to any man's task.

She was a woman in what had been a man's rough and tumble world of Texas politics, but she never let anything or anyone hold her back. She believed education was the great equalizer. She believed redemption was possible, and she believed that a woman's place was in the dome. She aimed to create a new Texas; and when she broke through that glass ceiling, she reached her hand out to pull women, minorities, and the disadvantaged up with her.

Like the yellow rose of Texas, Ann was a beautiful and classic lady. She could also be thorny, though. She told you exactly what you needed to hear, using wit and candor to make her point. Her presence and her laughter could fill a room, even if all you could see was that big white hairdo peeking above the crowd.

Dorothy Ann Willis Richards is a Texas giant, and I am proud that my

daughters grew up knowing such a strong, independent, and caring woman.

I want to leave you with some words from Ann, words that all of us here today should take to heart.

She said: ''The public doesn't like you to mislead or represent yourself to be something you're not . . . They don't ask their public officials to be perfect. They just ask them to be smart, truthful, honest, and to show a modicum of good sense.''

Ann, we'll miss you.

Mr. SHAYS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. I thank the gentleman for yielding.

Mr. Speaker, it will come as no great surprise that on any issue of policy Ann Richards and I were probably 180 degrees out of phase; but last year, when she received her diagnosis, I sent her a little note telling her that we were thinking about her and praying for her. She sent me a little note back, and I wanted to share that with the House today.

She said: ''Thank you for being so thoughtful.

''For someone who has cancer, I'm in great shape. Patience has never been my long suit, but I am learning. I am in my third week of treatment and am taking it one day at a time. The M.D. Anderson Hospital is fabulous. It's a whole lot like 'Star Wars' with more interesting machines than Buck Rogers ever imagined.

''Thanks a lot for thinking of me and praying for me. With all that energy directed toward my recovery, how can we miss?''

Mr. Speaker, there wasn't much that Ann Richards and I did agree on, but we both agreed on our love for Texas, and we both agreed we only wanted the best for our State. Texas is proud to have had a Governor like Ann Richards. Although oftentimes we were on opposite sides of the issue, she will be missed in my home State of Texas.

Mr. DAVIS of Illinois. Mr. Speaker, may I inquire as to how much time I have left.

The SPEAKER pro tempore. The gentleman from Illinois has 5½ minutes. The gentleman from Connecticut has 15 minutes.

Mr. SHAYS. Mr. Speaker, I would ask unanimous consent to transfer 10 minutes over to my colleague, if there is need to use that time.

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

There was no objection.

Mr. DAVIS of Illinois. I want to thank the gentleman from Connecticut.

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

Mr. Speaker, all of us come in contact with individuals who have a way to connect one way or another. Sometimes it is from near, and sometimes it is from afar. I shall never forget the speech that Governor Richards made at the Democratic convention in 1988. You know, speeches are things that you hear a lot of when you are involved in public activity and public office, and you don't always look for anything special when you see another one coming. I mean, sometimes, it is another speech.

But the amount of wit and charm that Ann Richards had and her ability to convey it in such a way that she could make a humorous point that was not always so humorous, but you still got the humor out of it, and whoever it was directed to and at didn't necessarily view it as being offensive, she had the ability to do that.

We have heard speaker after speaker talk about the fact that she appointed this large number of individuals to boards and commissions and made regents out of people and gave them positions that people just didn't sort of expect, because it had not been done before.

Then she took on a real tough question that some people feel caused her to lose an election, but she probably knew the risk that she was taking, because it had to do with the right of individuals to keep and bear arms, dealing with semiautomatic weapons that the normal average person wouldn't necessarily carry.

I mean, you wouldn't walk around, even if you wanted to go hunting, with a semiautomatic weapon to shoot rabbits or deer or whatever it is that you would shoot, although I have never believed in shooting that many things any way, unless they were shooting back. Therefore, I was never much of a hunter, because the animals didn't have anything to shoot back with. That was about the only way that I would see myself shooting at them.

But she knew the great political risk that she was taking, and not withstanding that risk, held to her guns, held to her position, did not waver, did not back up. That is what real leaders are made of. They don't take positions just to get elected or just to be in office. But they take them based upon principles upon which they believe, ideas and ideology that govern their lives.

That was the kind of woman that Ann Richards was, and that is why I think she was able to mean so much to so many people, not only in Texas; but she was a great advancement for the women's movement, for enticing more women to run for public office, and, of course, to be elected to public office, and to reach another level of equity, another level of having arrived at a point in history where a woman, a little girl growing up, can believe that she has the possibility of moving not only to Governor of the State of Texas, but to Speaker of the House of the United States House of Representatives.

Mr. Speaker, it is my pleasure to yield such time as she might consume to our distinguished Speaker, NANCY PELOSI.

Ms. PELOSI. Thank you very much, Congressman DAVIS, and thank you for bringing this opportunity to the fore for us to sing the praises of the great Governor of Texas, Ann Richards. I am proud to join you today, Mr. DAVIS, in honor of Ann Richards, a true pioneer and one of Texas' great daughters.

Ann Richards expanded the realm of what is possible for women. As she loved to say: ''A woman's place is in the dome.'' She is certainly smiling down on us today. As more women than ever rise to elective office, we owe a great debt to Ann Richards for helping to blaze the trail.

So important was she to the women in Congress who serve here now, as part of my swearing-in festivities, I had a tea honoring Ann Richards in which we reviewed a film of her life in which her beautiful granddaughter, Lily, made a presentation about her grandmother, from which we all drew strength and inspiration about this woman, a true, true pioneer. Ann Richards will be remembered for her devastating wit and gigantic heart, which led her to make real and lasting improvements for all Americans.

From health care, to education, to opening the doors of government to all, Ann Richards was one of our Nation's most fierce champions for expanding opportunity. Just as Ann was an advocate for all of America's children, she was particularly proud of her own. Ann's daughter Cecile Richards was an essential member of my team when I became leader and has since become President of Planned Parenthood of America. I know Ann was equally proud of her three children, Daniel, Clark and Ellen, and her eight grandchildren, I mentioned Lily. She was proud of all of them.

I hope it is a comfort to her entire family that so many people here in the Congress, indeed in the country, remember Ann with great enthusiasm and are grateful for her leadership. She has been gone a number of months now, but it is a loss that we sorely feel. It is a memory that we greatly cherish of a great woman, a leader in our country, and a person.

As I say to all of us in Congress or in elective office, all of us owe Ann Richards a great debt of gratitude. She is the gold standard for statesmanship, man or woman. Again, we are especially proud of the leadership she provided as a woman leader in our country.

Mr. DAVIS of Illinois. I want to thank the distinguished Speaker for her remarks.

Mr. SHAYS. Mr. Speaker, all Members on this side of the aisle have a tremendous appreciation for this great lady, and we are happy to honor her and are grateful the House is, in fact, honoring her.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in proud support, and as an original cosponsor of H. Res. 42. This resolution is offered by the Texas Democratic Delegation in the House, chaired by Congressman ORTIZ,

and recognizes the extraordinary contributions of Ann Richards to public life in Texas and the United States. It is both fitting and proper that the People's House pay this tribute to a pioneering and path breaking woman who devoted her life to serving the people.

Mr. Speaker, this happy moment stands in stark contrast to that sorrowful morning of September 14, 2006, when I informed the House from this podium of my sad duty to report that an American original and the First Lady of Texas politics, the great Ann Richards, had lost her long and valiant battle with throat cancer.

Mr. Speaker, Dorothy Ann Willis Richards began her career in politics in the early 1970s after having raised four children. A Democrat, she served as County Commissioner in Travis County, Texas from 1977 to 1982. Richards was elected to the first of two terms as Texas State Treasurer in 1982. We who knew and loved her will remember her always as a forcefully articulate and an amusingly folksy speaker. She first gained national prominence with her keynote address at the 1988 Democratic National Convention. In 1990 she was elected governor of Texas, the first woman chief executive of Texas in more than fifty years.

Dorothy Ann Willis was born in Lakeview, Texas. She grew up in Waco, Texas, and graduated from Waco High School in 1950, participating in Girls State. She received a bachelor's degree from Baylor University while on a debate scholarship. She married her high school sweetheart, David Richards, and moved to Austin, Texas, where she earned a teaching certificate from the University of Texas at Austin.

After graduation, she taught social studies and history at Fulmore Junior High School in Austin, Texas from 1955 to 1956. She had also two daughters and two sons in the following years, and she campaigned for Texas liberals and progressives such as Henry B. Gonzalez, Ralph Yarborough, and Sarah Weddington. One of her daughters, Cecile Richards became president of Planned Parenthood in 2006. Throughout her life Ann Richards was a forceful champion for economic and social justice for all Americans, especially women and the disadvantaged.

In 1976, Richards ran against and defeated a three-term incumbent on the Travis County, Texas Commissioner Court, holding the position for six years. She then was elected State Treasurer in 1982, becoming the first woman elected to statewide office in more than fifty years. In winning the Democratic nomination for treasurer, Richards ended the career of a Texas politician with the same name as a president (but no relation), Warren G. Harding. In 1986, she was re-elected treasurer without opposition.

Ann Richards delivered the keynote address to the 1988 Democratic National Convention, a move which put her in the national spotlight with the line "Poor George [H.W. Bush], he can't help it . . . He was born with a silver foot in his mouth." The speech set the tone for her political future; she described herself as a real Texan (in supposed contrast to George H.W. Bush), established herself as a feminist, and reached out to African-Americans and Hispanics. In 1989, with co-author Peter Knobler, she wrote her autobiography, Straight from the Heart.

In 1990, she sought and won the Democratic gubernatorial nomination besting such venerable vote getters as Texas Attorney General James "Jim" Mattox and former governor Mark White. In the general election she defeated multi-millionaire rancher Clayton Williams after a brutal campaign and was inaugurated the 45th governor of Texas in January 1991.

The Texas economy had been in a slump since the mid–1980s, compounded by a downturn in the U.S. economy. Governor Richards responded with a program of economic revitalization, yielding growth in 1991 of 2% when the U.S. economy as a whole shrank. She also streamlined Texas's government and regulatory institutions for business and the public. Her efforts helped to revitalize and position Texas's corporate infrastructure for the explosive economic growth it experienced later in the decade. Her audits on the state bureaucracy saved Texas taxpayers more than $6 billion.

Governor Richards reformed the Texas prison system, establishing a substance abuse program for inmates, reducing the number of violent offenders released, and increasing prison space to deal with a growing prison population (from less than 60,000 in 1992 to more than 80,000 in 1994). She backed proposals to reduce the sale of semi-automatic firearms and "cop-killer" bullets in the state.

The Texas Lottery was also instituted during her governorship—advocated as a means of supplementing school finances; Ann Richards purchased the first lotto ticket on May 29, 1992. However, most of the income from the lottery went into the state's general fund rather than specifically to education, until 1997, when all lottery net revenue was redirected to the state's Foundation School Fund, which supports public education. School finance remained one of the key issues of her governorship and of those succeeding hers; the famous Robin Hood plan was launched in the 1992–1993 biennium which attempted to make school funding more equitable across school districts. Richards also sought to decentralize control over education policy to districts and individual campuses; she instituted "site-based management" to this end.

In March 2006, Governor Richards announced that she had been diagnosed with esophageal cancer and will be seeking treatment at M.D. Anderson Cancer Center in Houston, Texas. The disease has a five-year survival rate of 25 percent. Despite the statistics, Governor Richards vowed to beat her illness and battled valiantly until the very last day, when she finished her journey on earth and ascended to the heavens.

None of us who knew and loved Ann Richards will ever forget her or the way she brightened the lives of all the people she served. She was one in a million and she will be deeply missed. She will never be replaced. She was an American original. She was my friend.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of H. Res. 42, recognizing Ann. Richards extraordinary contributions to Texas and American public life.

Ann Richards and I worked together when I served in Texas State Senate in 1991 and 1992 before I was elected to the House of Representatives in 1993. At that time, she was serving as the Governor of Texas. During our tenure in the state house we worked together to support stronger environmental laws for our district and Texas.

Governor Richards was a teacher who started out in politics as a volunteer on the campaigns of Sarah Weddington, Henry B. Gonzalez, and Ralph Yarborough. She began her own political career in 1976 when she was elected to serve as a County Commissioner in Travis County.

Six years later in 1982, she was elected Texas State Treasurer and served two terms. Ann made history by becoming the first woman elected to statewide office in Texas in fifty years.

In 1990, Ann ran for governor and promised to increase the role of minorities and women in state government as part of her plan for a "New Texas." When Governor Richards was elected she made it a priority as governor to appoint more women and minorities to state boards and commissions and followed through on her promise.

During her tenure, Governor Richards had many accomplishments including revitalizing the Texas economy, reforming the prison system, and instituting the state lottery. Once she left public office, Ann continued to be an inspiration to us all when she bravely battled osteoporosis and esophageal cancer.

Ann wasn't only the governor of one of the greatest states in America, but she was one of America's greatest governors in terms of her personality, sense of humor, and trailblazing accomplishments. Governor Richards was the First Lady of Texas politics and her extraordinary accomplishments make her not only a Texas hero, but also an American hero.

Mr. HINOJOSA. Mr. Speaker, I rise in support of H. Res. 42 offered by my colleague and neighbor Congressman SOLOMON ORTIZ. Governor Ann Richards was a woman of incomparable spirit, wit, intelligence, and heart. She was a trailblazer who opened the world of public service and politics to women and minorities in her beloved home state of Texas, as well as throughout the country.

I remember her most for her commitment to my constituents in South Texas. In 1993, Governor Richards signed the bill to create South Texas Community College, now South Texas College.

Without Governor Richards' direct insight and involvement in granting us a three year waiver in not requiring a taxing district, the creation of the school simply would not have been possible. Today, the college, with 17,000 students, is responsible for contributing to our local economy through workforce and job training programs, has directly contributed to the drop in the region's unemployment rate, and extends education opportunities for so many students. She also helped to streamline the state's government and helped create programs and opportunities for Texas' economy to flourish at a time when the country's languished.

It is incumbent upon all of US to continue the legacy started by Ann Richards decades ago. We need to lend voice to the disadvantaged and disenfranchised; give americans a leg-up, not a hand-out; and, create opportunities for all to participate in their government. It is a legacy she was proud of, and one I will not forget. She will be missed by so many, and especially by me.

I urge all of my colleagues to support this legislation honoring such a great lady.

Mr. EDWARDS. Mr. Speaker, Ann Richards was a true Texas treasure. We shall miss her

dearly, but her spirit will live on to inspire generations to come. She made a positive difference for Texas and for our nation. In my book she represented the very best of political leadership.

In an era when the good ol' boy system denied opportunities to women and racial minorities, she broke down barriers to ensure that public service would be open to all. In an era when self-important politicians too often took themselves too seriously, she used good humor to keep our feet on the ground, even as we were rolling in laughter.

As Governor of the state she loved, her accomplishments were many, whether in improving education or health care or job opportunities. Yet, like the best of political leaders, her greatest legacy will be having inspired others to be their best, to reach for their dreams, and to make life better for our neighbors.

I have no doubt that after all of us in this House are gone and forgotten, the legacy of Ann Richards will be carrying on through the countless lives of those who were inspired to public service by the touch of this great American.

On a personal note, it was an honor for me to know Ann Richards, especially since she graduated from Baylor University and her parents lived in my hometown of Waco, Texas. It was back in Waco, often outside the limelight of the press, that I admired Ann Richards' deep love and respect for average working families. She understood that they are the backbone of our nation.

Those of us honored to call Ann Richards our friend, and those of us whose lives were touched by her commitment to equality and public service know that there will never be anyone quite like her. That is why we miss her so.

Somehow, I just have to believe that Governor Richards wanted to witness from a heavenly seat the swearing in of Speaker PELOSI as the first woman Speaker of the U.S. House. Or, perhaps the Good Lord just wanted Ann Richards to be by His side when that history was made.

Either way, I have no doubt that heaven is a little funnier place with Ann Richards there and that our nation is a better place because of her time here on earth.

To the Richards family, I want to express a heart-felt "thank you" for sharing your special loved one with all of us for so many years. Our memories of her will inspire us to be better, to do more for years to come.

Mr. RODRIGUEZ. Mr. Speaker, I rise today in strong support of H. Res. 42. Anne Richards's devotion to the state of Texas deserves our highest honor and commendation. Her work to promote the rights of women in politics, devotion to equality and her never-failing drive to better the lives of her constituents made her an iconic figure in Texas politics.

Governor Richards began her political career in the 1970's fighting for equality. As an advocate for female politicians, she managed Sarah Weddington's successful bid to become a member of the Texas State House of Representatives. She then joined State Representative Weddington as a legislative assistant in 1974, during this time she also participated in Wilhelmina Delco's campaign to become the first African-American to represent Austin in the state legislature. Not content to rest there, she provided training sessions across the state for female candidates and managers. She would continue this fight for equality for the next 20 years.

In 1982 she was elected to the post of state treasurer becoming the first woman elected to state-wide office in more than 50 years. She devoted herself to the modernization of the state treasury and to earning the greatest possible interest for the state of Texas. According to one estimate, the treasury earned 1.8 billion dollars under her leadership, representing a huge improvement over her predecessor. During her tenure she displayed the incredible wit that made her such a powerful public speaker and one of the most popular figures in Texas politics.

After two terms as state treasurer she was elected Governor of the state of Texas in 1990. What she accomplished in her four years as Governor was nothing short of amazing. Among the achievements for which we are honoring her here today, she revitalized the Texan economy, achieving growth during a period of national economic decline. She revamped the Texas prison system to improve rehabilitation for inmates and to better protect the citizens of Texas by establishing a substance abuse program for inmates, working to expand capacity and reduce prison overpopulation, and reducing the number of violent offenders released. The Texas Lottery was also instituted during Governor Richards' time in office as a means to supplement school financing

Education and school financing were focal points of her Governorship. She worked tirelessly to make school funding more equitable across districts and championed "sitebased management" programs to decentralize school administration.

Of her nearly 3,000 government appointments, 46 percent were female, 15 percent were black, 20 percent were Hispanic and 2 percent were Asian American. I rise today to honor her commitment to diversity, her battle for equality, and her lifetime of service to the state of Texas and the United States of America.

Mr. SHAYS. Mr. Speaker, I yield back the balance of our time.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank Mr. SHAYS for his accommodation and would urge passage of H. Res. 42.

Mr. 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. 42.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

PELL GRANT EQUITY ACT OF 2007

Mr. GEORGE MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 990) to provide all low-income students with the same opportunity to receive a Pell Grant by eliminating the tuition sensitivity provision in the Pell Grant program, as amended.

The Clerk read as follows:

H.R. 990

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 "Pell Grant Equity Act of 2007".

SEC. 2. TUITION SENSITIVITY.

Section 401(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(3)) is amended by adding at the end the following new subparagraph:

"(C) This paragraph shall not apply to the determination of a student's basic grant for the 2007–2008 academic year.".

SEC. 3. GUARANTEE AGENCY COLLECTION RETENTION.

Clause (ii) of section 428(c)(6)(A) of the Higher Education Act of 1965 (20 U.S.C. 1078(c)(6)(A)(ii)) is amended to read as follows:

"(ii) an amount equal to 24 percent of such payments for use in accordance with section 422B, except that—

"(I) beginning October 1, 2003 and ending September 30, 2007, this subparagraph shall be applied by substituting '23 percent' for '24 percent'; and

"(II) beginning October 1, 2007 and ending September 30, 2008, this subparagraph shall be applied by substituting '22 percent' for '24 percent'.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 20 minutes.

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

□ 1600

Mr. GEORGE MILLER of California. Today, Mr. Speaker, I rise in support of H.R. 990, the Pell Grant Equity Act of 2007.

This is a bill that is designed to adjust an inequity in the current law that works against the interest of many college students in those States that have low tuition.

At a time when we have seen tuition and fees of public colleges and universities increase significantly, there is a notable exception to that trend, and that is that California community colleges recently decreased their tuition and fees from $26 a credit to $20 a credit. For a student taking 13 credits for two semesters, they save $520 in tuition for the year. This is almost unheard of in a day of skyrocketing college costs. Unfortunately, a provision in the Higher Education Act penalizes students attending low-cost institutions, such as California's community colleges.

The provision known as "tuition sensitivity" reduces the Pell Grant for the neediest of students attending higher education institutions with the lowest tuition. The result is that thousands of low-income students receive a lesser Pell Grant.

The Pell Grant Equity Act eliminates this discriminating provision in the law, ensuring that students receive the full amount of the Pell Grants they are entitled to receive. This is a very important bill for these students and for their families.

This is legislation that my colleague, Mr. MCKEON, the senior Republican on the committee, worked very hard last year to get into the Higher Education Act. It was passed on the floor of the Congress. He worked very hard to bring this matter to the attention of all of the Members of Congress on both sides of the aisle, but as you know, that legislation was not passed in the end, and that is why we are here today because this has an immediate impact on those students who find themselves in this situation. And I want to thank him for all of the effort that he made to adjust this inequity in the law over the last couple of years as we have tried to deal with this within the Higher Education Act.

This bill is a 1-year fix, and we do so because we anticipate that this would cover the upcoming academic year. And we would hope to be able to make the permanent changes when we reauthorize the Higher Education Act in this Congress.

According to the Congressional Research Service, our bill will help approximately 96,000 students receive an average of $100 more in a Pell Grant aid. Sometimes that doesn't sound like a lot of money, but in grant aid to these students and these families, this is an important amount of money because it is not just the tuition that is going down, it is other costs continue to go up.

This increase will help make a real difference for these students in meeting not just their tuition costs, but the costs of their books, their supplies, transportation, room and board, and expenses that quickly add up.

We know this is an issue because we have received letters and heard stories from the community colleges, from the students and from their families. It is a situation where you can find two siblings, one at Cal State school and another at a nearby community college. Both students take similar courses, enrolled full-time, live at home, commute to colleges, both have filed Federal financial aid forms and have an expected family contribution of zero. So both qualify for the maximum Pell Grant. Due to the current rules, the sibling attending the community college will receive $402 less, even though the educational costs overall are the same for those two individuals.

That is why we need to pass this legislation today. It has strong bipartisan support. And it will keep the Pell Grant as a strong part of our Federal student aid program targeted to those in the most need.

With that, Mr. Speaker, I would like to reserve the balance of my time.

Mr. MCKEON. Mr. Speaker, I rise in strong support of H.R. 990, the Pell Grant Equity Act.

I thank my friend and colleague, Chairman MILLER, for his work on this legislation. I also thank Ranking Member KELLER of the Higher Education Subcommittee and Chairman HINOJOSA for working with us on this measure.

The Pell Grant Equity Act will repeal a Federal rule known as ''tuition sensitivity.'' This arcane rule reduces the annual maximum Pell Grant for students attending institutions with very low tuition charges.

In a time when we are trying to keep the cost of education down, we penalize students that choose to go to a school that is charging less tuition. It seems like we have it really mixed up, and I am glad this bill is coming out to help us change that. Simply put, Mr. Speaker, a student should not be forced to sacrifice grant aid because of their choice of one institution over another.

As Congress and the President work to continue improving student aid programs, it is illogical that certain students who may otherwise be eligible for a maximum Pell Grant won't get it simply because of where they go to school. Moreover, repealing this rule takes away an incentive for some low-cost institutions to raise their tuition in order for their students to become eligible for the maximum Pell award.

The tuition sensitivity rule is estimated to impact between 90,000 and 100,000 students each year, with these students losing hundreds of dollars in grant aid annually, the students that need it the most.

With many California community colleges reducing their cost of attendance this semester, the tuition sensitivity rule is expected to have an even more substantial impact for students in that State if not corrected.

So I am especially pleased, just as I am sure Chairman MILLER is, that this measure will benefit many of those seeking postsecondary education in our home State.

Mr. Speaker, I must say that as much as I support this bill, I wish it could have been the law of the land much sooner. This measure was included in the College Access and Opportunity Act, which the House passed last year to reauthorize the Higher Education Act. Similarly, had House Republicans, or anyone else for that matter, been able to offer this as an amendment to H.R. 5 earlier this year, I would have done so.

As is often the case in Washington, it is better late than never. I am pleased to support this measure which helps students and is fully paid for in accordance with the budget rules.

Again, I thank my colleagues. And I hope we can find more opportunities for bipartisan cooperation on college access down the road.

Mr. Speaker, I yield to the ranking member of the subcommittee, Mr. KELLER, such time as he may consume.

Mr. KELLER of Florida. I thank the gentleman for yielding.

Mr. Speaker, I rise today as the ranking member on the Higher Education Committee and a strong supporter of the Pell Grant program to urge my colleagues to vote ''yes'' on the Pell Grant Equity Act of 2007.

The rationale for this legislation is pretty simple: It is unfair that 100,000 college students are penalized for attending community colleges with low tuition rates. These students will now be able to use the additional $108 in Pell funding, on average, to pay for legitimate education expenses beyond tuition, such as books and mandatory lab fees in their science classes.

At a time when college tuition is skyrocketing across the Nation, we should praise and not punish those community colleges who are doing their part to keep tuition low and reward those students who are going to those colleges who otherwise wouldn't have a chance at the American Dream of a college education.

I want to praise Chairman MILLER and Chairman HINOJOSA as well as Ranking Member MCKEON for their leadership and moving this legislation along. I think it is a great piece of bipartisan legislation that deserves all of our support, and I urge all of my colleagues on both sides of the aisle to vote ''yes'' on this bill.

Mr. MCKEON. Mr. Speaker, again, I want to thank Chairman MILLER for bringing this legislation, for his kind words, and the opportunity to work together, something that will benefit students who are in great need of this extra help.

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

Mr. GEORGE MILLER of California. Mr. Speaker, earlier in the first few hours of this session, this Congress took a bipartisan vote to cut interest rates for the neediest students who are borrowing money. Those same group of students, many of them are still eligible for the Pell Grant. This action we take today, again on a bipartisan basis, I think will be very helpful to these students and to their families as, again, they try to put together the resources necessary so that they can begin their advanced education in the higher education system in this case. Hopefully in community colleges, they will continue to try to figure out, along with the State legislatures, how to lower the cost of that college. And this would provide an additional incentive, since they know now that those students will not be punished in a sense because they are going to a lower cost college at that time.

I would like to thank the staff of both committees for all of the work they did on this, for the senior Republican, Mr. KELLER, on the subcommittee, and Mr. MCKEON on the full committee, and to Mr. HINOJOSA, the chairman of the subcommittee, for all of their work. We look forward to a quick passage here and hopefully a speedy passage in the Senate.

Mr. HARE. Mr. Speaker, part of our job in Congress is to ensure that every American has the right to a higher education. Unfortunately, a provision in the Higher Education Act makes it difficult for people of low incomes who attend schools with low tuitions to receive the assistance they need.

I rise in strong support of the Pell Grant Equity Act, which provides low-income students

the opportunity to go to college by eliminating the ''tuition sensitivity provision.'' This provision prohibits maximum Pell grant awards to students attending low-tuition institutions of higher education even if their income is low enough to otherwise qualify for the maximum award.

As implemented by the U.S. Department of Education, ''tuition sensitivity'' is intended to reduce the Pell grant for low-income students who attend very low tuition schools as a cost-saving measure. Unfortunately, the students most negatively impacted by this policy are the poorest students who still cannot afford the lower tuition.

As I have been saying throughout my district this past week, education is an investment not an expenditure. We must invest in our students now or be forced to pay more later. We can start this investment by passing the Pell Grant Equity Act, allowing approximately 96,000 of our poorest students to receive the financial assistance they need in the upcoming academic year.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in support of H.R. 990—The Pell Grant Equity Act of 2007. This legislation is a simple measure to reduce the real and perceived barriers to a higher education for many low-income families across the United States.

Community colleges and other low-cost institutions offer life-changing educational opportunities for motivated students. Pell grant recipients are by definition motivated.

The Pell grant program works as a contract between the Federal Government and the individual. The Government says, ''we will provide you with the means to get a higher education if you desire to invest in yourself.''

Removing the tuition sensitivity provision of the Higher Education Act will help students cover the full cost of attending college, which is significantly higher than tuition alone.

For over 30 years, Congress has consistently increased funding available to the Pell grant program and increased the maximum grant that each student can receive. Why? Because the program works. Pell grant recipients regularly go on to succeed in jobs with career potential and upward mobility.

Increased access to higher education is an important goal for the Congress because having an educated workforce is essential to our country's future. As former Federal Reserve Chairman Alan Greenspan once said to me, ''if our people are educated there isn't a problem we can't solve. If they aren't, there isn't one that we can.'' Eliminating tuition sensitivity from the Pell grant program is a positive step towards making college education available to everyone who wants one, and there isn't a higher goal than that.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 990, which will provide all low-income students with the same opportunity to receive a Pell grant by eliminating the ''tuition sensitivity'' provision in the Pell grant program. The Federal Pell grant is need-based aid that serves as the foundation of a student's financial aid package. In fiscal year 2006, more than 5 million undergraduate students received the Pell grant scholarship, with 74 percent of these recipients having a combined family income below $30,000.

Mr. Speaker, under current law Pell grants are awarded to students based on the difference between the appropriated maximum Pell grant award and the student's expected family contribution, which is a measure of the student's and their family's ability to pay for education expenses.

The ''tuition sensitivity'' provision of the Pell grant comes into effect when the appropriated award is above $2,7000.00. The provision then reduces the Pell grant scholarship, received by the poorest students attending institutions with the lowest tuition. As a result of this provision, two students with the same low-income background and family expenses could be awarded different amounts for the Pell grant although they are both entitled to receive the maximum amount.

Although both students share the same economic hardships, the student attending the college with the lower tuition would receive a smaller Pell grant, thus requiring their expected personal and family expenses to the institution to rise. However, if these same two students attended universities with matching tuition expenses, the award amounts would be equal.

Just because a student attends a school with low tuition, that does not mean that he or she can expend more from their personal and family income. A needy student should receive the same amount regardless of their institution's tuition.

Mr. Speaker, I support H.R. 990, which would provide all low-income students with the same opportunity to receive a Pell grant by eliminating the tuition sensitivity provision in the Pell grant. Every student in our Nation who plans to further their education, whether at our Nation's most expensive or least expensive schools, deserves that opportunity. Our Federal Government has made the provisions to financially assist students, especially those from low-income families, in their quest to attend college and we must ensure that every student has this opportunity.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support for H.R. 990, the Pell Grant Equity Act.

This important piece of legislation would amend the Higher Education Act of 1965 to provide all low-income students with the same opportunity to receive a Pell grant by eliminating the tuition sensitivity provision in the Pell grant program.

Current law prohibits maximum Pell grant awards to students attending low-tuition higher education institutions even if their income is low enough to otherwise qualify for the maximum award.

As the husband of a retired high-school teacher, I have always been a strong advocate for education.

Unfortunately, the high costs of a college education prohibit many low-income students from receiving a higher degree.

Pell grants provide low-income students with their best opportunity to attend college, and we must support financial aid programs like this in order to help as many students as possible succeed and receive a college degree.

Higher education is the best way to ensure our children and grandchildren have a promising future regardless of socio-economic status.

I thank my colleagues for supporting this bill.

Mr. HINOJOSA. Mr. Speaker, I am pleased to join Chairman MILLER and Ranking Members MCKEON and KELLER in cosponsoring the Pell Grant Equity Act. I would like to thank them for their leadership in bringing this bill forward without delay.

Currently low-income students who attend low-cost institutions have their Pell Grants reduced because of the provision called ''tuition sensitivity'' in current law. It is contrary to common sense and our shared goals of providing access to higher education for low-income students to systematically reduce the grant aid for the neediest students who often attend low-cost institutions because they are more affordable.

According to the Congressional Research Service, our action today will benefit 96,000 low-income students and increase their Pell grant by an average of $108. When you are a low-income student, every penny counts and this increase will make a real difference.

The colleges in my congressional district serve some of the lowest income students and families in the Nation. They work very hard to keep tuition low and limit increases to a minimum. This legislation will ensure that their efforts to contain costs are not undone by aid policy that reduces the Pell Grant because the institution charges low tuition.

The Pell Grant Equity Act will immediately lift tuition sensitivity for the upcoming academic year. As we move towards the reauthorization of the Higher Education Act, we will make this repeal permanent and put all low-income students on an equal footing in the Pell grant program.

I look forward to continuing this spirit of bipartisanship as we consider the rest of the Higher Education Act and thank my colleagues for treating this issue with the sense of urgency it deserves.

I strongly encourage all my colleagues to support this legislation.

Mr. GEORGE MILLER of California. Mr. 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. GEORGE MILLER) that the House suspend the rules and pass the bill, H.R. 990, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''To provide all low-income students with the same opportunity to receive a Pell Grant by suspending the tuition sensitivity provision in the Pell Grant program.''.

A motion to reconsider was laid on the table.

COMMENDING THE UNIVERSITY OF SOUTHERN CALIFORNIA TROJAN FOOTBALL TEAM FOR ITS VICTORY IN THE 2007 ROSE BOWL

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 126) commending the University of Southern California Trojan football team for its victory in the 2007 Rose Bowl.

The Clerk read as follows:

H. RES. 126

Whereas the University of Southern California (USC) Trojan football team achieved many historic accomplishments during the 2006 season;

Whereas the USC Trojan football team achieved its fifth consecutive Associated Press (AP) Top 4 finish;

Whereas USC was invited to make an unprecedented fifth consecutive Bowl Championship Series bowl appearance;

Whereas USC won an unprecedented fifth consecutive Pacific-10 Conference championship;

Whereas USC achieved its fifth consecutive season of at least 11 victories, an achievement equaled by only 3 other Division I schools in the history of National Collegiate Athletic Association (NCAA) football;

Whereas USC accomplished these feats while playing the second most difficult schedule in the Nation;

Whereas USC boasts a 33-game winning streak for all home games, as well as a 23-game winning streak for Pac-10 home games;

Whereas USC has maintained a top 10 ranking in the Associated Press College Football Poll for the past 56 editions;

Whereas USC has won 56 of its last 60 games;

Whereas during the 2006 season, USC featured 5 All-American first team players (wide receivers Dwayne Jarrett and Steve Smith, center Ryan Kalil, offensive tackle Sam Baker, and defensive tackle Sedrick Ellis);

Whereas USC head football coach Pete Carroll has the best winning percentage of any current NCAA Division I football coach with at least 5 years of experience;

Whereas the annual Rose Bowl is the oldest of all college bowl games, and its history and prestige have earned it the title ''The Granddaddy of Them All'';

Whereas USC has played in the Rose Bowl on 31 occasions and won 22 times, both records exceeding any other collegiate football program;

Whereas during the 2007 Rose Bowl game, USC featured a second half offensive explosion behind a game record-tying 4 touchdown passes from quarterback John David Booty;

Whereas during the 2007 Rose Bowl game, wide receiver Dwayne Jarrett caught 2 touchdown passes, was named Offensive Most Valuable Player for the game, and became USC's career receptions leader with 11 catches for 205 yards;

Whereas during the 2007 Rose Bowl game, linebacker Brian Cushing made 7 tackles, 4 tackles for losses, 2.5 sacks, and forced a fumble, and he was named the Defensive Most Valuable Player for the game; and

Whereas, under the leadership of USC's 10th president, Steven B. Sample, USC has established itself as a world-class research university, known for its leadership in the fields of communication, media, the sciences, and the arts: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the University of Southern California Trojan football team and USC President Steven B. Sample for USC's victory in the 2007 Rose Bowl; and

(2) recognizes the achievements of the players, coaches, students, alumni, and staff who were instrumental in helping the University of Southern California win the Rose Bowl.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that each Member would have 5 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. Mr. Speaker, I yield myself such time as I might consume.

I want to congratulate the University of Southern California for their victory in the 2007 Rose Bowl.

On New Year's Day, college football fans, student athletes and the Nation were treated to an exceptional college bowl game. And no matter what team you support, it is always a thrill to watch the Rose Bowl.

The University of Southern California made history by appearing in its fifth consecutive Bowl Championship Series game and defeated the Michigan Wolverines by a score of 32–18.

I would like to extend my congratulations to the coaching staff, administration, and most of all to the student athletes and fans for winning the Rose Bowl.

I also want to extend my congratulations to the Michigan Wolverines and their student athletes for a great season. Winning the Rose Bowl has brought national acclaim to a university that already has a rich history as the oldest private research university in the West. USC also lays claim as the birthplace of important Internet technologies and has the only marching band in the United States of America that has earned a platinum record.

Mr. Speaker, once again, I congratulate the University of Southern California for their success in winning the Rose Bowl, and also for their great educational tradition. I urge passage of this resolution.

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

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

Mr. Speaker, I rise in support of House Resolution 126. This resolution recognizes the University of Southern California football team for yet another great season, winning the PAC–10 conference as well as their dominating 32–18 victory over the University of Michigan in the granddaddy of them all, the Rose Bowl.

USC has put together one of the best coaching staffs in the country, and this game was proof. Early in the second half, Michigan had made it clear to USC that they could not establish the run. Now, former USC offensive coordinator Lane Kiffin said, ''We're not running the ball for another play.'' And for the next 30 plays USC took to the air, rushing the ball only twice.

The ability of Coach Carroll and his coaching staff to change the game plan mid-game and make personnel adjustments is what separates USC from the rest of the country every year, and led them to their Rose Bowl victory.

Today, when you hear about USC winning the Rose Bowl and finishing the season as the fourth best team in the country, it doesn't sound like too much of an accomplishment, that is until you look at this team and see that they lost two Heisman trophy winners, six key pieces in their offense in the first three rounds of the NFL draft, and lost 11 players overall to the NFL before the season began.

I extend my congratulations to Head Coach Pete Carroll, his coaching staff, and every one of the dedicated players, the fans, and to the University of Southern California.

I am happy to join in honoring this exceptional team and also of its accomplishments and wish all involved continued success.

I ask my colleagues to support this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as she might consume to the gentlelady from California, Representative DIANE WATSON.

□ 1615

Ms. WATSON. Mr. Speaker, I proudly rise today to commend the University of Southern California, located in my district, Trojan football team for its victory in the 2007 Rose Bowl. The Trojans' Rose Bowl victory puts an exclamation mark on a successful 2006–2007 season as well as years of unparalleled Trojan football excellence. Let me cite just a few examples of the football team's long list of accomplishments:

The USC Trojan football team achieved its fifth consecutive AP top 4 finish. Its appearance in the 2007 Rose Bowl marked an unprecedented fifth consecutive Bowl Championship Series bid. The team won an unprecedented fifth consecutive PAC-10 Conference championship. It maintained a top 10 ranking in the AP College Football Poll for the past 56 editions. And the football team won 56 of its last 60 games.

It is noteworthy that the USC Trojan football team accomplished these feats while playing the second most difficult schedule in the Nation.

The victory of the USC Trojan football team also exemplifies the excellence of the University of Southern California as not only an athletic powerhouse but also an academic institution of higher learning. USC has established itself as a leader in the fields of communications, media, the sciences, as well as the arts. It is home to one of the best, if not the best, schools of film in the United States. It also boasts a world-renowned school of music.

USC is the oldest private research university in the West and is a critical part of the 33rd Congressional District of California. It is home to 33,000 students, 3,100 faculty, and 7,900 employees. It is the largest private employer in the City of Los Angeles. Its physicians serve more than 1 million patients a year. Its Educational Opportunity Programs Center has provided academic enrichment and support services to thousands of neighborhood residents.

In closing, Mr. Speaker, I commend both the University of Southern California's football team for its victory in the 2007 Rose Bowl; its coach, Pete Carroll; its athletic director, Mike Garrett; as well as the coaches, students, alumni, and staff who were instrumental in USC's Rose Bowl victory.

And I just need to add this: I want to also commend the University of Southern California and its president, Steven B. Sample, for taking in 130 students from New Orleans when their university had flooded. And they not only allowed them to come there and admitted them, but they gave them room and board at a time of great need.

So USC and its president have played a major role in the continuous success of the University of Southern California; the City of Los Angeles; and the people of the Golden State, California.

Mr. MCKEON. Mr. Speaker, I am happy that Ms. WATSON talked about all the other accomplishments of SC while I just talked about the football team. The football team was great, but it is nice to see that they are doing all of these other wonderful things, and I commend them for it. I urge our colleagues to support this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, I agree with the ranking member. It does sound like Ms. WATSON is quite proud of the University of Southern California. As a matter of fact, I want to take this opportunity also to thank her and the University of Southern California for hosting one of our State of the African American Male conferences that I had the opportunity to attend with her.

It is indeed a great institution, not only in terms of its athletic prowess but also in terms of its scholarship and academic tradition. I urge support for this resolution.

Mrs. BONO. Mr. Speaker, I thank the gentleman for yielding me time. Mr. Speaker, I rise in support of H. Res. 126, as authored by my fellow Californian, Mrs. WATSON.

As an alumnus of the University of Southern California, I've had the pleasure of watching our football teams compete against some of the best teams in the country over the years. The recent record of success is undeniable, which is why I'm happy to offer my support of my alma matter and this Resolution.

This year's Rose Bowl included USC playing against a University of Michigan football team that was nationally ranked at number three in the country. The Wolverines, though laden with their own star-power, were simply unable to match the combined efforts of the Trojans on New Year's Day in January.

The players on offense for USC displayed one reason why the Trojans were ranked so highly at the end of the season, even while playing what was one of the most difficult schedules of any collegiate team in the country. Our offense was led by the tandem of John Booty and Dwayne Jarrett, who helped the Trojans to a second-half burst that was exciting for any USC supporter, young or old.

But they were not the only reason for an impressive 32–18 victory; the Trojans defense held the University of Michigan offense to just 14 yards of total rushing, which is no simple feat given the running backs for the Wolverines.

The Trojans' win in January was part of a recent string of impressive marks, from winning a fifth consecutive Pac-10 Conference Championship to the team winning 56 of its last 60 games. Winning the 2007 Rose Bowl was an excellent way to end the team's season and should remain a motivating factor when this fall rolls around.

I'm hopeful all of our Members, and yes, even those who attended the University of Michigan, can offer their support of today's resolution that commends USC on its victory. And here's to hoping we can support a similar such Resolution next year.

Mr. DAVIS of Illinois. Mr. 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. 126.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING THE MOUNT UNION COLLEGE PURPLE RAIDERS FOR WINNING THE 2006 NCAA DIVISION III FOOTBALL NATIONAL CHAMPIONSHIP

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 103) congratulating the Mount Union College Purple Raiders for winning the 2006 NCAA Division III Football National Championship.

The Clerk read as follows:

H. RES. 103

Whereas on December 16, 2006, the Mount Union College Purple Raiders of Alliance, Ohio, won the 2006 National Collegiate Athletic Association (NCAA) Division III Football National Championship by defeating the University of Wisconsin-Whitewater Warhawks by a score of 35–16 in the Amos Alonzo Stagg Bowl;

Whereas while there are currently 231 schools playing NCAA Division III college football, during the last 14 years the Purple Raiders have won an unprecedented 9 NCAA Division III Football National Championships;

Whereas Mount Union College currently has the second longest winning streak in all of college football with 23 consecutive victories;

Whereas the Purple Raiders have won 62 consecutive games on the road;

Whereas the Purple Raiders hold college football's two longest winning streaks—55 consecutive games won from 2000 to 2003 and 54 consecutive wins from 1996 to 1999;

Whereas in winning the 2006 National Championship, Mount Union College Football Head Coach Larry Kehres completed his 21st season as head coach of the Purple Raiders;

Whereas Coach Kehres has compiled a phenomenal 246–20–3 record at Mount Union College and the best career winning percentage (.920) for a head coach—at any division level—in the history of college football;

Whereas Coach Kehres has led the Purple Raiders to all 9 of their National Championships, 17 Ohio Athletic Conference titles, and 15 undefeated regular seasons;

Whereas Coach Kehres was named the American Football Coaches Association Division III Coach of the Year for a record eighth time in 2006;

Whereas the Purple Raiders finished the 2006 season ranked first nationally in Division III football in total offense, first in scoring, first in passing efficiency, second in rushing, second in total team defense, second in scoring defense, second in rush defense, and eighth in pass efficiency defense; and

Whereas Mount Union College graduates approximately 98 percent of the student-athletes who remain in the football program for a full four years: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Mount Union College Purple Raiders for winning the 2006 NCAA Division III Football National Championship; and

(2) recognizes all the players, coaches, and support staff who were instrumental in this achievement.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that each Member would 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. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to congratulate another college for their accomplishments. Mount Union College, located in Alliance, Ohio, is not only known as one of the top liberal arts colleges in the Midwest but also more recently for winning the NCAA Division III Football National Championship.

On December 16 of last year, the Mount Union College Purple Raiders captured their ninth NCAA Division III Football National Championship by defeating the University of Wisconsin-Whitewater Warhawks.

We know that such accomplishments are achieved through a group effort. I applaud the Purple Raiders coaching staff; the administration; student athletes; and, of course, the fans for a championship season.

I also want to extend my congratulations to the Wisconsin-Whitewater Warhawks for a well-played game and a successful season.

The Purple Raiders, whose purple parrot mascot is well known in northeastern Ohio, have achieved some notable athletic accomplishments, including nine national championships in the past 14 years, along with two of the longest winning streaks in college football.

Mr. Speaker, once again I commend and congratulate Mount Union College

for their dedication and success, not only for their athletic prowess but also for their academic achievement and academic reputation.

I urge support for this resolution.

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

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

Mr. Speaker, I rise today in support of House Resolution 103. This resolution congratulates the Mount Union College Purple Raiders for winning the 2006 NCAA Division III Football National Championship.

The Purple Raiders captured the title by defeating the University of Wisconsin-Whitewater Warhawks 35–16 in the Amos Alonzo Stagg Bowl on December 16 in front of 6,051 faithful fans.

Since 1990, and under the tutelage of Head Coach Larry Kehres, the Raiders have made 16 playoff appearances while posting college football's most wins and best winning percentage. Coach Kehres completed his 21st year at the helm of the Purple Raiders football fortunes in 2006 and has built one of the most successful programs in all of college football. His teams have won 17 Ohio Athletic Conference Championships while posting 15 undefeated regular seasons and have won nine Division III National Championships in the last 14 years. Along the way, Coach Kehres has compiled a phenomenal 246–20–3 record and the best career winning percentage for a head coach, at any division level, in the history of college football. For his efforts, Kehres has been named the AFCA Division III National Coach of the Year eight times.

I extend my congratulations to Head Coach Larry Kehres, all of the hard-working players, the fans, and to Mount Union College. I am happy to join my good friend and colleague Representative REGULA in honoring this exceptional team and all of its accomplishments and wish all involved continued success.

I ask my colleagues to support this resolution.

Mr. Speaker, I am happy to yield at this time such time as he may consume to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, I thank my colleague from California for yielding.

Mr. Speaker, I rise in support of H. Res. 103, congratulating the Mount Union College Purple Raiders on their 2006 Division III Football National Championship.

As you know, Ohio is quite a football State; and while most people think of teams like Ohio State when they think of Ohio football, the team with the most amazing winning record is actually Mount Union College and its Purple Raiders. In December they beat the Wisconsin-Whitewater Warhawks in the Amos Alonzo Stagg Bowl.

The Purple Raiders from Mount Union College in Alliance have been a perpetually dominant team under the reign of Head Coach Larry Kehres and staff, winning an astounding nine NCAA Division III Football Championships. The players who have come and gone through the Mount Union football program should also be honored for their superior work ethic on the football field and in the classroom. As an alumnus of Mount Union College, I take special pride that the students that remain in the football program all 4 years have an incredible 98 percent graduation rate. That is astounding, I think, everything considered in what we hear and so on. Such phenomenal scholastic and athletic achievement should not go unnoticed. These graduation rates are impressive for any higher education institution and are especially remarkable for college athletes.

The most recent NCAA victory comes as no surprise to those who have followed the Purple Raiders over the past two decades. They have had the two longest winning streaks in all of college football, with 54 consecutive victories from 1996 to 1999 and 55 victories from 2000 to 2003. The Purple Raiders also currently hold the second longest winning streak in all of college football, with 23 consecutive victories. With winning streaks like these, it is no shock that Larry Kehres has the best career winning percentage in any division level of college football ever, with a remarkable record of 246 wins, 20 losses, and 3 ties. That is a remarkable record.

Along with such incredible regular season records, the Purple Raiders have also won nine NCAA Division III championships, 17 Ohio Athletic Conference titles to go along with 15 perfect seasons. These statistics have all been achieved under the excellent coaching of Larry Kehres. His record has earned him the American Football Coaches Association Division III Coach of the Year a record eight times. Coach Kehres can certainly take great pride in the dexterity and proficiency he has instilled in the young athletes that have walked the halls of Mount Union College.

This year's players have yet again risen to the occasion and proved to be the best of Division III. The Purple Raiders finished first nationally in Division III football in total offense and second in total defense, which can only give a slight indication as to the work ethic of this team. The national title they achieved in 2006 was well earned by these athletes, coaches, and staff.

I would like to congratulate Mount Union College President Richard Giese; Coach Larry Kehres; his coaches; the faculty and staff; as well as the terrific and enthusiastic fans, and we have them, but especially all of the players for yet another undefeated year and national championship.

□ 1630

Mr. Speaker, 2006 was a great season, and I am sure it will not be the last for these Purple Raiders. As the great coach Vince Lombardi once said, ''Being a champion means you are willing to go longer, work harder, and give more than anyone else.'' The current Purple Raiders team and those of prior seasons, along with Coach Kehres, have proven the wisdom of this statement time and time again.

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

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

Mr. Speaker, I am happy to be here to sing the praises of the Purple Raiders. When I heard Mr. REGULA talk about all of their accomplishments and then the 98 percent graduation rate, that really is impressive. I would like to meet Coach Kehres one day.

Mr. Speaker, I urge passage of this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, I want to congratulate Mr. REGULA for having such an outstanding institution in his district to represent. When you consider all of the football games that they have won, as well as the graduation rate and the kind of academics that they display, he has to indeed be proud. I am proud for him.

Mr. Speaker, I urge passage of this resolution.

Mr. 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. 103.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 990, as amended.

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

There was no objection.

PROVIDING FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF ARTERIAL ROAD IN ST. LOUIS COUNTY, MISSOURI

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1129) to provide for the construction, operation, and maintenance of an arterial road in St. Louis County, Missouri.

The Clerk read as follows:

H.R. 1129

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

SECTION 1. PROJECT DEFINED.

In this Act, the term ''project'' means only the portion of St. Louis County, Missouri,

arterial road 1151 that is deed-restricted property, which specifically applies to approximately 0.3 acres and 540 lineal feet and is identified as the ''FEMA'' route in the document entitled ''Lemay Connector Road for Long-Term Recovery, Recreational Enhancements, & Community, & Economic Development'', dated June 1, 2006, on file with the St. Louis County department of highways and traffic.

SEC. 2. APPLICABLITY OF CERTAIN FEDERAL LAW.

The St. Louis County arterial road 1151, known as the ''Lemay Connector Road'' in St. Louis City and County, Missouri, may be constructed, operated, and maintained over the deed-restricted property described in section 1, notwithstanding section 404(b)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) or Public Law 103–211 and any easement or other similar restriction pursuant to those Federal laws on the development of property that requires the property be maintained for open space, recreation, or wetland management.

SEC. 3. NO DETRIMENTAL EFFECT ON FLOOD PLAIN.

For the project, St. Louis County, Missouri, shall ensure that the project is constructed, operated, and maintained in such a manner that would not cause any future additional flood damage that would not have occurred without the project. Prior to constructing the project, St. Louis County or its assignee must identify and agree to restrict a nearby parcel of land of equal or greater size to the deed restricted land used for the project so that such parcel is maintained for open space, recreation, or wetland management.

SEC. 4. LIABILITY FOR FLOOD DAMAGE.

The Federal Government shall not be liable for future flood damage that is caused by the project. St. Louis County, Missouri, or its assignee shall be liable for any future flood damage that is caused by the project.

SEC. 5. NO FUTURE DISASTER ASSISTANCE.

The deed-restricted property described in section 1 is not eligible for any future disaster assistance from any other Federal source.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 1129.

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

There was no objection.

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

Mr. Speaker, the legislation before us would authorize St. Louis County, Missouri, to build a road over three-tenths of an acre of deed-restricted property. The road that they would build will lead to a development project along the Mississippi River adjacent to St. Louis.

In the aftermath of the 1993 Mississippi River flood, which many of us can vividly remember, and I recall so much part of that tragedy our then majority leader, Mr. Gephardt, passing sandbags down along the riverfront to halt the onslaught of the river, it was a very compelling moment in flood history in America. St. Louis was particularly hard hit.

FEMA, under the Hazard Mitigation Grant Program, acquired property, took it out of development and protected the floodplain from development for uses that would be inconsistent with the need to protect the area against flood.

FEMA requires that properties purchased under the Hazard Mitigation Grant Program be maintained in perpetuity for uses consistent with open space, recreation or wetlands management. The law generally does not allow new structures to be built on such property, but exceptions are permitted under existing law, including projects preapproved in writing by the director of FEMA. FEMA has promulgated regulations to spell out those restrictions.

The property which is the subject of this legislation, was not purchased with hazard mitigation funds, but with Community Development Block Grant funds. But those funds were subjected to the same FEMA Hazard Mitigation Grant Program easement restrictions for open space.

All parties tried in the current situation to find an exception in the historic application of FEMA law and regulation, but the project didn't fit any of the historic examples or exceptions. So the State and the county both are seeking a waiver of the easement so that both entities can proceed with construction of a road that will create access to a complex development project of housing, retail, commercial space and open and recreational space.

Now, this project itself is not within nor will it be built anywhere on restricted property, property restricted by FEMA under the Hazard Mitigation Grant Program funds. And to be sure that there are no escape clauses or escape hatches, if you will, the bill includes requirements to ensure that the road authorized to be developed will not increase the danger of flooding and that the road will not subject the Federal Government to any additional exposure or liability.

The bill requires the county in which the road will be constructed, and that is St. Louis County, Missouri, we have one also in Minnesota, to ensure that the construction, operation and maintenance of the road will not cause any future additional flood damage that would not have occurred without the project. It is very important to spell those conditions out.

The bill also requires the county or its assignee to mitigate the project by adding to the flood protection area a nearby parcel of land of equal or greater size to the deed-restricted land used for the road.

Further, the bill provides that the Federal Government shall not be liable for future flood damage that may be caused by the project and that the county will be liable for such damage.

The bill also provides that the deed restricted property on which the road will be built, and only the road, will not be eligible for any future disaster assistance from any other Federal source.

I think with those very precise, very carefully crafted constraints, we can and should approve this legislation to allow the other development to go forward, a development that is not within the hazard area.

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

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

Mr. Speaker, the bill before us, H.R. 1129, introduced by Representative RUSS CARNAHAN of Missouri, provides for the construction, operation and maintenance of an arterial road in St. Louis County, Missouri, over deed-restricted property and requires that county to restrict a nearby parcel of land for open space, recreation or wetland management. The bill allows construction of a surface road across property purchased with Federal funds.

Following the 1993 Midwest floods, this property was purchased for the purpose of clearing the floodplain of homes to prevent future flood losses. The bill requires St. Louis County to ensure that this project will not cause future flood damage. If there is flood damage caused by this project, the bill assigns liability to St. Louis County. This property will remain permanently ineligible for Federal disaster assistance. The Federal interest in reducing Federal disaster costs remains protected.

This project is not setting precedent. In the past, exceptions have been made to allow for road and public works development on deed restricted properties.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I want to express my great appreciation to the gentleman from Wisconsin and to the staff on the Republican side for their splendid cooperation throughout the crafting of this legislation. It took a great deal of time and effort to get to this point and it was a bipartisan initiative. We very much appreciate their consideration.

Mr. PETRI. Mr. Speaker, I thank the chairman of our committee, and I yield back the balance of my time.

Mr. OBERSTAR. I yield such time as he may consume to the gentleman from Missouri (Mr. CARNAHAN), the author of the legislation, and within whose district this project and development will occur. I also want to express my appreciation and perhaps admiration for his persistence in following through on this very difficult, complex initiative. The gentleman has certainly worked hard on behalf of his constituency.

Mr. CARNAHAN. Chairman OBERSTAR, thank you and Ranking Member MICA and the gentleman from Wisconsin here today for working with me

to move this important legislation along. Also, special thanks to your staff and committee staff on both sides that have been helpful in moving this legislation. On behalf of myself and the citizens the Third District in Missouri, I want to thank them all.

This bill, H.R. 1129, means a great deal to the congressional district I represent in Lemay, St. Louis County, Missouri. It will allow the construction, maintenance and operation of a road to a community in South St. Louis County hard hit by the great flood of 1993. This Lemay Connector Road, as it is called, is vital to the long-term recovery of that community. It will bring badly needed jobs and tax revenues to the area, support the cleanup of brownfields sites, and create new parks and recreational opportunities.

The transformation taking place in this area is the type communities dream about, turning environmentally contaminated idle property into hundreds of millions of dollars in economic development, thousands of new jobs, and wonderful recreational opportunities alongside a national treasure, the Mississippi River.

In 1993, Lemay, Missouri, just south of St. Louis, was hard hit by the flood of 1993. In the aftermath, Community Development Block Grant funds were used to acquire certain parcels of land which carried with them FEMA deed restrictions. St. Louis County has since acquired the land, but deed restrictions still apply.

Years ago, this area was home to businesses providing thousands of jobs for this community. Unfortunately, byproducts heavily polluted the area, and since the closure of businesses, four specific sites, including the former National Lead Site, which closed in 1978, the Carondolet Coke site, which closed in 1992, the Stupp Brothers site, which closed in 1998, and the National Imaging and Mapping Agency site, closed in 1994, have since been designated as brownfields. Thankfully, clean up and redevelopment of the land will come to fruition as the Lemay connector road is built.

Since 1993, the Federal Government has invested more than $33 million in South St. Louis City and County region for the purpose of revitalizing these communities. In addition, the State and local community have come together to plan the redevelopment of this area. Plans include new businesses, which will generate thousands of new jobs, a bandshell, ice skating rink, bowling alley, multi-screen movie complex, a new county park with soccer and baseball fields. The proposed Lemay connector road will provide access to all this, the four abandoned brownfield sites, and complete the link to the Great Rivers Greenway regional ring of trails.

In 2003, the Missouri Department of Transportation conducted a federally funded survey with regard to the area and decided it was one of the top priorities for the region.

□ 1645

The planned road is authorized by this legislation and has been identified by means of an environmental assessment as the environmentally preferred route.

The road is considered safe by the Missouri Department of Transportation, has been endorsed by its officials, and also the local police and fire departments, because it will enable city and county to reduce first responder times. Most importantly, the planned road has the unwavering support of community leaders.

In addition to the public access benefits already stated, the road will include dedicated bicycle paths and sidewalks, and provide improved access to schools, community institutions and parks, and I want to name a few in the area: Hancock Place School District, Notre Dame High School, Metropolitan Sewer District, St. Louis Enterprise Center in South County, Lemay Child and Family Center, Jefferson Barracks National Cemetery, and a park and planned military history complex. In addition, park areas include the Black Forest Park, Lemay Park, and the Great Rivers regional system of interconnected parks and trails.

The bill costs the Federal Government nothing. The cost of the road will be incurred by the county in cooperation with local developers. This legislation has broad bipartisan support in Missouri and here in the Congress among our congressional delegation, including my Missouri colleague on the Transportation Committee, Mr. GRAVES. The legislation specifically authorizes the Lemay connective road to be built over deed-restricted parcels of land.

In an attempt to avoid the same disastrous consequences of the flood of 1993, the bill requires the county to take appropriate flood mitigation efforts upon constructing the road. It is the intent of Congress that prior to constructing the road, adjacent or nearby land of approximately equal size and value of the easement necessary to build the road, about 0.3 acres, will be designated for open space, recreational use, or wetlands management.

Finally, consistent with existing law, the Federal Government will not be liable for any flooding caused by the construction, maintenance and operation of the road.

My colleagues, this is a good bill that will have remarkably positive impacts on the Lemay community in Missouri. I urge your support and passage of H.R. 1129.

I want to conclude by giving special thanks to our St. Louis County executive, Charlie Dooley, and his staff in St. Louis County, and all those working with the county for their impressive work on this project.

I can't wait to travel on the new Lemay connector road, to take a tour of the newly opened businesses, community center, and take a bike ride along the Great Rivers Greenway.

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

Mr. OBERSTAR. Mr. Speaker, I certainly look forward to doing a bike ride along that area, if it is a long enough road, and look forward to the project moving forward with the construction of this road and the development and the investment and the job creation that the gentleman has cited.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 1129.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ST. JOSEPH MEMORIAL HALL CONVEYANCE ACT

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 494) to provide for the conditional conveyance of any interest retained by the United States in St. Joseph Memorial Hall in St. Joseph, Michigan, as amended.

The Clerk read as follows:

H.R. 494

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

SECTION 1. CONVEYANCE OF RETAINED INTEREST IN ST. JOSEPH MEMORIAL HALL.

(a) IN GENERAL.—Subject to the terms and conditions of subsection (c), the Administrator of General Services shall convey to the city of St. Joseph, Michigan, by quitclaim deed, any interest retained by the United States in St. Joseph Memorial Hall.

(b) ST. JOSEPH MEMORIAL HALL DEFINED.—In this section, the term ''St. Joseph Memorial Hall'' means the property subject to a conveyance from the Secretary of Commerce to the city of St. Joseph, Michigan, by quitclaim deed dated May 9, 1936, recorded in Liber 310, at page 404, in the Register of Deeds for Berrien County, Michigan.

(c) TERMS AND CONDITIONS.—The conveyance under subsection (a) shall be subject to the following terms and conditions:

(1) CONSIDERATION.—As consideration for the conveyance under subsection (a), the city of St. Joseph, Michigan, shall pay $10,000 to the United States.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions for the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 494.

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

There was no objection.

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

This bill authorizes conditional conveyance of any interest retained by the United States in St. Joseph Memorial Hall in St. Joseph, Michigan, to the city of St. Joseph, Michigan. In the 109th Congress, an identical bill was introduced, moved through committee, and passed the House as H.R. 4700. Unfortunately, no action was taken on that bill by the other body.

The bill would complete a land transfer between the Federal Government and the city of St. Joseph, Michigan, that is very long standing. It goes back to 1935. The city in that year received a nonhistoric building and property with a restriction limiting use of the property to a public park. In 1954, the public use restriction was lifted on the parcel just north of the building through Public Act 348.

H.R. 494, the bill presently before us and its predecessor in the last Congress, conveys to the city of St. Joseph any interest in St. Joseph Hall that is retained by the United States. This legislation has the effect of removing the restriction requiring use of the property for a park.

City officials have asked for this transfer in order to permit the city to complete a redevelopment plan for the downtown that would utilize this parcel of land and the building. The city is further prepared to pay $10,000 to the General Services Administration for the transfer.

This legislation has been advocated by the gentleman from Michigan (Mr. UPTON) who has been very persevering in pursuit of this legislation. I have come to know the gentleman from Michigan very well personally through our work on Great Lakes issues and on the U.S.-Canada Interparliamentary Group in which we have both participated. He is very earnest about this project, and has been a very effective advocate for it. I am hopeful that with our action again in this body that we will be able to persuade the other body to move forthwith on the legislation and get it enacted.

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

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

Mr. Speaker, the bill before us, introduced by the gentleman from Michigan (Mr. UPTON) on January 16, 2007, conveys the final interest retained by the United States in St. Joseph Memorial Hall in St. Joseph, Michigan.

St. Joseph, Michigan, is in the process of redeveloping an area of town that will link downtown with the beautiful lakefront district. Removing the deed restriction will allow St. Joseph to create a recreational, educational, and cultural district that benefits the entire community.

This redevelopment will make the city a more attractive place to work, live and play while improving the local economy.

H.R. 494 will allow St. Joseph Memorial Hall to be incorporated into these redevelopment plans. Under the current restriction, redevelopment of the area may be impeded by a deed restriction placed on the property by the Federal Government more than 70 years ago. The deed restriction on Memorial Hall has remained despite the fact that similar deed restrictions in the city have been lifted. If not lifted, limitations on this tiny parcel of land located in the center of the redevelopment will significantly jeopardize the city's plan.

The bill before us is a commonsense solution that will allow the city of St. Joseph to proceed with redevelopment. In the 109th Congress, the House recognized this as a sensible, simple solution and passed the same language in H.R. 4700. I support this measure, and I urge my colleagues to do the same.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 494, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF AMERICAN HEART MONTH

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 52) supporting the goals and ideals of American Heart Month.

The Clerk read as follows:

H. CON. RES. 52

Whereas heart disease affects adult men and women of every age and race in the United States;

Whereas heart disease continues to be the leading cause of death in the United States;

Whereas an estimated 79 million adult Americans, nearly one in every 3, have 1 or more types of heart disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke, and congenital heart defects;

Whereas extensive clinical and statistical studies have identified major and contributing factors that increase the risk of heart disease;

Whereas these studies have identified the following as major risk factors that cannot be changed: age (the risk of developing heart disease gradually increases as people age; advanced age significantly increases the risk); gender (men have greater risk of developing heart disease than women); and heredity (children of parents with heart disease are more likely to develop it themselves; African Americans have more severe high blood pressure than Caucasians and therefore are at higher risk; the risk is also higher among Latina Americans, some Asian Americans, and Native Americans and other indigenous populations);

Whereas these studies have identified the following as major risk factors that Americans can modify, treat or control by changing their lifestyle or seeking appropriate medical treatment: high blood pressure, high blood cholesterol, smoking tobacco products and exposure to tobacco smoke, physical inactivity, obesity, and diabetes mellitus;

Whereas these studies have identified the following as contributing risk factors that Americans can also take action to modify, treat or control by changing their lifestyle or seeking appropriate medical treatment: individual response to stress, excessive consumption of alcoholic beverages, use of certain illegal drugs, and hormone replacement therapy;

Whereas more than 72 million adult Americans have high blood pressure;

Whereas more than 36.6 million Americans have cholesterol levels of 240 mg/dL or higher, the level at which it becomes a major risk factor;

Whereas an estimated 46 million Americans put themselves at risk for heart disease every day by smoking cigarettes;

Whereas data released by the Centers for Disease Control and Prevention shows that more than 60 percent of American adults do not get enough physical activity, and more than 25 percent are not physically active at all;

Whereas 66 percent of adult Americans are overweight or obese;

Whereas 20 million adult Americans have diabetes and 65 percent of those so afflicted will die of some form of heart disease;

Whereas the American Heart Association projects that in 2007 1.2 million Americans will have a first or recurrent heart attack and 452,000 of these people will die as a result;

Whereas in 2007 approximately 700,000 Americans will suffer a new or recurrent stroke and 150,000 of these people will die as a result;

Whereas advances in medical research have significantly improved our capacity to fight heart disease by providing greater knowledge about its causes, innovative diagnostic tools to detect the disease, and new and improved treatments that help people survive and recover from this disease;

Whereas the Congress by Joint Resolution approved on December 30, 1963, (77 Stat. 843; 36 U.S.C. 101) has requested that the President issue an annual proclamation designating February as ''American Heart Month''; and

Whereas every year since 1964 the President has issued a proclamation designating the month February as ''American Heart Month'': Now, therefore, be it

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

(1) supports the goals and ideals of American Heart Month;

(2) invites the chief executive officers of the States, territories, and possessions of the United States to issue proclamations designating American Heart Month and recognizing the goals and ideals of American Heart Month;

(3) commends the efforts of States, territories and possessions of the United States, localities, non-profit organizations, businesses, and other entities, and the people of the United States who support the goals and ideals of American Heart Month;

(4) recognizes and reaffirms our Nation's commitment to fighting heart disease by promoting awareness about its causes, risks, and prevention and by promoting new education programs, supporting research, and expanding access to medical treatment;

(5) recognizes all Americans battling heart disease, expresses gratitude to their family members and friends who are a source of love

and encouragement to them as they combat this disease, and salutes the health care professionals and medical researchers who provide assistance to those so afflicted and continue to work to find cures and improve treatments; and

(6) encourages each and every American to take to heart the four simple healthy life, healthy heart goals identified by the HealthierUS Initiative of the U.S. Department of Health and Human Services: exercise regularly and maintain a healthy weight; develop good eating habits; avoid tobacco products, drugs and excessive alcohol; and have regular medical checkups to take advantage of screenings that can detect heart-disease related problems early.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oklahoma (Mr. SULLIVAN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Con. Res. 52 supporting the goals and ideals of American Heart Month. February is American Heart Month, and each year since 1963 Congress has charged the President to claim February American Heart Month.

The goal of American Heart Month is to raise funds, conduct research, and promote education about heart disease and stroke.

According to the Centers for Disease Control and Prevention, heart disease is the leading cause of death in the United States and the major cause of disability. The most common heart disease in the U.S. is coronary heart disease, which often first appears as a heart attack. Almost 1.2 million people in the U.S. will have a heart attack and about 700,000 people die of heart disease annually.

Each of us should continue to take steps to prevent and control factors that put us at greater risk. Prevention measures certainly help to reduce the risks for heart disease and its effects. Additionally, knowing the signs and symptoms of heart attack are crucial to the most positive outcomes after having a heart attack. Recognizing and responding quickly to symptoms and receiving appropriate care can limit heart damage. People who have survived a heart attack can also work to reduce their risk of another heart attack or a stroke in the future. Research has shown a healthy diet and life style are the best weapons you have to fight heart disease.

I would like to thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for her work on this issue. I certainly urge my colleagues to support H. Con. Res. 52.

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

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

Mr. Speaker, I rise today in support of H. Con. Res. 52, a resolution supporting the goals and ideals of American Heart Month. I commend Ms. MILLENDER-MCDONALD for her efforts in bringing this resolution to the floor.

Beginning in 1964, the President has issued a proclamation every year designating the month of February as American Heart Month. It is important to recognize the need for greater heart health. Heart disease is the leading cause of death in America. This year alone, over 1.2 million Americans are expected to experience a heart attack. American Heart Month renews the need to recognize and respond to symptoms of heart damage.

Great work is being done by the American Heart Association to reach out into communities and help provide instructional programs on heart disease. It is important to have policies in place that ensure access to screening, referral, and counseling services for stroke and heart disease risk factors.

I believe Congress should continue to support the goals of American Heart Month. This resolution is important in that it continues to encourage Americans to take a healthy approach to living and protecting their hearts.

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

Mr. PALLONE. Mr. Speaker, I yield 5 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding to me on this important issue.

On December 30, 1963, Congress requested that the President issue an annual proclamation designating February as American Heart Month. House Concurrent Resolution 52, supporting the goals and ideals of American Heart Month, reaffirms the Federal Government's commitment to fighting heart disease, recognizes Americans struggling with this illness, and encourages Americans to take preventive measures to protect themselves from heart disease.

□ 1700

I want to recognize the sponsor of this resolution, Representative JUANITA MILLENDER-MCDONALD, and thank her for her leadership on this and other critical health issues.

Over 79 million, or one in three, American adults have cardiovascular disease, including high blood pressure, coronary heart disease, heart failure, stroke and congenital cardiovascular defects.

The lifetime risk for cardiovascular disease for an individual aged 40 is two in three of men, and over one in two for women.

Cardiovascular disease was the underlying cause of death for well over a third of all the 2.4 million deaths in the United States in 2004. Cardiovascular disease accounts for more deaths than any other single cause of death in the United States. Nearly 2,400 Americans die of cardiovascular disease each day, an average of one death each 36 seconds.

The estimated direct and indirect costs of cardiovascular disease in 2007 are $431.8 billion. Heart disease is a significant factor in driving up medical costs in the United States. About two-thirds of unexpected cardiac deaths occur without prior recognition of cardiac disease.

This is an important point to underscore, and it highlights the need for American Heart Month. Public education can help raise awareness, encourage preventive measures, discourage unhealthy behaviors and persuade more Americans to get regular medical exams. By doing so, we will be able to reduce the incidences of heart disease.

We can lower those numbers that I have just mentioned, but we can also improve and extend the lives of real people, our family members, friends and neighbors. That is what American Heart Month is all about.

We know the risk factors that lead to heart disease: high blood pressure, high blood cholesterol, tobacco use, physical inactivity, unhealthy diet, obesity and diabetes.

Cigarette smoking results in a two- to threefold increased risk of dying from coronary heart disease.

We also know the way to manage risk and prevent heart disease: regular exercise and maintaining a healthy weight; healthy eating habits; avoidance of tobacco, drugs and excessive alcohol; getting regular checkups to be screened for signs of heart disease risk.

American Heart Month is particularly important in getting the word out to those who are disproportionately affected by heart disease and who too often fail to receive the treatment they need. Women and minorities may have atypical symptoms when suffering a heart attack or angina, and if they are sent home undiagnosed, they are about twice as likely to die from these symptoms as those who are admitted.

Heart disease is the number one killer of women in this country, claiming over 349,000 American women each year. Raising awareness and improving treatment and screening can save many lives.

Forty-two percent of women who have heart attacks die within 1 year, compared with 24 percent of men. This may be because, on average, women are older than men when they have a heart attack. It also may be because heart disease is not typically diagnosed as or treated as aggressively as that in men.

Cardiovascular disease, including heart disease, hypertension, and stroke, is the number one killer of women in the United States. Experts estimate that one in two will die of heart disease or stroke, compared with one in 25 of women who will die of breast cancer.

Existing heart disease is undiagnosed in half of women who have a first heart attack.

Management of chest pains differ by sex and race. Men are more likely than women to receive definitive diagnoses of angina as opposed to vague chest pain. Women and blacks typically receive fewer cardiovascular medications than men and whites.

Lack of studies on women limits usefulness of research on coronary heart disease. Although CHD causes more than 250,000 deaths in women each year, much of the research on CHD in the last 20 years has either excluded women or included very few women. As a result, many of the tests and therapies used to treat women for CHD are based on studies conducted predominantly in men and may not be as effective in women.

Again, I want to thank Representative MILLENDER-MCDONALD for her leadership, and I urge all of my colleagues to support H. Con. Res. 52.

Mr. PALLONE. Mr. 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. PALLONE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 52.

The question was taken.

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

Mr. PALLONE. 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.

EXPRESSING SENSE OF CONGRESS REGARDING NEED FOR ADDITIONAL RESEARCH INTO HYDROCEPHALUS

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 74) expressing the sense of the Congress regarding the need for additional research into the chronic neurological condition hydrocephalus, and for other purposes.

The Clerk read as follows:

H. CON. RES. 74

Whereas hydrocephalus is a serious neurological condition, characterized by the abnormal buildup of cerebrospinal fluids in the ventricles of the brain;

Whereas there is no known cure for hydrocephalus;

Whereas hydrocephalus affects an estimated one million Americans;

Whereas 1 or 2 in every 1000 babies are born with hydrocephalus;

Whereas over 375,000 older Americans have hydrocephalus, which often goes undetected or is misdiagnosed as dementia, Alzheimer's disease, or Parkinson's disease;

Whereas with appropriate diagnosis and treatment, people with hydrocephalus are able to live full and productive lives;

Whereas the standard treatment for hydrocephalus was developed in 1952, and carries multiple risks including shunt failure, infection, and overdrainage;

Whereas there are fewer than 10 centers in the United States specializing in the treatment of adults with normal pressure hydrocephalus;

Whereas each year, the people of the United States spend in excess of $1 billion to treat hydrocephalus;

Whereas a September 2005 conference sponsored by 7 institutes of the National Institutes of Health—''Hydrocephalus: Myths, New Facts, Clear Directions''—resulted in efforts to initiate new, collaborative research and treatment efforts; and

Whereas the Hydrocephalus Association is one of the Nation's oldest and largest patient and research advocacy and support networks for individuals suffering from hydrocephalus: Now, therefore, be it

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

(1) the Congress commends the Director of the National Institutes of Health for working with leading scientists and researchers to organize the first-ever National Institutes of Health conference on hydrocephalus; and

(2) it is the sense of the Congress that—

(A) the Director of the National Institutes of Health should continue the current collaboration with respect to hydrocephalus among the National Eye Institute; the National Human Genome Research Institute; the National Institute of Biomedical Imaging and Bioengineering; the National Institute of Child Health and Human Development; the National Institute of Neurological Disorders and Stroke; the National Institute on Aging; and the Office of Rare Diseases;

(B) further research into the epidemiology, pathophysiology, disease burden, and improved treatment of hydrocephalus should be conducted or supported; and

(C) public awareness and professional education regarding hydrocephalus should increase through partnerships between the Federal Government and patient advocacy organizations, such as the Hydrocephalus Association.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oklahoma (Mr. SULLIVAN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill that we are considering.

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

There was no objection.

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

I rise in support of H. Con. Res. 74, expressing the sense of the Congress regarding the need for additional research into the chronic neurological condition hydrocephalus.

Hydrocephalus simply means water on the brain. The term ''hydrocephalus'' defines a condition characterized by an excessive accumulation of fluid in the brain. This buildup of fluid inside the skull causes the brain to swell, infections of the nervous system, lesions or tumors of the brain or spinal cord, and decreased mental function among other symptoms.

The causes of hydrocephalus are not all well understood. It may result from genetic inheritance or developmental disorders. Other possible causes include complications of premature birth, diseases or infections caught before birth, and injury before, during or after childbirth.

Hydrocephalus is believed to affect approximately one in every 500 children. At present, most of these cases are diagnosed prenatally, at the time of delivery, or in early childhood. Advances in diagnostic imaging technology allow more accurate diagnoses in individuals with atypical presentations, including adults with conditions such as normal pressure hydrocephalus.

The National Institute of Neurological Disorders and Stroke, a part of the National Institutes of Health, is the leading support of research on hydrocephalus within the Federal Government. NINDS works collaboratively with other institutes at NIH to further research on the influence of hydrocephalus on development and on the more general issue of the effect of early brain injury. The knowledge gained from this research will foster hope for new methods to treat and prevent developmental brain disorders such as hydrocephalus.

I would like to thank Congressman MIKE THOMPSON of California for his work to bring this resolution before us today, and I would urge my colleagues to support H. Con. Res. 74.

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

Mr. SULLIVAN. Mr. Speaker, I yield myself as much time as I may consume.

I stand here today in support of this resolution, House Concurrent Resolution 74, addressing the need for additional research into the chronic neurological condition hydrocephalus.

This disease, for which there is no cure, affects an estimated 1 million Americans. Often the symptoms of hydrocephalus are confused with those of dementia, Alzheimer's disease or Parkinson's disease. When the disease is properly identified, people with hydrocephalus are able to live full and productive lives.

The National Institutes of Health has responded to the needs of the hydrocephalus community by working with scientists and researchers to organize a conference in September of 2005 called ''Hydrocephalus: Myths, New Facts, Clear Directions.''

Demonstrating the need for collaborative research at the National Institutes of Health, seven institutes were able to work together and initiate new research and treatment efforts for hydrocephalus.

I thank Representative MIKE THOMPSON for his work in bringing awareness to this issue.

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

Mr. PALLONE. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. THOMPSON), the sponsor of the House concurrent resolution.

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman for yielding.

I am here today to ask all of my colleagues to support this resolution. Hydrocephalus is an abnormal buildup of fluid in the brain, and it affects nearly 1 million Americans. Without treatment, hydrocephalus is fatal, but when treated, most people with this condition can lead full and productive lives.

I became aware of this condition through a constituent and a friend of mine, Cynthia Solomon, who has a family member who suffers from this condition. Cynthia struggled to find information about hydrocephalus and wanted to connect with other affected families. So she cofounded the first patient advocacy organization for this condition, the Hydrocephalus Association.

As anyone who has been affected by this condition can tell you, the symptoms are many and they vary from person to person. Excess fluid in the brain can cause head enlargement, blurred vision, seizures, learning disabilities and impaired physical development. In older adults, symptoms can mimic dementia, Alzheimer's disease and Parkinson's disease, often leading to a misdiagnosis and a delay in receiving critical and proper treatment.

Doctors do not yet understand the specific causes of hydrocephalus. However, the current treatment was developed back in 1952 and involves surgically inserting a shunt into the brain. This carries serious risk of shunt failure, infection and obstructions. Overdrainage is also a threat. This can trigger a vertical collapse, causing blood vessels to tear and possibly resulting in a subdural hematoma.

Improvement in this treatment is long overdue, and with additional research, we can make it happen.

The National Institutes of Health recognizes this need and recently organized their first ever conference on hydrocephalus. This has resulted in efforts to initiate new collaborative research projects and an expansion of their focus on the development of new treatments.

This resolution commends the NIH for their action and encourages them to continue their collaborative efforts. It also calls for additional research into this serious condition.

However, we cannot depend solely on Federal efforts to expand awareness about hydrocephalus. I commend the Hydrocephalus Association and other groups for their commitment to patient advocacy and public education. Partnerships between these groups, health care providers and the government will bring us closer to our common goal: improved treatment of this condition.

I would like to say a special thanks to Dory Kranz, who is the current director of the Hydrocephalus Association, for her help in putting this resolution together and her ongoing work in this regard.

I ask my colleagues for their support of this resolution so we can further research into this very serious and important condition and we can bring about improved treatment to those individuals who are affected by this very, very serious and debilitating condition.

Ms. PELOSI. Mr. Speaker, I rise in strong support of H. Con. Res. 74 which has been introduced by my colleague from California, Congressman MIKE THOMPSON, and co-sponsored by Democratic and Republican Members alike.

H. Con. Res. 74 encourages additional support for research into the prevention and treatment of the neurological condition hydrocephalus. It is a chronic medical condition that, like other conditions affecting a relatively small number of people, receives inadequate attention and resources, which delays research that could achieve great breakthroughs. Passage of H. Con. Res. 74 will demonstrate the support of the Congress for aggressive research to find improved methods for detecting and treating hydrocephalus not only among children, but within the increasingly large number to adults who are affected by late onset of the condition.

I am especially proud that the Hydrocephalus Association is headquartered in my congressional district in San Francisco, and that the couple whose pioneering efforts have encouraged and supported so many people with hydrocephalus and their families are San Franciscans—Emily and Russell Fudge, as is the Association's Executive Director, Dory Kranz.

Under their leadership, together with the board composed of leading physicians and researchers, parents and people with hydrocephalus, the Hydrocephalus Association has raised public awareness of this condition and the enormous impact it has on over one million Americans. Because of the medical advances and the advocacy efforts promoted by the Association, most of these children and adults are able to lead full and productive lives and make enormous contributions to our society.

These successes have inadvertently complicated the efforts to advance research, diagnosis and treatment. The typical surgical treatment—the insertion of a shunt to carry away excessive cerebral fluid from the brain—was developed over 50 years ago. Because shunting has alleviated many of the more grave aspects of pre-shunt hydrocephalus, many believe it represents a cure. But it does not. Shunt surgery and the frequent repairs, which are well known to those with hydrocephalus and their families, are not only serious operations, but cost a billion dollars a year, much of which might well be averted with development of advanced treatment strategies.

Promoting additional research through increased federal support is the goal of this resolution. Those advances will benefit not only those with hydrocephalus, but will help to reduce excessive costs in our health care system, and allow hundreds of thousands of people with hydrocephalus to live even fuller lives freed from the anxieties and costs associated with shunt failure and related complications.

Seven of the institutes of the National Institutes of Health—including the Office of Rare Diseases—sponsored a major national conference in September 2005 on "Hydrocephalus: Myths, New Facts, Clear Directions" which has encouraged aggressive action in the areas of research and treatment. Now it is time for the Congress to join the campaign to expand our understanding of the causes and modernize the treatment of hydrocephalus. I call upon my colleagues to support H. Con. Res. 74 to encourage our nation's leading medical institutions and researchers to expand their focus on achieving breakthrough research in the diagnosis and treatment of hydrocephalus.

Mr. WAXMAN. Mr. Speaker, I rise in strong support of H. Con. Res. 74. This resolution will encourage research into Hydrocephalus, a chronic and often devastating neurological condition.

Hydrocephalus affects an estimated one million Americans—which classifies it as a rare disease. And, unfortunately, like so many other rare diseases, insufficient resources have been directed toward it. Individuals with this disease are forced to undergo "shunting," a highly invasive surgical procedure that carries with it serious safety risks. This procedure also takes a heavy toll on our entire healthcare system, costing an average of $35,000 per procedure.

We can avoid paying this price. With more research and focus on this disease, better treatment—and perhaps even a cure—is within our reach. Patients can be spared the trauma of brain surgery and American citizens can avoid paying more than a billion dollars each year for this treatment.

The NIH has already taken some positive steps toward this goal. By initiating a collaborative effort among 7 NIH institutes and sponsoring a major national conference, the NIH has begun the work that must be done. Now we need to send a strong statement that we want this work to continue.

Cures for rare diseases like Hydrocephalus will never be found unless we increase our effort and follow the scientific promise. We can start with this vote today.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to express my support for H. Con. Res. 74 sponsored by Congressman MIKE THOMPSON. Passage of this bill will express federal support for Hydrocephalus research.

Hydrocephalus, a chronic neurological condition that causes cerebrospinal fluid to build up in the brain cavity instead of being reabsorbed into the body, is a disease that affects over one million Americans. This disease can cause head enlargement and blurred vision, learning disabilities and impaired physical development and is fatal if untreated.

Like many other diseases that affect a relatively small portion of our population, Hydrocephalus research lacks proper funding. It is deplorable that the current standard treatment, which requires the insertion of a shunt into the brain to drain out the fluid, was designed in 1952. Shunts are extremely prone to infections and frequently require repair through major surgery.

Modem medicine can do better. I am certain that with federal support for additional research we can develop a better treatment, if not a cure, for those suffering from Hydrocephalus and help them live healthier, fuller lives.

I applaud my colleague, Mr. THOMPSON, for his efforts in this area and I encourage my colleagues to support this resolution.

Mr. PALLONE. Mr. Speaker, I have no additional requests for time, and 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. PALLONE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 74.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 14 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALTMIRE) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Con. Res 47, by the yeas and nays;

H.R. 755, by the yeas and nays;

H.R. 884, by the yeas and nays.

The vote on H. Con. Res 52 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SUPPORTING THE GOALS AND IDEALS OF A NATIONAL MEDAL OF HONOR DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 47.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. SKELTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 47, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 103]

YEAS—411

Abercrombie
Ackerman
Aderholt
Akin
Alexander
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)
Braley (IA)
Brown (SC)
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
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
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)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
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)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
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
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruppersberger
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 (WA)
Snyder
Solis
Souder
Spratt
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
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—22

Brady (TX)
Brown, Corrine
Clay
Cubin
Davis, Jo Ann
Davis, Tom
DeFazio
Emanuel
Hastert
Hastings (WA)
Hunter
Kingston
Lewis (CA)
Meeks (NY)
Moran (KS)
Ross
Rothman
Rush
Smith (TX)
Space
Stark
Wexler

□ 1903

Mr. REICHERT and Mr. FLAKE changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROMOTING TRANSPARENCY IN FINANCIAL REPORTING ACT OF 2007

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 755.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 755, 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 412, nays 0, not voting 21, as follows:

[Roll No. 104]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Alexander
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)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
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)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
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)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
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
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruppersberger
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
Spratt
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
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—21

Brady (TX)
Brown, Corrine
Carney
Clay
Cubin
Davis, Jo Ann
Davis, Tom
DeFazio
Hastert
Hastings (WA)
Hunter
Kingston
Lewis (CA)
Meeks (NY)
Moran (KS)
Ross
Rothman
Rush
Space
Stark
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are advised that 2 minutes remain in this vote.

□ 1910

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PASSING OF FORMER REPRESENTATIVE GENE SNYDER

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

Mr. ROGERS of Kentucky. Mr. Speaker, I have the sad duty as the dean of the Kentucky delegation to inform the Members of the passing of our former colleague from Kentucky's Fourth District, Gene Snyder, who served some 20 years in this body until he retired in 1986. He passed away on February 16 of this year in Florida. His funeral and interment in Louisville took place last Saturday.

For those who would desire, there will be a Special Order taken out by his successor in that district, GEOFF DAVIS, tonight around 8:45. If you would like to participate in the Special Order, time will be available.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

PROMOTING ANTITERRORISM COOPERATION THROUGH TECHNOLOGY AND SCIENCE ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 884.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 884, 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 396, nays 16, not voting 21, as follows:

[Roll No. 105]

YEAS—396

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
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)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
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
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
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
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
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
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—16

Abercrombie
Barrett (SC)
Blackburn
Cannon
Conaway
Deal (GA)
Duncan
Flake
Foxx
Goode
Manzullo
Paul
Petri
Sensenbrenner
Shadegg
Tiahrt

NOT VOTING—21

Brady (TX)
Brown, Corrine
Clay
Cubin
Davis, Jo Ann
Davis, Tom
DeFazio
Gilchrest
Hastings (WA)
Hunter
Kingston
Lewis (CA)
Meeks (NY)
Moran (KS)
Ross
Rothman
Rush
Simpson
Space
Stark
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 1919

Mr. BARRETT of South Carolina changed his vote from ''yea'' to ''nay.''

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

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 556, NATIONAL SECURITY FOREIGN INVESTMENT REFORM AND STRENGTHENED TRANSPARENCY ACT OF 2007

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110–25) on the resolution (H. Res. 195) providing for consideration of the bill (H.R. 556) to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HONORING JOHN J. McNULTY, JR.

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

Mr. MCNULTY. Mr. Speaker, I rise to salute a very special constituent of mine on the occasion of his 85th birthday, which is today. He has been an outstanding son, husband, father, grandfather and great grandfather, and he has also been an outstanding public servant, having first been elected to public office in the year 1949 and having been elected to office in seven different decades. He served as a town supervisor and mayor, a sheriff, a member of the New York State Commission of Corrections.

Mr. Speaker, I want to salute and pay tribute to him today on the occasion of his 85th birthday, the Honorable John J. McNulty, Jr., and, yes, Mr. Speaker, he is my dad.

CONGRESSIONAL INACTION JEOPARDIZES JEFFERSON COUNTY'S AWARD WINNING JUVENILE PROGRAM

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

Mr. WALDEN of Oregon. Mr. Speaker, the failure of Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act amounts to a breach of faith to more than 600 forested counties and 4,400 school districts across America, including Jefferson County in Oregon, where more than 50 percent of the land is in Federal ownership, which means the county's Community Work Service program for primarily juvenile offenders will be eliminated.

Under the program, juvenile community service work crews remove trash from public lands, rehabilitate hiking trails, revegetate denuded areas, and repair resource damage due to vandalism. In 2004 alone, these young people removed more than 150 tons of garbage and more than 2 miles of old barbed wire fence from BLM lands.

In fact, the Bureau of Land Management awarded this program the National Volunteer Award for making a difference on the public lands in 2005. It has been very successful in addressing recidivism and introducing a new generation to America's forests.

Former Madras Mayor Rick Allen said: ''Loss of these funds will cripple community services.''

My colleagues, Congress must keep the Federal Government's promise to timbered communities. Pass H.R. 17. Time is running out.

HONORING DR. JAMES L. COLEMAN, JR.

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, it is understood that overall America's health care facilities face a decline in the quality of their staff. But South Carolina is graciously blessed with Dr. James L. Coleman, Jr., whose mission it is to improve the ways we provide the best and accessible primary and preventive health care to folks in our State who lack the means for quality medical care.

Currently serving as chief executive officer of the Margaret J. Weston Medical Center, Dr. Coleman is known for providing a message of diversity in health care. He and his staff at the medical center understand that in order to have healthy citizens, it is essential to provide affordable health care services.

With degrees from Winthrop, Central Arkansas and a doctorate of education from the University of Tennessee, Knoxville, Dr. Coleman is a teacher and local crusader for the improvement of lives by the improvement of health services.

During February's Black History Month, I would like to recognize Dr. Coleman. His efforts to provide better health care to underprivileged South Carolina citizens has not gone unnoticed.

BIG READ, AN EXCERPT FROM ''THE GRAPES OF WRATH''

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

Mr. FARR. Mr. Speaker, today my community celebrates the birthday of

John Steinbeck, one of our famous native sons, born in Salinas and raised in and around Monterey Bay. At home in my district this month, the National Steinbeck Center will get the whole community to read one book together, ''The Grapes of Wrath,'' one of the best, well-known tomes by Steinbeck.

The book is being read across the country as part of NEA's Big Read program, designed to bring reading for pleasure back into our lives. Since I am a citizen of Monterey County myself, I would like to offer my own participation in this celebration by reading the following passage from ''The Grapes of Wrath'':

''The people came out of their houses and smelled the hot stinging air and covered their noses from it . . . Men stood by their fences and looked at the ruined corn, drying fast now, only a little green showing through the film of dust. The men were silent and they did not move often. And the women came out of the houses to stand beside their men—to feel whether this time the men would break. The women studied the men's faces secretly, for the corn could go, as long as something else remained . . . The children sent exploring senses out to see whether men and women would break . . . After a while, the faces of the watching men lost their bemused perplexity and became hard and angry and resistant. Then the women knew that they were safe and that there was no break. Then they asked, What'll we do? And the men replied, I don't know. But all was all right. The women knew it was all right and the watching children knew it was all right . . . The men sat still—thinking—figuring.''

This is Steinbeck at his best.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

U.S. MUST FOCUS EFFORTS IN AFGHANISTAN

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

Mr. PALLONE. Mr. Speaker, I come to the floor this evening to discuss more recent developments regarding the U.S. involvement in Afghanistan and Pakistan. The Taliban and al Qaeda seem to be growing in strength, and the evidence shows that they are in the planning stages for a spring offensive.

Mr. Speaker, I have spoken on the floor many times about the forgotten war in Afghanistan. It was promising to see the Bush administration finally wake up and bring the issue to the forefront this weekend with Vice President DICK CHENEY making a trip to Afghanistan and Pakistan. I was relieved to hear that Vice President CHENEY was not hurt after a deadly suicide bombing took place near the U.S. military base he was visiting in Afghanistan.

A few hours after the attack, a Taliban official took credit for the tragic bombing and claimed that it was an attack on the Vice President, and this incident only underscores the recent resurgence the Taliban and al Qaeda have seen in Afghanistan and Pakistan.

The details of Vice President CHENEY's trip to Afghanistan and Pakistan were kept extremely classified. This is in contrast with last year, when President Bush and Secretary of State Condoleezza Rice both visited Pakistan with far less secrecy. The increased level of confidentiality for Vice President CHENEY's trip illustrates the growing strength of al Qaeda in Afghanistan and Pakistan and shows that the administration is obviously aware of the increased dangers that al Qaeda poses in the region.

During his trip to Pakistan, the Vice President apparently delivered a stiff message, as he said, to Pakistani President Musharraf. The administration will not provide details of the encounter between the two leaders, but reports claim that the Vice President warned President Musharraf that American aid to Pakistan could be in jeopardy.

The Vice President is obviously referencing provisions in H.R. 1, a bill crafted by Democrats in Congress, that implements the recommendations of the bipartisan 9/11 Commission. These provisions will end U.S. military assistance and armed sales licensing to Pakistan unless the Pakistani President certifies that the Islamabad Government makes all possible efforts to end Taliban activities in Pakistan.

Now, President Musharraf responded to these comments from Vice President CHENEY by claiming that ''Pakistan does not accept dictation from any side or any source.''

□ 1930

It is unacceptable though, in my opinion, Mr. Speaker, for the Pakistani President to completely disregard the numerous accounts that show al Qaeda training camps flourishing in the western region of his country.

The Pakistani President seems to forget that the U.S. has sent over $10 billion in aid to Pakistan over the last 5 years alone. It is my opinion that unless President Musharraf takes necessary steps to eradicate al Qaeda training camps in Pakistan, this aid should be put to an end.

It is encouraging to see the Bush administration increase the focus on Afghanistan and Pakistan, but more needs to be done to ensure the Taliban doesn't reach the level of power it achieved prior to the U.S. invasion in 2001. Taliban commanders are already claiming that they have 10,000 fighters and thousands of suicide bombers at their disposal.

The U.S. and NATO must also work to support local elders in towns such as Musa Qala, where a failed peace deal between town leaders and NATO troops has allowed the Taliban regime to regain control of the town. It is clear that the Taliban has regrouped and that peace deals, such as the one in Musa Qala, are dangerous and cannot be relied upon without proper support from U.S. and NATO troops.

Furthermore, our country must focus the humanitarian assistance we are sending to Afghanistan on rural development efforts that give Afghan farmers an alternative to the illicit opium trade.

Mr. Speaker, President Bush wrongly continues the war in Iraq at the expense of the largely forgotten war in Afghanistan. I urge my colleagues to keep the attention on where the real war on terror is happening, and that is in Afghanistan.

CONGRESSIONAL CONSTITUTION CAUCUS

The SPEAKER pro tempore (Mr. ALTMIRE). Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Mr. Speaker, I rise today to announce and renew our hope to be a regular occurrence on the House floor for the 110th Congress. The members of the Congressional Constitution Caucus will use this opportunity to emphasize for our colleagues and for the Nation as well the necessity of ensuring that our government is operating according to the intent of the our Founding Fathers. As the 10th amendment affirms, the authority over most domestic issues belong to the States and local governments and the people themselves.

But before I begin, let me express my sincere gratitude to my friend Utah who has led this important education effort in the past and this year as well. He has faithfully championed the notion of a limited, effective and efficient Federal Government, and continues to fight for the authority granted to his home State and the other 49 states as well when each was admitted into this most cherished Nation.

I look forward to working with other like-minded Members of this Congress who share the sentiment that our Federal Government has seized control of programs that State governments have traditionally been much more effective in administering. I invite my colleagues to consider joining this important effort regularly as well.

This Congressional Caucus, I strongly believe that this body must begin to focus on the principles delineated in the 10th amendment. Our Founders were precise when they established our system of government. They intended to set up a republic of sovereign, self-governing States with a small central

government operating under clearly defined, limited powers.

Dividing sovereignty between the Federal Government and those of the States prevents an unhealthy concentration of powers at any one level of government. As James Madison in the Federalist Number 51 said, this arrangement is a double security in protecting the rights of the people.

Throughout the last few generations in particular, the intent of the 10th amendment, that of a limited and efficient central government, has been fading away. There are those I know who support a bigger, more centralized government. They believe a central government run bureaucracy can make the best decisions for the American people.

They believe in the public good of higher taxes. But on that I strongly disagree. As a member of the House Committee on the Budget, I am very much aware of where such faulty reasoning leads our Nation. It leads to our current situation, a bloated Federal Government consumed by a deficit upwards of $400 billion, which, in turn, delivers sub par public services.

Now then, to be fair, much of the spending that recently caused this deficit to increase is temporary relief on the gulf coast region and the global war on terror. It may not show up on the bottom line. And while this eases the short-term picture, the bigger problem is still one that must be addressed. And if we do not curb this foolish Federal spending habit now, our children will have to pay the price.

Congress, you see, on almost a daily basis allows, our government to grow, pushing it is further into deficit. And we are swiftly drifting away from the limits set by our Founding Fathers.

Each time a Member slides his card to cast a vote, he needs to ask himself this one question: Does the bill that I am voting for violate the Constitution? Does it take away rights promised to our constituents and put them in the hands of a bureaucracy in Washington instead?

I remind this body that the Constitution does not only protect the rights of the people though. It also protects the rights of the states. In Federalist number 45, James Madison wrote, ''The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which will remain in the states governments are numerous and indefinite.''

I have long served in this House long enough to know that it makes our lives easier at home when we come to D.C. and support increased funding for every conceivable type of program. Yet James Madison and his colleagues were less concerned about their ability to write glittering press releases than they were in developing an efficient system of government, one that would operate at the lowest cost to the people paying it, the people at home.

That is what this caucus is all about and what these weekly information sessions are about as well. We must turn a critical eye on the Federal Government. This is how we will lower the deficit, grow the economy and assure that America remains that beacon on a hill.

Aside from being informational, this Caucus also seeks to make specific legislative gains in the name of governmental efficiency and Constitutional adherence. So we will support legislation that seeks to return power and authority back where it belongs, to the States, local governments and to the people.

And so tonight, I specifically ask all Members to consider supporting the Reaffirmation of American Independence resolution that will soon be reintroduced by Congressmen FEENEY and GOODLATTE. This is a resolution I know our Founding Fathers would be original cosponsors of, were they able. Article VI of the U.S. Constitution states, ''This Constitution and the laws of the U.S. shall be made in pursuance thereof; shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws or any state or the country notwithstanding.''

This legislation goes in the direction to ensure that all such laws abide with our Constitution and not by foreign governments.

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

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

MESSAGE TO THE PRESIDENT: END THE OCCUPATION

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

Ms. WOOLSEY. Mr. Speaker, last week British Prime Minister Tony Blair announced that more than 1,600 British soldiers would be sent home from Iraq. By recalling troops from Iraq, the British government has sent a very clear message that increasing the number of troops is not the right strategy. In fact, the British government has come to the same conclusion that many Americans have reached almost 4 years ago. We should be ending the military occupation of Iraq, not expanding it. We should be supporting the men and women who have served bravely in Iraq by sending them home, not sending them back for their fourth or their fifth tour of duty after only a very few months of spending time with their families.

The British government's decision to scale back its military commitment in Iraq should have been another important wake up call to President Bush. However, the President has continued his course to go it alone, regardless of the staggering costs to our Nation.

President Bush has drained America's reservoir of goodwill by ignoring the facts on the ground, the advice of his generals, and the will of the American public. By stubbornly pursuing the same misguided policies over and over again, he has left it to Congress to stop him.

Two weeks ago, the House took an important first step by overwhelmingly passing a bipartisan resolution condemning the President's decision to send more than 20,000 additional American soldiers to the front lines. I commend the Democratic leadership, and I commend my colleagues on both sides of the aisle for having the courage to stand up to the President and to oppose his escalation. This vote, however, is only the first step.

Now that the House has stood up to disagree with the President, we must use this consensus to take on the urgent job of bringing our troops safely home.

As a member of the Foreign Affairs Committee and a co founder of the Out of Iraq Caucus, I have introduced a comprehensive and detailed plan to end the occupation while ensuring that we achieve security and stability in Iraq. My bill, H.R. 508, the Bring the Troops Home and Iraq Sovereignty Restoration Act, now has 47 cosponsors.

H.R. 508 will provide for a fully funded withdrawal of U.S. troops and contractors from Iraq within a 6-month period. During the time of that 6-month passage, our troops will return home to receive the full health care benefits they deserve because we owe them, we owe them no less for their sacrifices. And while they are coming home, we will be putting those laws into place, ensuring they get their benefits.

Also during that 6-month withdrawal period, our government will accelerate the training and equipping of Iraqi security forces, and if requested by the Iraqi government, we will work with the international community to provide a stabilization force to enhance Iraq's security.

Additionally, my bill would prohibit the establishment of permanent U.S. bases in Iraq, and we would return control of Iraq's oil resources to the Iraqi people. The only way to restore stability to Iraq is to return the country to the Iraqis, and we must work with our allies to achieve this. But when the Bush administration, in spite of all the advice to the contrary, decides to escalate the occupation, and the British government takes the sensible path of withdrawal, they both can't be right.

Mr. Speaker, we cannot afford to wait for the President to realize his mistake. Too many brave men and brave women have died and suffered to continue this occupation. We must stand up, we must demand, we must bring our troops home. That is how we can protect our troops.

PUBLICATION OF THE RULES OF THE COMMITTEE ON FINANCIAL SERVICES, 110TH CONGRESS

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

Mr. FRANK of Massachusetts. Madam Speaker, In accordance with clause 2(a)(2) of Rule XI of the Rules of the House of Representatives, I am reporting that the Committee on Financial Services adopted the following rules for the 110th Congress on January 31, 2007, and as amended on February 13, 2007, in open session, a quorum being present, and submit those rules for publication in the CONGRESSIONAL RECORD:

RULES OF THE COMMITTEE ON FINANCIAL SERVICES,

U.S. House of Representatives,

110th Congress,

First Session

RULE 1—GENERAL PROVISIONS

(a) The rules of the House are the rules of the Committee on Financial Services (hereinafter in these rules referred to as the ''Committee'') and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged motions in the Committee and shall be considered without debate. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

RULE 2—MEETINGS

Calling of Meetings

(a)(1) The Committee shall regularly meet on the first Tuesday of each month when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereinafter in these rules referred to as the ''Chair''), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair, in accordance with clause 2(g)(3) of rule XI of the rules of the House.

(4) Special meetings shall be called and convened by the Chair as provided in clause 2(c)(2) of rule XI of the Rules of the House.

Notice for Meetings

(b)(1) The Chair shall notify each member of the Committee of the agenda of each regular meeting of the Committee at least two calendar days before the time of the meeting.

(2) The Chair shall provide to each member of the Committee, at least two calendar days before the time of each regular meeting for each measure or matter on the agenda a copy of—

(A) the measure or materials relating to the matter in question; and

(B) an explanation of the measure or matter to be considered, which, in the case of an explanation of a bill, resolution, or similar measure, shall include a summary of the major provisions of the legislation, an explanation of the relationship of the measure to present law, and a summary of the need for the legislation.

(3) The agenda and materials required under this subsection shall be provided to each member of the Committee at least three calendar days before the time of the meeting where the measure or matter to be considered was not approved for full Committee consideration by a subcommittee of jurisdiction.

(4) The provisions of this subsection may be waived by a two-thirds vote of the Committee, or by the Chair with the concurrence of the ranking minority member.

RULE 3—MEETING AND HEARING PROCEDURES

In General

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television broadcast, radio broadcast, and still photography in accordance with the provisions of clause 4 of rule XI of the Rules of the House (which are incorporated by reference as part of these rules). Operation and use of any Committee operated broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of rule XI and all other applicable rules of the Committee and the House.

(4) Opening statements by members at the beginning of any hearing or meeting of the Committee shall be limited to 5 minutes each for the Chair or ranking minority member, or their respective designee, and 3 minutes each for all other members.

(5) No person, other than a Member of Congress, Committee staff, or an employee of a Member when that Member has an amendment under consideration, may stand in or be seated at the rostrum area of the Committee rooms unless the Chair determines otherwise.

Quorum

(b)(1) For the purpose of taking testimony and receiving evidence, two members of the Committee shall constitute a quorum.

(2) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, of closing a meeting or hearing pursuant to clause 2(g) of rule XI of the rules of the House (except as provided in clause 2(g)(2)(A) and (B)) or of releasing executive session material pursuant to clause 2(k)(7) of rule XI of the rules of the House.

(3) For the purpose of taking any action other than those specified in paragraph (2) one-third of the members of the Committee shall constitute a quorum.

Voting

(c)(1) No vote may be conducted on any measure or matter pending before the Committee unless the requisite number of members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of one-fifth of the members present.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) In accordance with clause 2(e)(1)(B) of rule XI, a record of the vote of each member of the Committee on each record vote on any measure or matter before the Committee shall be available for public inspection at the offices of the Committee, and, with respect to any record vote on any motion to report or on any amendment, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

(5) POSTPONED RECORD VOTES.—(A) Subject to subparagraph (B), the Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time, but no later than the next meeting day.

(B) In exercising postponement authority under subparagraph (A), the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote;

(C) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

Hearing Procedures

(d)(1)(A) The Chair shall make public announcement of the date, place, and subject matter of any committee hearing at least one week before the commencement of the hearing, unless the Chair, 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 Chair shall make the announcement at the earliest possible date.

(B) Not less than three days before the commencement of a hearing announced under this paragraph, the Chair shall provide to the members of the Committee a concise summary of the subject of the hearing, or, in the case of a hearing on a measure or matter, a copy of the measure or materials relating to the matter in question and a concise explanation of the measure or matter to be considered.

(2) To the greatest extent practicable—

(A) each witness who is to appear before the Committee shall file with the Committee two business days in advance of the appearance sufficient copies (including a copy in electronic form), as determined by the Chair, of a written statement of proposed testimony and shall limit the oral presentation to the Committee to brief summary thereof; and

(B) each witness appearing in a non-governmental 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 subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(3) The requirements of paragraph (2)(A) may be modified or waived by the Chair when the Chair determines it to be in the best interest of the Committee.

(4) The five-minute rule shall be observed in the interrogation of witnesses before the Committee until each member of the Committee has had an opportunity to question the witnesses. No member shall be recognized for a second period of 5 minutes to interrogate witnesses until each member of the Committee present has been recognized once for that purpose.

(5) Whenever any hearing is conducted by the Committee on any measure or matter, the minority party members of the Committee shall be entitled, upon the request of

a majority of them before the completion of the hearing, to call witnesses with respect to that measure or matter during at least one day of hearing thereon.

Subpoenas and Oaths

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present, or pursuant to paragraph (2).

(2) The Chair, with the concurrence of the ranking minority member, may authorize and issue subpoenas under such clause during any period for which the House has adjourned for a period in excess of 3 days when, in the opinion of the Chair, authorization and issuance of the subpoena is necessary to obtain the material or testimony set forth in the subpoena. The Chair shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as practicable, but in no event later than one week after service of such subpoena.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

Special Procedures

(f)(1)(A) COMMEMORATIVE MEDALS AND COINS.—It shall not be in order for the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology to hold a hearing on any commemorative medal or commemorative coin legislation unless the legislation is cosponsored by at least two-thirds of the members of the House.

(B) It shall not be in order for the subcommittee to approve a bill or measure authorizing commemorative coins for consideration by the full Committee which does not conform with the mintage restrictions established by section 5112 of title 31, United States Code.

(C) In considering legislation authorizing Congressional gold medals, the subcommittee shall apply the following standards—

(i) the recipient shall be a natural person;

(ii) the recipient shall have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement;

(iii) the recipient shall not have received a medal previously for the same or substantially the same achievement;

(iv) the recipient shall be living or, if deceased, shall have been deceased for not less than 5 years and not more than 25 years;

(v) the achievements were performed in the recipient's field of endeavor, and represent either a lifetime of continuous superior achievements or a single achievement so significant that the recipient is recognized and acclaimed by others in the same field, as evidenced by the recipient having received the highest honors in the field.

(2) TESTIMONY OF CERTAIN OFFICIALS.—

(A) Notwithstanding subsection (a)(4), when the Chair announces a hearing of the Committee for the purpose of receiving—

(i) testimony from the Chairman of the Federal Reserve Board pursuant to section 2B of the Federal Reserve Act (12 U.S.C. 221 et seq.), or

(ii) testimony from the Chairman of the Federal Reserve Board or a member of the President's cabinet at the invitation of the Chair, the Chair may, in consultation with the ranking minority member, limit the number and duration of opening statements to be delivered at such hearing. The limitation shall be included in the announcement made pursuant to subsection (d)(1)(A), and shall provide that the opening statements of all members of the Committee shall be made a part of the hearing record.

(B) Notwithstanding subsection (a)(4), at any hearing of the Committee for the purpose of receiving testimony (other than testimony described in clause (i) or (ii) of subparagraph (A)), the Chair may, in consultation with the ranking minority member, limit the duration of opening statements to ten minutes, to be divided between the Chair and Chair of the pertinent subcommittee, or the Chair's designee, and ten minutes, to be controlled by the ranking minority member, or his designee. Following such time, the duration for opening statements may be extended by either the Chair or ranking minority member for an additional ten minutes each, to be divided at the discretion of the Chair or ranking minority member. The Chair shall provide that the opening statements for all members of the Committee shall be made a part of the hearing record.

(C) At any hearing of a subcommittee, the Chair of the subcommittee may, in consultation with the ranking minority member of the subcommittee, limit the duration of opening statements to ten minutes, to be divided between the majority and minority. Following such time, the duration for opening statements may be extended by either the Chair of the subcommittee or ranking minority member of the subcommittee for an additional ten minutes each, to be divided at the discretion of the Chair of the subcommittee or ranking minority member of the subcommittee. The Chair of the subcommittee shall ensure that opening statements for all members be made part of the hearing record.

(D) If the Chair and ranking minority member acting jointly determine that extraordinary circumstances exist necessitating allowing members to make opening statements, subparagraphs (B) or (C), as the case may be, shall not apply to such hearing.

Rule 4—Procedures for Reporting Measures or Matters

(a) No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present.

(b) The Chair of the Committee shall report or cause to be reported promptly to the House any measure approved by the Committee and take necessary steps to bring a matter to a vote.

(c) The report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been flied with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure pursuant to the provisions of clause 2(b)(2) of rule XIII of the Rules of the House.

(d) All reports printed by the Committee pursuant to a legislative study or investigation and not approved by a majority vote of the Committee shall contain the following disclaimer on the cover of such report: ''This report has not been officially adopted by the Committee on Financial Services and may not necessarily reflect the views of its Members.''

(e) The Chair is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chair considers it appropriate.

Rule 5—Subcommittees

Establishment and Responsibilities of Subcommittees

(a)(1) There shall be 5 subcommittees of the Committee as follows:

(A) SUBCOMMITTEE ON CAPITAL MARKETS, INSURANCE, AND GOVERNMENT SPONSORED ENTERPRISES.—The jurisdiction of the Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises includes—

(i) securities, exchanges, and finance;

(ii) capital markets activities, including business capital formation and venture capital;

(iii) activities involving futures, forwards, options, and other types of derivative instruments;

(iv) the Securities and Exchange Commission;

(v) secondary market organizations for home mortgages, including the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Agricultural Mortgage Corporation;

(vi) the Office of Federal Housing Enterprise Oversight;

(vii) the Federal Home Loan Banks;

(viii) the Federal Housing Finance Board;

(ix) terrorism risk insurance; and

(x) insurance generally.

(B) SUBCOMMITTEE ON DOMESTIC AND INTERNATIONAL MONETARY POLICY, TRADE, AND TECHNOLOGY.—The jurisdiction of the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology includes—

(i) financial aid to all sectors and elements within the economy;

(ii) economic growth and stabilization;

(iii) defense production matters as contained in the Defense Production Act of 1950, as amended;

(iv) domestic monetary policy, and agencies which directly or indirectly affect domestic monetary policy, including the effect of such policy and other financial actions on interest rates, the allocation of credit, and the structure and functioning of domestic financial institutions;

(v) coins, coinage, currency, and medals, including commemorative coins and medals, proof and mint sets and other special coins, the Coinage Act of 1965, gold and silver, including the coinage thereof (but not the par value of gold), gold medals, counterfeiting, currency denominations and design. the distribution of coins, and the operations of the Bureau of the Mint and the Bureau of Engraving and Printing;

(vi) development of new or alternative forms of currency;

(vii) multilateral development lending institutions, including activities of the National Advisory Council on International Monetary and Financial Policies as related thereto, and monetary and financial developments as they relate to the activities and objectives of such institutions;

(viii) international trade, including but not limited to the activities of the Export-Import Bank;

(ix) the International Monetary Fund, its permanent and temporary agencies, and all matters related thereto; and

(x) international investment policies, both as they relate to United States investments for trade purposes by citizens of the United States and investments made by all foreign entities in the United States.

(C) SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER CREDIT.—The jurisdiction of the Subcommittee on Financial Institutions and Consumer Credit includes—

(i) all agencies, including the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of

Governors of the Federal Reserve System and the Federal Reserve System, the Office of Thrift Supervision, and the National Credit Union Administration, which directly or indirectly exercise supervisory or regulatory authority in connection with, or provide deposit insurance for, financial institutions, and the establishment of interest rate ceilings on deposits;

(ii) the chartering, branching, merger, acquisition, consolidation, or conversion of financial institutions;

(iii) consumer credit, including the provision of consumer credit by insurance companies, and further including those matters in the Consumer Credit Protection Act dealing with truth in lending, extortionate credit transactions, restrictions on garnishments, fair credit reporting and the use of credit information by credit bureaus and credit providers, equal credit opportunity, debt collection practices, and electronic funds transfers;

(iv) creditor remedies and debtor defenses, Federal aspects of the Uniform Consumer Credit Code, credit and debit cards, and the preemption of State usury laws;

(v) consumer access to financial services, including the Home Mortgage Disclosure Act and the Community Reinvestment Act;

(vi) the terms and rules of disclosure of financial services, including the advertisement, promotion and pricing of financial services, and availability of government check cashing services;

(vii) deposit insurance; and

(viii) consumer access to savings accounts and checking accounts in financial institutions, including lifeline banking and other consumer accounts.

(D) SUBCOMMITTEE ON HOUSING AND COMMUNITY OPPORTUNITY.—The jurisdiction of the Subcommittee on Housing and Community Opportunity includes—

(i) housing (except programs administered by the Department of Veterans Affairs), including mortgage and loan insurance pursuant to the National Housing Act; rural housing; housing and homeless assistance programs; all activities of the Government National Mortgage Association; private mortgage insurance; housing construction and design and safety standards; housing-related energy conservation; housing research and demonstration programs; financial and technical assistance for nonprofit housing sponsors; housing counseling and technical assistance; regulation of the housing industry (including landlord/tenant relations); and real estate lending including regulation of settlement procedures;

(ii) community development and community and neighborhood planning, training and research; national urban growth policies; urban/rural research and technologies; and regulation of interstate land sales;

(iii) government sponsored insurance programs, including those offering protection against crime, fire, flood (and related land use controls), earthquake and other natural hazards, but not including terrorism risk insurance; and

(iv) the qualifications for and designation of Empowerment Zones and Enterprise Communities (other than matters relating to tax benefits).

(E) SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS.—The jurisdiction of the Subcommittee on Oversight and Investigations includes—

(i) the oversight of all agencies, departments, programs, and matters within the jurisdiction of the Committee, including the development of recommendations with regard to the necessity or desirability of enacting, changing, or repealing any legislation within the jurisdiction of the Committee, and for conducting investigations within such jurisdiction; and

(ii) research and analysis regarding matters within the jurisdiction of the Committee, including the impact or probable impact of tax policies affecting matters within the jurisdiction of the Committee.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of 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 matter of which is within its general responsibility.

Referral of Measures and Matters to Subcommittees

(b)(1) The Chair shall regularly refer to one or more subcommittees such measures and matters as the Chair deems appropriate given its jurisdiction and responsibilities. In making such a referral, the Chair may designate a subcommittee of primary jurisdiction and subcommittees of additional or sequential jurisdiction.

(2) All other measures or matters shall be subject to consideration by the full Committee.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

Composition of Subcommittees

(c)(1) Members shall be elected to each subcommittee and to the positions of chair and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the Committee shall designate a member of the majority party on each subcommittee as its vice chair.

(2) The Chair and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

(3) The subcommittees shall be comprised as follows:

(A) The Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises shall be comprised of 49 members, 26 elected by the majority caucus and 23 elected by the minority caucus.

(B) The Subcommittee on Domestic and International Monetary Policy, Trade, and Technology shall be comprised of 26 members, 14 elected by the majority caucus and 12 elected by the minority caucus.

(C) The Subcommittee on Financial Institutions and Consumer Credit shall be comprised of 47 members, 25 elected by the majority caucus and 22 elected by the minority caucus.

(D) The Subcommittee on Housing and Community Opportunity shall be comprised of 26 members, 14 elected by the majority caucus and 12 elected by the minority caucus.

(E) The Subcommittee on Oversight and Investigations shall be comprised of 20 members, 11 elected by the majority caucus and 9 elected by the minority caucus.

Subcommittee Meetings and Hearings

(d)(1) 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, consistent with subsection (a).

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the Committee.

(3) The chair of each subcommittee shall set hearing and meeting dates only with the approval of the Chair with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

Effect of a Vacancy

(e) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee as long as the required quorum is present.

Records

(f) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6—STAFF

In General

(a) (1) Except as provided in paragraph (2), the professional and other staff of the Committee shall be appointed, and may be removed by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional and other staff provided to the minority party members of the Committee shall be appointed, and may be removed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) It is intended that the skills and experience of all members of the Committee staff be available to all members of the Committee.

Subcommittee Staff

(b) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 6(d) of rule X of the Rules of the House, ensure that sufficient staff is made available so that each subcommittee can carry out its responsibilities under the rules of the Committee and that the minority party is treated fairly in the appointment of such staff.

Compensation of Staff

(c)(1) Except as provided in paragraph (2), the Chair shall fix the compensation of all professional and other staff of the Committee.

(2) The ranking minority member shall fix the compensation of all professional and other staff provided to the minority party members of the Committee.

RULE 7—BUDGET AND TRAVEL

Budget

(a)(1) The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

(2) From the amount provided to the Committee in the primary expense resolution adopted by the House of Representatives, the Chair, after consultation with the ranking minority member, shall designate an amount to be under the direction of the ranking minority member for the compensation of the minority staff, travel expenses of minority members and staff, and minority office expenses. All expenses of minority members and staff shall be paid for out of the amount so set aside.

Travel

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or

subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

RULE 8—COMMITTEE ADMINISTRATION

Records

(a) (1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of rule XI of the Rules of the House.

(4) 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 Chair 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 written request of any member of the Committee.

Committee Publications on the Internet

(b) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

REAFFIRMATION OF AMERICAN INDEPENDENCE RESOLUTION

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

Mr. BISHOP of Utah. Mr. Speaker, when I was young, growing up, I would often ask my mother if I could go to my friend's house to play, and she would say no. And instinctively I would then say, well, Billy's mom lets him go. And my mom would then say, I know, but I am not Billy's mom and I don't care what Billy's mom lets Billy do.

Well, that was an important lesson that I learned. Unfortunately, some of our courts have failed to learn that specific lesson, and that is why I feel honored to be able to stand here and talk about the Reaffirmation of American Independence Resolution, which my good friend, the distinguished gentleman from New Jersey, briefly introduced in his remarks.

This bill states that ''judicial determinations regarding the meaning of laws of the United States should not be based in whole or in part on judgments, laws or pronunciations of foreign institutions unless those foreign judgments, laws and pronouncements inform an understanding of the original meaning of the Constitution of the United States.''

Now, why would we do this? This only sounds logical. We are doing it simply because one Supreme Court majority admitted that they referred to laws of other countries and to international authorities as instructive for its interpretation of our 8th amendment.

Another case, the Court once again took into account the European Court of Human Rights in establishing the belief systems that they came up with.

Now, you may ask, once again, so what? What does that mean?

Justice Scalia made a good answer on what that means. ''It lends itself,'' as he said, ''to manipulation.'' In fact, it invites manipulation. If I am a judge who wants, in some way, to overturn a decision, I need some reason for it. I have to sound in some way like an attorney. I need to cite something. You can't cite something that is American because what I am trying to do is overturn two centuries of American precedent. So you find some intelligent man living in Zimbabwe or Poland or somewhere else in the world and cite his examples, and it looks very lawyerly. But it is, of itself, a manipulation.

Precedent is extremely important in our system of justice. Having a standard that does not change is important for the judge so that he realizes the standard he used in case A and case B will always be the same. It is even more important for citizens, for individuals, so that they know whether they go before judge one or judge two it will once again be the same standard that will be used in that situation. When we break those precedents, when we allow foreign precedents to take over, what we are simply doing is opening up the process for arbitrary and capricious decisions to be made. We are not in the process of, as someone once said of evolving our standards of decency as a mark of the progress of the maturing society. Because as Justice Scalia again said, sometimes society does not mature; it simply rots.

And the purpose of the Bill of Rights was to prevent change, not to encourage it, so that you leave people guessing as to what is appropriate, what is politically correct and what is indeed legal.

Satchel Paige used to talk to young pitchers when they were trying to learn how to pitch and being too cute at the plate by hitting the corners and were walking people. And he simply said, ''throw strikes. Home plate don't move.''

□ 1945

If we allow the court system to base their decisions on foreign opinions as opposed to American precedent, then home plate moves and home plate moves in a way that hurts citizens of the United States.

Now, there are some lawyers, maybe Supreme Court Justices, and others who would say that my comparison of my mom's reasoning to foreign law used in an American court would be inaccurate or oversimplistic. Perhaps so because, after all, they say, didn't our Founding Fathers look to foreign law when they were forming the Constitution? Indeed, if you read the Federalist Papers, you will see lots of references to the Swiss system and the German system. It is full of it. But the issue at hand is, once the Constitution is established, then our job is to try to understand what it meant when it was adopted, not search for some hook to find an alternate opinion for personal reasons or personal pique. Now, that is the key.

We shouldn't care what Billy's mom or foreign courts let Billy do because our court is not Billy's mom.

MOURNING AND HONORING DETECTIVE KEITH DRESSEL

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

Ms. KAPTUR. Mr. Speaker, I am deeply saddened to stand before our House today to announce the tragic death of Detective Keith Dressel of the Toledo Police Department and offer deepest condolences on behalf of our entire community to his wife, Danielle, and their children.

Detective Dressel, who was only 35 years old, was fatally shot on the morning of Wednesday, February 21, while on routine patrol in North Toledo, the first Toledo police officer to lose his life in service to our community since 1970.

In reality, though, there is nothing routine or common about Detective Dressel's extraordinary service or that of the men and women with whom he served. Every day Detective Dressel sacrificed his safety so that he might protect all of ours.

As a member of the vice squad, Detective Dressel engaged in dangerous work that frequently placed him in high-risk environments. He did this not for glory or praise, but to serve and protect residents from all walks of life.

Charlotte Bronte's poem ''Life'' teaches us:

''What though Death at times steps in
And calls our Best away?
What though sorrow seems to win,
O'er hope, a heavy sway?
Yet hope again elastic springs, unconquered,
though she fell;
Still buoyant are her golden wings,
Still strong to bear us well.
Manfully, fearlessly,
The day of trial bear,
For gloriously, victoriously
Can courage quell despair!''

On the fateful day when lives were changed forever, the painful call went out: ''Attention all units. Detective Keith Dressel has answered his final call.''

The Toledo Blade newspaper reports today: ''The final radio call to the slain Toledo police vice detective, a taped broadcast played at the conclusion of his funeral Mass yesterday, broke somber faces into tears.''

The impact of this terrible tragedy has touched every corner of our community and beyond. We have all been moved by Keith Dressel's sacrifice, commitment, and courage, as well as that of his family.

On behalf of the citizens of Toledo, Ohio, and all of the lives Detective Dressel has touched, I offer our deepest sympathy to Detective Dressel's loved ones, colleagues, and friends. May their faith sustain them through the difficult journey ahead as they remember the words of Psalm 46, versus 1 and 2: ''God is our refuge and our strength, a very present help in trouble. Therefore, we will not fear, though the Earth be removed and though the mountains be carried into the midst of the sea.'' May their strength as a family and their memories of their husband, father, brother, nephew, uncle, grandson, son, and friend sustain them as they mourn his loss and celebrate his selfless legacy of patriotism, purpose, and service to his fellow citizens. His children should be comforted by the knowledge that life is not measured in years but in deeds.

Detective Keith Dressel lived as a man for others, despite the danger and sacrifice to his own. May he rest in peace in God's house as an archangel watching over and guiding our earthly pursuits.

The Blade describes this hero's funeral: "Two lines of officers—at least two people deep—wove through the parking lot. Three to four other lines of officers stood at the front doors of the church, including Toledo police Chief Mike Navarre and Toledo fire Chief Mike Bell.

"After a private ceremony for the family, Detective Dressel's flag-draped casket was escorted from the funeral home to a white hearse with a small American flag on the driver's side door. White-gloved Toledo police honor guard members stood on both sides of the hearse. Three rows of Cleveland Police Pipes and Drums members in full garb played and led the slow procession to the church. Officers lining the way saluted as the hearse passed.

"At the church, pallbearers in dark suits slowly pulled the casket from the hearse. The casket was blessed with Holy Water before being wheeled into the sanctuary. Inside, the U.S. flag covering the casket was removed and replaced with a white pall. . . More than 2,000 people filled Our Lady of Mount Carmel Catholic Church in Temperance for a funeral Mass for the 35-year-old husband and father of two. Detective Dressel's wife, Danielle, 32, held the couple's 4-year-old son, Noah, as the family was escorted inside the church.

The Mass ended with Detective Dressel's last call, bagpipes, a prayer, and a hymn.

Law enforcement officers streamed out of the church and formed more than a dozen rows in front of the front doors. Music from bagpipes and drums filled the background. The officers saluted as the casket was placed inside the hearse.

The procession from the church to St. Anthony's Cemetery involved more than 1,500 police cars and other vehicles from dozens of states. Dozens of firefighters from the Toledo Fire Department and other area communities stood single file along the west side of Jackman Road leading to two fire aerial trucks forming an arch at Jackman and Temperance Road. The firefighters saluted the passing hearse and procession. The extended aerial ladders held an American flag, which blew south to north in the wind. The Toledo police mounted patrol unit joined the solemn procession, including for a time a riderless horse with boots backward in the stirrups, and led it to the cemetery.

Along the way, residents stood at the ends of their driveways and schoolchildren stood with their hands over their hearts. Across the road from the cemetery, citizen mourners and officers stood silently in the cold, sometimes biting breeze, for the hearse and the clip-clop of the horses. Mrs. Dressel acknowledged those standing along the side of the road

The start of the graveside ceremony was delayed to allow mourners—many of them law enforcement officers—to park and walk more than a mile to the small, fenced cemetery for a final tribute to the fallen hero. A shorter service included The Lord's Prayer, which many officers said aloud. The American flag on Detective Dressel's casket was folded into a triangle and given to his widow.

Seven officers fired a three-volley shotgun salute as officers snapped their own salute.

"Taps" echoed through the air. "Amazing Grace" was played on the bagpipes as snowflakes slowly fell from the sky.

As the Dressel family shared a last, private moment near the detective's casket, red-cheeked officers sniffled as they filed out of the cemetery.

Detective Dressel was hired by the Toledo Police Department in 1993. Held in high esteem by his colleagues, this fallen hero will be remembered as a devoted public servant who was committed to his work and to his family. Despite his challenging work, Detective Dressel never compromised his integrity or sacrificed his sense of humor. Evidence of his legacy is clear in the heartfelt eulogies:

Officiating at the Mass, his priest, Father Nusbaum said, "Before Keith's laughter will fade away from this Earth, we'll hear it in a blink of an eye. That wonderful laugh."

His police chief Michael Navarre said, "We honor a true hero, a young man who dedicated his life to this community . . . "I salute you [Keith]. We all salute you and a life well lived."

It is reported that "Ken Dressel, Detective Dressel's uncle, said one of the happiest days of his nephew's life was when he was accepted into the police academy. Only second to his family, the slain detective was most proud of his badge. 'As much of a cop as he was—doing some of the most dangerous work in Toledo—we would often see him sitting on the floor playing with the children at family gatherings.' "

The impact of this terrible tragedy has touched every comer of our community and beyond. We have all been moved by Keith Dressel's sacrifice, commitment, and courage as well as that of his family's.

We recall in excerpt the lines of Longfellow's poem, What the heart of the young man said to the psalmist.

Life is real! Life is earnest!
And the grave is not its goal;
Dust thou art, to dust returnest,
Was not spoken of the soul.

Not enjoyment, and not sorrow,
Is our destined end or way;
But to act, that each to-morrow
Find us farther than to-day.

Art is long, and Time is fleeting,
And our hearts, though stout and brave,
Still, like muffled drums, are beating
Funeral marches to the grave.

In the world's broad field of battle,
In the bivouac of Life,
Be not like dumb, driven cattle!
Be a hero in the strife!

Trust no Future, howe'er pleasant!
Let the dead Past bury its dead!
Act,—act in the living Present!
Heart within, and God o'erhead!

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time;

Footprints, that perhaps another,
Sailing o'er life's solemn main,
A forlorn and shipwrecked brother,
Seeing, shall take heart again.

Let us, then, be up and doing,
With a heart for any fate;
Still achieving, still pursuing,
Learn to labor and to wait.

On behalf of the citizens of Toledo, Ohio, and of all the lives Detective Dressel has touched, I offer my deepest condolences to Detective Dressel's loved ones, colleagues and friends. Without a doubt, our community is better because he served. Detective Dressel will not be forgotten. May their faith sustain them through the difficult journey ahead as they remember the words of Psalm 46, verses 1–2: "God is our refuge and our strength, a very present help in trouble. Therefore, we will not fear, though the earth be removed, and though the mountains be carried into the midst of the sea." May their strength as a family and their memories of their husband, father, brother, nephew, uncle, grandson, son and friend sustain them as they mourn his loss and celebrate his legacy.

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

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

STATE CHILDREN'S HEALTH INSURANCE PROGRAM EQUITY ACT

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

Mr. BURGESS. Mr. Speaker, later this week, in our Committee on Energy and Commerce's Subcommittee on Health, we will be having a hearing called ''Covering the Uninsured Through the Eyes of a Child, Part Two.'' Now, having sat through part one of this hearing, a hearing dealing with the reauthorization of CHIP funding this year, I really think the title of the hearing should be ''Covering the Uninsured Through the Guise of a Child'' because if some deception is implied in that title, indeed, I believe some deception is taking place within the SCHIP program.

Now, most of my colleagues in this body, having heard from medical professionals and hospital groups this past month up here on the Hill, are aware of the need for reauthorizing the Children's Health Insurance Program this year. It is a good program. It has provided needed health insurance to millions of needy children across our country. And both the House and the Senate are discussing funding options. And we are concerned about the rising cost of health care in general but in particular, specifically, the rising cost for the SCHIP program.

Fourteen States are going to expect budgetary shortfalls in their SCHIP program. For some of those States, they are their own worst enemy. They are the reason for their own problem. They are using children's funding to cover adults.

In fiscal year 2005, the adult enrollment in the SCHIP program exceeded the number of children enrolled in the program in four States: in Arizona we had over 113,000 adults in the program and just over 88,000 children; in the State of Michigan, over 101,000 adults and under 90,000 children; in Minnesota 35,000 adults and just over 5,000 children; in Wisconsin 108,000 adults, just over 57,000 children.

Now, why does this matter? Well, if you look at what it costs to cover a child versus what it costs to cover an adult, for every dollar you spend on the adult, you only need to spend about 60 cents on the child. They are generally healthier. A dollar spent on children's health insurance goes a lot farther because children tend to be a healthier population, and if you provide them a modicum of preventative care, they are going to be healthier still. And after all, if we can attenuate a disease in its early stages in childhood, we will avoid the larger expenditures of allowing that disease to go on unchecked over years.

I can think of a number of diseases that would fall into this category. Childhood obesity immediately comes to mind, an area where we need to devote significant time, energy, and resources. But if we are spending the money elsewhere, we are not going to be able to spend it on the children.

And the real deception, in my mind, is that this is a method of expanding a single-payer government-run health care system through the SCHIP program. And, again, that subverts the entire concept of why this program was created in the first place almost 10 years ago.

I would ask my colleagues to remember a dollar spent on a nonpregnant adult is a dollar that is not spent on a needy child. Indeed, States should prioritize spending on needy children and live within their annual allocations instead of looking to other States from which to take their moneys when their programs run a shortfall.

To ensure that States are not using children-specific funding for nonpregnant adults, I have introduced H.R. 1013, the SCHIP Equity Act. There are four principles to the bill:

It prohibits future HHS approval of any State waiver submitted by a State for SCHIP coverage of nonpregnant adults.

The bill terminates portions of State waivers that HHS has approved that extend coverage to nonpregnant adults.

States must eliminate coverage of nonpregnant adults by January 1, 2008.

And if the coverage of a nonpregnant adult was part of a multipurpose waiver, those components not dealing with the coverage of the nonpregnant adult will remain in effect for the duration of the waiver.

SCHIP has been a success story for so many States, for so many children. I am asking you to consider supporting my bill, H.R. 1013.

I want to remind all Members of Congress that ''C'' in CHIP stands for ''children.'' Let's keep it that way.

AMERICAN HEART MONTH

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, let me first offer my warmest thanks to my dear friend and colleague, the gentlewoman from Illinois, who led the debate on the floor today in my absence on my bill that is recognizing this month as American Heart Month. I was told that she did a great job, and I am very grateful to her for that. Traveling from California to Washington sometimes is quite a task, and we appreciate our friends for standing in for us.

Mr. Speaker, I would like to speak briefly in support of this resolution, as heart disease is an issue of great importance to our Nation's health, especially women who many have felt for years that breast cancer was the number one killer for women.

For over 40 years, the Federal Government has recognized February as American Heart Month, and during this time we have made great strides in fighting heart disease in this country. New medical innovations have improved the treatment of heart disease, and public education campaigns have made Americans more aware of the importance of prevention.

Nonetheless, heart disease is still the number one killer of Americans, both men and women. One in three Americans has some form of heart disease, whether it be high blood pressure, coronary heart disease, heart failure, stroke, or congenital cardiovascular defects. And while men are more likely to suffer from heart disease in their lives, women are not far behind.

While women may have a lower incidence of heart disease than men, women with heart disease are less likely to receive the proper preventative, diagnostic, and treatment interventions. This could be due to the fact that medical professionals consider heart disease to be primarily an affliction of men and are therefore slower to recognize it in women.

Additionally, women suffering from a heart attack or angina are more likely to have atypical symptoms. In fact, women with atypical heart attack symptoms who are sent home undiagnosed from the hospital are about twice as likely to die from a heart attack as individuals who are admitted.

Another problem with managing heart disease in women is that most of the research on coronary heart disease has been exclusively or primarily done on men. As a result, test and treatments developed from these studies may be less effective in women. This is why there is an urge to test more women and do more research on coronary heart disease with women.

Mr. Speaker, American Heart Month is a time to remember how far we have come, as well as how far we need to go. Heart disease is not just a man's disease, and one of the next big frontiers in battling heart disease involves improving its management in women. Additionally, men and women alike need to remember that preventing heart disease early is preferable to treating it later. A healthy diet, regular exercise, and avoidance of smoking all reduce a person's risk for heart disease. By enhancing both treatment and prevention of heart disease, we will go a much further way, a long way, to improving the health and the hearts of all Americans.

I urge all of my colleagues to support this legislation when it comes to the floor tomorrow for a vote.

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

CELEBRATING THE LIFE AND LEGACY OF THE HONORABLE GENE SNYDER

The SPEAKER pro tempore (Mr. ALTMIRE). Under a previous order of

the House, the gentleman from Kentucky (Mr. CHANDLER) is recognized for 5 minutes.

Mr. CHANDLER. Mr. Speaker, I rise tonight to honor the memory of one of our former colleagues who passed away on February 16th of this year. He was a former Member from my home State of Kentucky, and, among other things, had the unusual distinction of representing two different congressional districts in the Commonwealth of Kentucky.

Former Congressman Gene Snyder was a man of steadfast conviction. He could always be counted on to fight for his constituents, and you always knew where he stood on the issues. Congressman Snyder had a way with people and a memorable sense of humor. He loved to tell stories and he used those stories to foster close relationships with Republicans and Democrats alike.

We often talk about a different time in Congress, when Members discussed policy over dinner with their families, when Washington was more cordial, and when there was a sense of kinship among fellow legislators. Gene Snyder was one of those Members committed to fostering that kinship, which is far too rare in these halls today.

Most Kentuckians will remember Gene Snyder by the freeway that bears his name. And while one road certainly doesn't sum up a man, in many ways, it is appropriate. While Gene Snyder was never afraid to vote against what he thought was a wasteful appropriations bill, few Members have fought harder to provide the seeds of economic growth for their home region.

Before Gene Snyder got to Congress, his district faced numerous age-old problems; transportation deficits, traffic issues and flooding from the Ohio River to name a few. I can remember hearing stories about people floating through the streets of Louisville in boats during the historic flood of 1937.

These problems, and many more, were tackled by Gene Snyder. He helped complete the Jefferson County floodwall. He showed great leadership in the construction of a new terminal at Standiford Field in Louisville. And he helped secure funding for the Clay Wade Bailey Bridge in Northern Kentucky, better connecting Covington and Cincinnati and helping to drive economic growth in that region.

There were countless other projects that Congressman Snyder developed, and all the bridges he built, the highways he paved and the buildings he raised have helped provide jobs to thousands of our fellow Kentuckians.

These jobs, and the opportunities that resulted from his efforts, will be Gene Snyder's lasting contribution to the constituents who he took such pride in serving. It is my honor this evening to celebrate Gene Snyder's life and his legacy.

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

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

HONORING THE LIFE AND SERVICE OF THE HONORABLE GENE SNYDER

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

Mr. YARMUTH. Mr. Speaker, like my colleague from Kentucky, I rise to honor former Congressman Gene Snyder. Because we find ourselves both as a Congress and a country working to dig ourselves out of a divisive partisan trench, which in recent years has been characterized by petty attacks and contentiousness, my constituents may be surprised to know that I counted Gene Snyder as a friend.

Gene, who was always more interested in the public than publicity, told me a story about a persistent reporter who badgered him about a meeting he wanted to cover. Gene didn't want the reporter at the meeting and refused to disclose the location. So when Gene spotted the reporter in his rearview mirror tailing him to the meeting, Gene said to heck with it. He told his aide to head for the mountains, and led the reporter on a 100-mile wild goose chase through Virginia.

Now, as a former member of the news media, I won't applaud that tactic, but I admire the competitive spirit it exemplified. In any event, that was the last time that reporter tried to get the best of Gene.

Although Gene and I enjoyed each other's company, you would be hard-pressed to find more than a handful of issues upon which the honorable Gene Snyder and I agreed in the political arena. But political issues are only one part of this job, the other being serving one's constituents.

As far apart as we sat on the ideological spectrum, Gene Snyder's model of constituent service is one I aspire to closely emulate. In his three decades of service, Congressman Snyder set the example of how to serve a district. He set the bar, and he set it high.

When Gene held my seat, we in Louisville knew that we had a representative with an open door and an open ear for all of us. If it concerned our community, no matter, big or small, was unworthy of his attention. He welcomed us warmly, shared a laugh, and left us with a feeling that something would soon be done to address anything from a clerical glitch to the need for a new highway. Inevitably, and remarkably, for an age when distrust of a power-hungry government dominated, the issue would be handled effectively and expediently.

As I now work to institute my own open door policy, I am consistently cognizant that I follow the example set by a predecessor and a friend, Gene Snyder. I look to him has a fervent believer that democracy stems not from politicians, but from the citizens we represent, and I endeavor to capture that spirit as he did.

Gene Snyder was my representative, he was my friend, and he will be greatly missed. I hope my colleagues will join me in honoring his life and service to his constituents.

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

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

THE BUDGET, DEBT AND THE BLUE DOG'S IRAQ ACCOUNTABILITY LEGISLATION

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

Mr. SCOTT of Georgia. Mr. Speaker, we are gathered here this evening to talk about the budget, to talk about the debt and to talk about the Blue Dogs' Iraqi accountability legislation. This is a very, very important time for us, and we hope that this hour will be illuminating and be very informative for everyone.

We are accustomed having my good friend, MIKE ROSS, in this position. MIKE ROSS is from Arkansas, and, as we know, there was a tornado that went through there. MIKE ROSS and a group of us just came back yesterday from Europe. MIKE ROSS had to jump on a plane and go down to Arkansas to see about his constituents, and we want to make sure that we send our prayers down to the folks in Arkansas.

Of course, MIKE knows that we stand ready to help in every way we can to make sure that they get the services that they need. So we are here to carry on.

We have a great lineup and array of Blue Dogs here tonight to carry on and to talk about the budget, we want to talk about the debt, we want to talk about our Iraq resolution that we have before us, and the whole issue of accountability.

Mr. Speaker, as we get started, I want to call your attention to our chart. As you know, one of the hallmarks of the Blue Dogs is fiscal responsibility and accountability. Let's look at the national debt and what it is today.

If we look at it correctly, it is now $8.773 trillion. The share for each individual in this Nation is $29,000, and it continues to go up. We want to talk about that tonight. The Blue Dogs have a plan. We want to talk about our 12-point plan to bring down this debt. It is one of the most horrendous areas that we have to deliberate on.

We want to get started with some of our Blue Dogs that are here. First, I

want to recognize our distinguished co-chair from the great State of Tennessee, Representative COOPER. I yield to the gentleman.

Mr. COOPER. Mr. Speaker, I thank my good friend from Georgia. Mr. SCOTT does an outstanding job, not only representing his constituents, but also helping our Nation get on the right track.

As the gentleman has mentioned, every single Blue Dog has that sign outside his or her office. It is a troubling sign, because it shows that in our 230-plus year history, our Nation has borrowed $8.7 trillion. That is a lot of money. Sadly, $3 trillion-plus have come in the last several years. So we are on an accelerating borrowing pace. That means the interest bills, the interest we are putting on our kids and grandkids, is mounting very rapidly.

Since that number is so hard for anyone to understand, it is important that you drill down and see what your individual share is. Every listener tonight, everyone in this Chamber and back home, their individual share, man, woman or child, even an infant in this country is born with a $29,000 debt before they are even able to breathe their first breath of air.

But as troubling as that number is, I am worried that doesn't tell the whole story, because there is a Treasury document here that is called The Financial Report of the United States Government, put out by the U.S. Treasury. It says that using modern business-like accounting, unlike the accounting that the Federal Government traditionally uses, it says that according to modern accounting, our real debt burden isn't $8.7 trillion, as massive as that is, this document from the U.S. Treasury Department says the real debt burden is $50 trillion. That is our fiscal exposure.

It goes on to say that our individual share of that massive debt is not $29,000. I wish it were that small. This document says that your individual share, even the moment you are born in this country, is $170,000. $170,000. That is a terrific burden.

I hope that this accounting isn't right, but I am worried that this is the right accounting. Most Americans know already that today the U.S. stock market fell over 400 points. As a percent, that is not great. It is 3.3 percent. But it is still a worrisome fall. The Chinese stock market fell even more today. It fell at least 9 percent, or at least the Shanghai market.

We live in an interconnected global economy. That means to me we need Blue Dog commonsense now more than ever, because the Blue Dogs are for a strong economy, we are for a growing economy, we are for sensibly living within our means and applying commonsensical economic principles to our budget and economic matters.

So I want to congratulate the gentleman from Georgia for leading this Special Order and leading our Nation to a path of better prosperity for our kids and grandkids.

Mr. SCOTT of Georgia. Thank you much. Would the gentleman share with us that document, where it came from, who wrote it and what it means?

Mr. COOPER. This is called The Financial Report of the United States Government. It is an official U.S. Government document. You can get it on the Web if you go to the U.S. Treasury Web site. It has an introductory letter by the Secretary of Treasury, who is now Henry Paulson, a former Goldman Sachs investment banker.

This document interests me, if is not that long, it describes all the Federal document, but it is the only government document that uses modern, business-like accounting.

Every business back home in our districts, every business with revenues over $5 million, is required by law to use this accounting. That is what businessmen and women and Rotary Clubs, Lions Clubs, Optimist Clubs all over America understand. And they are pretty shocked when they learn that the Federal Government doesn't abide by those accounting rules. We cook the books.

We pretend that we can just use what is called cash accounting, which is very simplistic. Only the smallest businesses in America are even allowed to use that. But here the Federal Government with a budget of $3 trillion a year uses cash accounting.

This is the President's budget. This is what it looks like. You can also get this on the Web. But it won't tell you anywhere in this document they are using simplistic cash accounting. They want you to believe that you are getting the true story.

But even if you read this document, you will see that according to the President's numbers and, of course, they put it on the very last page here, it is on page 372, that the debt in the next 5 years, even though the President has promised us that he is going to balance the budget, this says the debt is going up $3 trillion more.

So it won't be $8.7 trillion when Bush leaves office, when his successor is elected, it will be closer to $11 trillion or $12 trillion. That is fundamentally irresponsible and it means that the burden on our kids and grandkids is going to be even more massive than we can imagine.

So whether you use the President's budget or his own Secretary of Treasury's budget, we need to be focusing on these matters.

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The Blue Dogs are the leading group in Congress to focus on this. No constituent passes our doors without seeing that sign and reminding them that the Federal Government is borrowing way too much money and putting way too much of an obligation on our kids and our grandkids.

Mr. SCOTT of Georgia. The gentleman mentioned what happened today in the stock market. It is very interesting to note that this whole change happened and started early in the morning in China. When you look at how much money we are borrowing from foreign governments, needless to say China with $360 billion in debt, the interconnectedness of this, and our liability to these other countries, make us so dependent on them. In some cases when they sneeze, we are getting a cold, which is what happened today.

Mr. COOPER. The gentleman is exactly right. I believe the Chinese currently hold almost $1 trillion in U.S. Treasury bonds. They are our fastest growing lender. They have aggressively purchased U.S. Treasury bonds, and that means increasingly we are paying interest to the Chinese. Our economies are interconnected. I worry that it is a national security issue. It is not just an economic issue anymore because when you get that beholden to another country, if they have any instability or problem or any reluctance to loan us more money, then we have a much bigger problem in this country.

I hope that won't come to pass. I hope that we can get our Nation on a sounder footing. I wish the President had offered us a sounder budget when he gave us one just a few weeks ago in his State of the Union message. We need to work hard on this in the next several weeks to improve it and make sure our Nation is on a stronger course in the future.

Mr. SCOTT of Georgia. I thank the gentleman from Tennessee. You brought some very significant wisdom, that our debt burden is $50 trillion, and a very important piece of information from the Treasury Department which gave great expanse to what our burden is: $8.73 trillion in national debt, and our share for each individual in this country is $29,000.

I would like to call on a distinguished Blue Dog, one of our hard-working Blue Dogs, and one of my fellow travelers. We just returned from an extraordinary trip abroad with NATO, had some very interesting meetings there, BEN CHANDLER, a Representative from the great State of Kentucky.

Mr. CHANDLER. Mr. Speaker, it is a pleasure to be here with Mr. SCOTT tonight, to be a member of the Blue Dog Coalition, and to hear the wonderful presentation by Mr. COOPER of Tennessee who does a tremendous job in this Congress, and who is one of the real consciences of the people here in Washington. Even though some of the news he has to relate to us is not the best of news, the people of this country need to hear the truth, and that is what Mr. COOPER so eloquently gives us on a regular basis.

I very much enjoyed the opportunity to travel this past week with my fellow members of the NATO Parliamentary Assembly, and there are several Blue Dogs who are represented on that very important task force that we have to try to foster cooperation in a very important alliance we have. The alliance that United States has with NATO and

the other 25 countries in NATO is extremely important to our national security. I don't think people realize how important it is.

It was a pleasure to have an opportunity to travel with Mr. SCOTT, a newly appointed member to that commission, and Ms. BEAN from Illinois who is also here with us tonight. I know she will have a few words to say in a little while. She was with us on that trip.

You know, when we go abroad like that and we talk with our allies, we talk about a lot of things. On this particular occasion, of course, the subject continually came up of Iraq and Afghanistan. NATO is helping us in Afghanistan. We of course in Iraq don't have as many allies as we do in Afghanistan. Some of the countries in NATO have a different view about Iraq than they do about Afghanistan, but we are proud to have their help in Afghanistan. It is very, very important to us because that is an engagement there I think that most of the American people are united, that we have to have success, certainly in Afghanistan.

But whatever anybody thinks about that war or about the war in Iraq, one thing I believe we can all agree upon is that the taxpayer money that is being used for those efforts needs to be used accountably. It needs to be accounted for. That certainly has not been the case.

We in the Blue Dog Coalition came out with a plan not too long ago, a resolution that would require essentially accountability for the use of that money, would make an effort to try to stop the war profiteering that we believe is going on, certainly in Iraq. I hope we can set up a commission in this government, very much like the Truman Commission of World War II, which would look at the expenditure, would actually hold this administration accountable for the expenditures in Iraq.

Now, the importance of that I think is pretty obvious for everybody. Every dollar that we misspend or waste in Iraq is a dollar that cannot be used efficiently to protect our troops, it cannot be used efficiently to get the job done over there, and it is also money taken away from needed programs and services right here in this country.

I don't need to mention all of those programs one by one. We all know what they are, from education, health care, right on down the line. We need those dollars, and those dollars need to be spent appropriately.

But we can even go so far, if you can believe this, to apply some of that wasted money on the national debt. That is what the Blue Dogs talk about all of the time, the national debt in this country.

Mr. SCOTT of Georgia. If the gentleman would yield, you bring up a very good point. The waste that has happened in Iraq with our military is just astounding. It is very important that the American people realize this is the trust of our legislation. We are going to support the troops. We are going to have a military and we are going to spend more on our military. We are going to enlarge our military. Under our Democratic leadership, we are going to make our military stronger.

In order to do that, there are two important points, as the gentleman pointed out, in our legislation that will address and act as a catch to stop some of this waste, and that is under our legislation, we will require that the Inspector General in the Defense Department report to Congress quarterly on exactly how the money that Congress is allocating is being spent. And the Inspector General in Iraq for the Reconstruction of Iraq will also report to Congress on how that money is being spent.

So our financial accountability act for Iraq accountability is very important, and I want to just take a minute to point those things out that address how we are going to respond to the concerns of waste and fraud that you have just spoken about.

Mr. CHANDLER. Thank you, Mr. SCOTT. What those points bring to mind is it is the least we can do. As representatives of the people of the United States of America, I believe it is our job to spend their money efficiently. It is right at the top of the list of the important responsibilities that we have and that is what we are trying to do as Blue Dogs.

Now I don't know about you, but I grew up going to church.

Mr. SCOTT of Georgia. Oh, yes.

Mr. CHANDLER. I suspect you did, too.

Mr. SCOTT of Georgia. You are absolutely right, my friend.

Mr. CHANDLER. And during some of those church services, I would hear time and time again about the notion of stewardship. Is that a word that is familiar to you?

Mr. SCOTT of Georgia. It is a word that is very familiar to me.

Mr. CHANDLER. And that is what we are talking about here. We are talking plain and simple about stewardship, are we going to be good stewards of our country. All we have got is our country and the money, the hard work that our citizens do and the money that they contribute to our national government. The least we can do is make sure that the Federal Government spends it properly.

I am concerned about this debt: $8.7 trillion. And what really is amazing is what Mr. COOPER told us a little earlier tonight, that not only is the debt $8.7 trillion, this is the debt that the government insiders are familiar with. The public I don't think is really aware of how dramatically large this debt is. But what Mr. COOPER told us was that this doesn't even warm it up. The real debt is more in the neighborhood of $50 trillion.

Mr. SCOTT of Georgia. And it comes directly from this administration's Treasury Department. That is why I wanted Mr. COOPER to make sure he pointed out the authorship. This is not our report to Mr. COOPER. This was put together by the Treasury Department.

Mr. CHANDLER. The $50 trillion figure comes directly from this administration. What is unfortunate is that this administration has been a large part of the reason that the debt is that high. It is terribly unfortunate. One figure that I saw not too long ago, and you talked about it a little earlier, about our interrelatedness to China, well, we have that connection with many countries all over the world in one way or another, but the number that troubles me is the fact that the Bush administration has borrowed more money from foreign governments in the 6 years that this administration has been in office than all 42 previous administrations combined.

Now, Mr. SCOTT, I don't know about you, but that is one of the more astonishing figures that I have been privy to since I have been in the United States Congress. I am shocked about that.

What I hope we can accomplish as we go forward, and certainly in the effort that we are making tonight, is bring to light a little bit to the American people what kind of financial situation we have in this country and that we have got to get our act together. It is high time that we behave accountably to the American people, that we hold this administration accountable for how they have spent the money. That is what the Blue Dogs want to do. That is why I am proud to be a Blue Dog and proud to be here tonight.

Mr. SCOTT of Georgia. Mr. CHANDLER, I want to make sure that the American people got what you just said. Now, just to make sure that they get it, what you said was that in the last 6 years under this administration this country has borrowed more money from foreign governments than all of the previous administrations going all of the way back to 1789, counting all of the wars, counting the Depression, World War I and World War II, all of the way up to now. From 1789 to 2001, we didn't borrow as much money as we have borrowed in the last 6 years. That is very important.

And the other staggering point about that is just the interest that we are paying on this loan is the fastest growing segment of our budget, and just the interest that we are paying to these countries is more than we are collectively spending on our veterans, on homeland security, and on education. That is a remarkable state of financial irresponsibility; and the Blue Dogs are providing the leadership, have been for many years, and finally we got a first step into this process during the first 100 days under the leadership of Speaker NANCY PELOSI in passing the PAYGO legislation.

Mr. CHANDLER. I am just going to say one more thing and then allow some of my other fine colleagues to have a word on this subject.

When I get ready to tell some of my constituents the nature of this spending problem and particularly the point about this administration borrowing more in 6 years than our country has borrowed in the entirety of its history previous to these 6 years, I advise them to please sit down before they hear this information because they are not going to believe it. It is that extraordinary. I can't believe it. I still can't really get my arms around the fact that we are doing that.

□ 2030

I think one of the most important points is, when you borrow to that extent and when you get yourself in debt to that extent, it makes you less secure. We are looking for security in this country. That is what the American people want. When you are deeply in debt, I would submit to you that you are, in fact, less secure, and that is what we are getting in this country.

I thank you for the time.

Mr. SCOTT of Georgia. Thank you, and the gentleman brought up some very interesting points. We are going to talk a little bit more about that, but I know the Americans may be asking, well, what are the Blue Dogs going to do? What is their plan?

We have a 12-point plan for budget reform. I want to briefly hit the points right quick. One, require a balanced budget; two, do not let Congress buy on credit; three, put a lid on spending; four, require agencies to put their fiscal house in order; five, make Congress tell taxpayers how much they are spending; six, set aside a rainy day fund; seven, do not hide votes to raise the debt limit; eight, justify spending for all projects; nine, ensure that Congress reads the bills that it is voting on; ten, require honest cost estimates for every bill that Congress votes on; eleven, make sure new bills fit the budget; and twelve, make Congress do a better job of keeping tabs on government programs.

Now, I want to yield to my distinguished friend from Tennessee who is just one of the hardest working Members up here and a leader in the Blue Dogs, Congressman LINCOLN DAVIS from Tennessee. I yield to the gentleman.

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I can assure my good friend from Georgia that I will not bore the folks for 35 minutes in this House Chamber, nor will I bore you that much, but it is certainly an honor to be with you here in this House Chamber, this historic Chamber.

I asked one of the freshmen Members as we traveled from the Chamber after voting recently through the tunnel going to the Cannon Building, and I said, well, your first 6 weeks, how does it feel? He said, LINCOLN, I want to be honest with you. He said, I never knew how it felt to work in a museum, but I do now.

Working here in this Capitol, where those statues of the tremendous leaders of the past, inside the House Chamber where many decisions have been made, where on December 8 we declared war on Japan in 1941 and then two or 3 days later, after being declared war on by the Axis Nations, Germany and Italy, and that declaration occurred here, declaration of war, really the last declaration of war that has been held inside this House Chamber and declaration of war that only Congress, quite frankly, can declare.

So, being here at this time of history and being on the floor with you and other members of the Blue Dogs certainly is an honor, not a privilege, but an honor that the folks back in my district have given me, and I believe that they expect us to come here and be bipartisan in our efforts, that we are not here to be demagoguing the other side or critical, but you have to try to work in a harmonious way to find solutions to whatever difficulties we have in this Nation.

I had a Member ask me when I first came here, LINCOLN, what did you want to change when you came up here? And I thought real hard, and it really did not take a lot of thought. My answer was I did not want to change America. No country in the world has reached the level of helping its citizens the way that this government of the United States of America has. I do not want to change it, but there are problems. We need to fix those, and we can do it by working together.

So, for me, my challenge to my colleagues on the other side of the aisle and colleagues here on this side of the aisle, let us start being a little more civil with each other.

I left from this House Chamber after the debate we had on whether or not to agree with the President's plan for a surge in Iraq is something we wanted to do in this Chamber, and it got to the point where the questions of someone's patriotism became a part of that debate and dialogue. Of course, some may obviously follow suit with that, but we had a debate about whether or not we supported the troops. The resolution said we do. We had a debate about whether we agreed with the strategy, apparently the new strategy of this President to engage an additional numbers of troops in Iraq.

Now I want to talk a moment about that budget we looked at and at the deficit. I remember I was elected in 1980 to the State House in Tennessee. As I was travelling from my home of Byrdstown in Pall Mall to Nashville to the State capital, it came across the radio that we had just increased the national debt ceiling to a trillion dollars. That frightened me. A trillion dollars in the early 1980s. I remember that as we talked about increasing that debt ceiling by $20 billion or $15 billion how difficult it was in this House Chamber. Now we increase it by hundreds of billions of dollars without even really having an up-or-down vote on that particular debt ceiling increase.

I thought how ironic it was that in 1980 how difficult it was for a debt ceiling to be increased, and now it just seems to be as if a snap of the finger and all of the sudden, we reach that level.

Then I watched for the next 8 years, the next 12 years, as that debt not gradually, but very rapidly rose in the 3 and 4 trillions of dollars. I am thinking in a 12-year period of time, how is that possible. If we look back basically almost 200 years, we reached a trillion, and suddenly we had doubled and quadrupled what we had in that period of time.

Since 2001, even with the surpluses that were applied to reduce the debt that this country owed, for a period of almost 4 years, out 4 years of surplus budgets where we had more than we spent, we took in more than we spent, and started paying down the debt, I am surprised that almost $3 trillion in the last 5 years has been added to that figure down there.

I often hear people talk about the first thing a baby does—my chief of staff just recently had a newborn son in early December, and they nicknamed him Willis, a pretty little thing, handsome little fellow. He came to one of my open meetings with him. On Saturday, we had 24 throughout the district. I represent 24 counties. The first thing little Willis did when he came to this earth, he started crying. I know now why he was crying. He realizes that this country, that these leaders in this Chamber, that this Nation has handed him a $29,000-plus debt, that he does not even have a job yet to pay off, and if we continue to go as we are going, before he gets his first job, he will owe more money than five times the first house cost me that I bought for our family in the late 1960s.

I want to talk now about Iraq for a moment. I hear people in this Chamber talk about cut and run being the policy of Democrats and staying the course being the policy of the White House. Both of those are wrong. I do not think standing the course is going to get it done, and cut and run is something, quite frankly, that I go back in history, and I cannot find that example, except some folks might say Vietnam.

But I saw Vice President CHENEY in Japan early last week thanking our troops, and it dawned upon me that, let me say now we have troops in Japan after World War II. We have troops in Germany after World War II. I went back and looked at the tens of thousands of troops we have in Korea and South Korea after the Korean War; I go to Kosovo and in Bosnia and in Serbia and in the Balkans, and I realize that we have forces there from the late 1990s, although there were those in this Chamber on the other side of the aisle that called that Nation building and wanted to know when then-President Clinton was going to give us a time certain, even I think the presidential candidate at that time as well who later became the President in 2001, even he was talking about Nation building and a time certain that our troops should be pulled out.

As we debate this issue, it is ironic to me that anyone would accuse someone else of asking for some of the same considerations that they asked for a certainty of. But we are still in Bosnia and Kosovo and, quite frankly, this President that is here now and this Congress saw fit to stay there, that we should keep the peace with our friends of NATO.

But I look at other parts of the world. We are in Turkey. Our ally in NATO, the Turks, we still have bases there. But then I got to thinking, well, now, we had a war in the Middle East, a U.N.-sanctioned, totally supported, my understanding is we probably had three or four times the number of troops that went in 1991 to remove Saddam Hussein from his aggressive actions in Kuwait, and we forced him back into his country. Then we had north and south no-fly zones, had him pretty much contained. But we still have troops in Riyadh, Saudi Arabia. We still have troops in Kuwait. We still have troops in places like United Arab Emirates. Are we going to have troops in Iraq when this is over? This is never going to be over.

Mr. SCOTT of Georgia. You make a very good point, and I think it is tantamount and the American people have seen through and are seeing through the rhetoric of the Bush administration. They are not buying cut and run. The American people went to the polls in November and they did not go to the polls to cut and run. They went to the polls to change direction, a new direction.

There is no question about the fact that we have a vital interest in the Middle East. We know that for the foreseeable future, clearly 45 percent of all of the known oil reserves would be under that region and certainly under Iran alone. All of the geologists have pointed out that 25 percent is under that region. There is a great responsibility for us all there. Nobody is talking about cut and run.

We are talking about what is happening here is a civil war, and these Iraqis have got to fight that out for themselves, just as surely as it would not have been right for Germany or France to come and plop a hundred or 200,000 troops in the middle of our civil war. That had to be settled by us. They have got to settle their civil war. We have got to contain the situation, and that is how this new direction needs to evolve.

I yield back to the gentleman.

Mr. LINCOLN DAVIS of Tennessee. I thank my friend from Georgia.

I think, what my hope is, all of us become a little bit more civil in this debate that we are having and realize that this is about America. We want security and we want peace. We want the Iraqis to win. What we have done is destroyed an Army in Iraq and I agree with that, we have destroyed an Army in Iraq that was able to defend, or at least to resist the Iranian Army with three times the population they have for a period of over 10 years. We now have to be the Army for the Iraqis.

It is our responsibility to defend Iraq. In essence, I think we have to put our troops along the Syrian and Iranian border to be sure that no one interferes with Iraq and let the Iraqis settle their own differences. Twelve million Iraqis voted in December of 2005. They established their government; it is there. Departments elected. It is time we let them govern themselves, but we must protect them.

You have been very kind to allow me to be here participating in this Blue Dog conversation.

Before I leave, one thing I want to say, one of the reasons we have been in the Middle East since shortly after World War II, quite frankly, we were there to keep Germany from getting all the oil that could have helped them delay the war much longer in World War II, maybe even have won some territories. Europe may have looked totally different if Hitler and his Nazis had been able to get control of the oil fields in the Middle East. We have been there and have been invited by governments in the Middle East for some time. Folks may or may not have agreed with us, but the leaders who were there invited us to help them. Quite frankly, there was fear in the Cold War that that might go to the Communist Nations of Russia and perhaps even China. So we have been there for a reason.

We now are there we say to protect ourselves from terrorists. My opinion is that we have to stay there to protect the Iraqis from other aggressor Nations and let them solve their problems and then we can bring our troops home. We will be there for a long time. The American public understands that.

Thank you for allowing me to speak.

Mr. SCOTT of Georgia. Well, thank you. The gentleman from Tennessee brings a lot of depth to his thinking, and we appreciate his contribution tonight.

Now I want to recognize and yield time to my distinguished friend from the great State of Ohio, the sixth district. He serves on the House Committee on Financial Services and the House Committee on Science and Technology, my good friend, Congressman CHARLIE WILSON. I yield to the gentleman.

□ 2045

Mr. WILSON of Ohio. Mr. Speaker, I am here this evening to support the Blue Dog Coalition, and ask for a realistic and responsible budget as we move forward.

I believe that for so long, we have been out of touch, and I believe that the debt that has been created by this administration has been overwhelming. And I know that more people in America need to understand what really has happened and how there has been wasteful spending, not accountability, difficulties that have just been swept away and we need to stop and look at it.

So I am pleased as a new Member of Congress from Ohio to be a member of the Blue Dog Coalition. I believe that, as we take a closer look at what is going on with this budget that has been submitted to us, that we realize that there are not only numbers that don't add up, but there are assumptions that are made that really would go against any principle of gap accounting and any type of realistic obligations that we have to the American people to explain to them.

The numbers show that while real fiscal responsibility is so sorely needed, this is not what we have in this budget. And it becomes important that we have people like the Blue Dogs who have, and I have my new sign outside my new door in the Cannon Building at 226, of which I am very proud to be a member of the Blue Dog Coalition to show that every man, woman, and child in this country is in debt $29,000 as of today. And that number may be realistically much lower than what it actually is.

The numbers also show that we need accountability. In 2004 alone, the Federal Government spent $25 billion that cannot be accounted for. I have heard other rumors and other stories of money that just disappeared.

This is not fair. It is not fair to the people, the taxpayers whose money it belongs to. It is not fair for the programs that we could be doing for our seniors, for the education of our children, the health care that we could provide, and to help those in middle America, the working families to help with opportunities for them.

We were able in this new Congress, to move forward. And just yesterday, Congressman SCOTT, I did a TV interview in Youngstown, Ohio. And the person interviewing me asked why did we prohibit the other side from being able to amend and change in our first 100 hours. And I said, quite frankly, that I thought we needed to do that in order to be able to get the issues taken care of that we did. And it was with this kind of responsibility that we moved forward, and that I believe now we can work together and accomplish what needs to be accomplished, but certainly looking at the realism of what is going on with our national debt.

We need to work together, not a Democrat or a Republican, but rather an American initiative, to make sure that every dollar we spend, every decision we make is for the betterment of our country.

Mr. SCOTT of Georgia. If the gentleman will yield for a point. I think it is very important, you pointed out that in 2004, if I heard you correctly, $24 billion of Federal Government spending went absolutely unaccounted for. But the other point of that is that this Congress, or the Republican-controlled Congress during that time, did not hold the executive branch accountable for the omission. So not only was the money unaccounted for, there was no means of putting forward accountability by the executive branch.

Mr. WILSON of Ohio. I thank you for that observation.

I truly believe this is what the American people said in this November's election. They said: We need accountability. We need people to be responsible. And that is why the election turned the way it did. And I believe now that it is important for us to pursue every opportunity to make sure that we have fiscal responsibility, to make sure that we are doing the right things for the people, and keeping an eye on our national debt.

Just last week, I received a graph in my office, and the amount of debt that we are paying to foreign countries is huge in comparison to what we are spending on education or health care for our seniors. That is the thing that is most difficult to understand about this, is how we can let the really important things go and spend all this money on interest. I know as a businessman, I could not run my business that way. As a person, I couldn't run my personal finances that way. And so there is no reason to think that we should run our government that way.

Moving forward, I just think that we need to be sure that this Congress is responsible. And one of the primary ways of doing that, that the Blue Dogs are advocating, is PAYGO, and that is as we pay as we go, just like you and I do in our budgets at home. If we are going to buy a new car, we need to make a sacrifice of something else. If we are going to go on a vacation, there needs to be something traded for that. PAYGO, quite frankly, Mr. SCOTT, says that what we really have to do is to make sure, if we are going to pay forward, that we eliminate something that we are doing now, and then we pay as we go.

Mr. SCOTT of Georgia. I certainly thank the gentleman for his observations. They have been very illuminating to us especially on the budget. We have a number of other Blue Dogs here we want to bring into this.

I want to now recognize my good friend from Illinois and one of my fellow travelers. We just returned together from NATO, and she has some refreshing observations, I am sure, from that trip of how it relates. She is a good friend and one of the hard-working Blue Dogs who is making a great contribution to this Congress, and that is Ms. Melissa Bean of Illinois. I yield the young lady as much time as she may need.

Ms. BEAN. I thank the gentleman from Georgia for yielding. It is always an honor to join you here on the floor as it was an honor to join you during the NATO parliamentary assembly that we attended together. And one thing that didn't come up that you mentioned earlier with Congressman CHANDLER was that, in addition to visiting NATO headquarters in Brussels, we also visited the Landstuhl Medical Facility in Germany where our returning wounded are coming from both Iraq and Afghanistan. And it was important to meet with them and hear from them their firsthand experiences and what brought them there, why they are fighting so hard, and their concern for those in the platoons that are still fighting. And one of the things I wanted to talk about is bringing some accountability to that process.

And I will also mention that there has been a lot in the press recently about Walter Reed and some concerns about infrastructure and investment that I know we are working to address as we look at appropriations. But it was encouraging to see the medical professionals, their commitment to facilities and just the top-notch care that our returning men and women who have been wounded are getting and hear how pleased they were with the level of medical support they are getting.

But the Iraqi War Cost Accountability Resolution which we in the Blue Dogs introduced is what I wanted to touch on, because several of my Blue Dog colleagues and yourself, Mr. SCOTT, have mentioned accountability, and I think it certainly what our constituents expect of us. And one of the reasons we supported this bill is it provides accountability across four different disciplines. It provides spending accountability; it enforces transparency, and requires the Department of Defense Inspector General to provide regular reports on exactly what spending has taken place, what spending hasn't taken place, what projects we are working on, what the status of those projects are, what the contracting process is. And also, not just what we in this country are providing, but also what are other countries that are allied with us are providing to what is going on there as well. It provides contracting accountability in addition to spending accountability, with a commission akin to the Truman Commission that was done in the past to oversee the contracting process, the policies, how they are being carried out, and whether those contractors are fulfilling their obligations as well. And it also puts sanctions in place for any kinds of fraud or abuse that can be happening.

It also provides budget accountability. As you and I know, and we have talked about this in our Blue Dog meetings, there have been six emergency supplementals, and those emergency supplementals have all been for war spending. Given the number of years we have all been engaged in this process in Iraq, it is no longer an emergency. This is an unaccounted for spending; this isn't something that we are surprised by. And so what we are requiring in this bill is on budget war appropriations. And it also requires Iraqi accountability. So let me go through all four of those, and then I will describe what I mean by the Iraqi accountability.

Spending accountability, contracting accountability, budgeting accountability, and Iraqi accountability.

And that means that we need to hold accountable not only the Prime Minister al-Maliki, but the Iraqi government, to be accountable first and foremost to protecting themselves on a sovereign basis. And as you alluded to earlier, it is our job to help contain the situation from insurgents outside, but they need to, for their own security, be first and foremost in assuming a higher degree of responsibility, as many of us supported the President when he said, as the Iraqi people and the Iraqi military stand up, we can stand down. And so we have to hold them accountable to doing that so we can.

I am going to lastly talk about the budget in general and why I am a Blue Dog. You have your sign up there, we all do, and it talks about the $9 trillion of debt that we are now at. And I think Congressman COOPER alluded to the fact that the foreign borrowing that we are doing is contributing to that. We are now borrowing, as a Nation, $7 billion to $8 billion per working day from foreign countries; $2 billion to $3 billion of that is just the government alone. And at that rate, we are going to continue to exacerbate this debt and the individual share that we are passing on to every American.

I think, as a parent, I often remind myself that tough love is important. It is not my job as a parent to tell my kids what they want to hear, but to tell them what they need to hear. And I think the Blue Dogs bring that same kind of tough love to our constituents and to our Nation, and hopefully to our Congress, because we need to be talking about what Americans need to hear, not what they want to hear. And so I am glad to be joining you tonight.

Mr. SCOTT of Georgia. If the gentlewoman would yield for a moment. I would like very much to engage you in the feeling of that trip. And it was so important to gather with representatives of those 26 other nations and 13 associate nations with NATO, because we have got to understand, we can't go it alone.

Ms. BEAN. Absolutely.

Mr. SCOTT of Georgia. One of the fundamental charges I felt and responsibilities I felt going, and you did, too, we talked about it, was we have got to improve the image of working with other nations to move forward. But I think that the highlight to me and I think to you was that visit with the soldiers.

Ms. BEAN. Very much so.

Mr. SCOTT of Georgia. And you and I have talked about that, and I just want to share for a moment the touching experience that we shared going and flying into Ramstein Air Base and going to Landstuhl to the medical center and going from room to room. We went and we talked with soldiers fresh off the battlefield in very serious conditions, and it was a remarkable experience. And I know you joined me in saying that on the floor, we salute those soldiers.

Ms. BEAN. Absolutely we do.

Mr. SCOTT of Georgia. And we just want to say thank you personally to those soldiers for their sacrifice, for their service, and express to them a great gratitude for a very, very grateful Nation.

Ms. BEAN. Our entire Nation.

Mr. SCOTT of Georgia. We are so proud to do that.

Ms. BEAN. I would agree. Our entire Nation is grateful to them, and to their families who were there supporting them through their injuries.

And on that note I will yield back, because I know we have Congresswoman SANCHEZ, who is also anxious to speak.

Mr. SCOTT of Georgia. We certainly thank you. And I hope you might hang around a little bit. We may get into a little soliloquy here.

I would like very much to now recognize one of our longstanding Blue Dogs, certainly established as a leader in this Congress, one who befriended me, one who makes a sterling contribution as a leader of the United States Congress, the young lady from California, Ms. LORETTA SANCHEZ. I yield the young lady as much time as she may need.

Ms. LORETTA SANCHEZ of California. I thank my colleague for putting together this hour to discuss what I think is something that is very important; that is, what the Blue Dogs are thinking about in this Congress and what we have been trying to do.

Now, I will tell you that I have been in the Congress for 11 years. This is my 11th year. I have been a Blue Dog the entire time. And that really comes from the fact that before I came to the Congress, I was an investment banker. I am an MBA, I have been in the international finance arena for 14 years before coming to this Congress.

So people ask me, what is the thing that you worry about the most when you go to sleep at night? And the answer is always the same for me: The structural financial debt and deficit that we have in Washington, D.C., because most people have not looked and seen and realized what has been going on here in Washington, D.C., but I have seen it in the last 11 years.

□ 2100

That is why, as a Blue Dog, I also have that sign up that says what today's national debt is and how much of that $29,000, if every man, child, woman in America, would give us $29,000 today, we would be able to bring down the national debt. But the fact of the matter is, we don't. We don't, and the debt keeps climbing.

So a few years ago, we were trying to think about, well, how is it that this has happened? Because when I came, it was in 1997. I had 4 years under President Clinton, and at that time, the debt of this Nation, the interest payments on that, was 18 cents of every dollar that we collected, 18 cents.

That means if we collect a dollar from you in taxes, 18 cents of it we don't spend because we are paying the interest cost on that. Imagine if you did that in your home for every dollar.

So what did we do? We worked hard. We instituted PAYGO. What does that mean? Well, it means you don't make any new spending unless you are going to tax, put in an amount of money for it, or you are going to take it away from some other area you are already spending on in order to spend in your new priority area, much the way people do it at home when we have to decide among the priorities.

Okay, well, this month, September, I have to get the shoes for the kids for school, so that means that there are going to be no days out of that month that we get to go out and eat at a restaurant. I mean, you just make up for it in one way or another.

But the Congress and the United States do not do this. They keep spending, even when they give tax cuts. So that means if your boss told you we are going to give you a 70 percent cut in the amount of money you take home, and you go home and you tell your husband that, but he still keeps spending the same amount of money every month, he doesn't bring his expenses down.

So it is a problem. So we spend, I would say, honestly, about 700 to $800 billion more a year than the monies we take in.

Now, we will throw numbers around, to $143 billion, deficit, $400 billion, deficit, $358 billion. No, no, no, no, no. The reality is that we are overspending by anywhere between 700 and $800 billion every year. That is why this number goes up, because we cannot get this under control.

Mr. SCOTT of Georgia. If the gentlelady would yield for a moment, I think it very important for us to realize, you also alluded to it, you might want to hit on it a little more, the unfairness of it all, the war being paid on borrowed money. Every dime we are spending in our government, for our services, on borrowed money, it is not going to last that long. Many civilizations and nations have gone down because of ballooning debt.

If you look at all of them that have gone down, ballooning debt is what played such a great part, and the selfishness of the tax cuts, the war, whatever we are doing, and we are selfishly doing that and putting the burden, as you alluded to, on the backs of our children and our grandchildren. I think you make an excellent point there.

Ms. LORETTA SANCHEZ of California. Absolutely. So I started in this Congress 11 years ago, and we spent 18 cents of every dollar just on paying interest on interest payments. Then we tightened our belts; we did PAYGO. President Clinton and others, we worked together, we brought it down. In the year 2000 when President Bush took over, we were paying 11 cents of every dollar on interest. So we had brought it down.

Then, of course, the President decided to give tax breaks to some of the wealthiest Americans. I know, because I got a tax break, but not everybody got a tax break. The real people who really needed the tax breaks, I think, did not receive them. That is why I didn't vote for it. I received it because the majority, the Republicans at that time voted it in, but I didn't vote for it because I know what fair is fair.

If you get opportunity in this country and you work hard, and you get a few breaks and a little bit of luck along the way, that can happen in America for almost anybody. And some of it is luck, and you happen to make money. I think you should understand that to keep America full of opportunities, we need to pay our taxes.

So I am willing to do that, but not this President, because he cut the taxes on the people who had lots of money and who were making lots of money. His own comptroller told us several years ago that 70 percent of the deficit every year in this country is due to the tax breaks that the President gave. In other words, we kept spending even though we didn't take in revenue. In fact, we returned back revenue.

Then, of course, we have the $3 billion a week of money we spend in Iraq. I will not tell you the way I feel. This President went into Iraq on the cheap. He didn't think that Americans would really want to spend the kind of money it took to put in 200,000 or 300,000 troops to do the job the day we went in. So he told his Secretary of Defense, despite what the generals told him, Shinseki, who said we need at least 200,000 or more troops in there, they did it at the level of 110, and now we are paying for it. Now we have been in a war much longer than we ever anticipated, much longer than the President ever anticipated.

Mr. SCOTT of Georgia. Especially what was most disheartening was the buildup to that war, to use the credibility of General Colin Powell, and then to abandon what you refer to, with the huge number of troops, the Powell doctrine. You are going to go in, you go in with force.

Ms. LORETTA SANCHEZ of California. So we find ourselves there longer than we are supposed to be, and we ask ourselves, how much longer, $3 billion a week on the credit card? Wait till America really figures out that they have not paid for this war. I think they are going to be very angry at that point. I see I have taken most of your time.

Mr. SCOTT of Georgia. We thank the young lady from California for your excellent insight on this, and your commentary was certainly well received, and it helped to shed the light on the debt and the importance of it.

So we appreciate this hour, the Blue Dog hour, as we continue each Tuesday night to talk about the budget, to talk about bringing fiscal responsibilities and being good stewards to the taxpayers' money. It has been a good evening.

HONORING FORMER CONGRESSMAN GENE SNYDER

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

GENERAL LEAVE

Mr. DAVIS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material thereon.

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

There was no objection.

Mr. DAVIS of Kentucky. The subject of our Special Order tonight is to remember a great man of this Chamber and a great Kentuckian and a great person, a friend to virtually all who knew him. Mr. Speaker, I rise tonight to pay tribute to my friend and fellow Kentuckian, Congressman Gene Snyder.

Born in Louisville, Gene Snyder began his political career in 1954 as a city attorney for Jeffersontown, Kentucky, at the age of 26. In 1962 he ran for Congress and was elected to represent the Third District of Kentucky. After losing his bid for reelection in 1964, he turned right around and ran again in 1966. This time, he was elected to the seat that I now hold from Kentucky's Fourth District.

He went on to serve Kentucky and the Nation for another 20 years until his retirement in 1986, bringing a record of credit upon his office and doing great service to the people of Kentucky's Fourth District. Gene had a tireless work ethic, both in Washington and in Kentucky's Fourth District. He was a master political operator and strategist, and his dedication to the conservative cause was without equal in the 1960s and 1970s.

He stood by Barry Goldwater for President and was swept out of office in the 1964 Johnson landslide, only to return 2 years later.

I can personally relate to that and Gene's character and his persistence, having lost my first election and announcing on election night that I was running again and getting up the next morning and going to work for 2 more years to win and to make a difference.

Gene was a great example with his work ethic, with his character, with his devotion and his tenacity. He enjoyed campaigning, and he relayed to me stories of many people who cut their proverbial teeth on his campaigns. I have heard stories literally from hundreds of people across the old Fourth District who remember him, who remember meeting with him.

He worked and reaped the benefits for those who followed him in office. He laid a foundation for those of us in the delegation who came after him. Ground work for a strong Republican Party in the Fourth District, campaigning was not something that Gene did every 2 years. It was a life-style for him.

He was in a constant state of campaigning, reaching out, building friendships, reaching across the aisle, reaching across the fence on an arm, across the wire at the county fair, meeting people in storefronts. He used to tell me how on Saturdays he would often get in his car when he was back in the district and drive Highway 42 from Pewee Valley where he lived on up towards northern Kentucky, stopping in small coffee shops, in storefronts to visit with ordinary people.

He was a man without pretense, one who people simply knew as Gene. Everyone from our region still remembers Gene's famous campaign jingle, and more than one person has nostalgically sung the whole song to me word for word since I got into politics in 2001. We have heard those words: ''Vote for Gene Snyder. He is your working Congressman.''

In fact as recently as the last few years, that jingle, which has not been used in a campaign since 1984, was still considered the best political song in the radio stations in Louisville. Gene thoroughly enjoyed interacting with his constituents, and his enthusiasm for his job showed in his ability to recall the names of thousands with whom he came in contact.

Even more telling was the fact that many of his constituents simply knew him as Gene. They never knew the fact that their Gene was considered by columnist Jack Anderson here in Washington as one of the 10 most influential Members of the House of Representatives because of his work ethic, because of his knowledge of the rules, his knowledge of policy and procedure, and the commitment that he made to the citizens of his district and to this country.

During his time in the House, Gene was an unyielding force whose visionary efforts laid the groundwork to improve our region and the lives of Kentuckians for generations to come. Though a fiscal conservative through and through, he worked tirelessly to bring Federal funds back to Kentucky and the Fourth District.

He did this for one purpose: he understood the value of investment and meaningful infrastructure for economic growth, to lay a foundation for job creation in the future. The key to that is what we see today, areas that were farm fields 25 years ago, 20 years ago, 15 years ago have born the fruits of his investment, the seeds of his vision that were planted in economic development and economic growth that has made this area the Fourth District from the eastern part of Louisville up through northern Kentucky one of the greatest technology growth corridors in the Commonwealth and also in the Ohio Valley.

When my friend Rick Robinson, the new legislative director for Gene's successor, now Senator JIM BUNNING, attended a Congressional Research Service briefing on policy and procedure as a new congressional staffer, he told me recently that many of the examples that were cited by the instructors on parliamentary procedure, on the rules, on the way the House of Representatives works were all centered around Gene Snyder and his efforts, his example of being able to build momentum, his example of being able to force an issue when it was necessary or deter or slow one down and that it was not going to be productive for his party or for the citizens of the Fourth District.

It is rumored that when he would walk into the committee with the Jefferson rules, the rules of the House under one arm, the chairman would simply lean over and ask him, Well, Gene, what do you want this time? As a member of the Public Works and Transportation Committee, he helped secure Federal funding for critical transportation infrastructure in Kentucky.

Some of Gene's projects included the Big Mac Bridge of I–471 from Newport over to Cincinnati dedicated in 1981, Clay Wade Bailey Bridge from Covington to Cincinnati, which opened in 1971. He also secured Federal dollars to protect Bellevue and Dayton from flood waters of the Ohio River. He was responsible for creative engineering to bring about, from a legislative perspective, the construction of the bridge over the Markland Dam.

I would like to highlight his creativity on these for a moment. Gene was a man who built relationships and friendships on both sides of the aisle. He was known for his card games. He was known for a happy hour that he ran out of his office in the days of the old House.

In fact, he told me late one night at his house years ago, the story of how the I–471 bridge came about. He said to me, he said, Geoff, how do you think we got that bridge? Answering as somebody from the outside, I said, Well, I figure you had the studies from the Corps of Engineers and the economic impact and the designs and the budget. He laughed and he said, No, it was the happy hour that got Newport, Kentucky, that bridge.

He told me how Tip O'Neill, who was a good friend of his, would regularly come by, the Speaker of the House, to his office, sit with him, play cards, have an occasional drink. One night he had come by, had a few drinks and sat back in Gene's chair, and the Speaker put his feet up on the desk and said, Gene, you've got your bridge. He built relationships to get results. He built partnerships for success on both sides of the aisle in the House of Representatives.

□ 2115

Markland Lock and Dam is another area that illustrates his creativity in legislation. He made a comment to me on another conversation and he said, you have got to make sure you have

got a legislative director who knows how to read the rules and the laws governing every aspect of projects or investments that you want to make in your district, on guiding legislation that will benefit our citizens. And he cited this as an example. Southern Indiana and the Central Part of the Fourth District near Carrollton and Gallatin County were suffering economically. He was seeking for a way to link that north and south commerce across the river.

What was there was the Markland Lock and Dam, a Corps of Engineers structure that had no bridge. He set his legislative director to work, and his legislative counsel researched for several weeks and came about with an arcane statute from the late 1800s that stated that not a bridge, but an access road could be placed across a Corps of Engineers structure. So laughingly, late in the night he said to me, GEOFF, that is not a bridge down there on the Markland Dam that links Indiana and Kentucky. That is an access road. And if you go and look carefully you will see that.

Well, I drove down there after that conversation just to see for myself, and I started to laugh as I looked and I saw a freestanding bridge simply bolted to the dam. And I think it was is that type of creativity that made a difference, and that dam still today is creating jobs and creating commerce and linking communities on both sides of the Ohio River to the benefit of generations that have come after him.

He secured Federal dollars for a wide variety of projects. Probably the two of his better known legacies are the beltway around Louisville and the Federal courthouse that both bear his name.

Gene was an extremely down-to-earth man. He was without pretense. Literally, what you saw was what you got with him. The only thing that he ever wanted to be named for him was the Federal courthouse in Louisville. This was situated directly across the street from the Louisville Courier Journal, his long time media nemesis and frankly, the media nemesis of Republicans for over a generation. Gene told me that he was thrilled that day and when that opportunity came along, that the editors who so longed to opine against him and his fellow Republicans would have to look at the name of Gene Snyder every day as they left the employees entrance of the Louisville Courier Journal to see the Gene Snyder United States Courthouse.

Ironically, not long after that conversation, one of those editors who was still working for the Courier Journal told me he figured Gene had the building named after himself just to aggravate that specific editor at the Journal.

In 2005, I was proud to carry on the Gene Snyder tradition with a legacy for him to name a new intern fellowship program after him. Working in conjunction with Kentucky University, Northern Kentucky University and Thomas Moore College, my office has had the privilege of bringing talented students interested in politics to work full-time for a semester in Washington, D.C. to see the people's House from the inside, to see that it is not all the writings in a civics book, but it is relationships, it is friendships, it is a process that the Founders gave us to move our government forward and to move the Nation forward.

I thought long and hard about approaching him on the name, and I finally called him and I asked him if I could use his name. And I said, Congressman, we would be honored if we could name this program after you, the Gene Snyder Congressional Internship. He stopped for a moment and he said, well that sounds mighty fine. And then he said, you know, no, GEOFF, you need to name that after yourself. And I was taken aback as a freshman congressman when he said that.

We talked back and forth for a little bit and I finally shared with him that I felt it would be not only somewhat ostentatious and vain for a first time congressman to name an internship program after himself, I just felt it would be inappropriate because of the legacy that Congressman Snyder had. And he stopped and he said, you know, you are right, GEOFF. Naming it after yourself may cause you some problems. So you go ahead and name it after me. I burst out laughing on the phone and I said Congressman, I said Gene, you are just shameless, to which he responded wryly, he said no, GEOFF, I am just looking out for your best interest for the future.

And even today we have Gene Snyder interns working in our office, carrying on the legacy that that man began when he was elected to the Fourth Congressional District of Kentucky in 1966. It is my hope that this program will continue for many years to come and will help foster that spirit of civic service that would make Gene Snyder proud.

In October, 2006, I was part of a historic event that took place in Oldham County, Kentucky during the latter part of my campaign. It was a meeting between Senator JIM BUNNING, Gene Snyder and myself, and it was a humble privilege to be part of the final gathering of three Members of Congress who served the Fourth District of Kentucky. Gene Snyder and Senator BUNNING have been constant encouragers to me and have helped make the Fourth District what it is today.

I am forever in debt to their hard work and service to the commonwealth and to our Nation. To me, the newest person to inherit a piece of this great legacy that Gene gave us, I can share that the highest compliment that I could pay to him is to say that he was real. I became a better campaigner and certainly a better and more effective Member of Congress listening to Gene's advice. In fact, just today we passed our first piece of bipartisan legislation in this new Congress, and I have put the legacy back to the advice that he gave me before I got elected, of building those friendships and those relationships to benefit the people of this country. And I say thank you to Gene Snyder for that legislation that passed today.

At one event when we were together I was trying to talk to him at length because it was just so exciting to see him. In his last years, he was not in good health and was in constant pain and I cherished the few moments that we had. But he leaned on me and he grabbed my arm and leaned over and whispered in my ear he said Geoff, you have got my vote. Now go get theirs, and pushed me towards a crowd of new people that I hadn't talked to yet. Always the campaigner, always the consummate politician, always caring for the stewardship of the office.

As we look at these times and the legacy that was given, I think there is no better person to share a perspective on Gene Snyder than the dean of our delegation. Hal Rogers was elected to Congress in 1980. He knew Gene Snyder during his time coming up in Kentucky politics. He knew him as a colleague here in the House, and many Members have learned from him. And I would like to yield as much time as the gentleman from Kentucky's Fifth District would consume to just share his perspective.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding this time, and I want to say to him how much I appreciate him taking this Special Order out as the successor to Gene Snyder in that district to allow us to pay tribute to this legendary figure.

I came here in January of 1981, and Congressman Snyder had been here, of course, long before I got here, had been here at that time I guess 14 or so years. But he took me under his arm and taught me many of the same lessons that the gentleman has just referred to. A kind, gentle soul. But when he had a project on his mind you better get out of the way because he was tough, and he knew what he was doing. And he carried in his pocket a list of those who voted against his bill so that if you wanted a favor from Gene Snyder you had better be on his list that he always carried with him. He would always refer to that list when he was thinking about helping his colleagues. And that made him very, very effective.

He was a dear friend and a mentor of all of us. He was particularly helpful to me as a freshman Member of this body. And I was very, very sad to see him leave the body in 1986. But he deserved a retirement. But we never could get him to come back to Washington to see his friends. When he finished his work here, he was finished with his work here and he retired to his home in Florida.

At his funeral last Saturday in Louisville, a beautiful ceremony, Senator MITCH MCCONNELL, the Republican leader in the Senate, from Louisville,

an intern in Gene Snyder's office, that is where he got his start, paid Gene Snyder one of the most beautiful tributes that I think I have ever heard. The eulogy that Senator MCCONNELL gave to Gene Snyder is memorable.

In fact, Mr. Speaker, I am going to quote that eulogy because it says what I would like to say myself, except it has been said so well by the Senator. So if you will bear with me, I am going to quote the eulogy that Senator MCCONNELL gave at the funeral Saturday.

''Twenty years have passed since Gene Snyder said goodbye to Washington. We gave him back to Pat, and she took good care of him until the end. We honor you, Pat, for your devotion to Gene on the wonderful journey that was marked by much suffering in these last years, and we share your grief.

''Kentucky politics has been known to produce some fine storytellers. Marion Gene Snyder was one of the best. You wouldn't want to share all of these stories with the League of Women Voters, or the Plague of Women Voters as he called it. But when Gene died last week, one of the greatest Kentucky stories of all time came to a close.

''Born in West Louisville to Marion and Lois Snyder, Gene came of age in a time and a place where you worked hard, went to church on Sunday, and always voted democratic. His dad worked a number of jobs to support the family. Gene summed up his childhood like this: I was a poor boy, he said from the other side of the tracks in a cold water flat.

''But what he lacked in privilege he made up for in smarts. Politics called at an early age and Gene responded in the only way he knew how. He gave it everything he had. He enrolled at the University of Louisville, went to law school. He volunteered as precinct captain before he was old enough to vote and he won his first political appointment as Jeffersontown City Attorney in 1954 at the age of 26.

Continuing to read now from Senator MCCONNELL's eulogy at the funeral, he says, ''party officials saw his talents right away, and 8 years later, they tapped him as a candidate for Congress.

''Youth wasn't the only obstacle he faced. Let's not forget that back then, ''conservative'' was a bad word. When Gene was preparing his run, a famous Harvard economist summed up the national mood. These are the years of the liberal, he said. Almost everyone now so describes himself,

''Not Gene. He was conservative before being conservative was cool. And he made no apologies for it. Most people would have excused him for moderating his views until he got his feet under him. But he wasn't the type to bend in the direction of the crowd. He stood still and watched as the rest of the country bent toward him.

Now, continuing from the eulogy that Senator MCCONNELL paid tribute to Gene on Saturday at the funeral, ''he was 35 when he arrived in Washington with the rest of the class of '63. He had a lot to say and a way of saying it. He saw a lot that year. A President assassinated, a new administration and the stirrings of an anti-American counter culture that he would battle, always with good humor, for much of the rest of his life.

''It was a difficult time, but it was exhilarating too. Young conservatives were quietly developing the ideas that would one day drive the political culture in Washington, and men like Gene Snyder, who dared to speak those ideas in a hostile crowd, gave all of them reason to hope.

''Those were the thoughts that were going through my mind at least, Senator MCCONNELL says, when I applied to be an intern in Gene's office after my junior year at U of L. Like most interns, I spent most of that summer in the mailroom. But I was working for a man who knew what he believed. That appealed to me.

''It appealed to me even more when I saw him lose his seat the following year. Most Republicans were running away from their party's presidential nominee, Barry Goldwater. Gene stood still. He embraced Goldwater, even when it was clear that Lyndon Johnson was about to destroy him in the general election. He brushed off the loss with customary good humor. He took out an ad in The Washington Post that read, ''caught in the LBJ landslide. Congressman must sell three bedroom, one and a half bath home on large lot near schools and churches.''

''When a curious reporter called the number on the ad, Gene picked up on the other end. Johnson carried my district by 64,000 votes, he said. I lost by 16,000. That means I was 48,000 ahead of Goldwater.

''I wouldn't have done anything differently in that campaign, he said. I don't think you should rise above principle just to win an election.

''So he came back home, started over and won again 2 years later as a proud conservative. And for the next 20 years the people around Louisville and Northern Kentucky knew they were home when they heard Gene's campaign jingle come over the radio. I think most folks felt the same way about that jingle as the customer who walks on to the screen in that Head-On commercial and says, the commercial is annoying, but the product is great.

''The gentleman from Kentucky made the most of his time in Washington. He threw himself into his work with the enthusiasm of a child. It was a different time. Slower, more congenial, more fun. Gene Snyder was the perfect man for those times.

Now, continuing from the eulogy that Senator MCCONNELL gave at the funeral Saturday, ''the people around here learned the art of politics by watching him lean over fences and shake hands with tobacco farmers in Carrollton.

□ 2130

They learned to enjoy it, too, the way he did, riding up Dixie Highway in a Lincoln car on warm summer nights, stapling his campaign fliers to telephone poles until the sun went down.

''A master of the practical joke, Gene once told a staffer to find a reception room in the Capitol that hadn't been cleaned up from the night before and to bring back the flowers. A little while later, one of the female staffers on the Public Works Committee found the flowers on her desk with a love note. Gene wrote the note, but he signed it with the name of an unsuspecting male staffer.

''His humor even found its way into legislation. The Kennedy Center was supposed to be a self-sustaining institution. But when it couldn't pay its bills, it would ask the Public Works Committee to help out. Gene was the top Republican on that committee, and he didn't like the idea at all. So he introduced a bill proposing Friday night wrestling at the Kennedy Center as a way of boosting ticket sales.

''A visitor to the House of Representatives in the late 1970s might have noticed a large man in a brightly colored sports coat. Gene liked to dress himself when Pat was out of town. Well, C–SPAN put an end to that. One day three worried viewers from Kentucky called Gene's office to say their Congressman was on fire. The camera made his cranberry and orange jacket look like he was engulfed in flames.

''Gene always enjoyed a relaxing atmosphere. After a late night at the Capitol, Members always knew where they could relax or have a drink. The third floor of the Rayburn House Office Building was a good bet. You might find Gene there playing gin rummy with friends or telling a story. You would just follow the laughter.

''By 1979 most of the Nation had moved firmly in Gene's direction. Goldwater finally won his election in the person of Ronald Reagan, and Republican officials in Louisville were excited. I remember because there were about two of us back then, me and Gene. We announced our support for Reagan together, and Kentucky voters would give our 40th President their endorsement a year later.''

Now, continuing from the eulogy that Senator MCCONNELL gave at the funeral Saturday:

''Gene's good humor was matched by his skills as a lawmaker, though he didn't like to admit it. 'I'm a lawyer,' he'd say, 'but not enough to hurt.'

''Yet anyone who worked with him knew he was one of the great parliamentarians of his day, someone who brought a staggering knowledge of the rules to the Public Works Committee and a lot of good things back to Kentucky.

''He was instrumental in building the Jefferson County Floodwall, the Markland Dam Bridge, the Clay Wade Bailey Bridge in Covington, and the Banklick Creek Watershed Flood Control

Project. He was responsible for the Dayton Floodwall; the Falls of the Ohio Wildlife Conservation Area; the renovation of the Louisville Post Office and the Louisville Courthouse; and a new terminal at Standiford Field; new bridges in Covington and Newport; the Gene Snyder Airport at Falmouth; and, of course, the freeway. That is what Gene called it anyway. Just the freeway.

''Gene embodied the old rule that Members of Congress should be friends after 5 o'clock. He was a committed conservative, but even liberal Members lined up to thank him in his last days in Washington. One of them had this to say: 'Gene Snyder has been devoted to building things like bridges across rivers and streams, but he has also devoted himself to devoting goodwill among people.'

''When the last staffer turned off the lights and pulled the door shut on Gene's Capitol Hill office, an era in Washington ended. The people in the Fourth District saw a lot more of him and Pat. The members of Owl Creek Country Club would hear his stories now. The people at Concordia Lutheran saw him quite a bit.

''But Washington would miss, and still misses, his common touch, his lack of pretense, his principle.

''Age and illness would take their toll in the last years of Gene's remarkable life, but his humor remained. Old friends would call just to hear the recordings on his answering machine.

''But now death has done its work, and a great American story comes to an end. Yet we know it continues. This husband, father, lawmaker, mentor, and friend goes to the Father's house now.

''We take comfort in trusting him to the Lord of Mercy, who tells us that in the life to come, every question will be answered. Every tear wiped away. And we look forward to the day when we see Marion Gene Snyder again, upright, restored in body, healthy and strong, reaching across the fence to take our hands.''

So, Mr. Speaker, that is the eulogy that Senator MITCH MCCONNELL of Kentucky, the senior Senator from Kentucky, the Republican leader in the Senate, as he delivered the eulogy to our friend Gene Snyder Saturday at the funeral in Louisville. I read the eulogy because I could not say it any better.

Gene Snyder was a legend in his own time. He is a legendary Member of this body. He was one of the most powerful Members of this body for many years. But beneath that sometimes publicly crusted personality was that warm, gentle spirit and warm, gentle heart; that helpful person who reached out a hand to help those who needed it, whether it be a Member of Congress or a person back home looking for help on a Social Security claim or a veteran's pension or the like.

We won't see his kind again, unfortunately, but I am glad that I had the honor and privilege of knowing Gene Snyder for many, many years, listening to his advice, laughing at his stories, and enjoying the companionship that we did. God rest his soul.

Mr. DAVIS of Kentucky. Mr. Speaker, I thank the gentleman.

Congressman ROGERS, I think you captured the emotion and the power of that funeral, the eulogies, the reminiscences that brought so many to laughter. Sitting with Gene and Pat Snyder was always a wonderful journey back to the old House in the days before C–SPAN, before 24-hour news cycles, before multimillion dollar campaigns.

The one thing that struck me about him when I first met him was his complete lack of pretense. As a young man, I couldn't believe this was a Congressman, compared to the image that one would have on TV, somebody so approachable, so transparent, and his great gift of humor. He could teach with humor. He could scold with humor and make his point very clearly. He was a man who built friendships that transcended partisan differences.

As Congressman ROGERS mentioned from Senator MCCONNELL's eulogy, one of his great friends in the House was Congressman Carl Perkins, who represented what is now the western part of the Fourth District, centered in Ashland, Kentucky, in Boyd County. He and Carl Perkins could fight on the floor, fight in the hallways on issues, but at 5 o'clock they were friends, and they were strong friends committed to the Commonwealth, committed to the future of Kentucky.

He was a strong leader. And probably the highest compliment that I could pay him is that he was real. And that fact is never lost on those who knew him. Those who were his foes in legislation had tremendous respect for him and invariably they liked him.

The real fruit in a person's life comes from the seeds that are sowed in many lives, the fruit that is born from that. I think of several names to mention here that come to mind. Congressman ROGERS shared his perspective on Gene's influence in his life. I have shared mine on his influence on me. My wife, Pat, and I used to live in La Grange, Kentucky, down near the Louisville suburbs. My first campaign chairman in Olden County was Harold Smith. Harold Smith, as a young attorney in 1966, managed Gene's first campaign for Congress in the Fourth District, and then he helped manage my first campaign for Congress in 2002 and then again in 2004 and again in 2006. I think about that legacy of friendship and how he reached out and was known by so many in the community.

Another was his staff director on the Public Works Committee, Mike Toohey, who also was with us on Saturday. Mike left government at the time that Gene retired and had a long and distinguished career in government relations, helping Ashland Oil, later Ashland Inc., to reach out and communicate its needs and the needs of our citizens in Kentucky legislatively and was a great friend to the Commonwealth and was also one of those products of Gene's influence and his mentorship.

Another was Joe Whittle, who met Gene the first time in 1975 when he was running for attorney general in Kentucky at a time that it wasn't cool for Republicans to be running on a statewide ticket. Gene called him up on the phone. Joe was a little taken aback to get a phone call from the famed Congressman Gene Snyder, but he invited him to come up to meet him in Louisville and then drive up to Northern Kentucky to give a talk at the Beverly Hills Supper Club to a large group of Republicans there. When Gene got up to introduce Joe Whittle, he used his humor to make that strong point about how he had sized up Joe's character, and he said, This is Joe Whittle. He is a lawyer but not enough to hurt. And they instantly became friends and were close and intimate friends until a week ago when Gene left this Earth. Later Joe Whittle became the United States Attorney for Western Kentucky.

The investment that Gene made in so many lives has transcended their immediate impact and gone to other generations.

Anne Gernstein, who is now the chairman of the Olden County Republican Party, was his office manager at his office in Louisville. And before I first met Gene, I met Anne. She was helping with the local campaign, and I walked in the door as a new volunteer, just wanting to get involved in politics, and I would have never thought at that time that I would have the great honor and privilege to follow in the legacy of that great man.

Gene, we will miss your humor and that twinkle in your eye right before you are about to spring a joke on someone.

To Pat and the children, thank you for sharing this great man with us. Your hospitality and kindness are remembered by so many that you have touched throughout the years.

Gene Snyder left an indelible imprint on Kentucky and our country. With his passing, Kentucky has lost, and the Nation has lost, a great leader and a true statesman; but his legacy continues to live on.

THE 30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to address the House.

And to my colleagues on the Republican side of the aisle, it sounds like our past colleague Mr. SNYDER and his family served our country well, and we appreciate his contributions to our country in serving in public service.

Mr. Speaker, as you know, this is the first night of business, returning back from the Presidents Day break. Before we left we had a week-long debate on the question of Iraq, a nonbinding resolution opposing the troop escalation that the President has put forth at this time.

And the discussion continues, Mr. Speaker, as we start, Democrats and Republicans, molding out the direction that we have to head in in this country. The American people, Mr. Speaker, voted for change and a new direction. And to bring about that kind of change and new direction, there are going to have to be some votes here on this floor that are going to speak volumes back home of how we are going to proceed from this point on and how we are going to assist our men and women in harm's way and how we are going to deal with this issue in Iraq and in Afghanistan and other domestic issues that we have here.

I am very pleased to not only share with the Members, Mr. Speaker, but also with the American people the fact that 246 Members of the House voted in the affirmative to disagree with the President as it relates to the recent troop escalation of some 20,000 combat troops and anywhere from 3,000 to 4,000 support personnel being sent to Iraq, which was announced by the President on January 10 of this year.

□ 2145

I think it is very, very important to note that that was a nonbinding resolution. Even though it was nonbinding, it really set the course for the Congress to play a role.

I think the reason why we are in the majority, and when I say ''we,'' the Democrats are in the majority right now, Mr. Speaker, is not the fact that our message was better than the Republican message in the last election. I think the American people were counting on change and heading in a new direction.

So it is important, and I am encouraging the Members in a bipartisan way, that we work very hard to give the American people what they want and to give the men and women in uniform what they need. I think that is a Congress having oversight hearings; a Congress debating the issues as it relates to troop readiness; a Congress that is willing to take the tough votes when they need to be taken; to be able to provide the kind of leadership from the congressional oversight end.

The President is the commander-in-chief. That is outlined in the Constitution. No one is really trying to bother that or hinder that. We just want to make sure that the troops have what they need when they go into harm's way, need it be Iraq or Afghanistan.

I mentioned a little earlier in my talk about readiness. I think it is important that we identify this, because it is used a lot here on the floor. Being a member of the Armed Services Committee and having had an opportunity to travel to Iraq twice, and looking forward to going back soon and going to Afghanistan and other areas where we have a military presence, readiness is very, very important.

Readiness is almost like if you have an illness and you are going in for a major operation, you want to make sure that that doctor has what he or she needs to be able to carry out your procedure.

I think it is important as we look at our National Guard and we look at our Reservists and we look at our active duty that they have what they need to carry out the mission if they are sent to Iraq. You can't go unless you have up-armored Humvees that are going to match the mission. You should not go and we should not send them if they don't have the Kevlar vests that they need. They should not go and we should not send them if they don't have the kind of backing that they need from a support standpoint that is trained and ready for the mission in Baghdad, need it be door-to-door searches, need it be guerilla warfare, need it be the general equipment one may need to carry out that mission.

There is nothing wrong with the word ''readiness.'' I put it in the category, Mr. Speaker, of responsibility. I think it is important. I think it is irresponsible for us to send men and women into harm's way without the necessary tools that they need.

Now, there are some Members that are saying, well, why do you have Members concerned? A colonel told us or the President told us or I read somewhere in a news release or I saw on the news that they have everything they need, and why would we send them over there in the first place? We all have their best interests at heart.

I am going to share with Members, Mr. Speaker, that being a member of the Armed Services Committee in the last two Congresses and this Congress too, I have seen the Secretary of Defense say they have what they need. ''Anything the troops need, we will give it to them.'' And later I will pick up a news account that they don't have what they need, or go to Walter Reed and talk to a soldier that ended up being blown up in a Humvee because of an improvised explosive device, because that Humvee did not have the up-armor that it needed. It is the total opposite of what I hear here on Capitol Hill and what I have seen at Walter Reed.

Let's take Walter Reed out. I have gone to Germany, Mr. Speaker. I have seen service men and women without legs. They didn't have what they needed. We were told they had what they needed, but they didn't have it.

Just 2 weeks ago, last week during the debate, I think it was on Tuesday or Wednesday, I was at the White House for a meeting and we had an opportunity to ask the President questions and I had an opportunity to ask the President a question. And I shared with the President, we talked the nonbinding resolution. The President agreed he thought that it would pass here on the floor because the votes were there. He has people that are counting these votes.

I said, ''Mr. President, I think it is important as we look at this as being a nonbinding resolution, there will be a binding resolution or a binding supplemental, emergency supplemental for the war in Iraq and Afghanistan, and there will be language in there, and you shouldn't have a problem with it, to say that we should not send the troops unless they are ready. I am not talking about mentally, I am talking about having the equipment they need to carry out the mission and not find themselves in harm's way without having the kind of backing that they need to be able to carry out the mission once again.''

Of course, the President came back in a very roaring voice saying, ''KENDRICK, do you believe that I would send men and women into harm's way? I hear about the funerals. I write the letters and I call the families. You believe that I would do that?''

I don't believe that the President would do that. But let me just share this with you: It has happened, and I think it is important that we realize that it is happening.

Yes, if I am talking to a friend of mine and they are saying, well, you know, I know there have been reports of the new car that I bought, that it has some sort of problem with the engine that has come out in the auto report or what have you, but I am going to be okay regardless.

Maybe it is not the best analogy that I can come up with at this point, but we have been told that the troops have what they need, we have been told they are ready for the mission that they are being sent to, and we found out otherwise later.

Now, Mr. Speaker, it gives me no pleasure, and Members, it gives me no pleasure, we are at 3,154 men and women in uniform that are dead now. We appreciate their contributions to our country and we appreciate the way that they have applied themselves on behalf of what we sent them over to do. But I will tell you standing here as a Member of Congress, that some of these deaths could have been prevented if they had what they needed.

Now, Members can go back and forth on how you feel about leadering up, manning up and womaning up to be able to do what you need to do as a Member of Congress to fight on behalf of these individuals. I am not questioning anyone's patriotism. I am not questioning anyone's integrity. I am not even questioning any Member of Congress' will or desire to make sure that we give the troops what they need.

I believe we all are well-intended. But we have to make sure that when that man or woman leaves their family on a tarmac, need it be at an active duty military camp or at a commercial airport where you have Reserve and

National Guard individuals that are leaving to go into harm's way, it is our duty and our responsibility as Members of Congress that have oversight of the taxpayer dollars to make sure, even though someone has said it is going to be okay, but to make sure that they have what they need. It is that simple.

So, I was not shocked, Mr. Speaker, by seeing the bipartisan vote before we left on President's break. I am definitely not a prophet and I am not a psychic, but I knew, based on the message from the American people, Democrats and Republicans, I am not just talking about proud Democrats kind of got together and said hey, let's do this. We don't have 246 Members here in this House on the majority right now, so it took 17 Republicans to come along with Democrats or to be with Democrats or to be with individuals that understood that message last November from the American people.

As far as I am concerned, in the 30-something Working Group, we don't focus on issues, ''let's go to the floor and make sure we gain a greater majority.'' Not when it comes to national security. Not when it comes to the very heartbeats and the way of life of those individuals that put their lives on the line and those that have put their lives on the line in the past, and I am going to talk about them a little later, Mr. Speaker.

You don't play politics with that. That is national security. That is someone's daddy, that is someone's mother, that is someone's son, that is someone's daughter that may not come home because someone told someone else in Washington, D.C. that it was going to be okay.

Now, there are a lot of folks around here editorializing on what Mr. MURTHA is talking about from Pennsylvania, who is an outstanding Member of the Congress and also happens to be the chairman of the Defense Appropriations subcommittee.

I think it is important that we look at someone who is a decorated Marine, that has fought for us to salute one flag, who served in Congress double digit years, that still is willing to serve this country. We have someone that is willing to say I voted for the war, as Mr. MURTHA did, and to say that I have been to Iraq, I have had oversight hearings, and I must add that he has had more oversight hearings since this Congress has been active in the last 2 months than they had in the entire 109th Congress with 2 years combined and then some.

And that the committee is hard at work to make sure that when those family members look at those men and women that are going into harm's way, that they know, not maybe, not, well, you know, I am trying to get there.

I heard what the President said. I heard what the Secretary of Defense said. I even heard a member of the brass say it. When they go out on patrol, and I am not a military person and I am not going to represent myself as someone who has served in uniform. I have just been a State trooper and I have been an elected official for 13 years, and I have served here in this Congress for the last 4 years and a couple of months. And I have been federalized by the people that elected me from the Seventeenth Congressional District.

I will tell you this: I know what my job is, and I know what Mr. MURTHA's job is, and I know what the job of all of the Members of Congress, including the Members of the Senate and the President of the United States and the people that he appoints, that we need to make sure, we need to make sure beyond 100 percent, we need to make sure 160 percent, if we can, 200 percent, that those men and women that go into war, that their chance to come back to this country the way they left is our paramount duty.

So, I am not really tied up in a debate, Mr. Speaker, and I don't think here on this side of the aisle and even some of the Members on the other side of the aisle are tied up in the debate about the details of the obvious.

The obvious is, Mr. Speaker, the fact that the troops should have what they need when they go into harm's way. Why are we even talking about that? Why are some Members objecting to that being in the emergency supplemental, to say that they should have what they need to go into war? If it wasn't so serious, it would be funny. So I think the Members, we need to kind of put that to the side and say that there are other issues that we have to deal with.

Profiteering of the war, reams and reams of paper, Inspector General reports of how U.S. contractors have been fleecing of the U.S. taxpayer dollar. Our paramount, one of our fiscal paramount responsibilities is to make sure that the Federal tax dollar is not only appropriated, but disseminated in the right way to make sure that ultimate accountability is paramount once again.

So I am excited about what is happening here, Mr. Speaker, I am excited about the debate that is taking place, and I am excited about the forward progress that we are making in that area.

I just want to address one more thing before I turn it over to my colleague, Ms. WASSERMAN SCHULTZ.

Mr. Speaker, I was very disturbed last week and have been disturbed, and here in the 30-Something Working Group, we have been talking quite a bit about our veterans. Now, I mentioned that a little earlier because the veterans, we say we are the 30-something Working Group. A lot of those veterans are 30-something now. Many of them are even 20-something, because of their service. Some of them are 40 and 50-something. And they are coming back.

In the last Congress, in the 109th and 108th, those were the only two Congresses I can account for, because beyond that it was my mother serving here, and I am pretty sure that I can get a good account from her about what happened or I can research in the CONGRESSIONAL RECORD, we have Members coming to the floor chest-beating, ''Oh, I support the men and women in uniform and our veterans, and I am going to be in the veterans parade and I am going to wave and carry on and I am going to let them know that I love them.''

Well, let me just say this: In the 108th and the 109th Congresses, veteran benefits were cut, period. They were cut. And as we continue to talk about it, as we continue to dissect the President's budget, this document here, as we continue to dissect this budget here, find out what is in it and what is not in it, what is going to be given to the American people and what is going to be taken away, we are going to find out where this administration falls and the old majority in this House falls on the issue of veterans.

□ 2200

Now, I can speak, and I know we can speak, in a very bold voice when we talk about our commitment to veterans. I have a veterans hospital in my district. I have actually two. When I go and visit, I look at those men and women. They could have served back in Korea, World War II. I even met a gentleman who served in Grenada, Haiti, 82nd Airborne. You have these individuals that are there. Vietnam, that are there. Some folks may not know that they served, but we know they served.

Our responsibility in Congress is not to just carry on and talk about how we support the men and women in uniform and those who have served, and we honor them and we appreciate them; but I think it is important that we speak with our dollars and our commitment here as Members of Congress.

In January of 2003, the Bush administration cuts off veterans health care for 164,000 veterans. That is on our Web site.

March 2003, the Republican budget cuts $14 billion from veterans health care. That was passed by Congress with 199 Democrats voting against that measure of cutting the $14 billion.

In March 2004, the Republican budget shortchanged veterans health care again by $1.5 billion. That was passed by the Congress, 201 Democrats voting against that measure.

March 2005, President Bush's budget shortchanges veterans health care again by more than $2 billion. Again, 201 Democrats voted against that. This was House Resolution 95. The vote number was 98.

In the 30-Something Working Group, we actually pull information from the CONGRESSIONAL RECORD. I think it is important that Members and the American people realize that.

Again, November 2005, the Bush administration as it relates to the shortfall, Democrats fought that summer to be able to get back the $2.7 billion that was taken out. And we have a member

of the Appropriations Committee here, but in the last continuing resolution because the Republicans did not do their job, Mr. Speaker, in making sure that the work was done when the Democratic Congress took over, they couldn't get all of the bills passed. They just kept punting down the street. In our continuing resolution, we retooled Members' projects and other nonissues that weren't a priority because of the thirst that veterans have and the Department of Veterans has to provide the services for our men and women that serve. The Democrats increased the VA health care budget by $3.6 billion in a joint funding resolution. I say all of that to indicate it is important that we do this.

One last point. While we were on break, The Washington Post: ''Soldiers face neglect and frustration at Army top medical facility'' here in Washington, D.C., Walter Reed Hospital. This is a Washington Post article, Sunday, February 18, 2007. It was dropped here on my doorstep in Washington, D.C. I read this, and it was a follow-up article. I think it is important that the American people and Members of Congress pay close attention to what is happening.

You have patients and outpatients that are saying that Walter Reed, they are encountering a messy bureaucratic battlefield that reminds them of the real one that they faced overseas.

It also talks in this article about rats and mice and dead insects in this hospital. Smells and carpet stains.

Again, Mr. Speaker, our job, yes, we say we support the troops. Yes, we say we support veterans. We are supposed to say that. But when we come here and we take our voting card out and we go to these committees, we have to make sure that we follow through on what we say.

So I am excited by the fact that by reading everything that I have read about what has happened in the last two Congresses and beyond, that we have already put $3.6 billion, and we haven't had a full cycle to be able to even dissect the budget and to appropriate. So saying that, I want to pass it over to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), a good friend of mine. I am glad she is here to shed light on our message here tonight.

Ms. WASSERMAN SCHULTZ. Thank you so much. It is a pleasure to join my 30-something colleagues, Mr. MEEK and Mr. MURPHY.

Mr. MEEK, you started talking about the travesty that was revealed by The Washington Post just before last weekend about what is going on at Walter Reed Medical Center and the campus and its facilities.

I had the privilege of going to visit our men and women that are at Walter Reed who have come back from Iraq injured. Almost every soldier I met with was an amputee and went through a devastating experience, devastating injury. But the ward that they take you through, like this article says, is spit-polished and brand-spanking clean. There is not a shadow of what is described in this third-party validator, which is how we refer to our information that we bring out here to demonstrate the facts.

I want to read just a paragraph from the article. I want to highlight some of the things, and we have been joined by our good friend Mr. ALTMIRE from Pennsylvania.

This article hit me like a ton of bricks: ''Life beyond the hospital bed,'' and this is what is going on at Walter Reed that is not what they show us as Members of Congress and that they show the President and Vice President about what is going on at Walter Reed. ''Life beyond the hospital bed is a frustrating mountain of paperwork. The typical soldier is required to file 22 documents with eight different commands, most of them off post, to enter and exit the medical processing world, according to government investigators. Sixteen different information systems are used to process the forms, but few of them can communicate with one another. The Army's three personnel databases cannot read each other's files and can't interact with the separate pay system or the medical record keeping databases. The disappearance of necessary forms and records is the most common reason soldiers languish at Walter Reed longer than they should,'' and it goes on.

That is just unbelievable. A mountain of red tape and bureaucracy is what our troops come back to the United States to and have to deal with. I thought we well established after 9/11 that interoperability and communication between systems was an obstacle that was intolerable.

How could we allow this to happen and just let our veterans, who fought for us so valiantly, and the analogy I will make is while our troops might not come home, and thank good they are not coming home to the same reaction as our Vietnam veterans came home to, how is this not as bad? It is actually worse, in a way, because instead of just having to suffer the wrath of their fellow Americans, which was a travesty and certainly hurtful and harmful, instead they come home and suffer the wrath of their government, the benign wrath of their government. ''Benign'' meaning not specifically intended to harm, but it is like death by a thousand cuts.

Mr. MURPHY of Connecticut. If the gentlelady would yield for a moment, let us also think about what this message is to those that would sign up for this volunteer military force being sent to defend our country overseas. Not only is this unconscionable to those who have sacrificed everything to fight for this country in Afghanistan and Iraq, but think about those who we are asking to join the Armed Forces. We don't have a draft any more, and many people are thankful for that. We rely on the decisions by courageous men and women across this country to join voluntarily our Armed Forces.

So when they see people coming back from these wars, being treated without the basic dignity that any of us would expect those men and women to be treated with, I would think, I hope it doesn't, but I would think it might give pause to those that would join our military.

So I think of this from a point of conscience deep inside me, and I also think about it from a standpoint of national security. What kind of signal are we sending to those who are going to be the next generation of troops when this is how we treat them when they come back.

Ms. WASSERMAN SCHULTZ. Thank you. That is a very important and valid point.

I want to read a quote, and that quote is this: ''So let's get something straight right now. To point out that our military has been overextended, taken for granted and neglected, that is no criticism of the military, that is a criticism of the President and Vice President and their record of neglect.''

Who do you think said that? I will tell you who said that, George W. Bush, as a candidate, said that on November 3, 2000, in an interview on CNN.

I think it is pretty clear that he was right almost 7 years ago, and it is just sad that he didn't mean it. It is sad that he didn't actually do anything more than say those words instead of taking to heart what he supposedly believed at the time and making sure that it didn't happen when he became President.

Clearly Walter Reed, the lack of body armor and preparation and training that we are sending, that we have been sending and he was willing to send our troops over to Iraq and Afghanistan without, is clearly still something that he is willing to do. Unfortunately, all the President has been is a candidate who spews words with really not too much meaning behind them. It looks like Mr. ALTMIRE would like to say something.

Mr. ALTMIRE. I thank the gentlewoman from Florida and the 30-something Working Group.

I was in my office doing some work after the district work period, and I heard the gentleman from Florida (Mr. MEEK) speaking on veterans and the problems at Walter Reed. I had to come down here and join in the conversation, and I appreciate your offer to do so.

I want to tell you about a few things that happened in my district back home. I had several meetings with organizers and folks in the veterans community in my district. I toured a VA hospital that is undergoing a major expansion. As we were doing this throughout the week last week, the articles from The Washington Post about what was happening at Walter Reed appeared.

I have to tell you that the veterans community in my district, and I am sure in other districts around the country, my veterans were outraged at what was happening there because

there has been a lot of talk during the debate on Iraq and other forums that certain individuals are not supporting the troops and not displaying the right commitment to the troops, and there is a partisan affiliation with that. But I want to tell you, we have a situation taking place at Walter Reed where we have veterans returning from Iraq and from Afghanistan, as has been pointed out, with severe injuries. These are 19 and 20 year olds, with severe, long-term, lifelong injuries. These are the people that we are talking about when we are having the debate on Iraq and Afghanistan and who is supporting the troops and who is not.

I would leave it to others to determine who is at fault here. That is not what this is all about. What this is about is protecting our veterans and finding a way to improve the system.

I have to say I shared the outrage of the veterans in my communities when I heard about these articles because these are the people that are fighting for us overseas that are in harm's way, and the situation in Iraq and Afghanistan is going to be the subject of another debate coming up on funding and we are going to hear some rhetoric thrown around I am sure on this floor and other places about support of our troops and who has been supportive of our troops.

As the gentlewoman from Florida knows, during the debate on the budget, the continuation resolution, I was one who pushed very hard for increased funding for our Nation's veterans. I want to say that our leadership was able to put in $3.6 billion in funding increases for the VA health system. I have said many times, and I will say it here again tonight, Mr. Speaker, that I will never support a budget bill that does not fund the VA health system to maintain the current level of services every year that that budget funds.

□ 2215

They have been neglected for far too long, and we have seen what has happened at Walter Reed. We have seen the situation as outlined in great detail, and I do want to commend The Washington Post for the job that they did in putting forward these facts because these are things that needed to be known.

We have a backlog in the VA of 400,000 cases. A 400,000-case backlog in the VA health care system. Mr. Speaker, that is just unacceptable in this time.

So I will yield back, but I did want to say that I was in my office, and I just could not resist the opportunity to come down one more time and say that I share the frustration of the Members here, the 30-something Working Group, on this issue because I personally am a little bit tired of the rhetoric that certain people are not supporting the troops. I agree that there are people who are not supporting the troops, and I will leave it to others to determine who that is, but I do not think that that has a place in the debate when we have a situation at Walter Reed that has been outlined. We have a budget situation where we have not funded our veterans as we should have in past years, but we are going to make up for it with this year's budget and continuing budgets.

Mr. MURPHY of Connecticut. Mr. Speaker, I thank Mr. ALTMIRE. Your veterans in your district and veterans across this country have you to thank, along with others, that you helped rally to the cause to make sure that the continuing resolution that we passed here, which is effectively the Act that keeps the government operating, that provides the resources to different agencies, including the Veterans Administration, you made sure that that bill had the proper resources in it for our veterans.

Here is the good news. We are talking about what is past and we also have to talk about the prologue as well. A new sheriff is in town, and the good news for veterans and for the American people is that we are going to make those investments in veterans health care. We are going to change things in this Congress. Mr. ALTMIRE and I ran in part to make those changes, and Mr. MEEK and Ms. WASSERMAN SCHULTZ stood up here night after night after night making the case for that change.

If the American people spoke out about many things, one of them certainly was that part of our change in foreign policy had to be doing justice to those veterans. So I hope that when people hear us talk about some of the bad things happening within our veterans system here, they understand that we are only saying it because we are part of the movement which is going to change that.

The Disabled Veterans of America were in my office today, and they shared with me a pretty remarkable statistic, and I hope I get it right. In previous foreign conflicts, the ratio of those killed to those that were wounded in battle was 3 to 1 wounded to killed in action. In this conflict, it is 16 to 1. Now, that is great news, that we have made advances in protection for our soldiers, in armor, in the ability of our medical professionals to intervene on the battlefield that we are saving that many lives. It is a tragedy that one is lost, never mind the 3,000.

The stress, though, that that puts on our system is a great one. We have more and more wounded, more severely wounded coming into our hospitals, and it means that we have to step up to meet that new obligation. We are so lucky to have people coming back that can still go on to lead productive lives, but only if we provide them with those resources.

The other story that they told me was of the number of young soldiers just back from this war who are ending up in in-patient care in our State veterans hospitals, those that have been afflicted not just by the physical wounds, but by the mental wounds as well.

Our obligation has to be not just to treat the broken bones, the damaged bodies, but also to the mental stress that these brave men and women have come back with.

I just want to talk for a minute about who we are talking about here, because we have fought previous battles in a very different way. We have relied largely on our enlisted men and women to fight these wars, and I think we need to remember who we are asking to go over to Iraq and to Afghanistan to fight because no longer is it just our enlisted men.

We are treating our National Guard basically like they are our normal Army today. Sometimes we forget that. It is good we are the 30-something Working Group here because sometimes young people that have only seen this conflict think that that is how things are, that the National Guard and the Reserve are sort of like everybody else and they get sent over there, and that is what they signed up for. Well, that is not what they signed up for. That is not how we have conducted our military interventions in the past.

We have zero active duty or Reserve brigades in the United States right now that are considered combat ready. We have 84,000 members of the National Guard and Reserve that have been deployed two times or more since 2001. The average mobilization for a Reserve or National Guard member is 18 months, and now, as we are learning that the President is once again going to rely on National Guard forces to be part of this new escalation in Iraq, we are finding out that these forces, as they get ready in their hometowns and their home States, are not even close to combat ready in terms of the equipment they need.

The Oklahoma National Guard reports that one-third of their members do not have the M–4 rifles.

Ms. WASSERMAN SCHULTZ. On that point, just to focus on the National Guard and how correct you are about how they are being treated versus what they signed up for, there are now 14,000 National Guard troops being deployed earlier than they were originally scheduled to meet the demands of the President's proposed plans to escalate the war.

National Guard and Army units are being called up sooner than previously scheduled, and that is even though some of these units do not have the equipment that they need. They do not have the training, and some of them are having to go over there foregoing the training.

Mr. MEEK and I are going to be meeting with our general, who is in charge of our National Guard in Florida very soon. I just saw the request today, and I am looking forward to meeting with him. I met with him in my district in Florida as well last year, and the conversations that I have had with him and with others about the condition of the equipment, not just the condition of the equipment that is going over

there, but what happens to the equipment once it comes back because we are not replacing the equipment and sending them new equipment after it has been through 5, 6 years of an Iraq War.

So the equipment that they are working on and that they are utilizing has been through war literally. I mean, we are not making sure that they have the equipment that they need. We are sending them over there two, three and four times now.

When I went to Walter Reed a couple of weeks ago, every single guy I met had been through three tours, three. One of the guys I met, his little boy was there, and literally his dad had been on three tours. His little boy was six, which means that this dad missed half of his child's life already, half. I mean, that is just inexcusable. That is not what our volunteers sign up for. I mean, even if you signed up for the regular standing Army, it is unreasonable to expect that they would have to have that kind of pressure, physical, mental, emotional pressure put on them as well as their families, especially in the middle of the situation in a war that we are involved in under dubious circumstances to begin with.

I do not know if Mr. MEEK wants to jump in here now, but he is still sitting so I imagine not. So I will go back to Mr. MURPHY.

Mr. MURPHY of Connecticut. We are talking about the best of the best. If anyone was able to operate and achieve under the strain, it is the men and women in our Armed Forces, and so we expect a lot of them because we know the training they have been through. We know the kind of people they are, but we have asked so much of them that we can ask very little more.

We do differentiate at some level between our enlisted men and our National Guard and Reserve troops, and I think it is appropriate because when you are talking about them, you are talking about ripping somebody out of a family, out of a community.

These are not just fathers and mothers. These are small businessmen. These are employees. These are employers. These are members of the PTA. These are members of the Elks Club. These are people who hold communities together. That is the type of people that our members of the Armed Forces are. Those people that sign up for the Reserve and National Guard do that because they have this commitment to their community, and it does not end with their commitment to their military service. They are part of the community in ways that a lot of other people are not.

So when you talk about bringing people out two or three times to serve in the Reserve and National Guard, you are breaking up families and communities. That is why we had an enlisted service.

I think one of the discussions that we will have going forward, and one that I think will be bipartisan agreement on, as there has been with most everything we have done here, is that we need to have an honest conversation about increasing the troop strength of our military, increasing numbers of troops that are enlisted and doing this as a permanent job, because it has gotten to the end of the limit of a lot of the people who are serving in our National Guard and our Reserve.

Mr. ALTMIRE. I would add to that, the gentleman from Connecticut has eloquently outlined the types of people that we are talking about, that find themselves in this situation in our veterans hospitals. We are talking about people who really are American heroes. These are the best and brightest of our society. These are people who have left their families, as the gentlewoman from Florida has outlined. They have left their children. They are taking three, sometimes more, four tours, and they come back home.

They find themselves in a military hospital. They find themselves backlogged on waiting lists. It takes 6 months to 2 years to access your health benefits at the VA. This is shameful treatment for people who are our heroes in this country. We need to have a national commitment to supporting our veterans.

These are people who put their lives on the line for us. These are people who have left their family, as we have talked about, and we have had a situation in recent years where we had not given them the help that they need on the VA health side. We have made a commitment in the new Congress that we are going to make up for that as we have talked about.

But I do want to make clear that everyone in this House realizes, both Republican and Democrat, that these are the heroes of our society. Nobody is going to argue with that. These are folks that we applaud them for their efforts. We thank them and we cannot show our gratitude in any more forceful way than to give them the funding that they need when they come back home and find themselves in a VA health care facility or receiving treatment at the veterans facility, even on an outpatient basis.

Ms. WASSERMAN SCHULTZ. I want to follow up on what you are saying and emphasize and demonstrate what we are doing to our best, and I do mean doing to our best and brightest once they have come back. You have been an eloquent champion of our veterans.

I think it is important to recall a private conversation that you and I had on the floor during the run-up to the adoption of the supplemental. It happens that I am a member of the whip team, and you were my assignment that day. I had an opportunity to talk to you about whether we could count on your support for the supplemental and how important it was.

Your answer, which was the appropriate answer, was, well, Debbie, the answer is no, unless you can assure me that there was an increase for veterans health care. Because at that moment, I could not assure you because I did not have the information at my fingertips, I had to get back to you and was proud to be able to report that we did provide a significant increase that we were able to bump up beyond the continuing resolution significantly the health care we are providing to our veterans. But it is to your constituents' credit and the veterans that you represent that you do that.

But let us just go through some facts that we know. The percentage of Army servicemembers receiving medical retirement and permanent disability benefits back in 2001 was 10 percent. The percentage of the same Army servicemembers receiving medical retirement and permanent disability benefits in 2005 down to 3 percent. Army Reservists receiving medical retirement and permanent disability in 2001, 16 percent; same group in 2005, 5 percent.

Let us go to the case backlog at the Veterans Administration on new benefit claims in fiscal year 2006. 400,000-case backup. This is from the Army Times, third party validator. Average length of time veterans wait before receiving monthly benefits, 6 months to 2 years. That was in the Los Angeles Times.

The number of soldiers at Walter Reed navigating the medical and physical evaluation process since 2001 has doubled. The average length of time it takes for Army soldiers to convalesce and go through the military medical and physical evaluations, nine to 15½ months.

□ 2230

The increase in the Army's physical disability caseload since 2001, 80 percent. The number of veterans from the global war on terror expected to enter the military and veterans health care systems in the coming years, 700,000. And I will just read the quote again from Candidate Bush: ''So let's get something straight right now. To point out that our military has been overextended, taken for granted, and neglected, that's no criticism of the military; that is the criticism of a President and a Vice President and their record of neglect.''

Well, it sure is. And these statistics from the time that this President has been in the office are evidence of that.

I would be happy to yield to one of the three gentlemen here.

Mr. MURPHY of Connecticut. I thank you, Ms. WASSERMAN SCHULTZ. I just want to bring up one other topic here as well before we yield back to Mr. MEEK, and that is also, when we ask our men and women to go over there and fight, and then when they come home and they are not taken care of, we also need to remember who we are sending over there, our Reservists and National Guard, but who is joining them over there. This is a tangential but important topic. President Bush has talked a lot about this coalition of the willing, and we need to understand

that the American people, when they hear about the allied forces over there, know who they are now, because people are jumping ship faster than the evening news can keep up with it. Great Britain, Poland, Lithuania, South Korea. By the week, somebody else walks away. And as we make decisions in Iraq, like this plan for escalation in which there is not even a pretext of reaching out and forming some international consensus, remember when we went into Iraq in the first place, at least we tried to pretend that we were going to go through some international decision-making process. At least we sort of gave some faint illusion of using the United Nations as a forum for which to have this discussion. You didn't even hear a conversation about trying to reach out to our allies with this plan to escalate this war. I mean, we didn't. Because why? Because we knew if we asked Great Britain or Poland or South Korea or Lithuania to be part of this force, the answer would be pretty simple.

Ms. WASSERMAN SCHULTZ. If the gentleman would yield for a question. It is somewhat rhetorical, but if you know the answer, feel free to tell me what it is. Do you know what percentage of the troops that are over in Iraq that we will have as a Nation once Great Britain pulls out?

Mr. MURPHY of Connecticut. If you sort of listen to the rhetoric coming out of the administration, you would think this grand coalition has, what, 50 percent American troops, 60 percent, 70 percent, 80 percent? No. Ninety-two percent. Ninety-two percent of the troops on the ground in Iraq are American forces. We went from a high of coalition troops, those are non-American troops, of 25,000, and now down to almost below 15,000 troops and dropping by the day.

So I think that is just a point of information that we have now decided on a path that isn't even going to have a hint of coalition-building. We have decided to go this on our own. And, frankly, I think that has grievous consequences for what is happening on the ground in Iraq, frankly has just as important consequences for the future of foreign policy when we have gotten to a point where we don't even talk to our allies about our strategy there.

And I would be happy to yield to the gentleman from Florida.

Mr. MEEK of Florida. I thank you so very much for yielding. I think it is important for us to also realize that the next action that we will probably, no probably, we will have on Iraq, Mr. Speaker and Members, will be the $99.6 billion emergency supplemental to the war. And I think it is important that we pay very close attention to this vote that is coming up and what leads up to that vote.

I spoke earlier about making sure that troop readiness, that troops have what they need when they go. I spoke of going to get a procedure done. You have a medical procedure that needs to be done, the first thing you want to check and make sure is the doctor has what he or she needs to be able to complete the procedure, because you do want to get up from that table one day.

This is very, very important. And I think that as we continue to talk about this issue of Iraq, it is our responsibility; we cannot critique the present administration or the past majority in this House if we do the same thing they did and expect different results. That is just not going to happen. We know that those that have come before us, whatever authority they might have been from the executive branch, and said they have what they need, we have the up-armored Humvees, we have all the things that they need when they get there. We were told that. And, better yet, we still have men and women at Walter Reed and other veterans hospitals, military hospitals throughout this country and even in Germany, and I visited twice, that are without legs because they didn't have the up-armored Humvees that they needed.

So saying all of that, the debate is going to be: Are we going to do the same thing that the Republican majority did, saying that we talk a good game about standing up on behalf of the troops and we disagree with the President on certain issues as it relates to Iraq? But if we do what they did, which was very little, then what happened in November will not reach its full potential in making sure that we head in a new direction.

So I think it is important that we take this in a very strong way, and I am glad that we had 17 Republicans join us on a nonbinding resolution before we left here, the last big action that we took before we left on Presidents' break. And I encourage more of my Republican colleagues to be a part of this movement in the new direction. I think it is very, very important. I think there have been a lot of things that have been highlighted. I know that the whole coalition of the willing will soon be the coalition of one, because we are going to be the only country that is left. There is a lot of rhetoric going on, we have to be there because we have to fight them over there so we don't have to fight them here. I don't hear Great Britain saying that. I don't hear some of the other countries that have announced their departure and those that have left Iraq.

I am one to believe, just as a single Member, that there will be a U.S. presence for some time in the region. But at the levels that we are now, over 143,000 troops and counting, it is going to be very difficult for us to continue to sell to the American people that there is a great need to keep those kinds of levels there. And as you spoke earlier about the readiness issue, this is very, very important. This is very, very important. I mean, we wouldn't want to get the word out to the undesirables here in the United States of America to say that law enforcement here is not ready to deal with major crimes here in the United States of America. We definitely don't want to get the word out to the rest of the world that we are not prepared to defend ourselves in a way that we should and need to be prepared to be able to defend ourselves or help our allies in the future.

So I think that is important. It is something not to take lightly. A lot of work has to be done here. A lot of tough votes have to be taken. And we have to communicate with the Members and the American people to not let them fall behind as we go through reforming this House and reforming the legislative presence in this whole debate on Iraq.

Mr. ALTMIRE. Could the gentleman yield for a moment? And then I will yield to the gentlewoman from Florida. On that point, I wanted to tell another story that happened when I was back in the district.

I was at a fire hall meeting some folks, volunteer firemen and firewomen, and we were discussing the budget and one of them talked about how there needed to be support for our first responders. And I said, well, I completely agree, and I was disappointed to see that in the budget that the President submitted he cut funding for first responders, and in fact he cut fire grants by 55 percent. And the people around just couldn't believe that. They said, well, that can't possibly be true. That is not what they had heard; that is not what they had been led to believe. So, thankfully, the miracle of modern technology, I had my BlackBerry in my pocket and I pulled up the House Budget Committee, and Chairman SPRATT has put together a wonderful Web site. If you go to house.gov, any of your constituents can pull up the Budget Committee's Web site and look at the President's budget, and there is a specific page on there on what the President's cuts proposed are for first responders. And sure enough, there is a 54.7 percent reduction in grants for firefighters. He almost completely zeroes out the COPS program.

So when the gentleman from Florida talks about how important it is that we have homeland security funding back home and we fund our first responders, well, somewhere along the line there is a disconnect when it comes to what they are proposing down on the other end of Pennsylvania Avenue, because they don't seem to be getting that message.

So I did want to tell that anecdote, that our men and women who are courageous in the communities and serving as volunteer firefighters depend on these grants and they depend on the help that they need, and we in the Democratic majority are going to make sure that they get it. But there does seem to be a disconnect on some sides as to what has been the case.

I would yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Thank you. Just to quickly help close us out,

the bottom line is that our veterans come home and face devastating treatment from their government. We have outlined that tonight. We send them over there with equipment that in many cases is faulty. We are not adequately preparing them and giving them enough time to be well trained to do their best over there. And they are doing their level best given the assignment that we give them. We are not providing them with the resources, and we are not providing them with the equipment. And, fortunately, we have a Democratic Congress now that is not going to give this President a blank check any longer, not going to let him run roughshod over our duty to be a check and balance on the administration. And that is what the 30-something Working Group is designed to outline. We are going to make sure that we get the message out and that we help our colleagues and anyone who might also hear this conversation between us understand what is really going on.

Mr. MURPHY, I would yield to you to give out the Web site and Mr. MEEK for closing.

Mr. MURPHY of Connecticut. I think the real lesson from Mr. ALTMIRE's story is that he is like a Boy Scout, he is always prepared. He has the information at his fingertips that his constituents need. You can learn something every day from our colleagues.

To get in touch with the 30-something Dems, the e-mail is 30SomethingDems@mail.house.gov. And then on the Web site where a lot of the information we are talking about here tonight and in previous nights can be found is www.speaker.gov/30Something. And with that, I will yield for final thoughts back to Mr. MEEK.

Mr. MEEK of Florida. Thank you so very much, Mr. MURPHY. And I want to thank Mr. ALTMIRE for joining us and also Ms. WASSERMAN SCHULTZ. I want to thank the Democratic leadership for allowing us to have one more 30-something Working Group hour.

With that, Mr. Speaker, it was an honor addressing the House of Representatives.

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Western Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I am privileged to be recognized by the gentleman from Eastern Iowa and privileged to have the opportunity and the honor to address you, Mr. Speaker, on the floor of the United States Congress.

A lot of things have transpired since we took the week off from this Congress for the Presidents' recess, we call it, which was really a work period back in the district. And our constituents and those in the State of Iowa and in some of the areas north and east of us went through a severe, severe ice storm that tens of thousands of them are without power as we speak. And I know that you and I have an eye on that very closely, and we do though have a great confidence in the resiliency of the human spirit back in the Midwest, and friends and neighbors will step forward to do all they can. And what is within human possibility will be done and things will be taken care of there, Mr. Speaker.

So having that off my mind, I take up the subject matter that I came to address this evening. And it has been some time since I stepped here on the floor of the House of Representatives, Mr. Speaker, to talk about an issue that is the number one issue as I go around western Iowa and Iowa and other places in the country and have meetings with individuals, town hall-type meetings.

Whenever a group of people come together, if you ask questions, stand and listen, eventually the subject of immigration will come up. And it has been the most intensely watched subject and discussed subject perhaps over the last 3 years or a little more, Mr. Speaker.

I recall when President Bush gave his speech that laid out his vision on the immigration reform, and I believe the date was January 6 of 2004. I am not off by more than a day, if that. And that speech started us down this path and this Nation of having an open dialogue about what kind of a Nation we are and what kind of a Nation we are to become. And this is something that has embroiled most of the discussion across the country. Everybody has an opinion. It is a good thing, Mr. Speaker, a healthy debate.

I recall when Pat Buchanan ran for the Presidency back in 1966, he said: I will call for hearings. I will force a debate on this country. We have got to have a national debate so that we can come to a consensus and put this country down the path towards its future.

□ 2245

We have been intensively debating this issue of immigration for the last 3 years, and that would be all of 2004, 2005 and 2006 and we find ourselves now into 2007. So I would say we are about 38 months into this intense discussion, and the results we have from this are hard to measure at this point. One of the reasons is because it is a very convoluted and complicated issue.

We have a configuration here in America that doesn't necessarily promote the right kind of policy. I say that, I am cautious about how I address it, because first of all, I will recognize that there are employers who have premised their business plan on hiring illegal labor.

I can recall in an agricultural hearing that I attended in Stockton, California last year, there was a lady there, there was a witness, before our Agriculture Committee who ran, I believe it was organic, a truck farming operation where they raised peppers and those kinds of vegetables down south of Yuma near the border.

Her complaint was, well, we set up these farms in processing and we need over 900 people a day to operate the harvesting and the sorting and the packaging and the shipments of this crop every day. Now that we have done a better job of enforcing the border, then her lament was that they have a turnover of 9 percent per week, 9 percent of their labor supply per week, it is about 80, and they are having trouble filling their labor supply.

So I asked the question, where did you expect your labor supply to come from when you placed your business close to the border? And the answer was, of course, well we expected our labor to come over from Mexico and come work on our farms and then go back to their homes. Well, that would be illegal labor working on farms south of Yuma with the idea that was the plan from the beginning.

Now, the request was, come to Congress and ask us to legalize this illegal behavior. It was a planned strategy from the very beginning of the setup of the business operation.

I lay this out because this is not a unique circumstance across this country. In fact, it is becoming a standard practice. I am seeing it more and more again as businesses set up to run their operation, whether it is going to be food processing or farming or maybe a dairy operation, and they decide, we are going to need labor to do this.

We would like to go forward with our plan and put our infrastructure in place, invest our capital, buy our cows, get our equipment up and get an order in. We will have to hire some illegal labor to milk the cows.

I had a dairyman tell me a couple of weeks ago that 51 percent of the milk in this country are milked by people that don't speak English. That doesn't necessarily indicate they are illegal immigrants in America, but that would indicate that a significant percentage of them most likely are.

That is some of the scenario. Some of the scenario on the one side is business interests that can capitalize on cheap labor. Believe me, when you pour millions of people into a labor market that are illiterate and unskilled that will work cheaper than anybody else, you are going to drive that labor down.

There was a report that was issued here within the last few weeks that shows that the unskilled labor in America has lost 12 percent of its earning capacity because they are flooded. There was a report on Fox News about a month ago that we have a 30 percent high school dropout rate in America, 30 percent dropout rate.

So if the students in high schools are dropping out at a 30 percent rate, and we are bringing in illegal labor that will work for the cheapest price, it seemed to me, and we know this to be a fact, that the competition between our high school dropouts and the people that didn't go to school, many of

them, from foreign countries that come in, would be clashing in competition for those jobs that require a low education. Maybe they require a strong back and some resilience and persistence.

But the opportunity for undereducated, especially young people in America, those dropouts, those that go on to get a college education, those opportunities, are going to people that are living sometimes 22 or 30 to a house. They will work cheaper than anybody else.

What has happened is our young people that don't want to go off to college, maybe they are not blessed with the ability to do that, maybe they just decide, I want to punch a clock, I want to wear a blue collar, not a white collar. I am happy enough to go do some labor for my life, but leave me alone. Let me take care of my wife and my family. Let me go fishing once in a while, but I don't really want to go off to college and study. Those opportunities are diminishing significantly in America. What that spells is the narrowing of the middle class in America.

We are doing a good job of educating the people in the higher end, those that go off and get their master's and their doctorate. Those will become professional people that often start out at college at six figures and go up from there. That part, that percentage of our population is growing significantly. I am grateful that is the case. We have encouraged a lot of young people to move off into the professions, and they are doing that. That is to the credit of our educational system in this country.

So the upper class is expanding, and there is money being made. We have had unprecedented economic growth thanks to the Bush tax cuts, both rounds in 2001 and in 2003. We have had this unprecedented string of growth. That has helped lift investors up, lift entrepreneurs up, and, of course, the professionals have been lifted up also because there is more money in the market.

So the upper class of America is growing and expanding and prospering. The lower class in America, that unskilled cheap labor, is also growing in numbers, but not growing in prosperity.

As we see the stratification of this society, and think of it in terms of a healthy America that once had a growing ever-more-prosperous middle class is now becoming an America that has a growing, ever-more-prosperous upper class, a growing ever-more-prosperous lower class, and a shrinking more suppressed, more constrained middle class.

That is the scenario that is driven by illegal immigration in America, and illegal immigration in America keeps us from having a legitimate debate on the subject matter of how we might go about recruiting the best people we can find to come into the United States, those that will assimilate the most easily, those that bring their already trained skills, those that will be contributors instead of those that are drawing down off of the public system. Those will be contributors in the first day, the first week, the first month, the first year.

They are across this world with good educations, and they would love to come to America, and they fit into our economy. All you have to do is teach them their ZIP code and their area code and hand them a cell phone, and in a week you wouldn't know that they were not born here. They would assimilate into this culture and into this civilization.

But we can't carry on a reasonable discussion about how to skim the cream of the world off like we used to do, bring them into America so that we can enhance this American exceptionalism. We can't get there because the entire debate has clouded because we are not controlling our borders. We are not stopping the illegal traffic at our borders. We are not doing an adequate job of employer sanctions, although we have had some significant efforts of late, and that means that there is a magnet that draws people across the border. That is the issue that we are dealing with, and the price for Americans is horrendous.

I went back down to the border last week. I spent 2 days down there. I flew into Phoenix and then took a ride from Phoenix on down to Yuma. I joined Secretary Chertoff there at the Yuma station along with the chief of the Border Patrol, David Aguilar, and a number of Members of Congress and a couple of Senators. We went down south, just on the south edge of San Luis, which is the most southwesterly town in Arizona on the Mexican border.

There, for some time, they have had about a 12-foot high steel landing mat wall placed almost exactly on the border. That has been the only barrier that they have had between the two semiurban areas that are there.

Well, here in Congress, last fall, we passed the Secure Fence Act, and the Secure Fence Act mandates that the administration build not 700 miles of fence, but 854 miles of double fence/wall on our southern border in the most priority areas that are defined in the bill. Those priority areas, when you go back and you measure the distances there in the bill, it adds up to 854 miles. One of those priority areas is San Luis where we went to visit.

At that priority area, they are beginning to construct fencing there, and at least it is a start. I can't call it a great start or a good start, but at least it is a start. They have a start to building the kinds of structures we need to stop the illegal crossings that are taking place at our border.

There with about 12-foot high steel landing mat wall which each of us stopped and took a turn welding on there a little bit, I wish I could have stayed and gotten a little work done, it felt kind of good, but there we lent a hand to continuing construction of the wall on the border. Inside about 100 feet, they had constructed a 16-foot high steel mesh fence, and that has got a metal frame on top of it. The steel mesh is essentially impenetrable unless you take a torch or something to cut it with.

So from the steel wall on the border, 100 feet back, 16-foot high steel mesh fence or wall, and then another about 40 feet and there is about a 10-foot high chain link fence with three to four barbs on top, it looks like a playground fence, actually. As we discussed the effectiveness of the structures that they had put in place, and we are continuing to construct at San Luis, Arizona, I asked the question if anyone had made it through that area since they had gotten the triple fencing up.

The answer came back, well, we have had several that have made it through here; but 2 years ago, there were 138,000 illegal crossers who were interdicted by the Border Patrol in that area.

Since October of last year, until just last week, they were now down to 15,000 that had passed across the border. Now that is not a full year, obviously, so it is not quite apples to apples, but it is significantly fewer illegal crossings there.

But then I asked the specific question again, has anyone gone through this area where the triple fencing is? The answer is, well, we think, maybe, yes, three. How did they get through here? A couple of them perhaps went through the waterway and maybe one went around.

The next question, of course, was more finely tuned which is, has anyone defeated this triple fencing yet? The answer is, no, they have not defeated the triple fencing, but they said they will; all structures we put in place will be defeated. We have to work, we have to maintain them.

I have to agree. I think you have to maintain them. I think you have to patrol them. I think you need to put sensors on them so you can identify if somebody is trying to climb through over the top or under the bottom or cut through, and that, I believe, is in the mix.

So we did a driving tour on the border and from there, San Luis, drove along the east, along the border, and the triple fencing reduces down to double fencing. The 10-foot chain link doesn't go all that far yet. It is being extended. Then pretty soon the 16-foot high second layer of fence is under construction, but it is not there either.

You are just down to the steel wall, and not very long after that, the steel wall is gone, and you are left with the construction of the steel wall that is being put in place. It extends from San Luis off to the east. If I remember right, they were going to extend it about 19 miles to the east. We are a long ways to go on that yet.

But we got up, in a couple of Black Hawks, and flew the border then going east from there, in the southwest corner, all the way almost to Nogales and

then turned around and went on up to Tucson. As you fly along the border, you will see there are places the border isn't even marked. There is just sand, not a fence. There is a little trail on our side, and there is a Highway 2 on their side. But there is not a mark of where the border is in many of those locations.

It has been an easy prospect for people on the Mexican side of the border to drive along on Highway 2 in Mexico, decide they want to go to the United States, turn the steering wheel off of Highway 2, go out across the desert to the north, and end up on a road 10 or 20 miles to the north, driving through the desert and come out on that road, and, voila, they are home free in the United States of America.

That has been going on consistently and continually. It is being done by people smugglers; it is being done by drug smugglers. So along that stretch, they are constructing also a vehicle barrier. And this vehicle barrier exists of, I believe it is 5 inch by 5 inch steel tubing that is driven in on about 5 or 6 foot centers with that tubing welded to it at about bumper high on a vehicle or on a pickup truck, and then concrete poured inside those posts.

That does keep most of those vehicles from crashing through, so it makes pedestrians of people who want to come to the United States. It is a little slower way to travel through the desert. We happen to have discovered, I don't know, 25 or 50 miles east of San Luis, a group of about 20 illegals who were perhaps about half a mile into the United States, and they had clustered around the base of a mesquite tree. As we turned the helicopters around and we turned back to take a look, the rotor wash on a Black Hawk is pretty severe in the desert, and it was something that encouraged them to head south rather briskly. So they headed south towards the Mexican border, and we apparently called for backup and then moved on.

But there in broad daylight, a half a mile north of the border with traffic going back and forth on the Mexican highway on Highway 2, were a group of about 20 illegals, working their way across the desert. If we run across them with the type of, I will say, helicopter caravan we were in, then that was not an anomaly. That was something I would say would be standard practice that goes on a daily basis.

□ 2300

But most of the activity, Mr. Speaker, takes place at night. And I have gone down on the border at night and sat on the fence in the dark and listened, and just listened, not with night vision equipment but just listened. And over time, you hear vehicles come in from the Mexican side and drive with their lights off down through the mesquite brush, stop by a big mesquite tree about 150 yards south of the border, let their cargo out, which were people and packs and you can hear them get out. You can hear them drop their pack on the ground. Presumably they pick them back up again. There will be some hushed whispers and then, Mr. Speaker, they will, single file, come walk through the mesquite brush through the fence, and I am talking about a place further east in Arizona where there is a fence, and climb through the five barbed wire fence.

You can hear the fence kind of squeak and you see the shadows. You can't really count shadows, especially when you are sitting there in the dark. It is awfully hard to be certain of what you see, but it is not that hard to be certain of what you hear in an environment like that. So I will say dozens infiltrated around me the night that I sat down there, Mr. Speaker, and perhaps 20 there in broad daylight as we flew by with the Secretary of Homeland Security and the Chief of the Border Patrol, and two Blackhawk helicopters that make a lot of noise, and you can hear them coming quite a long ways off, still didn't deter the daylight illegal crossings taking place.

And as I look at the numbers of those who are coming across that southern border, and I would direct anyone's attention to the testimony before the Immigration Subcommittee of the Judiciary Committee in the 109th Congress, Mr. Speaker, and also in the 108th Congress, where we had a number of witnesses that testified for the Border Patrol or the Border Patrol Union when asked what level of interdiction do you have of those that are crossing the border illegally, what percentage are you able to arrest? And their answer has consistently been 25 to 30 percent is all that would be interdicted.

So, Mr. Speaker, their testimony also shows that last year, the Border Patrol on the southern border, the 2000 miles of our Mexican border, intercepted, 1,188,000 illegal immigrants who were seeking to cross our southern border. Intercepted, 1,188,000, and now we are to that point where we fingerprint them all, at least that is what the testimony says, and that their fingerprints go into the record so we can track them if their's are duplicate or triplicate or have been stopped a number of times at the border. And at some point we need to be running out of patience and bringing charges against them, lock them up, make them serve their time and then deport them. Some of that is happening, but our patience level is very high.

But of the 1,188,000, I don't have the precise numbers committed to memory, but as close as I can recall, it was about 742,000 that were first time crossers, and the balance of that, the difference between 1,188,000 and 742,000, that 400-some thousand number represents those who crossed the border illegally that year more than once, two times, three times, four times, seven, eight times on up to 17 times, would be one of the numbers that I have heard as they looked at those records, Mr. Speaker. This is something that we are spending $8 billion to protect our southern border. That is $4 million a mile.

And we are getting 25 percent to 33 percent efficiency out of that. And we are picking people up over and over again. And if they voluntarily deport, we simply take their fingerprints, identify them, take a digital photograph of them and take them back to the border and let them go back through the turnstile, say, at Nogales or Naco or San Luis or wherever there might be a port of entry. This enforcement at the border has been weak and it hasn't been relentless. The year before it was a 1,159,000. And this stopping one-third, one fourth to a third calculates out to be something like four million illegal border crossers a year. Four million. If you take the 1,188,000 and you say it is a fourth, multiply it times four and then just kind of round it back to four million, that four million illegal crossers turns out to be 11,000 a night, Mr. Speaker.

And we are in a discussion across this country today about 7,000 Iraqis that the administration wants to provide refuge in the United States for by doing background checks and clearing them and bringing them here so that they will not be under the gun, so to speak, in Iraq and they can be pulled away if they happen to be targeted by the insurgents and the enemy for helping the United States.

That concerns me that we would be bringing people out of Iraq when they need people there to help rebuild their country. And it concerns me that we would have a number that large, and I would seek to reduce that number, if we could, shrink it down as much as possible, do background checks as intensively as we can because I think it is a national security issue and how many al Qaeda could be infiltrated into that 7,000 Iraqis that would want to come in here that would be authorized by the administration, and how many more might there be if we open for 7,000.

But by the same token, the relative risk of having 7,000 Iraqis that we would have identified by name, by fingerprint and been able to at least verify some of their activities over the last 5 years or longer in Iraq, the relative danger to the United States pales in comparison to 11,000 illegal immigrants a night trickling, pouring, infiltrating across our southern border. 11,000. I mean, we are approaching twice, some nights it is twice as many as the 7,000 Iraqis. The 7,000 Iraqis are still a significantly sized number. But the southern border takes on a number approaching twice that many every single night, without any background check, without any check whatsoever, people coming into this country; some to come to work, some to pick lettuce, some to get jobs working in food processing and restaurants and hotels and motels and you name it across the country. It is still a violation of American law. It is still a crime, Mr. Speaker.

But the worst parts of this aren't rooted in individuals that are seeking a better life, although we must enforce our laws if we are going to be a Nation that has the rule of law. But what is really chilling is the elements that come with that mass of humanity, those elements that come in with that $65 billion worth of illegal drugs that comes across our Mexican border every year.

Mr. Speaker, I repeat, $65 billion, with a B, dollars worth of illegal drugs being brought into the United States across our southern border. And the drugs are, the four major drugs, methamphetamine, heroin, cocaine and marijuana. And the sources of them work out to be about like this, the methamphetamines, many of them manufactured in Mexico, from Chinese pseudoephedrine products. Now we have taken the Sudafed off the shelves here in the United States, most places in an effective way so that we have taken the local meth cooker pretty much out of business. And the meth that was coming into my part of the country in Iowa and your part, Mr. Speaker, was about 90 percent Mexican meth until we passed the law that took those pseudoephedrines off the shelf in our pharmacies and in our grocery stores, limited those quantities.

People can still have access in limited quantities. When we did that the DEA tells me now that the methamphetamines that are being sold in our part of the country, in Iowa, Nebraska and that Midwest area, it was 90 percent Mexican. Now it is 97 percent, and the balance of that trickles in from other places, maybe a California lab, maybe a few local labs, but not much. 97 percent now out of Mexico. We expected that. And we freed up a lot of officers time that are not having to clean up the dangerous meth labs, and put those officers in a better position to interdict the drug dealers. But the meth coming from Mexico, made from Chinese pseudo ephedrine that gets brought into Mexico in numbers way beyond the level of colds that they have down there for the number of people that they have, and that ought to set off some alarm bells. But that is being smuggled in. The meth is being smuggled across the border into the United States in massive supplies, numbers at least over 90 percent of the meth that is used in the United States now coming through, the raw product, the base product out of China to Mexico, manufactured in Mexico, shipped into the United States. That is the facts of methamphetamines. Much of the marijuana comes from any place south, a lot of it raised right in Mexico, and tons and tons of it hauled across the border. I happen to have been down there, it was in the middle part of last May when we interdicted a pickup truck that had about, let's see, it had about 200 pounds of marijuana packaged up in bales and sealed up in tape that was underneath a false floor in a pickup truck, Mr. Speaker.

□ 2310

That was just simply a decoy load that was designed to pull the enforcement off so the larger load could go through. I don't know if it actually made it through, but that is the kind of thing that is going on. Tons and tons of marijuana coming into the United States across the border, Mr. Speaker, a lot of it raised right in Mexico. And then we have the heroin that is smuggled in, and that heroin, a lot of it, also comes out of China.

And those of us that have visited over in Afghanistan in the poppy fields understand how that works. We have the Taliban that are engaged in the poppy and in the opium trade. They will front the crops in Pakistan, walk out into those farming areas along on the east side of Afghanistan that match up against the border with Pakistan, and pay for half of that crop upfront to the grower, to the farmer. It is a nice little crop agreement, and they pay for half the crop upfront. They come back when the harvest is done. They load up the poppy seeds/opium and pay for the other half of the crop. The farmer comes off fine because he doesn't have to haul any crop. He doesn't have to take anything to town. He gets paid upfront for his input costs and he gets paid for his harvest.

And off goes the opium then, hauled away by the Taliban, who sell it out of Pakistan into China and out of China over into Mexico and up into the United States. And, again, we are funding our enemies, Mr. Speaker. And the smuggling routes that go from Afghanistan through Pakistan through China and across into Mexico, up into the United States, are routes that are understood pretty well by our DEA.

And let me see. I left off one other drug, Mr. Speaker, and that is cocaine. And if one would notice, a lot of that cocaine was getting into the United States perhaps through our airports before 9/11. We shut that down and provided a significant amount of security at our airports after that. Drug dog sniffers, a lot more sophisticated screening process. When that happened, the Colombians had difficulty delivering their cocaine into the United States, and finally they cut a deal with the Mexicans so that they could use the distribution of the Mexican drug cartel families to flow their cocaine up into the United States.

So across our southern Border comes 90 percent of the illegal drugs that are used in the United States of America because those conduits that come out of Colombia, out of China, two different varieties out of China, and then the marijuana that is mostly raised in Mexico, all of that coming across the border, coming through illegal border crossings, coming across places where the border is not marked at all, and the drug cartel families that control those crossings fight for those. And the numbers that we have seen that have been killed in the drug wars in Mexico for 2006 exceed the number 2,000 deaths, the people that were murdered in the struggle for who is going to control the turf, who is going to control the profit. And the cities on the south side, Nuevo Laredo for one of those, that area has become a lawless land that is controlled by the drug cartels.

I will say that the new President of Mexico has stepped in to crack down on some of that. The jury is still out on how successful he might be. But these are important components here for us in the United States of America.

So here we are with this dynamic growing economy, the strongest economy we have seen in my lifetime. The continual growth quarter by quarter by quarter that is stimulated, of course, by having a competitive low tax environment. And with an economy that has this kind of dynamism, we are able to pay for two things that come from foreign countries that have hurt us greatly: one is the illegal drugs, the $65 billion worth coming across the Mexican border; and another one is paying for Middle Eastern oil and enriching the people over in that part of the world, many of whom are our sworn enemies, not our sworn friends. So we are funding our enemies by purchasing illegal drugs in America, and we are funding many of our enemies just simply because we are involved in purchasing oil to come into the United States. And we are more and more dependent on Middle Eastern oil, not less and less dependent.

But I am here to talk about the immigration issue, the illegal border crossing, Mr. Speaker, and the component of illegal drugs that are part of that. And I mentioned the 2,000 murder victims on the Mexican side of the border that were killed in the drug wars. And we will hear the testimony continually about how many people die in the Arizona desert trying to come into the United States. And as the weather warms up and we get into May, June, July, and August, the hotter and hotter it gets, the more victims there are in the desert. And it is sad and it is a tragedy, and we are doing some things to stop that. But I will argue that if we build some more fence, we build some more barrier, we can save some more lives down on that border. Those lives are a concern, Mr. Speaker, and we talk about them regularly and continually here in this Congress.

The lives that we don't talk about are the lives of the Americans who die at the hands of the criminal elements that come into the United States. And it has been politically incorrect to discuss such a thing as if we should just sit back and watch our citizens killed on a daily basis. Preventable crimes and we shouldn't utter a peep because somehow or another it might be interpreted as something that is based upon anything other than a love for the rule of law and the enforcement of law and the respect for the value of human life.

But I stand firmly in respect for the unique intrinsic value of human life, from conception, fertilization, to natural death. That is my record for more

than 10 years in public life, Mr. Speaker, and it is my stand today. It has not changed. It will not change. And I stand for the defense of the American people so that they can be safe in their homes, on the streets in their communities, in their schools, in their workplaces, in their churches, wherever they gather. The American people need to be safe.

So I began to ask the question, Mr. Speaker: How many Americans die at the hands of those who do make it across the border and across the desert? I didn't have a concept of what that number would be, Mr. Speaker, until such time as I asked the question in the immigration hearing. I asked it a number of times of different ranks of witnesses that were there. The question again was: How many Americans die at the hands of those who do make it across the desert?

And one of the witnesses, his answer was: ''I don't know the answer to that question, but I can tell you it would be in multiples of the victims of September 11.'' Now, that, Mr. Speaker, is a stopper when you think about such a concept. And when he uttered that concept, it started me thinking, and shortly thereafter I commissioned a GAO study, and the study was specifically designed to ask that question, how many Americans die at the hands of those who do make it illegally across the border? The study came back. It took about a year to get the study done. It wasn't quite apples to apples. That is the nature of things in government sometimes.

But it did put some facts in place that could be indexed to other existing studies and other existing data that the government has produced. So I shut myself up in the Library of Congress sometimes for several days to be able to concentrate hard enough to pull that data out of that report and use other reports and match them in so I would be able to compare apples to apples. And it comes down to something like this, Mr. Speaker: twenty-eight percent of the inmates in the prisons in the United States, Federal and State, are criminal aliens. Twenty-eight percent. Now, if you presume that those 28 percent are committing crimes in the same proportion of the rest of the inmates, since there are no records out there, you have to presume that 28 percent of the rape; 28 percent of the robberies; 28 percent of the grand theft auto; 28 percent of the first, second, and third degree murder, manslaughter, all of that is committed by criminal aliens. And there is no rationale that it could be anything else unless it would be more rather than less.

So I take that 28 percent, and I multiply it, and we have about 16,400 murders in the United States annually. And you take that times .28 and you come up with a number of something like 4,513, perhaps, would be the number of American murder victims representing that 28 percent, which is the population of our prisons that are criminal aliens. Now, that is a huge number and already that is more than the victims of September 11 on one day. But that would be an annual number.

And then if you look at some of the other fatalities out there, the highest group of fatalities are those victims of negligent homicide.

□ 2320

Most times, negligent homicide, Mr. Speaker, is the case of the victims of drunk drivers; not the drunks themselves, but the victims of the drunk drivers.

So as people come into the United States illegally, climb behind a steering wheel, drink and drive, often uninsured, not knowing our traffic laws, not having a sense of responsibility, but running into victims on the streets of America, that number is a number a little higher than the 4,500 or so that are victims of first and second degree murder and manslaughter. But the negligent homicide, mostly victims of drunk drivers, runs a little higher.

But it boils down to, when you do the math, shake it down to a day, about 12 Americans every day murdered at the hands of criminal aliens. Statistically, that is a solid number that has been tested across this country. I can tell you, Mr. Speaker, it is a number that the liberals hate to hear, but they have produced no competing data that can challenge this GAO study data that has been multiplied into other government data like crime rates to come up with these numbers: About 12 Americans a day, first and second degree murder victims or manslaughter victims, dead, buried; about 13 Americans a day die at the hands because of negligent homicide, most of them victims of drunk driving.

All of these crimes, Mr. Speaker, all of them are preventible if we enforce our immigration laws. If we would deport those people when they run afoul of the law, if we are able to control our borders, get operational control of our borders, force all traffic, all human traffic, all contraband, all cargo, everything that is coming across the border through the ports-of-entry, and then beef up the ports-of-entry, focus our surveillance there, probably have to widen them and put more personnel down so we are not backing traffic up, but if we could force all the traffic through the ports-of-entry and do a good job there, we would theoretically interdict all illegal human traffic, all illegal drug traffic.

We would also occasionally interdict a terrorist who is seeking to sneak into the United States. I happen to know of seven individuals who were persons of interest from nations of interest, which is a government euphemism, Mr. Speaker, for someone who is a likely terrorist who hails from a terrorist spawning or terrorist sponsoring country. I know of seven.

When they are identified, picked up by the Border Patrol or whatever the arresting officer happens to be, there is a little window there to find out about it. Then they are handed over to the FBI, which then makes that case classified. At that point those officers can't talk to me or anyone about it after that.

So if they told me about something that happened today and the FBI picks them up 5 minutes from now and takes them into custody and says this is now a classified case, 10 minutes from now they can no longer even repeat the things they said to me 10 minutes ago, because it is now formally a classified case. So I have a little 24 hour window to hear about this.

My network is not that good, but I know of seven. I don't know how many that is altogether. It might be 70. It is probably well more than 70 persons of interest from nations of interest, people who we think are at least likely terrorist suspects coming across our southern border, sneaking into the United States, wishing us ill will, ready to act on that ill will. That threat is there too.

The crime element, the drug element, the terrorist element, all of that is added to the depression of the value of our labor force here in the United States, in fact the lower skilled being pushed down by reducing their wages by 12 percent because of the millions who have been injected into that market. We have gotten dependent upon it over the years.

Mr. Speaker, this part about the violence perpetrated against Americans is something that I have given the broad statistics of 12 victims a day of murder, 13 of negligent homicide, 25 altogether. Almost every single day the casualties of Americans at the hands of criminal aliens, most of that preventible if we enforce our laws, those casualties are almost every day greater than the numbers of American casualties in Iraq. They absolutely total up to be something that are in multiples of the victims of September 11.

These are Americans that need to have their lives protected. We need to have our laws enforced, we need to get operational control of the border, we need to have cooperation at the local law enforcement level, Mr. Speaker.

To personalize this a little bit, statistics are one thing. We can talk about statistics. Some people understand the magnitude of that. Some people understand personal pain and evil people. So, I have picked a selection of evil people here, Mr. Speaker.

My number one evil person is this individual here. His name is Angel Maturino Resendiz. He is known as, and we will recognize his name, the Railroad Killer. This individual for nearly 2 years, a 39-year-old illegal alien from Mexico, literally followed America's railroad tracks to rape and kill unsuspecting victims.

Resendiz struck near the rail lines that he illegally rode and then he stowed away on the next freight train that came his way. He is responsible

for as many as 15 serial murders, and the victims' ages range from 16 to 81. He attacked his victims with rocks, sledgehammers, shotguns and tire irons, sometimes in their homes, and sometimes he stole money for alcohol or drugs. Most of these murders took place in central Texas, but it is suspected he killed as far north as Kentucky and Illinois.

He has been apprehended by the Border Patrol in Texas and New Mexico eight times within 18 months, and he had been, and I emphasize this, voluntarily returned to Mexico each of those eight times in those 18 months.

Eight times he volunteered to return to Mexico when he was stopped by the Border Patrol, and then he would come back into the United States, and sometimes it happened quite quickly, come back to kill again.

On June 1, 1999, there were State and Federal warrants outstanding for Resendiz and there were intensive efforts underway to arrest him. Border Patrol agents in Santa Teresa, New Mexico, apprehended Resendiz. He was illegally crossing the border again, and he voluntarily was returned to Mexico, even though there were outstanding warrants on him. The Border Patrol was unaware that there were warrants out, but he was on the FBI's top 10 list. Still, picked up as an illegal border crosser and voluntarily returned, self-deportation, so-to-speak, back to Mexico.

How does this happen, that an individual that is in the FBI's top 10 most wanted list, we have him in our hands eight times, and this time, on June 1, 1999, while there were outstanding Federal warrants, we couldn't index his fingerprints to that data there with the system we had in 1999 and put this man behind bars before he killed again? But we couldn't under those circumstances.

I am advised that today, everyone that is picked up is printed and their fingerprints are run through the database, Mr. Speaker, and presumably we would catch the next Resendiz perpetrator. It didn't happen in 1999.

So they released him, and Resendiz, after he had gone back to Mexico, immediately found his way back into the United States, where within 48 hours he killed four more innocent people.

He was finally traced and captured by a determined Texas ranger in July of 1999, and then he was ultimately executed at Huntsville, Texas, June 27, 2006.

This man here, Angel Maturino Resendiz, killed at least 15 people. Now he has been executed as of June 27, 2006. But it is something that could have been prevented, Mr. Speaker, if we had had an intense effort to enforce our border. When they come through the second time, if we are not willing to use the fullest extent of the law at that point and provide a deterrent, these kind of things happen.

What was he afraid of? He surely wasn't afraid to be picked up again on the border. He knew he would be returned back to Mexico again. Finally a determined Texas ranger hunted him down. Thank God for that kind of effort and that kind of man.

Now, that is Resendiz, Mr. Speaker. That is the face of evil. It is not the only face of evil, but that is a face of evil.

□ 2330

He is one of those who contributes to those thousands of Americans who have been victimized in the fashion I have described.

This is another one, Mr. Speaker, Raul Gomez-Garcia. Many of us know this story, and this will take us into the discussion of the situation that exists in Denver and in many of the cities across America that have established a sanctuary policy.

This case has been brought to a conclusion with a conviction and a sentencing, and I can talk straight up about it. Raul Gomez-Garcia, a cop killer. He was sentenced to 80 years in prison for second degree murder, not first degree murder. But as the police officers that were guarding a family celebration which I understand was Raul Gomez-Garcia's family celebration, I believe it was a christening or a baptism of a daughter of his, Raul Gomez-Garcia left the party and went to come back in and they would not let him back in because he didn't have identification or whatever the reason was. At any rate, Gomez-Garcia lost his temper and on May 8, 2005, ambushed two officers, Officer Donnie Young who was shot in the back of the neck, I believe, and killed, and Officer Jack Bishop, whose bulletproof vest saved him when he was shot in the back by Mr. Gomez-Garcia, and who immediately escaped to Mexico.

The way I recall this case, we knew he was heading that way. As he got into Mexico, he believed he had sanctuary there. The policy was Mexico wouldn't extradite murderers to the United States if they were faced with a death penalty, which would be the case here for this kind of a crime.

And then over time because the Mexican courts had ruled that the death penalty was cruel and unusual punishment and therefore they were not going to send their citizens to the United States to face a death penalty, no matter what kind of a crime they committed, and the disrespect for the laws here in the United States that come from the courts in Mexico I think cannot be overlooked, either, Mr. Speaker, but that was the position that the Mexican courts took, that the death penalty was cruel and unusual, and so they found some people that they wouldn't encourage to come to the United States. That was those people who were provided sanctuary within Mexico who hid behind the decisions made by the Mexican courts and Mexican laws.

Then over time the same court ruled that life in prison was also cruel and unusual punishment. So what would be appropriate punishment for an individual like this, Raul Gomez-Garcia, who shot two cops, killed one, the other one saved by his bulletproof vest, ripped Donnie Young out of his family's life, left a daughter without a father, and put all of that pain and agony on the community and on the family and the neighborhood and put a wound into this Nation, and absconded to Mexico and the Mexican courts say even life in prison is too cruel and unusual for someone who commit such a cruel and unusual act?

So the prosecuting attorney had to cut a deal. He had to lower the charge to second degree murder where the maximum sentence was 80 years in prison which Raul Gomez-Garcia received at his sentencing that took place last October 26 in Denver.

But the big problem with this is Raul Gomez-Garcia had been stopped a number of times by the Denver Police Department. The sanctuary laws that they have in Denver say that they can't inquire into the lawful presence or the immigration status of anyone that they stop. Therefore, Raul Gomez-Garcia was released each time he was stopped for his traffic violations, car accidents, whatever the incidents of confrontation might have been. Gomez-Garcia was allowed to go back on the streets, back behind the steering wheel, back behind a gun, back behind the backs of two police officers and shoot them in the back, killing Officer Donnie Young.

All of this could have been prevented if we sealed our borders, stopped the bleeding at the borders; and failing that, when Gomez-Garcia arrived in Denver with his first encounter with the Denver Police Department, he should have been picked up and deported back to Mexico on the spot. That is what the law says. But Denver says they are a sanctuary city, and that means they want to be a welcoming place for people who come here illegally.

The price that is paid is the life of Donnie Young. I think it is a tragedy and it is amazing to me that the citizens of Denver will put up with a policy that will protect murderers within their midst and not enforce our Federal law. And the very idea that because you are local law enforcement and you have a few city ordinances and speed limits and issues like that to enforce, the very idea that because you are a city police officer you don't cooperate or enforce Federal law is anathema to a Nation that is founded upon the rule of law.

I grew up in a law enforcement family, and there was no concept in those years that any law enforcement officer was absolved from enforcing any of our laws.

Can you imagine a Nation or a world where only Federal agents could enforce Federal laws, and only State agents could enforce State laws, and Highway Patrol officers could only enforce the State speeding laws, not the

local speed limits, and your city police officers could only enforce the city ordinances and the local traffic laws? And county officers, what are they going to do? They don't have enough ordinances to enforce anything. All they could do under this kind of rationale would be serve papers and keep the jail and maybe leave us otherwise alone. It is not conducive to a free state to have sanctuary policy or to live under the delusion that you don't have the responsibility to enforce immigration laws because you happen to be wearing a blue uniform of a Denver Police Department.

The result is Denver police officers, shot, killed by Gomez-Garcia, who had no business being in the United States and we had many opportunities to send him back to his own country and keep him there or incarcerate him here in the United States until he had paid the price for the others crimes he had committed.

Here is what is shocking to me, Mr. Speaker. Denver Police Chief Gerry Whitman said the case, Gomez-Garcia, ''sends the message that Denver and its criminal justice system stand behind the police.'' How does that work? How can you stand behind the police when you have Gomez-Garcia standing behind the police and putting bullets into them, and you have picked up and turned the very man loose that you had the opportunity to stop before he took one of your fellow officers?

That is what happens with a sanctuary policy. Donnie Young was one of thousands. The face here is another face of evil, Mr. Speaker. And the face of the victims are not here on this floor tonight, but it is a tragedy just the same.

And I have another tragedy.

This is Jose Luis Rubi-Nava.

Now, this individual has been arrested and he has I believe been indicted on other charges, so we are going to say ''allegedly.'' I am going to put allegedly ahead of the things I say about this individual, understanding I don't believe he has been convicted at this point. He is innocent until proven guilty, but these are the news reports that I am referencing.

He was arrested in April 2006 for other crimes. He is an illegal immigrant. He could have been deported back to his home country. He could have been incarcerated for the other violations he had, but he was released back into the community, again because of a sanctuary policy, and again this is Denver, the suburbs of Denver.

So we have Jose Luis Rubi-Nava of Glendale, Colorado, who is charged with one of the most horrendous crimes that I have heard about in my years in dealing with these things, and that is the dragging death of a female whom we believe was perhaps his common-law wife, a live-in, or a romantic friend whom he allegedly tied a rope around her neck and drug her behind the car for over a mile and left her body about 20 feet outside a driveway in a suburban area, in a suburb of Denver.

In reading the report, the gory streaks on the street were more than a mile long and they had to wash the streets to clean things up after the perpetration of this horrible crime allegedly committed by Rubi-Nava.

□ 2340

This crime is just among the most horrible things that I have ever heard, and yet the Denver police persist. They buried one of their own, Donnie Young. The mayor's sanctuary policy is what they have to live by I recognize. I am not hearing from the police department that we should stop all of these sanctuary policies. Instead, I am hearing the police chiefs say we take care of our own; we enforce the law.

But I hear things like statements made in this case, Denver police have no reason to believe someone is in the country illegally; therefore, they do not contact Immigration and Customs Enforcement agents. If they stop somebody, and any common-sense person, anyone with half a brain, could figure out that they had an illegal immigrant on their hands because of the identification, because of maybe a Mexican driver's license, maybe because of a matricula consular card, which is almost proof positive of unlawful presence in the United States. There is no reason to have a matricula consular card unless you are here illegally, Mr. Speaker.

No, the Denver police would argue we have no reason to believe he is here illegally, and therefore, we cannot take action; therefore, we will release an individual back on the streets again and hope he does not drag somebody to death or shoot somebody in the back or run over them as a drunken driver.

This kind of tragedy, this kind of evil, Mr. Speaker, has got to be stopped. I have laid out just three cases, and I have discussed perhaps about 17 murder victims in these three cases. That average, I do not know if it is high or low across the perpetrators of capital crime.

Mr. Speaker, I can tell you that if you are the family members of any of those victims, you are not thinking in terms of numbers or whether it is a high or a low number of people that were killed. You are thinking in terms of your loved one that you have lost, that devastating, wrenching that a family goes through and a that grief that goes on for a lifetime, that hole that is there for a lifetime, the hole that I talked about in the family of Donnie Young, that hole multiplied by thousands in this country because we do not have the will to enforce our immigration laws, because we do not have the will because we have people that see the massive numbers of low-income, cheap wages as a political power base. On the other side of that, we have people that are making a lot of money off of cheep labor, and they believe they have a right.

So, therefore, Mr. Speaker, I will continue this discussion in future evenings, and I appreciate the privilege to address you on the floor of the United States House of Representatives.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROSS (at the request of Mr. HOYER) for today on account of official business in the district.

Mr. SPACE (at the request of Mr. HOYER) for today and February 28 on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. FARR, for 5 minutes, today.

Mr. CHANDLER, for 5 minutes, today.

Mr. YARMUTH, for 5 minutes, today.

(The following Members (at the request of Mr. BURGESS) to revise and extend their remarks and include extraneous material:)

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. POE, for 5 minutes, today and February 28 and March 1.

Mr. DREIER, for 5 minutes, today and February 28.

Mr. JONES of North Carolina, for 5 minutes, today and February 28 and March 1.

Mr. BURTON of Indiana, for 5 minutes, today and February 28 and March 1.

Mr. MORAN of Kansas, for 5 minutes, February 28.

Mr. BURGESS, for 5 minutes, today and February 28.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 171. An act to designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the ''Mickey Mantle Post Office Building''; to the Committee on Oversight and Government Reform.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on February 16, 2007, she presented to the President of the United states, for his approval, the following bill.

H.R. 742. To amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 28, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

616. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Halosulfuron-methyl; Pesticide Tolerance [EPA-HQ-OPP-2006-0205; FRL-8113-8] received February 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

617. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Orthosulfamuron; Pesticide Tolerance [EPA-HQ-OPP-2007-0010; FRL-8113-4] received February 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

618. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Sethoxydim; Pesticide Tolerance [EPA-HQ-OPP-2006-0321; FRL-8115-8] received February 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

619. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Revised Format for Materials Being Incorporated by Reference for North Dakota [R08-ND-2006-0001; FRL-8274-6] received February 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

620. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York; Motor Vehicle Enhanced Inspection and Maintenance Program [Docket No. EP-R02-OAR-2006-0695, FRL-8275-5] received February 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

621. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Update to Materials Incorporated by Reference [WV101-6038; FRL-8273-7] received February 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

622. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Final Authorization of State Hazardous Waste Management Program Revision [FRL-8281-3] received February 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

623. A letter from the Director, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 01-07 informing of an intent to sign a Project Arrangement concerning the Joint Studies on Adversary Countermeasures to Ballistic Missile Defense between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

624. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

625. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

626. A letter from the Director, Defense Security Cooperation Agency, transmitting a report in accordance with Section 25(a)(6) of the Arms Export Control Act(AECA), describing and analyzing services performed during FY 2006 by full-time USG employees who are performing services for which reimbursement is provided under Section 21(a) or Section 43(b) of the AECA; to the Committee on Foreign Affairs.

627. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Department's report entitled, ''Report on the Effectiveness of the United Nation to Prevent Sexual Exploitation and Abuse and Trafficking in Persons in UN Peacekeeping Missions,'' pursuant to Public Law 109-164, section 104(e); to the Committee on Foreign Affairs.

628. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Pursuant to section 565(b) of the Foreign Relations Authorization Act for FY 1994 and 1995 (Pub. L. 103-236), certifications and waivers of the prohibition against contracting with firms that comply with the Arab League Boycott of the State of Israel and of the prohibition against contracting with firms that discriminate in the award of subcontracts on the basis of religion, and accompanying Memorandum of Justification; to the Committee on Foreign Affairs.

629. A letter from the Secretary, Department of State, transmitting the Department's report covering current military, diplomatic, political, and economic measures that are being or have been undertaken to complete out mission in Iraq successfully, pursuant to Public Law 109-163, section 1227; to the Committee on Foreign Affairs.

630. A letter from the Secretary, Department of State, transmitting determination that North Korea detonated a nuclear explosive device on October 9, 2006, pursuant to section 102(b)(1) of the Arms Export Control Act and Section 129 of the Atomic Energy Act; to the Committee on Foreign Affairs.

631. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-19, ''Lower Georgia Avenue Job Training Center Funding Authorization Temporary Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

632. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-17, ''Ballpark Hard and Soft Costs Cap Temporary Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

633. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-18, ''Exploratory Committee Regulation Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

634. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

635. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting pursuant to Section 634A of the Foreign Assistance Act of 1961, notification for countries listed as approved for funding for the FY 2007 International Military Education and Training (IMET) program; jointly to the Committees on Foreign Affairs and Appropriations.

636. A letter from the Acting Director, Defense Security Copperation Agency, transmitting notification of program changes, pursuant to the American Serviemembers' Protection Act of 2002 as amended by Section 1222 of the John Warner National Defense Authorization Act for Fiscal Year 2007; jointly to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

[Pursuant to the order of the House of February 16, 2007, the following report was filed on February 23, 2007]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRANK: Committee on Financial Services. H.R. 556. A bill to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes; with an amendment (Rept. 110–24 Pt. 1). Ordered to be printed.

[The following report was filed on February 27, 2007]

Mr. ARCURI: Committee on Rules. House Resolution 195. Resolution providing for the consideration of the bill (H.R. 556) to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the Untied States, and for other purposes; (Rept. 110–25). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

[The following action occurred on February 23, 2007]

Pursuant to clause 2 of rule XII, the Committees on Energy and Commerce and Foreign Affairs discharged from further consideration. H.R. 556 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DAVIS of Alabama (for himself and Mr. RAMSTAD):

H.R. 1190. A bill to amend title XVIII of the Social Security Act to preserve access to

community cancer care by Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENZI:

H.R. 1191. A bill to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park; to the Committee on Natural Resources.

By Mr. MEEK of Florida (for himself, Ms. ROS-LEHTINEN, Mr. LEWIS of Georgia, Mr. BRADY of Pennsylvania, Ms. JACKSON-LEE of Texas, and Mr. ORTIZ):

H.R. 1192. A bill to amend the Public Health Service Act to enhance public and health professional awareness and understanding of lupus and to strengthen the Nation's research efforts to identify the causes and cure of lupus; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia (for himself, Mr. CAMP of Michigan, Mr. BISHOP of Georgia, Mr. WYNN, Ms. KILPATRICK, Mr. BUTTERFIELD, and Mr. CUMMINGS):

H.R. 1193. A bill to amend title XVIII of the Social Security Act to improve the benefits under the Medicare Program for beneficiaries with kidney disease, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself, Mr. RAMSTAD, Mr. BOUCHER, and Mr. GARY G. MILLER of California):

H.R. 1194. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services; to the Committee on Ways and Means.

By Mr. OBERSTAR (for himself, Mr. MICA, Mr. DEFAZIO, and Mr. DUNCAN):

H.R. 1195. A bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. REYES:

H.R. 1196. A bill to authorize appropriations for fiscal year 2007 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. BILIRAKIS:

H.R. 1197. A bill to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war; to the Committee on Veterans' Affairs.

By Mrs. CAPPS (for herself, Mr. WALSH of New York, Mr. CUMMINGS, Mr. EHLERS, Mr. MCHUGH, Mr. MCNULTY, Ms. MCCOLLUM of Minnesota, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. GRIJALVA, Ms. SCHAKOWSKY, Ms. KILPATRICK, Mr. PAYNE, Mr. GENE GREEN of Texas, Mr. HINCHEY, Mr. GUTIERREZ, Mr. FOSSELLA, Mr. SMITH of New Jersey, Mr. JEFFERSON, Mr. JOHNSON of Georgia, Ms. WOOLSEY, Mr. KUHL of New York, Mr. DAVIS of Illinois, Ms. ESHOO, and Mr. BACHUS):

H.R. 1198. A bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss; to the Committee on Energy and Commerce.

By Mr. CARDOZA (for himself, Mr. LARSEN of Washington, and Ms. HOOLEY):

H.R. 1199. A bill to extend the grant program for drug-endangered children; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT (for himself, Mr. DELAHUNT, Mr. KUCINICH, Ms. LEE, Ms. SCHAKOWSKY, Mr. HINCHEY, Mr. DICKS, Mr. FARR, Mr. GRIJALVA, Mr. OLVER, and Mr. GUTIERREZ):

H.R. 1200. A bill to provide for health care for every American and to control the cost and enhance the quality of the health care system; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUCHER (for himself, Mr. DOOLITTLE, and Ms. ZOE LOFGREN of California):

H.R. 1201. A bill to amend title 17, United States Code, to promote innovation, to encourage the introduction of new technology, to enhance library preservation efforts, and to protect the fair use rights of consumers, and for other purposes; to the Committee on the Judiciary.

By Mr. ENGLISH of Pennsylvania (for himself, Ms. NORTON, and Mr. CARTER):

H.R. 1202. A bill to amend the Federal Election Campaign Act of 1971 to prohibit an authorized committee of a winning candidate for election for Federal office which received a personal loan from the candidate from making any repayment on the loan after the date on which the candidate begins serving in such office; to the Committee on House Administration.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. UDALL of Colorado, Mr. TERRY, Mr. CARTER, and Mr. MILLER of Florida):

H.R. 1203. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the use of any contribution made to a candidate for election for Federal office, or any donation made to an individual as support for the individual's activities as the holder of a Federal office, for the payment of a salary to the candidate or individual or to any member of the immediate family of the candidate or individual; to the Committee on House Administration.

By Mr. ENGLISH of Pennsylvania (for himself and Mr. GOODE):

H.R. 1204. A bill to amend the Internal Revenue Code of 1986 to impose penalties for the failure of 527 organizations to comply with disclosure requirements; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALEOMAVAEGA (for himself, Ms. BORDALLO, Mrs. CHRISTENSEN, and Mr. ABERCROMBIE):

H.R. 1205. A bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORBES (for himself, Mr. KELLER, Mrs. JO ANN DAVIS of Virginia, and Mr. BURTON of Indiana):

H.R. 1206. A bill to name the Logistics Automation Training Facility of the Army Quartermaster Center and School at Fort Lee, Virginia, in honor of General Richard H. Thompson, who is the only quartermaster to have risen from private to full general; to the Committee on Armed Services.

By Mr. GERLACH:

H.R. 1207. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on any tax-exempt organization which accepts any contribution which may be used to relocate property held by the organization if the relocation is contrary to the intent of the donor of the property; to the Committee on Ways and Means.

By Mr. GILLMOR (for himself and Mr. BAKER):

H.R. 1208. A bill to amend the Securities and Exchange Act of 1934 to require improved disclosure of corporate charitable contributions, and for other purposes; to the Committee on Financial Services.

By Mr. KING of New York:

H.R. 1209. A bill to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, emergency medical technicians, and other rescue workers who are killed in the line of duty; to the Committee on House Administration.

By Mr. MATHESON (for himself, Mr. CANNON, and Mr. BISHOP of Utah):

H.R. 1210. A bill to authorize the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah, and for other purposes; to the Committee on Natural Resources.

By Mr. MATHESON (for himself, Mr. MCINTYRE, Mr. TAYLOR, Mrs. WILSON of New Mexico, Mr. EDWARDS, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. LINCOLN DAVIS of Tennessee, Mr. DEFAZIO, Mr. DELAHUNT, Mr. ETHERIDGE, Mr. HOLT, Ms. JACKSON-LEE of Texas, Mr. KUHL of New York, Mr. LATHAM, Mrs. MALONEY of New York, Ms. SCHWARTZ, Mr. UDALL of New Mexico, Mrs. CAPPS, Mr. HIGGINS, Mr. MELANCON, Mr. GRIJALVA, Mr. CUMMINGS, Mr. MCGOVERN, Mr. ALEXANDER, Mr. CLEAVER, Mr. EMANUEL, Mr. WAMP, Mr. SALAZAR, Mr. CUELLAR, Mr. FATTAH, Mr. GONZALEZ, Ms. BORDALLO, Mr. HOLDEN, Mr. DOYLE, Mr. SHULER, Mr. VAN HOLLEN, Ms. MATSUI, Ms. LORETTA SANCHEZ of California, Mrs. DAVIS of California, Mr. LYNCH, Mr. ROSS, Mr. BOUCHER, Mr. WALZ of Minnesota, Ms. BERKLEY, Mr. HALL of New York, Ms. HOOLEY, Mr. BOSWELL, Mr. ELLISON, Ms. KILPATRICK, Mr. FARR, and Mr. LANTOS):

H.R. 1211. A bill to amend title 38, United States Code, to provide entitlement to educational assistance under the Montgomery GI Bill for members of the Selected Reserve who aggregate more than two years of active duty service in any five year period, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MELANCON:

H.R. 1212. A bill to amend the Small Business Act to authorize the Administrator of

the Small Business Administration to waive the prohibition on duplication of certain disaster relief assistance; to the Committee on Small Business.

By Mr. POE (for himself, Mr. EDWARDS, Mr. CARTER, Mr. GONZALEZ, Mr. SOUDER, Mrs. MUSGRAVE, Mr. GOODLATTE, Mr. PITTS, Mr. LAMBORN, Mr. SHADEGG, Mr. BARTLETT of Maryland, Mr. WILSON of South Carolina, Mr. FORTUÑO, Mr. BARRETT of South Carolina, Mr. PEARCE, Mr. GINGREY, Mr. MCCAUL of Texas, Mr. HARE, Mr. GENE GREEN of Texas, Mr. SCOTT of Georgia, Mrs. MYRICK, Mr. SENSENBRENNER, Ms. BORDALLO, Mr. PATRICK MURPHY of Pennsylvania, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MCCOTTER, and Mr. TERRY):

H.R. 1213. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax equal to 50 percent of the compensation paid to employees while they are performing active duty service as members of the Ready Reserve or the National Guard and of the compensation paid to temporary replacement employees; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself and Mr. TAYLOR):

H.R. 1214. A bill to amend title 38, United States Code, to expand and enhance educational assistance for survivors and dependents of veterans; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Michigan:

H.R. 1215. A bill to authorize the Secretary of Energy to make certain loan guarantees for advanced conservation and fuel efficiency motor vehicle technology projects; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself and Mr. KING of New York):

H.R. 1216. A bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Nebraska (for himself, Mr. HAYES, Mr. CONAWAY, and Mrs. MUSGRAVE):

H.R. 1217. A bill to amend the Internal Revenue Code of 1986 to provide a credit to certain concentrated animal feeding operations for the cost of complying with environmental protection regulations; to the Committee on Ways and Means.

By Mr. WU:

H.R. 1218. A bill to amend part D of title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate for lower prices for Medicare prescription drugs and to eliminate the gap in coverage of Medicare prescription drug benefits, to authorize the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU:

H.R. 1219. A bill to amend title XVIII of the Social Security Act to provide geographic equity in fee-for-service reimbursement for providers under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS:

H.J. Res. 38. A joint resolution proposing an amendment to the Constitution of the United States to authorize the line item veto; to the Committee on the Judiciary.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mr. HONDA):

H. Con. Res. 75. Concurrent resolution expressing the sense of Congress that the global use of child soldiers is unacceptable and that the international community should find remedies end this practice; to the Committee on Foreign Affairs.

By Mr. COHEN (for himself, Mr. JOHNSON of Georgia, Ms. JACKSON-LEE of Texas, Mr. BRADY of Pennsylvania, Mr. WEXLER, Ms. KILPATRICK, Ms. WOOLSEY, Mr. PALLONE, Ms. LEE, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mrs. MALONEY of New York, Mr. CONYERS, Mr. MORAN of Virginia, Mr. CAPUANO, Mr. RANGEL, Mr. PAYNE, Mr. JEFFERSON, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. BUTTERFIELD, Ms. WATSON, Mr. HINCHEY, Mr. CLEAVER, Ms. CARSON, Mr. ISRAEL, Mr. ACKERMAN, Mr. DAVIS of Alabama, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Mr. HARE, Mr. KENNEDY, Ms. BALDWIN, Mr. HODES, Mr. FILNER, Mr. HONDA, and Mr. KUCINICH):

H. Res. 194. A resolution apologizing for the enslavement and racial segregation of African-Americans; to the Committee on the Judiciary.

By Mr. BLUMENAUER (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H. Res. 196. A resolution supporting the goals and ideals of World Water Day; to the Committee on Foreign Affairs.

By Mr. ENGEL:

H. Res. 197. A resolution commending Vice President Al Gore on his well-deserved recognition for the Academy Award-winning documentary, ''An Inconvenient Truth''; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas (for himself, Ms. KILPATRICK, Mr. LEWIS of Georgia, Mr. CLYBURN, Mr. DAVIS of Illinois, Ms. LEE, Mr. BUTTERFIELD, Ms. JACKSON-LEE of Texas, Ms. MOORE of Wisconsin, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. CLEAVER, Mr. FATTAH, Mr. MEEKS of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CORRINE BROWN of Florida, Ms. CARSON, Ms. CLARKE, Mr. CLAY, Mr. CONYERS, Mr. PAYNE, Mr. RANGEL, Mrs. CHRISTENSEN, Ms. WATERS, Mr. RUSH, Mr. SCOTT of Virginia, Mr. ELLISON, Mr. THOMPSON of Mississippi, Ms. NORTON, Ms. WATSON, Mr. WYNN, Mr. TOWNS, Mrs. JONES of Ohio, Mr. WATT, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mr. BISHOP of Georgia, Mr. MEEK of Florida, Mr. JACKSON of Illinois, Ms. MILLENDER-MCDONALD, Mr. SCOTT of Georgia, Mr. JEFFERSON, Mr. ORTIZ, Mr. GRIJALVA, Mr. BRADY of Pennsylvania, Mr. HONDA, Mrs. CAPPS, Mr. CROWLEY, Mrs. NAPOLITANO, Mr. CAPUANO, Ms. SOLIS, Ms. WASSERMAN SCHULTZ, Mr. LARSON of Connecticut, Mr. DOGGETT, Mr. SERRANO, Mr. PALLONE, Mr. HIGGINS, Mr. WU, Mr. ISRAEL, Mr. GEORGE MILLER of California, Ms. BALDWIN, Ms. LORETTA SANCHEZ of California, Mr. BACHUS, Mr. HINOJOSA, Mr. WILSON of South Carolina, Mr. POE, Mr. MCCAUL of Texas, Mr. SHAYS, Mr. SENSENBRENNER, and Mr. INGLIS of South Carolina):

H. Res. 198. A resolution recognizing the significance of Black History Month; to the Committee on Oversight and Government Reform.

By Mr. REYES (for himself and Mr. HOEKSTRA):

H. Res. 199. A resolution providing amounts for the expenses of the Permanent Select Committee on Intelligence in the One Hundred Tenth Congress; to the Committee on House Administration.

By Ms. SLAUGHTER (for herself and Mr. DREIER):

H. Res. 200. A resolution providing amounts for the expenses of the Committee on Rules in the One Hundred Tenth Congress; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

9. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 33 memorializing the Congress of the United States to adopt S. 520 and H.R. 1070, the Constitution Restoration Act of 2005, which will limit the jurisdiction of the federal courts and preserve the right to acknowledge God to the states and to the people and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God; to the Committee on the Judiciary.

10. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution 16 memorializing the Congress of the United States to adopt the Constitution Restoration Act, to limit the jurisdiction of the federal courts and preserve the right to the states and to the people to acknowledge God and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God, all as authorized by Article III, Section 2, of the United States Constitution; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LATOURETTE introduced a bill (H.R. 1220) for the relief of Michael Dvorkin; which was referred 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. 40: Mr. BRADY of Pennsylvania.

H.R. 60: Ms. CASTOR and Mr. DAVID DAVIS of Tennessee.

H.R. 65: Mr. MARCHANT.

H.R. 73: Mr. FORTENBERRY, Mr. WAMP, and Mr. BOOZMAN.

H.R. 89: Mr. JONES of North Carolina, Mr. MILLER of Florida, and Mr. JINDAL.

H.R. 140: Ms. HOOLEY.

H.R. 146: Mr. TERRY and Mr. TOWNS.

H.R. 178: Mrs. CHRISTENSEN and Mr. RUSH.

H.R. 180: Mr. HINCHEY, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Illinois, Mr. MEEKS of New York, Mr. PASTOR, Ms. WATERS, Mr. AL GREEN of Texas, Ms. HARMAN, Mr. HODES, Ms. HIRONO, Mr. KUCINICH, Mr. MCGOVERN, and Mr. SCOTT of Georgia.

H.R. 192: Mr. NEUGEBAUER.

H.R. 201: Ms. SCHAKOWSKY.
H.R. 237: Mr. MICHAUD.
H.R. 241: Mr. BOEHNER.
H.R. 251: Mr. CARNAHAN.
H.R. 303: Mr. BOYD of Florida, Mr. JONES of North Carolina, Mr. KIRK, Mr. PRICE of North Carolina, and Ms. HERSETH.
H.R. 319: Mr. VAN HOLLEN.
H.R. 328: Mr. AL GREEN of Texas, Mr. MORAN of Virginia, and Mr. SHAYS.
H.R. 352: Ms. NORTON and Mr. HARE.
H.R. 358: Ms. HIRONO, Mr. BUTTERFIELD, Mr. MOLLOHAN, Mr. TIM MURPHY of Pennsylvania, and Mr. PETERSON of Minnesota.
H.R. 359: Ms. SUTTON.
H.R. 370: Mr. TIM MURPHY of Pennsylvania and Mr. TANCREDO.
H.R. 402: Mr. ABERCROMBIE, Mr. PASTOR, and Mr. BOUCHER.
H.R. 405: Mrs. CAPPS.
H.R. 410: Mr. CROWLEY.
H.R. 423: Mr. PASTOR and Mr. BACA.
H.R. 454: Mr. CUMMINGS, Mr. GRIJALVA, and Mr. MOORE of Kansas.
H.R. 457: Mr. BUTTERFIELD and Mr. JEFFERSON.
H.R. 464: Ms. WASSERMAN SCHULTZ and Mr. WU.
H.R. 468: Ms. KILPATRICK, Mr. ISRAEL, Mr. CUMMINGS, Mr. RUSH, and Mrs. JONES of Ohio.
H.R. 471. Mr. CARNEY, Mrs. BOYDA of Kansas, Mr. PEARCE, Mr. LAHOOD, Mrs. SCHMIDT, Mr. BOUCHER, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 477: Mr. UDALL of Colorado, Ms. HOOLEY, Mr. TOWNS, Mr. EMANUEL, and Ms. ESHOO.
H.R. 493: Mrs. TAUSCHER, Mr. PICKERING, and Mr. MATHESON.
H.R. 505: Mr. FALEOMAVAEGA, Ms. BORDALLO, and Mr. MORAN of Virginia.
H.R. 508: Mr. JACKSON of Illinois and Mr. HONDA.
H.R. 511: Mr. PORTER, Mr. HULSHOF, Mr. WALBERG, Mrs. BIGGERT, Mr. LINDER, and Mr. MANZULLO.
H.R. 522: Mr. MEEHAN and Ms. CLARKE.
H.R. 526: Mr. REICHERT.
H.R. 539: Mr. PAUL, Mrs. CUBIN, Mr. LEVIN, Mr. TERRY, Mr. LANGEVIN, Mr. LYNCH, Mr. BOOZMAN, and Mr. DAVIS of Illinois.
H.R. 552: Mr. BOUCHER, Mr. WEXLER, Mr. ROGERS of Alabama, Ms. DEGETTE, Mr. SAXTON, Mr. FRANK of Massachusetts, Mr. ALLEN, and Mr. GINGREY.
H.R. 566: Ms. HIRONO.
H.R. 579: Mr. JINDAL, Mrs. DAVIS of California, Mr. UDALL of New Mexico, Mrs. TAUSCHER, Mr. OLVER, Mr. BERRY, Mr. WELCH of Vermont, and Mr. BONNER.
H.R. 618: Mr. LINDER.
H.R. 621: Mr. KANJORSKI, Mr. BOREN, Mr. GILLMOR, Mr. BOUCHER, Mr. Tim MURPHY of Pennsylvania, Mr. HOLDEN, Mr. BISHOP of Georgia, Mr. GOODE, and Mr. CANNON.
H.R. 628: Mr. VAN HOLLEN, Mr. KUHL of New York, and Mr. GORDON.
H.R. 642: Mr. MEEK of Florida, Mr. MCHUGH, and Mr. COHEN.
H.R. 643: Mr. MEEK of Florida, Mrs. MYRICK, Mr. LATOURETTE, Mr. WELLER, Mr. SKELTON, Mr. LEWIS of Kentucky, Mr. TIBERI, and Mr. GORDON.
H.R. 644: Mr. ALTMIRE and Mr. WELCH of Vermont.
H.R. 661: Mr. INSLEE.
H.R. 662: Mr. WELLER, Mr. WEXLER, and Mr. ABERCROMBIE.
H.R. 664: Mr. ROHRABACHER.
H.R. 667: Mr. LIPINSKI.
H.R. 670: Mr. NADLER, Mr. SHAYS, Mr. MCKEON, and Mr. MCHUGH.
H.R. 676: Mr. YARMUTH, Mr. UDALL of New Mexico, Mr. BRADY of Pennsylvania, and Mrs. NAPOLITANO.
H.R. 677: Ms. HOOLEY, Mr. HOLDEN, Mr. CLAY, and Mr. LEVIN.
H.R. 684: Mr. DAVIS of Illinois, Mr. CLEAVER, and Mr. CONYERS.
H.R. 689: Mr. POE, Mr. DEAL of Georgia, and Mr. MARCHANT.
H.R. 690: Ms. BORDALLO, Mr. GERLACH, and Mr. WALSH of New York.
H.R. 694: Mr. DAVIS of Illinois.
H.R. 695: Mr. JONES of North Carolina, Mr. LEVIN, and Mr. HONDA.
H.R. 697: Mr. PEARCE.
H.R. 701: Mr. OBERSTAR.
H.R. 718: Mr. TIBERI, Mr. CONYERS, and Mr. BISHOP of New York.
H.R. 722: Mr. TERRY.
H.R. 723: Mr. ORTIZ and Mr. ROHRABACHER.
H.R. 770: Mr. JEFFERSON, Mr. GRIJALVA, Mr. DEFAZIO, Mr. MCGOVERN, Mr. DOGGETT, Mr. OLVER, Ms. WATSON, and Mr. FARR.
H.R. 784: Ms. BORDALLO, Mrs. DAVIS of California, and Mr. ABERCROMBIE.
H.R. 787: Ms. HIRONO and Ms. CORRINE BROWN of Florida.
H.R. 803: Mr. DENT, Ms. ZOE LOFGREN of California, Mrs. LOWEY, and Mr. PERLMUTTER.
H.R. 811: Mr. DAVIS of Alabama, Mr. UDALL of New Mexico, and Mr. CLEAVER.
H.R. 819: Mr. PASTOR, Mr. LEWIS of Georgia, Mr. HODES, Mr. CONYERS, Mr. BOSWELL, Mr. DEFAZIO, Mr. KUCINICH, Mr. CHANDLER, Ms. SHEA-PORTER, and Mr. THOMPSON of California.
H.R. 829: Mr. MARCHANT.
H.R. 836: Mr. PLATTS.
H.R. 837: Mr. PLATTS.
H.R. 840: Mr. LEWIS of Georgia, Ms. SCHAKOWSKY, Mr. CLAY, Ms. HIRONO, Ms. MOORE of Wisconsin, and Mr. RUSH.
H.R. 845: Mr. PLATTS.
H.R. 846: Mr. PLATTS.
H.R. 851: Mr. CHABOT.
H.R. 854: Mr. HOLT.
H.R. 869: Ms. HERSETH and Ms. HIRONO.
H.R. 876: Mr. MCCOTTER, Mr. HUNTER, and Mr. VAN HOLLEN.
H.R. 884: Mrs. LOWEY, Mrs. CHRISTENSEN, Mr. CROWLEY, Mr. COURTNEY, Mr. TIM MURPHY of Pennsylvania, Mr. MICHAUD, and Mr. MCCOTTER.
H.R. 891: Ms. MOORE of Wisconsin, Mr. CAPUANO, Mrs. DAVIS of California, Mr. BLUMENAUER, Mr. ROTHMAN, Mr. AL GREEN of Texas, and Mr. FARR.
H.R. 897: Mr. GONZALEZ.
H.R. 901: Ms. HIRONO, Mr. NADLER, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. MCINTYRE, and Mrs. NAPOLITANO.
H.R. 910: Mrs. MCMORRIS RODGERS.
H.R. 916: Mr. KUCINICH and Mr. ISRAEL.
H.R. 926: Mr. BOUCHER and Mr. SALAZAR.
H.R. 939: Mrs. MYRICK, Mrs. CUBIN, Mr. GARRETT of New Jersey, Mr. BARTLETT of Maryland, and Mr. BOOZMAN.
H.R. 947: Mr. GONZALEZ.
H.R. 957: Mr. MCNULTY, Ms. HARMAN, and Mrs. MYRICK.
H.R. 960: Mr. FATTAH and Mr. KENNEDY.
H.R. 962: Mr. DEFAZIO, Ms. HIRONO, Mr. GEORGE MILLER of California, Ms. LINDA T. SÁNCHEZ of California, and Mr. STARK.
H.R. 984: Mr. WELCH of Vermont.
H.R. 985: Mr. WELCH of Vermont.
H.R. 990: Mrs. TAUSCHER, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mrs. DAVIS of California, Mr. COHEN, Mr. TIERNEY, Ms. MATSUI, Mr. HARE, Mr. DAVIS of Illinois, and Mr. ISRAEL.
H.R. 996: Ms. CLARKE.
H.R. 998: Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. CUMMINGS, Mr. FARR, Mr. HONDA, Mr. MORAN of Virginia, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SHULER, Mr. STUPAK, and Mr. TOWNS.
H.R. 1010: Mr. BERMAN, Ms. CORRINE BROWN of Florida, Ms. MCCOLLUM of Minnesota, Mr. VAN HOLLEN, Mr. KUCINICH, Mr. BISHOP of Georgia, Mr. CUMMINGS, and Mr. PAYNE.
H.R. 1013: Mr. EVERETT.
H.R. 1014: Mrs. DAVIS of California, Ms. MCCOLLUM of Minnesota, Mr. TERRY, Ms. HIRONO, Ms. HOOLEY, Ms. KILPATRICK, Mr. MEEHAN, Ms. SCHAKOWSKY, Mr. GRIJALVA, Ms. HERSETH, Mrs. CAPITO, Mr. CLAY, Mr. REYES, Mr. SHAYS, Mr. MCDERMOTT, Ms. NORTON, Ms. ESHOO, Mr. CUMMINGS, Mr. BOSWELL, Mr. AL GREEN of Texas, Mrs. TAUSCHER, Mr. PRICE of North Carolina, Mrs. LOWEY, Ms. BORDALLO, Mr. LYNCH, Mr. MCCOTTER, Mr. WU, Mr. VAN HOLLEN, and Mr. LANTOS.
H.R. 1023: Mr. WESTMORELAND and Mr. GOODE.
H.R. 1034: Mr. BURTON of Indiana and Ms. BORDALLO.
H.R. 1035: Mr. BROWN of South Carolina.
H.R. 1038: Mr. CONYERS and Mr. ABERCROMBIE.
H.R. 1051: Ms. HIRONO and Mr. MOORE of Kansas.
H.R. 1061: Mr. BROWN of South Carolina, Mrs. MILLER of Michigan, and Mr. LARSEN of Washington.
H.R. 1063: Mrs. MILLER of Michigan, Mr. BRADY of Texas, Mr. SKELTON, Mr. MCCOTTER, Mr. WELLER, and Mr. MURTHA.
H.R. 1072: Mr. DAVIS of Illinois and Mr. LANTOS.
H.R. 1074: Mr. PASCRELL and Mr. DAVIS of Illinois.
H.R. 1076: Mr. PETRI and Mr. ALLEN.
H.R. 1077: Mr. KUHL of New York and Mrs. MUSGRAVE.
H.R. 1080: Ms. HERSETH.
H.R. 1086: Ms. HOOLEY and Mr. LIPINSKI.
H.R. 1097: Ms. HIRONO.
H.R. 1107: Mr. GORDON.
H.R. 1118: Mr. PLATTS and Mr. CHABOT.
H.R. 1120: Mr. TIM MURPHY of Pennsylvania, Mr. ISRAEL, Mr. SHIMKUS, Mr. SESSIONS, Mr. TIBERI, Mr. UPTON, Mr. REICHERT, Mr. MCHENRY, Ms. GINNY BROWN-WAITE of Florida, Mr. MANZULLO, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, and Mr. WALDEN of Oregon.
H.R. 1152: Mr. TIM MURPHY of Pennsylvania and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 1153: Mr. JONES of North Carolina, Mr. TERRY, and Mr. TANCREDO.
H.R. 1157: Mr. ALLEN, Mr. BISHOP of New York, Mr. CLEAVER, Mr. CUMMINGS, Mr. TOM DAVIS of Virginia, Mrs. DAVIS of California, Mr. DELAHUNT, Mr. EMANUEL, Mr. ENGEL, Ms. ESHOO, Mr. FRANK of Massachusetts, Ms. HARMAN, Mr. HOLDEN, Mr. ISRAEL, Mr. KENNEDY, Mr. KIND, Mr. KUCINICH, Mr. LARSON of Connecticut, Mr. LYNCH, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Mr. MEEHAN, Mr. MICHAUD, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. PLATTS, Mr. RAMSTAD, Mr. REYES, Mr. RYAN of Wisconsin, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SERRANO, Mr. SHAYS, Mrs. TAUSCHER, Mr. WAXMAN, Mr. WEINER, and Mr. TIERNEY.
H.R. 1169: Mr. CONYERS.
H.R. 1188: Mr. TOM DAVIS of Virginia, Mr. MCCOTTER, and Mr. BLUMENAUER.
H.J. Res. 6: Mr. GOODE.
H.J. Res. 19: Mr. DAVID DAVIS of Tennessee.
H.J. Res. 21: Ms. GINNY BROWN-WAITE of Florida.
H. Con. Res. 9: Ms. CORRINE BROWN of Florida, Mr. CLAY, Mr. JEFFERSON, Mr. RANGEL, Mr. HASTINGS of Florida, Mr. MEEK of Florida, and Mr. KUCINICH.
H. Con. Res. 19: Ms. NORTON, Mr. RUSH, and Ms. KILPATRICK.
H. Con. Res. 28: Mr. MILLER of Florida, Mr. CALVERT, and Mr. MARCHANT.
H. Con. Res. 39: Ms. WOOLSEY, Mr. ENGEL, and Mr. EMANUEL.
H. Con. Res. 40: Mr. GARRETT of New Jersey and Mr. MCCOTTER.
H. Con. Res. 45: Mr. DENT.
H. Con. Res. 47: Mr. SALAZAR, Mr. HAYES, Mr. BUYER, and Mr. BURGESS.

H. Con. Res. 53: Mr. KUHL of New York, Mr. BUTTERFIELD, and Mr. HINOJOSA.

H. Con. Res. 62: Mr. ISSA, Mr. CASTLE, Mr. PLATTS, Mr. SHAYS, Ms. FOXX, Mr. MICA, Mr. WESTMORELAND, Mr. MOORE of Kansas, Mrs. BLACKBURN, Mrs. BONO, Mr. FORTENBERRY, Mr. DUNCAN, Mr. CANNON, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. TIM MURPHY of Pennsylvania, Mr. PENCE, Mr. SESSIONS, Mr. LIPINSKI, Mr. BILBRAY, Mr. DENT, Mr. LINDER, Mr. TURNER, Mr. GOODE, Mr. MORAN of Virginia, Mr. GOODLATTE, Mrs. JO ANN DAVIS of Virginia, and Mr. SALI.

H. Con. Res. 71: Mr. LAMBORN, Ms. HIRONO, Mr. FOSSELLA, and Mr. LANTOS.

H. Con. Res. 74: Mr. HOLDEN, Mr. GERLACH, and Mr. GEORGE MILLER of California.

H. Res. 37: Mr. CONYERS, Ms. SCHAKOWSKY, and Mr. HONDA.

H. Res. 42: Mr. BURGESS.

H. Res. 53: Mr. DAVIS of Illinois.

H. Res. 55: Mr. WEXLER and Mr. HONDA.

H. Res. 79: Mr. HOLDEN and Mr. GOODLATTE.

H. Res. 87: Mr. SPACE.

H. Res. 95: Mr. MEEK of Floridad Ms. HIRONO.

H. Res. 100: Mr. MCDERMOTT, Mr. HINCHEY, Mr. COSTA, Mr. LEVIN, Mr. MICHAUD, Mr. BERMAN, Mrs. CAPPS, Mr. MCCOTTER, Mr. FATTAH, Mr. LIPINSKI, Ms. HIRONO, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 111: Mr. WALSH of New York, Mr. BURTON of Indiana, Mr. MCCOTTER, Mr. PETERSON of Minnesota, and Mr. ROSKAM.

H. Res. 118: Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. AL GREEN of Texas, Mr. FATTAH, Mr. CUMMINGS, Mr. SHAYS, Mrs. TAUSCHER, Mr. MCDERMOTT, Mrs. MALONEY of New York, Mr. RUSH, Mr. JOHNSON of Georgia, Mr. SERRANO, Ms. WOOLSEY, and Mr. SIRES.

H. Res. 119: Ms. CARSON, Mr. HONDA, Mr. TIM MURPHY of Pennsylvania, and Ms. BORDALLO.

H. Res. 125: Mr. DAVIS of Kentucky, Mr. WEXLER, Mr. POE, Mr. BOOZMAN, Mr. KIRK, Mr. DOOLITTLE, Mr. WILSON of South Carolina, Mr. CANNON, Mr. SESSIONS, Mr. MACK, Mr. MILLER of North Carolina, Mr. SAXTON, Mr. FRANKS of Arizona, Mr. HASTINGS of Florida, Mr. ENGEL, and Mr. FOSSELLA.

H. Res. 126: Mr. COHEN.

H. Res. 128: Mr. GONZALEZ.

H. Res. 137: Mr. BERMAN and Mr. ISRAEL.

H. Res. 143: Mrs. CAPPS, Mr. FATTAH, and Mrs. TAUSCHER.

H. Res. 146: Mr. KUCINICH, Mr. AL GREEN of Texas, Mr. MOORE of Kansas, and Ms. ZOE LOFGREN of California.

H. Res. 162: Ms. MATSUI, Mr. PASCRELL, Mr. HINOJOSA, Mr. LANTOS, Ms. CLARKE Mr. SCOTT of Georgia, Mr. COOPER and Mr. GORDON.

H. Res. 163: Mr. DOGGETT and Mr. CAPUANO.

H. Res. 169: Ms. HARMAN.

H. Res. 185: Ms. SCHWARTZ, Mr. BURTON of Indiana, and Mr. WEINER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 556

OFFERED BY: MR. BLUNT

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Security Foreign Investment Reform and Strengthened Transparency Act of 2007''.

SEC. 2. UNITED STATES SECURITY IMPROVEMENT AMENDMENTS; CLARIFICATION OF REVIEW AND INVESTIGATION PROCESS.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsections (a) and (b) and inserting the following new subsections:

''(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) COMMITTEE.—The term 'Committee' means the Committee on Foreign Investment in the United States.

''(2) CONTROL.—The term 'control' has the meaning given to such term in regulations which the Committee shall prescribe.

''(3) COVERED TRANSACTION.—The term 'covered transaction' means any merger, acquisition, or takeover by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States.

''(4) FOREIGN GOVERNMENT-CONTROLLED TRANSACTION.—The term 'foreign government-controlled transaction' means any covered transaction that could result in the control of any person engaged in interstate commerce in the United States by a foreign government or an entity controlled by or acting on behalf of a foreign government.

''(5) CLARIFICATION.—The term 'national security' shall be construed so as to include those issues relating to 'homeland security', including its application to critical infrastructure.

''(b) NATIONAL SECURITY REVIEWS AND INVESTIGATIONS.—

''(1) NATIONAL SECURITY REVIEWS.—

''(A) IN GENERAL.—Upon receiving written notification under subparagraph (C) of any covered transaction, or on a motion made under subparagraph (D) with respect to any covered transaction, the President, acting through the Committee, shall review the covered transaction to determine the effects on the national security of the United States.

''(B) CONTROL BY FOREIGN GOVERNMENT.—If the Committee determines that the covered transaction is a foreign government-controlled transaction, the Committee shall conduct an investigation of the transaction under paragraph (2).

''(C) WRITTEN NOTICE.—

''(i) IN GENERAL.—Any party to any covered transaction may initiate a review of the transaction under this paragraph by submitting a written notice of the transaction to the Chairperson of the Committee.

''(ii) WITHDRAWAL OF NOTICE.—No covered transaction for which a notice was submitted under clause (i) may be withdrawn from review unless—

''(I) a written request for such withdrawal is submitted by any party to the transaction; and

''(II) the request is approved in writing by the Chairperson, in consultation with the Vice Chairpersons, of the Committee.

''(iii) CONTINUING DISCUSSIONS.—The approval of a withdrawal request under clause (ii) shall not be construed as precluding any party to the covered transaction from continuing informal discussions with the Committee or any Committee member regarding possible resubmission for review pursuant to this paragraph.

''(D) UNILATERAL INITIATION OF REVIEW.—The President, the Committee, or any member of the Committee may move to initiate a review under subparagraph (A) of—

''(i) any covered transaction;

''(ii) any covered transaction that has previously been reviewed or investigated under this section, if any party to the transaction submitted false or misleading material information to the Committee in connection with the review or investigation or omitted material information, including material documents, from information submitted to the Committee; or

''(iii) any covered transaction that has previously been reviewed or investigated under this section, if any party to the transaction or the entity resulting from consummation of the transaction intentionally materially breaches a mitigation agreement or condition described in subsection (l)(1)(A), and—

''(I) such breach is certified by the lead department or agency monitoring and enforcing such agreement or condition as an intentional material breach; and

''(II) such department or agency certifies that there is no other remedy or enforcement tool available to address such breach.

''(E) TIMING.—Any review under this paragraph shall be completed before the end of the 30-day period beginning on the date of the receipt of written notice under subparagraph (C) by the Chairperson of the Committee, or the date of the initiation of the review in accordance with a motion under subparagraph (D).

''(2) NATIONAL SECURITY INVESTIGATIONS.—

''(A) IN GENERAL.—In each case in which—

''(i) a review of a covered transaction under paragraph (1) results in a determination that—

''(I) the transaction threatens to impair the national security of the United States and that threat has not been mitigated during or prior to the review of a covered transaction under paragraph (1); or

''(II) the transaction is a foreign government-controlled transaction;

''(ii) a roll call vote pursuant to paragraph (3)(A) in connection with a review under paragraph (1) of any covered transaction results in at least 1 vote by a Committee member against approving the transaction; or

''(iii) the Director of National Intelligence identifies particularly complex intelligence concerns that could threaten to impair the national security of the United States and Committee members were not able to develop and agree upon measures to mitigate satisfactorily those threats during the initial review period under paragraph (1),

the President, acting through the Committee, shall immediately conduct an investigation of the effects of the transaction on the national security of the United States and take any necessary actions in connection with the transaction to protect the national security of the United States.

''(B) TIMING.—

''(i) IN GENERAL.—Any investigation under subparagraph (A) shall be completed before the end of the 45-day period beginning on the date of the investigation commenced.

''(ii) EXTENSIONS OF TIME.—The period established under subparagraph (B) for any investigation of a covered transaction may be extended with respect to any particular investigation by the President or by a rollcall vote of at least 2/3 of the members of the Committee involved in the investigation by the amount of time specified by the President or the Committee at the time of the extension, not to exceed 45 days, as necessary to collect and fully evaluate information relating to—

''(I) the covered transaction or parties to the transaction; and

''(II) any effect of the transaction that could threaten to impair the national security of the United States.

''(3) APPROVAL OF CHAIRPERSON AND VICE CHAIRPERSONS REQUIRED.—

''(A) IN GENERAL.—A review or investigation under this subsection of a covered transaction shall not be treated as final or complete until the findings and the report resulting from such review or investigation are approved by a majority of the members of the Committee in a roll call vote and signed by the Secretary of the Treasury, the Secretary of Homeland Security, and the Secretary of Commerce (and such authority of each such Secretary may not be delegated to any person other than the Deputy Secretary of the Treasury, the Deputy Secretary of Homeland

Security, or the Deputy Secretary of Commerce, respectively).

''(B) ADDITIONAL ACTION REQUIRED IN CERTAIN CASES.—In the case of any roll call vote pursuant to subparagraph (A) in connection with an investigation under paragraph (2) of any foreign government-controlled transaction in which there is at least 1 vote by a Committee member against approving the transaction, the investigation shall not be treated as final or complete until the findings and report resulting from such investigation are signed by the President (in addition to the Chairperson and the Vice Chairpersons of the Committee under subparagraph (A)).

''(4) ANALYSIS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

''(A) IN GENERAL.—The Director of National Intelligence shall expeditiously carry out a thorough analysis of any threat to the national security of the United States of any covered transaction, including making requests for information to the Director of the Office of Foreign Assets Control within the Department of the Treasury and the Director of the Financial Crimes Enforcement Network. The Director of National Intelligence also shall seek and incorporate the views of all affected or appropriate intelligence agencies.

''(B) 30-DAY MINIMUM.—The Director of National Intelligence shall be provided no less than 30 days to complete the analysis required under subparagraph (A), except in any instance described in paragraph (2)(A)(iii).

''(C) INDEPENDENT ROLE OF DIRECTOR.—The Director of National Intelligence shall not be a member of the Committee and shall serve no policy role with the Committee other than to provide analysis under subparagraph (A) in connection with a covered transaction.

''(5) RESUBMITTALS OF NOTICE AND REQUESTS FOR ADDITIONAL REVIEW OR INVESTIGATION.—

''(A) IN GENERAL.—No provision of this subsection shall be construed as prohibiting any party to a covered transaction from—

''(i) submitting additional information concerning the transaction, including any proposed restructuring of the transaction or any modifications to any agreements in connection with the transaction, while any review or investigation of the transaction is on-going; or

''(ii) requesting a review or investigation of the transaction after any previous review or investigation of the same or a similar transaction has become final if information material to the prior review or investigation and not previously submitted to the Committee becomes known or if any material change in circumstances to the covered transaction has occurred since the review or investigation.

''(B) APPROVAL OF REQUEST.—In the case of a request referred to in subparagraph (A)(ii), the Committee shall determine by consensus whether to grant a request.

''(6) REGULATIONS.—Regulations prescribed under this section shall include standard procedures for—

''(A) submitting any notice of a proposed or pending covered transaction to the Committee;

''(B) submitting a request to withdraw a proposed or pending covered transaction from review; and

''(C) resubmitting a notice of proposed or pending covered transaction that was previously withdrawn from review.''.

SEC. 3. STATUTORY ESTABLISHMENT OF THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

(a) IN GENERAL.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsection (k) and inserting the following new subsection:

''(k) COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

''(1) ESTABLISHMENT.—The Committee on Foreign Investment in the United States established pursuant to Executive Order No. 11858 shall be a multi-agency committee to carry out this section and such other assignments as the President may designate.

''(2) MEMBERSHIP.—The Committee shall be comprised of the following members or the designee of any such member:

''(A) The Secretary of the Treasury.

''(B) The Secretary of Homeland Security.

''(C) The Secretary of Commerce.

''(D) The Secretary of Defense.

''(E) The Secretary of State.

''(F) The Attorney General.

''(G) The Secretary of Energy.

''(H) The Chairman of the Council of Economic Advisors.

''(I) The United States Trade Representative.

''(J) The Director of the Office of Management and Budget.

''(K) The Director of the National Economic Council.

''(L) The Director of the Office of Science and Technology Policy.

''(M) The President's Assistant for National Security Affairs.

''(N) Any other designee of the President from the Executive Office of the President.

''(3) CHAIRPERSON; VICE CHAIRPERSONS.—The Secretary of the Treasury shall be the Chairperson of the Committee. The Secretary of Homeland Security and the Secretary of Commerce shall be the Vice Chairpersons of the Committee.

''(4) OTHER MEMBERS.—Subject to subsection (b)(4)(B), the Chairperson of the Committee shall involve the heads of such other Federal departments, agencies, and independent establishments in any review or investigation under subsection (b) as the Chairperson, after consulting with the Vice Chairpersons, determines to be appropriate on the basis of the facts and circumstances of the transaction under investigation (or the designee of any such department or agency head).

''(5) MEETINGS.—The Committee shall meet upon the direction of the President or upon the call of the Chairperson of the Committee without regard to section 552b of title 5, United States Code (if otherwise applicable).

''(6) COLLECTION OF EVIDENCE.—Subject to subsection (c), the Committee may, for the purpose of carrying out this section—

''(A) sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

''(B) require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as the Chairperson of the Committee may determine advisable.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each of fiscal years 2007, 2008, 2009, and 2010, expressly and solely for the operations of the Committee that are conducted by the Secretary, the sum of $10,000,000.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The first sentence of section 721(c) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(c)) is amended—

(1) by striking ''material filed with'' and inserting ''material, including proprietary business information, filed with, or testimony presented to,''; and

(2) by striking ''or documentary material'' the second place such term appears and inserting '', documentary material, or testimony''.

SEC. 4. ADDITIONAL FACTORS REQUIRED TO BE CONSIDERED.

Section 721(f) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(f)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''among other factors'';

(2) by striking ''and'' at the end of paragraph (4);

(3) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(4) by adding at the end the following new paragraphs:

''(6) whether the covered transaction has a security-related impact on critical infrastructure in the United States;

''(7) whether the covered transaction is a foreign government-controlled transaction; and

''(8) such other factors as the President or the President's designee may determine to be appropriate, generally or in connection with a specific review or investigation.''.

SEC. 5. NONWAIVER OF SOVEREIGN IMMUNITY.

Section 721(d) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(d)) is amended by adding at the end the following new sentence: ''The United States shall not be held liable for any losses or other expenses incurred by any party to a covered transaction as a result of actions taken under this section after a covered transaction has been consummated if the party did not submit a written notice of the transaction to the Chairperson of the Committee under subsection (b)(1)(C) or did not wait until the completion of any review or investigation under subsection (b), or the end of the 15-day period referred to in this subsection, before consummating the transaction.''.

SEC. 6. MITIGATION, TRACKING, AND POST-CONSUMMATION MONITORING AND ENFORCEMENT.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (k) (as amended by section 3 of this Act) the following new subsection:

''(l) MITIGATION, TRACKING, AND POSTCONSUMMATION MONITORING AND ENFORCEMENT.—

''(1) MITIGATION.—

''(A) IN GENERAL.—The Committee or any agency designated by the Chairperson and Vice Chairpersons may negotiate, enter into or impose, and enforce any agreement or condition with any party to a covered transaction in order to mitigate any threat to the national security of the United States.

''(B) RISK-BASED ANALYSIS REQUIRED.—Any agreement entered into or condition imposed under subparagraph (A) shall be based on a risk-based analysis of the threat to national security of the covered transaction.

''(2) TRACKING AUTHORITY FOR WITHDRAWN NOTICES.—

''(A) IN GENERAL.—If any written notice of a covered transaction that was submitted to the Committee under this section is withdrawn before any review or investigation by the Committee under subsection (b) is completed, the Committee shall establish, as appropriate—

''(i) interim protections to address specific concerns with such transaction that have been raised in connection with any such review or investigation pending any resubmission of any written notice under this section with respect to such transaction and further action by the President under this section;

''(ii) specific timeframes for resubmitting any such written notice; and

''(iii) a process for tracking any actions that may be taken by any party to the transaction, in connection with the transaction, before the notice referred to in clause (ii) is resubmitted.

''(B) DESIGNATION OF AGENCY.—The Committee may designate an appropriate Federal department or agency, other than any entity of the intelligence community (as defined in the National Security Act of 1947), as the lead agency to carry out the requirements of subparagraph (A) with respect to any covered transaction that is subject to such subparagraph.

''(3) NEGOTIATION, MODIFICATION, MONITORING, AND ENFORCEMENT.—

''(A) DESIGNATION OF AGENCY.—The Committee shall designate a Federal department or agency as the lead agency to negotiate, modify, monitor, and enforce any agreement entered into or condition imposed under paragraph (1) with respect to a covered transaction based on the expertise with and knowledge of the issues related to such transaction on the part of the designated department or agency.

''(B) REPORTING BY DESIGNATED AGENCY.—

''(i) IMPLEMENTATION REPORTS.—The Federal department or agency designated by the Committee as a lead agency under subparagraph (A) in connection with any agreement entered into or condition imposed under paragraph (1) with respect to a covered transaction shall—

''(I) provide periodic reports to the Chairperson and Vice Chairpersons of the Committee on the implementation of such agreement or condition; and

''(II) require, as appropriate, any party to the covered transaction to report to the head of such department or agency (or the designee of such department or agency head) on the implementation or any material change in circumstances.

''(ii) MODIFICATION REPORTS.—The Federal department or agency designated by the Committee as a lead agency under subparagraph (A) in connection with any agreement entered into or condition imposed with respect to a covered transaction shall—

''(I) provide periodic reports to the Chairperson and Vice Chairpersons of the Committee on any modification to any such agreement or condition imposed with respect to the transaction; and

''(II) ensure that any significant modification to any such agreement or condition is reported to the Director of National Intelligence and to any other Federal department or agency that may have a material interest in such modification.''.

SEC. 7. INCREASED OVERSIGHT BY THE CONGRESS.

(a) REPORT ON ACTIONS.—Section 721(g) of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended to read as follows:

''(g) REPORTS TO THE CONGRESS.—

''(1) REPORTS ON COMPLETED COMMITTEE INVESTIGATIONS.—

''(A) IN GENERAL.—Not later than 5 days after the completion of a Committee investigation of a covered transaction under subsection (b)(2), or, if the President indicates an intent to take any action authorized under subsection (d) with respect to the transaction, after the end of 15-day period referred to in subsection (d), the Chairperson or a Vice Chairperson of the Committee shall submit a written report on the findings or actions of the Committee with respect to such investigation, the determination of whether or not to take action under subsection (d), an explanation of the findings under subsection (e), and the factors considered under subsection (f), with respect to such transaction, to—

''(i) the Majority Leader and the Minority Leader of the Senate;

''(ii) the Speaker and the Minority Leader of the House of Representatives; and

''(iii) the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the covered transaction and its possible effects on national security, including the Committee on International Relations, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives.

''(B) NOTICE AND BRIEFING REQUIREMENT.—If a written request for a briefing on a covered transaction is submitted to the Committee by any Senator or Member of Congress who receives a report on the transaction under subparagraph (A), the Chairperson or a Vice Chairperson (or such other person as the Chairperson or a Vice Chairperson may designate) shall provide 1 classified briefing to each House of the Congress from which any such briefing request originates in a secure facility of appropriate size and location that shall be open only to the Majority Leader and the Minority Leader of the Senate, the Speaker and the Minority Leader of the House of Representatives, (as the case may be) the chairman and ranking member of each committee of the House of Representatives or the Senate (as the case may be) with jurisdiction over any aspect of the covered transaction and its possible effects on national security, including the Committee on International Relations, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, and appropriate staff members who have security clearance.

''(2) APPLICATION OF OTHER PROVISION.—

''(A) IN GENERAL.—The disclosure of information under this subsection shall be consistent with the requirements of subsection (c). Members of Congress and staff of either House or any committee of the Congress shall be subject to the same limitations on disclosure of information as are applicable under such subsection.

''(B) PROPRIETARY INFORMATION.—Proprietary information which can be associated with a particular party to a covered transaction shall be furnished in accordance with subparagraph (A) only to a committee of the Congress and only when the committee provides assurances of confidentiality, unless such party otherwise consents in writing to such disclosure.''.

(b) SEMI-ANNUAL REPORT.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (l) (as added by section 6 of this Act) the following new subsection:

''(m) SEMI-ANNUAL REPORT TO THE CONGRESS.—

''(1) IN GENERAL.—The Chairperson of the Committee shall transmit a report to the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the report, including the Committee on International Relations, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, before January 31 and July 31 of each year on all the reviews and investigations of covered transactions conducted under subsection (b) during the 6-month period covered by the report.

''(2) CONTENTS OF REPORT RELATING TO COVERED TRANSACTIONS.—The report under paragraph (1) shall contain the following information with respect to each covered transaction:

''(A) A list of all notices filed and all reviews or investigations conducted during the period with basic information on each party to the transaction, the nature of the business activities or products of all pertinent persons, along with information about the status of the review or investigation, information on any withdrawal from the process, any rollcall votes by the Committee under this section, any extension of time for any investigation, and any presidential decision or action under this section.

''(B) Specific, cumulative, and, as appropriate, trend information on the numbers of filings, investigations, withdrawals, and presidential decisions or actions under this section.

''(C) Cumulative and, as appropriate, trend information on the business sectors involved in the filings which have been made, and the countries from which the investments have originated.

''(D) Information on whether companies that withdrew notices to the Committee in accordance with subsection (b)(1)(C)(ii) have later re-filed such notices, or, alternatively, abandoned the transaction.

''(E) The types of security arrangements and conditions the Committee has used to mitigate national security concerns about a transaction.

''(F) A detailed discussion of all perceived adverse effects of covered transactions on the national security or critical infrastructure of the United States that the Committee will take into account in its deliberations during the period before delivery of the next such report, to the extent possible.

''(3) CONTENTS OF REPORT RELATING TO CRITICAL TECHNOLOGIES.—

''(A) IN GENERAL.—In order to assist the Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall include in the semi-annual report submitted under paragraph (1) the following:

''(i) An evaluation of whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer.

''(ii) An evaluation of whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technologies.

''(B) CRITICAL TECHNOLOGIES DEFINED.—For purposes of this paragraph, the term 'critical technologies' means technologies identified under title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 or other critical technology, critical components, or critical technology items essential to national defense or national security identified pursuant to this section.

''(C) RELEASE OF UNCLASSIFIED STUDY.—That portion of the semi-annual report under paragraph (1) that is required by this paragraph may be classified. An unclassified version of that portion of the report shall be made available to the public.''.

(c) INVESTIGATION BY INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General of the Department of the Treasury shall conduct an independent investigation to determine all of the facts and circumstances concerning each failure of the Department of the Treasury to make any report to the Congress that was required under section 721(k) of the Defense Production Act of 1950 (as in effect before the date of the enactment of this Act).

(2) REPORT TO THE CONGRESS.—Before the end of the 270-day period beginning on the date of the enactment of this Act, the Inspector General of the Department of the Treasury shall submit a report to the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the

report, including the Committee on International Relations, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, on the investigation under paragraph (1) containing the findings and conclusions of the Inspector General.

(d) STUDY AND REPORT.—

(1) STUDY REQUIRED.—Before the end of the 120-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Commerce, shall conduct a study on investments in the United States, especially investments in critical infrastructure and industries affecting national security, by—

(A) foreign governments, entities controlled by or acting on behalf of a foreign government, or persons of foreign countries which comply with any boycott of Israel; or

(B) foreign governments, entities controlled by or acting on behalf of a foreign government, or persons of foreign countries which do not ban organizations designated by the Secretary of State as foreign terrorist organizations.

(2) REPORT.—Before the end of the 30-day period beginning upon completion of the study under paragraph (1) or in the next semi-annual report under section 721(m) of the Defense Production Act of 1950 (as added by subsection (b)), the Secretary of the Treasury shall submit a report to the Congress, for transmittal to all appropriate committees of the Senate and the House of Representatives, containing the findings and conclusions of the Secretary with respect to the study, together with an analysis of the effects of such investment on the national security of the United States and on any efforts to address those effects.

SEC. 8. CERTIFICATION OF NOTICES AND ASSURANCES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (m) (as added by section 7(b) of this Act) the following new subsection:

''(n) CERTIFICATION OF NOTICES AND ASSURANCES.—Each notice required to be submitted, by a party to a covered transaction, to the President or the President's designee under this section and regulations prescribed under such section, and any information submitted by any such party in connection with any action for which a report is required pursuant to paragraph (3)(B)(ii) of subsection (l) with respect to the implementation of any mitigation agreement or condition described in paragraph (1)(A) of such subsection, or any material change in circumstances, shall be accompanied by a written statement by the chief executive officer or the designee of the person required to submit such notice or information certifying that, to the best of the person's knowledge and belief—

''(1) the notice or information submitted fully complies with the requirements of this section or such regulation, agreement, or condition; and

''(2) the notice or information is accurate and complete in all material respects.''.

SEC. 9. REGULATIONS.

Section 721(h) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(h)) is amended to read as follows:

''(h) REGULATIONS.—The President shall direct the issuance of regulations to carry out this section. Such regulations shall, to the extent possible, minimize paperwork burdens and shall to the extent possible coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law.''.

SEC. 10. EFFECT ON OTHER LAW.

Section 721(i) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(i)) is amended to read as follows:

''(i) EFFECT ON OTHER LAW.—No provision of this section shall be construed as altering or affecting any other authority, process, regulation, investigation, enforcement measure, or review provided by or established under any other provision of Federal law, including the International Emergency Economic Powers Act, or any other authority of the President or the Congress under the Constitution of the United States.''.

H.R. 556

OFFERED BY: MR. BLUNT

AMENDMENT NO. 2: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Security Foreign Investment Reform and Strengthened Transparency Act of 2007''.

SEC. 2. UNITED STATES SECURITY IMPROVEMENT AMENDMENTS; CLARIFICATION OF REVIEW AND INVESTIGATION PROCESS.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsections (a), (b), and (c) and inserting the following new subsections:

''(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) COMMITTEE.—The term 'Committee' means the Committee on Foreign Investment in the United States.

''(2) CONTROL.—The term 'control' has the meaning given to such term in regulations which the Committee shall prescribe.

''(3) COVERED TRANSACTION.—The term 'covered transaction' means any merger, acquisition, or takeover by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States.

''(4) FOREIGN GOVERNMENT-CONTROLLED TRANSACTION.—The term 'foreign government-controlled transaction' means any covered transaction that could result in the control of any person engaged in interstate commerce in the United States by a foreign government or an entity controlled by or acting on behalf of a foreign government.

''(5) CLARIFICATION.—The term 'national security' shall be construed so as to include those issues relating to 'homeland security', including its application to critical infrastructure.

''(b) NATIONAL SECURITY REVIEWS AND INVESTIGATIONS.—

''(1) NATIONAL SECURITY REVIEWS.—

''(A) IN GENERAL.—Upon receiving written notification under subparagraph (C) of any covered transaction, or on a motion made under subparagraph (D) with respect to any covered transaction, the President, acting through the Committee, shall review the covered transaction to determine the effects of the transaction on the national security of the United States.

''(B) CONTROL BY FOREIGN GOVERNMENT.—If the Committee determines that the covered transaction is a foreign government-controlled transaction, the Committee shall conduct an investigation of the transaction under paragraph (2).

''(C) WRITTEN NOTICE.—

''(i) IN GENERAL.—Any party to any covered transaction may initiate a review of the transaction under this paragraph by submitting a written notice of the transaction to the Chairperson of the Committee.

''(ii) WITHDRAWAL OF NOTICE.—No covered transaction for which a notice was submitted under clause (i) may be withdrawn from review unless—

''(I) a written request for such withdrawal is submitted by any party to the transaction; and

''(II) the request is approved in writing by the Chairperson, in consultation with the Vice Chairpersons, of the Committee.

''(iii) CONTINUING DISCUSSIONS.—The approval of a withdrawal request under clause (ii) shall not be construed as precluding any party to the covered transaction from continuing informal discussions with the Committee or any Committee member regarding possible resubmission for review pursuant to this paragraph.

''(D) UNILATERAL INITIATION OF REVIEW.—Subject to subparagraph (F), the President, the Committee, or any member acting on behalf of the Committee may move to initiate a review under subparagraph (A) of—

''(i) any covered transaction;

''(ii) any covered transaction that has previously been reviewed or investigated under this section, if any party to the transaction submitted false or misleading material information to the Committee in connection with the review or investigation or omitted material information, including material documents, from information submitted to the Committee; or

''(iii) any covered transaction that has previously been reviewed or investigated under this section, if any party to the transaction or the entity resulting from consummation of the transaction intentionally materially breaches a mitigation agreement or condition described in subsection (l)(1)(A), and—

''(I) such breach is certified by the lead department or agency monitoring and enforcing such agreement or condition as an intentional material breach; and

''(II) such department or agency certifies that there is no other remedy or enforcement tool available to address such breach.

''(E) TIMING.—Any review under this paragraph shall be completed before the end of the 30-day period beginning on the date of the receipt of written notice under subparagraph (C) by the Chairperson of the Committee, or the date of the initiation of the review in accordance with a motion under subparagraph (D).

''(F) LIMIT ON DELEGATION OF CERTAIN AUTHORITY.—The authority of the Committee or any member of the Committee to initiate a review under subparagraph (D) may not be delegated to any person other than the Deputy Secretary or an appropriate Under Secretary of the department or agency represented on the committee or by such member (or by a person holding an equivalent position to a Deputy Secretary or Under Secretary).

''(2) NATIONAL SECURITY INVESTIGATIONS.—

''(A) IN GENERAL.—In each case in which—

''(i) a review of a covered transaction under paragraph (1) results in a determination that—

''(I) the transaction threatens to impair the national security of the United States and that threat has not been mitigated during or prior to the review of a covered transaction under paragraph (1); or

''(II) the transaction is a foreign government-controlled transaction;

''(ii) a roll call vote pursuant to paragraph (3)(A) in connection with a review under paragraph (1) of any covered transaction results in at least 1 vote by a Committee member against approving the transaction; or

''(iii) the Director of National Intelligence identifies particularly complex intelligence concerns that could threaten to impair the national security of the United States and Committee members were not able to develop and agree upon measures to mitigate satisfactorily those threats during the initial review period under paragraph (1),

the President, acting through the Committee, shall immediately conduct an investigation of the effects of the transaction on

the national security of the United States and take any necessary actions in connection with the transaction to protect the national security of the United States.

''(B) TIMING.—

''(i) IN GENERAL.—Any investigation under subparagraph (A) shall be completed before the end of the 45-day period beginning on the date of the investigation commenced.

''(ii) EXTENSIONS OF TIME.—The period established under subparagraph (B) for any investigation of a covered transaction may be extended with respect to any particular investigation by the President or by a rollcall vote of at least 2/3 of the members of the Committee involved in the investigation by the amount of time specified by the President or the Committee at the time of the extension, not to exceed 45 days, as necessary to collect and fully evaluate information relating to—

''(I) the covered transaction or parties to the transaction; and

''(II) any effect of the transaction that could threaten to impair the national security of the United States.

''(C) EXCEPTION.—Notwithstanding subparagraph (A)(i)(II), an investigation of a foreign government-controlled transaction shall not be required under this paragraph if the Secretary of the Treasury, the Secretary of Homeland Security, and the Secretary of Commerce determine, on the basis of the review of the transaction under paragraph (1), that the transaction will not affect the national security of the United States and no agreement or condition is required, with respect to the transaction, to mitigate any threat to the national security (and such authority of each such Secretary may not be delegated to any person other than the Deputy Secretary of the Treasury, of Homeland Security, or of Commerce, respectively).

''(3) APPROVAL OF CHAIRPERSON AND VICE CHAIRPERSONS REQUIRED.—

''(A) IN GENERAL.—A review or investigation under this subsection of a covered transaction shall not be treated as final or complete until the results of such review or investigation are approved by a majority of the members of the Committee in a roll call vote and signed by the Secretary of the Treasury, the Secretary of Homeland Security, and the Secretary of Commerce (and such authority of each such Secretary may not be delegated to any person other than the Deputy Secretary or an appropriate Under Secretary of the Treasury, of Homeland Security, or of Commerce, respectively).

''(B) ADDITIONAL ACTION REQUIRED IN CERTAIN CASES.—In the case of any roll call vote pursuant to subparagraph (A) in connection with an investigation under paragraph (2) of any foreign government-controlled transaction in which there is at least 1 vote by a Committee member against approving the transaction, the investigation shall not be treated as final or complete until the findings and report resulting from such investigation are signed by the President (in addition to the Chairperson and the Vice Chairpersons of the Committee under subparagraph (A)).

''(C) PRESIDENTIAL ACTION REQUIRED IN CERTAIN CASES.—In the case of any covered transaction in which any party to the transaction is—

''(i) a person of a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act), section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act of 1961, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism;

''(ii) a government described in clause (i); or

''(iii) person controlled, directly or indirectly, by any such government,

a review or investigation under this subsection of such covered transaction shall not be treated as final or complete until the results of such review or investigation are approved and signed by the President.

''(4) ANALYSIS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

''(A) IN GENERAL.—The Director of National Intelligence shall expeditiously carry out a thorough analysis of any threat to the national security of the United States of any covered transaction, including making requests for information to the Director of the Office of Foreign Assets Control within the Department of the Treasury and the Director of the Financial Crimes Enforcement Network. The Director of National Intelligence also shall seek and incorporate the views of all affected or appropriate intelligence agencies.

''(B) TIMING.—The Director of National Intelligence shall be provided adequate time to complete the analysis required under subparagraph (A), including any instance described in paragraph (2)(A)(iii).

''(C) INDEPENDENT ROLE OF DIRECTOR.—The Director of National Intelligence shall not be a member of the Committee and shall serve no policy role with the Committee other than to provide analysis under subparagraph (A) in connection with a covered transaction.

''(5) SUBMISSION OF ADDITIONAL INFORMATION.—No provision of this subsection shall be construed as prohibiting any party to a covered transaction from submitting additional information concerning the transaction, including any proposed restructuring of the transaction or any modifications to any agreements in connection with the transaction, while any review or investigation of the transaction is on-going.

''(6) REGULATIONS.—Regulations prescribed under this section shall include standard procedures for—

''(A) submitting any notice of a proposed or pending covered transaction to the Committee;

''(B) submitting a request to withdraw a proposed or pending covered transaction from review; and

''(C) resubmitting a notice of proposed or pending covered transaction that was previously withdrawn from review.

''(c) CONFIDENTIALITY OF INFORMATION.—Any information or documentary material, including proprietary business information, filed with, or testimony presented to, the President or the President's designee pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information, documentary material, or testimony may be made public, except as may be relevant to any administrative or judicial action or proceeding. Nothing in this subsection shall be construed to prevent disclosure to either House of Congress or to any duly authorized committee or subcommittee of the Congress.''.

SEC. 3. STATUTORY ESTABLISHMENT OF THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsection (k) and inserting the following new subsection:

''(k) COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

''(1) ESTABLISHMENT.—The Committee on Foreign Investment in the United States established pursuant to Executive Order No. 11858 shall be a multi-agency committee to carry out this section and such other assignments as the President may designate.

''(2) MEMBERSHIP.—The Committee shall be comprised of the following members or the designee of any such member:

''(A) The Secretary of the Treasury.

''(B) The Secretary of Homeland Security.

''(C) The Secretary of Commerce.

''(D) The Secretary of Defense.

''(E) The Secretary of State.

''(F) The Attorney General.

''(G) The Secretary of Energy.

''(H) The Chairman of the Council of Economic Advisors.

''(I) The United States Trade Representative.

''(J) The Director of the Office of Management and Budget.

''(K) The Director of the National Economic Council.

''(L) The Director of the Office of Science and Technology Policy.

''(M) The President's Assistant for National Security Affairs.

''(N) Any other designee of the President from the Executive Office of the President.

''(3) CHAIRPERSON; VICE CHAIRPERSONS.—The Secretary of the Treasury shall be the Chairperson of the Committee. The Secretary of Homeland Security and the Secretary of Commerce shall be the Vice Chairpersons of the Committee.

''(4) OTHER MEMBERS.—Subject to subsection (b)(4)(B), the Chairperson of the Committee shall involve the heads of such other Federal departments, agencies, and independent establishments in any review or investigation under subsection (b) as the Chairperson, after consulting with the Vice Chairpersons, determines to be appropriate on the basis of the facts and circumstances of the transaction under investigation (or the designee of any such department or agency head).

''(5) MEETINGS.—The Committee shall meet upon the direction of the President or upon the call of the Chairperson of the Committee without regard to section 552b of title 5, United States Code (if otherwise applicable).

''(6) COLLECTION OF EVIDENCE.—Subject to subsection (c), the Committee may, for the purpose of carrying out this section—

''(A) sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

''(B) require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as the Chairperson of the Committee may determine advisable.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each of fiscal years 2008, 2009, 2010, and 2011 expressly and solely for the operations of the Committee that are conducted by the Secretary, the sum of $10,000,000.''.

SEC. 4. ADDITIONAL FACTORS REQUIRED TO BE CONSIDERED.

Section 721(f) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(f)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''among other factors'';

(2) by striking ''and'' at the end of paragraph (4);

(3) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(4) by adding at the end the following new paragraphs:

''(6) whether the covered transaction has a security-related impact on critical infrastructure in the United States;

''(7) whether the covered transaction is a foreign government-controlled transaction; and

''(8) such other factors as the President or the President's designee may determine to be appropriate, generally or in connection with a specific review or investigation.''.

SEC. 5. NONWAIVER OF SOVEREIGN IMMUNITY.

Section 721(d) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(d)) is amended by adding at the end the following new sentence: ''The United States shall not be held liable for any losses or other expenses incurred by any party to a covered transaction as a result of actions taken under this section after a covered transaction has been consummated if the party did not submit a written notice of the transaction to the Chairperson of the Committee under subsection (b)(1)(C) or did not wait until the completion of any review or investigation under subsection (b), or the end of the 15-day period referred to in this subsection, before consummating the transaction.''.

SEC. 6. MITIGATION, TRACKING, AND POST-CONSUMMATION MONITORING AND ENFORCEMENT.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (k) (as amended by section 3 of this Act) the following new subsection:

''(l) MITIGATION, TRACKING, AND POSTCONSUMMATION MONITORING AND ENFORCEMENT.—

''(1) MITIGATION.—

''(A) IN GENERAL.—The Committee or any agency designated by the Chairperson and Vice Chairpersons may, on behalf of the Committee, negotiate, enter into or impose, and enforce any agreement or condition with any party to a covered transaction in order to mitigate any threat to the national security of the United States that arises as a result of the transaction.

''(B) RISK-BASED ANALYSIS REQUIRED.—Any agreement entered into or condition imposed under subparagraph (A) shall be based on a risk-based analysis, conducted by the Committee, of the threat to national security of the covered transaction.

''(2) TRACKING AUTHORITY FOR WITHDRAWN NOTICES.—

''(A) IN GENERAL.—If any written notice of a covered transaction that was submitted to the Committee under this section is withdrawn before any review or investigation by the Committee under subsection (b) is completed, the Committee shall establish, as appropriate—

''(i) interim protections to address specific concerns with such transaction that have been raised in connection with any such review or investigation pending any resubmission of any written notice under this section with respect to such transaction and further action by the President under this section;

''(ii) specific timeframes for resubmitting any such written notice; and

''(iii) a process for tracking any actions that may be taken by any party to the transaction, in connection with the transaction, before the notice referred to in clause (ii) is resubmitted.

''(B) DESIGNATION OF AGENCY.—The Committee may designate 1 or more appropriate Federal departments or agencies, other than any entity of the intelligence community (as defined in the National Security Act of 1947), as a lead agency to carry out, on behalf of the Committee, the requirements of subparagraph (A) with respect to any covered transaction that is subject to such subparagraph.

''(3) NEGOTIATION, MODIFICATION, MONITORING, AND ENFORCEMENT.—

''(A) DESIGNATION OF AGENCY.—The Committee shall designate 1 or more Federal departments or agencies as the lead agency to negotiate, modify, monitor, and enforce, on behalf of the Committee, any agreement entered into or condition imposed under paragraph (1) with respect to a covered transaction based on the expertise with and knowledge of the issues related to such transaction on the part of the designated department or agency.

''(B) REPORTING BY DESIGNATED AGENCY.—

''(i) IMPLEMENTATION REPORTS.—Each Federal department or agency designated by the Committee as a lead agency under subparagraph (A) in connection with any agreement entered into or condition imposed under paragraph (1) with respect to a covered transaction shall—

''(I) report, as appropriate but not less than once in each 6-month period, to the Chairperson and Vice Chairpersons of the Committee on the implementation of such agreement or condition; and

''(II) require, as appropriate, any party to the covered transaction to report to the head of such department or agency (or the designee of such department or agency head) on the implementation or any material change in circumstances.

''(ii) MODIFICATION REPORTS.—Any Federal department or agency designated by the Committee as a lead agency under subparagraph (A) in connection with any agreement entered into or condition imposed with respect to a covered transaction shall—

''(I) provide periodic reports to the Chairperson and Vice Chairpersons of the Committee on any modification to any such agreement or condition imposed with respect to the transaction; and

''(II) ensure that any significant modification to any such agreement or condition is reported to the Director of National Intelligence and to any other Federal department or agency that may have a material interest in such modification.

''(iii) COMPLIANCE.—The Committee shall develop and agree upon methods for evaluating compliance with any agreement entered into or condition imposed with respect to a covered transaction that will allow the Committee to adequately assure compliance without—

''(I) unnecessarily diverting Committee resources from assessing any new covered transaction for which a written notice has been filed pursuant to subsection (b)(1)(C), and if necessary reaching a mitigation agreement with or imposing a condition on a party to such covered transaction or any covered transaction for which a review has been reopened for any reason; or

''(II) placing unnecessary burdens on a party to a covered transaction.''.

SEC. 7. INCREASED OVERSIGHT BY THE CONGRESS.

(a) REPORT ON ACTIONS.—Section 721(g) of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended to read as follows:

''(g) REPORTS TO THE CONGRESS.—

''(1) REPORTS ON COMPLETED COMMITTEE INVESTIGATIONS.—

''(A) IN GENERAL.—Not later than 5 days after the completion of a Committee investigation of a covered transaction under subsection (b)(2), or, if the President indicates an intent to take any action authorized under subsection (d) with respect to the transaction, after the end of 15-day period referred to in subsection (d), the Chairperson or a Vice Chairperson of the Committee shall submit a written report on the findings or actions of the Committee with respect to such investigation, the determination of whether or not to take action under subsection (d), an explanation of the findings under subsection (e), and the factors considered under subsection (f), with respect to such transaction, to—

''(i) the Majority Leader and the Minority Leader of the Senate;

''(ii) the Speaker and the Minority Leader of the House of Representatives; and

''(iii) the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the covered transaction and its possible effects on national security, including, at a minimum, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives.

''(B) NOTICE AND BRIEFING REQUIREMENT.—If a written request for a briefing on a covered transaction, or on compliance with a mitigation agreement or condition imposed with respect to such transaction, is submitted to the Committee by any Senator or Member of Congress who receives a report on the transaction under subparagraph (A), the Chairperson or a Vice Chairperson (or such other person as the Chairperson or a Vice Chairperson may designate) shall provide 1 classified briefing to each House of the Congress from which any such briefing request originates in a secure facility of appropriate size and location that shall be open only to the Majority Leader and the Minority Leader of the Senate, the Speaker and the Minority Leader of the House of Representatives, (as the case may be) the chairman and ranking member of each committee of the House of Representatives or the Senate (as the case may be) with jurisdiction over any aspect of the covered transaction and its possible effects on national security, including, at a minimum, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, and appropriate staff members who have security clearance.

''(2) APPLICATION OF OTHER PROVISION.—

''(A) IN GENERAL.—The disclosure of information under this subsection shall be consistent with the requirements of subsection (c). Members of Congress and staff of either House or any committee of the Congress shall be subject to the same limitations on disclosure of information as are applicable under such subsection.

''(B) PROPRIETARY INFORMATION.—Proprietary information which can be associated with a particular party to a covered transaction shall be furnished in accordance with subparagraph (A) only to a committee of the Congress and only when the committee provides assurances of confidentiality, unless such party otherwise consents in writing to such disclosure.''.

(b) ANNUAL REPORT.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (l) (as added by section 6 of this Act) the following new subsection:

''(m) ANNUAL REPORT TO THE CONGRESS.—

''(1) IN GENERAL.—The Chairperson of the Committee shall transmit a report to the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the report, including, at a minimum, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, before July 31 of each year on all the reviews and investigations of covered transactions completed under subsection (b) during the 12-month period covered by the report.

''(2) CONTENTS OF REPORT RELATING TO COVERED TRANSACTIONS.—The report under paragraph (1) shall contain the following information with respect to each covered transaction:

''(A) A list of all notices filed and all reviews or investigations completed during the period with basic information on each party to the transaction, the nature of the business

activities or products of all pertinent persons, along with information about the status of the review or investigation, information on any withdrawal from the process, any rollcall votes by the Committee under this section, any extension of time for any investigation, and any presidential decision or action under this section.

''(B) Specific, cumulative, and, as appropriate, trend information on the numbers of filings, investigations, withdrawals, and presidential decisions or actions under this section.

''(C) Cumulative and, as appropriate, trend information on the business sectors involved in the filings which have been made, and the countries from which the investments have originated.

''(D) Information on whether companies that withdrew notices to the Committee in accordance with subsection (b)(1)(C)(ii) have later re-filed such notices, or, alternatively, abandoned the transaction.

''(E) The types of security arrangements and conditions the Committee has used to mitigate national security concerns about a transaction, including a discussion of the methods the Committee and any lead departments or agencies designated under subsection (l) are using to determine compliance with such arrangements or condition.

''(F) A detailed discussion of all perceived adverse effects of covered transactions on the national security or critical infrastructure of the United States that the Committee will take into account in its deliberations during the period before delivery of the next such report, to the extent possible.

''(3) CONTENTS OF REPORT RELATING TO CRITICAL TECHNOLOGIES.—

''(A) IN GENERAL.—In order to assist the Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall include in the annual report submitted under paragraph (1) the following:

''(i) An evaluation of whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer.

''(ii) An evaluation of whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technologies.

''(B) CRITICAL TECHNOLOGIES DEFINED.—For purposes of this paragraph, the term 'critical technologies' means technologies identified under title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 or other critical technology, critical components, or critical technology items essential to national defense or national security identified pursuant to this section.

''(C) RELEASE OF UNCLASSIFIED STUDY.—That portion of the annual report under paragraph (1) that is required by this paragraph may be classified. An unclassified version of that portion of the report shall be made available to the public.''.

(c) STUDY AND REPORT.—

(1) STUDY REQUIRED.—Before the end of the 120-day period beginning on the date of the enactment of this Act and annually thereafter, the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Commerce, shall conduct a study on investments in the United States, especially investments in critical infrastructure and industries affecting national security, by—

(A) foreign governments, entities controlled by or acting on behalf of a foreign government, or persons of foreign countries which comply with any boycott of Israel; or

(B) foreign governments, entities controlled by or acting on behalf of a foreign government, or persons of foreign countries which do not ban organizations designated by the Secretary of State as foreign terrorist organizations.

(2) REPORT.—Before the end of the 30-day period beginning upon completion of each study under paragraph (1) or in the next annual report under section 721(m) of the Defense Production Act of 1950 (as added by subsection (b)), the Secretary of the Treasury shall submit a report to the Congress, for transmittal to all appropriate committees of the Senate and the House of Representatives, containing the findings and conclusions of the Secretary with respect to the study described in paragraph (1), together with an analysis of the effects of such investment on the national security of the United States and on any efforts to address those effects.

(d) INVESTIGATION BY INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General of the Department of the Treasury shall conduct an independent investigation to determine all of the facts and circumstances concerning each failure of the Department of the Treasury to make any report to the Congress that was required under section 721(k) of the Defense Production Act of 1950 (as in effect before the date of the enactment of this Act).

(2) REPORT TO THE CONGRESS.—Before the end of the 270-day period beginning on the date of the enactment of this Act, the Inspector General of the Department of the Treasury shall submit a report to the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the report, including, at a minimum, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, on the investigation under paragraph (1) containing the findings and conclusions of the Inspector General.

SEC. 8. CERTIFICATION OF NOTICES AND ASSURANCES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (m) (as added by section 7(b) of this Act) the following new subsection:

''(n) CERTIFICATION OF NOTICES AND ASSURANCES.—Each notice required to be submitted, by a party to a covered transaction, to the President or the President's designee under this section and regulations prescribed under such section, and any information submitted by any such party in connection with any action for which a report is required pursuant to paragraph (3)(B)(ii) of subsection (l) with respect to the implementation of any mitigation agreement or condition described in paragraph (1)(A) of such subsection, or any material change in circumstances, shall be accompanied by a written statement by the chief executive officer or the designee of the person required to submit such notice or information certifying that, to the best of the person's knowledge and belief—

''(1) the notice or information submitted fully complies with the requirements of this section or such regulation, agreement, or condition; and

''(2) the notice or information is accurate and complete in all material respects.''.

SEC. 9. REGULATIONS.

Section 721(h) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(h)) is amended to read as follows:

''(h) REGULATIONS.—The President shall direct the issuance of regulations to carry out this section. Such regulations shall, to the extent possible, minimize paperwork burdens and shall to the extent possible coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law.''.

SEC. 10. EFFECT ON OTHER LAW.

Section 721(i) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(i)) is amended to read as follows:

''(i) EFFECT ON OTHER LAW.—No provision of this section shall be construed as altering or affecting any other authority, process, regulation, investigation, enforcement measure, or review provided by or established under any other provision of Federal law, including the International Emergency Economic Powers Act, or any other authority of the President or the Congress under the Constitution of the United States.''.

SEC. 11. EFFECTIVE DATE.

The amendments made by this Act shall apply after the end of the 90-day period beginning on the date of the enactment of this Act.

H.R. 556

OFFERED BY MR. FRANK OF MASSACHUSETTS

AMENDMENT NO. 3: Page 20, line 12, insert '', conducted by the Committee,'' after ''analysis''.

Page 22, line 17, strike ''provide periodic reports'' and insert ''report, as appropriate but not less than once in each 6-month period,''.

Page 23, line 23, strike the closing quotation marks and the 2nd period.

Page 23, after line 23, insert the following new clause:

''(iii) COMPLIANCE.—The Committee shall develop and agree upon methods for evaluating compliance with any agreement entered into or condition imposed with respect to a covered transaction that will allow the Committee to adequately assure compliance without—

''(I) unnecessarily diverting Committee resources from assessing any new covered transaction for which a written notice has been filed pursuant to subsection (b)(1)(C), and if necessary reaching a mitigation agreement with or imposing a condition on a party to such covered transaction or any covered transaction for which a review has been reopened for any reason; or

''(II) placing unnecessary burdens on a party to a covered transaction.''.

Page 25, line 6, insert '', at a minimum,'' after ''including''.

Page 25, line 12, insert '', or on compliance with a mitigation agreement or condition imposed with respect to such transaction,'' after ''covered transaction''.

Page 26, beginning on line 5, strike ''the Committee on International Relations'' and insert '', at a minimum, the Committee on Foreign Affairs''.

Page 27, beginning on line 10, strike ''the Committee on International Relations'' and insert '', at a minimum, the Committee on Foreign Affairs''.

Page 28, line 23, insert '', including a discussion of the methods the Committee and any lead departments or agencies designated under subsection (l) are using to determine compliance with such arrangements or conditions'' before the period.

Page 30, line 21, insert ''and annually thereafter'' after ''of this Act''.

Page 31, line 13, strike ''completion of the study'' and insert ''completion of each study''.

Page 31, line 21, insert ''described in paragraph (1)'' after ''to the study''.

Page 31, after line 24, insert the following new subsection:

(d) INVESTIGATION BY INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General of the Department of the Treasury shall conduct an independent investigation to determine all of the facts and circumstances concerning each failure of the Department of the Treasury to make any report to the Congress that was required under section 721(k) of the Defense Production Act of 1950 (as in effect before the date of the enactment of this Act).

(2) REPORT TO THE CONGRESS.—Before the end of the 270-day period beginning on the date of the enactment of this Act, the Inspector General of the Department of the Treasury shall submit a report to the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the report, including, at a minimum, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, on the investigation under paragraph (1) containing the findings and conclusions of the Inspector General.

H.R. 556

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 4: Page 18, after line 20, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

''(7) the potential effects of the covered transaction on the efforts of the United States to curtail human smuggling (and such term, for purposes of this paragraph, means any act constituting a violation of section 274(a) of the Immigration and Nationality Act) and to curtail drug smuggling with regard to any country which is not described in paragraphs (1) and (2) of section 1003(a) of the Controlled Substances Import and Export Act.''.

H.R. 556

OFFERED BY: MR. MCCAUL

AMENDMENT NO. 5: Page 30, line 17, strike the closing quotation marks and the second period.

Page 30, after line 17, insert the following new paragraph:

''(4) CONTENTS OF REPORT RELATED TO BARRIERS TO INVESTMENT INTO THE UNITED STATES.—In order to assist the Congress in its oversight role of ensuring the national security of the United States by ensuring a healthy investment climate, the President, and such agencies as the President shall designate, shall include in the annual report submitted under paragraph (1) a detailed discussion of factors, including the effective rate of taxation on entrepreneurs and businesses and other sources of capital in the United States as compared to other countries, that affect the number of filings, changes in the types of business sectors involved in filings, and changes in the number of investments originating from specific countries.''.

H.R. 556

OFFERED BY: MR. MCCAIN

AMENDMENT NO. 6: Page 30, line 17, strike the closing quotation marks and the second period.

Page 30, after line 17, insert the following new paragraph:

''(4) CONTENTS OF REPORT RELATED TO BARRIERS TO INVESTMENT INTO THE UNITED STATES.—In order to assist the Congress in its oversight role of ensuring the national security of the United States by ensuring a healthy investment climate, the President, and such agencies as the President shall designate, shall include in the annual report submitted under paragraph (1) a detailed discussion of factors, including the amount of burdensome regulation in the United States as compared to other countries, that affect the number of filings, changes in the types of business sectors involved in filings, and changes in the number of investments originating from specific countries.''.

H.R. 556

OFFERED BY: MR. MCCAUL

AMENDMENT NO. 7: Page 30, line 17, strike the closing quotation marks and the second period.

Page 30, after line 17, insert the following new paragraph:

''(4) CONTENTS OF REPORT RELATED TO BARRIERS TO INVESTMENT INTO THE UNITED STATES.—In order to assist the Congress in its oversight role of ensuring the national security of the United States by ensuring a healthy investment climate, the President, and such agencies as the President shall designate, shall include in the annual report submitted under paragraph (1) a detailed discussion of factors, including a detailed discussion, including trend information on the number of jobs in the United States related to foreign investment resulting from covered transactions, that affect the number of filings, changes in the types of business sectors involved in filings, and changes in the number of investments originating from specific countries.''.

H.R. 556

OFFERED BY: MR. DAVIS OF KENTUCKY

AMENDMENT NO. 8: Page 11, line 2, strike ''in a rollcall vote''.

H.R. 556

OFFERED BY: MR. DAVIS OF KENTUCKY

AMENDMENT NO. 9: Page 11, beginning on line 7, strike ''or an appropriate Under Secretary'' and insert ''or an appropriate Senate confirmed official''.

H.R. 556

OFFERED BY: MR. DAVIS OF KENTUCKY

AMENDMENT NO. 10: Page 28, line 3, strike ''in a rollcall vote''.

H.R. 556

OFFERED BY: MR. BARROW

AMENDMENT NO. 11: Page 14, line 18, strike the closing quotation marks and the 2nd period.

Page 14, after line 18, insert the following new paragraph:

''(7) NOTICE TO THE CONGRESS.—

''(A) RECEIPT OF WRITTEN NOTIFICATION.—Before the end of the 5-day period beginning on the day the Chairperson of the Committee receives a written notice under paragraph (1)(C) of a proposed covered transaction, the Chairperson shall provide notice of the receipt of such written notice to the Members of Congress referred to in subparagraph (D).

''(B) COMMENCEMENT OF INVESTIGATION.—Not later than 1 day after commencing an investigation under paragraph (2) of a covered transaction, the Chairperson shall provide notice of the investigation and relevant information regarding the covered transaction, including relevant ownership records, to the Members of Congress referred to in subparagraph (D).

''(C) ACCESS TO INVESTIGATIONS.—The Chairperson of the Committee shall—

''(i) provide responses in a timely manner to any inquiries made by the Members of Congress referred to in subparagraph (D) regarding an investigation; and

''(ii) notify such Members of Congress promptly of the decision of the Committee upon completion of the investigation.

''(D) MEMBERS OF CONGRESS.—The Members of Congress referred to in this paragraph are as follows:

''(i) The Speaker and Minority Leader of the House of Representatives.

''(ii) The Majority and Minority Leader of the Senate.

''(iii) The Chairs and Ranking Members of the Committee on Financial Services, the Committee on Homeland Security, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Transportation and Infrastructure, and the Permanent Select Committee on Intelligence of the House of Representatives.

''(iv) The Chairs and Ranking Members of the Committee on Finance, the Committee on Homeland Security and Governmental Affairs, the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Select Committee on Intelligence of the Senate.

''(v) The Senators representing States and the Members of Congress representing districts affected by the proposed covered transaction.''.

H.R. 556

OFFERED BY: MR. BARROW

AMENDMENT NO. 12: Page 24, line 26, strike ''and'' after the semicolon.

Page 25, line 9, strike the period at the end and insert ''; and''.

Page 25, after line 9, insert the following new clause:

''(iv) Senators representing States and Members of Congress representing congressional districts that would be significantly affected by the covered transaction.''.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, FEBRUARY 27, 2007 No. 33

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, to whom we must account for all our powers and privileges, guide the Members of this body so that they will be faithful stewards of Your will. Give them understanding and integrity that human rights may be safeguarded and justice served. Teach them to rely on Your strength and to serve You with honor. May each Senator in her or his daily work know the joy of partnership with You.

Lord, we pray today also for the men and women of our Armed Forces. Defend them with Your heavenly grace and give them courage to face perils with trust in You. Give them a sense of Your abiding presence wherever they may be. Strengthen and sustain their loved ones.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER 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, February 27, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today the Senate will be in a period of morning business until 12:30 p.m. During the period of morning business, Senators will be permitted to speak for up to 10 minutes each. The first 30 minutes will be controlled by the Republicans and the second 30 minutes will be controlled by the majority.

At 12:30, the Senate will recess until the hour of 2:15. Upon reconvening at 2:15, the Senate will resume debate on the motion to proceed to S. 184. The cloture vote will occur at 2:30, with the time until then equally divided and controlled between the two leaders and their designees.

As I indicated yesterday prior to the Senate adjourning, the Republican leader and I have had discussions about the 9/11 Commission recommendations legislation, and while the time has been set for the cloture vote on the motion to proceed to S. 184, we will continue our discussions to ascertain whether we can vitiate that cloture vote. If we are able to do that, we would switch to S. 4, which is the Homeland Security-reported matter reported by Chairman LIEBERMAN and Ranking Member COLLINS.

I would say, as I said last night, whichever vehicle comes to the floor—I would hope we could speed things up by 30 hours by doing S. 4—we need to get to this legislation. I had indicated prior to the recess, and indicate today, it is open to amendment. I, in fact, even have the first Democratic Senator who wants to offer an amendment. I am sure the minority has a lot of amendments they want to offer.

9/11 COMMISSION RECOMMENDATIONS

Mr. President, I want to bring to the attention of the body letters Senator MCCONNELL and I received. They are dated yesterday. The letter to me states:

It has been exactly 14 years since the first attack on the World Trade Center; over 5 years since the terrorist attacks of 9/11; and over 2 years since the 9/11 Commission released a blueprint for strengthening America's security. The pace of Congressional response to these wake-up calls has been glacial.

Now, I am not going to read the other three paragraphs of this letter other than to say this letter is signed by different groups—widows and orphans—Carol Ashley, representing a group called VOICES of September 11th, who is the mother of Janice, who was killed in that 9/11 occurrence; Beverly Eckert, representing a group called Families of September 11, and who is the widow of Sean Rooney, who was 50; Mary Fetchet, the founding director and president of VOICES of September 11th, who is the mother of Brad, who was 24, who was killed in the incident; and Carie Lemack, the cofounder and president of Families of September 11, who is the daughter of Judy Larocque, who was 50 years old, who died in that terrorist attack.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

FEBRUARY 26, 2007.

Hon. HARRY REID,
Senate Majority Leader U.S. Senate, Washington, DC.

DEAR SENATOR REID: It has been exactly 14 years since the first attack on the World Trade Center; over 5 years since the terrorist attacks of 9/11; and over 2 years since the 9/11 Commission released a blueprint for strengthening America's security. The pace of Congressional response to these wake-up calls has been glacial.

The House of Representatives has validated its commitment to improving national security by passing H.R.1. When S. 4 goes to conference, its provisions must match or surpass the strength and comprehensiveness of H.R.l. Failure to act ratchets up the danger for America. The longer critical security issues remain unresolved, the more time and options the terrorists have.

S. 4 should be a clean bill, limited to implementing the remaining 9/11 Commission recommendations. This legislation is far too important to be politicized by the introduction of non-germane, controversial amendments and debate, particularly those relating to Iraq. Attention to both issues is critically important. As such, each deserves separate deliberation.

We urge you to act now to protect America by passing stand-alone, comprehensive security legislation under S. 4 based on the 9/11 Commission blueprint without complications regarding Iraq. The legacy of those whose lives have been taken by terrorists on American soil is in your hands. Prove to the families of those killed in 1993 and 2001, and to all Americans, that this is a new day in Washington, and that safety and security will finally take precedence over special interest groups and politics.

Respectfully,

CAROL ASHLEY,
Mother of Janice, 25, VOICES of September 11th.

BEVERLY ECKERT,
Widow of Sean Rooney, 50, Families of September 11.

MARY FETCHET,
Mother of Brad, 24, Founding Director and President, VOICES of September 11th.

CARIE LEMACK,
Daughter of Judy Larocque, 50, Co-founder and President, Families of September 11.

Mr. REID. I say to my friend, the distinguished Republican leader and people on his side of the aisle, if people are concerned about going to S. 4 because of not being allowed to offer amendments, I have stated publicly—and I understand because there were no amendments on the continuing resolution—and I will state again, I appreciate very much the cooperation of the Republicans. Even though there were no amendments, this was an issue this Congress, this Senate had to complete. None of the Members of the body here are responsible for what took place prior to this Congress. The 110th Congress is our responsibility, and that is why I am very happy the Democrats and Republicans joined together and got the continuing resolution passed. We were able to work our way through the contentious matters we had dealing with the Iraq war. I stated at the time we were doing that the 9/11 legislation will be subject to amendments.

Senator MCCONNELL and I are working our way through this issue to determine when the next debate will take place regarding Iraq. I hope it can be done on an agreement between the two of us. We are working on that. But I do say, don't anyone suggest the 9/11 legislation will not be open to amendment; it will be. We are going to work our way through that. There will not be cloture filed on this legislation until—hopefully, it won't have to be done. I think this is a piece of legislation for which it would not be necessary. There certainly will not be anything in the next 10 days. We will take a look at it.

I will work in conjunction with the distinguished Republican leader to find out if cloture ever has to be filed on the 9/11 bill. But I would hope we could gain this extra 30 hours and move to it right away. We could get the opening statements out of the way and some amendments offered today.

I had a leadership meeting at 9 o'clock this morning. I told the Senators there they better be ready for some votes Friday, that we are not going to be finished by 10 o'clock Friday morning. We have to finish this bill and finish it in a way that is appropriate.

So we have a lot of work to do. When we finish the 9/11 legislation, we have stem cells, we have the budget, we have the supplemental during this work period. We have a lot to do. We will need the cooperation of both sides.

I spoke out here last night, and I did my utmost to lay out the facts. We have been able to get a lot done this last work period. It was a long work period. We were able to do some good things. We were able to pass the most comprehensive ethics and lobbying reform in the history of the country. We passed minimum wage legislation for the first time in 10 years. We got the country's financial house in order by completing that. We have done some good work. As I said last night, it has been done on a bipartisan basis. We have worked together. So I hope we can continue to do that.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

9/11 BILL AND IRAQ

Mr. MCCONNELL. Mr. President, I indicated to my good friend, the majority leader, yesterday, and I now reiterate publicly, our desire to go to the measure reported by the Committee on Homeland Security. I think we will be able to work that out in the next few hours. We have also had a good conversation about how to structure a debate on Iraq to follow the 9/11 bill. There are a number of important amendments that Members on this side of the aisle want to offer to the 9/11 bill.

The majority leader has indicated there will be no desire on his part, and reiterated it here this morning, to prevent any of those amendments from being acted upon. So we expect a free-wheeling, Senate-style debate on the 9/11 bill in which a number of important amendments related to the measure are offered. I think we will be able to work out a way to go forward in the next few hours that will accommodate our mutual desire to have the right bill before the Senate regarding 9/11, and, hopefully, sometime shortly thereafter some kind of agreement to structure the debate on Iraq in a way that will be mutually acceptable to both sides of the aisle.

The ACTING PRESIDENT pro tempore. The majority leader.

EASTER RECESS

Mr. REID. Mr. President, finally, let me say this. I have had a number of people come to me during the last several days. In fact, I got a call in Nevada. The House is having 2 weeks during the Easter recess. The Senate is going to have 1 week. Everyone should understand that. We are going to work—we cannot move as fast as the House. We have rules here that simply do not allow that. While we would all like to be able to go home and spend time in our respective States, that will not happen. We are going to have only a 1-week recess for Easter.

I would say during the rest of the year there are no set times. I have been as forewarning as possible to the distinguished Republican leader, telling him of the days we would not have votes, days we would have votes. I am going to do my very best not to have surprises in the schedule. One of the surprises we will not have is 2 weeks for the Easter break. We are going to have to work through that. Up until August, I am hopeful and confident we can get our work done. But the August recess is a long one, and everyone should understand that is not automatic. We have to get our work done or we may have to shorten that also.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, I appreciate the clarity the majority leader brought to the issue of the Easter work period. I think that is very helpful to Members on our side of the aisle for planning purposes, and I appreciate his bringing up that matter this morning.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there

will now be a period for the transaction of morning business until the hour of 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the first 30 minutes will be controlled by the Republican leader or his designee.

The Senator from Texas.

ORDER OF PROCEDURE

Mr. CORNYN. Mr. President, I am aware of two speakers during our period, the minority period of 30 minutes in morning business. As a result, I ask unanimous consent to be allowed to speak for up to 20 minutes out of that 30-minute period of time.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. I thank the Chair.

IRAQ

Mr. CORNYN. Mr. President, I come to the floor this morning to express my concerns about the growing politicalization of the debate over the war in Iraq. The reason I am concerned is because I think the revolving door of resolutions we have seen emanating from Washington, DC, has caused confusion. Now, I would be happy if the confusion were limited to our enemies. But, unfortunately, I think that confusion extends to our allies and perhaps even to the troops who are now serving in that war-torn country.

I do not believe that confusion is called for; rather, clarity is what we ought to be producing here. But this revolving door of resolutions being produced by those primarily on the other side of the aisle has seemed to contribute to our inability to speak with one voice on the one subject where we ought to be speaking with one voice; that is, our Nation's security. We ought not to be playing politics of any kind when talking about the lives of our troops or the resolutions which might have the unintended consequence of undermining their morale or causing our friends and allies confusion as to whether we are willing to stay the course in this battle of wills. This is a battle of wills.

If my colleagues on the other side of the aisle feel so strongly—as some of them clearly do—about the conflict in Iraq, then I believe they have an obligation to cut off funding. We have at least two Senators who have offered those kinds of resolutions—Senator DODD and Senator FEINGOLD. I would put it this way: If my colleagues really believe all is lost in Iraq and there is no possible way to succeed, then I think Senators could justly reach the conclusion that the only moral decision would be to deny funding to send them into harm's way. But instead what we see is an uncontrollable desire to tinker with our military operations, deciding in some cases what individual Members of Congress think should be done on the ground and then on the other hand what kind of decisions ought to be left to commanders. I suggest to my colleagues that strategy will lead us nowhere. Congress should not be involved in micromanaging the day-to-day tactics of military commanders on the ground. Our Constitution provides for a single Commander in Chief, not 535 chieftains who can make tactical decisions about something as sensitive and challenging as war operations in Iraq.

We have heard there are between 5,000 and 6,000 members of al-Qaida in Iraq, primarily in Anbar Province. It makes no sense to me for us to pull out our troops until we have defeated those terrorists. Certainly, I disagree with those who say we ought to pull out our troops before we are able to stabilize Iraq in a way that it can sustain itself, defend itself, and govern itself because I think we know what will happen if Iraq becomes just another failed state in the Middle East, particularly with those 5,000 to 6,000 members of al-Qaida present in Iraq: It will become another Afghanistan.

As we all know, when the Soviet Union left Afghanistan, Afghanistan became a failed state, giving rise to the Taliban and al-Qaida in Iraq, the likes of Osama bin Laden among them. Of course, it was because they had a safe haven in Afghanistan that they could then plot and plan and train and recruit and finance their terrorist operations, and it allows them the safety and convenience to plan an attack against the United States, which they did on September 11, 2001.

Of course, we know, because they have told us, that one of al-Qaida's major goals in Iraq is to increase sectarian violence between the Sunnis and the Shias. Al-Qaida cannot defeat us on the battlefield; we know that and they know that. The only way they can prevail is if we give up, if we pull our combat troops out of Iraq until al-Qaida is no longer a threat there. We know that Sunni extremists, including al-Qaida, want to create a civil war that will tear the country apart. The only way al-Qaida will be successful in doing that is if we allow them to do so.

We need to let our military do the job in Iraq. We can't pretend to be able to make the best decisions from here in Washington, DC, about what kinds of tactics are likely or reasonably calculated to be successful several thousand miles away.

As recently as Sunday, the chairman of the Senate Armed Services Committee appeared on a weekend talk show. I would like to read a little bit of the questions and answers which were produced from that interaction because I think it demonstrates exactly the kind of confusion I am talking about that I think ill-serves our troops and ill-serves our Nation during a time of war.

The question was this:

> Will you set a goal for withdrawing combat troops?

Senator LEVIN says:

> We would. We would follow basically the pattern that was set or proposed by the Iraq Study Group, which was to set a goal for the removal of combat troops, as you put it correctly, by March of next year.

Mr. Russert:

> So how many troops would that be by March of next year would be taken out?

Mr. LEVIN said:

> We don't have a specific number, nor did the study group, but it would be most. There would be a limited number of troops that would be left.

Mr. Russert said:

> So out of 150,000, we would take out how many?

Mr. LEVIN:

> I would say most.

Mr. Russert:

> What would be left behind?

Senator LEVIN said:

> It would be a limited number, which would—

Mr. Russert said:

> Ten thousand, 20,000?

Senator LEVIN said:

> I don't want to put a specific number on it because that really should be left to the commanders to decide how many would be needed to carry out these limited functions.

I think this brief Q-and-A demonstrates the kind of confusion that occurs when Members of the Senate, notwithstanding their best intentions, tinker with tactical decisions made with fighting a war several thousand miles away.

We know the power Congress has under our Constitution, and if, in fact, there are those, as I said earlier, who believe that all is lost, then I believe the only appropriate action to take would be for those people who hold that belief to try to bring a resolution to the floor that would cut off funding for this ill-fated, in their view, conflict. But my colleagues can't have it both ways. On the one hand, they can't say we should leave it to our commanders in the field to determine the number of troops, and yet when General Petraeus says he needs 21,500 troops to fight the terrorists in Iraq, these same individuals would tell him: No, you can't have them.

This is a question and answer from the nomination hearing for GEN David Petraeus.

Senator MCCAIN asked him:

> Suppose we send you over there to your new job, General, only we tell you that you can't have any additional troops. Can you get your job done?

General Petraeus said:

> No, sir.

The kind of confusion I think we have seen emanating from Capitol Hill is directly related to the revolving door of resolutions we have seen since the beginning of the year.

First, there was the Biden resolution. Senator REID, the distinguished majority leader, said, ''Tomorrow the Senate will proceed to S. Con. Res. 2, the bipartisan Iraq resolution.'' He said that

on January 31, 2007. Then Senator REID said later the same day, ''There will be a bipartisan group of Senators who believe the more appropriate matter is the Warner resolution.''

So first we had the Biden resolution, then we had the Warner resolution, and then there was the Levin resolution. Senator REID said, on January 31, 2007, ''In my caucus there was near unanimity for the Levin resolution.'' Then—I mentioned this a moment ago—there are those such as Senator FEINGOLD who said: ''I oppose the weak Warner-Levin resolution as currently written because it misunderstands the situation in Iraq and shortchanges our national security interests.'' He said that on February 1.

Then there was the Reid-Pelosi resolution. This was the one on which the majority leader said, ''I think it is so much more direct. We support the troops. We are opposed to the surge. Perfect.'' He was asked this question: I was asking you why you prefer the House resolution to move forward. This is the press asking the majority leader. He said, ''I think it is so much more direct. We support the troops. We are opposed to the surge. Perfect.'' That is the majority leader on February 13, 2007.

Then one of the Democratic candidates for President, Senator CHRIS DODD of Connecticut, made this observation, and I happen to think he is exactly right. He said: ''We have a sense of Senate resolution on asparagus. They don't mean a whole lot.''

Well, I have heard a lot from my constituents back in Texas who just wonder what in the world are we doing here in Washington debating a series of nonbinding resolutions. Senator DODD has it exactly right. To show the dignity of these nonbinding resolutions, we even have a Senate resolution on asparagus. It is demeaning and inappropriate, in my view, for us to be talking in those kinds of terms when it comes to something as serious as Iraq.

Then there was the Murtha plan, named after Representative JACK MURTHA, the Democrat from Pennsylvania. This is Representative MURTHA's plan. He said:

> They won't be able to continue. They won't be able to do the deployment.

This is his plan.

> They won't have the equipment, they won't have the training, and they won't be able to do the work. There is no question in my mind. We have analyzed this and we have come to the conclusion that it can't be done.

So this is what the Democrats in the House have had to offer in terms of resolutions: Let's not vote to cut off funding, but let's tie our troops in so much redtape and deny them the ability to be successful with the new plan the President has proposed in Iraq. That was on February 15.

Representative JIM COOPER, a Democrat from Tennessee, I think tagged it right, tagged Representative MURTHA's plan correctly. He said on MURTHA's clumsy strategy:

> Congress has no business micromanaging a war, cutting off funding or even conditioning these funds.

That was what Representative JIM COOPER said on February 23 in the Washington Post.

Congressman CHET EDWARDS from my State of Texas, another Democrat, said:

> If you strictly limit a commander's ability to rotate troops in and out of Iraq, that kind of inflexibility could put some missions and some troops at risk.

He said that on February 23 in the Washington Post.

The latest resolution, the Biden-Levin proposal, was described by Senator JOE BIDEN of Delaware, the chairman of the Foreign Relations Committee in the Senate, another Democrat candidate for President: ''And that resolution can be simply entitled: Revoke the authorization.''

What he is talking about is revoking the authorization of the use of military force that Congress passed in 2001. He is talking about, in 2007, going back to 2001 and revoking the original authorization for use of military force that has resulted in 130,000 American troops currently in Iraq.

Senator BIDEN said this:

> The next best step is to revoke the authorization the United States Congress gave to the President to go to war in the first place.

He said that in Des Moines, IA, on February 17.

Senator LEVIN, the chairman of the Senate Armed Services Committee, a Democrat of Michigan, said:

> We should limit the mission. One thought is that we should limit the mission to a support mission. In other words, an anti-terrorist mission to go after al-Qaida in Iraq, to support and train the Iraqi Army, to protect our own diplomatic personnel and other personnel in Iraq.

So Senator LEVIN's proposal would be to limit the mission, to put conditions on our troops and on the rules of engagement that would deny them the ability to be successful, if they were otherwise able to be successful. He said that on September 19.

Representative CHET EDWARDS, again of Texas, a Democrat, I think nailed it. He said:

> I think Congress begins to skate on thin ice when we start to micromanage troop deployment and rotation.

He said that on February 23, 2007.

Then there are other resolutions by other candidates for President.

The Senator from Illinois, Mr. OBAMA, on his resolution said:

> 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, and that is why today I am introducing the Iraq War Deescalation Act of 2007.

That was on January 30, 2007. He wanted to cap troops who could be deployed into Iraq and opposed the President's plan.

Then Senator CLINTON, on her proposal, said:

> I don't want to defund our troops, I am against that, but I want to defund Iraqi troops.

Just remember, a moment ago Senator LEVIN in his resolution said he wanted to train and equip the Iraqis, and now Senator CLINTON says she wants to defund the Iraqi troops. She said:

> I want to defund the private security going for the Iraqi government if they don't meet these certain requirements.

She said that on FOX News, a special report with Brit Hume on January 18, 2007.

I could go on and on. I know the Senator from Florida is here and wants to speak on the same topic. But the plethora of resolutions that seem to be emanating from the other side of the aisle can't do anything but engender confusion about our aims in Iraq and in the Middle East, not only for our troops who put themselves in harm's way but for Iraqis who have allied themselves with us, who have helped us. I would think that out of the new majority, at least there ought to be a consensus on what it is we ought to be doing there, that we ought not to be leaving our troops with any doubt in their minds about our commitment to support them. We ought not to be leaving any of our friends in Iraq, who have allied themselves with us by helping us, to doubt, wondering whether we would pull our troops out precipitously and leave them exposed to a huge humanitarian crisis and a huge ethnic cleansing by the violence that would ensue.

My hope is we will give this new plan a chance. As the Iraq Study Group said, they believe they could support a surge, under appropriate conditions, on page 73 in that report—a bipartisan report of a group who have been given great weight in Congress. They have studied the issue and made recommendations to the President. The President has consulted broadly with a large number of people, military experts, people on both sides of the aisle, and has come up with not only a new commander but a new plan, and we have a new Secretary of Defense.

I fail to understand, and I cannot understand, why it is there are so many people who are determined to see that plan be unsuccessful by not providing the troops, by not providing the funding, and by tying our troops' hands with redtape, in terms of the rules of engagement and the conditions under which they fight.

Mr. President, I ask our colleagues on the other side of the aisle to work with us and come up with some plan that can have the support of the Members of Congress. As I said, it used to be that differences between political parties stopped at the water's edge, particularly on a matter so important as our national security. A confusing message is sent by these revolving-door resolutions that are mutually contradictory and inconsistent and do nothing to help us win the war there, to stabilize Iraq, and to bring our troops home as fast as we can.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, I follow the remarks of my colleague from Texas regarding the situation in Iraq and our own situation as it relates to that effort. I wish to pick up on what he said, which is that for so long in the history of our Nation, politics ended at the water's edge. I wish we could go back to the days when we would look at our troops fighting overseas in an effort as significant as this is—the current war against radical Islam—as something that could unite us all as Americans, where we might shed party labels and also shed personal political ambition.

I cannot help but notice, as the Senator from Texas was recounting all of the various plans that have been proposed from the other side, that most of them seemed to come from those labeled as a Presidential candidate. It seems everybody tried to have a different nuance on yet another micromanaging strategy to satisfy their personal political goals.

So how do we serve our national interests best? We should not be fighting a war from the political landscape of Washington. That is a recipe for defeat. We should follow the strategy of General Petraeus, who is in the field, who is the allied commander of our troops in Iraq, who does believe the current strategy we are following is one that has a reasonable chance for success. There is no guarantee, but it has a reasonable chance for success. That strategy has now been unfolding for several days. There has been a change on the ground. It is a strategy I know many forget, but it has multiprongs to it. It is not just the military reinforcements over Baghdad and the Iraqi forces taking the lead in Baghdad with our support, but it also has a political and an economic component. The political component—and I had to look for it because it was not on the front page—was that the Iraqi Cabinet approved yesterday an oil-sharing agreement for their country, which now goes to the Iraqi Parliament for their approval. That is one of the key cornerstones of beginning to achieve a political settlement—reaching an accord on the sharing of oil revenue—so there can be a sense of nationhood, so there can be a coming together of the different factions within Iraq. It is a very important component of a political settlement. I know other settlements are being added to the military and, at the same time, we understand some of those folks we would not want to be partners with. There are elements from the old Baathist Army that can be incorporated. Most of these are Sunnis, which is leading to a greater sense of confidence in the Sunni population. We see shifting and changing on the ground. We see that al-Sadr is taking a slightly different approach. He is anti-American, but at the same time the streets of Baghdad seem to be a tad quieter.

We have a long way to go, but we are making some progress. I believe it is important we note even the small measures of progress. I know our troops on the ground, our brave men and women fighting in Iraq, do notice these changes and understand they make a difference in the lives of the Iraqis. When our men and women who volunteer to serve our Nation are deployed and they go into battle, they should never for a moment have any hesitation in their minds or wonder whether they will have the tools they need to successfully perform their mission while defending themselves and the civilians they are working to protect.

The concept of opposing the war but supporting our troops seems untenable, when part of that same plan is one that will not allow reinforcements into battle, will not allow the equipment necessary, and has been described as a slow-bleed strategy. That kind of a strategy accomplishes nothing toward victory, and it does damage our troops, their morale and their mission.

Our President is the Commander in Chief. He is the leader of our Nation's military. Congress voted to authorize the President under the present circumstances. Resolutions in Washington of all flavors and varieties might make for good politics, but they do not make good sense as a military policy and a strategy for success. We only have one Commander in Chief at a time. Our Nation only has one Commander in Chief, and to micromanage our troops in the field is not what was ever intended by the constitutional responsibilities that divide the powers within our Government.

My colleague from Texas talked about Chairman LEVIN's comments. He made other comments in that interview. This was Sunday on ''Meet The Press.'' He said:

> We are trying to tie the hands of the President and his policy.

I will repeat that:

> We are trying to tie the hands of the President and his policy. We are trying to change the policy. And if someone wants to call that ''tying the hands'' instead of changing policy, yes, the President needs a check and balance.

I don't think that is a check and balance that was envisioned by our Constitution and Founding Fathers—tying the hands of the Commander in Chief in a time of war, while our troops are deployed and are shedding blood in battle. That is not what our Constitution ever intended.

Is it appropriate for Congress to tie the hands of the Commander in Chief in a time of war? I would say no. I believe most Floridians would agree with that—that this is not the time to tie the hands of the Commander in Chief. Should we keep the Commander in Chief from reinforcing our troops? In the judgment of military leaders, such as General Petraeus, the reinforcements are necessary, needed, and they are part of what will give us an opportunity for success. Should we keep the Commander in Chief from reinforcing these troops? The answer to that is also no. Under article I, section 8, of the Constitution, with regard to the Armed Forces, Congress is given the power of the purse and only the power of the purse. We have the responsibility to fully provide funding for our military forces, especially when they are at war and in harm's way, defending our Nation.

So what is the President's role in all of this? Article II, section 2, of the Constitution says the President is the ''Commander in Chief of the Army and Navy of the United States.'' He has command over the Armed Forces. He has the power and authority to deploy troops. He has the power and authority to direct military campaigns during wartime. For the Congress to tie the President's hands is not the right thing to do. It is outside the scope of what the Congress is supposed to do. This is not the checks and balances intended by our Founding Fathers. In a time of war, the Congress should only support our President, try to unite behind our troops and unite behind our effort. Our job is not to micromanage the handling of a war.

Another theory that has been advanced is we should continue to fight al-Qaida but not be involved in a civil war. I have not understood how we can have a strategy in a place that is as complex as Iraq is today to fight against one set of insurgents and not against another. We do know that a chaotic Iraq would be nothing but a haven for al-Qaida. We know that al-Qaida is resurging and reorganizing; our recent intelligence reports indicate that. Nothing would be more appealing or pleasing to them than to, first of all, validate their strategy, which is to create such an uproar in American politics through the deaths of our men and women in uniform and to end the resolve of our Nation so we would not continue to be steadfast in our resolve. This has been their avowed and professed strategy.

I believe for us to do anything other than continue forward in this hopeful effort for a victorious outcome would be nothing short of giving in to al-Qaida's strategy—their professed strategy. There is only one option, which has to do with the funding of our troops. I go back to the Gregg resolution. Senator GREGG had a resolution, and it was simply that we would support our troops. Our troops are in battle; we are in a time of war. This Congress sent them into battle by allowing the President to have the authority to do so. So at this time, the only resolution that I think is appropriate is the Gregg resolution, which has been discussed but not debated on the floor of the Senate. I look forward to an opportunity to have a full debate on that resolution. Hopefully, the leadership will allow it to come to the floor for a full debate and a vote.

The ACTING PRESIDENT pro tempore. Under the previous order, the

next 30 minutes will be under the control of the majority leader or his designee.

The Democratic whip is recognized.

IRAQ

Mr. DURBIN. Mr. President, I am glad we are discussing this issue. I am glad we are on the floor of the Senate to discuss the war in Iraq. I think this is an issue that is being discussed across America—over coffee pots in offices, in doughnut shops in the morning, at schools, in living rooms, and in churches. Everybody is thinking about this war, as they should. Those of us who are fortunate enough to live in the safety of America know full well that we have over 130,000 of our best and bravest sons and daughters, brothers and sisters, husbands and wives, risking their lives at this very moment in Iraq.

I have listened carefully to my colleagues from the other side of the aisle as they have come to the floor, including the last two, Senator CORNYN of Texas and Senator MARTINEZ of Florida. I have the highest respect for both of my colleagues. I count them as friends. I work with them on many issues. I respectfully disagree with them on their views on this war.

Senator CORNYN mentioned earlier he felt there should be a consensus among Democrats about what to do with this war, that if we have 50 or 51 Members on the floor, we ought to have a point of view. I say to the Senator from Texas that there are some things we agree on, on this side of the aisle. For example, when there was a vote 10 or 11 days ago on whether we should escalate the number of troops we are sending to Iraq, whether we should follow the President's proposed plan to send anywhere from 21,000 to 48,000 more soldiers into harm's way, 49 of 50 Democrats voted no.

We were joined by seven Republicans who crossed the aisle. Is there a consensus on the Democratic side on the President's plan? Yes. And it isn't just a consensus on the Democratic side; it is a consensus across the Nation.

This morning's Washington Post on the front page has the disclosure of an ABC News poll. Some 53 percent of the American people think it is time for a deadline for withdrawing forces from Iraq, and an overwhelming majority think the President's strategy is wrong.

To argue that the Democrats don't have a consensus position is not an accurate statement. It does not reflect what occurred in a vote that just took place a few days ago.

I am also troubled by the continuing reference to support of our troops. May I put that to rest for just a moment. Twenty-three of us in the Senate voted against this war in Iraq—1 Republican and 22 Democrats. But I will tell you, Mr. President, when the President came and then asked for funds to support our troops in Iraq, this Senator, and the overwhelming majority of those of us who oppose the policy, gave the President every penny he asked for. Our thinking was very clear: Though we may disagree with the policy, we can't put the burden of what we consider bad policy on the backs of our soldiers. We cannot shortchange them in any way in battle, even if we disagree with the battle plan of the Commander in Chief. So I voted not for $1 billion, not for $100 billion, but hundreds of billions of dollars for this war that I think is the wrong war. Why? Quite simply, if it were my son or daughter in uniform in this war risking his life, I would want him to have everything necessary to be safe and to come back home safely.

So, yes, we support our troops. Whether we disagree with this foreign policy or agree with it, Members of the Senate support our troops. But one cannot overlook the obvious. When it comes to the support of our troops, it goes way beyond a speech on the floor of the Senate.

On Sunday, February 18, Dana Priest and Anne Hull of the Washington Post wrote an article which has seared the conscious of America. It was part of a series about a military hospital, Walter Reed. I visited that hospital many times to visit our soldiers, marines, airmen, and sailors who were in recovery. I have been so impressed with the men and women, the medical professionals who perform medical miracles for these men and women who come home injured from the wars.

I listen to the soldiers and their families, and they are so grateful for what they have received at Walter Reed. As the article says at one point, Walter Reed has always been viewed as ''a surgical hospital that shines as the crown jewel of military medicine.'' And so it should be. Our men and women in uniform who have made the sacrifice deserve the very best.

If that were the message of this series in the Washington Post, it wouldn't have been noted or remembered by anyone because it would have been repeating the obvious. But, sadly, this series tells us something different.

Just a few minutes' drive away from where we are meeting in this Senate Chamber, at Walter Reed Hospital, there are buildings which are in deplorable condition. There are veterans and soldiers who are being treated in ways that are absolutely unacceptable. Let me quote a few words from this series in the Washington Post describing one of the buildings at Walter Reed Hospital:

> . . . [P]art of the wall is torn and hangs in the air, weighted down with black mold. . . . Signs of neglect are everywhere: mouse droppings, belly-up cockroaches, stained carpet, cheap mattresses.

The article goes on to say:

> The common perception of Walter Reed is as a surgical hospital that shines as the crown jewel of military medicine. But 5½ years of sustained combat have transformed the venerable 113-acre institution into something else entirely—a holding ground for physically and psychologically damaged outpatients. Almost 700 of them—the majority soldiers, but some Marines—have been released from hospital beds but still need treatment or are awaiting bureaucratic decisions before being discharged or returned to active duty.
>
> They suffer from brain injuries, severed arms and legs, organ and back damage, and various degrees of post-traumatic stress. Their legions have grown so exponentially—they outnumber hospital patients at Walter Reed 17 to 1—that they take up every available bed on post and spill into dozens of nearby hotels and apartments leased by the Army. The average stay is 10 months, but some have been stuck there for as long as two years.
>
> Disengaged clerks, unqualified platoon sergeants and overworked case managers fumble with simple needs: feeding soldiers' families who are close to poverty, replacing a uniform ripped off by medics in the desert sand or helping a brain-damaged soldier remember his next appointment.

Here is a quote from Marine SGT Ryan Groves, 26 years old, an amputee who lived at Walter Reed for 16 months. Here is what he says:

> We've done our duty. We fought the war. We came home wounded. Fine. But whoever the people are back here who are supposed to give us the easy transition should be doing it. . . . We don't know what to do. The people who are supposed to know don't have the answers. It's a nonstop process of stalling.

Walter Reed Hospital, the crown jewel of medical care for our soldiers who are giving everything in Iraq.

So now let's ask the question: Who is working to support our troops? Who is working at Walter Reed to support our troops? Rhetoric is easy on the floor of the Senate, but for these troops and for the families, it will take more than words of loyalty and respect.

I can recall when this debate started. As a Senator, I faced the toughest vote any Senator can face—a vote on a war. You know at the end of the day, if you go forward with the war, people will die—not just the enemy but our brave soldiers, as well as many innocent people. It is the kind of vote that costs you sleep, and it should.

I remember it so well. It was October 11, 2002, within weeks of the election. We had been subjected to a steady barrage of statements from the President and the administration about why this war was necessary. We had been told of weapons of mass destruction which not only threatened the region but even threatened the United States. We had been told of a ruthless dictator in Saddam Hussein who had gassed and killed his own innocent people. We had been told there was a connection between Saddam Hussein and the terrible events of 9/11 in the United States. We had been told even of nuclear weapons and the possibility of mushroom-shaped clouds if we didn't respond, and quickly, in Iraq.

But what we were told turned out not to be true. What we were told as the reason for the war turned out to be wrong. I was a member of the Senate Intelligence Committee, and I sat behind closed doors at confidential hearings and heard disputed evidence about

statements being made by the administration. I was sworn to secrecy. I couldn't walk outside the room and say: Wait a minute, this morning's headline about mushroom-shaped clouds is about nuclear weapons that even this administration is not agreed on. I couldn't say it because of my oath of loyalty to make certain I didn't disclose classified information. But I knew when it came time to vote that giving the President the authority to start this war was a bad decision, and that is why I voted against it. I think it was the worst foreign policy decision in my time in Congress. It is one that will haunt us for years to come.

Iraq has not become the last battle in the war on terrorism. Sadly, it has become a proving ground, a testing ground, a preparation place for training even more terrorists. Those are not my conclusions; those are the conclusions of our intelligence agencies.

When I listen to the Members on the other side say what we need to do in Iraq is send more Americans into that battleground, I ask myself: To what end? We were asked to do several things by this President, and we did them and did them well. We deposed that dictator, dug him out of a hole in the ground and held him accountable in the courts of his own nation. We searched high and low for weapons of mass destruction to destroy and could find none. We gave to the Iraqi people a chance for a free election, something they never had in their history. Our soldiers stood guard at the polling places so the Iraqi people could finally have their own voice and their own future. We let them choose their own leaders. We let their leaders form their own Government. We gave them more opportunities at the cost of American lives, American blood, and American treasure than any nation has ever given to Iraq in its history. We have achieved those things. We should be proud of those successes. But, unfortunately, despite all we have done, the Iraqis have not faced their own political responsibilities. After all of the years, after all of the money, after all of the training, and all of the time, they still don't have a police force that can stand up and defend the people of Iraq in the streets of Baghdad. If there is a threat of terrorism anywhere in the world, it isn't the army that has the major responsibility, it is the police force.

What do we know of the Iraqi police force in this surge, in this escalation? The press report over the weekend was troubling. We are sending American soldiers into the meanest streets and toughest neighborhoods of Baghdad where death is at every corner, death is at every door. They are searching these houses to try to find the insurgents who are causing the civil war. They are looking for weapons. They are looking for evidence of these bombs that are being set off and blowing through our humvees and armored vehicles, killing and disabling our soldiers. That is what our American soldiers are doing now, house by house, street by street, in this dangerous part of Baghdad, and they are accompanied by Iraqi policemen.

It sounds like a good thing until one hears the details. The details are that the Iraqi police are preceding American soldiers to the homes, warning the people in the homes to hide their weapons because the Americans are right behind them. We know this because our translators are telling our soldiers the Iraqi police are not helping. The Iraqi police are trying to cover up the insurgents' tracks.

So one wonders why some of us believe it is time for the American soldiers to start to come home? I think it is past time, it is long overdue. It is time for the Iraqis to stand up and defend their own country, to put their lives on the line, the lives of their policemen and their soldiers, to make the political decisions that need to be made that Iraq can someday stand on its own. As long as the Iraqis believe they can dial 9-1-1 and order up American soldiers to come and stand and fight and die in their streets, they will not accept their own responsibility for their own future.

Those on the other side say give this plan a chance. I regret to say we have given this plan a chance three different times. This is the fourth time the Bush administration has proposed sending more American troops in for a surge to end the war. I think there is reason to be skeptical, particularly when it is at the risk of more American lives.

Incidentally, when they make reference to the Iraq Study Group, this bipartisan group headed by former Secretary of State James Baker and former Congressman Lee Hamilton, when they talk about their proposal for a surge or escalation of troops, they forget to add the one important or two important elements: That was part of a surge in diplomacy, something this administration is loath to enter into. See, they believe we should be sitting down as a nation with nations in the region and trying to work out some stable resolution to this conflict in Iraq. The Bush administration has been reluctant to do that, but the study group called for it and, yes, they did call for the possibility of a surge in troops but only if we are bringing our troops out as of the end of March in 2008. They had a definite timetable for the removal of most American troops from this theater. The other side doesn't talk about that point, and certainly the President doesn't either.

One of the Senators came to the floor and said those of us who are critical of the President's policy are micromanaging the war. Somebody needs to manage this war. Somebody needs to manage a war which, as of this morning, has claimed 3,154 American lives.

We have been losing about three American soldiers every single day while we have been debating this war. I looked through this morning's list of soldiers, and I watch it on the newscast, and it is heartbreaking:

Specialist Christopher Boone, 34 years old, of Augusta, Georgia; Sergeant Richard L. Ford, 40 years old, of East Hartford, Connecticut; Specialist Louis Kim, 19 years old, of West Covina, California; Staff Sergeant David R. Berry, 37 years old, Wichita, Kansas; PFC Travis Buford, 23 years old, Galveston, Texas; Staff Sergeant Joshua Hager, 29 years old, of Broomfield, Colorado; and PFC Rowan D. Walter, 25, of Winnetka, California.

That is this morning's list. Sadly, every morning there is a list.

If there is a sense of impatience on this side of the aisle, if there is a sense of impatience across this land, it is because we know each and every one of those lives is so valuable to their families and to every single one of us. We want the day to come when soon these soldiers who are serving us so nobly and gallantly in Iraq can come home safely to the hero's welcome they deserve for serving their country so well.

Those of us who question this policy are being criticized because we are trying to micromanage this war. I wish I could. I wish I had the power. I do have the power, as a Senator, to speak up on this floor, to appeal to my colleagues to stand up, to ask them on a bipartisan basis to reach a compromise which will start to bring these troops home.

It is true we only have one Commander in Chief, but we also only have one constitution, and the Constitution makes it clear that the President, despite all of his power, doesn't have all the power in this town or this Nation. His power is shared, shared with the American people through their elected representatives in Congress, and that power gives us the authority to stand and debate.

Much has been said about Senator CARL LEVIN, who spoke on a television show, ''Meet the Press,'' this last Sunday. I watched that show, and I couldn't have been prouder of my colleague from Michigan. I respect CARL LEVIN so much. As chairman of the Armed Services Committee, he takes his job so seriously. I don't know of a more conscientious Member, carefully weighing every word of every bill, trying to make the right judgment not just for the moment but for the Nation. When he spoke on that bill about reauthorizing, about questioning the authority given to the President in October of 2002, I think he was right. I know what that resolution said. We passed it in October of 2002. It addressed two challenges and two threats that no longer exist. There is no Saddam Hussein and there were no weapons of mass destruction.

I think it is appropriate that we address this issue again and that we try to decide what we are going to do to move forward; first, revoking any authority given in a previous resolution that no longer exists; and, second, carefully defining the way we will bring our troops home, making certain we understand the assignments and responsibilities they will have into the future.

This is an awesome responsibility to discuss this war, to debate it on the floor of the Senate, and to do it in a constructive and positive way. I sincerely hope my colleagues on the other side of the aisle, those who are loyal to the President and those who are loyal to the President's policy, will encourage this debate, that they won't stop us with procedural obstacles, that they will allow the Senate to speak, to debate, and to express its will. We have tried before unsuccessfully, but we are going to try again. I believe this is an extremely important priority, perhaps the highest we face.

Having said that, the first bill that is likely to come up tomorrow, maybe later today, is on the 9/11 Commission recommendations. The 9/11 Commission, my colleagues will recall, was an effort to assess America's vulnerabilities after the attack on 9/11. That commission published a report that was widely read and applauded because of the leadership of Republican Governor Kean of New Jersey and Congressman Lee Hamilton, a Democrat of Indiana. They cochaired a panel, a very distinguished bipartisan panel, which came up with recommendations to make America safer.

Some several years later, we have not lived up to their recommendations and we haven't carried out their agenda. There is much we can do to make this country safer and we want to move immediately to considering their recommendations and implementing them, whether it is port security, whether it is a communication system in Illinois or other States that allows the police, firefighters, first responders, and the medical community to communicate quickly in the midst of an emergency, whether it is a matter of mass evacuation drills, which I have been asking for and which are included in this legislation. There are many things we can do, and specific things.

There are many who think we should move immediately to the debate on the war. We are only going to postpone it long enough to discuss these 9/11 Commission recommendations. The families of the survivors of 9/11 have appealed to us to make this a high priority. For that reason, and for that reason only, we may set aside the Iraq debate for a few days but not indefinitely. This debate needs to take place for the very simple reason that as we debate on the floor of the Senate, unfortunately, our sons and daughters are still in peril in Iraq. They are still caught in the crossfire of a civil war, and we are still losing too many good American lives every single day because of this confrontation taking place in Iraq.

In the meantime, we will be stepping forward to do something about Walter Reed Hospital, but we won't stop there. Walter Reed has to meet its obligation not just for inpatients, where they do a magnificent, an excellent job, but for those who are outpatients as well. We have to take this issue to the veterans hospitals and we have to ask the hard questions about whether the veterans of this war and all of our wars are being treated with the dignity and respect and care they deserve.

I salute the Washington Post and those who wrote these articles. I am sure they will receive recognition for bringing this to our attention. This will be a clear example and a clear opportunity for those of us who stand on the floor and give speeches about supporting our troops to prove we mean it.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to speak in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR KENNEDY'S 75TH BIRTHDAY

Ms. LANDRIEU. Mr. President, I come to the floor today to join many of our colleagues in honoring one of our colleagues who celebrated a very special birthday last week; Senator KENNEDY from Massachusetts turned 75. He was congratulated and applauded and heralded throughout these last few days on that milestone. I have come to the floor to give a few brief remarks in honor of this tremendous achievement because it has been 75 years well lived, in dedication to this country.

He has been an inspiration to me and to many of us in the Senate. His energy, his commitment to his work, his constant thinking about new approaches and innovation is a testament to his presence and his service in the Senate.

I also wish to acknowledge that, at first, coming to the Senate I felt very close to the Senator. Mr. President, you would appreciate this because you are from a large Catholic family yourself. Senator KENNEDY was raised some years before I was but in a similar kind of situation, in a large and loving Catholic family, with strong parents and a real focus on community service and service to the family. That is apparent in his work. His Catholic upbringing and his deep religious beliefs are reflected in the teachings of the Catholic Church, about thinking not of yourself but of others, of service, of sacrifice. Many people talk about religious values, and I am getting somewhat skeptical the more I hear people talk. I am never skeptical of Senator KENNEDY because he actually lives the values he preaches. Sometimes some of the greatest things I see him do are not evident to the camera. I would like to share one of them. I could give plenty of examples.

Many people might be surprised to know that not only is Senator KENNEDY a champion of education, but he actually, for over 2 years, took time out of what is an extraordinarily busy and hectic Senate schedule to tutor a child, teaching him how to read. How would I know this? Because, on occasion, I had the great honor of sitting next to him in the library down the street, where I was trying to keep up with him and thinking if Senator KENNEDY can carve an hour out of his schedule, certainly I could try to do that as a freshman Senator. Needless to say, I could never keep up with the schedule. But I watched him and observed him one-on-one with a child no more than 10 years old, patiently teaching him how to read. The next year it was a little girl.

One particular day, he even had the foresight or kindness to bring his pet bunny from home. He has many pets—Splash the dog, being one, and Sonny. He brought his pet rabbit to the school, to the joy of the children perhaps to encourage them to read about animals, which is a good way to get kids interested in reading, to actually show them. He knew this instinctively. Maybe that is because of the family he is from or because of the kind of guy he is. He is an extraordinary and a very different kind of Senator. I have been inspired by him, and I am confident our colleagues have been as well.

I also wish to acknowledge the tremendous partner he has in Victoria Reggie Kennedy, a daughter of Louisiana. I have watched this couple grow in love and support of one another. I think they are a model for couples who are in public office. We could not find a better couple, in terms of their commitment to each other, to this body, to the Nation, and to the State of Massachusetts and, when they have extra time, to Louisiana. That was brought home when we experienced the last two hurricanes, Katrina and Rita. As you know, they struck our State in the latter part of the year 2005.

These storms were of historic proportion. It was hard to describe the damage—which I still struggle with trying to describe to this body. But there was one Senator to whom I did not have to take too long to describe the damage, and that was Senator KENNEDY, who got it immediately, perhaps because he has walked through south Louisiana with Vicki Reggie, his wife; perhaps he just has a big heart and great mind that can grasp situations fairly quickly; and perhaps because he leans forward always in his ability and his desire to help people in need. He didn't need the situation to be explained to him. He understood.

Not only did he help us pass one of the most extraordinary pieces of legislation in that whole confusing time of the first 6 months when we didn't know what levees had broken, where they had broken, whose they were, whose

fault it was, and everyone was blaming everyone, but Senator KENNEDY focused on getting 330,000 children into school, and he focused on getting them into the best school, any school, that would take them.

He passed legislation I think will serve this country significantly and powerfully in the decades to come. If any major catastrophe, whether manmade or natural, hits our country again, at least the families with children from K through 12 and the children who are in those grades will know they have a champion in Senator KENNEDY, who was not in the majority, but with Senator ENZI as chairman of the Education Committee and with a group of us who were committed to being their helpers, we passed an extraordinary piece of legislation that, with 1 million people having been evacuated from their homes, 250,000 homes destroyed, hundreds of schools, hospitals closed, literally within a few weeks, children were, for the most part, safely ensconced. Even those who found themselves in shelters for weeks and months at times were allowed and encouraged and welcomed into schools because of legislation that Senator KENNEDY passed.

In addition to showing up on this floor day after day fighting for that legislation and fighting against the extremes who wanted to turn it into a political football and vouchers, he held steady to allow children to go to public schools or Catholic schools—to allow children from Catholic schools to go to public schools and children from public schools to Catholic schools, which seems simple, but at the time it wasn't—he personally delivered to our office some nourishment and encouragement to my staff who were overworked and under tremendous stress and didn't call me to let me know he was coming, didn't call the news media to make sure they saw him bringing these things, but just showed up. To me and to my staff, that meant the world.

I thank him for his great service to this country on his 75th birthday. I will submit a lot more for the public record because his legislative achievements are quite long. Since they are well known, I thought I would add some points people might not know about this extraordinary public servant and Senator who turned 75. I only wish medicine would keep up with us so that he could serve another 75. That is unlikely, but I am sure in the final years, in the final chapters of his life, he will continue extraordinary service and will probably go down in history as one of the finest Senators to ever serve in this body.

TRIBUTE TO DR. CECIL J. PICARD

Ms. LANDRIEU. Mr. President, my remarks about Senator KENNEDY were for a happy occasion, but this is on a sad occasion. Last week—very close, actually, around the Senator's birthday—we lost our superintendent of education, Dr. Cecil Picard. Cecil Picard died prematurely of Lou Gehrig's disease, but he died in the arms of his loving wife of many years, surrounded by his children and his grandchildren.

We knew for a time—and he knew, of course—that the disease that he had been diagnosed with 2 years earlier was going to be fatal. Although he fought it bravely and courageously, it took his life last week.

My husband, Frank Snellings, served on the board of elementary and secondary education, and I want to say publicly what an inspiration Dr. Picard was to us, to our family but, more importantly, what an outstanding leader he was in the area of education reform in a State that he loved, a community which he loved and in which he served as a teacher, principal, superintendent, and then as superintendent of education of our State.

His passion and commitment to early childhood education was contagious. In fact, in the last several years of my knowing Dr. Picard, I never had a conversation with him when he did not mention this subject to me. He would say: Senator, when is the next meeting with the Department of Education? Senator, do the other Senators understand how important early childhood is to this country? Do they really understand that without this, our children will never be ready to learn and will never be able to access the great benefits of the education infrastructure that we put together for them? Don't they understand?

I would say to him: Cecil, unfortunately, they don't understand it the way you do. If everybody in this country had your passion and intellectual grasp of early childhood education, we would not be so grossly underfunded. Because of his work in Louisiana, we now have—and it is his legacy—LA4, Louisiana 4, which the majority—not all, not because of his lack of trying—our 4-year-olds in Louisiana are almost covered for early childhood opportunities. So when they show up and knock at that kindergarten door and that teacher welcomes them with open arms, those children can sit down at that desk or at that table and open a book and begin to really grasp and understand the letters and the meanings of words because they have been taught up to that point how to get their education started.

Of course, learning those early language symbols and numbers and social interaction is so important in those early years. Cecil knew this. His life was committed to education, to being a leader and an advocate for children, a champion for the profession of teaching, with his enthusiasm and ability as a legislator, which is where I met him as a State senator and as a legislator before he was a superintendent.

So as a father, a grandfather, a coach, a teacher, a principal, a senator, and as an education advocate, we cannot say strongly enough in Louisiana that we have truly lost a champion. We have truly lost someone who, in my lifetime, probably cannot be replaced. Hopefully, another Cecil Picard will come along, but they are few and far between.

So I wanted to say on behalf of the 4.5 million people I represent—and I can say this without fear of being contradicted—that he will be missed, but his legacy will be long remembered, not only in our hearts and minds but in the way people live. His legacy will be reflected in their life, in their productivity, and their contributions to our State and to our Nation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m. today.

Thereupon, the Senate, at 12:24 p.m., recessed until 2:18 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

UNANIMOUS-CONSENT AGREEMENT—S. 184

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent to withdraw the request to proceed to S. 184.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPROVING AMERICA'S SECURITY BY IMPLEMENTING UNFINISHED RECOMMENDATIONS OF THE 9/11 COMMISSION ACT OF 2007—MOTION TO PROCEED

CLOTURE MOTION

Mr. BINGAMAN. Mr. President, I now move to proceed to S. 4 and send a cloture motion to the desk for consideration.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to S. 4, a bill to implement recommendations of the 9/11 Commission.

Joe Lieberman, Russell D. Feingold, Ben Cardin, Robert P. Casey, Jr., Byron L. Dorgan, Amy Klobuchar, Daniel K. Akaka, Maria Cantwell, John Kerry, Ken Salazar, Ben Nelson, Carl Levin,

Jack Reed, Chuck Schumer, Jeff Bingaman, Barbara Boxer, Dick Durbin, Mark Pryor.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the cloture vote occur at 2:30 p.m., with the time between now and then equally divided, and that the live quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum, with the quorum being equally charged to both sides.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. 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. LIEBERMAN. Mr. President, I rise to speak in favor of cloture on the upcoming vote on S. 4, which is the bill relating to the 9/11 Commission implementation.

I just saw, as I came into the Senate Chamber, outside in the reception room a handful of people whom I would call American heroes. These are women who lost loved ones on September 11, 2001, when terrorists brutally attacked innocent Americans here on our shores, in our homeland. They have taken their grief and worked very hard with many of us here, first to get the Congress and the administration to agree on the 9/11 Commission and then, when that Commission came in with its extraordinary findings and report, worked with us to see that legislation was passed which would implement so many of its recommendations. That was a remarkable bipartisan achievement which I believe has made our Nation safer from terrorist attack but not as safe as we need to be.

In the time that followed, the 9/11 Commissioners themselves asked us to come back and implement the unimplemented parts of their original report or to go back and take another look at the parts they believed and we believed were not adequately implemented or funded, such as homeland security grants or money for interoperable communication systems that in a time of emergency, after a terrorist attack or a natural disaster, enable our first responders to speak to each other in order to adequately and promptly protect us.

These women who are outside the Chamber, whom I saw as I came in, are here today to persuade the Senate to begin debate on legislation to fulfill the recommendations made by the 9/11 Commission. The legislation, S. 4, came out of our committee, and it was an honor and a pleasure, as always, to work with Senator COLLINS. The bill passed our committee with 16 votes in the affirmative and one abstention. It is a very significant, solid piece of work and will make America and the American people even safer.

Is it a perfect piece of work? No. We expect that many of our colleagues will look at different parts of the bill and will want to offer amendments. That is the nature of this process, and we look forward to a good, healthy debate. There is a sense of urgency, however. We are talking about homeland security. We are talking about continuing to raise our guard against the terrorists who attacked us on September 11th, 2001 and who we know are planning and intending to attack us again in this most unconventional and deadly warfare on behalf of a totalitarian ideology, radical Islam, which threatens us as much as the totalitarian ideologies we defeated in the last century. Together, both here at home and throughout the world, we will defeat this threat.

I wish to indicate that most of the bill before us, S. 4, came out of the Homeland Security and Governmental Affairs Committee. There are other parts that came out of the Commerce and Banking Committees, and they, in the ongoing process, will be blended with our bill.

I hope all of the Members of the Senate will vote for cloture so we can proceed to the debate, consider the amendments, get the bill passed, meet with the House in conference, and get a good bill to the President to sign that will build on the security enhancements we have achieved since that dark day of 9/11.

Mr. President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in support of invoking cloture on the motion to proceed to S. 4, the Improving America's Security Act of 2007. This legislation will strengthen our homeland security and will do so in the spirit that shaped the recommendations of the 9/11 Commission.

I have worked very closely with the committee's chairman, Senator LIEBERMAN, as well as with the Presiding Officer, a valued member of the committee, and with all of our committee members to shape this important legislation. Indeed, the committee voted unanimously on February 15 to report this bill. The bill before the Senate now is the product of careful collaboration among the members of our committee, State, local, and tribal governments, emergency response providers, the private sector, the administration, and other stakeholders. It has produced legislation that builds on the earlier work of the Committee on Homeland Security over the last 3 years.

During that time, the committee has produced numerous pieces of legislation implementing the recommendations of the 9/11 Commission and otherwise strengthening our homeland security. In the Intelligence Reform and Terrorism Prevention Act of 2004, Congress enacted many significant measures to achieve the goals of the 9/11 Commission. In fact, that bill implemented the most sweeping changes in our intelligence community in more than 50 years.

More recently, in the last Congress, we passed measures that greatly strengthened protections for America's cargo ports and chemical facilities—again addressing vulnerabilities highlighted in the Commission report. We also approved an overhaul and reform of FEMA that will help improve our emergency response and prepared negotiation, whether it is through terrorist attack or a natural disaster.

As reported by the Homeland Security Committee, S. 4 builds upon these past successes. It would authorize a comprehensive homeland security grant program that includes four vital programs to assist State, local, and tribal governments in safeguarding our lives and property. Our approach to this bill reflects our belief that homeland security is a partnership and that our State and local partners are vital to accomplishing this goal.

I will have much more to say about this bill as the debate proceeds. I will reserve the remainder of my time, if any does remain, and I urge my colleagues to vote to invoke cloture on the motion to proceed to this important bill.

As always, it has been a great pleasure to work with the committee chairman and others, including the Presiding Officer.

The PRESIDING OFFICER. Who yields time?

Mr. LIEBERMAN. Mr. President, I yield back all the remaining time, and I ask for a vote.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I yield back the remaining time on this side.

The PRESIDING OFFICER. All time is yielded back.

Without objection, the cloture motion on the motion to proceed to S. 184 is vitiated.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the motion to invoke cloture, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to S. 4, a bill to implement recommendations of the 9/11 Commission.

Joe Lieberman, Russell D. Feingold, Ben Cardin, Robert P. Casey, Jr., Byron L. Dorgan, Amy Klobuchar, Daniel K. Akaka, Maria Cantwell, John Kerry, Ken Salazar, Ben Nelson, Carl Levin, Jack Reed, Chuck Schumer, Jeff Bingaman, Barbara Boxer, Dick Durbin, Mark Pryor.

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 the motion to

proceed to S. 4, a bill improving America's security by implementing unfinished recommendations of the 9/11 Commission Act of 2007, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 97, nays 0, as follows:

[Rollcall Vote No. 53 Leg.]

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
Brownback	Hatch	Rockefeller
Bunning	Hutchison	Salazar
Burr	Inhofe	Sanders
Byrd	Inouye	Schumer
Cantwell	Isakson	Sessions
Cardin	Kennedy	Shelby
Carper	Kerry	Smith
Casey	Klobuchar	Snowe
Chambliss	Kohl	Specter
Clinton	Kyl	Stabenow
Coburn	Landrieu	Stevens
Cochran	Lautenberg	Sununu
Coleman	Leahy	Tester
Collins	Levin	Thomas
Conrad	Lieberman	Thune
Corker	Lincoln	Vitter
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	Martinez	Webb
DeMint	McCain	Whitehouse
Dole	McCaskill	Wyden
Domenici	McConnell	
Dorgan	Menendez	

NOT VOTING—3

Biden	Dodd	Johnson

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. DURBIN. Mr. President, if no one is seeking the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

TRIP TO IRAQ

Mr. KYL. Madam President, a colleague of mine asked a little earlier if I would give a brief report of a trip to Iraq, from which I just returned, and I thought I would take this time to do that. Several of my colleagues, both from the House of Representatives and the Senate, Democrat and Republican, were able to make this trip, and I want to report primarily on what we found when we went to Iraq.

I will start by saying we were in Israel the same day Secretary Rice met with Prime Minister Ehud Olmert and Palestinian President Mahmoud Abbas, and so we had an opportunity to speak with a lot of leaders in Israel as well about the status of the negotiations that had been thought to proceed there, but with Hamas now likely being a part of the Palestinian Government they are likely going to come to a halt. This is most unfortunate.

Obviously, neither Israel nor the United States can have direct dealings with a government which is dominated by a faction that refuses to recognize Israel's right to exist or renounce terrorism or agree to previous Palestinian agreements. This will complicate the process of reaching a permanent accord that the people in the Palestinian areas particularly want to have and the people of Israel also want to have in order to bring violence to a close against them.

So, unfortunately, the news out of Israel is pretty much the same as it has been year after year after year after year: Israel simply does not have a partner for peace at this time. Obviously, Secretary of State Rice is continuing to pursue the situation as best she can to try to help the Israelis achieve that situation.

With regard to the Iraq situation, I took away three primary points from our visit, and I want to discuss them briefly. The first is that after having talked to our commanders on the ground, General Petraeus and General Odierno, and a variety of other general officers as well as troops of other rank, and Iraqi leaders, there is a sense of cautious optimism about the new plan that has been announced and, in fact, is already being implemented. Our troops have begun to arrive, Iraqi troops arriving in greater numbers than before, primarily in the city of Baghdad, and a new military strategy and a political, economic, and diplomatic strategy has begun to play out.

Early signs are encouraging, though everyone cautioned that there will be signs of progress, because they think it is a plan that can succeed, but there will also be bad days.

Nobody should declare victory simply because things seem to be going well for a while. An illustration of this is for about 3 days prior to our arrival there had been no major incidences of violence in the city of Baghdad, yet they were not willing to applaud that too loudly. Good thing, because as we were leaving the country, a couple of car bombs exploded. Clearly, it will be a matter of progress that is not necessarily obvious and certainly will take a while to achieve.

Nonetheless, progress is possible this time because things are now different. In fact, the Deputy Prime Minister of Iraq told us that in his visits with people on the streets of Baghdad he was seeing something new, and he said it was an attitude that this time things are different; that there is an opportunity here for success, for a plan to succeed, where it didn't exist before. It is not simply because of greater American presence, it is also because the Iraqis are beginning to do things differently than they had done in the past.

Whereas some people call this a troop surge, I think it is important to note there are many other factors involved in addition to the addition of Iraqi and American troops. For example, the Iraqis are now going to be much more involved in maintaining control of an area after it has been secured. Sometimes in the past the Iraqi or American troops would take an area, would clear it of terrorists or militias, only to have those people infiltrate back when we left. Clearly, an Iraqi presence must be maintained in order for stability to be preserved, and that is what we are now beginning to see.

The Iraqi Shiite death squads and militia activity have gone way down. Again, this is, we believe, partially because of some things the Iraqi Government has done, rounding up about 600 of the Shiite troublemakers and working with the people in places such as Sadr City to persuade them it is better to not resist control by the Iraqi Army than it would be to fight. These are positive signs, but they are certainly not an end of the problems.

There are little things that are being done, for example, to prevent car bombs from going into marketplaces and blowing up a lot of people. They are beginning now to create what are in effect pedestrian malls such as we have in the United States, where vehicles are not permitted. It might still be possible for a single suicide bomber to go into a market and cause destruction but certainly not as much as a car bomb.

The point is, from a military tactical standpoint, the rules of engagement, the activities of the Iraqis, as well as what the United States is doing, all are working together to consolidate the gains that have been made there and to preserve them.

There is also a diplomatic, economic, and political aspect. The newly announced legislation to distribute the oil revenues of the nation to the people of the country is a very important political step that will give the people of Iraq more confidence in their Government. This was mentioned by our Ambassador Khalilzad when we were there. So from the military standpoint there are some signs this is already beginning to work, and I certainly hope our colleagues here in the Congress will do their best to allow this plan to work.

That brings me to the second point. Our commanders, both in Kuwait and Iraq, were very clear that it was important the Congress pass the supplemental appropriations bill to provide

the necessary equipment and reinforcements and not to tie down the tactics of the people on the ground. They are very concerned that we will somehow put limits on the kind of equipment that goes into theater or the number of troops or where the troops go or how they are deployed. Clearly, Congress should not be trying to micromanage a war, and I hope my colleagues who have discussed that in some preliminary way will see the detriment to such an action and will not offer resolutions that would change the way these commanders are able to do their job. This is something specifically that General Petraeus asked of us.

The third and final point is the Iranian influence in Iraq cannot be denied. It is true, I cannot read Farsi, the language of Iran. On the other hand, when General Odierno holds up an item, one of those explosive devices, and says, in Farsi this says ''made in Iran,'' I can't verify that, but I believe General Odierno. He pointed to batch and serial numbers on a variety of other weaponry and said, this can all be traced back to Iran.

We are clearly in a situation where we must make it crystal clear to the Iranian leaders this will not be tolerated. We have a right to protect our troops in Iraq and their interference will be intolerable. We have to find a way to get the Iranians to back off of that.

Those were three of the key impressions we took from our trip to Iraq, and I think it boils down to this: Some of our colleagues like to point to the Baker-Hamilton report and say that is what we should be doing instead of what we are doing. Remember what Lee Hamilton said in testimony before the Senate not too long ago. He said, the President's announced strategy should be given a chance to succeed. He specifically said, give it a chance to succeed.

I think there was some discussion of elements of the study commission's recommendations, such as a temporary troop surge, which is not inconsistent with what we are now doing. That is what I think we should do, give this plan a chance to succeed. Our troops in theater, our commanders, and the Iraqi leaders all believe they can see early signs of success in this program, even though it has just begun, and they are cautiously optimistic that it can succeed. I think it would be unconscionable for the Congress, seeing the beginnings of success here, to then act in any way that would pull the rug out from under our troops and make it impossible for them to achieve their mission.

I deliberately did not raise the question of the debate back here in Washington with the troops I met, but they raised it with me. They can see what is going on. They watch television. They are very well aware of what is being debated here. They are proud of what they are accomplishing. Their morale is high. Yet I submit to my colleagues that were we to pass legislation that would undercut their ability to perform their mission as they see it, clearly that situation could change, and this bothers our troops. It certainly, I think, would have the effect of causing our enemies to ask whether we have the will to see this through. As General Petraeus said, this is all about a test of will. Secretary Gates, I believe, and General Petraeus said it as well—in this war, it is a test of wills, and the United States has to make it clear we have the will to see it through.

From our perspective as legislators, we can take the example of the young men and women whom we put in harm's way to achieve a message. The example I take from them is they have the will. They understand what is at stake. They are proud of what they are doing, and they want us to help them achieve the mission. I think that is the least we can do under these circumstances. I hope my colleagues, as we debate in the ensuing days, will keep in mind what these folks in Iraq who are on the ground looking at this every day have to say about the situation and that we won't do anything to undercut them but that we will do everything in our power to support their mission.

Mr. LIEBERMAN. Madam President, I rise to speak about S. 4, but I thank my friend and colleague from Arizona, Senator KYL, for his report. It was very interesting for me to hear, and he will probably not be surprised to hear I was both encouraged and in agreement with a lot of what he had to say. I particularly heard that Senator KYL found in the field the first reactions to the implementation of the new plan for Iraq have been encouraging. We all understand it is early, but it conforms with what I have heard from people I have spoken to from Iraq, in that particularly in the neighborhoods in which the joint United States-Iraqi security forces have established dominance in Baghdad, there has been a remarkable and significant drop in the sectarian violence via death squads. Obviously, it is still possible, if someone is crazy enough to be prepared to blow themselves up in a car in a crowd, that the bombings will occur, but I appreciate that encouragement.

I also agree with Senator KYL that both Houses of Congress spoke on these nonbinding resolutions. My colleague and I were both against them. So I suppose what it shows is at this point there is a majority in both Chambers, although not 60 votes here, that is prepared to say in a nonbinding resolution they don't support the new plan, which Senator KYL and I would say is a new plan to achieve success in Iraq, but that there clearly, in my opinion, are not the votes, not a majority in either Chamber, to do anything else, and certainly not to cut off funding for the new plan, which is the specific authority Congress is given in the Constitution.

So I want to echo what I heard Senator KYL say, which is that I think this is the moment for a pause over on this side for what I have called a truce in the political war here about the war in Iraq.

Let's give General Petraeus and his troops an opportunity to make this work. If, God forbid, they don't, then there will be plenty of time for amendments and resolutions and all the rest because between now and then—General Petraeus said to us, when he was here before the Armed Services Committee, that by the summer he would have an idea, based on some evidence, of whether the new plan was working, and he would report to us. He will begin to report quite soon, I think, on what he is seeing.

Since I don't see that there is anything that will pass both Houses, certainly nothing that will pass both Houses and be signed by the President to try to block the carrying out of this new strategy, then I think everybody would gain if we just did something that doesn't come naturally to us, which is to remain silent for a while—particularly if the sound and the fury will ultimately accomplish nothing between now and then.

I thank my friend from Arizona.

Madam President, I rise to speak about S. 4. I thank my colleagues for voting overwhelmingly to invoke cloture on S. 4. The bill, if I understand the state of parliamentary play now, actually will not be formally before the Senate for debate and amendments until tomorrow morning. But I thought I might expedite the matter—because this is a big bill, it is an important bill, there will be many amendments; I think we will be on it several days—if I came over and offered my opening statement on the bill today. I believe Senator COLLINS, the ranking Republican member on the committee, may intend, as her schedule allows, to do the same.

Incidentally, Senator COLLINS and I have—what was for me an honor—worked very closely together on this bill to bring it out of committee. I am very pleased the final vote was across party lines: 16 in favor, 1 abstention. So we bring the bill to the floor with a real sense of bipartisanship.

The bill represents the hard work of the membership of the Homeland Security and Governmental Affairs Committee and includes provisions that are in the jurisdictions of other key committees as well, particularly Commerce and Banking, during which occasions Senator INOUYE and Senator DODD may exercise their right, with my encouragement, to manage those parts of the debate.

I thank the majority leader, Senator REID, for working with all of the committees that have contributed to this effort in bringing before the Senate this comprehensive legislation that I am convinced will make our country safer. I look forward to working in the days ahead with my colleagues on both

sides of the aisle to move the legislation through the Senate, into conference committee, and then ultimately to the President's desk for signature.

September 11, 2001, shocked us. It was a tragedy of unspeakable proportions and human loss. It showed us, in that loss, how we had suffered from what the 9/11 Commission itself called a failure of imagination. By that they meant an inability to imagine that there were people in the world who would do something this outrageously inhuman, striking buildings, symbols of America, but without regard to the diversity of human beings in those buildings and the lives that they were leading.

Someone said that on 9/11 the terrorists showed that they hate us more than they love their own lives. That awakened us to our vulnerability and brought us into a new age.

I spoke, when I spoke on behalf of cloture, of the families of those we lost on 9/11 who have been persistent and honorable and inspiring advocates for closing the vulnerabilities that compromised and ended the lives of so many of their loved ones. They fought with us on behalf of the bill that Senator MCCAIN and I introduced to create the 9/11 Commission. They then worked very hard to advocate for the recommendations of the 9/11 Commission. They deserve a lot of credit, as do a lot of other people in Congress and in the administration, for the passage of the 2004 intelligence reform legislation that adopted so many of the recommendations of the 9/11 Commission.

In that bill we created a strong Director of National Intelligence to forge greater unity of effort among our intelligence agencies as they moved forward to inform us about the plans and activities and intentions of our enemies, to stop them before they strike us again.

There are many reasons on this day we can be grateful that America has not been the victim of terrorist acts again. Some of it is just plain good fortune. Some of it, however, I think is the work of the agencies created by the 9/11 legislation in 2004. Some of it is, without doubt, a result of the grace of God. We created in that bill also a National Counterterrorism Center to improve interagency planning to achieve goals in the war against terrorism.

One of the most exciting moments I have had as a Senator was to go out to the National Counterterrorism Center. I urge my colleagues to take the time. Established by the 9/11 legislation in 2004 to make sure, to use a very simplistic metaphor for a very complicated situation, that never again would our Government fail to connect the dots that would have presented the warning that a terrorist attack was coming.

This National Counterterrorism Center is out there. It has all the relevant agencies, they are constantly streaming information, receiving information from around the country, around the world, and cooperating with one another to protect our security. We mandated in the 2004 legislation the development of an information sharing environment to facilitate the sharing of national-security-related information among the different branches and agencies of the Federal Government and also to make sure that the Federal, State, and local governments were cooperating. When you think about it, State and local first responders are not just first responders, they have the ability, with the hundreds of thousands of eyes and ears that they bring to law enforcement, to be also first preventers. That was a goal of the information sharing environment we established.

In the 2004 legislation we made significant improvements to border and transportation security, focusing on aviation security, of course; building on legislation passed in the immediate aftermath of 9/11, because of our obvious anger that the existing systems of our aviation structure were used to attack the American people directly.

This is only a partial list of some of the significant achievements that resulted from that legislation that I am convinced improved our Nation's intelligence capability and the security of the American people at home. But we know from ongoing congressional oversight, from the work of the members of the 9/11 Commission who continued to be focused on our homeland security, and from common sense, that there is more to be done. Senator REID made adoption of this 9/11 implementation legislation a priority for this Congress.

At a hearing in January that I was privileged to call as the new chairman of our committee, Homeland Security, 9/11 Commissioners and family members of 9/11 victims urged us to go forward and finish the job that we started with the 2004 legislation: to implement parts of the report that were unimplemented by that legislation and to go back and look at some things that were not quite working right or were not fully implemented and see if we could do a better job to close some of the gaps that we left after 2004.

Some of the important Commission recommendations we included in the Senate legislation in 2004 were taken out or diluted in conference. Other provisions that Congress did enact have unfortunately been implemented poorly.

How important is it that we go ahead with this legislation to finish the job we started after the 9/11 Commission report? Let me quote from the 9/11 Report:

> The men and women of the World War II generation rose to the challenges of the 1940s and 1950s. They restructured the government so it could protect the country.
>
> That is now the job of the generation that experienced 9/11. Those attacks showed emphatically, that ways of doing business rooted in a different era are just not good enough. Americans should not settle for incremental, ad hoc, adjustments to a system designed generations ago for a world that no longer exists.

This bill that we will begin considering in the Senate tomorrow continues the process of securing our Nation in this new era where our enemies don't wear the uniforms of soldiers or follow any traditional laws of combat but, rather, move silently among us, probing for weaknesses while plotting attacks on innocent civilians.

This bill will strengthen our ability to respond to not just terrorist attacks but also preparing our Federal, State, and local governments to better respond to natural disasters. We are trying to create an attitude in this bill, an ''all hazards'' attitude that increases our homeland security against the threat of terrorist attack, but also, in doing so, prepares our Government to respond better to natural disasters—of course, thinking now of the extent to which our Government at all levels showed that it was incapable of responding adequately during Hurricane Katrina.

Let me now discuss some of the important provisions in the bill. The first I want to talk about is information sharing. The 9/11 Report showed us that the different agencies had different pieces of information that should have aroused suspicion about the attack that came on 9/11, but because those pieces were never pulled together, there was no way to assemble that monstrous mosaic and to see the full picture it created so as to be able to stop it. One of the most important innovations since 9/11 is the establishment of fusion centers to share information within and between States. This legislation would improve the crucial sharing of intelligence and information both within the Federal Government and with State, local, and tribal governments, as well as creating standards for those State, local, and regional fusion centers that will be tied to the allocation of homeland security grants.

While preserving the authority of State and local governments over fusion centers, this legislation, S. 4, requires DHS, the Department of Homeland Security, to provide essential elements of support and coordination to the centers. It authorizes the assignment of homeland security intelligence analysts to the centers to lend their expertise and to serve as a channel for information to and from the Federal Government. It also creates a program for State, local, and tribal officials to spend time at the Department of Homeland Security's Office of Intelligence and Analysis to learn about its intelligence information sharing functions and to serve as a link to the State and local governments.

This legislation also will strengthen the information sharing environment which we created in the 2004 legislation. It will enhance the authority of the Program Manager for that environment by allowing the issuance of Government-wide standards whereby all

agencies of the Federal Government would be required to operate under the same rules and guidelines and would not be permitted to conceal information.

The legislation, S. 4, would encourage the elimination of principles such as ''need to know'' which allow the holder of information in a given Federal agency to control its dissemination to other governmental agencies and, thus, act as a bureaucratic barrier to effective information sharing. We, instead, aim to encourage, through this legislation, the development of a ''need to share information'' culture in which information is made available—with appropriate safeguards, of course—to all who could make use of it in the war against terror.

Let me go now to homeland security grants. This legislation will enhance homeland security grants to State and local governments and first responders. We simply have underfunded this critical element of homeland security. The first responders, first preventers, need more help to better protect their constituents, those who live in the areas they serve, from potential terrorist attacks and natural disasters.

Our proposal, S. 4, would authorize over $3.5 billion for each of the next 3 years for key grant programs. It turns around a precipitous decline in funding for homeland security. It provides for a comprehensive system of both terrorism-oriented and all-hazards grants. It will ensure that grants primarily intended to bolster prevention of and preparedness for terrorist attacks will be distributed overwhelmingly based on the risk to an area from a terrorist attack.

Our committee believes we have achieved a balanced proposal that gives most of the money out based on risk but still recognizes there is risk in this new post-9/11 age everywhere and that in an all-hazards approach, first responders everywhere need to be assisted to protect their citizens not just from a potential terrorist attack but from the consequences of a natural disaster.

Interoperable communications: We have known for decades we needed to improve communications operability and interoperability at the different levels of Government. Yet tragically the inability of fire and police to communicate with one another at the World Trade Center after the attacks of 9/11 cost lives. That is a painful fact. Hurricane Katrina showed us once again how important it is to have communications that can both survive the initial disaster and have the capabilities to allow different first responding agencies to talk to each other by sharing voice as well as data communications.

Under this grant program, States would be required to demonstrate that the grants they are applying for and receive would be used in a way that is consistent with their statewide communications interoperability plans and the National Emergency Communications Plan. In other words, this is not going to be just ad hoc proposals from every first responder for some money to use as he or she desires for their vision of interoperability. It has to be part of a statewide plan connected to the national plan.

The States receiving the money would be required to pass at least 80 percent of the total amount of the grants they receive on to local and tribal governments. The legislation authorizes $400 million for interoperability improvements—lifesaving, in my opinion—in 2008; $500 million in 2009; $600 million in 2010; $800 million in 2011; and $1 billion in 2012.

Let me go on to terrorist travel. The legislation contains provisions to improve our ability to disrupt terrorists' travel and infiltration of the United States, which the 9/11 Commission said was just as important as crippling their financial networks. That certainly makes sense.

It requires the Department of Homeland Security and the Department of State to implement security enhancements to the so-called visa waiver program. It also is increasingly clear that serious vulnerabilities exist within the visa waiver program. There are enhancements to the program that, if adopted in this bill, will close many of those vulnerabilities, including mandating improved reporting by foreign countries on the visa waiver program of lost or stolen passports, requiring countries to share information about prospective visitors who may pose a threat to the U.S., and authorizing an electronic travel authorization system which would require travelers to apply in advance for authorization to visit America, thus allowing their names to be checked against terrorist watch lists well before they board airplanes.

I note Senator COLLINS is on the floor of the Senate, our ranking member. I am going to yield to her in a few minutes. But she has considerably strengthened this section of the bill to protect America from people with the intent to harm us through acts of terrorism using this visa waiver program.

Next, privacy and civil liberties: This legislation also makes important steps forward to ensure that as we fight terrorism, we do not trample on the rights of Americans we are pledged to defend. The legislation includes provisions very similar to those included in the Senate-passed version of the Terrorism Prevention Act with regard to the Privacy and Civil Liberties Board.

I now move on to biosurveillance. The legislation enhances sharing of critical information by authorizing and improving upon an existing effort within the Department of Homeland Security to establish a National Biosurveillance Integration Center.

Next, private sector preparedness: The 9/11 Commission found that the private sector remains largely unprepared and that ignoring private sector preparedness could come at a huge cost because so much infrastructure, so many targets of terrorists are in private hands. To address this critical problem, S. 4 will promote private sector preparedness, without a mandate, by creating a voluntary certification program that will allow private sector entities to become certified as being in compliance with recommended national preparedness standards. This is an important step forward and will quite sensibly promote, for instance, evacuation plans and steps beyond that.

The legislation also strengthens private sector preparedness by requiring that the Department of Homeland Security establish and report on a list of critical infrastructure across the Nation that would cause catastrophic damage if disrupted, or destroyed. This will strengthen and clarify what is a murky process right now and will focus our attention on protecting those parts of critical infrastructure.

Our legislation also improves upon the existing National Strategy for Transportation Security by ensuring that risk-based priorities identified by the Department are based on the risk assessments conducted by the Department.

The legislation also requires the President and Congress to publicly disclose the total amounts of appropriations requested, authorized, and ultimately appropriated for the American intelligence community. This responds directly to a recommendation of the 9/11 Commission and will improve Congress's ability to oversee the conduct and progress of our intelligence agencies creating standards of accountability.

I stress, this is the bottom line of the budget: to give Members of Congress and the American people an idea of how much we are investing in intelligence to protect their security and give us some sense of the accountability that we should apply to the intelligence community in delivering that funding.

TSA screeners: This will be debated at some length, I am sure. The legislation includes a provision which I was pleased to cosponsor with the occupant of the Chair, Senator MCCASKILL from Missouri, which will ensure that screeners at the Transportation Security Administration—with whom we have become very familiar as we come and go from airports—have the same employment rights as others in TSA and the Department of Homeland Security. There is no good reason to deny these rights to these people. We are only applying to them the same rights as other people within TSA and others in law enforcement in the Department of Homeland Security have, with no negative effect on their performance of those responsibilities.

Madam President, as you can see, this is a very comprehensive bill. I have not touched on many parts of it in this statement. I have tried to focus on the most important. What I am convinced of is that if this bill passes and

becomes law, the American people will be safer from both terrorism and the consequences of natural disasters, such as Hurricane Katrina, than they are today.

All of the hard work of the committee members, including particularly my ranking member, Senator COLLINS, gives me some sense of confidence, along with the work done by our staffs on both sides of the aisle, that this bill really will achieve the goals the 9/11 Commission stated in their report and the hopes that the families of those who were lost on 9/11 have that we act in a way on their behalf and on behalf of all the American people to be able to say we have done everything possible to make sure no other Americans suffer the tragic pain and continuing loss that these American heroes suffered when their loved ones' lives were ended in the brutal terrorist attacks of 9/11.

I have a sense of urgency about this bill. I believe every day we do not do some of the things this bill would enable and establish and support financially is another day in which we are not as secure at home as we should be. This is the carrying out of the first constitutional responsibility we have to ensure domestic tranquility and provide for the common defense, to do so in a way that those who wrote the Constitution could never have dreamed we would have to do. But that is the world we live in today. That is the reality we must face. This is the action we must summon and carry out together to dispatch our responsibility.

Madam President, in the preface to the 9/11 Report, Chairman Kean and Vice Chairman Hamilton wrote:

> We hope our report will encourage our fellow citizens to study, reflect—and act.

Well, we have studied and we have reflected. Now is the time, once again, to act to build a safer and more secure America for the generations to come.

I look forward to a good, spirited debate. I hope when we are done, the bill will be even stronger than it is today. We will start tomorrow. I urge my colleagues to come to the floor, even this afternoon, to file amendments because Senator COLLINS and I would like, when we move to this bill tomorrow morning—having carried out our managers' responsibility to make opening statements—to move right to the amendments.

I thank the Chair.

I think Senator COLLINS was called from the Senate floor momentarily, but I know she will be back before I yield.

Madam President, the consent request I am about to propound has been cleared on both sides.

I ask unanimous consent that following morning business on Wednesday, February 28, the Senate proceed to the consideration of Calendar No. 57, S. 4, the 9/11 Commission recommendations legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LIEBERMAN. Madam President, on behalf of the leader, I am happy to announce there will be no further rollcall votes today. I know Senator COLLINS will return soon and make her opening statement on the bill.

I thank the Chair very much, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Madam President, I rise to support S. 4, the Improving America's Security Act of 2007. This legislation would strengthen our homeland security and would do so in the spirit that shaped the recommendations of the 9/11 Commission.

As my colleague and friend Senator LIEBERMAN has already indicated, the Committee on Homeland Security voted unanimously on February 15 to report this bill. The bill before us is the product of careful collaboration among members of our committee; State, local, and tribal governments; emergency response providers; the private sector; the Administration, particularly the Department of Homeland Security; and other stakeholders. This collaboration has produced legislation that builds on the work of the Homeland Security Committee over the last 3 years. During that time, the committee has produced numerous bills implementing the recommendations of the 9/11 Commission and otherwise strengthening our homeland security. This bill helps to complete the picture.

The vast majority of the 9/11 Commission's recommendations were enacted in 2004 as part of the Intelligence Reform and Terrorism Prevention Act. There were, however, some recommendations that did not make it through the process or were not incorporated into that bill, and those are reflected in the legislation before us.

The Intelligence Reform Act was a bipartisan effort by the Homeland Security Committee, and it made possible the most significant reforms in the structure and operations of our intelligence community in more than 50 years—in fact, since the CIA was created after World War II. Indeed, approximately 39 of the 9/11 Commission's 41 recommendations have been acted on in one form or another. More recently, Congress passed measures that greatly strengthen the protections for America's cargo ports and its chemical facilities—again addressing vulnerabilities highlighted in the Commission's report and by other experts on terrorism. So during the past 3 years, in fact, a great deal has been done to help make our Nation more secure and to improve our defenses and capacity to respond to terrorism attacks.

The Homeland Security Committee also conducted a comprehensive, bipartisan investigation of the Federal, State, and local preparation for and response to Hurricane Katrina, our country's first real test of its homeland security apparatus since the attacks on September 11 of 2001. Our investigation found significant failures in emergency planning, preparation, and response at all levels of government. As a result, we issued a comprehensive report that summarized our investigation. Our investigation included 24 public hearings, interviews of more than 400 people, and the review of literally hundreds of thousands of investigations. It also included the issuance of subpoenas because we wanted to make sure we had access to all the information we needed. As a result of this investigation, the committee issued a detailed report and drafted legislation based on those recommendations. That legislation was incorporated into the Homeland Security appropriations bill which the President signed into law last year.

The FEMA Reform Act built upon the 9/11 Commission recommendations already enacted by reforming the structure of FEMA, enhancing its regional role throughout the country, and giving FEMA a primary place within the Federal Government for planning, training, and exercising with State and local officials.

As reported by the Homeland Security Committee then, S. 4 builds upon our past successes. The legislation before the Senate would authorize a comprehensive homeland security grant program. It includes four vital grant programs to assist State, local, and tribal governments in safeguarding our lives and properties in all catastrophes, whether natural or manmade. Taken together, these four grant programs—the Urban Area Security Initiative, the State Homeland Security Grant Program, the Emergency Management Performance Grant Program, and the Emergency Communications and Interoperability Grant Program—will ensure significant and predictable Federal funding for our State and local partners.

The program will support error-prevention activities such as fusion centers, all-hazards planning, training exercises, and the installation of reliable interoperable emergency communications systems. The bill will help to strengthen emergency preparedness and response. It also strikes the right balance between targeting funding to jurisdictions the Department determines to be at the highest risk and ensuring a baseline of adequate funding for prevention and preparedness across the country because we know that our Nation's homeland security is only as strong as its weakest link.

Let me comment in more detail on these programs. With respect to the Urban Area Security Initiative, also known as UASI, the bill retains the current practice directing the Secretary of Homeland Security to award

grants based solely on risk of terrorist attacks. Clearly, our largest urban areas present attractive, high-value targets to terrorists. Our legislation, the Lieberman-Collins legislation, recognizes that fact, but it makes one sensible change. The Department's eligibility criteria for UASI grant applications has been, to say the least, arbitrary and controversial. For that reason, our bill would expand the potential pool of applicants beyond the current limit of 45. Instead of requiring the Department to select which cities are eligible to apply, S. 4 would expressly permit the largest 100 metropolitan areas to make their case for funding.

Unfortunately, terrorist attacks do not respect city limits. A major attack could affect—or at least require—responses from many neighboring or regional jurisdictions. We also know that when we take a more regional approach, we have a more effective response. Our bill raises funding for the State Homeland Security Grant Program to $913 million from the $525 million appropriated in fiscal year 2007. This funding increase would also correct a serious deficiency in the proposed budget for fiscal year 2008. Unfortunately, the administration is calling for only $250 million for this important program. As with the UASI grants, each State would receive funding on the basis of risk but with a minimum award of 0.45 percent of the program funds. This will, once again, ensure a baseline level of preparedness and response activities across the country.

Hurricane Katrina illustrated that many of the actions required to respond to terrorist attacks are identical to those required for natural disasters. That is precisely why S. 4 would expand the emergency management performance grants. The EMPG has been a vital part of our national preparedness for years. Our bill seeks to increase its stature and importance by providing more funding and by authorizing States to use EMPG funds to construct and enhance emergency operation centers. The EMPG emphasizes all-hazards preparation, and the .75 percent minimum allocation and the population-based distribution of the remainder ensures that every State will receive assistance with planning, training, and exercises for vital functions such as evacuation, logistics, continuity of operations of government, and recovery. Those are skills which all States need to develop. Those are minimal levels of preparedness and response essential for every State. Every State has the potential for either a natural disaster or a terrorist attack or some other catastrophe or emergency. That is why it is important we develop that capacity in every State.

It is important for me to emphasize that S. 4 does not change EMPG's allocation formula; it merely codifies existing practice. The EMPG is basic insurance. As the DHS manual for the program observes:

> An all hazards approach to preparedness, including the development of a comprehensive program of planning, training, and exercises, encourages an effective and consistent response to any threatened or actual disaster or emergency regardless of the cause.

This view is consistent with the expert testimony before the Homeland Security Committee during our investigation of the failed response to Hurricane Katrina.

Now, some people have suggested that guaranteeing minimum funding for State and local preparedness is just another example of pork barrel politics. These people could not be more mistaken. As the Rand Corporation noted in a 2004 report on the preparedness of State and local law enforcement after the terrorist attacks of September 11, 2001:

> Homeland security experts and first responders have cautioned against an overemphasis on improving the preparedness of large cities to the exclusion of smaller communities or rural areas.

Again, I make the point that we need to bring up all areas to a certain baseline level of preparedness. That doesn't mean we don't factor in risk; we do. Indeed, the majority of the funds in this bill would be allocated based on risk, and we provide more risk-based funding than is the case in current law.

The RAND report went on to recognize that much of our Nation's infrastructure and potential high-value targets are located in rural areas. We also cannot assume a precise calculation of risk. A Federal building in Oklahoma City was not an obvious target for a terrorist bombing. Yet, we know a tragic attack occurred in that city. Rural flight schools were not obvious training grounds for hijackers, nor was the Portland, ME, jetport an obvious departure point for terrorist pilots as they began their journey of death and destruction on September 11.

My point is that terrorists can shelter, train, recruit, prepare, or attack in unlikely places. In view of this cold reality, our bill requires that at least 25 percent of the funding from the UASI and State homeland security grant programs—that is at least $548 million—be used for terrorism prevention activities by law enforcement agencies.

Sometimes I think we forget the basic truth that if we can prevent a terrorist attack from happening in the first place, that is the best possible approach. We do need to be prepared to respond effectively, but how much better if we can detect and interdict the attack before it occurs. We know from experience here, as well as in other countries, that terrorists can be spotted and attacks intercepted by well-trained local police. The prevention of attacks through better policing must be a focus of our grant programs. The last grant program our bill creates is an emergency communications and interoperability grants program. These grants will help to close the alarming and persistent gaps in our first responders' ability to simply communicate with one another. As the tragic events of 9/11 and Hurricane Katrina demonstrated, this is often not the case.

Before the second tower of the World Trade Center collapsed on 9/11, the police received a radio message to evacuate, but, tragically, the firefighters never received that message because they used different radios and an incompatible frequency. The result was even more loss of lives. In the immediate aftermath of Hurricane Katrina, the first responders resorted to the use of runners to carry messages by hand from one command center to another because the communications infrastructure was so badly damaged. Well, the events of the magnitude of 9/11 or Hurricane Katrina, fortunately, do not occur every day. There are daily incidents, such as fires, rescues, and hazardous material spills that require different agencies and different jurisdictions to communicate with one another in real time and on demand. This is precisely why the emergency communications grants program is so important.

I will tell you it was very disturbing to hear, during our investigation of Hurricane Katrina, the same kinds of interoperability problems that occurred during 9/11. This is a problem we simply must solve.

Let me comment on some other important features of the bill. It improves protection against terrorists traveling to our country under the visa waiver program by requiring more timely notice from participating countries of lost or stolen passports. It also requires those countries to share more information about travelers who could pose a threat to our security. The bill improves information sharing, establishes multijurisdiction fusion centers in order to encourage information to be shared, and allows the assignment of DHS intelligence analysts to those centers. The bill expands upon a requirement in the Homeland Security Act by requiring DHS to create a prioritized list of critical infrastructure and highest risks for terrorist attacks and other disasters. This list will help protect these critical assets from attacks and enable more effective response when disaster strikes.

The bill also requires that risk assessments be completed for each sector of the economy. Recognizing the need to exercise good stewardship of our taxpayers' money, our bill also includes strong protections against waste, fraud, and abuse. By now, we have all heard the disturbing stories of misspent homeland security grants. In fact, when I was chairman of the Homeland Security Committee, we held hearings looking at how homeland security grants have been spent in some States. Along with Senator LIEBERMAN, I asked the GAO to do an investigation into this area, and GAO testified before our committee. At a time when the needs are so great for equipment, for training, and for more preparedness to strengthen our homeland security, it was very disturbing to

hear the GAO testify that money had been wasted.

Let me give you a couple of examples. In the District of Columbia—yes, right here in Washington, DC, surely a high-risk area, an area attacked on 9/11—we found that leather jackets were purchased for the local police using homeland security grant money. In Newark, NJ, homeland security funds were used to purchase air-conditioned garbage trucks. This is totally inexcusable, when we have such great needs for new communications equipment, for training and exercises, and for help for our first responders. We simply cannot afford to have money frittered away. It is outrageous.

Our bill would help to eliminate those abuses. It would strictly prohibit the use of grant funds on items that don't relate to securing our homeland. It requires States to have an approved plan and for funds to be allocated, distributed, and spent according to that plan, and to achieve certain baseline preparedness goals. It requires DHS to set minimum performance standards for agency grants, and it provides for audits to ensure accountability.

I know that last safeguard is near and dear to the Presiding Officer's heart and that she understands, perhaps better than anyone in this body, the importance of regular, thorough, and timely audits.

Madam President, I acknowledge the work of Senator COBURN, and many other members of our committee, to strengthen the provisions of our bill. I offered an amendment to make sure that homeland security funds were not used for social or recreational purposes. In short, I think we have tightened up the safeguards and put new measures in to ensure accountability.

I mentioned earlier that our bill proceeds in the spirit of the 9/11 Commission; its provisions for increased and more effective information sharing, for strengthening the privacy and civil liberties oversight board, and for disclosing the total sums requested, authorized, and appropriated for intelligence programs all testified to that amendment.

There are many provisions of the bill reported by the Homeland Security Committee that will improve our security in other ways. I want to note once again, however, that this bill is not a sudden, new, or unusual manifestation of congressional determination to strengthen our security. The bill before us today continues the work of Congress in taking proper notice of the 9/11 Commission's recommendations. I am proud to be part of the bipartisan deliberations that shaped this bill, and I urge all of my colleagues to support it.

I want to also acknowledge the tireless efforts of the families of the victims of 9/11. They have worked with Senator LIEBERMAN and me every step of the way when we were drafting the Intelligence Reform and Terrorist Prevention Act in 2004. They were our inspiration and they kept us going. They ensured that the bill got through to the President's desk and signed into law. They have continued to work with us on the bill before us today. I want to publicly thank them for their effort. They inspired our work.

Our legislation's broad-front attack on the threats we face will ensure good value for every dollar our Nation spends to improve our defenses at the Federal and State and local levels. It will provide appropriate transparency and accountability into the Government's security decisions, and it will strike an appropriate balance between increased security and our cherished civil liberties. The passage of this bill will benefit every American.

Let me close by saying I am certain this bill will be improved even further as we proceed with the deliberations this week. I do not support every single provision in this bill. But on balance, it is yet another step forward as we seek to protect the American people.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPROPRIATIONS COMMITTEE ON RULES OF PROCEDURE

Mr. BYRD. Mr. President, pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent to have the attached rules and subcommittee memberships for the 110th Congress printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUBCOMMITTEES

Senator Byrd, as chairman of the Committee, and Senator Cochran, as ranking minority member of the Committee, are ex officio members of all subcommittees of which they are not regular members.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

Senators Kohl, Harkin, Dorgan, Feinstein, Durbin, Johnson, Nelson, Reed, Bennett, Cochran, Specter, Bond, McConnell, Craig, Brownback. (8–7)

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

Senators Mikulski, Inouye, Leahy, Kohl, Harkin, Dorgan, Feinstein, Reed, Lautenberg, Shelby, Gregg, Stevens, Domenici, McConnell, Hutchison, Brownback, Alexander. (9–8)

DEPARTMENT OF DEFENSE

Senators Inouye, Byrd, Leahy, Harkin, Dorgan, Durbin, Feinstein, Mikulski, Kohl, Murray, Stevens, Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, Hutchison. (10–9)

ENERGY AND WATER DEVELOPMENT

Senators Dorgan, Byrd, Murray, Feinstein, Johnson, Landrieu, Inouye, Reed, Lautenberg, Domenici, Cochran, McConnell, Bennett, Craig, Bond, Hutchison, Allard. (9–8)

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Senators Durbin, Murray, Landrieu, Lautenberg, Nelson, Brownback, Bond, Shelby, Allard. (5–4)

DEPARTMENT OF HOMELAND SECURITY

Senators Byrd, Inouye, Leahy, Mikulski, Kohl, Murray, Landrieu, Lautenberg, Nelson, Cochran, Gregg, Stevens, Specter, Domenici, Shelby, Craig, Alexander. (9–8)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

Senators Feinstein, Byrd, Leahy, Dorgan, Mikulski, Kohl, Johnson, Reed, Nelson, Craig, Stevens, Cochran, Domenici, Bennett, Gregg, Allard, Alexander. (9–8)

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

Senators Harkin, Inouye, Kohl, Murray, Landrieu, Durbin, Reed, Lautenberg, Specter, Cochran, Gregg, Craig, Hutchison, Stevens, Shelby. (8–7)

LEGISLATIVE BRANCH

Senators Landrieu, Durbin, Nelson, Allard, Alexander. (3–2)

MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES

Senators Johnson, Inouye, Landrieu, Byrd, Murray, Reed, Nelson, Hutchison, Craig, Brownback, Allard, McConnell, Bennett. (7–6)

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

Senators Leahy, Inouye, Harkin, Mikulski, Durbin, Johnson, Landrieu, Reed, Gregg, McConnell, Specter, Bennett, Bond, Brownback, Alexander. (8–7)

TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

Senators Murray, Byrd, Mikulski, Kohl, Durbin, Dorgan, Leahy, Harkin, Feinstein, Johnson, Lautenberg, Bond, Shelby, Specter, Bennett, Hutchison, Brownback, Stevens, Domenici, Alexander, Allard. (11–10)

SENATE APPROPRIATIONS COMMITTEE RULES—110TH CONGRESS

I. MEETINGS

The Committee will meet at the call of the Chairman.

II. QUORUMS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testimony, by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of

sworn testimony by any subcommittee, one member shall constitute a quorum.

III. PROXIES

Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

IV. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS

Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have a responsibility associated with the matter being considered at such meeting. This rule may be waived by unanimous consent.

V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS

The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

VI. AVAILABILITY OF SUBCOMMITTEE REPORTS

To the extent possible, when the bill and report of any subcommittee are available, they shall be furnished to each member of the Committee thirty-six hours prior to the Committee's consideration of said bill and report.

VII. AMENDMENTS AND REPORT LANGUAGE

To the extent possible, amendments and report language intended to be proposed by Senators at full Committee markups shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markups.

VIII. POINTS OF ORDER

Any member of the Committee who is floor manager of an appropriations bill, is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

IX. EX OFFICIO MEMBERSHIP

The Chairman and Ranking Minority Member of the full Committee are ex officio members of all subcommittees of which they are not regular members but shall have no vote in the subcommittee and shall not be counted for purposes of determining a quorum.

SELECT COMMITTEE ON ETHICS RULES OF PROCEDURE

Mrs. BOXER. Mr. President, in accordance with rule XXVI(2) of the Standing Rules of the Senate, I ask that the Rules of Procedure of the Select Committee on Ethics, which were adopted February 23, 1978, and revised November 1999, be printed in the CONGRESSIONAL RECORD for the 110th Congress. The committee rules for the 110th Congress are identical to the rules adopted by the committee for the 109th Congress.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE SELECT COMMITTEE ON ETHICS

PART I: ORGANIC AUTHORITY

SUBPART A—S. RES. 338 AS AMENDED

Resolved, That (a) there is hereby established a permanent select committee of the Senate to be known as the Select Committee on Ethics (referred to hereinafter as the ''Select Committee'') consisting of six Members of the Senate, of whom three shall be selected from members of the majority party and three shall be selected from members of the minority party. Members thereof shall be appointed by the Senate in accordance with the provisions of Paragraph 1 of rule XXIV of the Standing Rules of the Senate at the beginning of each Congress. For purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the Select Committee shall not be taken into account.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(c) (1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of routine business of the Select Committee not covered by the first paragraph of this subparagraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a member of the majority Party and one member of the quorum is a member of the minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) The Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d)(1) A member of the Select Committee shall be ineligible to participate in—

(A) any preliminary inquiry or adjudicatory review relating to—

(i) the conduct of—

(I) such member;

(II) any officer or employee the member supervises; or

(III) any employee of any officer the member supervises; or

(ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Select Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the Select Committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of rule XXXVII of the Standing Rules of the Senate.

(2) A member of the Select Committee may, at the discretion of the member, disqualify himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Select Committee and the determinations and recommendations of the Select Committee with respect to any such preliminary inquiry or adjudicatory review. Notice of such disqualification shall be given in writing to the President of the Senate.

(3) Whenever any member of the Select Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review or disqualifies himself or herself under paragraph (2) from participating in any preliminary inquiry or adjudicatory review, another Senator shall, subject to the provisions of subsection (d), be appointed to serve as a member of the Select Committee solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Select Committee with respect to such preliminary inquiry or adjudicatory review. Any Member of the Senate appointed for such purposes shall be of the same party as the Member who is ineligible or disqualifies himself or herself.

Sec. 2. (a) It shall be the duty of the Select Committee to—

(1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2)(A) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action to be taken with respect to such violations which the Select Committee shall determine, after according to the individual concerned due notice and opportunity for a hearing, to have occurred;

(B) pursuant to subparagraph (A) recommend discipline, including—

(i) in the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these; and

(ii) in the case of an officer or employee, dismissal, suspension, payment of restitution, or a combination of these;

(3) subject to the provisions of subsection (e), by a unanimous vote of 6 members, order that a Member, officer, or employee be reprimanded or pay restitution, or both, if the Select Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate;

(4) in the circumstances described in subsection (d)(3), issue a public or private letter of admonition to a Member, officer, or employee, which shall not be subject to appeal to the Senate;

(5) recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities;

(6) by a majority vote of the full committee, report violations of any law, including the provision of false information to the Select Committee, to the proper Federal and State authorities; and

(7) develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(b) For the purposes of this resolution—

(1) the term ''sworn complaint'' means a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as

Members, officers, or employees of the Senate;

(2) the term ''preliminary inquiry'' means a proceeding undertaken by the Select Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred; and

(3) the term ''adjudicatory review'' means a proceeding undertaken by the Select Committee after a finding, on the basis of a preliminary inquiry, that there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(c)(1) No—

(A) adjudicatory review of conduct of a Member or officer of the Senate may be conducted;

(B) report, resolution, or recommendation relating to such an adjudicatory review of conduct may be made; and

(C) letter of admonition pursuant to subsection (d)(3) may be issued, unless approved by the affirmative recorded vote of no fewer than 4 members of the Select Committee.

(2) No other resolution, report, recommendation, interpretative ruling, or advisory opinion may be made without an affirmative vote of a majority of the Members of the Select Committee voting.

(d)(1) When the Select Committee receives a sworn complaint or other allegation or information about a Member, officer, or employee of the Senate, it shall promptly conduct a preliminary inquiry into matters raised by that complaint, allegation, or information. The preliminary inquiry shall be of duration and scope necessary to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred. The Select Committee may delegate to the chairman and vice chairman the discretion to determine the appropriate duration, scope, and conduct of a preliminary inquiry.

(2) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines by a recorded vote that there is not such substantial credible evidence, the Select Committee shall dismiss the matter. The Select Committee may delegate to the chairman and vice chairman the authority, on behalf of the Select Committee, to dismiss any matter that they determine, after a preliminary inquiry, lacks substantial merit. The Select Committee shall inform the individual who provided to the Select Committee the complaint, allegation, or information, and the individual who is the subject of the complaint, allegation, or information, of the dismissal, together with an explanation of the basis for the dismissal.

(3) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that a violation is inadvertent, technical, or otherwise of a de minimis nature, the Select Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline. The Select Committee may issue a public letter of admonition upon a similar determination at the conclusion of an adjudicatory review.

(4) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that there is such substantial credible evidence and the matter cannot be appropriately disposed of under paragraph (3), the Select Committee shall promptly initiate an adjudicatory review. Upon the conclusion of such adjudicatory review, the Select Committee shall report to the Senate, as soon as practicable, the results of such adjudicatory review, together with its recommendations (if any) pursuant to subsection (a)(2).

(e)(1) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (a)(3) may, within 30 days of the Select Committee's report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the basis for the appeal to the Select Committee and the presiding officer of the Senate. The presiding officer of the Senate shall cause the notice of the appeal to be printed in the Congressional Record and the Senate Journal.

(2) A motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Select Committee's report to the Senate. Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

(f) The Select Committee may, in its discretion, employ hearing examiners to hear testimony and make findings of fact and/or recommendations to the Select Committee concerning the disposition of complaints.

(g) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

(h) The Select Committee shall adopt written rules setting forth procedures to be used in conducting preliminary inquiries and adjudicatory reviews.

(i) The Select Committee from time to time shall transmit to the Senate its recommendation as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

Sec. 3. (a) The Select Committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; (7) employ and fix the compensation of a staff director, a counsel, an assistant counsel, one or more investigators, one or more hearing examiners, and such technical, clerical, and other assistants and consultants as it deems advisable; and (8) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, by contract as independent contractors or, in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest rate of compensation which may be paid to a regular employee of the Select Committee.

(b)(1) The Select Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the executive branch of the Government) whenever the Select Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, which, in the determination of the Select Committee is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee.

(2) Any adjudicatory review as defined in section 2(b)(3) shall be conducted by outside counsel as authorized in paragraph (1), unless the Select Committee determines not to use outside counsel.

(c) With the prior consent of the department or agency concerned, the Select Committee may (1) utilize the services, information and facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the Select Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the Select Committee determines that such action is necessary and appropriate.

(d)(1) Subpoenas may be authorized by—

(A) the Select Committee; or

(B) the chairman and vice chairman, acting jointly.

(2) Any such subpoena shall be issued and signed by the chairman and the vice chairman and may be served by any person designated by the chairman and vice chairman.

(3) The chairman or any member of the Select Committee may administer oaths to witnesses.

(e) (1) The Select Committee shall prescribe and publish such regulations as it feels are necessary to implement the Senate Code of Official Conduct.

(2) The Select Committee is authorized to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction.

(3) The Select Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(4) The Select Committee may in its discretion render an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(5) Notwithstanding any provision of the Senate Code of Official Conduct or any rule or regulation of the Senate, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of paragraphs (3) and (4) and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

(6) Any advisory opinion rendered by the Select Committee under paragraphs (3) and

(4) may be relied upon by (A) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered: Provided, however, that the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and, (B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(7) Any advisory opinion issued in response to a request under paragraph (3) or (4) shall be printed in the Congressional Record with appropriate deletions to assure the privacy of the individual concerned. The Select Committee shall, to the extent practicable, before rendering an advisory opinion, provide any interested party with an opportunity to transmit written comments to the Select Committee with respect to the request for such advisory opinion. The advisory opinions issued by the Select Committee shall be compiled, indexed, reproduced, and made available on a periodic basis.

(8) A brief description of a waiver granted under paragraph 2(c) [NOTE: Now Paragraph 1] of rule XXXIV or paragraph 1 of rule XXXV of the Standing Rules of the Senate shall be made available upon request in the Select Committee office with appropriate deletions to assure the privacy of the individual concerned.

SEC. 4. The expenses of the Select Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee.

SEC. 5. As used in this resolution, the term ''officer or employee of the Senate'' means—

(1) an elected officer of the Senate who is not a Member of the Senate;

(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) the Legislative Counsel of the Senate or any employee of his office;

(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) a Member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

SUBPART—PUBLIC LAW 93–191—FRANKED MAIL, PROVISIONS RELATING TO THE SELECT COMMITTEE

SEC. 6. (a) The Select Committee on Standards and Conduct of the Senate [NOTE: Now the Select Committee on Ethics] shall provide guidance, assistance, advice and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3218(2) or 3218, and in connection with the operation of section 3215, of title 39, United States Code, upon the request of any Member of the Senate or Member-elect, surviving spouse of any of the foregoing, or other Senate official, entitled to send mail as franked mail under any of those sections. The select committee shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(b) Any complaint filed by any person with the select committee that a violation of any section of title 39, United State Code, referred to in subsection (a) of this section is about to occur or has occurred within the immediately preceding period of 1 year, by any person referred to in such subsection (a), shall contain pertinent factual material and shall conform to regulations prescribed by the select committee. The select committee, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by that complainant with respect to the matter which is the subject of the complaint. The committee shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the select committee. The select committee shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the select committee. If the select committee finds, in its written decision, that a violation has occurred or is about to occur, the committee may take such action and enforcement as it considers appropriate in accordance with applicable rules, precedents, and standing orders of the Senate, and such other standards as may be prescribed by such committee.

(c) Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (a) of this section as entitled to send mail as franked mail, until a complaint has been filed with the select committee and the committee has rendered a decision under subsection (b) of this section.

(d) The select committee shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551–559 and 701–706, of title 5, United States Code. These regulations shall govern matters under this subsection subject to judicial review thereof.

(e) The select committee shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the select committee shall be the property of the Senate and shall be kept in the offices of the select committee or such other places as the committee may direct.

SUBPART C—STANDING ORDERS OF THE SENATE REGARDING UNAUTHORIZED DISCLOSURE OF INTELLIGENCE INFORMATION, S. RES. 400, 94TH CONGRESS, PROVISIONS RELATING TO THE SELECT COMMITTEE

SEC. 8. * * *

(c)(1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed, shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Standards and Conduct to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Standards and Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Standards and Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SUBPART D—RELATING TO RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS RECEIVED BY MEMBERS, OFFICERS AND EMPLOYEES OF THE SENATE OR THEIR SPOUSES OR DEPENDENTS, PROVISIONS RELATING TO THE SELECT COMMITTEE ON ETHICS

Section 7342 of title 5, United States Code, states as follows:

SEC. 7342. Receipt and disposition of foreign gifts and decorations.

''(a) For the purpose of this section—

''(1) 'employee' means—

''(A) an employee as defined by section 2105 of this title and an officer or employee of the United States Postal Service or of the Postal Rate Commission;

''(B) an expert or consultant who is under contract under section 3109 of this title with the United States or any agency, department, or establishment thereof, including, in the case of an organization performing services under such section, any individual involved in the performance of such services;

''(C) an individual employed by, or occupying an office or position in, the government of a territory or possession of the United States or the government of the District of Columbia;

''(D) a member of a uniformed service;

''(E) the President and the Vice President;

''(F) a Member of Congress as defined by section 2106 of this title (except the Vice President) and any Delegate to the Congress; and

''(G) the spouse of an individual described in subparagraphs (A) through (F) (unless such individual and his or her spouse are separated) or a dependent (within the meaning of section 152 of the Internal Revenue Code of 1986) of such an individual, other than a spouse or dependent who is an employee under subparagraphs (A) through (F);

''(2) 'foreign government' means—

''(A) any unit of foreign governmental authority, including any foreign national, State, local, and municipal government;

''(B) any international or multinational organization whose membership is composed of any unit of foreign government described in subparagraph (A); and

''(C) any agent or representative of any such unit or such organization, while acting as such;

''(3) 'gift' means a tangible or intangible present (other than a decoration) tendered by, or received from, a foreign government;

''(4) 'decoration' means an order, device, medal, badge, insignia, emblem, or award tendered by, or received from, a foreign government;

''(5) 'minimal value' means a retail value in the United States at the time of acceptance of $100 or less, except that—

''(A) on January 1, 1981, and at 3 year intervals thereafter, 'minimal value' shall be redefined in regulations prescribed by the Administrator of General Services, in consultation with the Secretary of State, to reflect changes in the consumer price index for the immediately preceding 3-year period; and

''(B) regulations of an employing agency may define 'minimal value' for its employees to be less than the value established under this paragraph; and

''(6) 'employing agency' means—

''(A) the Committee on Standards of Official Conduct of the House of Representatives, for Members and employees of the House of Representatives, except that those responsibilities specified in subsections (c)(2)(A), (e)(1), and (g)(2)(B) shall be carried out by the Clerk of the House;

''(B) the Select Committee on Ethics of the Senate, for Senators and employees of the Senate, except that those responsibilities (other than responsibilities involving approval of the employing agency) specified in subsections (c)(2),(d), and (g)(2)(B) shall be carried out by the Secretary of the Senate;

''(C) the Administrative Office of the United States Courts, for judges and judicial branch employees; and

''(D) the department, agency, office, or other entity in which an employee is employed, for other legislative branch employees and for all executive branch employees.

''(b) An employee may not—

''(1) request or otherwise encourage the tender of a gift or decoration; or

''(2) accept a gift or decoration, other than in accordance with, the provisions of subsections (c) and (d).

''(c)(1) The Congress consents to—

''(A) the accepting and retaining by an employee of a gift of minimal value tendered and received as a souvenir or mark of courtesy; and

''(B) the accepting by an employee of a gift of more than minimal value when such gift is in the nature of an educational scholarship or medical treatment or when it appears that to refuse the gift would likely cause offense or embarrassment or otherwise adversely affect the foreign relations of the United States, except that

''(i) a tangible gift of more than minimal value is deemed to have been accepted on behalf of the United States and, upon acceptance, shall become the property of the United States; and

''(ii) an employee may accept gifts of travel or expenses for travel taking place entirely outside the United States (such as transportation, food, and lodging) of more than minimal value if such acceptance is appropriate, consistent with the interests of the United States, and permitted by the employing agency and any regulations which may be prescribed by the employing agency.

''(2) Within 60 days after accepting a tangible gift of more than minimal value (other than a gift described in paragraph (1)(B)(ii)), an employee shall—

''(A) deposit the gift for disposal with his or her employing agency; or

''(B) subject to the approval of the employing agency, deposit the gift with that agency for official use. Within 30 days after terminating the official use of a gift under subparagraph (B), the employing agency shall forward the gift to the Administrator of General Services in accordance with subsection (e)(1) or provide for its disposal in accordance with subsection (e)(2).

''(3) When an employee deposits a gift of more than minimal value for disposal or for official use pursuant to paragraph (2), or within 30 days after accepting travel or travel expenses as provided in paragraph (1)(B)(ii) unless such travel or travel expenses are accepted in accordance with specific instructions of his or her employing agency, the employee shall file a statement with his or her employing agency or its delegate containing the information prescribed in subsection (f) for that gift.

''(d) The Congress consents to the accepting, retaining, and wearing by an employee of a decoration tendered in recognition of active field service in time of combat operations or awarded for other outstanding or unusually meritorious performance, subject to the approval of the employing agency of such employee. Without this approval, the decoration is deemed to have been accepted on behalf of the United States, shall become the property of the United States, and shall be deposited by the employee, within sixty days of acceptance, with the employing agency for official use, for forwarding to the Administrator of General Services for disposal in accordance with subsection (e)(1), or for disposal in accordance with subsection (e)(2).

''(e)(1) Except as provided in paragraph (2), gifts and decorations that have been deposited with an employing agency for disposal shall be (A) returned to the donor, or (B) forwarded to the Administrator of General Services for transfer, donation, or other disposal in accordance with the provisions of the Federal Property and Administrative Services Act of 1949. However, no gift or decoration that has been deposited for disposal may be sold without the approval of the Secretary of State, upon a determination that the sale will not adversely affect the foreign relations of the United States. Gifts and decorations may be sold by negotiated sale.

''(2) Gifts and decorations received by a Senator or an employee of the Senate that are deposited with the Secretary of the Senate for disposal, or are deposited for an official use which has terminated, shall be disposed of by the Commission on Arts and Antiquities of the United States Senate. Any such gift or decoration may be returned by the Commission to the donor or may be transferred or donated by the Commission, subject to such terms and conditions as it may prescribe, (A) to an agency or instrumentality of (i) the United States, (ii) a State, territory, or possession of the United States, or a political subdivision of the foregoing, or (iii) the District of Columbia, or (B) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such Code. Any such gift or decoration not disposed of as provided in the preceding sentence shall be forwarded to the Administrator of General Services for disposal in accordance with paragraph (1). If the Administrator does not dispose of such gift or decoration within one year, he shall, at the request of the Commission, return it to the Commission and the Commission may dispose of such gift or decoration in such manner as it considers proper, except that such gift or decoration may be sold only with the approval of the Secretary of State upon a determination that the sale will not adversely affect the foreign relations of the United States.

''(f)(1) Not later than January 31 of each year, each employing agency or its delegate shall compile a listing of all statements filed during the preceding year by the employees of that agency pursuant to subsection (c)(3) and shall transmit such listing to the Secretary of State who shall publish a comprehensive listing of all such statements in the Federal Register.

''(2) Such listings shall include for each tangible gift reported—

''(A) the name and position of the employee;

''(B) a brief description of the gift and the circumstances justifying acceptance;

''(C) the identity, if known, of the foreign government and the name and position of the individual who presented the gift;

''(D) the date of acceptance of the gift;

''(E) the estimated value in the United States of the gift at the time of acceptance; and

''(F) disposition or current location of the gift.

''(3) Such listings shall include for each gift of travel or travel expenses—

''(A) the name and position of the employee;

''(B) a brief description of the gift and the circumstances justifying acceptance; and

''(C) the identity, if known, of the foreign government and the name and position of the individual who presented the gift.

''(4) In transmitting such listings for the Central Intelligence Agency, the Director of Central Intelligence may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the Director certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources.

''(g)(1) Each employing agency shall prescribe such regulations as may be necessary to carry out the purpose of this section. For all employing agencies in the executive branch, such regulations shall be prescribed pursuant to guidance provided by the Secretary of State. These regulations shall be implemented by each employing agency for its employees.

''(2) Each employing agency shall—

''(A) report to the Attorney General cases in which there is reason to believe that an employee has violated this section;

''(B) establish a procedure for obtaining an appraisal, when necessary, of the value of gifts; and

''(C) take any other actions necessary to carry out the purpose of this section.

''(h) The Attorney General may bring a civil action in any district court of the United States against any employee who knowingly solicits or accepts a gift from a foreign government not consented to by this section or who fails to deposit or report such gift as required by this section. The court in which such action is brought may assess a penalty against such employee in any amount not to exceed the retail value of the gift improperly solicited or received plus $5,000.

''(i) The President shall direct all Chiefs of a United States Diplomatic Mission to inform their host governments that it is a general policy of the United States Government to prohibit United States Government employees from receiving gifts or decorations of more than minimal value.

''(j) Nothing in this section shall be construed to derogate any regulation prescribed by any employing agency which provides for more stringent limitations on the receipt of gifts and decorations by its employees.

''(k) The provisions of this section do not apply to grants and other forms of assistance

to which section 108A of the Mutual Educational and Cultural Exchange Act of 1961 applies.''

PART II: SUPPLEMENTARY PROCEDURAL RULES

RULE 1: GENERAL PROCEDURES

(a) OFFICERS.—In the absence of the Chairman, the duties of the Chair shall be filled by the Vice Chairman or, in the Vice Chairman's absence, a Committee member designated by the Chairman.

(b) PROCEDURAL RULES.—The basic procedural rules of the Committee are stated as a part of the Standing Orders of the Senate in Senate Resolution 338, 88th Congress, as amended, as well as other resolutions and laws. Supplementary Procedural Rules are stated herein and are hereinafter referred to as the Rules. The Rules shall be published in the Congressional Record not later than thirty days after adoption, and copies shall be made available by the Committee office upon request.

(c) MEETINGS.—

(1) The regular meeting of the Committee shall be the first Thursday of each month while the Congress is in session.

(2) Special meetings may be held at the call of the Chairman or Vice Chairman if at least forty-eight hours notice is furnished to all members. If all members agree, a special meeting may be held on less than forty-eight hours notice.

(3) (A) If any member of the Committee desires that a special meeting of the Committee be called, the member may file in the office of the Committee a written request to the Chairman or Vice Chairman for that special meeting.

(B) Immediately upon the filing of the request the Clerk of the Committee shall notify the Chairman and Vice Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman or the Vice Chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, any three of the members of the Committee may file their written notice in the office of the Committee that a special meeting of the Committee will be held at a specified date and hour; such special meeting may not occur until forty-eight hours after the notice is filed. The Clerk shall immediately notify all members of the Committee of the date and hour of the special meeting. The Committee shall meet at the specified date and hour.

(d) QUORUM.—

(1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of the routine business of the Select Committee not covered by the first subparagraph of this paragraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a Member of the Majority Party and one member of the quorum is a Member of the Minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) Except for an adjudicatory hearing under Rule 5 and any deposition taken outside the presence of a Member under Rule 6, one Member shall constitute a quorum for hearing testimony, provided that all Members have been given notice of the hearing and the Chairman has designated a Member of the Majority Party and the Vice Chairman has designated a Member of the Minority Party to be in attendance, either of whom in the absence of the other may constitute the quorum.

(e) ORDER OF BUSINESS.—Questions as to the order of business and the procedure of the Committee shall in the first instance be decided by the Chairman and Vice Chairman, subject to reversal by a vote by a majority of the Committee.

(f) HEARINGS ANNOUNCEMENTS.—The Committee shall make public announcement of the date, place and subject matter of any hearing to be conducted by it at least one week before the commencement of that hearing, and shall publish such announcement in the Congressional Record. If the Committee determines that there is good cause to commence a hearing at an earlier date, such notice will be given at the earliest possible time.

(g) OPEN AND CLOSED COMMITTEE MEETINGS.—Meetings of the Committee shall be open to the public or closed to the public (executive session), as determined under the provisions of paragraphs 5 (b) to (d) of rule XXVI of the Standing Rules of the Senate. Executive session meetings of the Committee shall be closed except to the members and the staff of the Committee. On the motion of any member, and with the approval of a majority of the Committee members present, other individuals may be admitted to an executive session meeting for a specific period or purpose.

(h) RECORD OF TESTIMONY AND COMMITTEE ACTION.—An accurate stenographic or transcribed electronic record shall be kept of all Committee proceedings, whether in executive or public session. Such record shall include Senators' votes on any question on which a recorded vote is held. The record of a witness's testimony, whether in public or executive session, shall be made available for inspection to the witness or his counsel under Committee supervision; a copy of any testimony given by that witness in public session, or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness if he so requests. (See Rule 5 on Procedures for Conducting Hearings.)

(i) SECRECY OF EXECUTIVE TESTIMONY AND ACTION AND OF COMPLAINT PROCEEDINGS.—

(1) All testimony and action taken in executive session shall be kept secret and shall not be released outside the Committee to any individual or group, whether governmental or private, without the approval of a majority of the Committee.

(2) All testimony and action relating to a complaint or allegation shall be kept secret and shall not be released by the Committee to any individual or group, whether governmental or private, except the respondent, without the approval of a majority of the Committee, until such time as a report to the Senate is required under Senate Resolution 338, 88th Congress, as amended, or unless otherwise permitted under these Rules. (See Rule 8 on Procedures for Handling Committee Sensitive and Classified Materials.)

(j) RELEASE OF REPORTS TO PUBLIC.—No information pertaining to, or copies of any Committee report, study, or other document which purports to express the view, findings, conclusions or recommendations of the Committee in connection with any of its activities or proceedings may be released to any individual or group whether governmental or private, without the authorization of the Committee. Whenever the Chairman or Vice Chairman is authorized to make any determination, then the determination may be released at his or her discretion. Each member of the Committee shall be given a reasonable opportunity to have separate views included as part of any Committee report. (See Rule 8 on Procedures for Handling Committee Sensitive and Classified Materials.)

(k) INELIGIBILITY OR DISQUALIFICATION OF MEMBERS AND STAFF.—

(1) A member of the Committee shall be ineligible to participate in any Committee proceeding that relates specifically to any of the following:

(A) a preliminary inquiry or adjudicatory review relating to (i) the conduct of (I) such member; (II) any officer or employee the member supervises; or (ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of rule XXXVII of the Standing Rules of the Senate.

(2) If any Committee proceeding appears to relate to a member of the Committee in a manner described in subparagraph (1) of this paragraph, the staff shall prepare a report to the Chairman and Vice Chairman. If either the Chairman or the Vice Chairman concludes from the report that it appears that the member may be ineligible, the member shall be notified in writing of the nature of the particular proceeding and the reason that it appears that the member may be ineligible to participate in it. If the member agrees that he or she is ineligible, the member shall so notify the Chairman or Vice Chairman. If the member believes that he or she is not ineligible, he or she may explain the reasons to the Chairman and Vice Chairman, and if they both agree that the member is not ineligible, the member shall continue to serve. But if either the Chairman or Vice Chairman continues to believe that the member is ineligible, while the member believes that he or she is not ineligible, the matter shall be promptly referred to the Committee. The member shall present his or her arguments to the Committee in executive session. Any contested questions concerning a member's eligibility shall be decided by a majority vote of the Committee, meeting in executive session, with the member in question not participating.

(3) A member of the Committee may, at the discretion of the member, disqualify himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Committee and the determinations and recommendations of the Committee with respect to any such preliminary inquiry or adjudicatory review.

(4) Whenever any member of the Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review, or disqualifies himself or herself under paragraph (3) from participating in any preliminary inquiry or adjudicatory review, another Senator shall be appointed by the Senate to serve as a member of the Committee solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Committee with respect to such preliminary inquiry or adjudicatory review. Any member of the Senate appointed for such purposes shall be of the same party as the member who is ineligible or disqualifies himself or herself.

(5) The President of the Senate shall be given written notice of the ineligibility or

disqualification of any member from any preliminary inquiry, adjudicatory review, or other proceeding requiring the appointment of another member in accordance with subparagraph (k)(4).

(6) A member of the Committee staff shall be ineligible to participate in any Committee proceeding that the staff director or outside counsel determines relates specifically to any of the following:

(A) the staff member's own conduct;

(B) the conduct of any employee that the staff member supervises;

(C) the conduct of any member, officer or employee for whom the staff member has worked for any substantial period; or

(D) a complaint, sworn or unsworn, that was filed by the staff member. At the direction or with the consent of the staff director or outside counsel, a staff member may also be disqualified from participating in a Committee proceeding in other circumstances not listed above.

(l) RECORDED VOTES.—Any member may require a recorded vote on any matter.

(m) PROXIES; RECORDING VOTES OF ABSENT MEMBERS.—

(1) Proxy voting shall not be allowed when the question before the Committee is the initiation or continuation of a preliminary inquiry or an adjudicatory review, or the issuance of a report or recommendation related thereto concerning a Member or officer of the Senate. In any such case an absent member's vote may be announced solely for the purpose of recording the member's position and such announced votes shall not be counted for or against the motion.

(2) On matters other than matters listed in paragraph (m)(1) above, the Committee may order that the record be held open for the vote of absentees or recorded proxy votes if the absent Committee member has been informed of the matter on which the vote occurs and has affirmatively requested of the Chairman or Vice Chairman in writing that he be so recorded.

(3) All proxies shall be in writing, and shall be delivered to the Chairman or Vice Chairman to be recorded.

(4) Proxies shall not be considered for the purpose of establishing a quorum.

(n) APPROVAL OF BLIND TRUSTS AND FOREIGN TRAVEL REQUESTS BETWEEN SESSIONS AND DURING EXTENDED RECESSES.—During any period in which the Senate stands in adjournment between sessions of the Congress or stands in a recess scheduled to extend beyond fourteen days, the Chairman and Vice Chairman, or their designees, acting jointly, are authorized to approve or disapprove blind trusts under the provision of rule XXXIV.

(o) COMMITTEE USE OF SERVICES OR EMPLOYEES OF OTHER AGENCIES AND DEPARTMENTS.—With the prior consent of the department or agency involved, the Committee may (1) utilize the services, information, or facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee, the Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the Chairman and Vice Chairman of the Committee, acting jointly, determine that such action is necessary and appropriate.

RULE 2: PROCEDURES FOR COMPLAINTS, ALLEGATIONS, OR INFORMATION

(a) COMPLAINT, ALLEGATION, OR INFORMATION.—Any member or staff member of the Committee shall report to the Committee, and any other person may report to the Committee, a sworn complaint or other allegation or information, alleging that any Senator, or officer, or employee of the Senate has violated a law, the Senate Code of Official Conduct, or any rule or regulation of the Senate relating to the conduct of any individual in the performance of his or her duty as a Member, officer, or employee of the Senate, or has engaged in improper conduct which may reflect upon the Senate. Such complaints or allegations or information may be reported to the Chairman, the Vice Chairman, a Committee member, or a Committee staff member.

(b) SOURCE OF COMPLAINT, ALLEGATION, OR INFORMATION.—Complaints, allegations, and information to be reported to the Committee may be obtained from a variety of sources, including but not limited to the following:

(1) sworn complaints, defined as a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as members, officers, or employees of the Senate;

(2) anonymous or informal complaints;

(3) information developed during a study or inquiry by the Committee or other committees or subcommittees of the Senate, including information obtained in connection with legislative or general oversight hearings;

(4) information reported by the news media; or

(5) information obtained from any individual, agency or department of the executive branch of the Federal Government.

(c) FORM AND CONTENT OF COMPLAINTS.—A complaint need not be sworn nor must it be in any particular form to receive Committee consideration, but the preferred complaint will:

(1) state, whenever possible, the name, address, and telephone number of the party filing the complaint;

(2) provide the name of each member, officer or employee of the Senate who is specifically alleged to have engaged in improper conduct or committed a violation;

(3) state the nature of the alleged improper conduct or violation;

(4) supply all documents in the possession of the party filing the complaint relevant to or in support of his or her allegations as an attachment to the complaint.

RULE 3: PROCEDURES FOR CONDUCTING A PRELIMINARY INQUIRY

(a) DEFINITION OF PRELIMINARY INQUIRY.—A ''preliminary inquiry'' is a proceeding undertaken by the Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

(b) BASIS FOR PRELIMINARY INQUIRY.—The Committee shall promptly commence a preliminary inquiry whenever it has received a sworn complaint, or other allegation of, or information about, alleged misconduct or violations pursuant to Rule 2.

(c) SCOPE OF PRELIMINARY INQUIRY.—

(1) The preliminary inquiry shall be of such duration and scope as is necessary to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Chairman and Vice Chairman, acting jointly, on behalf of the Committee may supervise and determine the appropriate duration, scope, and conduct of a preliminary inquiry. Whether a preliminary inquiry is conducted jointly by the Chairman and Vice Chairman or by the Committee as a whole, the day to day supervision of a preliminary inquiry rests with the Chairman and Vice Chairman, acting jointly.

(2) A preliminary inquiry may include any inquiries, interviews, sworn statements, depositions, or subpoenas deemed appropriate to obtain information upon which to make any determination provided for by this Rule.

(d) OPPORTUNITY FOR RESPONSE.—A preliminary inquiry may include an opportunity for any known respondent or his or her designated representative to present either a written or oral statement, or to respond orally to questions from the Committee. Such an oral statement or answers shall be transcribed and signed by the person providing the statement or answers.

(e) STATUS REPORTS.—The Committee staff or outside counsel shall periodically report to the Committee in the form and according to the schedule prescribed by the Committee. The reports shall be confidential.

(f) FINAL REPORT.—When the preliminary inquiry is completed, the staff or outside counsel shall make a confidential report, oral or written, to the Committee on findings and recommendations, as appropriate.

(g) COMMITTEE ACTION.—As soon as practicable following submission of the report on the preliminary inquiry, the Committee shall determine by a recorded vote whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Committee may make any of the following determinations:

(1) The Committee may determine that there is not such substantial credible evidence and, in such case, the Committee shall dismiss the matter. The Committee, or Chairman and Vice Chairman acting jointly on behalf of the Committee, may dismiss any matter which, after a preliminary inquiry, is determined to lack substantial merit. The Committee shall inform the complainant of the dismissal.

(2) The Committee may determine that there is such substantial credible evidence, but that the alleged violation is inadvertent, technical, or otherwise of a de minimis nature. In such case, the Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline and which shall not be subject to appeal to the Senate. The issuance of a letter of admonition must be approved by the affirmative recorded vote of no fewer than four members of the Committee voting.

(3) The Committee may determine that there is such substantial credible evidence and that the matter cannot be appropriately disposed of under paragraph (2). In such case, the Committee shall promptly initiate an adjudicatory review in accordance with Rule 4. No adjudicatory review of conduct of a Member, officer, or employee of the Senate may be initiated except by the affirmative recorded vote of not less than four members of the Committee.

RULE 4: PROCEDURES FOR CONDUCTING AN ADJUDICATORY REVIEW

(a) DEFINITION OF ADJUDICATORY REVIEW.—An ''adjudicatory review'' is a proceeding undertaken by the Committee after a finding, on the basis of a preliminary inquiry, that there is substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

(b) SCOPE OF ADJUDICATORY REVIEW.—When the Committee decides to conduct an adjudicatory review, it shall be of such duration and scope as is necessary for the Committee to determine whether a violation within its

jurisdiction has occurred. An adjudicatory review shall be conducted by outside counsel as authorized by section 3(b)(1) of Senate Resolution 338 unless the Committee determines not to use outside counsel. In the course of the adjudicatory review, designated outside counsel, or if the Committee determines not to use outside counsel, the Committee or its staff, may conduct any inquiries or interviews, take sworn statements, use compulsory process as described in Rule 6, or take any other actions that the Committee deems appropriate to secure the evidence necessary to make a determination.

(c) NOTICE TO RESPONDENT.—The Committee shall give written notice to any known respondent who is the subject of an adjudicatory review. The notice shall be sent to the respondent no later than five working days after the Committee has voted to conduct an adjudicatory review. The notice shall include a statement of the nature of the possible violation, and description of the evidence indicating that a possible violation occurred. The Committee may offer the respondent an opportunity to present a statement, orally or in writing, or to respond to questions from members of the Committee, the Committee staff, or outside counsel.

(d) RIGHT TO A HEARING.—The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand (not requiring discipline by the full Senate).

(e) PROGRESS REPORTS TO COMMITTEE.—The Committee staff or outside counsel shall periodically report to the Committee concerning the progress of the adjudicatory review. Such reports shall be delivered to the Committee in the form and according to the schedule prescribed by the Committee, and shall be confidential.

(f) FINAL REPORT OF ADJUDICATORY REVIEW TO COMMITTEE.—Upon completion of an adjudicatory review, including any hearings held pursuant to Rule 5, the outside counsel or the staff shall submit a confidential written report to the Committee, which shall detail the factual findings of the adjudicatory review and which may recommend disciplinary action, if appropriate. Findings of fact of the adjudicatory review shall be detailed in this report whether or not disciplinary action is recommended.

(g) COMMITTEE ACTION.—

(1) As soon as practicable following submission of the report of the staff or outside counsel on the adjudicatory review, the Committee shall prepare and submit a report to the Senate, including a recommendation or proposed resolution to the Senate concerning disciplinary action, if appropriate. A report shall be issued, stating in detail the Committee's findings of fact, whether or not disciplinary action is recommended. The report shall also explain fully the reasons underlying the Committee's recommendation concerning disciplinary action, if any. No adjudicatory review of conduct of a Member, officer or employee of the Senate may be conducted, or report or resolution or recommendation relating to such an adjudicatory review of conduct may be made, except by the affirmative recorded vote of not less than four members of the Committee.

(2) Pursuant to S. Res. 338, as amended, section 2 (a), subsections (2), (3), and (4), after receipt of the report prescribed by paragraph (f) of this rule, the Committee may make any of the following recommendations for disciplinary action or issue an order for reprimand or restitution, as follows:

(i) In the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these;

(ii) In the case of an officer or employee, a recommendation to the Senate of dismissal, suspension, payment of restitution, or a combination of these;

(iii) In the case where the Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate, and subject to the provisions of paragraph (h) of this rule relating to appeal, by a unanimous vote of six members order that a Member, officer or employee be reprimanded or pay restitution or both;

(iv) In the case where the Committee determines that misconduct is inadvertent, technical, or otherwise of a de minimis nature, issue a public or private letter of admonition to a Member, officer or employee, which shall not be subject to appeal to the Senate.

(3) In the case where the Committee determines, upon consideration of all the evidence, that the facts do not warrant a finding that there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred, the Committee may dismiss the matter.

(4) Promptly, after the conclusion of the adjudicatory review, the Committee's report and recommendation, if any, shall be forwarded to the Secretary of the Senate, and a copy shall be provided to the complainant and the respondent. The full report and recommendation, if any, shall be printed and made public, unless the Committee determines by the recorded vote of not less than four members of the Committee that it should remain confidential.

(h) RIGHT OF APPEAL.—

(1) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (g)(2)(iii), may, within 30 days of the Committee's report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the appeal to the Committee and the presiding officer of the Senate. The presiding officer shall cause the notice of the appeal to be printed in the Congressional Record and the Senate Journal.

(2) S. Res. 338 provides that a motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Committee's report to the Senate. Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

RULE 5: PROCEDURES FOR HEARINGS

(a) RIGHT TO HEARING.—The Committee may hold a public or executive hearing in any preliminary inquiry, adjudicatory review, or other proceeding. The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand. (See Rule 4(d).)

(b) NON-PUBLIC HEARINGS.—The Committee may at any time during a hearing determine in accordance with paragraph 5(b) of rule XXVI of the Standing Rules of the Senate whether to receive the testimony of specific witnesses in executive session. If a witness desires to express a preference for testifying in public or in executive session, he or she shall so notify the Committee at least five days before he or she is scheduled to testify.

(c) ADJUDICATORY HEARINGS.—The Committee may, by the recorded vote of not less than four members of the Committee, designate any public or executive hearing as an adjudicatory hearing; and any hearing which is concerned with possible disciplinary action against a respondent or respondents designated by the Committee shall be an adjudicatory hearing. In any adjudicatory hearing, the procedures described in paragraph (j) shall apply.

(d) SUBPOENA POWER.—The Committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such correspondence, books, papers, documents or other articles as it deems advisable. (See Rule 6.)

(e) NOTICE OF HEARINGS.—The Committee shall make public an announcement of the date, place, and subject matter of any hearing to be conducted by it, in accordance with Rule 1(f).

(f) PRESIDING OFFICER.—The Chairman shall preside over the hearings, or in his absence the Vice Chairman. If the Vice Chairman is also absent, a Committee member designated by the Chairman shall preside. If an oath or affirmation is required, it shall be administered to a witness by the Presiding Officer, or in his absence, by any Committee member.

(g) WITNESSES.—

(1) A subpoena or other request to testify shall be served on a witness sufficiently in advance of his or her scheduled appearance to allow the witness a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel if desired.

(2) The Committee may, by recorded vote of not less than four members of the Committee, rule that no member of the Committee or staff or outside counsel shall make public the name of any witness subpoenaed by the Committee before the date of that witness's scheduled appearance, except as specifically authorized by the Chairman and Vice Chairman, acting jointly.

(3) Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Committee at least two working days in advance of the hearing at which the statement is to be presented. The Chairman and Vice Chairman shall determine whether such statements may be read or placed in the record of the hearing.

(4) Insofar as practicable, each witness shall be permitted to present a brief oral opening statement, if he or she desires to do so.

(h) RIGHT TO TESTIFY.—Any person whose name is mentioned or who is specifically identified or otherwise referred to in testimony or in statements made by a Committee member, staff member or outside counsel, or any witness, and who reasonably believes that the statement tends to adversely affect his or her reputation may—

(1) Request to appear personally before the Committee to testify in his or her own behalf; or

(2) File a sworn statement of facts relevant to the testimony or other evidence or statement of which he or she complained. Such request and such statement shall be submitted to the Committee for its consideration and action.

(i) CONDUCT OF WITNESSES AND OTHER ATTENDEES.—The Presiding Officer may punish any breaches of order and decorum by censure and exclusion from the hearings. The Committee, by majority vote, may recommend to the Senate that the offender be cited for contempt of Congress.

(j) ADJUDICATORY HEARING PROCEDURES.—

(1) NOTICE OF HEARINGS. A copy of the public announcement of an adjudicatory hearing, required by paragraph (e), shall be furnished together with a copy of these Rules to

all witnesses at the time that they are subpoenaed or otherwise summoned to testify.

(2) PREPARATION FOR ADJUDICATORY HEARINGS.—

(A) At least five working days prior to the commencement of an adjudicatory hearing, the Committee shall provide the following information and documents to the respondent, if any:

(i) a list of proposed witnesses to be called at the hearing;

(ii) copies of all documents expected to be introduced as exhibits at the hearing; and

(iii) a brief statement as to the nature of the testimony expected to be given by each witness to be called at the hearing.

(B) At least two working days prior to the commencement of an adjudicatory hearing, the respondent, if any, shall provide the information and documents described in divisions (i), (ii) and (iii) of subparagraph (A) to the Committee.

(C) At the discretion of the Committee, the information and documents to be exchanged under this paragraph shall be subject to an appropriate agreement limiting access and disclosure.

(D) If a respondent refuses to provide the information and documents to the Committee (see (A) and (B) of this subparagraph), or if a respondent or other individual violates an agreement limiting access and disclosure, the Committee, by majority vote, may recommend to the Senate that the offender be cited for contempt of Congress.

(3) SWEARING OF WITNESSES.—All witnesses who testify at adjudicatory hearings shall be sworn unless the Presiding Officer, for good cause, decides that a witness does not have to be sworn.

(4) RIGHT TO COUNSEL.—Any witness at an adjudicatory hearing may be accompanied by counsel of his or her own choosing, who shall be permitted to advise the witness of his or her legal rights during the testimony.

(5) RIGHT TO CROSS-EXAMINE AND CALL WITNESSES.—

(A) In adjudicatory hearings, any respondent and any other person who obtains the permission of the Committee, may personally or through counsel cross-examine witnesses called by the Committee and may call witnesses in his or her own behalf.

(B) A respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his or her behalf. An application shall be approved upon a concise showing by the respondent that the proposed testimony or evidence is relevant and appropriate, as determined by the Chairman and Vice Chairman.

(C) With respect to witnesses called by a respondent, or other individual given permission by the Committee, each such witness shall first be examined by the party who called the witness or by that party's counsel.

(D) At least one working day before a witness's scheduled appearance, a witness or a witness's counsel may submit to the Committee written questions proposed to be asked of that witness. If the Committee determines that it is necessary, such questions may be asked by any member of the Committee, or by any Committee staff member if directed by a Committee member. The witness or witness's counsel may also submit additional sworn testimony for the record within twenty-four hours after the last day that the witness has testified. The insertion of such testimony in that day's record is subject to the approval of the Chairman and Vice Chairman acting jointly within five days after the testimony is received.

(6) ADMISSIBILITY OF EVIDENCE.—

(A) The object of the hearing shall be to ascertain the truth. Any evidence that may be relevant and probative shall be admissible unless privileged under the Federal Rules of Evidence. Rules of evidence shall not be applied strictly, but the Presiding Officer shall exclude irrelevant or unduly repetitious testimony. Objections going only to the weight that should be given evidence will not justify its exclusion.

(B) The Presiding Officer shall rule upon any question of the admissibility of testimony or other evidence presented to the Committee. Such rulings shall be final unless reversed or modified by a recorded vote of not less than four members of the Committee before the recess of that day's hearings.

(C) Notwithstanding paragraphs (A) and (B), in any matter before the Committee involving allegations of sexual discrimination, including sexual harassment, or sexual misconduct, by a Member, officer, or employee within the jurisdiction of the Committee, the Committee shall be guided by the standards and procedures of Rule 412 of the Federal Rules of Evidence, except that the Committee may admit evidence subject to the provisions of this paragraph only upon a determination of not less than four members of the full Committee that the interests of justice require that such evidence be admitted.

(7) SUPPLEMENTARY HEARING PROCEDURES.—The Committee may adopt any additional special hearing procedures that it deems necessary or appropriate to a particular adjudicatory hearing. Copies of such supplementary procedures shall be furnished to witnesses and respondents, and shall be made available upon request to any member of the public.

(k) TRANSCRIPTS.—

(1) An accurate stenographic or recorded transcript shall be made of all public and executive hearings. Any member of the Committee, Committee staff member, outside counsel retained by the Committee, or witness may examine a copy of the transcript retained by the Committee of his or her own remarks and may suggest to the official reporter any typographical or transcription errors. If the reporter declines to make the requested corrections, the member, staff member, outside counsel or witness may request a ruling by the Chairman and Vice Chairman, acting jointly. Any member or witness shall return the transcript with suggested corrections to the Committee offices within five working days after receipt of the transcript, or as soon thereafter as is practicable. If the testimony was given in executive session, the member or witness may only inspect the transcript at a location determined by the Chairman and Vice Chairman, acting jointly. Any questions arising with respect to the processing and correction of transcripts shall be decided by the Chairman and Vice Chairman, acting jointly.

(2) Except for the record of a hearing which is closed to the public, each transcript shall be printed as soon as is practicable after receipt of the corrected version. The Chairman and Vice Chairman, acting jointly, may order the transcript of a hearing to be printed without the corrections of a member or witness if they determine that such member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

(3) The Committee shall furnish each witness, at no cost, one transcript copy of that witness's testimony given at a public hearing. If the testimony was given in executive session, then a transcript copy shall be provided upon request, subject to appropriate conditions and restrictions prescribed by the Chairman and Vice Chairman. If any individual violates such conditions and restrictions, the Committee may recommend by majority vote that he or she be cited for contempt of Congress.

RULE 6: SUBPOENAS AND DEPOSITIONS

(a) SUBPOENAS.—

(1) AUTHORIZATION FOR ISSUANCE.—Subpoenas for the attendance and testimony of witnesses at depositions or hearings, and subpoenas for the production of documents and tangible things at depositions, hearings, or other times and places designated therein, may be authorized for issuance by either (A) a majority vote of the Committee, or (B) the Chairman and Vice Chairman, acting jointly, at any time during a preliminary inquiry, adjudicatory review, or other proceeding.

(2) SIGNATURE AND SERVICE.—All subpoenas shall be signed by the Chairman or the Vice Chairman and may be served by any person eighteen years of age or older, who is designated by the Chairman or Vice Chairman. Each subpoena shall be served with a copy of the Rules of the Committee and a brief statement of the purpose of the Committee's proceeding.

(3) WITHDRAWAL OF SUBPOENA.—The Committee, by recorded vote of not less than four members of the Committee, may withdraw any subpoena authorized for issuance by it or authorized for issuance by the Chairman and Vice Chairman, acting jointly. The Chairman and Vice Chairman, acting jointly, may withdraw any subpoena authorized for issuance by them.

(b) DEPOSITIONS.—

(1) PERSONS AUTHORIZED TO TAKE DEPOSITIONS.—Depositions may be taken by any member of the Committee designated by the Chairman and Vice Chairman, acting jointly, or by any other person designated by the Chairman and Vice Chairman, acting jointly, including outside counsel, Committee staff, other employees of the Senate, or government employees detailed to the Committee.

(2) DEPOSITION NOTICES.—Notices for the taking of depositions shall be authorized by the Committee, or the Chairman and Vice Chairman, acting jointly, and issued by the Chairman, Vice Chairman, or a Committee staff member or outside counsel designated by the Chairman and Vice Chairman, acting jointly. Depositions may be taken at any time during a preliminary inquiry, adjudicatory review or other proceeding. Deposition notices shall specify a time and place for examination. Unless otherwise specified, the deposition shall be in private, and the testimony taken and documents produced shall be deemed for the purpose of these rules to have been received in a closed or executive session of the Committee. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear, or to testify, or to produce documents, unless the deposition notice was accompanied by a subpoena authorized for issuance by the Committee, or the Chairman and Vice Chairman, acting jointly.

(3) COUNSEL AT DEPOSITIONS.—Witnesses may be accompanied at a deposition by counsel to advise them of their rights.

(4) DEPOSITION PROCEDURE.—Witnesses at depositions shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present. Questions may be propounded by any person or persons who are authorized to take depositions for the Committee. If a witness objects to a question and refuses to testify, or refuses to produce a document, any member of the Committee who is present may rule on the objection and, if the objection is overruled, direct the witness to answer the question or produce the document. If no member of the Committee is present, the individual who has been designated by the Chairman and Vice Chairman, acting jointly, to take the deposition may proceed

with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or Vice Chairman of the Committee, who may refer the matter to the Committee or rule on the objection. If the Chairman or Vice Chairman, or the Committee upon referral, overrules the objection, the Chairman, Vice Chairman, or the Committee as the case may be, may direct the witness to answer the question or produce the document. The Committee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify or produce documents after having been directed to do so.

(5) FILING OF DEPOSITIONS.—Deposition testimony shall be transcribed or electronically recorded. If the deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief clerk of the Committee, and the witness shall be furnished with access to a copy at the Committee's offices for review. Upon inspecting the transcript, within a time limit set by the Chairman and Vice Chairman, acting jointly, a witness may request in writing changes in the transcript to correct errors in transcription. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman and Vice Chairman, acting jointly, may rule on the witness's request, and the changes or attachments allowed shall be certified by the Committee's chief clerk. If the witness fails to make any request under this paragraph within the time limit set, this fact shall be noted by the Committee's chief clerk. Any person authorized by the Committee may stipulate with the witness to changes in this procedure.

RULE 7: VIOLATIONS OF LAW; PERJURY; LEGISLATIVE RECOMMENDATIONS; EDUCATIONAL MANDATE; AND APPLICABLE RULES AND STANDARDS OF CONDUCT

(a) VIOLATIONS OF LAW.—Whenever the Committee determines by the recorded vote of not less than four members of the full Committee that there is reason to believe that a violation of law, including the provision of false information to the Committee, may have occurred, it shall report such possible violation to the proper Federal and state authorities.

(b) PERJURY.—Any person who knowingly and willfully swears falsely to a sworn complaint or any other sworn statement to the Committee does so under penalty of perjury. The Committee may refer any such case to the Attorney General for prosecution.

(c) LEGISLATIVE RECOMMENDATIONS.—The Committee shall recommend to the Senate by report or resolution such additional rules, regulations, or other legislative measures as it determines to be necessary or desirable to ensure proper standards of conduct by Members, officers, or employees of the Senate. The Committee may conduct such inquiries as it deems necessary to prepare such a report or resolution, including the holding of hearings in public or executive session and the use of subpoenas to compel the attendance of witnesses or the production of materials. The Committee may make legislative recommendations as a result of its findings in a preliminary inquiry, adjudicatory review, or other proceeding.

(d) EDUCATIONAL MANDATE.—The Committee shall develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(e) APPLICABLE RULES AND STANDARDS OF CONDUCT.—

(1) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code.

(2) The Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Committee.

RULE 8: PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED MATERIALS

(a) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE MATERIALS.—

(1) Committee Sensitive information or material is information or material in the possession of the Select Committee on Ethics which pertains to illegal or improper conduct by a present or former Member, officer, or employee of the Senate; to allegations or accusations of such conduct; to any resulting preliminary inquiry, adjudicatory review or other proceeding by the Select Committee on Ethics into such allegations or conduct; to the investigative techniques and procedures of the Select Committee on Ethics; or to other information or material designated by the staff director, or outside counsel designated by the Chairman and Vice Chairman.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of Committee Sensitive information in the possession of the Committee or its staff. Procedures for protecting Committee Sensitive materials shall be in writing and shall be given to each Committee staff member.

(b) PROCEDURES FOR HANDLING CLASSIFIED MATERIALS.—

(1) Classified information or material is information or material which is specifically designated as classified under the authority of Executive Order 11652 requiring protection of such information or material from unauthorized disclosure in order to prevent damage to the United States.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of classified information in the possession of the Committee or its staff. Procedures for handling such information shall be in writing and a copy of the procedures shall be given to each staff member cleared for access to classified information.

(3) Each member of the Committee shall have access to classified material in the Committee's possession. Only Committee staff members with appropriate security clearances and a need-to-know, as approved by the Chairman and Vice Chairman, acting jointly, shall have access to classified information in the Committee's possession.

(c) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED DOCUMENTS.—

(1) Committee Sensitive documents and materials shall be stored in the Committee's offices, with appropriate safeguards for maintaining the security of such documents or materials. Classified documents and materials shall be further segregated in the Committee's offices in secure filing safes. Removal from the Committee offices of such documents or materials is prohibited except as necessary for use in, or preparation for, interviews or Committee meetings, including the taking of testimony, or as otherwise specifically approved by the staff director or by outside counsel designated by the Chairman and Vice Chairman.

(2) Each member of the Committee shall have access to all materials in the Committee's possession. The staffs of members shall not have access to Committee Sensitive or classified documents and materials without the specific approval in each instance of the Chairman, and Vice Chairman, acting jointly. Members may examine such materials in the Committee's offices. If necessary, requested materials may be hand delivered by a member of the Committee staff to the member of the Committee, or to a staff person(s) specifically designated by the member, for the Member's or designated staffer's examination. A member of the Committee who has possession of Committee Sensitive documents or materials shall take appropriate safeguards for maintaining the security of such documents or materials in the possession of the Member or his or her designated staffer.

(3) Committee Sensitive documents that are provided to a Member of the Senate in connection with a complaint that has been filed against the Member shall be hand delivered to the Member or to the Member's Chief of Staff or Administrative Assistant. Committee Sensitive documents that are provided to a Member of the Senate who is the subject of a preliminary inquiry, adjudicatory review, or other proceeding, shall be hand delivered to the Member or to his or her specifically designated representative.

(4) Any Member of the Senate who is not a member of the Committee and who seeks access to any Committee Sensitive or classified documents or materials, other than documents or materials which are matters of public record, shall request access in writing. The Committee shall decide by majority vote whether to make documents or materials available. If access is granted, the Member shall not disclose the information except as authorized by the Committee.

(5) Whenever the Committee makes Committee Sensitive or classified documents or materials available to any Member of the Senate who is not a member of the Committee, or to a staff person of a Committee member in response to a specific request to the Chairman and Vice Chairman, a written record shall be made identifying the Member of the Senate requesting such documents or materials and describing what was made available and to whom.

(d) NON-DISCLOSURE POLICY AND AGREEMENT.—

(1) Except as provided in the last sentence of this paragraph, no member of the Select Committee on Ethics, its staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics shall release, divulge, publish, reveal by writing, word, conduct, or disclose in any way, in whole, or in part, or by way of summary, during tenure with the Select Committee on Ethics or anytime thereafter, any testimony given before the Select Committee on Ethics in executive session (including the name of any witness who appeared or was called to appear in executive session), any classified or Committee Sensitive information, document or material, received or generated by the Select Committee on Ethics or any classified or Committee Sensitive information which may come into the possession of such person during tenure with the Select Committee on

Ethics or its staff. Such information, documents, or material may be released to an official of the executive branch properly cleared for access with a need-to-know, for any purpose or in connection with any proceeding, judicial or otherwise, as authorized by the Select Committee on Ethics, or in the event of termination of the Select Committee on Ethics, in such a manner as may be determined by its successor or by the Senate.

(2) No member of the Select Committee on Ethics staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics, shall be granted access to classified or Committee Sensitive information or material in the possession of the Select Committee on Ethics unless and until such person agrees in writing, as a condition of employment, to the nondisclosure policy. The agreement shall become effective when signed by the Chairman and Vice Chairman on behalf of the Committee.

RULE 9: BROADCASTING AND NEWS COVERAGE OF COMMITTEE PROCEEDINGS

(a) Whenever any hearing or meeting of the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered in whole or in part, by television broadcast, radio broadcast, still photography, or by any other methods of coverage, unless the Committee decides by recorded vote of not less than four members of the Committee that such coverage is not appropriate at a particular hearing or meeting.

(b) Any witness served with a subpoena by the Committee may request not to be photographed at any hearing or to give evidence or testimony while the broadcasting, reproduction, or coverage of that hearing, by radio, television, still photography, or other methods is occurring. At the request of any such witness who does not wish to be subjected to radio, television, still photography, or other methods of coverage, and subject to the approval of the Committee, all lenses shall be covered and all microphones used for coverage turned off.

(c) If coverage is permitted, it shall be in accordance with the following requirements:

(1) Photographers and reporters using mechanical recording, filming, or broadcasting apparatus shall position their equipment so as not to interfere with the seating, vision, and hearing of the Committee members and staff, or with the orderly process of the meeting or hearing.

(2) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, the coverage shall be conducted and presented without commercial sponsorship.

(3) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(4) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery Committee of Press Photographers.

(5) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and the coverage activities in an orderly and unobtrusive manner.

RULE 10: PROCEDURES FOR ADVISORY OPINIONS

(a) WHEN ADVISORY OPINIONS ARE RENDERED.—

(1) The Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(2) The Committee may issue an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(b) FORM OF REQUEST.—A request for an advisory opinion shall be directed in writing to the Chairman of the Committee and shall include a complete and accurate statement of the specific factual situation with respect to which the request is made as well as the specific question or questions which the requestor wishes the Committee to address.

(c) OPPORTUNITY FOR COMMENT.—

(1) The Committee will provide an opportunity for any interested party to comment on a request for an advisory opinion—

(A) which requires an interpretation on a significant question of first impression that will affect more than a few individuals; or

(B) when the Committee determines that comments from interested parties would be of assistance.

(2) Notice of any such request for an advisory opinion shall be published in the Congressional Record, with appropriate deletions to insure confidentiality, and interested parties will be asked to submit their comments in writing to the Committee within ten days.

(3) All relevant comments received on a timely basis will be considered.

(d) ISSUANCE OF AN ADVISORY OPINION.—

(1) The Committee staff shall prepare a proposed advisory opinion in draft form which will first be reviewed and approved by the Chairman and Vice Chairman, acting jointly, and will be presented to the Committee for final action. If (A) the Chairman and Vice Chairman cannot agree, or (B) either the Chairman or Vice Chairman requests that it be taken directly to the Committee, then the proposed advisory opinion shall be referred to the Committee for its decision.

(2) An advisory opinion shall be issued only by the affirmative recorded vote of a majority of the members voting.

(3) Each advisory opinion issued by the Committee shall be promptly transmitted for publication in the Congressional Record after appropriate deletions are made to insure confidentiality. The Committee may at any time revise, withdraw, or elaborate on any advisory opinion.

(e) RELIANCE ON ADVISORY OPINIONS.—

(1) Any advisory opinion issued by the Committee under Senate Resolution 338, 88th Congress, as amended, and the rules may be relied upon by—

(A) Any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered if the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and

(B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(2) Any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of Senate Resolution 338, 88th Congress, as amended, and of the rules, and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

RULE 11: PROCEDURES FOR INTERPRETATIVE RULINGS

(a) BASIS FOR INTERPRETATIVE RULINGS.—Senate Resolution 338, 88th Congress, as amended, authorizes the Committee to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction. The Committee also may issue such rulings clarifying or explaining any rule or regulation of the Select Committee on Ethics.

(b) REQUEST FOR RULING.—A request for such a ruling must be directed in writing to the Chairman or Vice Chairman of the Committee.

(c) ADOPTION OF RULING.—

(1) The Chairman and Vice Chairman, acting jointly, shall issue a written interpretative ruling in response to any such request, unless—

(A) they cannot agree,

(B) it requires an interpretation of a significant question of first impression, or

(C) either requests that it be taken to the Committee, in which event the request shall be directed to the Committee for a ruling.

(2) A ruling on any request taken to the Committee under subparagraph (1) shall be adopted by a majority of the members voting and the ruling shall then be issued by the Chairman and Vice Chairman.

(d) PUBLICATION OF RULINGS.—The Committee will publish in the Congressional Record, after making appropriate deletions to ensure confidentiality, any interpretative rulings issued under this Rule which the Committee determines may be of assistance or guidance to other Members, officers or employees. The Committee may at any time revise, withdraw, or elaborate on interpretative rulings.

(e) RELIANCE ON RULINGS.—Whenever an individual can demonstrate to the Committee's satisfaction that his or her conduct was in good faith reliance on an interpretative ruling issued in accordance with this Rule, the Committee will not recommend sanctions to the Senate as a result of such conduct.

(f) RULINGS BY COMMITTEE STAFF.—The Committee staff is not authorized to make rulings or give advice, orally or in writing, which binds the Committee in any way.

RULE 12: PROCEDURES FOR COMPLAINTS INVOLVING IMPROPER USE OF THE MAILING FRANK

(a) AUTHORITY TO RECEIVE COMPLAINTS.—The Committee is directed by section 6(b) of Public Law 93–191 to receive and dispose of complaints that a violation of the use of the mailing frank has occurred or is about to occur by a Member or officer of the Senate or by a surviving spouse of a Member. All such complaints will be processed in accordance with the provisions of these Rules, except as provided in paragraph (b).

(b) DISPOSITION OF COMPLAINTS.—

(1) The Committee may dispose of any such complaint by requiring restitution of the cost of the mailing, pursuant to the franking statute, if it finds that the franking violation was the result of a mistake.

(2) Any complaint disposed of by restitution that is made after the Committee has formally commenced an adjudicatory review, must be summarized, together with the disposition, in a report to the Senate, as appropriate.

(3) If a complaint is disposed of by restitution, the complainant, if any, shall be notified of the disposition in writing.

(c) ADVISORY OPINIONS AND INTERPRETATIVE RULINGS.—Requests for advisory opinions or interpretative rulings involving franking questions shall be processed in accordance with Rules 10 and 11.

RULE 13: PROCEDURES FOR WAIVERS

(a) AUTHORITY FOR WAIVERS.—The Committee is authorized to grant a waiver under

the following provisions of the Standing Rules of the Senate:

(1) Section 101(h) of the Ethics in Government Act of 1978, as amended (rule XXXIV), relating to the filing of financial disclosure reports by individuals who are expected to perform or who have performed the duties of their offices or positions for less than one hundred and thirty days in a calendar year;

(2) Section 102(a)(2)(D) of the Ethics in Government Act, as amended (rule XXXIV), relating to the reporting of gifts;

(3) Paragraph 1 of rule XXXV relating to acceptance of gifts; or

(4) Paragraph 5 of rule XLI relating to applicability of any of the provisions of the Code of Official Conduct to an employee of the Senate hired on a per diem basis.

(b) REQUESTS FOR WAIVERS.—A request for a waiver under paragraph (a) must be directed to the Chairman or Vice Chairman in writing and must specify the nature of the waiver being sought and explain in detail the facts alleged to justify a waiver. In the case of a request submitted by an employee, the views of his or her supervisor (as determined under paragraph 12 of rule XXXVII of the Standing Rules of the Senate) should be included with the waiver request.

(c) RULING.—The Committee shall rule on a waiver request by recorded vote with a majority of those voting affirming the decision. With respect to an individual's request for a waiver in connection with the acceptance or reporting the value of gifts on the occasion of the individual's marriage, the Chairman and the Vice Chairman, acting jointly, may rule on the waiver.

(d) AVAILABILITY OF WAIVER DETERMINATIONS.—A brief description of any waiver granted by the Committee, with appropriate deletions to ensure confidentiality, shall be made available for review upon request in the Committee office. Waivers granted by the Committee pursuant to the Ethics in Government Act of 1978, as amended, may only be granted pursuant to a publicly available request as required by the Act.

RULE 14: DEFINITION OF ''OFFICER OR EMPLOYEE''

(a) As used in the applicable resolutions and in these rules and procedures, the term ''officer or employee of the Senate'' means:

(1) An elected officer of the Senate who is not a Member of the Senate;

(2) An employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) The Legislative Counsel of the Senate or any employee of his office;

(4) An Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) A member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) An employee of the Vice President, if such employee's compensation is disbursed by the Secretary of the Senate;

(7) An employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate;

(8) An officer or employee of any department or agency of the Federal Government whose services are being utilized on a full-time and continuing basis by a Member, officer, employee, or committee of the Senate in accordance with rule XLI(3) of the Standing Rules of the Senate; and

(9) Any other individual whose full-time services are utilized for more than ninety days in a calendar year by a Member, officer, employee, or committee of the Senate in the conduct of official duties in accordance with rule XLI(4) of the Standing Rules of the Senate.

RULE 15: COMMITTEE STAFF

(a) COMMITTEE POLICY.—

(1) The staff is to be assembled and retained as a permanent, professional, nonpartisan staff.

(2) Each member of the staff shall be professional and demonstrably qualified for the position for which he or she is hired.

(3) The staff as a whole and each member of the staff shall perform all official duties in a nonpartisan manner.

(4) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(5) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to his or her employment or duties with the Committee without specific advance permission from the Chairman and Vice Chairman.

(6) No member of the staff may make public, without Committee approval, any Committee Sensitive or classified information, documents, or other material obtained during the course of his or her employment with the Committee.

(b) APPOINTMENT OF STAFF.—

(1) The appointment of all staff members shall be approved by the Chairman and Vice Chairman, acting jointly.

(2) The Committee may determine by majority vote that it is necessary to retain staff members, including a staff recommended by a special counsel, for the purpose of a particular preliminary inquiry, adjudicatory review, or other proceeding. Such staff shall be retained only for the duration of that particular undertaking.

(3) The Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the Executive Branch of the Government) whenever the Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, preliminary inquiry, adjudicatory review, or other proceeding, which in the determination of the Committee, is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee. The Committee shall retain and compensate outside counsel to conduct any adjudicatory review undertaken after a preliminary inquiry, unless the Committee determines that the use of outside counsel is not appropriate in the particular case.

(c) DISMISSAL OF STAFF.—A staff member may not be removed for partisan, political reasons, or merely as a consequence of the rotation of the Committee membership. The Chairman and Vice Chairman, acting jointly, shall approve the dismissal of any staff member.

(d) STAFF WORKS FOR COMMITTEE AS WHOLE.—All staff employed by the Committee or housed in Committee offices shall work for the Committee as a whole, under the general direction of the Chairman and Vice Chairman, and the immediate direction of the staff director or outside counsel.

(e) NOTICE OF SUMMONS TO TESTIFY.—Each member of the Committee staff or outside counsel shall immediately notify the Committee in the event that he or she is called upon by a properly constituted authority to testify or provide confidential information obtained as a result of and during his or her employment with the Committee.

RULE 16: CHANGES IN SUPPLEMENTARY PROCEDURAL RULES

(a) ADOPTION OF CHANGES IN SUPPLEMENTARY RULES.—The Rules of the Committee, other than rules established by statute, or by the Standing Rules and Standing Orders of the Senate, may be modified, amended, or suspended at any time, pursuant to a recorded vote of not less than four members of the full Committee taken at a meeting called with due notice when prior written notice of the proposed change has been provided each member of the Committee.

(b) PUBLICATION.—Any amendments adopted to the Rules of this Committee shall be published in the Congressional Record in accordance with rule XXVI(2) of the Standing Rules of the Senate.

SELECT COMMITTEE ON ETHICS

PART III—SUBJECT MATTER JURISDICTION

Following are sources of the subject matter jurisdiction of the Select Committee:

(a) The Senate Code of Official Conduct approved by the Senate in Title I of S. Res. 110, 95th Congress, April 1, 1977, as amended, and stated in Rules 34 through 43 of the Standing Rules of the Senate;

(b) Senate Resolution 338, 88th Congress, as amended, which states, among others, the duties to receive complaints and investigate allegations of improper conduct which may reflect on the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate; recommend disciplinary action; and recommend additional Senate Rules or regulations to insure proper standards of conduct;

(c) Residual portions of Standing Rules 41, 42, 43 and 44 of the Senate as they existed on the day prior to the amendments made by Title I of S. Res. 110;

(d) Public Law 93–191 relating to the use of the mail franking privilege by Senators, officers of the Senate; and surviving spouses of Senators;

(e) Senate Resolution 400, 94th Congress, Section 8, relating to unauthorized disclosure of classified intelligence information in the possession of the Select Committee on Intelligence;

(f) Public Law 95–105, Section 515, relating to the receipt and disposition of foreign gifts and decorations received by Senate members, officers and employees and their spouses or dependents;

(g) Preamble to Senate Resolution 266, 90th Congress, 2d Session, March 22, 1968; and

(h) The Code of Ethics for Government Service, H. Con. Res. 175, 85th Congress, 2d Session, July 11, 1958 (72 Stat. B12). Except that S. Res. 338, as amended by Section 202 of S. Res. 110 (April 2, 1977), and as amended by Section 3 of S. Res. 222 (1999), provides:

(g) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

APPENDIX A—OPEN AND CLOSED MEETINGS

Paragraphs 5 (b) to (d) of rule XXVI of the Standing Rules of the Senate reads as follows:

(b) Each meeting of a standing, select, or special committee of the Senate, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public,

except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen 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 in classes (1) through (6) 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—

(1) 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;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with 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;

(4) 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;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) 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

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

APPENDIX B—''SUPERVISORS'' DEFINED

Paragraph 12 of rule XXXVII of the Standing Rules of the Senate reads as follows:

For purposes of this rule—

(a) a Senator or the Vice President is the supervisor of his administrative, clerical, or other assistants;

(b) a Senator who is the chairman of a committee is the supervisor of the professional, clerical, or other assistants to the committee except that minority staff members shall be under the supervision of the ranking minority Senator on the committee;

(c) a Senator who is a chairman of a subcommittee which has its own staff and financial authorization is the supervisor of the professional, clerical, or other assistants to the subcommittee except that minority staff members shall be under the supervision of the ranking minority Senator on the subcommittee;

(d) the President pro tempore is the supervisor of the Secretary of the Senate, Sergeant at Arms and Doorkeeper, the Chaplain, the Legislative Counsel, and the employees of the Office of the Legislative Counsel;

(e) the Secretary of the Senate is the supervisor of the employees of his office;

(f) the Sergeant at Arms and Doorkeeper is the supervisor of the employees of his office;

(g) the Majority and Minority Leaders and the Majority and Minority Whips are the supervisors of the research, clerical, and other assistants assigned to their respective offices;

(h) the Majority Leader is the supervisor of the Secretary for the Majority and the Secretary for the Majority is the supervisor of the employees of his office; and

(i) the Minority Leader is the supervisor of the Secretary for the Minority and the Secretary for the Minority is the supervisor of the employees of his office.

HONORING OUR ARMED FORCES

SERGEANT KEITH E. FISCUS

Mr. CARPER. Mr. President, I rise today to reflect on the life and service of Army SGT Keith E. Fiscus. Keith epitomized the best of our country's brave men and women who fought to free Iraq and to secure a new democracy in the Middle East. He exhibited unwavering courage, dutiful service to his country, and above all else, honor. In the way he lived his life—and how we remember him—Keith reminds each of us just how good we can be.

Keith was born to Pamela and Darrell Fiscus in Glendale, CA, in 1980. His family moved to Townsend, DE, in 1998. He was the second oldest of four children and is survived by an 18-year-old brother, Jordan, and two sisters, Korrie, 16, and Dena, 28. My heart goes out to each of them.

Keith finished his senior year at Glasgow High School in Newark, DE, and graduated in 1998. After his graduation, Keith took a job in the produce department at Genuardi's supermarket in Glasgow, DE, and then worked as a customer service representative for a major credit card company. He enrolled in business classes at Delaware Technical & Community College but soon decided that his interests didn't include sitting behind a desk in an office or classroom.

Inspired by his grandparents' service in the Armed Forces, Keith joined the Army in 2002. After graduating from boot camp, he was assigned to the 1st Battalion, 27th Infantry Regiment, 3rd Brigade, 25th Infantry Division based out of Schofield Barracks in Hawaii. He was deployed to Iraq and served with distinction for the duration of his 14-month tour.

While serving in Iraq, Keith decided to reenlist in the Army. After returning to the States, Keith received training on how to identify and disarm explosives. Keith volunteered to serve a second tour of duty in Iraq and was deployed again in August of 2006. He was scheduled to return home in February of 2007.

On December 2, 2006, Keith was serving as a machine gunner for an explosive ordinance disposal team on their way to clear a suspected roadside bomb near the city of Taji. An improvised explosive device was triggered near the humvee he was riding in, and Sergeant Fiscus was killed instantly.

Contrary to his tough-looking tattoos and love of heavy metal music, Keith was a fun-loving, caring, and sensitive young man. He was described by those that knew him as a hopeless romantic who loved the camaraderie of the Army and spending time with family and friends. He was also an avid golfer and fisherman.

Sergeant Fiscus was also an excellent soldier. He was an expert rifleman who received numerous recognitions during his Army career: Army Good Conduct Medal, National Defense Service Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, and Combat Infantryman Badge. The Purple Heart and the Bronze Star were awarded posthumously.

I rise today to commemorate Keith, to celebrate his life, and to offer his family our support and our deepest sympathy on their tragic loss.

SPECIALIST TRAVIS VAUGHN

Mr. GRASSLEY. Mr. President, today I would like to honor SPC Travis Vaughn, who died on February 18, 2007, in a helicopter crash while fighting in Afghanistan. A Cedar Falls, IA, native, Travis served proudly and with distinction during Operation Enduring Freedom.

With bravery and valor, Travis accepted the call to defend America against those who seek to undermine our values, our democracy, and our way of life. In Afghanistan, he and others from the 160th Special Operations Aviation Regiment out of Fort Campbell, KY, served their country in a dangerous part of the world, helping to make the rest of the world a safer place. Sadly, Travis's service to his country cost him his life, forever earning him the gratitude of the American people.

Travis is remembered fondly and will be greatly missed. A longtime friend of Travis recently said of him, ''He was always there to help anybody that he could and do whatever he could to make people happy.'' Still other friends recalled Travis's fondness for adventurous recreational activities. These qualities made Travis well-suited for military service, and certainly we were fortunate to have a man of such drive and ability serving in the U.S. Army.

On behalf of all Iowans and people throughout this country, I offer my heartfelt condolences to Travis Vaughn's friends and family. In particular, my thoughts and prayers go out to his wife Heather, his stepson Taylin, his father Brad, and mother Christine. They should know that the entire Nation stands behind them during this time of mourning. His loss is

indeed tragic, but he will be remembered as a hero and a patriot.

STOLEN VALOR ACT

Mr. CONRAD. Mr. President, I would like to comment today on the Stolen Valor Act of 2005 that was signed into law by President Bush on December 20, 2006. I am extremely proud of authoring the Senate version of this legislation that ultimately became law. The new law that has resulted from the Stolen Valor Act strengthens and expands the protections for our Armed Forces military service awards and decorations.

Since the Stolen Valor Act was signed into law, there have been reports of concerns raised by medal collectors, historians, museums, family members that inherit medals, and persons legitimately possessing, shipping, or selling military service awards and decorations. I would like to make it clear for the RECORD that the intent and effect of my legislation and the resulting law is only to provide the tools law enforcement need to prosecute those fraudulently using military service awards they did not earn through service to our Armed Forces. It does not in any way restrict legitimate possession, use, shipment, or display of these awards and decorations.

Before the law was enacted, my legislation was reviewed by the Senate Judiciary Committee, the House Judiciary Committee, the Department of Justice, and the Congressional Research Service's American Law Division. All concluded that the Stolen Valor legislation does not negatively impact those legitimately in possession of military service awards and decorations.

Although the new law modifies title 18 USC, section 704, it does not impact the legitimate purchase, sale, or possession of medals. The key part of this passage is the phrase, ''except when authorized under regulations made pursuant to law.'' That exception refers to 32 Code of Federal Regulations (CFR), section 507. I believe the concerns raised by collectors and dealers of military medals and memorabilia may stem from lack of familiarity with the CFR and its relationship to statutory law. The CFR is the regulation that implements and administers statutory provisions, in this case, the provisions of 18 USC section 704 as amended by the Stolen Valor Act.

The CFR specifically states in section 507.12(b), ''Mere possession by a person of any of the articles prescribed in Sec. 507.8 of this part is authorized provided that such possession is not used to defraud or misrepresent the identification or status of the individuals concerned.'' According to numerous legal experts consulted on the drafting of the Stolen Valor legislation, ''mere possession'' would include family members who inherit medals, museums, collectors, approved medals dealers, historians, and other persons in possession or selling medals that do not use them for fraudulent purposes. In addition, CFR Sec. 507.8(a) indicates, ''the articles listed in paragraphs (a) (1) through (10) of this section are authorized for manufacture and sale when made in accordance with approved specifications, purchase descriptions or drawings.''

The articles listed as authorized for manufacture and sale in Sec. 507.8(a) include decorations, service medals, ribbons, lapel buttons, and badges with the exception of the Medal of Honor. The CFR allows for the sale of all U.S. medals, except the Medal of Honor, and insignia, provided that an official government manufacturer has made them and that the Institute of Heraldry, IOH, approved those pieces. Thus, the Stolen Valor Act does not in any way stop collectors or dealers from selling or collecting officially made medals and insignia, whether they were made yesterday or 50 years ago.

In closing, I again want to assure those legitimately in possession of selling, displaying, or shipping military service awards that the Stolen Valor Act is only directed at those who fraudulently use military service awards and decorations. I have been to Walter Reed Hospital, Bethesda Naval Hospital, and have awarded numerous awards and decorations to soldiers and veterans. These brave men and women have given so much to ensure our freedoms. I strongly believe protecting the meaning and valor of military service awards is a very important way we can continue to honor their service and sacrifice.

I ask unanimous consent that a memo from the American Law Division at Congressional Research Service supporting this analysis be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, September 21, 2006.

To: Hon. Kent Conrad; Attention: Shawn Ferguson.

From: John R. Luckey, Legislative Attorney, American Law Division.

Subject: The Stolen Valor Act of 2005.

This memorandum is furnished in response to your request for a review of the impact of enactment of the Stolen Valor Act of 2005 upon collectors of military service medals who are currently acting in compliance with federal regulations. The Bill would amend the federal criminal code expand the prohibition against wearing, manufacturing, or selling military decorations or medals without legal authorization to prohibit purchasing, soliciting. mailing, shipping, importing, exporting, producing blank certificates of receipt for, advertising, trading, bartering, or exchanging such decorations or medals without authorization. It would prohibit falsely representing oneself as having been awarded any decoration or medal authorized by Congress for the Armed Forces or any of the service medals or badges. The penalties for violations, if the offense involves a distinguished service cross, an Air Force Cross, a Navy Cross, a silver star, or a Purple Heart, would be increased.

The current provision of title 18 states:

''SEC. 704. Military medals or decorations

''(a) IN GENERAL.—Whoever knowingly wears, manufactures, or sells any decoration or medal authorized by Congress for the aimed forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration or medal, or any colorable imitation thereof, except when authorized under regulations made pursuant to law, shall be fined under this title or imprisoned not more than six months, or both.''

The Bill would not affect the exception for acts authorized by regulation. Therefore, it appears accurate to conclude that if the action of the collector was authorized by regulation, the enactment of the Bill would not affect that authorization.

We hope this information is responsive to your request. If we may be of further assistance, please call.

JOHN R. LUCKEY,
Legislative Attorney.

NATIONAL EYE DONOR MONTH

Mr. BROWN. Mr. President, March is National Eye Donor Month, an opportunity to celebrate the gift of sight, to honor past donors and their families, and to raise public awareness regarding the importance of eye donation. We in the Senate can help ensure a sufficient supply of precious corneas by educating the public about the importance of eye donation and encouraging more Americans to become organ donors.

Last year, more than 46,000 Americans had their lives renewed and reinvigorated through the miracle of corneal transplantation. This surgical procedure gives those people who have lost, or are losing, their vision the life-changing gift of restored sight.

For more than 30 years, Teresa Walton, an Ohio resident, lived without depth perception and with the stigma of an altered appearance, because a viral infection stole the vision in her left eye. At the age of 15, while most other children were enjoying high school sports and anxiously awaiting the day they could earn their driver's license, Teresa was unable to recognize when someone approached her from the left, nor could she easily navigate a set of stairs.

Finally, in her forties, Teresa decided it was time for a transplant. Because of the transplant she received in Springfield, OH, the vision in Teresa's left eye was restored. With the return of her depth perception, Teresa can now easily light the candles on her three daughters' birthday cakes. She is no longer self-conscious about the appearance of her left eye. And as a teacher, she can now recognize when one of her students is standing next to her.

Through the tireless efforts of the eye banks located throughout the country, and the coordinated efforts of the Eye Bank Association of America, Teresa Walton and thousands upon thousands of Americans like her have rediscovered the many joys full vision affords.

The power of cornea transplantation is evident in Teresa's story, but it is

only possible if concerned Americans register as an organ donor and, subsequently, inform their family members and loved ones of their intention to donate.

That is why, as National Eye Donation Month approaches, I encourage my colleagues to work with their local eye banks, and the Eye Bank Association of America, to promote eye donation and provide more people, like Teresa Walton, with the miracle cornea transplantation provides. There is no gift more meaningful, or more profoundly important, than the gift of sight.

TRIBUTE TO W. DON NELSON

Mr. NELSON of Nebraska. Mr. President, I rise today to express my best wishes and appreciation to a staff member who is leaving my office after many years of public service.

W. Don Nelson has served with distinction as my State director in Lincoln, NE, since I was elected in 2000, which is no small job in a State that stretches 500 miles.

Although we share the same last name, we do not share a family relationship. We do share a passion for public service. W. Don, as he is known throughout Nebraska, has a long history of bipartisan government service at the highest levels.

Mr. Nelson worked for former Congressman Douglas Bereuter when he was director of the Nebraska State Office of Planning and Programming. He also served as a chief policy adviser for former Nebraska Governors Norbert Tiemann, Jim Exon, and former Wyoming Governor Ed Herschler and was chief of staff for Nebraska Governor Bob Kerrey. Before Don became my State director he was in the private sector serving as managing director for the Nebraska office of a major national securities firm.

To say that W. Don Nelson was an important and vital part of the staff for those of us whom he served is an understatement. His background as a lawyer and investment banker made him invaluable in government service but his abilities stretched far beyond that.

W. Don Nelson is one of the most fiercely loyal and completely trustworthy individuals I have ever had the privilege to know. His intellect and depth of knowledge on virtually any issue is uncanny. He has the courage to confront adversaries at the highest levels and the compassion to help those who are less fortunate. He is a gracious host and gentleman to friends, and a devoted father and husband to a loving family.

W. Don may be retiring but not to a rocking chair. The W. Don Nelson that so many Nebraskans know will never sit back and rest on his laurels. His so-called retirement will be in front of a computer screen and stalking the halls of government buildings visiting with elected and appointed officials from the other side of the desk, as a reporter.

After answering questions from reporters for much of his career, he will be asking the questions. He is crossing over to start his own newspaper, called Prairie Fire, in Lincoln, NE. Its objective is to be the progressive voice of the Great Plains offering thoughtful, bipartisan public discourse about all matters relating to politics and the arts and, I imagine, Don's passion, the environment.

All of us will miss Don, his quirky sense of humor, his vintage neckties, his sports cars, and even his outward display of pride in Cornhusker Country for his alma maters, the University of Florida and Florida State University.

We wish him every success in his new role as editor, publisher, and writer.

ADDITIONAL STATEMENTS

BIG SKY HIGH SCHOOL SCIENCE PROGRAM RECOGNITION

• Mr. BAUCUS. Mr. President, I am honored to speak to you today about the wonderful work being done in a school in my home State—Big Sky High School in Missoula, MT. Big Sky High School is a leader in science education and a wonderful example of how creativity and innovation can prepare students for the 21st century.

To the students, teachers, parents, and administrators at Big Sky High School, I commend you for your dedication and imagination. Big Sky High School should be an example to schools all over the country of what we can do if we make a real commitment to teaching our students the skills necessary to keep America competitive in the global economy.

Big Sky's science programs emphasize real-world applications and collaboration. For example, in the elective ''Advanced Problems in Science,'' students work on research projects and learn how to document their results and present them to the community. Many of these projects are featured in science fairs and other competitions, giving students experience and connecting them to the scientific community.

Science teacher Jim Harkins, who has taught at Big Sky for 24 years, is an example of how a great teacher can inspire students to go into the sciences. Let me tell you about Jim's goals for science class in his own words. ''I try to tell the students that the classroom, text book setting is not real science,'' he said. ''Science is not learned in books while sitting at desks. In this class, Advanced Problems in Science, our goal is to simulate their curiosity in a real-life science setting. This program provides Montana students with competitiveness on national and international levels.''

To see the success of this program, you need to look no further than the students themselves. Big Sky alumnus Jayce Getz was an active participant in these science programs and he was recently honored with one of only 30 mathematical sciences postdoctoral research fellowships from the National Science Foundation. Jayce will begin a professorship at Princeton next fall. Jayce attributes some of his current success to his participation in Big Sky's science program. ''Kids in Missoula, Montana, can and do get involved with important research in the sciences,'' he said. ''The trick is to get started early on.''

Yet at Big Sky, kids do start early. The halls are filled with the future scientific leaders of America. Students study the genetic code of a cyanobacterial strain and test sail designs in wind tunnels by using an innovative interdisciplinary approach.

By nurturing the curiosity and creativity of these students, Big Sky teachers like Jim Harkins ensure America's youth are given the education and tools necessary to succeed in the 21st century. I applaud Jim and his students. They are examples of what makes Montana's school system the best in the Nation.

To Mr. Harkins and students of Big Sky High School, I extend my congratulations.•

RETIREMENT OF RICK SHAPIRO

• Mr. BINGAMAN. Mr. President, today I wish to honor Rick Shapiro, who recently retired as executive director of the Congressional Management Foundation.

I became acquainted with Rick early in my Senate career, when I asked Rick to help me and my staff strengthen the management of my Senate office. That began a very useful relationship with Rick and CMF.

Under his leadership, CMF grew in size, scope, and impact. Rick has made CMF an integral part of the early organization of nearly every new House and Senate office, through CMF's practical publications and its role in new office orientations.

For many offices like mine, Rick used his skills in organizational management to help members and their senior staff improve how they run their offices and serve their constituents. His confidential counsel and evaluation, and that of a strong staff that he recruited and supported, has allowed many Senators and Members of Congress to focus on their jobs as legislators, with the confidence that their offices would be well run.

Rick also used his extensive knowledge of strategic planning to ensure offices have a strategic vision and the means to deliver on that vision. He and his staff have facilitated hundreds of staff retreats, helping House and Senate offices produce ambitious, but realistic, plans for their work.

Rick was the driving force behind CMF's research into cutting edge topics. For example, CMF's research and guidance on the Internet and electronic communications has been the single most important force in bringing many

offices into the 21st century in their use of new technology.

Before joining CMF, Rick worked in the U.S. House of Representatives, first as a staff investigator and later as the staff director of two House committees. He brought his significant knowledge of the workings of the Congress to CMF and it progressed under his leadership.

All of us who know him and have benefited from his work wish him well, and look with interest to his next project.●

REMEMBERING MIKE HALL

● Mr. DOMENICI. Mr. President, I would like to take a moment to pay tribute to the memory of Mike Hall, who sadly passed away this last Friday.

Mike was a longtime sportswriter, editor, and columnist with the Albuquerque Journal. Though he was born in Muskogee, OK, and began his career writing in California, there is no doubt Mike was a great New Mexican. Mike first came to New Mexico in 1983 to serve as sports editor at the Albuquerque Tribune, and in 1988 he joined the staff at the Albuquerque Journal. In his 24 years of reporting in New Mexico, both his readers and those he wrote about came to appreciate and respect Mike for his knowledge and his humor. He will be truly missed by New Mexicans.

I would also like to offer my deepest condolences to Mike's family, his wife Sondra and children Dionne, Jason, Michael, and Kathryn and his six grandchildren.

I ask that an article from the Albuquerque Journal celebrating Mike's life and career be printed in the RECORD.

The material follows.

[From the Albuquerque Journal, Feb. 24, 2007]

JOURNAL EDITOR/WRITER DIES AT 61

VETERAN OF SPORTS DEPARTMENT LIVED IN ABQ. SINCE '83; COVERED BOXING, UNM WOMEN'S HOOPS

(By Lloyd Jojola)

Mike Hall, a veteran New Mexico journalist who was best known as a sports editor, writer and columnist, died early Friday.

Most recently, Hall held the title of associate sports editor at the Albuquerque Journal and covered Lobo women's basketball.

UNM women's basketball coach Don Flanagan said Hall established an ''excellent relationship'' between himself and the players and staff.

''Once he got the position of our beat reporter I knew that it was going to help our program immensely just because of his background, how well he was thought of,'' Flanagan said. ''I thought throughout his time his intention was always very positive With our program, and I appreciated the recognition that he brought to the program.''

Flanagan said Hall did his homework. The coach was often ''amazed'' Hall knew who the staff was recruiting without being told.

Flanagan might not have always liked the stories that were printed, he said, but Hall was still highly regarded.

''I respected him as a reporter and as somebody that would give us honest and fair coverage,'' he said.

Hall joined the Albuquerque Journal staff in 1988.

''Mike Hall was a real pro,'' said Journal Editor Kent Walz. ''He loved what he did, and it showed.

''In nearly 20 years here, Mike was a good colleague and a good friend. We'll, miss him.'' Hall died of pneumonia, his family said. The 61-year-old Albuquerque resident had battled lung cancer in recent years and had recovered.

A memorial service is scheduled for 10 a.m. Feb. 28 at French Mortuary, 10500 Lomas NE.

Hall launched his newspaper career in the San Francisco Bay Area as a sports reporter for the Berkeley Gazette, covering such teams as the Oakland A's and the Oakland Raiders. He then served as sports news editor at the Wichita Eagle-Beacon before leaving in 1979 to become weekend editor and assistant news editor at The Clarion-Ledger in Jackson, Miss., according to past news stories.

Hall was named sports editor at The Albuquerque Tribune in 1983 and also served as the evening newspaper's city editor and as a columnist, before moving to the Albuquerque Journal to become sports editor.

He became a Journal associate sports editor in 1996 and focused his reporting on UNM women's basketball and boxing.

Local boxer Danny Romero said Hall had been writing about him since he was a very young, unknown fighter.

Romero's skills in the ring helped, he said, but Hall's ''the one who made me famous.''

While stories can sometimes generate contentious relationships between reporters and their subjects, Romero said respect was never lost for Hall.

''You didn't always have to have your guard up. As an athlete, you always have to watch out with you guys,'' the fighter said, referring to newspaper reporters. ''With him, you didn't. It was always open arms. He would let you speak your mind and make you sound good.''

Born in Muskogee, Okla., in 1945, Hall was raised in Wichita, Kan., and studied journalism at Wichita State University, said Sondra Hall, his wife.

Hall played a lot of sports in his younger days, including boxing as an amateur, added Kathryn Hall, his daughter.

''He was never very good at it, he always told me, but he liked it,'' she said.

Hall loved the crunch of sports reporting: the road trips, the demanding game-time coverage, the interviews and simply getting the story.

But ultimately, ''he liked to write,'' Kathryn Hall said.

''I always thought he just liked to write (newspaper) articles but it turned out he wrote a lot of stuff,'' she said, referring to journals the family found. ''We were reading a lot of it last night.''

''He just wrote all the time.''

Hall's work., with his easygoing style, was recognized multiple times by his peers.

Among his awards, in 1990 Hall received, along with now Tribune Editor Phill Casaus, the best sports story award from the Albuquerque Press Club for stories on the NCAA's investigation surrounding a UNM track sprinter. The following year, he picked up the top sports writing award from the New Mexico Press Association for stories on athletic spending at UNM. And in 1993, the press association again honored Hall with a first-place award for two sports columns.

''He was humorous and fun-loving,'' Kathryn Hall said, ''and very strong and courageous.'' Hall was preceded in death by his parents, Harold Rea Hall and Jewell Gray. His survivors include his wife of 30 years, Sondra; children, Dionné Mantaoni, Jason Hall, Michael Bolton and Kathryn Hall; and six grandchildren.

Contributions can be made to St. Jude Children's Research Hospital, 501 St. Jude Place, Memphis, Tenn., 38105.●

CONGRATULATING CONSUL SERGIO AGUILERA

● Mr. LUGAR. Mr. President, today I wish to recognize the important service of Consul Sergio Aguilera upon his retirement from the Mexican Foreign Service.

During his leadership of the Mexican Consulate in Indianapolis, my staff and I have enjoyed working closely with Consul Aguilera to strengthen the political, economic, social, and cultural ties between our two nations. By working closely with the Federal, State, and local governments, as well as schools, businesses, and community organizations, Consul Aguilera has ably represented the people of Mexico and served the needs of the Mexican community in the Midwest.

In addition to his official duties, Consul Aguilera has given generously of his time in service to the Indianapolis community through work with the Mexican Scholarship Fund and the Central Indiana Community Foundation. The Indianapolis community will continue to benefit from Consul Aguilera's leadership as he seeks to expand his charitable work in retirement.

I am especially pleased that Consul Aguilera and his wife Lori have chosen to remain in Indianapolis as they pursue new and exciting experiences together.

I appreciate this opportunity to congratulate Consul Aguilera and wish him good health and success upon his retirement.●

TRIBUTE TO MARY BURKS

● Mr. SESSIONS. Mr. President, today I pay tribute to Mary Burks, founder of the Alabama Conservancy, mother of the wilderness movement, and champion of the Sipsey Wilderness in the Bankhead National Forest.

Last week, Mary Burks passed away in Birmingham, at the age of 86.

Her passing is a loss, not just for Alabama or the conservation movement, but for every person who has ever explored and enjoyed Alabama's vast wilderness. She helped protect those natural areas, and, without her, our children might not be as able to enjoy them as they do today.

Her lifelong struggle to protect and conserve sensitive lands provides a record of accomplishment that deserves both recognition and celebration.

John Randolph, author of a book titled The Battle for Alabama Wilderness, described Mary Burks's passion for what she did. Randolph says, ''If one believes in fate, then surely Mary Burks was fated to become the mother of Alabama wilderness preservation. Passionate, tough, and resilient, a lover of all things wild and natural . . .''

Mary Burks did not simply sit and dream. She led a 6-year campaign in the early 1970s to designate the Sipsey Wilderness area in the Bankhead National Forest as wilderness. In doing so, she won the support of the entire Alabama congressional delegation.

That is not always an easy thing to do.

After the campaign, not only was the Sipsey Wilderness created, but the Eastern Wilderness Area System was established when President Gerald Ford signed the Eastern Wilderness Act. It is fair to assume that this success would not have been achieved without Mary Burks' tireless efforts.

Today, Alabama is home to more than 41,000 acres of wilderness, including the Cheaha and Dugger Mountain Wilderness Areas. As you know, hundreds of thousands of acres have now been designated as wilderness in the Eastern United States.

All of these accomplishments have roots in Mary Burks's original push to preserve wilderness in Alabama.

Describing the importance of Mary's efforts and the organization that she founded, the Alabama Conservancy, Floyd Haskell, former U.S. Senator from Colorado, stated ''If not for the Alabama Conservancy, there would be no concept of Eastern Wilderness.''

There is a difference between thinking that things ought to be a certain way, and actually making them so. Too often we are quick to do the former, and slow to do the latter. But the protected resources in my home State and others are larger in size, great in quantity, and more secure in their protection because Mary Burks fought for them all her life. She left a lasting legacy in Alabama that will forever be felt by all who care about wilderness and natural places.●

AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION

● Mr. MENENDEZ. Mr. President, I would like to offer my sincere congratulations to the American Hellenic Educational Progressive Association, AHEPA, on their 85th anniversary this year. Since 1922, AHEPA has diligently served the Hellenic community and all Americans through a variety of programs and outreach endeavors.

Initially created to combat discrimination and hate, AHEPA's mission has expanded during its distinguished history. As the largest and oldest American-based, Greek heritage grassroots membership organization, AHEPA works to promote the Greek ideals of philanthropy, education, civic responsibility, and family and individual excellence within the community. Such principles can be appreciated by people of all backgrounds, and I commend AHEPA for inspiring and supporting generations of Americans.

AHEPA's work has touched people from all walks of life. The organization raised funds for U.S. war bonds during World War II, and currently contributes more than $2,000,000 each year to educational, medical, and other philanthropic causes. AHEPA's positive contributions stem from both the organization and the outstanding people involved. Members of AHEPA have served in the U.S. Armed Forces and have held positions in local, State, and Federal Government throughout the years.

As we honor AHEPA's many successes, we also celebrate the contributions of the more than 1 million Greek-Americans in this country, some 61,000 of whom live in my home State of New Jersey. The Hellenic community in America contributes daily to the economic, political and cultural fabric of this Nation, and the United States shares a close relationship with Greece and the Republic of Cyprus. I look forward to working with my colleagues and AHEPA to strengthen America's relationship with our Hellenic friends.

I commend AHEPA's commitment to serving the United States and the Hellenic community. I congratulate them on their 85 years of advocacy, and I look forward to their bright future.●

RECOGNIZING T. DENNY SANFORD

● Mr. THUNE. Mr. President, today I recognize T. Denny Sanford for his generosity recently represented by the gift of $400 million to Sioux Valley Hospitals and Health System. This gift is the second largest donation to any medical institution since 2001 and will help Sioux Valley transform itself into a world-class research institution. In recognition of the donation and in honor of Mr. Sanford, the health care system has been renamed Sanford Health.

Since his birth in St. Paul, MN, in 1935, T. Denny Sanford has reached many outstanding milestones that deserve recognition and praise. After starting work at age 8 in his father's clothing distribution company, he spent most of his teen years selling his father's clothing to retail stores. He later graduated with a degree in psychology from the University of Minnesota and was recruited for a sales and marketing management position with Armstrong Cork Company.

In the 1960s, Mr. Sanford established a manufacturers' representative company and a regional distribution company. Then in 1971, he bought Contech, a specialty chemical company, from Sears & Roebuck and took it public the following year. After selling Contech in the 1980s, he created a venture capital fund to provide financing to young entrepreneurs. Out of the 28 companies he has financed, 18 have become public corporations.

In 1986, Mr. Sanford purchased United National Bank in Sioux Falls, SD. The bank, now named First Premier Bank, has expanded throughout South Dakota and includes Premier Bankcard Inc., which is a national leader in the credit card industry.

Although Mr. Sanford is well-known for his business achievements, he is even more distinguished for his philanthropy. He has donated millions to organizations that are close to his heart and even started the Sanford Foundation for charitable giving. In 2005, he gave over $70.5 million to charitable causes in the United States and ranked 14th on the Chronicle of Philanthropy's list of America's most-generous donors. Additionally, in 2006, he was named to the Business Week Top 50 list of most-generous philanthropists in the United States.

Before his most recent donation, Mr. Sanford had contributed $20 million to Sioux Valley for expansion with South Dakota's medical school and $16 million for Sanford Children's Hospital, which plans to open in 2009. This recent gift of $400 million will be used to achieve four major goals. These goals are to build 5 pediatric clinics around the country, to expand research, to build a health care campus with over 20 separate facilities, and to specialize in a specific line of medical research that will result in a cure.

T. Denny Sanford's generous gift to Sioux Valley will encourage prosperity and growth for South Dakota by generating an estimated 9,200 new jobs, adding approximately $1.2 billion to the economy, drawing patients from around the world, and improving the wellness of our citizens. This donation will reach people from across the country and make South Dakota a leader and magnet in medical research.

T. Denny Sanford is a giving man with a passion for making a difference in the lives around him. He is even known to have a goal to ''die broke.'' Because of his profound generosity and desire to help others, T. Denny Sanford's influence will be evident for many generations to come.

On behalf of the State of South Dakota, I am honored to rise and say: Thank you, Denny. Your significant gift will have a lasting influence not only on the people of South Dakota but on people throughout the world that will be affected by your selfless generosity.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–758. A communication from the Secretary of Agriculture, transmitting, the report of draft legislation to authorize construction of a classical Chinese Garden on the grounds of the National Arboretum; to the Committee on Agriculture, Nutrition, and Forestry.

EC–759. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to its 2007 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC–760. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the Department's decision to conduct a public-private competition including ocean terminal operations and maintenance services in Norfolk, Virginia; to the Committee on Armed Services.

EC–761. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the Department's decision to conduct a public-private competition including administrative support services; to the Committee on Armed Services.

EC–762. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Emergency Acquisitions'' (DFARS Case 2006–D036) received on February 22, 2007; to the Committee on Armed Services.

EC–763. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Notification Requirements for Critical Safety Items'' (DFARS Case 2004–D008) received on February 22, 2007; to the Committee on Armed Services.

EC–764. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Berry Amendment Restrictions—Clothing Materials and Components Covered'' (DFARS Case 2006–D031) received on February 22, 2007; to the Committee on Armed Services.

EC–765. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Kenya; to the Committee on Banking, Housing, and Urban Affairs.

EC–766. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Morocco; to the Committee on Banking, Housing, and Urban Affairs.

EC–767. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Canada; to the Committee on Banking, Housing, and Urban Affairs.

EC–768. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the undermining of democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–769. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department's 2007 Report on Foreign Policy-Based Export Controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–770. A communication from the Director of the Office of Legislative Affairs, Federal Deposit Insurance Corporation, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Management Official Interlocks'' (RIN3064–AD13) received on February 22, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–771. A communication from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Global Terrorism Sanctions Regulations'' (31 CFR Part 594) received on February 22, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–772. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 1461) received on February 22, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–773. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Technical Corrections to the Export Administration Regulations and to the Defense Priorities and Allocations System Regulation'' (RIN0694–AD88) received on February 22, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–774. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''North Korea: Imposition of New Foreign Policy Controls'' (RIN0694–AD97) received on February 22, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–775. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 2783) received on February 22, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–776. A communication from the Office Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Export and Import of Nuclear Materials; Exports to Libya Restricted'' (RIN3150–AI02) received on February 22, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–777. A communication from the Chief Operating Officer and President, Resolution Funding Corporation, transmitting, pursuant to law, a report relative to the Corporation's system of internal controls and the 2006 Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–778. A communication from the Chief Operating Officer and President, Financing Corporation, transmitting, pursuant to law, a report relative to the Corporation's system of internal controls and the 2006 Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–779. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security , transmitting, pursuant to law, a report relative to a contract entered into with a private security screening company to provide screening services; to the Committee on Commerce, Science, and Transportation.

EC–780. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2007 A and B Season Allowances of Pollock in Statistical Area 620 in the Gulf of Alaska'' (ID No. 010807A) received on February 22, 2007; to the Committee on Commerce, Science, and Transportation.

EC–781. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2007 Aleutian Islands Atka Mackerel Total Allowable Catch Amounts'' (ID No. 010807B) received on February 22, 2007; to the Committee on Commerce, Science, and Transportation.

EC–782. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543'' (ID No. 011107A) received on February 22, 2007; to the Committee on Commerce, Science, and Transportation.

EC–783. A communication from the Director, Office of Acquisition Management and Procurement Executive, Department of Commerce, transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts for fiscal year 2006; to the Committee on Commerce, Science, and Transportation.

EC–784. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska'' (ID No. 011107F) received on February 22, 2007; to the Committee on Commerce, Science, and Transportation.

EC–785. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's biennial report relative to the regulatory status of certain open safety recommendations; to the Committee on Commerce, Science, and Transportation.

EC–786. A communication from the Director, National Park Service, Department of the Interior, transmitting, pursuant to law, the Service's report relative to Preservation Technology and Training for fiscal year 2005; to the Committee on Energy and Natural Resources.

EC–787. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''Performance Profiles of Major Energy Producers 2005''; to the Committee on Energy and Natural Resources.

EC–788. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Final Rule Designating the Western Great Lakes Population of Gray Wolves as a Distinct Population Segment; Removing the Western Great Lakes Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Wildlife'' (RIN1018–AU54) received on February 16, 2007; to the Committee on Environment and Public Works.

EC–789. A communication from the Acting Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife

and Plants; Withdrawal of Proposed Rule to List Lepidium Papilliferum (Slickspot Peppergrass)'' (RIN1018–AU99) received on February 16, 2007; to the Committee on Environment and Public Works.

EC–790. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Revised Format for Materials Being Incorporated by Reference for North Dakota'' (FRL No. 8274–6) received on February 23, 2007; to the Committee on Environment and Public Works.

EC–791. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Update to Materials Incorporated by Reference'' (FRL No. 8273–7) received on February 23, 2007; to the Committee on Environment and Public Works.

EC–792. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 8281–3) received on February 23, 2007; to the Committee on Environment and Public Works.

EC–793. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Halosulfuron-methyl; Pesticide Tolerance'' (FRL No. 8113–8) received on February 23, 2007; to the Committee on Environment and Public Works.

EC–794. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Orthosulfamuron; Pesticide Tolerance'' (FRL No. 8113–4) received on February 23, 2007; to the Committee on Environment and Public Works.

EC–795. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sethoxydim; Pesticide Tolerance'' (FRL No. 8115–8) received on February 23, 2007; to the Committee on Environment and Public Works.

EC–796. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''State Operating Permit Programs; West Virginia; Amendment to the Definitions of a 'Major Source' and 'Volatile Organic Compound'" (FRL No. 8280–8) received on February 23, 2007; to the Committee on Environment and Public Works.

EC–797. A communication from the Chairman, Board of Director, Tennessee Valley Authority, transmitting, pursuant to law, a report relative to the Board's conflict-of-interest policy; to the Committee on Environment and Public Works.

EC–798. A communication from the Secretary of Transportation, transmitting, a bill entitled ''The Next Generation Air Transportation System Financing Reform Act of 2007''; to the Committee on Finance.

EC–799. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance on Tax Treatment of Cross Licensing Arrangements'' (Rev. Proc. 2007–23) received on February 16, 2007; to the Committee on Finance.

EC–800. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Bureau of Labor Statistics Price Indexes for Department Stores—December 2006'' (Rev. Rul. 2007–11) received on February 16, 2007; to the Committee on Finance.

EC–801. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Obsoleting Income Rulings'' (Rev. Rul. 2007–14) received on February 22, 2007; to the Committee on Finance.

EC–802. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the number of projects that will be conducted under the Medicare Hospital Gainsharing Demonstration; to the Committee on Finance.

EC–803. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, an addition to the Certification to the Congress; to the Committee on Finance.

EC–804. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Study on Donor Advised Funds and Supporting Organizations'' (Notice 2007–21) received on February 16, 2007; to the Committee on Finance.

EC–805. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Electronic Payment Option for User Fee Charges for Form 8802'' (Rev. Proc. 2007–22) received on February 16, 2007; to the Committee on Finance.

EC–806. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 181—Deduction for Qualified Film and Television Production Costs'' ((RIN1545–BF95)(TD 9312)) received on February 16, 2007; to the Committee on Finance.

EC–807. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement: Compliance Resolution Program for Employees Other Than Corporate Insiders for Additional 2006 Taxes Arising Under Section 409A Due to the Exercise of Stock Rights'' (Announcement 2007–18) received on February 16, 2007; to the Committee on Finance.

EC–808. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Payroll Taxes on Deferred Compensation'' (Rev. Rul. 2007–12) received on February 16, 2007; to the Committee on Finance.

EC–809. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Ruling: 2007 Prevailing State Assumed Interest Rates'' (Rev. Rul. 2007–10) received on February 16, 2007; to the Committee on Finance.

EC–810. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—March 2007'' (Rev. Rul. 2007–15) received on February 21, 2007; to the Committee on Finance.

EC–811. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''LMSB Tier II Issue—Field Directive on the Examination of IRC Section 172(f) Specified Liability Losses #1—Industry Directive'' (LMSB–04–02070–009) received on February 21, 2007; to the Committee on Finance.

EC–812. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Investor Control and General Public'' (Rev. Rul. 2007–13) received on February 21, 2007; to the Committee on Finance.

EC–813. A communication from the Chairman, Broadcasting Board of Governors, transmitting, proposed legislation to authorize appropriations for the Board for fiscal years 2008 and 2009; to the Committee on Foreign Relations.

EC–814. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's Alternative Fuel Vehicle program report for fiscal year 2006; to the Committee on Foreign Relations.

EC–815. A communication from the Chief Operating Officer, U.S. Agency for International Development, transmitting, pursuant to law, (3) reports relative to vacancy announcements within the Agency; to the Committee on Foreign Relations.

EC–816. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a quarterly report relative to the obligations and outlays of fiscal year 2004, 2005, and 2006 funds; to the Committee on Foreign Relations.

EC–817. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to post-liberation Iraq; to the Committee on Foreign Relations.

EC–818. A communication from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Rule Relating to Amendments to Safe Harbor for Distributions from Terminated Individual Account Plans and Termination of Abandoned Individual Account Plans to Require Inherited Individual Retirement Plans for Missing Nonspouse Beneficiaries'' (RIN1210–AB16) received on February 15, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–819. A commmunication from the Ombudsman, Energy Employees Compensation Program, Department of Labor, transmitting, pursuant to law, the Ombudsman's Annual Report for 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–820. A communication from the Secretary of Education, transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts for fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–821. A communication from the Interim Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Mortality Assumptions'' (RIN1212–AB08) received on February 22, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–822. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting , pursuant to law, the report of a rule entitled ''Food Labeling: Nutrient Content Claims, Expansion of the Nutrient Content Claim 'Lean' '' ((RIN0910–ZA27)(Docket No. 2004P–0183)) received on February 22, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–823. A communication from the Interim Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interesting Assumptions for Valuing and Paying Benefits'' (Docket No. 2006N–0335) received on February 22, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–824. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to preventing loss of life due to extreme indoor temperatures; to the Committee on Health, Education, Labor, and Pensions.

EC–825. A communication from the Chairman, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's annual report on the administration of the Government in the Sunshine Act for 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–826. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's annual report relative to its compliance with the Sunshine Act; to the Committee on Homeland Security and Governmental Affairs.

EC–827. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, (6) reports relative to vacancy announcements within the Department, received on February 22, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–828. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Inspector General's Semiannual Report for the period ending September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–829. A communication from the Chairman, Board of Governors, United States Postal Service, transmitting, pursuant to law, the Board's annual report relative to its compliance with the Sunshine Act for 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–830. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Inspector General's Semiannual Report for the period ending September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–831. A communication from the Deputy Director of Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Annual Sunshine Act Report for 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–832. A communication from the Chairman, National Endowment for the Arts, transmitting, pursuant to law, a report relative to the Organization's competitive sourcing efforts during fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–833. A communication from the President and CEO, Inter-American Foundation, transmitting, pursuant to law, a report relative to the Organization's competitive sourcing efforts during fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–834. A communication from the Controller, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, two reports relative to federal financial management; to the Committee on Homeland Security and Governmental Affairs.

EC–835. A communication from the Archivist of the United States, transmitting, pursuant to law, an annual report on category rating for calendar year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–836. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of action on a nomination for the position of Director of National Intelligence, received on February 22, 2007; to the Select Committee on Intelligence.

EC–837. A communication from the Deputy Assistant Attorney General, Office of Legal Policy, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Applicability of the Sex Offender Registration and Notification Act'' (RIN1105–AB22) received on February 16, 2007; to the Committee on the Judiciary.

EC–838. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Alabama Advisory Committee; to the Committee on the Judiciary.

EC–839. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Mississippi Advisory Committee; to the Committee on the Judiciary.

EC–840. A communication from the Clerk of Court, United States Court of Federal Claims, transmitting, pursuant to law, the Court's Annual Report for the year ended September 30, 2006; to the Committee on the Judiciary.

EC–841. A communication from the Regulatory Management Specialist, Bureau of Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Consular Notification for Aliens Detained Prior to an Order of Removal'' (RIN1653–AA53) received on February 22, 2007; to the Committee on the Judiciary.

EC–842. A communication from the Under Secretary and Director, United States Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Implement Priority Document Exchange Between Intellectual Property Offices'' (RIN0651–AB75) received on February 22, 2007; to the Committee on the Judiciary.

EC–843. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the Office's Performance and Accountability Report for fiscal year 2006; to the Committee on Rules and Administration.

EC–844. A communication from the Public Printer, Government Printing Office, transmitting, pursuant to law, a report entitled ''Great Leaders/Great Solutions''; to the Committee on Rules and Administration.

EC–845. A communication from the Director of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Home Schooling and Educational Institution'' (RIN2900–AM37) received on February 16, 2007; to the Committee on Veterans' Affairs.

EC–846. A communication from the Director of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Priority for Partial Grants to States for Construction or Acquisition of State Home Facilities'' (RIN2900–AM42) received on February 16, 2007; to the Committee on Veterans' Affairs.

EC–847. A communication from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, a report relative to the initiation of a standard competition of the Communications Operations and Maintenance function at Scott Air Force Base, Illinois; to the Committee on Armed Services.

EC–848. A communication from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a report relative to the Army National Guard and Army Reserve; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 316. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nominations beginning with Brigadier General Shelby G. Bryant and ending with Colonel Paul G. Worcester, which nominations were received by the Senate and appeared in the Congressional Record on January 29, 2007. (minus 2 nominees: Brigadier General Michael D. Dubie; Colonel Travis D. Balch)

Army nomination of Maj. Gen. Benjamin C. Freakley, 0002, to be Lieutenant General.

Marine Corps nominations beginning with Colonel David H. Berger and ending with Colonel Robert R. Ruark, which nominations were received by the Senate and appeared in the Congressional Record on January 16, 2007.

Marine Corps nomination of Col. Tracy L. Garrett, 7668, to be Brigadier General.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Gino L. Auteri and ending with Jesus E. Zarate, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Air Force nominations beginning with Brian E. Bergeron and ending with Lolo Wong, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Air Force nominations beginning with Brian D. Affleck and ending with Lorna A. Westfall, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Air Force nominations beginning with William R. Baez and ending with Michael D. Webb, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Air Force nominations beginning with Kent D. Abbott and ending with An Zhu, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Air Force nominations beginning with Anthony J. Pacenta and ending with Charles J. Malone, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Air Force nominations beginning with Tansel Acar and ending with David A. Zimliki, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Air Force nominations beginning with Brian G. Accola and ending with David H. Zonies, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Air Force nominations beginning with Jeffrey M. Klosky and ending with Robert W. Ross III, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 2007.

Army nomination of Todd A. Plimpton, 7389, to be Colonel.

Army nominations beginning with Perry L. Hagaman and ending with William A. Hall, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Army nominations beginning with David W. Admire and ending with D060341, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Army nominations beginning with James A. Adamec and ending with Vanessa Worsham, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Army nominations beginning with Dennis R. Bell and ending with Kent J. Vince, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Army nominations beginning with Ronald J. Aquino and ending with D060343, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2007.

Army nomination of Miyako N. Schanely, 5496, to be Colonel.

Army nominations beginning with Anthony C. Adolph and ending with Kaiesha N. Wright, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 2007.

Army nominations beginning with Andrew W. Aquino and ending with Paul J. Willis, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 2007.

Army nomination of Susan M. Osovitzoien, 4744, to be Lieutenant Colonel.

Army nomination of Tom K. Staton, 7158, to be Major.

Army nomination of Evan F. Tillman, 1630, to be Major.

Army nominations beginning with Michael A. Clark and ending with Janet L. Norman, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Army nominations beginning with Edward W. Trudo and ending with Ming Jiang, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Marine Corps nominations beginning with Donald E. Evans, Jr. and ending with Elliott J. Rowe, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 2007.

Marine Corps nomination of Jorge L. Medina, 8975, to be Lieutenant Colonel.

Marine Corps nominations beginning with Douglas M. Finn and ending with Ronald P. Heflin, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 2007.

Marine Corps nominations beginning with Charles E. Brown and ending with David S. Phillips, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 2007.

Marine Corps nominations beginning with Steven P. Couture and ending with Jesse Mcrae, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 2007.

Marine Corps nominations beginning with Jonathan G. Allen and ending with John W. Wiggins, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 2007.

Marine Corps nominations beginning with Charles E. Daniels and ending with Timothy O. Evans, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Marine Corps nomination of Brian T. Thompson, 6676, to be Major.

Marine Corps nomination of Michael R. Cirillo, 7216, to be Major.

Marine Corps nominations beginning with Vernon L. Dariso and ending with Richard W. Fiorvanti, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Marine Corps nominations beginning with Leonard R. Domitrovits and ending with Robert W. Sajewski, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Marine Corps nominations beginning with Samson P. Avenetti and ending with Francisco C. Ragsac, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Marine Corps nominations beginning with Jason B. Davis and ending with Peter M. Tavares, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Marine Corps nominations beginning with Darren L. Ducoing and ending with Kenneth L. Vanzandt, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Marine Corps nominations beginning with Robert T. Charlton and ending with Brian A. Tobler, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2007.

Navy nomination of Mark A. Gladue, 5228, to be Commander.

Navy nomination of Terry L. Rucker, 0803, to be Captain.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself and Mr. KENNEDY):

S. 687. A bill to amend the Internal Revenue Code of 1986 to provide a business credit against income for the purchase of fishing safety equipment; to the Committee on Finance.

By Mr. GRAHAM:

S. 688. A bill for the relief of Griselda Lopez Negrete; to the Committee on the Judiciary.

By Mr. LUGAR (for himself and Mrs. LINCOLN):

S. 689. A bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory; to the Committee on Finance.

By Ms. LANDRIEU:

S. 690. A bill to amend the Small Business Act to authorize the Administrator of the Small Business Administration to waive the prohibition on duplication of certain disaster relief assistance; to the Committee on Small Business and Entrepreneurship.

By Mr. CONRAD:

S. 691. A bill to amend title XVIII of the Social Security Act to improve the benefits under the Medicare program for beneficiaries with kidney disease, and for other purposes; to the Committee on Finance.

By Mr. OBAMA:

S. 692. A bill to amend title 38, United States Code, to establish a Hospital Quality Report Card Initiative to report on health care quality in Veterans Affairs hospitals; to the Committee on Veterans' Affairs.

By Mr. FEINGOLD (for himself and Ms. COLLINS):

S. 693. A bill to amend the Public Health Service Act to reauthorize the Automated Defibrillation in Adam's Memory Act; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself, Mr. SUNUNU, Mr. REED, Mr. KERRY, Mr. DURBIN, Mr. NELSON of Florida, Ms. MIKULSKI, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. ROBERTS, Mrs. HUTCHISON, and Mr. LAUTENBERG):

S. 694. A bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself and Mr. MENENDEZ):

S. 695. A bill to amend the International Claims Settlement Act of 1949 to allow for certain claims of nationals of the United States against Turkey, and for other purposes; to the Committee on Foreign Relations.

By Mr. BAUCUS:

S. 696. A bill to establish an Advanced Research Projects Administration-Energy to initiate high risk, innovative energy research to improve the energy security of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 697. A bill to establish the Steel Industry National Historic Site in the State of Pennsylvania; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. HAGEL, and Mr. WARNER):

S. 698. A bill to amend title 38, United States Code, to expand and enhance educational assistance for survivors and dependents of veterans; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SALAZAR (for himself, Mr. ENSIGN, Mr. BROWN, Mr. KERRY, and Mr. AKAKA):

S. Res. 86. A resolution designating March 1, 2007, as ''Siblings Connection Day''; to the Committee on the Judiciary.

By Mr. HAGEL (for himself, Mrs. CLINTON, Mr. BROWNBACK, and Mrs. FEINSTEIN):

S. Res. 87. A resolution expressing the sense of the Senate that the President should declare lung cancer a public health priority and should implement a comprehensive interagency program to reduce the lung cancer mortality rate by at least 50 percent by 2015; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 5

At the request of Mr. REID, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 5, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 23

At the request of Mr. HARKIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 23, a bill to promote renewable fuel and energy security of the United States, and for other purposes.

S. 223

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 223, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 242

At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 242, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 316

At the request of Mr. KOHL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 316, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 329

At the request of Mr. CRAPO, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 394

At the request of Mr. AKAKA, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 394, a bill to amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of nonambulatory livestock, and for other purposes.

S. 415

At the request of Mr. BROWNBACK, the name of the Senator from Utah (Mr. BENNETT) 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. 433

At the request of Mr. OBAMA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 433, a bill to state United States policy for Iraq, and for other purposes.

S. 439

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 442

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 547

At the request of Mr. VOINOVICH, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 547, a bill to establish a Deputy Secretary of Homeland Security for Management, and for other purposes.

S. 558

At the request of Mr. DOMENICI, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 558, a bill to provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services.

S. 561

At the request of Mr. BUNNING, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 561, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 562

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 562, a bill to provide for flexibility and improvements in elementary and secondary education, and for other purposes.

S. 575

At the request of Mr. DOMENICI, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 575, a bill to authorize appropriations for border and transportation security personnel and technology, and for other purposes.

S. 583

At the request of Mr. SALAZAR, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 583, a bill to create a competitive grant program for States to enable the States to award salary bonuses to highly qualified elementary school or secondary school teachers who teach, or commit to teach, for at least 3 academic years in a school served by a rural local educational agency.

S. 584

At the request of Mrs. LINCOLN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 584, a bill to amend the Internal Revenue Code of 1986 to modify the rehabilitation credit and the low-income housing credit.

S. 594

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 594, a bill to limit the use, sale, and transfer of cluster munitions.

S. 601

At the request of Mr. COBURN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 601, a bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes.

S. 609

At the request of Mr. ROCKEFELLER, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 609, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 626

At the request of Mr. KENNEDY, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Vermont (Mr. SANDERS) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 634

At the request of Mr. DODD, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 634, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 655

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 655, a bill to amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the

ability of the board of governors of The American National Red Cross to support the critical mission of The American Red Cross in the 21st century, and for other purposes.

S. 684

At the request of Mr. DORGAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 684, a bill to clarify the authority of the Secretary of the Interior with respect to the management of the elk population located in the Theodore Roosevelt National Park.

S. RES. 33

At the request of Mr. LUGAR, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. Res. 33, a resolution expressing the sense of the Senate that the United States should expand its relationship with the Republic of Georgia by commencing negotiations to enter into a free trade agreement.

S. RES. 84

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 84, a resolution observing February 23, 2007, as the 200th anniversary of the abolition of the slave trade in the British Empire, honoring the distinguished life and legacy of William Wilberforce, and encouraging the people of the United States to follow the example of William Wilberforce by selflessly pursuing respect for human rights around the world.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. KENNEDY):

S. 687. A bill to amend the Internal Revenue Code of 1986 to provide a business credit against income for the purchase of fishing safety equipment; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce the Commercial Fishermen Safety Act of 2007, a bill to help fishermen purchase the life-saving safety equipment they need to survive when disaster strikes. I am pleased to be joined by my colleague from Massachusetts, Senator Kennedy, in introducing this legislation.

Everyday, members of our fishing communities struggle to cope with the pressures of running a small business, complying with burdensome regulations, and maintaining their vessels and equipment. Added to these challenges are the dangers associated with fishing.

Year-in and year-out, commercial fishing ranks among the Nation's most dangerous occupations. Last August, when the Bureau of Labor Statistics released the most recent National Census of Fatal Occupational Injuries, fishing was the most dangerous occupation. While the national rate of occupational-related fatalities dropped by 1 percent in 2005, I am saddened to say that the fishing community saw an increase of almost 14 percent from the previous year. I have introducd similar measures in previous sessions of Congress, but these tragic statistics illustrate why this piece of legislation is absolutely needed right now.

And as we know, these statistics have a very real face to them. And sadly, the New England fishing community is certainly no stranger to the pain and loss of their own.

Last November, the small fishing community of Port Clyde saw the tragic loss of one their own. The Taylor Emily, a 48–foot fishing boat, capsized and sank about 80 miles east of Portland, ME. Tragically, long-time fisherman Jim Weaver perished in this incident. Another fisherman aboard the boat, Christopher Yattaw, was saved when the Taylor Emily sank. Chris treaded the frigid waters for almost an hour, but finally, the boat's life raft inflated. Almost 8 hours later, Chris was rescued from the life raft by a passing fishing vessel. This incident could have been even more tragic if the critical live-saving equipment had not been aboard.

Coast Guard regulations require all fishing vessels to carry safety equipment. The requirements vary depending on factors such as the size of the vessel, the temperature of the water, and the distance the vessel travels from shore to fish. Required equipment can include a life raft that automatically inflates and floats free, should the vessel sink. This is what saved Christopher Yattaw's life. Other live-saving equipment includes: personal flotation devices or immersion suits which help protect fishermen from exposure and increase buoyancy; EPIRBs, which relay a downed vessel's position to Coast Guard Search and Rescue Personnel; visual distress signals; and fire extinguishers. When an emergency arises, safety equipment is priceless. At all other times, the cost of purchasing or maintaining this equipment must compete with other expenses such as loan payments, fuel, wages, maintenance, and insurance.

The Commercial Fishermen Safety Act of 2007 provides a tax credit equal to 75 percent of the amount paid by fishermen to purchase or maintain required safety equipment. The tax credit is capped at $1,500. Items such as EPIRBs and immersion suits cost hundreds of dollars, while life rafts can reach into the thousands. The tax credit will make life-saving equipment more affordable for more fishermen, who currently face limited options under the Federal tax code.

We have seen far too many tragedies in this occupation. Please, let us support fishermen who are trying to prepare in case disaster strikes. Safety equipment saves lives. By providing a tax credit for the purchase of safety equipment, Congress can help ensure that fishermen have a better chance of returning home each and every time they head out to sea.

I ask unanimous consent that the text of the bill be put in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 687

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 ''Commercial Fishermen Safety Act of 2007''.

SEC. 2. CREDIT FOR PURCHASE OF FISHING SAFETY EQUIPMENT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business-related credits) is amended by adding at the end the following new section:

''SEC. 45O. FISHING SAFETY EQUIPMENT CREDIT.

''(a) GENERAL RULE.—For purposes of section 38, in the case of an eligible taxpayer, the fishing safety equipment credit determined under this section for the taxable year is 75 percent of the amount of qualified fishing safety equipment expenses paid or incurred by the taxpayer during the taxable year.

''(b) LIMITATION ON MAXIMUM CREDIT.—The credit allowed under subsection (a) with respect to a taxpayer for the taxable year shall not exceed $1,500.

''(c) ELIGIBLE TAXPAYER.—For purposes of this section, the term 'eligible taxpayer' means a taxpayer engaged in a fishing business.

''(d) DEFINITIONS.—For purposes of this section—

''(1) FISHING BUSINESS.—The term 'fishing business' means the conduct of commercial fishing as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802).

''(2) QUALIFIED FISHING SAFETY EQUIPMENT EXPENSES.—

''(A) IN GENERAL.—The term 'qualified fishing safety equipment expenses' means an amount paid or incurred for fishing safety equipment for use by the taxpayer in connection with a fishing business.

''(B) FISHING SAFETY EQUIPMENT.—The term 'fishing safety equipment' means—

''(i) lifesaving equipment required to be carried by a vessel under section 4502 of title 46, United States Code, and

''(ii) any maintenance of such equipment required under such section.

''(e) SPECIAL RULES.—

''(1) IN GENERAL.—Rules similar to the rules of subsections (c), (d), and (e) of section 52 shall apply for purposes of this section.

''(2) AGGREGATION RULES.—All persons treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414 shall be treated as one person for purposes of subsection (a).

''(f) DENIAL OF DOUBLE BENEFIT.—No deduction shall be allowed under this chapter (other than a credit under this section) for any amount taken into account in determining the credit under this section.

''(g) BASIS ADJUSTMENT.—For purposes of this subtitle, if a credit is allowed under this section with respect to any equipment, the basis of such equipment shall be reduced by the amount of the credit so allowed.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) of the Internal Revenue Code of 1986 (relating to general business credit) is amended by striking ''plus'' at the end of paragraph (30), by striking the period at the end of paragraph (31) and inserting '', plus'', and by adding at the end the following new paragraph:

''(32) the fishing safety equipment credit determined under section 45O(a).''.

(2) Subsection (a) of section 1016 of such Code is amended by striking ''and'' at the

end of paragraph (36), by striking the period at the end of paragraph (37) and inserting '', and'', and by adding at the end the following new paragraph:

''(38) in the case of equipment with respect to which a credit was allowed under section 45O, to the extent provided in section 45O(g).''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 45O. Fishing safety equipment credit.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

By Mr. LUGAR (for himself and Mrs. LINCOLN):

S. 689. A bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory; to the Committee on Finance.

Mr. LUGAR. Mr. President, on behalf of myself and Senator LINCOLN, I rise today to introduce the ''Good Samaritan Hunger Relief Tax Incentive Extension Act of 2007''. This important legislation extends and expands the food bank donation provisions that were included in the Pension Protection Act of 2006 (Public Law 109–280). The Pension Protection Act allows farmers and small business owners to receive a tax deduction for donation of food products contributed to food banks, pantries and homeless shelters for 2006 and 2007.

The new law permits businesses a deduction from their taxes for a donation equal to either (1) twice cost basis; or (2) the difference of cost basis plus one half the difference between cost basis and fair market value. Food donations of all sizes from all businesses can qualify for this type of donation. The bill that I am introducing today increases the valuation to full market value of the donation and makes this provision a permanent part of the Internal Revenue Code.

Demand on food banks has been rising, and these tax deductions would be an important step in increasing private donations to the non-profit hunger relief charities playing a critical role in meeting America's nutrition needs. It is estimated that food banks provide meals to more than 23 million Americans and that 13 million children are hungry or at risk of hunger.

As I have traveled around Indiana, I have visited many food banks in our State. They have confirmed the results of a study by the U.S. Conference of Mayors that showed demand for food at food banks has risen one hundred percent. Forty-eight percent of the people requesting emergency food assistance are either children or their parents. The number of elderly persons requesting food assistance has increased by ninety-two percent. The success of welfare reform legislation has moved many recipients off welfare and into jobs. In many States, welfare roles have been reduced by more than half. But we need to recognize that these individuals and their families are living on modest wages. As unemployment rates have risen, as with the fluctuation of the price of gas and heating oil, the demand placed on the food banks and soup kitchens has also increased.

Private food banks provide a key safety net against hunger. According to a report by the U.S. Department of Agriculture, 31 million Americans are living on the edge of hunger. USDA statistics show that up to 96 billion pounds of food go to waste each year in the United States. If a small percentage of this wasted food could be redirected to food banks, we could make important strides in our fight against hunger.

I have been especially impressed by the remarkable work of food banks in Indiana. In many cases, they are partnered with churches and faith-based organizations and are making a tremendous difference in our communities. We should support this private sector activity, which not only feeds people, but also strengthens community bonds and demonstrates the power of faith, charity, and civic involvement.

Each citizen can make an important contribution to the fight against hunger at a local level. It is important to make sure that none of us forget those who find themselves having to utilize the services of the food banks. In order to ensure that hunger relief organizations are meeting the greater demand they are seeing, we must make food drives a part of everyday activities. People should get in the habit of buying extra cans or boxes of food on every trip to the grocery store, not just around the holiday season.

I am committed to work with Chairman BAUCUS and Ranking Member GRASSLEY to find an offset to pay for this change to the tax code. I would like to thank them for their past support of this initiative and commend them on their efforts in helping America's charities meet their funding goals, and assist those individuals who take advantage of the services provided by these groups.

I believe the enactment of this legislation would be a great incentive in redirecting this food from being discarded to being distributed to hungry families.

By Ms. LANDRIEU:

S. 690. A bill to amend the Small Business Act to authorize the Administrator of the Small Business Administration to waive the prohibition on duplication of certain disaster relief assistance; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, I come to the floor today to highlight the ongoing needs of our small businesses and homeowners in the gulf coast who were devastated by Hurricanes Katrina and Rita. In Louisiana alone, these disasters claimed 1,464 lives, destroyed more than 200,000 homes and 18,000 businesses and inflicted $25 billion in uninsured losses. Many of my colleagues here in the Senate have been down to Louisiana and have seen firsthand the size and scope of the destruction. The Congress has been very generous in providing billions of Federal recovery dollars as well as valuable Gulf Opportunity, GO, Zone tax incentives to help spur recovery in the region. These resources will be key in the recovery of the region but there are additional needs on the ground that still must be addressed. That is why I am proud to introduce a bill today, the Catastrophic Disaster Recovery Improvements Act of 2007, which I believe, addresses a specific problem which is impacting homeowners throughout the gulf coast.

Katrina was the most destructive hurricane ever to hit the United States. The next month, in September, Hurricane Rita hit the Louisiana and Texas coast. It was the second most powerful hurricane ever to hit the United States, wreaking havoc on the southwestern part of my State and the east Texas coast. This one-two punch devastated Louisiana lives, communities and jobs, stretching from Cameron Parish in the west to Plaquemines Parish in the east.

We are now rebuilding our State and the wide variety of communities that were devastated by Rita and Katrina, areas representing a diverse mix of population, income and cultures. We hope to restore the region's uniqueness and its greatness. To do that, we need to rebuild our local economies now and far into the future. We cannot succeed, however, if our homeowners are being buried under Federal red tape and regulations.

The people who work for the Small Business Administration and FEMA are dedicated and interested to help in the recovery of our region. However, these individuals are operating under a system which is inadequate and, in some cases, unresponsive to needs on the ground.

I come to the floor today to introduce a bill which provides a commonsense solution to get the Federal assistance to our struggling homeowners. If we don't help them now, building a strong gulf coast will be all the more difficult if residents cannot rebuild their homes and businesses cannot open their doors.

For homeowners in Louisiana, the State is doing its part by setting up the Louisiana Road Home program, to provide homeowners with up to $150,000 in grant proceeds for uninsured losses on their properties. This program is State-administered, but supplemental CDBG-funded. However, many applicants are concerned because under the Stafford and Small Business Acts, the SBA is required to ensure there are no ''duplication of benefits'' provided to disaster victims. This means that SBA must review every file which received an SBA Disaster Loan, and if there is deemed to be duplication, deduct the

duplication amount from the grant proceeds. As I said, I want the SBA to ensure taxpayers funds are used wisely, but at the same time, I want to ensure that all residents are able to get the funds they need to rebuild their homes.

Under the current scenario, some residents who have additional uninsured losses, are being required to still pay back these grant proceeds. This is because many SBA loss inspections were done right after the storms in 2005, but since then building/labor costs have increased dramatically, and this is not reflected in the SBA verified loss. Borrowers are able to request a loan modification from SBA, but many residents who waited months and months for SBA to respond are wary to go through the process again, especially if there is a prospect they will be declined for the increased loan amount. I can't blame them because there is enough uncertainty down there right now. Personally, I would also be hesitant to go through the SBA loan process again if I had to fill out as much paperwork as my constituents have had to fill out, and to receive constant requests for more information once they think they are done with submitting information.

For this reason, this bill provides the SBA administrator the flexibility to waive, partially or fully at the discretion of the administrator, this ''duplication of benefits'' rule. This provides borrowers with additional funds for rebuilding while retaining the Federal Government's financial responsibility to taxpayers. I believe this commonsense fix for major disasters corrects a major problem occurring in Louisiana right now and gives SBA some flexibility for future major disasters. The current SBA interpretation of these regulations overlooks the fact that a grant, with no repayment, has a different value to homeowners than loans, which require repayment. In effect, disaster victims are being penalized for getting an SBA loan before they received their Road Home grant and that is not how the Federal Government should respond to victims, who in many cases, lost everything. We should not allow victims to ''double-dip'' or benefit from the disaster, but the Federal Government should be responsive to needs on the ground and adjust as necessary to allow disaster victims to fully recover.

In introducing this bill today, I am hopeful it sends the signal to gulf coast residents that Congress has not forgotten about them and that we are doing our part to reduce red tape and bureaucracy. Congress did a great deal during the 109th Congress to help victims of the 2005 storms, but that does not mean we should just write off recurring problems to the responsibility of States or disaster victims themselves. I believe that both the leadership on the Senate Committee on Small Business and Entrepreneurship as well as the new SBA administrator, Steve Preston, are receptive to addressing ongoing needs in the gulf coast. I look forward to working closely with them in the coming weeks to provide substantive and lasting solutions for our small businesses and homeowners.

I urge my colleagues to support this important legislation and ask unanimous consent that the text of the legislation 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. 690

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 ''Catastrophic Disaster Recovery Improvements Act of 2007''.

SEC. 2. WAIVER OF PROHIBITION ON DUPLICATION OF CERTAIN BENEFITS.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (3) the following:

''(4) WAIVER OF PROHIBITION ON DUPLICATION OF CERTAIN BENEFITS.—For any major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), in providing assistance under paragraph (1) or (2), the Administrator may waive, in whole or in part, the prohibition on the duplication of benefits, including whether damage or destruction has been compensated for by, credit is available from, activities are reimbursable through, or funds have been made available from any other source.''.

(b) APPLICABILITY AND RETROACTIVITY FOR VICTIMS OF HURRICANES KATRINA, RITA, AND WILMA.—The amendment made by this section shall apply to any assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) provided on or after August 29, 2005.

By Mr. CONRAD:

S. 691. A bill to amend title XVIII of the Social Security act to improve the benefits under the Medicare program for beneficiaries with kidney disease, and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, today I am pleased to introduce the Kidney Care Quality and Education Act. For the over 400,000 Americans living with kidney disease, the time has come to modernize and improve the Medicare End Stage Renal Disease (ESRD) program. They simply can't wait any longer.

When Congress enacted the Medicare ESRD program, we recognized that this disease was unique and deserved special consideration. Unfortunately, since that time, Congress has fallen behind in its commitment, and the program has not kept pace with changes in treatment. My bill would take needed steps to modernize and improve the program to recognize quality and encourage education on kidney disease to better prevent and control ESRD.

The Kidney Care Quality and Education Act establishes education programs to assist patients with kidney disease to learn important self-management skills that will help them manage their disease more effectively and improve their quality of life. The bill also seeks to help individuals before they develop irreversible kidney failure by teaching individuals about the factors that lead to chronic kidney disease, the precursor to kidney failure, and how to prevent it, treat it, and, most importantly, avoid it. Additionally, the bill seeks to establish uniform training requirements for dialysis technicians and to identify barriers to accessing the home dialysis benefit.

Improving the ESRD program payment system and ensuring continued high quality care is also a critical component of modernizing the ESRD program. Medicare established the first prospective payment system (PPS) in the ESRD program in the early 1980s. Yet, the ESRD program remains the only Medicare PPS that does not receive an annual update. As a result, dialysis facilities have experienced difficulties in hiring qualified health care professionals and purchasing new technology.

It is time for the dialysis community to receive annual payment updates; however, it is also critically important that increased payments are tied to high quality. My bill addresses both of these issues by creating a three-year Continuous Quality Improvement Initiative to link payments with quality. First, the three-year initiative would create an annual update mechanism to fairly pay providers. Second, it would ask providers to report on quality measures developed through consultation with key stakeholders. Finally, it would withhold a certain percentage of the annual update to fund a quality bonus pool from which payments would be made to those providers who provide the best quality of care.

Congress must reaffirm its commitment to Americans with kidney failure by improving the program through new educational programs, quality initiatives, and payment reform. The Kidney Care Quality and Education Act is a comprehensive bill that moves the program in that direction. I urge my colleagues to join with me in supporting this important legislation.

By Mr. FEINGOLD (for himself and Ms. COLLINS):

S. 693. A bill to amend the Public health Service Act to reauthorize the Automated Defibrillation in Adam's Memory Act; to the Committee on Health, Education, Labor, and Pensions.

Mr. FEINGOLD. Mr. President, today I am pleased to be joined by the Senator from Maine, Ms. COLLINS, in introducing the reauthorization of the Automated Defibrillators in Adam's Memory Act, or the ADAM Act. This bill is modeled after the successful Project ADAM that originally began in Wisconsin, and will reauthorize a program to establish a national clearing house to provide schools with the ''how-to'' and technical advice to set up a public access defibrillation program.

Sudden cardiac death from coronary heart disease occurs over 900 times per

day in the United States. By improving access to automated external defibrillators, or AEDs, we can improve the survival rates of cardiac arrest in our communities.

In my home State of Wisconsin, as in many other States, heart disease is the number one killer. In 2004, 35.4 percent of all deaths in Wisconsin were caused by heart disease and stroke. Overall, heart disease kills more Americans than AIDS, cancer and accidents combined.

Cardiac arrest can strike anyone. Cardiac victims are in a race against time, and unfortunately, for too many of those in rural areas, Emergency Medical Services are unable to reach people in need, and time runs out. It's simply not possible to have EMS units next to every farm and small town across the Nation.

Fortunately, recent technological advances have made the newest generation of AEDs inexpensive and simple to operate. Because of these advancements in AED technology, it is now practical to train and equip police officers, teachers, and members of other community organizations.

An estimated 164,600 Americans experience out-of-hospital sudden cardiac arrests each year. Immediate CPR and early defibrillation using an AED can more than double a victim's chance of survival. By taking some relatively simple steps, we can give victims of cardiac arrest a better chance of survival.

Over the past 6 years, I have worked with Senator SUSAN COLLINS, a Republican from Maine, on a number of initiatives to empower communities to improve cardiac arrest survival rates. We have pushed Congress to support rural first responders—local police and fire and rescue services—in their efforts to provide early defibrillation. Congress heard our call, and responded by enacting two of our bills, the Rural Access to Emergency Devices Act and the ADAM Act.

The Rural Access to Emergency Devices program allows community partnerships across the country to receive a grant enabling them to purchase defibrillators, and receive the training needed to use these devices. I'm pleased to say that grants have already put defibrillators in rural communities in 49 States, helping those communities be better prepared when cardiac arrest strikes.

Approximately 95 percent of sudden cardiac arrest victims die before reaching the hospital. Every minute that passes before a cardiac arrest victim is defibrillated, the chance of survival falls by as much as 10 percent. After only 8 minutes, the victim's survival rate drops by 60 percent. This is why early intervention is essential—a combination of CPR and use of AEDs can save lives.

Heart disease is not only a problem among adults. A few years ago I learned the story of Adam Lemel, a 17-year-old high school student and a star basketball and tennis player in Wisconsin. Tragically, during a timeout while playing basketball at a neighboring Milwaukee high school, Adam suffered sudden cardiac arrest, and died before the paramedics arrived.

This story is incredibly sad. Adam had his whole life ahead of him, and could quite possibly have been saved with appropriate early intervention. In fact, we have seen a number of examples in Wisconsin where early CPR and access to defibrillation have saved lives.

Seventy miles away from Milwaukee, a 14-year-old boy collapsed while playing basketball. Within 3 minutes, the emergency team arrived and began CPR. Within 5 minutes of his collapse, the paramedics used an AED to jump start his heart. Not only has this young man survived, doctors have identified his father and brother as having the same heart condition and have begun preventative treatments.

These stories help to underscore some important issues. First, although cardiac arrest is most common among adults, it can occur at any age—even in apparently healthy children and adolescents. Second, early intervention is essential—a combination of CPR and the use of AEDs can save lives. Third, some individuals who are at risk for sudden cardiac arrest can be identified to prevent cardiac arrest.

After Adam Lemel suffered his cardiac arrest, his friend David Ellis joined forces with Children's Hospital of Wisconsin to initiate Project ADAM to bring CPR training and public access defibrillation into schools, educate communities about preventing sudden cardiac deaths and save lives.

Today, Project ADAM has introduced AEDs into several Wisconsin schools, and has been a model for programs in Washington, Florida, Michigan and elsewhere. Project ADAM provides a model for the Nation, and now, with the enactment of this new law, more schools will have access to the information they seek to launch similar programs.

The ADAM Act was passed into law in 2003, but has yet to be funded. Should funding be enacted, the program will help to put life-saving defibrillators in the hands of people in schools around the country. I have been very proud to play a part in having this bill signed into law, and it is my hope that the reauthorization of the Act will quickly pass through the Congress and into law, and that funding will follow. It would not take much money to fund this program and save lives across the country.

The ADAM Act is one way we can honor the life of children like Adam Lemel, and give tomorrow's pediatric cardiac arrest victims a fighting chance at life.

This act exists because a family that experienced the tragic loss of their son was determined to spare other families that same loss. I thank Adam's parents, Joe and Patty, for their courageous efforts and I thank them for everything they have done to help the ADAM Act become law. Their actions take incredible bravery, and I commend them for their efforts.

By making sure that AEDs are available in our Nation's rural areas, schools and throughout our communities we can help those in a race against time have a fighting chance of survival when they fall victim to cardiac arrest. I urge Congress to pass this reauthorization, and to fund this Act. We have the power to prevent death—all we must do is act.

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. 693

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 ''Automated Defibrillation in Adam's Memory Reauthorization Act''.

SEC. 2. AMENDMENT TO PUBLIC HEALTH SERVICE ACT.

Section 312(e) of the Public Health Service Act (42 U.S.C. 244(e)) is amended in the first sentence by striking ''fiscal year 2003'' and all the follows through ''2006'' and inserting ''for each of fiscal years 2003 through 2011''.

By Mrs. CLINTON (for herself, Mr. SUNUNU, Mr. REED, Mr. KERRY, Mr. DURBIN, Mr. NELSON of Florida, Ms. MIKULSKI, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. ROBERTS, Mrs. HUTCHISON, and Mr. LAUTENBERG):

S. 694. A bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. CLINTON. Mr. President, today I am reintroducing with my colleague Senator SUNUNU The Cameron Gulbransen Kids and Cars Safety Act, a bill to improve the child safety features in new vehicles.

While we hear a great deal about automobile accidents, we don't hear nearly as much about non-traffic automobile accidents, which can be just as tragic. This bill is named in honor of a 2-year-old Long Island boy who was killed when his father accidentally backed over him in his driveway. Since 2000, over 1,150 children have died in non-traffic, non-crash incidents, and this number has been steadily rising. The average age of victims in these cases is just 1 year old, and in 70 percent of backover cases, a parent, relative or close friend is behind the wheel. This bill is aimed at preventing other families from suffering this fate.

The Cameron Gulbransen Kids and Cars Safety Act would make new passenger motor vehicles safer in three important ways. First, it requires a detection system to alert drivers to the

presence of a child behind the vehicle. Second, it will ensure that power windows automatically reverse direction when they detect an obstruction—preventing children from being trapped, injured or killed. And finally, the bill will require the vehicle service break to be engaged in order to prevent vehicles from unintentionally rolling away.

The bill also establishes a child safety information program administered by the Secretary of Transportation to collect non-traffic, non-crash incident data and disseminate information to parents about these hazards and ways to mitigate them.

This bill proves that with modest, cost-effective steps, we can prevent many tragic car-related accidents from occurring. Power window sensors, for example, cost around $10 a window. Brakeshift interlocks are already standard in most passenger vehicles, but will cost only $5 where needed. Backover warning systems cost approximately $300 a car, far cheaper than DVD and stereo systems. This inexpensive technology could save thousands of children's lives.

I fought long and hard into the last hours of the 109th Congress to get this bill through and I know that families, advocates and many of my colleagues are poised to continue that momentum in the new Congress.

I am proud to be reintroducing the Cameron Gulbransen Kids and Cars Safety Act of 2007 and urge all my colleagues to join me in supporting this bill. Together, we can ensure that we have safer cars and safer kids across our country.

By Ms. SNOWE (for herself and Mr. MENENDEZ):

S. 695. A bill to amend the International Claims Settlement Act of 1949 to allow for certain claims of nationals of the United States against Turkey, and for other purposes; to the Committee on Foreign Relations.

Ms. SNOWE. Mr. President, as you may know, Turkey invaded the northern area of the Republic of Cyprus in the summer of 1974. At that time, less than 20 percent of the private real property in this area was owned by Turkish Cypriots, with the rest owned by Greek Cypriots and foreigners. Turkey's invasion and subsequent occupation of northern Cyprus displaced people who are to this day prevented by the Turkish Armed Forces from returning to and repossessing their homes and properties.

A large proportion of these properties were distributed to, and are currently being used by, the 120,000 Turkish settlers brought into the occupied area by Turkey. It is estimated that 7,000 to 10,000 U.S. nationals today claim an interest in such property.

Adding urgency to the plight of Greek-Cypriots and Americans who lost property in the wake of the invasion is a recent property development boom in the Turkish-occupied north of Cyprus. As an ever-increasing number of disputed properties are transferred or developed, the rightful owners' prospects for recovering their property or being compensated worsen.

In 1998, the European Court of Human Rights found that Turkey had unlawfully deprived Greek Cypriot refugees of the use of their properties in the north of the island. The Court ruled that the Government of Turkey was obliged to compensate the refugees for such deprivation, and to allow them to return home.

It is to provide similar redress to the American victims of Turkey's invasion and occupation of Cyprus that my colleague Senator MENENDEZ and I today introduce the ''American-Owned Property in Occupied Cyprus Claims Act''.

This act would direct the U.S. Government's independent Foreign Claims Settlement Commission to receive, evaluate and determine awards with respect to the claims of U.S. citizens and businesses that lost property as a result of Turkey's invasion and continued occupation of northern Cyprus. To provide funds from which these awards would be paid, the act would urge the President to authorize the Secretary of State to negotiate an agreement for settlement of such claims with the Government of Turkey.

The act would further grant U.S. Federal courts jurisdiction over suits by U.S. nationals against any private persons, other than Turkey, occupying or otherwise using the U.S. national's property in the Turkish-occupied portion of Cyprus. Lastly, the act would expressly waive Turkey's sovereign immunity against claims brought by U.S. nationals in U.S. courts relating to property occupied by the Government of Turkey and used by Turkey in connection with a commercial activity carried out in the United States.

This bill represents an important step toward righting the internationally recognized wrong of the expropriation of property, including American property, in northern Cyprus in the wake of the 1974 invasion by the Turkish Army. I strongly urge my colleagues to promptly consider and pass this critical piece of legislation.

By Mr. BAUCUS:

S. 696. A bill to establish an Advanced Research Projects Administration-Energy to initiate high risk, innovative energy research to improve the energy security of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BAUCUS. Mr. President, energy is once again one of the top two or three domestic issues facing the Congress this year.

Prices for gasoline, heating oil, electricity, and natural gas have soared in recent years, hitting working families hard. Our energy security has been threatened on many fronts: We have seen a terrorist attack on Saudi Arabian oil facilities, oil workers kidnapped in Nigeria, Venezuelan President Hugo Chavez threatened to cut off our supply of oil from his country, and some question whether Iran's role as an oil supplier keeps other countries from properly addressing Iran's nuclear proliferation threat. Recently we learned that Russia and Iran are talking about creating an OPEC-like organization for natural gas—a cartel that could put even more pressure on natural gas prices.

Energy provides one of America's greatest challenges for the 21st century. Our economy has been dependent on oil and coal for about 100 years. And since World War II, natural gas has become part of the equation. Will we continue to rely on these energy sources for the next 100 years?

The cost of energy will profoundly affect the future competitiveness of the American economy. As the Chinese and Indian economies grow, so will their demand for energy. And that will add further upward pressure to energy prices.

Global climate change is another issue that demands that we take a fresh look at our energy future. While we address the issue of energy security, we must also keep an eye on the effect that new energy development will have on carbon dioxide emissions and global warming.

We are essentially trapped in an energy box. It is a box characterized by high imports, wildly fluctuating prices for oil and natural gas, and environmental danger. As a Nation, we must experiment with ways to break out of that box. To break out, we need an energy research effort modeled after the Manhattan project, or the Apollo mission to the moon.

America has a brilliant record of gathering the best minds. We have consistently met challenges that at first seemed to be impossible. During World War II, the Manhattan project brought together brilliant physicists and engineers to build an atomic bomb in 3 short years. And after President Kennedy described his vision to a joint session of Congress in May of 1961, the Apollo space program put a man on the moon in just 8 years.

Looking back, these achievements look stunning. Both projects started out with no guarantee of success. Each could have ended in utter failure. Yet because of the talent, ingenuity, and focus of creative minds, they both succeeded.

Breaking out of the energy box poses a similar challenge. Success is not guaranteed. But we have got to give it our best shot.

Today I am reintroducing legislation to create an ARPA–E, Advanced Research Projects Agency—Energy. My legislation would create a new energy research agency to help our nation face the challenges of a newly competitive global economy. It will help us to move into a new energy future.

We have the greatest research scientists on the planet. We have the most technically-talented workforce in

the world. But we do not have the vigor that we need in energy research. Energy research is a backwater, compared to other research efforts in biotechnology, medicine, computers, and defense-oriented projects.

With the Manhattan project and the Apollo space program, America proved that we can gather the best talent for a focused mission and succeed. It is time that we began a similar effort on energy.

We need to create a new agency to initiate cutting-edge, innovative energy research and development aimed at taking us to a new energy future. Doing so is essential to our effort to improve our economic competitiveness.

The new agency is modeled on DARPA—the Defense Advanced Research Projects Agency—in the Department of Defense. Among the revolutionary technologies that DARPA has developed are the internet and stealth technology for aircraft. DARPA has been a tremendous success.

The National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine joined to form the Committee on Prospering in the Global Economy of the 21st Century. Norm Augustine chaired the committee. Based on DARPA's achievements, the committee recommended the creation of an ARPA–E: Advanced Research Projects Agency—Energy.

This was one of a number of recommendations that the committee made in its impressive 2005 report on the future competitive challenges that America faces. The committee recommended that ARPA–E be designed to conduct transformative, out-of-the-box energy research.

My bill proposes that ARPA–E be a small agency with a total of 250 people. A minimum of 180 of them would be technical staff. A director of the agency and four deputies would lead ARPA–E. I propose that ARPA–E be funded at $300 million in fiscal year 2008, $600 million in 2009, $1.1 billion in 2010, $1.5 billion in 2011, and $2.0 billion in 2012.

We would require that the staff have a technical background. The agency would use the Experimental Personnel Authority designed for DARPA. That authority authorizes higher salaries than for typical Federal employees, and faster hiring, so that the agency could get to work quickly.

To keep the intense, innovative focus that we want, technical staff would be limited to 3 to 4 years at the agency. Managers would be limited to 4 to 6 years. The director could give both groups extended terms of employment if the director so chose.

For contracts, the agency would use the DARPA procedure. That procedure allows more flexible contracting arrangements than are normally possible under the Federal Acquisition Regulations. To ensure that ARPA–E would conduct innovative research, 75 percent of research projects initiated by ARPA–E would not be peer reviewed.

The ARPA-E would be authorized to award cash prizes to encourage and accelerate energy research accomplishments.

Finally, the bill would require a report by the end of fiscal year 2008 on whether ARPA–E would need its own energy research lab.

Congress enacted an important companion piece to ARPA–E last December in the Tax Relief and Health Care Act of 2006. That law extended the credit for electricity from renewable resources, added $400 million to the Clean Renewable Energy Bond program, extended the deduction for energy efficient buildings and the credit for energy efficient homes, and provided incentives for cellulosic biomass ethanol facilities.

On the energy agenda this year is consideration of President Bush's proposal to increase Federal targets for use of renewable and alternative fuels. And additional tax incentives to encourage the development and use of alternative energy are being contemplated.

We are seeing exciting new efforts in America to strengthen our energy competitiveness. We need to build on this foundation by creating an aggressive energy research agency that will push the limits of new technology and discover alternative energy sources.

America has massive coal reserves. So coal gasification is receiving greater attention. Gasification involves breaking down coal under heat and pressure to create synthetic natural gas. We must address the environmental issues. But if this technology can be improved, then America will be able to take a huge step toward energy independence.

There are exciting developments in wind energy. In Montana, the Judith Gap Wind Farm has been generating power at full capacity, using 90 wind turbines. Each turbine can produce enough electricity for roughly 400 homes. The entire farm can produce the electricity needed to supply 300,000 customers. And my State ranks in the top 15 States in the Nation for wind power capacity. Nationwide, wind power generating capacity increased 27 percent in 2006.

Fusion is another possible area where aggressive research could lead to huge payoffs. Continuing research will help us to determine whether energy production through fusion is a practical option.

Ethanol is also gaining as an alternative energy option. The Nation's first cellulosic ethanol pilot facility has opened in Jennings, Louisiana. This 1.4 million gallons-per-year, demonstration-scale facility will produce cellulosic ethanol from sugarcane plant residue and specially-bred energy cane by the end of 2007.

There are also exciting developments in nanotechnology, solar power, energy-efficient materials, biomass, and green buildings.

All of these are examples of possible directions for our Nation's energy future. But we need a more aggressive and focused research and development effort to push these alternatives. And we need an effort to create scientific breakthroughs to supplement existing technologies.

We have got to give it our best shot. As President Franklin Roosevelt said, we must conduct ''bold, persistent experimentation.''

Our economic security is at stake. Our ability to compete in the new world economy is at stake.

ARPA–E will help us to move forward on existing technologies. It will help us to find new technologies that are not even imaginable today.

I urge my Colleagues to look closely at this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 696

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 ''Energy Research Act of 2007''.

SEC. 2. ADVANCED RESEARCH PROJECTS ADMINISTRATION-ENERGY.

(a) ESTABLISHMENT.—There is established the Advanced Research Projects Administration-Energy (referred to in this section as ''ARPA–E'').

(b) GOALS.—The goals of ARPA–E are to reduce the quantity of energy the United States imports from foreign sources and to improve the competitiveness of the United States economy by—

(1) promoting revolutionary changes in the critical technologies that would promote energy competitiveness;

(2) turning cutting-edge science and engineering into technologies for energy and environmental application; and

(3) accelerating innovation in energy and the environment for both traditional and alternative energy sources and in energy efficiency mechanisms to—

(A) reduce energy use;

(B) decrease the reliance of the United States on foreign energy sources; and

(C) improve energy competitiveness.

(c) DIRECTOR.—

(1) IN GENERAL.—ARPA–E shall be headed by a Director (referred to in this section as the ''Director'') appointed by the President.

(2) POSITIONS AT LEVEL V.—Section 5316 of title 5, United States Code, is amended by adding at the end the following:

''Director, Advanced Research Projects Administration-Energy.''.

(d) DUTIES.—

(1) IN GENERAL.—In carrying out this section, the Director shall award competitive grants, cooperative agreements, or contracts to institutions of higher education, companies, or consortia of such entities (which may include federally funded research and development centers) to achieve the goal described in subsection (b) through acceleration of—

(A) energy-related research;

(B) development of resultant techniques, processes, and technologies, and related testing and evaluation; and

(C) demonstration and commercial application of the most promising technologies and research applications.

(2) SMALL-BUSINESS CONCERNS.—The Director shall carry out programs established

under this section, to the maximum extent practicable, in a manner that is similar to the Small Business Innovation Research Program established under section 9 of the Small Business Act (15 U.S.C. 638) to ensure that small-business concerns are fully able to participate in the programs.

(e) PERSONNEL.—

(1) PROGRAM MANAGERS.—

(A) APPOINTMENT.—The Director shall appoint employees to serve as program managers for each of the programs that are established to carry out the duties of ARPA–E under this section.

(B) DUTIES.—Program managers shall be responsible for—

(i) establishing research and development goals for the program, as well as publicizing goals of the program to the public and private sectors;

(ii) soliciting applications for specific areas of particular promise, especially areas for which the private sector cannot or will not provide funding;

(iii) selecting research projects for support under the program from among applications submitted to ARPA–E, based on—

(I) the scientific and technical merit of the proposed projects;

(II) the demonstrated capabilities of the applicants to successfully carry out the proposed research project; and

(III) such other criteria as are established by the Director; and

(iv) monitoring the progress of projects supported under the program.

(2) OTHER PERSONNEL.—

(A) IN GENERAL.—Subject to subparagraph (B), the Director shall appoint such employees as are necessary to carry out the duties of ARPA–E under this section.

(B) LIMITATIONS.—The Director shall appoint not more than 250 employees to carry out the duties of ARPA–E under this section, including not less than 180 technical staff, of which—

(i) not less than 20 staff shall be senior technical managers (including program managers designated under paragraph (1)); and

(ii) not less than 80 staff shall be technical program managers.

(3) EXPERIMENTAL PERSONNEL AUTHORITY.—In appointing personnel for ARPA–E, the Director shall have the hiring and management authorities described in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note).

(4) MAXIMUM DURATION OF EMPLOYMENT.—

(A) PROGRAM MANAGERS AND SENIOR TECHNICAL MANAGERS.—

(i) IN GENERAL.—Subject to clause (ii), a program manager and a senior technical manager appointed under this subsection shall serve for a term not to exceed 4 years after the date of appointment.

(ii) EXTENSIONS.—The Director may extend the term of employment of a program manager or a senior technical manager appointed under this subsection for not more than 4 years through 1 or more 2-year terms.

(B) TECHNICAL PROGRAM MANAGERS.—A technical program manager appointed under this subsection shall serve for a term not to exceed 6 years after the date of appointment.

(5) LOCATION.—The office of an officer or employee of ARPA–E shall not be located in the headquarters of the Department of Energy.

(f) TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.—

(1) IN GENERAL.—To carry out projects through ARPA–E, the Director may enter into transactions (other than contracts, cooperative agreements, and grants) to carry out advanced research projects under this section under similar terms and conditions as the authority is exercised under section 646(g) of the Department of Energy Organization Act (42 U.S.C. 7256(g)).

(2) PEER REVIEW.—Peer review shall not be required for 75 percent of the research projects carried out by the Director under this section.

(g) PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—The Director may carry out a program to award cash prizes in recognition of outstanding achievements in basic, advanced, and applied research, technology development, and prototype development that have the potential for application to the performance of the mission of ARPA–E under similar terms and conditions as the authority is exercised under section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396).

(h) COORDINATION OF ACTIVITIES.—The Director—

(1) shall ensure that the activities of ARPA–E are coordinated with activities of Department of Energy offices and outside agencies; and

(2) may carry out projects jointly with other agencies.

(i) REPORT.—Not later than September 30, 2008, the Director shall submit to Congress a report on the activities of ARPA–E under this section, including a recommendation on whether ARPA–E needs an energy research laboratory.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $300,000,000 for fiscal year 2008;

(2) $600,000,000 for fiscal year 2009;

(3) $1,100,000,000 for fiscal year 2010;

(4) $1,500,000,000 for fiscal year 2011; and

(5) $2,000,000,000 for fiscal year 2012.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 697. A bill to establish the Steel Industry National Historic Site in the State of Pennsylvania; to the Committee on Energy and Natural Resources.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation along with my colleague from Pennsylvania, Senator Casey, that will honor the importance of the steel industry in the Commonwealth of Pennsylvania and the Nation by creating the ''Steel Industry National Historic Site'' to be operated by the National Park Service in southwestern Pennsylvania.

The importance of the steel industry to the development of the United States cannot be overstated. A national historic site devoted to the history of the steel industry will afford all Americans the opportunity to celebrate this rich heritage, which is symbolic of the work ethic endemic to this great nation. The National Park Service has reported that Congress should make remnants of the U.S. Steel Homestead Works an affiliate of the national park system, rather than a full national park, an option which had been considered in years prior, and which I proposed in the 107th Congress. Due to the backlog of maintenance projects at national parks, the legislation offered today instead creates a national historic site that would be affiliated with the National Park Service. There is no better place for such a site than in southwestern Pennsylvania, which played a significant role in early industrial America and continues today.

I have long supported efforts to preserve and enhance the historical steel-related heritage through the Rivers of Steel Heritage Area, which includes the city of Pittsburgh, and seven southwestern Pennsylvania counties: Allegheny; Armstrong, Fayette, Greene, Washington and Westmoreland. I have sought and been very pleased with congressional support for the important work within the Rivers of Steel Heritage Area expressed through appropriations levels of roughly $1 million annually since fiscal year 1998. I am hopeful that this support will continue. However, more than just resources are necessary to ensure the historical recognition needed for this important heritage. That is why I am introducing this legislation today.

It is important to note why Pennsylvania should be the home of the national site that my legislation authorizes. The combination of a strong workforce, valuable natural resources, and Pennsylvania's strategic location in the heavily populated northeastern United States allowed the steel industry to thrive. Today, the remaining buildings and sites devoted to steel production are threatened with further deterioration. Many of these sites are nationally significant and perfectly suited for the study and interpretation of this crucial period in our Nation's development. Some of these sites include the Carrie Furnace Complex, the Hot Metal Bridge, and the United States Steel Homestead Works, which would all become a part of the Steel Industry National Historic Site under my legislation. As testimony of the area's historic significance, on September 20, 2006, the Carrie Furnaces were designated as a National Historic Landmark by the Secretary of the Interior.

Highlights of such a national historic site would commemorate a wide range of accomplishments and topics for historical preservation and interpretation from industrial process advancements to labor-management relations. It is important to note that the site I seek to become a national site under this bill includes the location of the Battle of the Homestead, waged in 1892 between steelworkers and Pinkerton guards. The Battle of the Homestead marked a crucial period in our nation's workers' rights movement. The Commonwealth of Pennsylvania, individuals, and public and private entities have attempted to protect and preserve resources such as the Homestead battleground the Hot Metal Bridge. For the benefit and inspiration of present and future generations, it is time for the Federal Government to join this effort to recognize their importance with the additional protection I provide in this bill.

I would like to commend my colleague, Representative DOYLE, who has been a longstanding leader in this preservation effort and who has consistently sponsored identical legislation in the U.S. House of Representatives. I look forward to working with southwestern Pennsylvania officials and Mr.

August Carlino, President and Chief Executive Officer of the Steel Industry Heritage Corporation, in order to bring this national historic site to fruition. We came very close to passing this bill in the 108th Congress with its passage in various forms in the House and the Senate. However, Congress adjourned prior to final passage of the same bill in both chambers during the 108th and 109th Congresses. Therefore, today we reintroduce this legislation and urge its swift passage.

By Mr. DURBIN (for himself, Mr. HAGEL, and Mr. WARNER):

S. 698. A bill to amend title 38, United States Code, to expand and enhance educational assistance for survivors and dependents of veterans; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, today I am introducing the Veterans' Survivor Education Enhancement Act. This legislation would expand education benefits for the survivors and dependents of fallen servicemembers.

Specifically, the legislation would adjust the Survivors' and Dependents' Educational Assistance Program by increasing the dependent benefit to $80,000 which the dependent can draw against for any period between the ages of 17 and 30. This benefit may be used for any expenses incurred while pursuing an education, including: tuition, fees, books, room, and board. Education benefits may be used for degree and certificate programs, apprenticeship, and on-the-job training. The surviving spouse benefit also will rise to $80,000 and may be used by the spouse for 20 years after the death of the servicemember.

Of the 24.3 million veterans currently alive, nearly three-quarters served during a war or an official period of conflict. About a quarter of the Nation's population, approximately 63 million people, are potentially eligible for veterans' benefits and services because they are veterans, family members or survivors of veterans. Since the dependents program was enacted in 1956, the Department of Veterans Affairs (VA) also has assisted in the education of more than 700,000 dependents of veterans whose deaths or total disabilities were service-connected. In 2005, VA helped pay for the education or training of 336,347 veterans and active-duty personnel, 87,589 reservists and National Guardsmen and 74,360 survivors.

Surviving families of veterans have already given so much to our Nation. We need to give the widowed spouses and children a helping hand. Therefore, in honor of these families and our brave fallen servicemembers, I encourage my colleagues to support the Veterans' Survivor Education Enhancement Act and cosponsor this important 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. 698

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 ''Veterans' Survivors Education Enhancement Act of 2007''.

SEC. 2. EXPANSION AND ENHANCEMENT OF EDUCATIONAL ASSISTANCE FOR SURVIVORS AND DEPENDENTS OF VETERANS.

(a) TERMINATION OF DURATIONAL LIMITATION ON USE OF EDUCATIONAL ASSISTANCE AND RESTATEMENT OF CONTINUING REQUIREMENTS.—

(1) IN GENERAL.—Subsection (a) of section 3511 of title 38, United States Code, is amended to read as follows:

''(a)(1) Notwithstanding any other provision of this chapter or chapter 36 of this title, any payment of educational assistance described in paragraph (2) shall not be charged against the entitlement of any individual under this chapter.

''(2) The payment of educational assistance referred to in paragraph (1) is the payment of such assistance to an individual for pursuit of a course or courses under this chapter if the Secretary finds that the individual—

''(A) had to discontinue such course pursuit as a result of being ordered to serve on active duty under section 688, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10 or of being involuntarily ordered to full-time National Guard duty under section 502(f) of title 32; and

''(B) failed to receive credit or training time toward completion of the individual's approved educational, professional, or vocational objective as a result of having to discontinue, as described in subparagraph (A), the course pursuit.''.

(2) CONFORMING AMENDMENTS.—Such title 38 is further amended as follows:

(A) In section 3511, by amending the heading to read as follows:

''§ 3511. Treatment of certain interruptions in pursuit of programs of education''.

(B) In section 3532(g)—

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

(ii) by striking paragraph (2); and

(iii) by redesignating paragraph (3) as paragraph (2).

(C) By striking section 3541 and inserting the following new section:

''§ 3541. Special restorative training

''(a) The Secretary may, at the request of an eligible person—

''(1) determine whether such person is in need of special restorative training; and

''(2) if such need is found to exist, prescribe a course that is suitable to accomplish the purposes of this chapter.

''(b) A course of special restorative training under subsection (a) may, at the discretion of the Secretary, contain elements that would contribute toward an ultimate objective of a program of education.''.

(D) In section 3695(a)(4), by striking ''35,''.

(b) EXTENSION OF DELIMITING AGE OF ELIGIBILITY FOR DEPENDENTS.—Section 3512(a) of such title, is amended by striking ''twenty-sixth birthday'' each place it appears and inserting ''thirtieth birthday''.

(c) AMOUNT OF EDUCATIONAL ASSISTANCE.—

(1) IN GENERAL.—Section 3532 of such title is amended to read as follows:

''§ 3532. Amount of educational assistance

''(a) The aggregate amount of educational assistance to which an eligible person is entitled under this chapter is $80,000, as increased from time to time under section 3564 of this title.

''(b) Within the aggregate amount provided for in subsection (a), educational assistance under this chapter may be paid for any purpose, and in any amount, as follows:

''(1) A program of education consisting of institutional courses.

''(2) A full-time program of education that consists of institutional courses and alternate phases of training in a business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion.

''(3) A farm cooperative program consisting of institutional agricultural courses prescheduled to fall within 44 weeks of any period of 12 consecutive months that is pursued by an eligible person who is concurrently engaged in agricultural employment that is relevant to such institutional agricultural courses as determined under standards prescribed by the Secretary.

''(4) A course or courses or other program of special educational assistance as provided in section 3491(a) of this title.

''(5) A program of apprenticeship or other on-job training pursued in a State as provided in section 3687(a) of this title.

''(6) In the case of an eligible spouse or surviving spouse, a program of education exclusively by correspondence as provided in section 3686 of this title.

''(7) Special restorative training as provided in section 3542 of this title.

''(c) If a program of education is pursued by an eligible person at an institution located in the Republic of the Philippines, any educational assistance for such person under this chapter shall be paid at the rate of $0.50 for each dollar.

''(d)(1) Subject to paragraph (2), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3501(a)(5) of this title is the lesser of $2,000 or the fee charged for the test.

''(2) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the available entitlement for the individual under this chapter.''.

(2) CONFORMING AMENDMENTS.—Title 38, United States Code, is amended as follows:

(A) By striking section 3533 and inserting the following new section:

''§ 3533. Tutorial assistance

''An eligible person shall, without any charge to any entitlement of such person to educational assistance under section 3532(a) of this title, be entitled to the benefits provided an eligible veteran under section 3492 of this title.''.

(B) Section 3534 is repealed.

(C) In section 3542—

(i) in subsection (a), by striking ''computed at the basic rate'' and all that follows through the end of the subsection and inserting a period; and

(ii) in subsection (b), by striking ''an educational assistance allowance'' and inserting ''educational assistance''.

(D) In section 3543(c)—

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

(ii) by striking paragraph (2); and

(iii) by redesignating paragraph (3) as paragraph (2).

(E) In section 3564, by striking ''rates payable under sections 3532, 3534(b), and 3542(a)'' and inserting ''aggregate amount of educational assistance payable under section 3532''.

(F) In section 3565(b), by striking paragraph (1) and inserting the following new paragraph (1):

''(1) educational assistance payable under section 3532 of this title, including the special training allowance referred to in subsection (b)(7) of such section, shall be paid at the rate of $0.50 for each dollar; and''.

(G) In section 3687—

(i) in subsection (a)—

(I) in the matter preceding paragraph (1), by striking ''or an eligible person (as defined in section 3501(a) of this title)''; and

(II) in the flush matter following paragraph (2), by striking ''chapters 34 and 35'' and inserting ''chapter 34'';

(ii) in subsection (c), by striking ''chapters 34 and 35'' and inserting ''chapter 34''; and

(iii) in subsection (e), by striking paragraph (3) and inserting the following new paragraph (3):

''(3) In this subsection, the term 'individual' means an eligible veteran who is entitled to monthly educational assistance allowances payable under section 3015(e) of this title.''.

(d) OTHER CONFORMING AMENDMENTS.—Title 38, United States Code, is further amended as follows:

(1) In section 3524, by striking ''the educational assistance allowance'' each place it appears and inserting ''educational assistance''.

(2) In section 3531—

(A) in the heading, by striking ''**allowance**'';

(B) in subsection (a), by striking ''an educational assistance allowance'' and inserting ''educational assistance''; and

(C) in subsection (b), by striking ''allowance''.

(3) In section 3537(a), by striking ''additional''.

(e) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 35 of such title is amended as follows:

(1) By striking the item relating to section 3511 and inserting the following new item:

''3511. Treatment of certain interruptions in pursuit of programs of education.''.

(2) By striking the items relating to section 3531, 3532, and 3533 and inserting the following new items:

''3531. Educational assistance.
''3532. Amount of educational assistance.
''3533. Tutorial assistance.''.

(3) By striking the item relating to section 3534.

(4) By striking the item relating to section 3541 and inserting the following new item:

''3541. Special restorative training.''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(2) ANNUAL ADJUSTMENTS FOR FISCAL YEAR 2008.—Notwithstanding the effective date under paragraph (1) of the amendment to section 3564 of title 38, United States Code, made by subsection (c)(2)(E), the Secretary of Veterans Affairs shall make the first increase in the aggregate amount of educational assistance under section 3532 of such title as required by such section 3564 (as so amended) for fiscal year 2008.

SUMITTED RESOLUTIONS

SENATE RESOLUTION 86—DESIGNATING MARCH 1, 2007, AS ''SIBLINGS CONNECTION DAY''

Mr. SALAZAR (for himself, Mr. ENSIGN, Mr. BROWN, Mr. KERRY, and Mr. AKAKA) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 86

Whereas sibling relationships are among the longest-lasting and most significant relationships in life;

Whereas brothers and sisters share history, memories, and traditions that bind them together as family;

Whereas it is estimated that over 65 percent of children in foster care have siblings, many of whom are separated when placed in the foster care system, adopted, or confronted with different kinship placements;

Whereas children in foster care are at greater risk than their peers of having emotional disturbances, problems in school, and difficulties with relationships later in life;

Whereas the separation of siblings while children causes additional grief and loss;

Whereas organizations and private volunteer efforts exist that advocate for preserving sibling relationships in foster care settings and that give siblings in foster care the opportunity to reunite;

Whereas Camp to Belong, a nonprofit organization founded in 1995 by Lynn Price, heightens public awareness of the need to preserve sibling relationships in foster care settings and gives siblings in foster care the opportunity to be reunited; and

Whereas Camp to Belong has reunited over 2,000 separated siblings across the United States, the United States Virgin Islands, and Canada: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 1, 2007, as ''Siblings Connection Day'';

(2) encourages the people of the United States to celebrate sibling relationships on Siblings Connection Day; and

(3) supports efforts to respect and preserve sibling relationships that are at risk of being disrupted by the placement of children in the foster care system.

SENATE RESOLUTION 87—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD IMPLEMENT A COMPREHENSIVE INTERAGENCY PROGRAM TO REDUCE THE LUNG CANCER MORTALITY RATE BY AT LEAST 50 PERCENT BY 2015

Mr. HAGEL (for himself, Mrs. CLINTON, Mr. BROWNBACK, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 87

Whereas lung cancer is the leading cause of cancer death for both men and women, accounting for 28 percent of all cancer deaths;

Whereas lung cancer kills more people annually than breast cancer, prostate cancer, colon cancer, liver cancer, melanoma, and kidney cancer combined;

Whereas, since the National Cancer Act of 1971 (Public Law 92–218; 85 Stat. 778), coordinated and comprehensive research has raised the 5-year survival rates for breast cancer to 88 percent, for prostate cancer to 99 percent, and for colon cancer to 64 percent;

Whereas the 5-year survival rate for lung cancer is still only 15 percent and a similar coordinated and comprehensive research effort is required to achieve increases in lung cancer survivability rates;

Whereas 60 percent of lung cancer cases are now diagnosed in nonsmokers or former smokers;

Whereas ⅔ of nonsmokers diagnosed with lung cancer are women;

Whereas certain minority populations, such as Black males, have disproportionately high rates of lung cancer incidence and mortality, notwithstanding their lower smoking rate;

Whereas members of the baby boomer generation are entering their sixties, the most common age at which people develop cancer;

Whereas tobacco addiction and exposure to other lung cancer carcinogens such as Agent Orange and other herbicides and battlefield emissions are serious problems among military personnel and war veterans;

Whereas the August 2001 Report of the Lung Cancer Progress Review Group of the National Cancer Institute stated that funding for lung cancer research was ''far below the levels characterized for other common malignancies and far out of proportion to its massive health impact'';

Whereas the Report of the Lung Cancer Progress Review Group identified as its ''highest priority'' the creation of integrated, multidisciplinary, multi-institutional research consortia organized around the problem of lung cancer rather than around specific research disciplines; and

Whereas the United States must enhance its response to the issues raised in the Report of the Lung Cancer Progress Review Group: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should—

(1) declare lung cancer a public health priority and immediately lead a coordinated effort to reduce the lung cancer mortality rate by 50 percent by 2015;

(2) direct the Secretary of Health and Human Services to increase funding for lung cancer research and other lung cancer-related programs as part of a coordinated strategy with defined goals, including—

(A) translational research and specialized lung cancer research centers;

(B) expansion of existing multi-institutional, population-based screening programs incorporating state-of-the-art image processing, centralized review, clinical management, and tobacco cessation protocols;

(C) research on disparities in lung cancer incidence and mortality rates;

(D) graduate medical education programs in thoracic medicine and cardiothoracic surgery;

(E) new programs within the Food and Drug Administration to expedite the development of chemoprevention and targeted therapies for lung cancer;

(F) annual reviews by the Agency for Healthcare Research and Quality of lung cancer screening and treatment protocols;

(G) the appointment of a lung cancer director within the Centers for Disease Control and Prevention with authority to improve lung cancer surveillance and screening programs; and

(H) lung cancer screening demonstration programs under the direction of the Centers for Medicare and Medicaid Services;

(3) direct the Secretary of Defense, in conjunction with the Secretary of Veterans Affairs, to develop a broad-based lung cancer screening and disease management program among members of the Armed Forces and veterans, and to develop technologically advanced diagnostic programs for the early detection of lung cancer;

(4) appoint a Lung Cancer Scientific and Medical Advisory Committee, comprised of medical, scientific, pharmaceutical, and patient advocacy representatives, to—

(A) work with the National Lung Cancer Public Health Policy Board described in paragraph (5); and

(B) report to the President and Congress on the progress toward and the obstacles to achieving the goal described in paragraph (1) of reducing the lung cancer mortality rate by 50 percent by 2015; and

(5) convene a National Lung Cancer Public Health Policy Board, comprised of multiagency and multidepartment representatives and at least 3 members of the Lung Cancer

Scientific and Medical Advisory Committee, to oversee and coordinate all efforts to accomplish the goal described in paragraph (1) of reducing the lung cancer mortality rate by 50 percent by 2015.

AMENDMENTS SUBMITTED AND PROPOSED

SA 268. Mr. SALAZAR (for himself, Mr. CHAMBLISS, Mr. ISAKSON, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table.

SA 269. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4, supra; which was ordered to lie on the table.

SA 270. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 184, to provide improved rail and surface transportation security; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 268. Mr. SALAZAR (for himself, Mr. CHAMBLISS, Mr. ISAKSON, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RURAL POLICING INSTITUTE.

(a) IN GENERAL.—There is established a Rural Policing Institute, which shall be administered by the Office of State and Local Training of the Federal Law Enforcement Training Center (based in Glynco, Georgia), to—

(1) evaluate the needs of law enforcement agencies of units of local government and tribal governments located in rural areas;

(2) develop expert training programs designed to address the needs of rural law enforcement agencies regarding combating methamphetamine addiction and distribution, domestic violence, law enforcement response related to school shootings, and other topics identified in the evaluation conducted under paragraph (1);

(3) provide the training programs described in paragraph (2) to law enforcement agencies of units of local government and tribal governments located in rural areas; and

(4) conduct outreach efforts to ensure that training programs under the Rural Policing Institute reach law enforcement officers of units of local government and tribal governments located in rural areas.

(b) CURRICULA.—The training at the Rural Policing Institute established under subsection (a) shall be configured in a manner so as to not duplicate or displace any law enforcement program of the Federal Law Enforcement Training Center in existence on the date of enactment of this Act.

(c) DEFINITION.—In this section, the term ''rural'' means area that is not located in a metropolitan statistical area, as defined by the Office of Management and Budget.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section (including for contracts, staff, and equipment)—

(1) $10,000,000 for fiscal year 2008; and

(2) $5,000,000 for each of fiscal years 2009 through 2013.

SA 269. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VACANCIES.

(a) IN GENERAL.—Section 546 of title 28, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) A person appointed as United States attorney under this section may serve until the earlier of—

''(1) the qualification of a United States attorney for such district appointed by the President under section 541 of this title; or

''(2) the expiration of 120 days after appointment by the Attorney General under this section.

''(d) If an appointment expires under subsection (c)(2), the district court for such district may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.''.

(b) APPLICABILITY.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date of enactment of this Act.

(2) APPLICATION.—

(A) IN GENERAL.—Any person serving as a United States attorney on the day before the date of enactment of this Act who was appointed under section 546 of title 28, United States Code, may serve until the earlier of—

(i) the qualification of a United States attorney for such district appointed by the President under section 541 of that title; or

(ii) 120 days after the date of enactment of this Act.

(B) EXPIRED APPOINTMENTS.—If an appointment expires under subparagraph (A), the district court for that district may appoint a United States attorney for that district under section 546(d) of title 28, United States Code, as added by this section.

SA 270. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 184, to provide improved rail and surface transportation security; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VACANCIES.

(a) IN GENERAL.—Section 546 of title 28, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) A person appointed as United States attorney under this section may serve until the earlier of—

''(1) the qualification of a United States attorney for such district appointed by the President under section 541 of this title; or

''(2) the expiration of 120 days after appointment by the Attorney General under this section.

''(d) If an appointment expires under subsection (c)(2), the district court for such district may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.''.

(b) APPLICABILITY.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date of enactment of this Act.

(2) APPLICATION.—

(A) IN GENERAL.—Any person serving as a United States attorney on the day before the date of enactment of this Act who was appointed under section 546 of title 28, United States Code, may serve until the earlier of—

(i) the qualification of a United States attorney for such district appointed by the President under section 541 of that title; or

(ii) 120 days after the date of enactment of this Act.

(B) EXPIRED APPOINTMENTS.—If an appointment expires under subparagraph (A), the district court for that district may appoint a United States attorney for that district under section 546(d) of title 28, United States Code, as added by this section.

NOTICES OF HEARINGS/MEETINGS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled ''Credit Card Practices: Fees, Interest Rates, and Grace Periods.'' It is the first of several subcommittee hearings that will examine a variety of credit card practices that raise concerns. This hearing will focus on how credit card issuers apply interest rates and fees to consumer accounts. It will examine, for example, how credit card issuers select and apply interest rates and, for consumers carrying a balance forward, eliminate grace periods for repaid debts. It will also analyze high fees charged for late payments, over-the-limit charges, and other matters, including how those fees are assessed, how they add to increase interest costs, and how they contribute to consumer debt. In addition, the hearing will examine an industry practice requiring consumer payments to be applied first to balances with the lowest interest rates instead of to balances with the highest interest rates. The hearing will draw, in part, from a September 2006 GAO report detailing the finance charges, fees, and disclosure practices associated with 28 popular credit cards. Witnesses for the upcoming hearing will include representatives from the three largest credit card issuers, Bank of America, JPMorgan Chase, and Citigroup, as well as consumer witnesses. A final witness list will be available on Monday, March 5, 2007.

The subcommittee hearing is scheduled for Wednesday, March 7, 2007, at 10 a.m. in room 342 of the Dirksen Senate Office Building. For further information, please contact Elise J. Bean, of the Permanent Subcommittee on Investigations at 224–3721.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, February 27, at 9:30 a.m., in open and closed sessions to receive testimony on current and future worldwide threats to the national security of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the sessions of the Senate on Tuesday, February 27, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to evaluate the Passenger Rail Investment and Improvement Act of 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, February 27, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''America's Energy Future: Bold Ideas, Practical Solutions''.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 27, 2007, at 2:30 p.m. to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Tuesday, February 27, 2007 at 10 a.m. in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to conduct a hearing on ''Strengthening Our Criminal Justice System: The John R. Justice Prosecutors and Defenders Incentive Act of 2007'' on Tuesday, February 27, 2007 at 2 p.m. in Dirksen Senate Office Building Room 226.

Witness List:

Paul A. Logli, Winnebago County State's Attorney, Chairman of the Board, National District Attorneys Association, Rockford, Illinois; Michael P. Judge, Chief Public Defender, Los Angeles County, Founding Member, American Council of Chief Defenders, Los Angeles, California; Jessica A. Bergeman, Assistant State's Attorney, Cook County State's Attorneys Office, Chicago, Illinois; George B. Shepherd, Associate Professor of Law, Emory University School of Law, Atlanta, Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, February 27, 2007 at 2 p.m. in the Canon Caucus Room, to hear the legislative presentation of the Disabled American Veterans.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Aaron Firoved and Nathan Lesser, both fellows on detail to my Homeland Security and Governmental Affairs staff, and Cherrie Daniels, a fellow on detail from my personal office, have leave to the floor for the duration of the debate on the bill, S. 4.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR STAR PRINT—S. 562 AND S. 609

Mr. DURBIN. Mr. President, I ask unanimous consent that S. 562 and S. 609 each be star printed with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, FEBRUARY 28, 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Wednesday, February 28; that on Wednesday, following the prayer and the Pledge of Allegiance, 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 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 majority and the second 30 minutes under the control of the Republicans; that following morning business, the Senate then begin consideration of S. 4, as previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 5:23 p.m., adjourned until Wednesday, February 28, 2007, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate February 27, 2007:

DEPARTMENT OF JUSTICE

JEFFREY A. TAYLOR, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS, VICE KENNETH L. WAINSTEIN, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MICHAEL J. BROWNE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. THOMAS F. KENDZIORSKI, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. LOTHROP S. LITTLE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. KENNETH J. BRAITHWAITE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. STEPHEN P. CLARKE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JOSEPH D. STINSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JERRY R. KELLEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. CYNTHIA A. DULLEA, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PATRICIA E. WOLFE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. GARRY J. BONELLI, 0000
CAPT. ROBIN R. BRAUN, 0000
CAPT. SANDY L. DANIELS, 0000
CAPT. SCOTT E. SANDERS, 0000
CAPT. ROBERT O. WRAY, JR., 0000

EXTENSIONS OF REMARKS

HONORING DR. XIAODONG WANG

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. BURGESS. Madam Speaker, I rise today to honor Dr. Xiaodong Wang, professor of biochemistry at UT Southwestern Medical Center, for his research on cell death.

Dr. Wang has been awarded the 2007 Richard Lounsbery Award by the National Academy of Sciences for his extraordinary achievement in biology and medicine. This high honor includes a $50,000 award and a prestigious medal. As a Howard Hughes Medical Institute investigator, Dr. Wang studies apoptosis, programmed cell death, which is applicable to numerous diseases, including cancer.

Last year, I honored Dr. Xiaodong Wang for being awarded the $1 million Shaw Prize in Life Science and Medicine for his discovery of the biochemical basis of programmed cell death which is a vital process that balances cell birth and prevents cancer. His scientific breakthrough marks a turning point in the history of medicine and will indeed benefit the lives of millions around the world.

As a UT Southwestern Medical Center alumnus, it is with great honor that I am able to congratulate Dr. Xiaodong Wang on his remarkable scientific achievement. His intelligence and dedication to the field of science and medicine has proven him to be an outstanding professor and mentor. Dr. Wang is an inspiration and a role model to many, and I am proud to represent him in Congress.

CONGRATULATING AUBURN HIGH SCHOOL ATHLETES

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. ARCURI. Madam Speaker, I would like to recognize the Auburn Maroons of Auburn High School for making history in winning the Class AA New York State Football Championship on November 25, 2006—their first-ever Class AA State championship.

The athletes of Auburn High School in New York's 24th district and their coach, Dave Moskov, proved their ability and dedication as they brought 10,000 fans to Syracuse University's Carrier Dome, cheering them onto victory. In the championship game, the Maroons defeated the Monroe-Woodbury Crusaders in overtime by a score of 27–26.

Having played football at Proctor High School and later, at SUNY-Albany, I know how much hard work and commitment goes into developing a successful football team. I commend these players and Coach Moskov for their outstanding efforts. They have certainly made their families, their friends, and their community very proud.

I am honored to have such skilled athletes and committed fans as part of my constituency and would once again like to congratulate the Maroons on this notable accomplishment.

RECOGNIZING WILL DAVID MORRIS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Will David Morris, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

Will has been very active with his troop, participating in many Scout activities. Over the years Will has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Will's dedication to his school work and church are outstanding. Will works hard in school, while being an active member of the Liberty United Methodist Church, where he plays guitar in "Decided," the youth praise band, sings in the JAM youth choir and participates in Sunday school and the evening youth group. Will has also contributed significantly to the community, by leading a group of Scouts, friends, and adults in landscaping the Outdoor Worship Center at Liberty United Methodist Church. Will and his crew planted more than a dozen low-maintenance bushes and shrubs.

Madam Speaker, I proudly ask you to join me in commending Will David Morris for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN PRAISE OF JACKSON, MI RESIDENT ALICE MANNING

HON. TIMOTHY WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 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."

Madam Speaker, I rise today to pay tribute to Alice Manning, an 87-year-old resident of Jackson, Michigan whose example has been a shining light to her community for over fifty years.

According to a February 21, 2007 article in the Jackson Citizen-Patriot, Manning took a first-aid course through the American Red Cross in March of 1956 and began volunteering with the organization.

To this day, the dedicated mother of two, grandmother of four and great-grandmother of four hasn't stopped.

Though she has never actually donated blood due to the Red Cross' weight requirement of 110 pounds, Alice has served the organization in various capacities for more than 50 years.

One blood donation can save up to three lives, and Alice has been an integral part of American Red Cross' efforts in the Jackson area.

So we thank Alice Manning for going above and beyond the call of duty by working to save lives in south-central Michigan through her service to the American Red Cross Blood Center.

IN MEMORY OF ADJUTANT GENERAL CHARLES M. KIEFNER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. SKELTON. Madam Speaker, it is with deep sadness that I inform the House of the death of Adjutant GEN Charles Kiefner.

General Kiefner was born on June 28, 1930, in Cape Girardeau, MO. Upon completion of high school, he attended Westminster College. Kiefner began his military career by enlisting in the Missouri National Guard as a private in Company F, 140th Infantry Regiment. On September 11, 1950, he entered active duty with Missouri's 175th Military Police Battalion.

General Kiefner was commissioned a second lieutenant, Infantry, on December 21, 1951. He served as a platoon leader, company commander, battalion motor officer, battalion S–2, brigade adjutant and S–3, executive officer and logistics officer on the staff of the adjutant general.

General Kiefner was appointed adjutant general by Governor Christopher "Kit" Bond on May 8, 1973, and would serve in this capacity until March 1977. As a member of the U.S. Army Reserve he served as a liaison officer to the U.S. Military Academy, West Point, from 1978 to 1980. He was re-appointed to lead the Missouri National Guard by Governor Bond in 1981 and Governor Ashcroft re-appointed him in 1989. While serving in this position, General Kiefner served as president of the National Guard Association of the United States.

General Kiefner retired from the National Guard in 1993 and was promoted to the grade of lieutenant general, Missouri National Guard Retired Listm, by Governor Mel Carnahan. His decorations and awards include: the Distinguished Service Medal, Legion of Merit with Oak Leaf Cluster, Meritorious Service Medal, Army Commendation Medal, Air Force Commendation Medal, Good Conduct Medal, Army Reserve Components Achievement Medal, Humanitarian Service Medal, Armed Forces Reserve Medal, Department of Defense Identification Badge, Ranger Tab, the NGB and

NGAUS Distinguished Service Medal, Missouri Meritorious Service Medal, Missouri Conspicuous Service Medal, Distinguished Service Medal: Indiana, Minnesota, and Tennessee; Minnesota Medal for Merit, 1992 Distinguished Alumni-Award-Westminster College, Field Artillery Association Order of St. Barbara, Army Engineers Association Silver Order of the de Fleury Medal, and the Sons of the American Revolution Silver Good Citizenship Award.

Madam Speaker, General Kiefner was a valuable leader who was respected by everyone who knew him. I know the Members of the House will join me in extending heartfelt condolences to his wife Marilyn and his sons, John and Keith.

IN REMEMBRANCE OF RONALD G. JONILA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Ronald G. Jonila, and to celebrate his lifelong commitment to the American worker. As the president of the United Auto Worker's Local 1005, Ron was an active proponent for worker's rights and served his union with integrity and honor.

For years, the American workforce has been confronted with numerous challenges from our economy and our world. Through it all, Ron was a model of constancy, devoting all his efforts to protecting workers' rights, fighting for workforce protections, and ensuring that Local 1005 thrived in an environment increasingly inhospitable to the American worker.

Ron never shied from a battle when his brothers and sisters of Local 1005 stood in harm's way. Whether the issue was jobs, health care, pensions, or working conditions, Ron always led the charge, and Local 1005 was well-served by his leadership.

Ron's devotion to the labor movement was exceeded in intensity and passion only by his commitment to his family. Ron was a generous and caring husband to Patricia; a loving father to Anthony, Nicholas, Thomas and Christopher; and the proud ''Papa'' of Jason and Thomas.

Madam Speaker and colleagues, please join me in honoring the memory of Ron Jonila. On February 20, 2007 we lost a wonderful husband, father, grandfather, friend and brother, but his unwavering commitment to family as well as the American workforce will serve as a model for us all.

IN RECOGNITION OF MIKE DE LA CRUZ

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. CARDOZA. Madam Speaker, it is with the greatest of pleasure that I rise today to honor a renowned reporter from my district, Mike De La Cruz, who retired from the Merced Sun Star on December 29, 2006 after more than 37 years on the beat.

Mike De La Cruz was the authority in and around Merced on news relating to law enforcement. He developed a great relationship with local authorities and earned the reputation of being a knowledgable and ethical reporter. He chronicled Merced County's criminals in a style that mixed straight news with a tone of mild bemusement at how people ended up on the wrong side of the law.

Throughout his career, Mike has had his share of memorable moments such as the time he broke his ankle jumping over a fence while attempting to cover a police raid on marijuana growers. Or the time he suffered a terrible sunburn after waiting for hours in an orchard for deputies to bust a cock-fighting ring. Whatever the situation, Mike utilized his extensive contacts to ensure his stories were accurate, and at the same time to assure the people of Merced that law enforcement was looking out for them. Over the 37 years that he put pen to paper, Mike always garnered respect for his balanced reporting.

Madam Speaker, journalism in Merced will never be the same without the quick witted and balanced reporting of Mike De La Cruz. He will be missed by local law enforcement and the faithful readers of the Merced Sun Star. I want to take this time to express my sincere thanks to Mike De La Cruz for his many years of dedicated service and for all that he has done for our community. I certainly hope his future is as colorful and rewarding as his past. My fellow colleagues, I ask that you please rise to join me in honoring Mike De La Cruz.

TELEPHONE FEDERAL EXCISE TAX REPEAL BILL INTRODUCTION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. JOHN LEWIS of Georgia. Madam Speaker, I rise today with my colleagues, Representative JIM RAMSTAD, Representative RICK BOUCHER, and Representative GARY MILLER to introduce the Telephone Excise Repeal Act of 2007. Our bill will repeal this 107-year-old tax that is outdated and is only paid by Americans that cannot pay for expensive communications services.

The telephone FET was introduced in 1898 as a ''luxury'' tax to fund the Spanish American War. While it may have made sense then, there is no question that telecommunication services today are necessities, not luxuries.

Telephone tax revenues, first collected in 1898 to help finance the Spanish-American War, are deposited in the General Fund. Unlike other excise tax revenues, these revenues are not deposited into a specific account such as the Highway Trust Fund, which is made up of gas tax revenues. Additionally, other excise taxes serve the purpose of decreasing consumption of the taxed product; the FET serves no such purpose. A telephone is a necessity for every American, and thus does not fit with this list of ''luxury'' and other excise tax items.

The FET is now regressive and disproportionately burdens low-income, rural and lifeline telephone subscribers who have only local telephone service. As more and more Americans buy bundled communication services, the projected tax revenue collected from the FET continues to decrease and only affect those with the least means to purchase more costly packages. CBO estimates that this tax will bring in $1.5 billion over the next 10 years.

This tax is contrary to the national goal of having an advanced, highly efficient, and low cost communications network to serve the American people. Please help us hang up on the telephone tax by joining us on this legislation.

HONORING DR. JAMES WILSON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. BURGESS. Madam Speaker, I rise today to honor Dr. James Wilson, director of the Harold C. Simmons Comprehensive Cancer Center at UT Southwestern Medical Center.

Dr. Wilson has recently been appointed to the National Cancer Institute's board of scientific advisors due to his outstanding achievements in the field of medicine. As a medical expert on the panel, he will be advising the NCI director on a variety of issues concerning scientific program policy, as well as the progress and future direction of extramural research programs of the cancer institute. As a UT Southwestern Medical Center alumnus, it is with great honor that I am able to congratulate Dr. James Wilson on his prestigious appointment. His intelligence and dedication to the field of science and medicine has proven him to be an outstanding professor and mentor. Dr. Wilson is an inspiration and a role model to many, and I am proud to represent him in Congress.

IN RECOGNITION OF WILLIAM GRIFFEN

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. ARCURI. Madam Speaker, I would like to recognize the truly honorable life of Mr. William Griffen of Tully, New York. Mr. Griffen was a student, an educator, an activist, a writer, a father, a husband, a friend, a neighbor, and an inspiration. Mr. Griffen will be remembered for the enthusiasm and sincerity he brought to his work throughout his 78 years.

Mr. Griffen attended SUNY Cortland where he received his B.S. in Education and went on to attend Cornell University, earning his M.A. and Ed.D. Mr. Griffen taught in Brentwood and Marathon, New York, for several years before returning to Cortland to become SUNY Cortland's longest-tenured Professor of Education. A beloved institution, Mr. Griffen was also honored as a distinguished alumnus of the university, ''teaching for over forty years and diligently working for peace and social justice at the local, state, national and international levels.''

Mr. Griffen aspired to influence our country on many levels, running for Congress twice, in 1968 and 1990. His extensive contribution through his writings has been seen in over 50 articles addressing war, technology, civil

rights, and revolution. Additionally, he coauthored the book of Lessons of the Vietnam War—A Critical Examination of School Texts and an Interpretive Comparative History Utilizing the Pentagon Papers and Other Documents. During the Vietnam War, he was responsible for starting the Cortland Citizens for Peace organization and went on to become very active in the anti-war movement. Mr. Griffen's dedication to activism also led him to Mississippi and Tennessee with the historic, pioneering freedom riders, where he worked to register minority voters so they could have a voice in government.

Even in his later days, Mr. Griffen continued his spirit of activism, helping the American Cancer Society by participating in a new program for people diagnosed with prostate cancer. He trained volunteers in upstate New York to counsel cancer patients and served on the speakers' bureau at the Syracuse Man-to-Man Cancer Support Group.

Many say that Mr. Griffen was truly a renaissance man, with interests in baseball, jazz, nature, photography, and the environment. He and his wife, Judy, had three children: Mark, Kimberly, and Amy.

William Griffen gave his heart and soul to improve the lives of the people he touched. His contributions and his sacrifices will live on for generations in upstate New York and around our great country. Thank you, Mr. Griffen.

TRIBUTE TO MICHAEL BAHARAEEN FOR THE AWARD OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Michael Baharaeen, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 354, and by earning the most prestigious award of Eagle Scout.

Michael has been very active with his troop, participating in many scout activities. Over the years, Michael has been involved in scouting, he has earned 39 merit badges and held numerous leadership positions, serving as Patrol Leader and Scribe and is a member of the Tribe of Mic-O-Say.

For his Eagle Scout project, Michael built a storage area and refurbished playground equipment at Crestview Elementary in Kansas City, Missouri.

Madam Speaker, I proudly ask you to join me in commending Michael Baharaeen for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN PRAISE OF SCENE MAGAZINE'S ''MAN OF THE YEAR,'' JIM HETTINGER

HON. TIMOTHY WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. WALBERG. Madam Speaker, Jim Hettinger, a constituent of mine from Battle Creek, MI, will be recognized as Scene Magazine's ''Man of the Year'' this Thursday. Mr. Hettinger is receiving this honor for his work in and around the community of Battle Creek over the past three decades.

Mr. Hettinger's work has spanned all areas of community service; from education to economic development to the arts to food banks to health care. Jim Hettinger has touched many lives in his community.

In 1978, Mr. Hettinger was named president of Battle Creek Unlimited, an organization. which brings together government, non-profit and business groups for the sole purpose of furthering the development of the economy of Battle Creek and Calhoun County.

Highlights of Mr. Hettinger's leadership of Battle Creek Unlimited include saving the Federal Center in Battle Creek in 1993, the addition of Duncan Aviation and Western Michigan College of Aviation and the establishment of the West Michigan Aviation Research Foundation. As the article in Scene Magazine honoring Mr. Hettinger states, ''the Research Foundation will help to promote economic development and attract research dollars to this community.''

Mr. Hettinger is probably best known for his efforts and foresight in transforming Fort Custer, which was an abandoned military training base, into the 3,000-acre Fort Custer Industrial Park, the largest modem industrial park in Michigan. Today, the industrial park has over 90 companies and employs thousands of good paying, high-skilled jobs.

This is not the first award for Mr. Hettinger as he has been rightfully showered with praise for his commitment to the Calhoun County community. Mr. Hettinger received Governor Engler's first Economic Developer of the Year award in 1995. He received Certificates of Recognition for Community Service from Presidents Bill Clinton and George W. Bush in 1999 and 2001 respectively. Mr. Hettinger's community service endeavors are too expansive to list here today, and his work is best displayed by the tremendous number of lives he has touched throughout his career in Battle Creek.

I extend my sincere appreciation and offer the congratulations of the U.S. Congress to Mr. Jim Hettinger for being named Scene Magazine's ''Man of the Year.''

INTRODUCTION OF H. RES. 171, HONORING THE LIFE OF THE MARQUIS DE LAFAYETTE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. SKELTON. Madam Speaker, as a lifelong resident of Lafayette County, MO, it gives me great pleasure to introduce H. Res. 171, a resolution honoring the life of the Marquis de Lafayette on the occasion of the 250th anniversary of his birth.

Lafayette occupies a considerable place in the history of the United States. More than any one person, he symbolizes the assistance American colonists received from Europe in the struggle for independence from Great Britain.

Lafayette was a man of considerable military skill who sympathized with American revolutionary fighters. After withdrawing from the French army and traveling across the ocean at his own expense, the Congress voted Lafayette the rank and commission of major general in the Continental Army. His military service during the Revolutionary War was invaluable to GEN George Washington, earning him the title of ''the soldier's friend.'' Lafayette's strategic thinking and dedication as a general officer serve as a model for present day military personnel.

After achieving military victory, Lafayette returned to France, helping the U.S. to secure trade agreements and critical loans with European nations. He also became a prominent figure in the French Revolution, speaking out in support of universal freedom and human rights.

Because of Lafayette's commitment to America, Congress honored him with awards of money and land. Congress was also presented a life-size portrait of Lafayette that hangs in the Chamber of the U.S. House of Representatives. The portrait is one of only two in the House Chamber. The other is of President George Washington, Lafayette's closest friend and role model.

At the invitation of President James Monroe, Lafayette returned to the United States in 1824 and 1825. He embarked upon a triumphant tour, during which he visited 25 States, including Missouri, and he became the first foreign dignitary to address a joint session of Congress. During this visit and thereafter, various American leaders honored Lafayette by naming many cities, towns, and counties for him. Lafayette County, MO, which is my home, is named for Lafayette.

As we take a moment this year to honor the Marquis de Lafayette on the occasion of his 250th birthday, let us remember how he helped secure American independence and helped establish the United States as an international presence. The values of democracy espoused by our Founding Fathers and by Lafayette have been the bedrock of U.S. domestic and international policymaking for generations.

I urge all Americans and especially those in the military to study Lafayette as America pays tribute to him.

IN REMEMBRANCE OF REVEREND ROBERT DRINAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. KUCINICH. Madam Speaker, I rise today in honor of Reverend Robert Drinan. Father Drinan was a great humanitarian that showed the world that being a servant of the people was not a conflict of interest when serving the Lord.

Father Robert Drinan effortlessly assimilated pious servitude with politics, showing that the purpose of both was oftentimes the same. He was an active and prominent voice when it came to civil rights, and as the Dean of Boston College Law School he called for and supported desegregation. He also challenged the students of Boston College Law School to be active in the civil rights movement.

Father Drinan was the first Roman Catholic priest to be elected to Congress. In 1970, Father Drinan ran for Congress on an anti-war

platform after a visit to South Vietnam, where he discovered that the number of political prisoners was increasing despite claims from the State Department. He later urged the Catholic Church to condemn war as ''morally objectionable.'' Father Drinan continued to serve faithfully as he represented the constituents of Massachusetts in the House of Representatives for ten years.

His attention was not reserved to Vietnam or civil rights. Father Drinan also was an outspoken advocate for the underprivileged and, after leaving his Congressional office in 1980, he maintained his commitment to the poor and the marginalized. He served as the president for Americans for Democratic Action, and traveled the country giving speeches on hunger and the dangers of the arms race.

Madam Speaker and colleagues, please join me in honoring the memory of Reverend Robert Drinan, whose fierce devotion to the most vulnerable among us serves as a model for all of us who continue to serve those in need.

IN RECOGNITION OF JOSEPH EDWARD GALLO

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. CARDOZA. Madam Speaker, it is with the greatest respect and sincerity that I rise today to honor an exceptional community leader, the late Mr. Joseph Edward Gallo. Mr. Gallo, a prominent Merced County rancher, dairyman and cheese producer, died February 17, 2007 at his home in Livingston, California at the age of 87.

Joseph Gallo started life as an immigrant's son on September 11, 1919 in Antioch, California, and ended it as one of the most successful dairymen in the country. He was the youngest of three boys to parents Joseph Sr. and Susie Gallo who moved to California from the Piedmont region of northern Italy. At a young age, Joe moved to Modesto, California with his family, and attended Franklin Grammar School. In 1937, Joseph graduated from Modesto High School and began his studies at Modesto Junior College. He then enlisted in the U.S. Army Air Corps during World War II and served in the Philippine Islands and Korea. In 1945, one year before he left the Army Joseph married Mary Ann Arata of Modesto and together they had three children: Peter Joseph, Michael David and Linda Ann. The family suffered a great loss in 1968 when 1st Lt. Peter Gallo was killed in action in Vietnam. Michael and Linda are partners in the Gallo business and farming enterprises, Michael serving as CEO since his father's retirement and Linda's husband Kenny is Ranch Operations Manager for the firm.

When Joseph returned home from the service, he became the ranch manager for his brothers' grape-growing operation, E&J Gallo Vineyards in Livingston. In 1966 Joseph married Patricia Morgan-Gardali of Modesto. Patricia and her nine year old son, Sam Gardali, joined the family, making their home in Livingston. During the 20 years he worked for his brothers' operation, he was also developing his own vineyard and cattle business. Joseph eventually accumulated 4,000 acres of vineyards, at one time becoming one of California's largest wine grape growers. In the years following, his interest in livestock developed and in 1979 Joseph built his first diary with 4,000 milking cows. Four more diaries would follow as did the founding of the Joseph Gallo Diary & Cheese Co. in 1982. In the 25 years since, Joseph's business has flourished and in addition to becoming a successful agricultural organization, it has become a leader in protecting the environment and public health for this and future generations. I remember as a child always hearing my father talk about what an amazing farmer Joe Gallo was and how impressed he was with how the Gallo operation had skillfully grown from a small ranch to one of the nation's most successful dairyman and cheese producers. His success was truly phenomenal and reflective of Joe's commitment, hard work and dedication to his business.

The Joseph Gallo Farms tradition and commitment to balancing success with environmental responsibility is unmatched and has set the standard for farming operations across the country. Joseph Gallo will be remembered as one of the early pioneers in using methane from manure as a source of electricity. He has been recognized by the U.S. Environmental Protection Agency, and was most recently named the International Dairy Foods Association's Innovative Dairy Farmer of the Year. Joseph's interest in environmentally conscious farming had much to do with his love of the outdoors, especially hunting, fishing and traveling. His work has truly helped shape the future of environmentally-friendly farming and will forever be admired and remembered for his ingenuity.

Throughout his life, Joseph has supported and been involved with countless community organizations and foundations including the Livingston Community Health Center, Mercy Medical Center Merced, St. Jude's Catholic School and Emanuel Hospital Chairman's Club of Turlock. He was also a major contributor to the Veteran's Memorial Wall in Washington, D.C. in memory of his son Peter. Joseph's legacy will also be memorialized in the Joseph Edward Gallo Recreation and Wellness Center at the University of California, Merced, after his son Michael and daughter Linda donated funds to its construction in their father's name.

Joseph Gallo is survived by his wife of 41 years, Patricia; his son Michael and wife Lori; his daughter Linda and husband Kenny Jelacich; his stepson Sam Gardali and wife Kay; and six grandchildren. He was preceded in death by his son Peter, and his brother, Julio Gallo. He is also survived by his brother Ernest Gallo. Madam Speaker, it is my distinct honor and privilege to join our community and the Gallo family in honoring the life and legacy of Mr. Joseph Edward Gallo. We lost a pioneer, a community leader and a dear friend in his passing.

INTRODUCTION OF THE KIDNEY CARE QUALITY AND EDUCATION ACT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. LEWIS of Georgia. Madam Speaker, I rise in support of the Kidney Care Quality and Education Act that I am proud to introduce today with my colleague from Michigan, Mr. CAMP. This comprehensive legislation will help educate Americans about how to prevent and delay the onset of kidney disease and ensure high quality care for patients with irreversible kidney failure.

More than 400,000 Americans have kidney failure, which is also known as End Stage Renal Disease (ESRD). The only treatment available to these patients is a kidney transplant or renal dialysis. Because there are so few kidneys available for transplantation, most dialysis patients must undergo 3-hour treatment sessions three to four times per week.

Diabetes and hypertension are two of the leading causes of kidney disease. We continue to see the numbers of Americans with these conditions rise, and as a result, we will continue to see more Americans suffering from chronic kidney disease. Statistics show that African Americans are particularly at risk for kidney disease and kidney failure. They make up more than one third of all patients on dialysis in this country. Most alarming, the growth rate of kidney failure among African Americans age 30 to 39 has risen 26 percent since 2000 and it shows no signs of stopping. African Americans have a higher risk of developing the conditions that lead to kidney failure. For example, the American Heart Association reports that more than 40 percent of African Americans have hypertension. African Americans with diabetes experience kidney failure about four times more often than white Americans with diabetes. In addition, African Americans are less likely to receive treatment in the early stages of the disease or to learn about how they can slow the progress of kidney disease.

The Kidney Care Quality and Education Act will help address these issues by improving public awareness about kidney disease and improving access to quality care. The importance of educating our citizens about kidney disease cannot be understated. The Kidney Care Quality and Education Act will provide funding to establish critical educational programs to increase public awareness about kidney disease treatment and prevention. These programs will also help people already suffering from chronic kidney disease and kidney failure, by providing important self-management skills that will improve their quality of life and help them continue their normal activities, such as working. This legislation also takes steps to improve the quality of kidney care by creating a 3-year Continuous Quality Improvement Initiative within the Medicare ESRD Program.

I urge my colleagues to join me in supporting this important legislation, which also has the support of all sectors of the kidney care community. We should maintain our commitment to Americans with kidney failure by improving the quality of care for these patients and help slow the occurrence of chronic kidney disease and kidney failure.

CONGRATULATING MR. PAT LOBB

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate Mr. Pat Lobb for being

recognized as having an environmentally friendly car dealership.

Mr. Pat Lobb's dealership, Pat Lobb Toyota and Scion, was recently recognized by the National Automobile Dealers Association as a certified Leadership of Energy and Environmental Design facility. The dealership is of a unique design, having exterior panels made of recycled aluminum, a cistern that captures and reuses rainwater and condensation, and a special membrane roof. Although the facility cost 5 to 7 percent more than a conventional dealership, Mr. Lobb intends to recover the difference in 3 to 5 years from energy and water savings.

Having recently built a new eco-friendly home, I have witnessed first hand the benefits of planning to construct environmentally friendly businesses. I certainly hope that Mr. Lobb's decision encourages others to follow in his footsteps.

I would like to join Mr. Pat Lobb's family and friends in congratulating him on this outstanding achievement. His concern for energy and the environment has led to a creative design that contributes to the safety and wellbeing of our community. I am proud to represent Mr. Lobb in Washington, and may his compassion and dedication be an inspiration to us all.

IRAQ WAR RESOLUTION

SPEECH OF

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. YOUNG of Alaska. Madam Speaker, I made a statement on the House floor as part of my participation in the debate on the War on Terror and House Concurrent Resolution 63. In that statement, I repeated a quote I had read as part of an article from the Washington Times, that I believed at the time was attributed to Abraham Lincoln, because it was cited as such. I have since learned that it was not true Abraham Lincoln quote, and even though the Times never corrected the mistake, I retract my attribution. I do stand by the sentiment however, which is that in wartime, Americans, especially America's elected leaders, should not take actions that damage the morale of our soldiers and military—and that is exactly what the non-binding resolution does. I could never in good conscience support H. Con. Res. 63. Instead, I choose to support our men and women in the military.

BROWARD COUNTY VETERANS COUNCIL RESOLUTION ON IRAQ

HON. RON KLEIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. KLEIN of Florida. Madam Speaker, I submit the following resolution on Iraq by the Broward County Veterans Council passed on January 16, 2007.

Whereas: The President of the United States has put forth a plan to the American people and to Congress which calls for an escalation of 20,000 or more of our troops going to Iraq to combat the insurrection in the Bagdad and Anbar provinces.

Whereas: The majority in Congress has put forth several plans that do not include escalation of combat troops.

Whereas: The General Election of Nov. 7th showed that the American people voted for a new direction in Iraq and Afghanistan.

Whereas: The Administration has tried four times to escalate the war with the additional troops in Iraq, all to no avail in stopping the bloodshed among the Sunnis and the Shites.

Therefore: The Broward County Veterans Council, believes that the best plan is to bring our troops home now, in a phased redeployment, and start redeploying our combat troops to the outer borders of Iraq and into Kuwait. Let's get them out of harm's way, without our troops getting involved in a bloody civil war, expedite the training of Iraqi military and police forces and let the Iraqis settle their differences among themselves. At the same time bring all the regional Arab nations to a summit meeting to discuss a final political settlement as recommended by the Iraq Study Group.

Bill Kling, Chairman, Broward County Veteran Council.

This resolution was passed by the BCVC members present at the meetings and does not necessarily reflect the views of the National Veteran organizations.

TRIBUTE TO DAVID BREWER

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mrs. EMERSON. Madam Speaker, I rise today to honor the accomplishments and contributions of David Brewer to the city of Charleston, Missouri, in the Eighth Congressional District. Mr. Brewer is retiring from his position as city manager, a post which he has held for the last 10 years. I have personally known David for 25 years as a farmer, levee board president, a banker and then as city manager of Charleston. He has excelled in every endeavor, and I am proud to call him my friend.

As the longest-serving Charleston city manager on record, Mr. Brewer has been instrumental in attracting new business opportunities for southern Missouri and to the city of Charleston. By using Tax Increment Financing and Enhanced Enterprise Zone programs to their greatest benefit, Mr. Brewer has drastically helped to enhance the business climate in our rural part of the state. His involvement was essential to making essential city improvements, especially the new city water plant and the new wastewater lagoon, important parts of Charleston's water infrastructure.

However, I cannot sum up Dave Brewer's importance to the city and the region simply by enumerating his many accomplishments. Doing so would not adequately describe Mr. Brewer's dedication to his job and to the people he serves. Whether it was his open door policy at work or his commitment to solving problems in a fair and equitable way, Mr. Brewer took his service seriously. With a concentration on the future, Mr. Brewer volunteered his time to a number of boards and community groups. Always, Mr. Brewer thinks about how good planning and full use of the resources available to a small community can be best used to the benefit of all our citizens, present and future.

Mr. Brewer's retirement will leave a tremendous challenge for the city of Charleston to replace his expertise, his skill, and devotion to his work. Fortunately for us all, Dave Brewer has left us with an excellent head start for our future. I wish him the best of luck in his retirement and thank him for his generous years of service to our communities, our State, and our Nation.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE CHARLIE NORWOOD, MEMBER OF CONGRESS FROM THE STATE OF GEORGIA

SPEECH OF

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mrs. BLACKBURN. Mr. Speaker, it is with deep sorrow that I rise to remember the life of CHARLIE NORWOOD. I know CHARLIE had an impact on everyone that he came into contact with and we are all grieving the loss.

I had the privilege of serving with CHARLIE on the Energy and Commerce Committee. CHARLIE loved a robust discussion of the issues. He loved the ability to debate an idea and he loved espousing his conservative beliefs. When his microphone went on in committee, you could see the gleam in his eye as he readied for a hearty exchange. His love of engaging the issues was appreciated by all his colleagues on the Energy and Commerce Committee.

CHARLIE was a man of deep conviction and integrity. He will be deeply missed, not only by this body but also by his constituents and his family.

Mr. Speaker, I ask my colleagues to join me in celebrating the life and accomplishments of Congressman CHARLIE NORWOOD.

TRIBUTE TO THE UNIVERSITY OF NEW MEXICO COLLEGE OF EDUCATION

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mrs. Wilson of New Mexico. Madam Speaker, I rise today to congratulate to the University of New Mexico College of Education.

This past January the UNM College of Education was ranked 8th in the national Faculty Scholarly Productivity by Academic Analytics, for its teacher education and professional development programs. The college has also won nine national awards for their outstanding quality and graduates 400 new teachers a year. The creation of the Institution of Professional Development, through the College of Education, encourages greater teacher quality for New Mexico teachers.

The College of Education provides a unique education. The college has six American Indian tenured or tenure-track faculty members, more than any other major college of education in the nation. More than 20 percent of the College of Education's members are Hispanic, and they have strong bilingual and

English as a second language education programs.

I would like to congratulate the UNM College of Education for their continued excellence and outstanding performance.

IN HONOR OF VACLAV HAVEL AND THE 30TH ANNIVERSARY OF CHARTER 77

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. SMITH of New Jersey. Madam Speaker, Edmond Burke once said that, ''all it takes for evil to triumph is for good men to do nothing.'' Thirty years ago, good men and women came together, and together, they ultimately triumphed over evil.

In 1987, I traveled to Czechoslovakia with a Helsinki Commission delegation led by my good friend, STENY HOYER, who was then Chairman of the Commission. We traveled there just ten years after the Charter 77 movement had been formed and, amazingly, in spite of persecution and imprisonment, they had managed to publish 350 documents during its first ten years. And it was clear during my visit to Prague that this organization was having an impact, especially when the communist authorities went to the trouble of preventing five independent activists, including Vaclav Havel, from meeting with us.

In spite of this, our delegation was able to meet with several other Charter 77 signatories and sympathizers: Libuse Silhanova, Josef Vohryzek, Father Vaclav Maly, Zdenek Urbanek, and Rita Klimova. Libuse Silhanova, then serving as a Charter 77 spokesperson, described her fellow Chartists as ''ordinary people who happen to be part of a movement.'' For a group of ''ordinary people,'' they certainly accomplished extraordinary things.

One of the most notable of these ''ordinary people'' was the playwright Vaclav Havel, who is today the sole surviving member of Charter 77's first three spokespersons. At a time when most Czechoslovaks preferred to keep their heads low, he held his up. When others dared not speak out, he raised up his voice. While others hid from communism in their apartments and weekend cottages, he faced it down in prison.

In 1978, Havel wrote a seminal essay entitled, ''The Power of the Powerless.'' In it, he proposed a remarkably conspiratorial concept: the idea that those repressed by the Communist Lie actually had the power to ''live for truth,'' and that by doing so, they could change the world in which they live.

One of the people who read this essay was Zbygniew Bujak, who became a leading Solidarity activist in Poland. Bujak described the impact of Havel's message:

> This essay reached us in the Ursus factory in 1979 at a point when we felt we were at the end of the road. Inspired by KOR [the Polish Workers' Defense Committee, which preceded Solidarity], we had been speaking on the shop floor, talking to people, participating in public meetings, trying to speak the truth about the factory, the country, and politics. There came a moment when people thought we were crazy. Why were we doing this? Why were we taking such risks? Not seeing any immediate and tangible results, we began to doubt the purposefulness of what we were doing. Shouldn't we be coming up with other methods, other ways?
>
> Then came the essay by Havel. Reading it gave us the theoretical underpinnings for our activity. It maintained our spirits; we did not give up, and a year later—in August 1980—it became clear that the party apparatus and the factory management were afraid of us. We mattered. And the rank and file saw us as leaders of the movement. When I look at the victories of Solidarity, and of Charter 77, I see in them an astonishing fulfillment of the prophecies and knowledge contained in Havel's essay.

Vaclav Havel's essay was not just the product of clever wordsmithing; it was an act of singular heroism. In fact, shortly after writing ''The Power of the Powerless,'' Vaclav Havel found himself in prison, again. And it should be remembered that others, including philosopher Jan Patocka, Havel's close friend, and Pavel Wonka, paid with their lives for their opposition to the Czechoslovak communist regime.

Vaclav Havel is a man who has always been guided by the courage of his convictions. Remarkably, his courage did not fade upon his assumption of the presidency. Indeed, he is all the more heroic for his steadfast commitment to human rights even from the Prague Castle. From the beginning, he was a voice of reason, not revenge, as he addressed his country's communist and totalitarian past. In 1993, he rightly identified the situation of Roma as ''a litmus test for civil society.'' And not only has he raised human rights issues in his own country but reminds the world of the abuses taking place in Cuba and China.

Throughout his presidency, he pardoned those faced with criminal charges under communist-era laws that restrict free speech. In 2001, he spoke out against the parliament's regressive religion law, which turned the clock back on religious freedom. And he has reminded other world leaders of our shared responsibility for the poor and less fortunate the world over.

On the occasion of the 30th anniversary of the founding of Charter 77, I want to join my colleagues from the Helsinki Commission in honoring Vaclav Havel and all the men and women who signed the Charter, who supported its goals, and who helped bring democracy to Czechoslovakia.

RECOGNIZING SHAUN ANDREW ROBINSON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Shaun Andrew Robinson, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

Shaun has been very active with his troop, participating in many Scout activities. Over the years Shaun has been involved with Scouting, he has earned 30 merit badges and held numerous leadership positions, serving as patrol leader, assistant patrol leader, chaplain's aid, and den chief. He is a member of the Tribe of Mic-O-Say.

Shaun's dedication to his school work and church are outstanding. Shaun works hard in school, while being an active member of the Liberty United Methodist Church. He has also contributed significantly to the community by using his leadership skills to lead a group of boys and adults in completing a landscaping project at the Liberty United Methodist Church.

Madam Speaker, I proudly ask you to join me in commending Shaun Andrew Robinson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN REMEMBRANCE OF TOM MOONEY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Tom Mooney and his accomplishments as a champion of public education, the labor movement and social justice. A sudden and tragic loss for education advocates, Tom's December 9, 2006 passing also marks a sad day for the State of Ohio.

Tom began his career as a teacher in 1972 in Cincinnati. Quickly, though, his natural leadership brought him to represent his fellow educators as the president of the Local 1520 of the American Federation of Teachers between 1979 and 2000. During that time, he forged a reputation as a tireless and outspoken proponent of ensuring funding for public schools. Through his work with the Federation, he eventually rose to become the vice president of the national organization and served on its executive board.

A man of candor and American moxie, Tom's aggressive and enthusiastic public defense of teachers was an ongoing testament to his dedication to the idea that education is a fundamental and essential human right. Tom firmly believed that the success of the public education system rests on the will of the people to uphold its standards. Often, this meant challenging the status quo. Tom was not afraid to push forward and vehemently fight for higher standards and a higher quality of education. His strength, conviction, and outright courage to stand up steadfastly for the rights of educators have led to vast improvements in the field of education for the State of Ohio and the country.

Madam Speaker and colleagues, please join me in recognizing the life of Tom Mooney for his exemplary dedication to public education and the labor movement. Tom will be missed.

TRIBUTE TO CLARENCE SEAVERS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Ms. KAPTUR. Madam Speaker, I am pleased to recognize a gentleman in our district, Mr. Clarence Seavers of Sandusky, OH, who will be presented with the Lifetime Achievement Award by the Erie County Democratic Party on February 23, 2007. Our former

colleague and Ohio Governor Ted Strickland will present Clarence with the inaugural award. I know of no finer person to receive this distinguished recognition in its first year than my friend, Clarence Seavers.

Wherever one goes in Erie County OH, there will be Clarence Seavers. Well into his eighth decade of life, Mr. Seavers remains an active community participant. Not one to seek the glory of leadership, he is nonetheless a community leader in the truest sense, leading us by example to be good citizens.

A lifelong resident of Sandusky, Mr. Seavers is a World War II veteran, and was inducted into the Ohio Veterans Hall of Fame for his service with the 811th Aviation Engineering Battalion. He served the whole of U.S. involvement, 1941–1945, building airfields in the Pacific Theatre. Following military service, Mr. Seavers joined the ranks of the civil service, working as a clerk for the U.S. Postal Service for 30 years until his 1978 retirement.

In addition to his presence at many community events, Mr. Seavers has also formally given of his time in numerous ways. He has served on the boards of the YMCA, Goodwill Industries, Providence Hospital, Firelands Regional Medical Center, Erie County Board of Elections, Erie County Health Department, Chamber of Commerce, Boy Scouts and Erie Huron Community Action Commission. He is a lifetime member of the NAACP and a member of St. Stephen's AME Church. He volunteers as a baseball umpire and at the Ohio Veterans Home. His community calls him ''one of Erie County's heroes and treasures,'' a sentiment I echo. Yet, true to the man, Clarence Seavers says of his involvement, ''I just tried to give something back. As long as you're able, you can never give back too much.''

Clarence Seavers has never been one to hide his light beneath a bushel. Instead, he has let his light shine forth in guidance. Quiet, humble, with graceful dignity, he is a fine example of the best that is in us. He has been a wise counsel to me, and countless others, and we dearly value his friendship. Clarence Seavers has spent his lifetime in achievement, and I am so honored to share with my colleagues a glimpse at the embodiment of a true American patriot as I congratulate Clarence Seavers on his receipt of this distinguished recognition.

RECOGNIZING SPECIAL AGENT JAMES G. MACFARLANE

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. MURTHA. Madam Speaker, I rise to recognize the accomplishments of Special Agent James G. Macfarlane, currently the Deputy Inspector General and Deputy Assistant Director for the Office of Inspections of the Naval Criminal Investigative Service, NCIS. He will retire on March 1, 2007, after more than 23 years of service to our great Nation.

Jim began his career as a special agent with the then Naval Investigative Service in 1983 as a general crimes investigator at Portsmouth, VA. Special Agent Macfarlane was then selected as the Special Agent Afloat aboard the USS *John F. Kennedy* (CV–67) in June 1985. While serving aboard the *JFK*, Jim helped arrange law enforcement and force protection support required as the *JFK* was selected to participate in the rededication of the Statue of Liberty and the first naval ''OPSAIL'' celebration in New York City.

In 1986, Jim was selected as the Representational Resident Agent (RRA) at the Naval Investigative Service resident Unit in Misawa, Japan. In 1989, Jim was reassigned to NCIS Headquarters and worked in the Offensive Counterintelligence Operations Division, where he served with distinction for 5 years. During this time, SA Macfarlane was selected to attend Strategic Arms Reduction Training and deployed to Votkinsk, Russia, for 3 weeks in 1992 as the inspection team's CI specialist. In January 1994, Jim was selected to attend the Military Operations Training Course. In May 1994, he was reassigned as senior special agent working counterintelligence cases in Okinawa, Japan.

In 1996, Jim was selected as a Supervisory Special Agent (SSA) and began his first supervisory assignment at the NCIS Washington DC Field office where he provided Counterintelligence support to Navy special access programs. In 1997, Jim established the NCIS office at the Naval Surface Warfare Center, Dahlgren, VA, where he was cited by DoD for setting the standard in providing Counterintelligence support to Navy Research, Development, Test, and Evaluation (RTD&E) programs. In 1999, Jim returned to the Washington DC field office, where he became the SSA for all offensive CI activities. In 2000, he was selected as the SSA for the Office of Special Projects and in August 2001, Jim was promoted to GS–14 and selected as the Assistant Special Agent-in-Charge (ASAC), NCIS Middle East Field Office, in Manama Bahrain.

Jim served as the sole ASAC during a period of great national interest and military activity, supporting both OPERATIONS ENDURING FREEDOM and IRAQI FREEDOM. Jim brought great credit upon himself and the NCIS during his tenure in the Middle East and was awarded the Superior Civilian Service Award.

In July 2003, Jim was promoted to GS–15 and assigned as the Senior NCIS Representative to Headquarters Marine Corps (HQMC). For his significant efforts at HQMC, he was awarded the Marine Corps' Meritorious Civilian Service Award. In 2005, Jim was selected for his current position as the Deputy Inspector General.

I wish to express my gratitude to Special Agent MacFarlane for his many years of distinguished service to this country.

IN MEMORY OF MR. ROBERT GUSTAFSON

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. KNOLLENBERG. Madam Speaker, I want to recognize the life and achievements of a great business leader, teacher, and Michigander, Mr. Robert Gustafson, who passed away on February 20,2007.

While Mr. Gustafson's career rose to great heights as CEO and Chairman of Hubert Distributors, Inc. in Pontiac, Michigan, his humble beginnings give insight into his future achievements. After graduating from Western Michigan University in Kalamazoo, Mr. Gustafson became a teacher at Wayland High School in Wayland, Michigan. An avid music fan, his leadership of the school's band program saw a threefold increase in student participation during his tenure.

After teaching, Mr. Gustafson went on to pursue his interest in aviation. He founded Michigan Air Activities, where he taught hundreds of students under the Federal G.I. flight program, as well as sold and repaired aircraft. In addition, Michigan Air Activities had a fleet of aircraft that serviced well known customers such as General Motors, Ford, and Chrysler. Mr. Gustafson would later establish Kalamazoo Aviation and serve as President of the Airport Advisory Group.

Mr. Gustafson then joined Hubert Distributors where he oversaw the construction of one of their warehouses. From there he rose up the ranks from a sales manager to the CEO and Chairman. Utilizing his teaching experience, Mr. Gustafson overhauled the employee training program at Hubert by writing, producing, and directing the training videos that are required for all new hires.

Yet Mr. Gustafson's works reach beyond the realm of business as he was actively involved in philanthropy and charitable work. The Robert Gustafson Wing of St. Joseph Mercy Oakland Hospital bears witness to his commitment to give back to the community.

Today, I remember Mr. Robert Gustafson for his lifetime of service and dedication to our community. My sincerest thoughts and prayers go out to his family and loved ones.

REMBERING STATE SENATOR ADELARD L. ''ABE'' BRAULT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. WOLF. Madam Speaker, I rise today to bring the attention of the House to the passing of Virginia State Senator Abe Brault on February 13, 2007. Senator Brault served in the Virginia General Assembly for 18 years, including a term as majority leader from 1976 to 1980.

A Navy veteran who served during WWII, Abe opened a law practice in Fairfax County during the 1950s and dedicated his life to serving those in Fairfax and the surrounding area. He was a good man who served Virginia well and I was honored to know him. A family man and true Virginia gentleman, Abe died at the age of 97 and is survived by his wife, three children, and nine grandchildren, and 14 great-grandchildren.

Madam Speaker, I insert for the RECORD an obituary published in The Washington Post which details the many accomplishments of Senator Brault.

[From Washingtonpost.com, Feb. 14, 2007]

ADELARD L. 'ABE' BRAULT, 97; INFLUENTIAL N. VA. SENATOR

(By Adam Bernstein)

Adelard L. ''Abe'' Brault, 97, a feisty Fairfax County Democrat who retired in 1983 after 18 years in the Virginia Senate, including a term as majority leader, died Feb. 13 at his home in Front Royal, Va. He had pneumonia.

For years, Mr. Brault was considered dean of the Northern Virginia delegation, and he used his authority to push through funding for the Metro system, George Mason University and Northern Virginia Community College.

He and Sen. Omer L. Hirst (D–Fairfax-Falls Church) helped shape legislation and financing for the 13-mile Dulles Toll Road, built in 1984 to link Interstate 66 and the Capital Beltway with Dulles International Airport.

Mr. Brault was the majority leader from 1976 to 1980, largely because of a moderate-liberal coalition that successfully challenged the more conservative elements of the Senate. A conservative faction led by Hunter B. Andrews (D–Hampton) eventually removed Mr. Brault from the leadership. He described his loss as a ''power play'' meant to weaken Northern Virginia's influence.

Mr. Brault was known for blunt and critical commentary that he regarded as honesty and others sometimes found uncollegial. As a result, then-Gov. Charles S. Robb (D) appointed Mr. Brault to the State Board of Education in 1985, a year later than expected. The delay was attributed to Mr. Brault's criticism of the leadership ability of Sen. Clive L. DuVal II (D–Fairfax).

Adelard Lionel Brault was born in Winsted, Conn., on April 6, 1909. He grew up in Washington, where he was a 1927 graduate of Gonzaga College High School and a 1933 graduate of Columbus Law School, now part of Catholic University. He served in the Navy in the North Atlantic during World War II.

He had a private law practice in Washington before the war and opened a practice in Fairfax County in the early 1950s, where he specialized in representing insurance companies. He was president of the Fairfax County Bar Association when he was appointed to the county Board of Supervisors in 1962 to fill the unexpired term of James Keith, who years later became a Virginia Circuit Court judge.

Mr. Brault did not seek reelection to the Senate in 1983, saying at the time, ''Y'all can do what you want to next year. I'll be in Florida.''

In 1991, state legislators renamed the Dulles Toll Road the Omer L. Hirst-Adelard L. Brault Expressway, which, having met the fate of many other such renamings of roads, bridges and buildings, has not readily been adopted by commuters.

Survivors include his wife, Clarice Covington ''Percy'' Brault of Front Royal; 3 children, Adelard L. Brault, Jr., of Fairfax County, Nancy Supples of Front Royal and Mary Lynn Coleman of Moscow; 9 grandchildren; and 14 great-grandchildren.

TRIBUTE TO THE REVEREND DR. PAUL M. MARTIN

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Ms. DEGETTE. Madam Speaker, I rise to honor the exceptional accomplishments and extraordinary life of the Reverend Paul Martin, Senior Pastor of the Macedonia Baptist Church in Denver, Colorado. This remarkable gentleman merits our recognition and admiration as his impressive record of spiritual leadership and invaluable service has done much to improve the lives of our people.

Reverend Martin's standing within our community is rivaled by few others. He has been on the front line of progress for decades and has used his skills and talents to advance the public good and care for the spiritual well-being of many of our citizens. As a dynamic pastor, educator, scholar and radio commentator, Paul Martin's leadership and service has made us stronger, more caring and more resilient.

Reverend Martin began his life in South Central Los Angeles where he completed his secondary education in the public schools. He graduated with honors from Pepperdine University with a bachelor's degree in Religion, Psychology and Greek. He attained his Master of Divinity from the Samuel DeWitt Proctor School of Theology at Virginia Union University and went on to earn his Doctor of Philosophy at the California Graduate School of Theology. Reverend Martin also received an Honorary Doctor of Humane Letters from the Denver Seminary and has done additional study at Fuller Seminary, the Claremont School of Theology, and the Union Theological Seminary. Dr. Martin's many educational and scholarly accomplishments prepared him for a life of spiritual leadership that has left an indelible imprint on all of us.

Under Reverend Martin's leadership, Macedonia Baptist Church has become a beacon of hope and remains a positive force in the spiritual and civic life of our community. Not only has Reverend Martin moved us from the pulpit, he has also edified us through his numerous radio ministries. While in Los Angeles, he had four radio ministries and in Denver, he created and hosted Religion in Focus on KNUS Radio and cohosted Community Focus on KRKS Radio with his wife, Dr. Agnes Martin. He is the host of two weekly radio ministries on KLDC in Denver—Focus on Live and Charisma—and is cohost of the Agnes Martin Show on Channel 58, DCTV.

Those who know Reverend Martin know it is difficult to ignore his moving and resonant voice. His words give meaning and poignancy to the spiritual aspirations we all share. Over the years, I have had the privilege of working closely with Macedonia Baptist Church as part of a church exchange with my congregation, Montview Presbyterian. As a member of Montview's choir, I have had the opportunity to lift my voice with the remarkable choir at Macedonia. I have also had the opportunity to reflect with Reverend Martin on matters of social concern and I will never forget a discussion we had concerning the War on Poverty.

He reflected on how making poverty a national priority set in motion new laws and created programs such as Head Start, work study, Medicare and Medicaid. He noted how these programs brought about real results, reduced rates of poverty and improved living standards for America's poor. But what struck me was his conclusion—that this endeavor was great because it gave Americans the opportunity to care for and serve one another and that this kind of social stewardship changed our country for the better.

Clearly, community service matters. But for Reverend Martin, community service is not just an empty catchphrase. It is personal commitment and active engagement in outcomes—it is stewardship at its finest. Under the leadership of Paul Martin, Macedonia Baptist Church has touched the community through a host of specialized programs and outreach ministries designed to enhance the spiritual and educational growth of our youth. His service to our community is extensive and includes being past president of the Urban League of Metro Denver; special advisor to former Mayor Wellington Webb and Mayor John Hickenlooper; member of the Denver Police Task Force; and Board Chair of the Stapleton Development Corporation. He is the first African American minister to serve as President of the American Baptist Region of the Rocky Mountains. He is an adjunct professor at the Denver Seminary and the Iliff School of Theology and an instructor with the Congress of Christian Education of National Baptist Convention. He has been a past trustee of the University of Sioux Falls, a member of the Committee on Ministry for the Presbytery of Denver, Vice President for Membership for the East Denver Ministerial Alliance and a lifetime member of the N.A.A.C.P. and the Southern Christian Leadership Conference.

Martin Luther King, Jr., once noted that everybody could be great because everybody can serve. Reverend Martin has burnished a reputation of spiritual leadership that I think is the opposite of what most people think. His leadership is not only guidance, it is service. It is caring for one another. It is serving along side those whom you lead. It is service which is ordinary and yet extraordinary.

Reverend Martin's tenure as Senior Pastor of Macedonia Baptist Church is quickly drawing to a close. His leadership has been exemplary and his contributions are rich in consequence. On behalf of the citizens of the 1st Congressional District, I wish to express our gratitude and extend our best wishes to Pastor Martin, Agnes Martin and their family.

Please join me in paying tribute to the Reverend Dr. Paul M. Martin, a distinguished spiritual and civic leader. His stewardship and service command our respect and they speak to the spirit of our founders and future of our country.

IN RECOGNITION OF MARGE SWEENEY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. KUCINICH. Madam Speaker, I rise today to honor the life and accomplishments of Marge Sweeney, whose I tremendous dedication to her family, friends and community serves as a shining example for all who have been blessed by her presence and care.

Back in the mid-sixties, Marge started her career as a bookkeeper, but by the mid-seventies she had already worked her way up to the position of Principal's Secretary at St. Stephen's Elementary and Junior High School. In 1982 she was appointed Recreation Instructor, and since has progressively earned promotions, until she became Manager of Halloran Rink—a position she held for over twenty-five years.

Throughout her career, Marge had an enormous impact on local programs and organizations in the community, including: Cuyahoga Counties' Juvenile Court Victim-Aid Restitution Program; the Westtown Community Development Corporations' Night Out Against Crime; the Metro Parks Youth Programs; and many more. She has also been honored by the Mayor's Office on Volunteerism, City of Cleveland; the First District Police Community Relations

Program; and the National Park and Recreation Association, with a 'Commemorative Citiation' in recognition of outstanding leadership and volunteerism to the parks and recreation movement and to advancing the quality of life in her community.

Furthermore, Marge has been a key figure in the formation of the Halloran Advisory Board—a board that contains both community and civic minded individuals, who share the interest of the positive delivery of services to the community of Halloran Skating Rink.

Along with this tremendous work, and being a wife to the late Dennis Sweeney, Marge has taken great pride in raising her eight lovely children; Dennis, Patty, Brian, Jimmy, Kevin, Shawn, Kelly, and Annie.

Madam Speaker and colleagues, please join me in honoring Marge Sweeney for her thirty years of public service to the residents of Cleveland, and for her kindness and generosity that have and will continue to inspire all who cross paths with her.

IN HONOR OF VACLAV HAVEL AND THE 30TH ANNIVERSARY OF CHARTER 77

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. HOYER. Madam Speaker, this year marks the thirtieth annivesry of the Charter 77 movement. Along with other colleagues from the Helsinki Commission, which I had the privilege of Chairing and Co-Chairing from 1985 to 1994, I rise today to commemorate Charter 77's extraordinary accomplishments, and to praise Vaclav Havel, a founding member of the Charter 77 movement and Czechoslovakia's first President after the fall of communism.

Twenty years ago this month, I led a Congressional delegation to Czechoslovakia—my first trip to that country. At that time, I was assured by Czechoslovak Government officials that Charter 77 was only a small group, and there was no need to have a dialogue with its members. In an apparent effort to underscore their point, the regime detained several Chartists to keep them from meeting with our delegation: Vaclav Havel, Petr Uhl and Jiri Dienstbier were all arrested in Prague; Miklos Duray was prevented from traveling to Prague from Slovakia; and although Petr Puspoki-Nagy made it to Prague, he was also immediately detained on his arrival.

Although I was deprived of the chance to meet these individuals in person, I was already well aware of their work. In fact, the Helsinki Commission's second hearing, held in February 1977, published the full text of the Charter 77 manifesto at the request of one of our witnesses, Mrs. Anna Faltus. We owe a special debt of gratitude to the late Mrs. Faltus, who worked tirelessly for decades as an advocate for a free Czechoslovakia. To this end, she made sure that the documents of Charter 77 and the Committee for the Defense of the Unjustly Persecuted were quickly translated and widely disseminated to policy makers and human rights advocates. Her effort made it possible for the Helsinki Commission to publish (in 1982 and in 1987) selected and representatives texts of the Charter 77 movement.

Looking back, the breadth of those documents is truly remarkably, touching on everything from the legacy of World War II to the country's economic situation; from contemporary music to nuclear energy. But the common thread that bound these diverse statements together was a commitment to promote and protect "the right of the individual to know and act upon his rights." This right was freely adopted by the Czechoslovak Socialist Republic when Gustav Husak fixed his signature to the Helsinki Final Act in 1975.

It was, of course, with great interest that I discussed Charter 77, first with Czechoslovak officials during my February 1987 trip to Prague, then with Czechoslovak parliamentarians visiting Washington in June 1988 (a delegation which included Prague Communist Party boss Miroslav Stepan), and then with the Czechoslovak delegation to the 1989 Paris Meeting of the Conference on the Human Dimension. In these meetings, as well as in correspondence with the Czechoslovak Ambassador to the United, I was told that Charter 77 didn't represent public opinion. I was warned that siding with Charter 77 would not help bilateral relations, and I was assured that democracy was coming soon to Czechoslovakia—"socialist democracy."

Needless to say, I was not convinced by my interlocutors: I was not convinced that Augustin Navratil was actually being treated for a mental health condition, rather than being persecuted for his religious activism. I was frankly disgusted when the Czechoslovak delegation to the Paris meeting baldly lied about Jiri Wolf, telling us he had been released early from his prison sentence as a "humanitarian" gesture, and then shrugging with indifference when they were caught in their lie. Most of all, I did not believe that Vaclav Havel was a criminal and Charter 77 merely an "insignificant" group.

In fact, in 1989 Senator Dennis DeConcini and I nominated Vaclav Havel for the Nobel Peace Prize. As Senator DeConcini said, "[i]n spite of relentless harassment by the authorities, including imprisonment, repeated detentions, house searches, and confiscation of property, Havel has remained active in the struggle for human rights. . . Havel is now in prison, but he is not alone in his cause. In a dramatic move. . . over 700 of his colleagues—playwrights, producers, artists, and actors—signed a petition calling for his release and the release of others [similarly imprisoned]. For these people, like many others in his country, Vaclav Havel has become a symbol of an enduring and selfless commitment to human rights."

Madam Speaker, on this 30th anniversary of the founding of the Charter 77 movement, I rise to commend and remember the courageous men and women, signatories and supporters, who paved the way for the peaceful transition from communism in Czechoslovakia and restoration of Europe, whole and free. On this anniversary, I give special tribute to Vaclav Havel, playwright and president, and his singular role in leading his country to freedom.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from this chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 100, 101 and 102.

INTRODUCTION OF THE FAIR USE ACT OF 2007

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. BOUCHER. Madam Speaker, I am pleased to be introducing the Freedom And Innovation Revitalizing U.S. Entrepreneurship Act of 2007. Like other bills I have introduced in earlier years, the FAIR USE Act of 2007 is intended to promote innovation, encourage the introduction of new technology, enhance library preservation efforts and protect the fair use rights of consumers.

As more fully described in the attached section-by-section analysis, this bill differs fundamentally from H.R. 107 and H.R. 1201, as proposed in the 108th and 109th Congresses, respectively. For example, the revised bill does not contain the provision which would have established a fair use defense to the act of circumvention. I continue to believe that there should be such an exemption in the law, but content owners have expressed concern that enactment of such a provision could lead to widespread redistribution of audiovisual and other works.

In an effort to address their concerns, I have instead crafted specific exemptions to section 1201 of the Digital Millennium Copyright Act which do not pose a comparable potential threat to their business models. For example, the proposed legislation would codify the decision by the Register of Copyrights, as affirmed in a determination made by the Librarian of Congress under section 1201(a)(1) of the DMCA, to allow consumers to "circumvent" digital locks in six discrete areas. The bill also contains six narrowly crafted additional exemptions that are a natural extension of these exemptions. For example, given the central role that libraries and archives play in our society in ensuring free speech and continuing access to creative works, the bill includes a provision to ensure that they can circumvent a digital lock to preserve or secure a copy of a work or replace a copy that is damaged, deteriorating, lost, or stolen.

The bill contains other new elements. For example, it would limit the availability of statutory damages against individuals and firms who may be found to have engaged in contributory infringement, inducement of infringement, vicarious liability or other indirect infringement. Given the increasing extent to which content companies are on the receiving end of lawsuits, I would hope they would see the value of this element of the bill.

I have more narrowly crafted the provision codifying the Supreme Court's Betamax decision to eliminate any uncertainty about a potential negative impact on the Supreme Court's holding in the Grokster case.

I look forward to working with my colleagues and all interested parties in an effort to properly balance the rights of content owners, consumers and other constructive users of content.

I will welcome their suggestions about how the measure might be further improved as it moves forward in the legislative process.

FAIR USE ACT OF 2007

Section 1 sets forth the title of the bill, the ''Freedom And Innovation Revitalizing U.S. Entrepreneurship Act of 2007.''

Section 2 would make two amendments to the Copyright Act.

Subsection (2)(a) would limit the availability of statutory damages against individuals and firms who may be found to have engaged in contributory infringement, inducement of infringement, vicarious liability, or other indirect infringement. Congress developed the statutory damages award process in a world of physical works, principally paper and vinyl. Today, in a world in which silicon is the principal medium of storage, statutory damages can be so large and disproportionate that entrepreneurs and consumer electronics and information technology companies are declining to bring new technology to market out of fear that they could be bankrupted by an adverse finding of secondary liability—even in cases in which they believed on the advice of counsel that their new innovative hardware or software products would be found legal if they survived costly litigation with its highly intrusive discovery. Under the bill, statutory damages would remain available for conduct that no reasonable person could have believed to be lawful. With this condition in the law, entrepreneurs, venture capitalists, and consumer electronics and information technology companies would feel more confident in going to court, if necessary, for a fair hearing on the merits, and aggrieved parties could get relief from scofflaws. Moreover, actual damages would continue to remain available to a person harmed by secondary infringement.

Subsection (2)(b) would effectively codify the Supreme Court's holding in the Betamax decision with respect to hardware devices. In *Sony Corp.* v. *Universal Ciry Studios, Inc.*, 464 U.S. 417 (1984), the Court held that because the Betamax videocassette recorder was capable of substantial, commercially significant non-infringing uses, two studios—which were concerned about consumers making in-home off-air tapes of television broadcasts—could not hold Sony contributorily liable for copyright infringement based on other possible or even predominate infringing uses. To provide greater legal certainty to legitimate CE companies bringing new products to market in the wake of the uncertainty created by the Supreme Court's decision in *Metro-Goldwyn-Mayer Studios* v. *Grokster, Ltd.*, 545 U.S. 913 (2005), subsection (b) would immunize these and other hardware companies, as well as entrepreneurs, from copyright infringement liability based on the design, manufacture or distribution of hardware devices (or components of those devices) that are capable of a substantial, commercially significant non-infringing use. The enactment of this clarifying provision, for avoidance of doubt with respect to hardware devices, is not intended to have any negative effect on the continued availability and application of the Betamax standard with respect to services and software products or to non-commercial activities.

Section 3 would amend the Digital Millennium Copyright Act.

Subsection (3)(a) would codify the decision by the Register of Copyrights, as affirmed in a determination made by the Librarian of Congress under section 1201(a)(1) of the DMCA, to allow consumers to ''circumvent'' digital locks in six discrete areas. The determination was made after a thorough rule making process, in which the Register took extensive testimony from rights holders, consumers, and other interested parties. By codifying the Librarian's determination, Congress would ensure that these practices may continue, without the need for extensive review by the Register and the Librarian under section 1201(a)(1) three years from now. The importance of these exemptions was demonstrated by the Register's extensive supporting analysis. Making them permanent would create greater certainty among various user communities. The need to codify the exemptions is all the more compelling now that TracFone has challenged the entire DMCA rulemaking process as an unlawful delegation of legislative authority.

As determined by the Librarian in the Final Rule published in the Federal Register on November 27, 2006, persons making non-infringing uses of the following six classes of works will not be subject to the prohibition against circumventing access controls of the DMCA:

1. Audiovisual works included in the educational library of a college or university's film or media studies department, when circumvention is accomplished for the purpose of making compilations of portions of those works for educational use in the classroom by media studies or film professors.

2. Computer programs and video games distributed in formats that have become obsolete and that require the original media or hardware as a condition of access.

3. Computer programs protected by dongles that prevent access due to malfunction or damage and which are obsolete.

4. Literary works distributed in ebook format when all existing ebook editions of the work contain access controls that prevent the enabling either of the book's read-aloud function or of screen readers that render the text into a specialized format.

5. Computer programs in the form of firmware that enable wireless telephone handsets to connect to a wireless telephone communication network, when circumvention is accomplished for the sole purpose of lawfully connecting to a wireless telephone communication network.

6. Sound recordings distributed in compact disc format and protected by technological protection measures that control access to lawfully purchased works and create or exploit security flaws or vulnerabilities that compromise the security of personal computers when circumvention is accomplished solely for the purpose of good faith testing, investigating, or correcting such security flaws or vulnerabilities.

As an extension of the Librarian of Congress's determination, subsection (3)(b) of the FAIR USE Act would enable individuals in six narrowly defined circumstances to circumvent technological protection measures:

Paragraph (i) would extend the Librarian's determination with respect to excerpts of audiovisual works for use in all classrooms (instead of just in college media studies classrooms). Under the provision, an instructor could circumvent a digital locks on audiovisual works included in the collection of a library or an archives in order to make compilations of portions of those works for educational use in a classroom at all grade levels.

Paragraph (ii) would authorize consumers to circumvent a lock on a DVD or other audiovisual work in order to skip past commercials at the beginning of it or to bypass personally objectionable content (such as pornographic scenes) contained in the work. The provision does not authorize consumers to make back up DVDs for archival or any other purpose.

Paragraph (iii) would authorize consumers to transmit a work over a home or personal network but not to circumvent for purposes of uploading that work to the Internet.

This provision would ensure that consumers can make fair use of content they have lawfully acquired, as long as they do not engage in the mass, indiscriminate redistribution of that content over the Internet.

Paragraph (iv) would allow individuals to access public domain works that are in a collection of works made up primarily of public domain works. It thus would preclude content owners from denying the public access to public domain works simply by repackaging them with one or more copyrighted works and then applying a digital lock to restrict or deny access to all of the works.

Paragraph (v) would advance long-established First Amendment rights by authorizing reporters, teachers, and others to circumvent digital locks blocking access to works of substantial public interest, when circumvention is accomplished solely for purposes of criticism, comment, news reporting, scholarship, or research.

Paragraph (vi) would authorize circumvention of technological measures that effectively control access to copyrighted works for the purpose of enabling a library or an archive to preserve or secure a copy of a work or to replace a copy that is damaged, deteriorating, lost, or stolen. This would ensure that libraries and archives can continue to engage in activities specifically authorized by section 108 of the Copyright Act.

The exceptions to the DMCA set forth in subsections (3)(a) and (b) are based on extensive comments and testimony received by the Copyright Office and the Congress. Their enactment is not intended and should not be construed as in any way limiting other rights or interpretations of either the Copyright Act or the DMCA as to which consumers and other users have had their rights vindicated in the courts or those which have not been addressed by the courts.

TRIBUTE TO MS. PHYLLIS C. CAMPBELL, SENIOR EXECUTIVE SERVICE

HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. PLATTS. Madam Speaker, I rise today to pay tribute to Ms. Phyllis C. Campbell, who will retire from the Defense' Logistics Agency's, DLA, Defense Distribution Center, DDC, New Cumberland, Pennsylvania, on March 3, 2007. Ms. Campbell's distinguished government career spans 40 years, and her record of achievement during this period reflects greatly upon herself and upon the organizations with which she has served. Her contributions to the national defense will be missed as she moves on to new and exciting opportunities.

Ms. Campbell was appointed to the Senior Executive Service position of deputy commander, DDC in July 1998. The DDC is DLA's Lead Center for distribution and has management responsibility for 26 military distribution centers around the world.

Ms. Campbell hails from Steelton, Pennsylvania and has followed a varied career of increasing responsibility culminating in her appointment as deputy commander. In 1966, she entered the Federal service in the Transportation Division at Defense Distribution Depot

Ogden, Utah, and in 1973, was selected into the Depot's Management Intern Program. In 1979, Ms. Campbell became a supply systems analyst in the newly formed Defense System Automation Center, DSAC, which later became the DLA System Design Center, DSDC. In 1982, she returned to the Ogden installation, becoming branch chief with responsibility for all operations and administrative systems and procedures. In 1985, Ms. Campbell was promoted to division chief, assuming additional responsibility for a $30 million depot modernization program. In 1989, Ms. Campbell reached a career benchmark with her selection as deputy director, Office of Technology and Information Services.

In 1990, Ms. Campbell was selected by the Office of Secretary of Defense, OSD, to be the deputy for the Corporate Information Management Distribution prototype group. This group was chartered to develop a standard distribution system for use throughout the Department of Defense. In 1991, Ms. Campbell was reassigned to DLA's Defense Distribution Systems Center as its business manager. Ms. Campbell was instrumental in selecting the migration system for deployment to the then 30 DLA distribution sites. In 1993, Ms. Campbell returned to the OSD Comptroller's Office of Financial Review and Analysis. From 1995 until her appointment to deputy commander, she served as director, Distribution Operations with the Defense Distribution Center.

Ms. Campbell attended Weber State University and is the recipient of numerous special achievement and performance awards including the 2005 Presidential Distinguished Executive Rank Award, the 2002 Presidential Meritorious Executive Rank Award, the Distinguished Order of Saint Martin, and the Military Ancient Order of Saint Christopher award in recognition of her contributions to transportation initiatives.

Madam Speaker, I am honored to ask my colleagues to join me in congratulating Ms. Phyllis C. Campbell on her retirement from Federal civil service. She epitomizes the dedication and professionalism that make our Federal government a model all over the world.

IN HONOR OF JACK BARLICH

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. FARR. Madam Speaker, I rise today to honor Mr. Jack Barlich, who passed away on January 16, 2007.

He was a firefighter for the City of Monterey for 29 years, and retired in 1992 as assistant fire chief. After his retirement he ran for mayor of Del Rey Oaks, defeating the incumbent who had served 30 years in city government. Jack was a knowledgeable firefighter and a hands-on kind of person who used those attributes to be an effective administrator.

He served on several county boards including the Waste Management Task Force and the Transportation Agency of Monterey County. He chaired the Fort Ord Reuse Authority board and was vice-chairman of the Monterey Regional Water Pollution Control Agency. As the mayor of Del Rey Oaks, his proudest accomplishment was the annexation of 360 acres of land for his small city from the former Fort Ord Army Base.

Jack's health began to decline in 2003, and in the summer of 2004, he resigned during his seventh term. Jack was tough but fair, and worked hard in the service of his community. He will be greatly missed.

Madam Speaker, I rise to honor Jack Barlich, who courageously served his community during his lifetime.

IN REMEMBRANCE OF SERGEANT MAJOR JOSEPH J. ELLIS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. KUCINICH. Madam Speaker, I rise today to honor the extraordinary life and achievements of Sergeant Major Joseph J. Ellis, the true definition of an American hero. Throughout his life, Sergeant Major Ellis displayed the highest qualities of sacrifice, patriotism, and service.

Sgt. Maj. Ellis enlisted in the Marines in 1984 and moved up in rank, mostly in reconnaissance units, and trained as a radio operator. In 1985, he was elevated to the rank of corporal and, 2 years later, joined the 3rd Reconnaissance Battalion in Okinawa, Japan, where he served as team communicator and radio supervisor in the battalion communications platoon. Later Ellis was called to Camp Pendleton, California for duty with the School of Infantry, and served as radio supervisor in the communications platoon.

When his country needed his service, Ellis answered the call and was deployed to Saudi Arabia with the 1st Force Reconnaissance Company from Camp Pendleton in 1990 for Operation Desert Shield and Operation Desert Storm.

In late 2003, Ellis again answered the call of his country and was sent to Iraq as first sergeant for the Headquarters and Service Company. Ellis was promoted to sergeant major in 2004, making him the top enlisted man with a Camp Pendleton, California-based infantry battalion.

Adlai Stevenson once said, "Patriotism is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime." Sgt. Maj. Ellis' dedication to patriotism was a lifelong commitment, which he displayed by devoting over 20 years of service to the Marine Corps. Among his many honors and decorations, Ellis was awarded the Meritorious Service Ribbon, the Navy and Marine Corp Commendation Medal with one gold star, the Navy and Marine Corps Achievement Medal with one gold star, and the Combat Action Ribbon with one gold star. Sgt. Maj. Ellis' devotion to our country and the protection of our freedoms and values deserve our most sincere appreciation.

Madam Speaker and colleagues, please join me in honoring Sgt. Maj. Ellis, who gave the ultimate sacrifice for his country on February 7, 2007. May his actions and deeds never be forgotten.

PERSONAL EXPLANATION

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. UDALL of New Mexico. Madam Speaker, on February 16th I missed rollcall vote No. 102, final passage of the Small Business Tax Relief Act. Had I voted, I would have voted "aye."

HONORING AND PRAISING THE NAACP ON THE OCCASION OF ITS 98TH ANNIVERSARY

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Ms. LEE. Mr. Speaker, I rise today in strong support of H. Con. Res. 44, legislation to honor the National Association for the Advancement of Colored People (NAACP) on the occasion of its 98th anniversary. The NAACP is an established and proven civil rights organization and a leading voice for justice and human rights for all.

The NAACP has several national achievements but I'd like to highlight our local successes. In California's 9th Congressional District, I am honored to say the Oakland NAACP branch, established in 1913, was the first NAACP chapter in Northern California. It represented the cities of San Francisco, Oakland and Berkeley.

In fact, the Oakland NAACP branch played a pivotal role in the civil rights struggle in California. The branch participated in the organization's national campaign to eliminate Jim Crow laws and to support anti-lynching legislation.

In the late 1950's and 1960's, Bishop Nichols, then Pastor of Downs Memorial United Methodist Church in North Oakland, joined with national leaders to advocate for economic, social and educational justice in the Bay Area. He was chair of the Berkeley NAACP Education Committee and President of the Berkeley Board of Education (four years before the school district became the first to voluntarily integrate schools).

In addition, one of Oakland's own, Judge Cecile Poole served as director of the NAACP Defense and Legal Education Fund. Judge Poole became the first African-American United States Attorney, and the first black federal judge for the Northern District of California. And although he passed away ten years ago, his legacy and work with the NAACP to promote respect and basic civil rights for all disenfranchised people is still felt in the East Bay and throughout our Nation.

Mr. Speaker, with members, such as Bishop Nichols, Judge Cecile Poole, Thurgood Marshall, W.E.B. DuBois, Coretta Scott King, Fannie Lou Hamer, and Rosa Parks, there's no doubt that the NAACP served as the catalyst for the largest grassroots civil rights movement in U.S. history.

The NAACP remains a vehicle to push for legal action against injustice and an advocate for human and civil rights for all.

Their political accomplishments such as ending the separate but equal policy in

schools or ending the racist Jim Crow segregation of buses, restaurants and public facilities, and their lobbying efforts which ultimately led to the passage of the Civil Rights Acts of 1957, 1960, and 1964, the Voting Rights Act of 1965, and the reauthorization of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act of 2006, must be commended.

And Mr. Speaker, the NAACP took the helm to organize the national boycott against American companies doing business with the former apartheid regime in South Africa. The NAACP also protested, most recently in 2000, the flying of the confederate flag over state buildings in South Carolina, which to date was, the largest civil rights demonstration (50,000 people) ever held in the South. The importance of this organization whose impact has been demonstrated in almost every part of the country and in many parts of the world cannot be overstated.

But the critical work of the NAACP is needed now more then ever. The slow systematic dismantling of Affirmative Action; the declining homeownership rates of African American families; the growing poverty rate of African American families and the growing achievement gap between white and black children; the disproportionate incarceration rates of black male youth, and the growing illiteracy rate of black children are all important causes for the NAACP.

Add to that fact that the NAACP was a leading champion of the Hurricanes' Katrina and Rita survivors. They are still pushing for justice for all in the Gulf Coast region and you can see why the NAACP is sill so necessary today.

We must continue to beat the drum and join the NAACP in their efforts to bring their mission for economic and social justice for all to reality.

Mr. Speaker, we have come a long way since the founding days of the NAACP, Brown vs. Board of Education, the Voting Rights Act. In the words of former NAACP president Bruce Gordon, ''There is still a lot of civil rights work to be done. Many people believe the passing of Rosa Parks, Coretta Scott-King and other icons of the movement signals that the task is over. ''He added, ''Nothing could be further from the truth.''

ON THE INTRODUCTION OF H.R. 1194, THE TELEPHONE EXCISE TAX REPEAL ACT OF 2007

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. GARY G. MILLER of California. Madam Speaker, I rise today in strong support of the Telephone Excise Tax Repeal Act of 2007. As the sponsor of this legislation in previous sessions of Congress, I thank my colleagues in the majority and members of the Ways and Means Committee for recognizing the value of this important issue. Congress must continue to work together in a bipartisan fashion, building on momentum from last year's cosponsorship by 220 members, to abolish this tax. I am proud to join with my colleagues today to introduce the Telephone Excise Tax Repeal Act in the 110th Congress, which will eliminate the three percent tax on all telecommunications services.

The federal excise tax on telecommunications services was used to pay for the Spanish-American War in 1898. This tax was intended to tap only the wealthiest 1,400 telephone owners. However, with more telephones than people in the United States today, this excise tax represents the polar opposite of a luxury tax, and merely serves to raise prices for consumers.

Telephone tax revenues once used to pay for the Spanish-American War are deposited in the General Fund. Unlike the gas tax, which directs revenues to the Highway Trust Fund, no specific account exists to redirect money collected from the telephone ''luxury'' tax. Other items subject to a ''luxury'' tax include airplane tickets, beer and liquor, firearms and cigarettes. Obviously, a telephone is a necessity, and thus does not fit with this list of ''luxury'' items.

Last year, the U.S. Treasury Department conceded the legal dispute over the federal excise tax on long-distance telephone service. After 11 consecutive courtroom losses by the Internal Revenue Service (IRS), Treasury Secretary John Snow announced that collection of the three percent excise tax on long-distance and bundled services would end on July 31, 2006. In fact, the IRS is issuing refunds of tax on long-distance service for the past 3 years. This year, taxpayers may apply for refunds on their 2006 tax forms. The Treasury's action is a step in the right direction, and it is finally time for Congress to put an end to this hidden tax on local telecommunication services.

The telephone tax burdens our communication abilities and is destructive to technological innovation. It must be repealed immediately. I urge my colleagues to build upon the successes we have had in the past and to help American taxpayers win the war on their wallets once and for all.

IN HONOR OF RICHARD DEL BOCCIO

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. SIRES. Madam Speaker, I rise here today to honor an outstanding resident of the City of Hoboken. Richard Del Boccio is retiring after 40 years of dedicated service as an educator and public official.

Mr. Del Boccio, who was born and raised in Hoboken, began his career in education in the early 1960s, and for 15 years made his mark in the lives of thousands of students as Principal of the Salvatore Calabro School. Later, as Interim Superintendent, Adjunct Professor at St. Peter's College and State Appointed Principal Mentor, he continued to mold and oversee the Hoboken School System, inspiring students and faculty alike, and setting and example for young minds to follow.

Richard Del Boccio's teaching and mentoring led him to fight for the improvement of his community as a public official. Elected Hoboken Councilman at Large, he became involved in the betterment of his native city and the lives of his constituents. Mr. Del Boccio became City Council President and retires as Councilman of the Second Ward of the City of Hoboken.

Mr. Del Boccio cemented his commitment to public service by being a member of various community organizations, including the Hoboken Memorial September 11th and Pier C Park Waterfront Steering Committees, and taking active rolls as Co-Chairman of the Youth Advisory Committee and Co-Founder of the Neighborhood Block Watch Committee. His dedication won him the Christopher Columbus Award for Community Service in 2005.

It is my privilege and honor to recognize Richard Del Boccio for his dedication to Hoboken and the people of New Jersey. I ask that my colleagues join me in wishing him, his wife, children, and grandchildren continued health and happiness in the future.

COMMEMORATING 60TH ANNIVERSARY OF THE ''228 INCIDENT'' IN TAIWAN

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. TANCREDO. Madam Speaker, I rise today to commemorate the 60th anniversary of the ''228 Incident'' in Taiwan.

On February 28, 1947, the arrest of a cigarette vendor in Taipei triggered large-scale protests there against military repression of Taiwan's residents.

Madam Speaker, while the protests the event sparked were quashed in the days and weeks following the initial incident, the event had far reaching implications.

Over the next half-century, the movement that grew out of the event helped to pave the way for Taiwan's momentous transformation from a dictatorship to thriving and pluralistic democracy.

In some ways, the 228 incident was Taiwan's ''Boston Massacre.''

Madam Speaker, I hope Members will join me in commemorating this important historical event, and I look forward to the day that we can welcome Taiwan's elected President to Washington, DC.

HONORING MR. LEVI LEE SMITH

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. WALSH of New York. Madam Speaker, I rise today in tribute to the late Mr. Levi ''Lee'' Smith who served his central New York community in a number of unique ways.

He founded the Onondaga Citizens League, OCL, which promotes civic education and involvement in public affairs. Organized in 1978, the OCL has offered the community studies on local government consolidation, voter participation, area health services, the quality of local arts, and community housing assessments among others.

Lee's Institute for Retired Professionals offers local retirees the opportunity to remain intellectually active in community affairs after retirement.

Perhaps most notable is Lee's work to found the Thursday Morning Roundtable,

TMR, 41 years ago. The organization is a public service speaker series that was created to provide an environment where people who were interested in political and civic issues could discuss their ideas and opinions. Lee's foresight in founding TMR as a forum for thoughtful study and exchange laid the groundwork for other civic involvement initiatives in our community, like FOCUS Greater Syracuse and Syracuse University's Tomorrow's Neighborhoods Today, TNT.

Mr. Lee Smith passed on February 6 of this year at the age of 88, and his life will be celebrated at a memorial service on February 18. Lee's commitment and dedication to serving the community and educating others has been, and will continue to be, an important asset to our community. I thank his wife Alice and the entire Smith family for sharing Lee with our community all these years.

FREEDOM FOR RAMÓN VELÁZQUEZ TORANZO

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise today to speak about Ramón Velázquez Toranzo, a political prisoner in totalitarian Cuba.

Mr. Velázquez is a pro-democracy activist and independent journalist for Libertad, a small independent news agency founded by José Luis García Paneque, a political prisoner jailed during the condemnable March 2003 ''Black Spring'' crackdown. His peaceful activities and truthful articles have helped expose the nightmarish reality that is the Castro regime. Unfortunately, for this very reason he has been targeted by the tyrant's machinery of repression, as part of its effort to silence the brave men and women of Cuba's pro-democracy movement.

On December 10, 2006, International Human Rights Day, Mr. Velázquez Toranzo, began a march for Cuban Dignity in Eastern Cuba at the shrine of Our Lady of Charity, Cuba's patron saint, demanding freedom for all Cuban political prisoners, respect for human rights, and the cessation of repression against peaceful pro-democracy activists. Mr. Velázquez Toranzo, who was marching with his wife, Barbara González Cruz, and his daughter, Rufina Velázquez González, intended to travel 950 kilometers by foot in hope of ending their march for freedom in Havana.

On their journey, Mr. Velázquez Toranzo, his family and other marchers were detained twice in Ciego de Ávila and Camaguey, Cuba, for peacefully advocating for the most basic freedoms for the Cuban people. Despite being detained, nearly being run over twice by State Security Thugs, and knowing full well the brutal consequences that await those who speak the truth under the nightmare that is the Castro tyranny, they continued their peaceful march for human rights and dignity.

On January 23, 2007, 18 days after beginning his peaceful march for dignity, Mr. Velázquez Toranzo and his family were arrested for a third time in the city of Ciego de Ávila. His wife and daughter were released but Mr. Velázquez Toranzo was held at a police station and then transferred to the ''El Típico'' provincial prison. And there, after months of harassment by State Security thugs, Mr. Velázquez Toranzo was ''sentenced'' to suffer 3 years of horror in the squalor of a subhuman gulag for his supposed crime, ''anti-social conduct.''

Madam Speaker, Mr. Velázquez Toranzo is languishing in an infernal gulag just 90 miles from our shores. It is as inconceivable as it is unacceptable that, while the world stands by in silence and acquiescence, independent journalists who write the truth about totalitarianism are jailed and tortured simply for exposing truth. We must demand immediate freedom for Ramón Velázquez Toranzo and all political prisoners in totalitarian Cuba.

RECOGNIZING REV. RICHARD DRANKWALTER ON THE OCCASION OF HIS RETIREMENT

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor the Rev. Richard Drankwalter, the outgoing Pastor of Christ Lutheran Church in Brooksville, Florida. For nearly 37 years, Pastor Drankwalter has served the Lutheran Church with honor and distinction, all in the name of Jesus Christ.

Born on July 4, 1944, in Queens, New York, Pastor Drankwalter has dedicated his life to serving the Church. Earning his Bachelor of Divinity and Master of Divinity from Concordia Theological Seminary in Springfield, Illinois in 1970, he spent an early part of his career as Pastor of the Peace Lutheran Church in Scranton, Pennsylvania. Pastor Drankwalter then moved on to serve the Church in Illinois and New York, eventually moving to Brooksville, Florida in 1986. Pastor Drankwalter has been a minister at Christ Lutheran in Brooksville for nearly 20 years.

Pastor Drankwalter joined Christ Lutheran following service as pastor of Trinity Lutheran Church in Silver Creek, New York. At the time of his appointment there were 168 members of Christ Lutheran; today there are over 600. A sure sign of his family's commitment to the area, both his wife Paula and his daughter Jennifer have served as teachers in Hernando County. The Pastor himself ran for Hernando County School Board and that is where I first met him.

In addition to this service, Pastor Drankwalter and his wife Paula have been very involved in local church and civic organizations, including the Brooksville Ministerial Association, the Hernando County Youth Association, the Brooksville Kiwanis Club, and served on the Board of Directors of the Committee Against Assaults on Law Enforcement Officers.

For nearly 37 years, Pastor Drankwalter has tended to the needs of his congregation. As a part of his ministry, he has gone above and beyond the call of duty to help families seeking guidance and support. On one occasion the Pastor dropped everything and drove to an area hospital to pray with a family following their father's stroke, even though they were not members of his congregation. His career has been built on working for Christ, not blindly following denominations and labels.

Madam Speaker, Pastor Drankwalter's dedication to the Lord and to the Lutheran Church has served as an inspiration to thousands throughout Hernando County. His ministry has touched the hearts of many, and the Church has continued to grow under his leadership. Pastor Drankwalter is to be commended for his years of service, his commitment to the Lord, and for serving the men and women who rely on his counsel and wisdom. Pastor Drankwalter is a shining example of the good that serving Jesus Christ can bring to our friends and families, and he will be sorely missed by the entire community.

SUPPORTING THE GOALS AND IDEALS OF WORLD WATER DAY

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. BLUMENAUER. Madam Speaker, today I am introducing a resolution supporting the goals and ideals of World Water Day, along with Congresswoman EDDIE BERNICE JOHNSON, the Chair of the Transportation & Infrastructure Subcommittee Water Resources and the Environment.

Every 15 seconds, a child dies from lack of access to safe drinking water and sanitation. This resolution is intended to help us raise awareness of this leading cause of preventable death.

For the last 15 years, March 22nd has been designated as World Water Day in order to draw attention to the global water crisis and inspire action to alleviate this unnecessary tragedy. While over the past 20 years, two billion people have gained access to safe drinking water, approximately one in six people in the world are still without this most basic building block of life.

Last Congress, the House and Senate both passed the ''Senator Paul Simon Water for the Poor Act,'' which made safe drinking water and sanitation key priorities in U.S. foreign assistance. However, much more needs to be done both at home and abroad to ensure safe, affordable, and sustainable access to water for people everywhere.

I invite my colleagues to cosponsor this important resolution.

HONORING JOSÉ ARREDONDO

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Ms. LEE. Madam Speaker, I rise today to honor the extraordinary career of José Arredondo. José has served as the Executive Director of the Spanish Speaking Citizen's Foundation (SSCF) in Oakland since 1986. Throughout his career, José has been known for his tireless work on behalf of the Latino community and the community at large. This year José celebrates his retirement after 20 years of unparalleled service to the SSCF, and many more to the entire Bay Area community.

José holds a B.A. in sociology and an M.S. in counseling from California State University,

East Bay. Over the years, José has served the residents of the 9th Congressional District in a number of different roles, and his professional expertise is supplemented by his deep commitment to building and maintaining the spirit of community.

José came to the Spanish Speaking Citizens' Foundation in 1985. Under his leadership, the SSCF evolved into an organization that facilitates inclusiveness by reducing barriers to economic opportunity, healthcare and education for Latinos in our community. José broadened the scope and vision of the SSCF to empower the individual and the community to improve the quality of life, while enriching the cultural heritage of Latinos. By working with other agencies, he has not only expanded the SSCF's network of contacts, but also worked to further the organization's services. José's leadership has been crucial here in Oakland, and has made education, social services and healthcare vastly more available and accessible to all members of our community.

In addition to his stellar work leading the SSCF, José has been and continues to be heavily involved in a number of other boards and organizations here in the Bay Area and elsewhere. He has served the community through his involvement with organizations such as the Oakland Community Organizations (OCO); Educational Coalition of Hispanic Organizations (ECHO); Latinos for Affirmative Action; and the Spanish Speaking Unity Council.

Furthermore, José has been recognized for his exceptional service with numerous awards, such as the Marcus Foster Alumni Award; a Personnel Administration Certificate from California State University, East Bay; and the Hispanic Chamber of Commerce Professional Community Service Award.

Today the friends, family and colleagues of José Arredondo have come together to celebrate not only his retirement, but also his legacy of service and his permanent and positive impact on our community. On this very special day, I join all of them in thanking and saluting José for his profound contributions to California's 9th Congressional District, our country and our world.

HONORING JEREMY RABINOVITZ

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mrs. CAPPS. Madam Speaker, I rise today on behalf of my California district staff. They would like to honor Jeremy Rabinovitz as he prepares to go to the "dark side."

For the past 10 years Jeremy has led a variety of personalities with a variety of interests. He was able to take a group of passionate, idealistic former volunteers from a Congressional campaign, who in 1996 did what seemed like the impossible, won a Democratic seat in a district that had been held by a Republican for almost 50 years, and turned them into a functioning Congressional district staff.

Not all of the district staff has had the pleasure to be entertained by his top "10 things that a chief of staff doesn't want to hear from his Member of Congress." Not all of the district staff has had the opportunity to experience one of his occasional visits to the district. Nor has the district staff had the opportunity, during the Special Election, to be serenaded at 5 a.m. on Election Day by his rendition of "Sunrise, Sunset." Neither have very many staff experienced the sight of Jeremy walking a predominately Spanish speaking precinct with a 3 x 5 card that said, "A votado hoy?"

Not only did JR lead a variety of personalities, he was quite adept at impersonating a lot of leaders—religious leaders. He had an uncanny ability to invoke the Lutheran minister, the African American preacher and the Jewish rabbi. Had he stayed around a few more years, he no doubt would have mastered the Muslim imam, or become an enlightened Buddhist. Jeremy has indeed enlightened us in many ways.

There are far too many comments that staff wanted to include in this honorable document. The one sentiment, not to be confused with sediment, both of which this district has much of, was that every district staff member appreciated the confidence he had in them.

Madam Speaker, the time has come for all of us, the Capps Family of the past and present, to send our good wishes and our indescribable affection, for this remarkable man who was our "Chief of Staff." Shalom and mazel tov!

CELEBRATING THE NATURALIZATION OF BERENDINA R.H. (DIET) EMAN

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. EHLERS. Madam Speaker, I rise today to celebrate Ms. Berendina R.H. (Diet) Eman, who this morning became one of the newest citizens of our United States of America.

Ms. Eman is a native of The Netherlands, but has been a lawful, permanent resident of the United States in Grand Rapids, Michigan, for more than 4 decades. Ms. Eman deserves special recognition because during World War II, she was a member of the Dutch Underground Resistance to the Nazi occupiers of The Netherlands. As a young woman, Diet bravely and courageously saved the lives of countless Jewish Dutch citizens, helped numerous Allied soldiers escape from Axis forces and ultimately was imprisoned in the Vught concentration camp for her activities.

For these many acts of bravery, Ms. Eman was recognized immediately after the war by Gen. Dwight David Eisenhower, then the Supreme Allied Commander in Europe. She received a certificate signed by General Eisenhower expressing "the gratitude and appreciation of the American people for gallant service in assisting the escape of Allied soldiers from the enemy."

Years later, Diet was recognized by the Government of The Netherlands for her acts and also received a letter of commendation from President Ronald Reagan in 1982. In that letter, President Reagan noted that she "helped write one of the great chapters in the annals of bravery," adding, "In risking your safety to adhere to a higher law of decency and morality, you have set a high and fearless standard for all those who oppose totalitarianism."

She is now nearly 87 years old, and I am humbled by her excitement to become a U.S. Citizen after first coming to our country on December 31, 1960. This morning at 10 a.m., she was sworn in as a citizen by the Hon. Robert Holmes Bell in a private oath ceremony in Grand Rapids, Michigan. Although I was unable to attend the ceremony due to our duties here in Washington, I hope the members of this House of Representatives will join me in thanking Ms. Eman for her incredible acts of bravery and congratulating her upon becoming a citizen of our country.

HONORING CHET AND SYLVIA MORGAN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. COURTNEY. Madam Speaker, I rise today to congratulate and honor Chet and Sylvia Morgan, of Vernon, Connecticut. The Morgans recently celebrated their golden wedding anniversary at the Rockville Elks Carriage House in Rockville, Connecticut.

On January 26th, 1957, Chet and Sylvia married at St. Bridget Church in Manchester, Connecticut. Fifty years later, Chet and Sylvia are still happily married, recently renewing their wedding vows at St. Joseph Church in Rockville.

Chet and Sylvia are the proud parents of three, grandparents of eight, and great-grandparents of four. One of their grandsons, Kody, is a Connecticut National Guardsman currently serving in Iraq. I know that Chet and Sylvia are especially proud of his service to our country.

On behalf of my hometown of Vernon and Connecticut's Second Congressional District, I congratulate the Morgans and wish them all the best in the years to come.

VIOLA DeLEON MUNOZ

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. BACA. Madam Speaker, it is with deep affection that I tribute to the life of Viola DeLeon Munoz, long time San Bernardino community political leader and dear friend, better known by those who loved her as Vi.

Vi passed away in her Yucaipa home amongst the comfort of her family at the age of 75 on February 6,2007.

She was born on June 22, 1931 in Houston, Texas, but called the Inland Empire home for most of her life.

Vi was a dedicated public servant. She devoted herself to advancing her community, fighting injustice, and engaging herself politically by supporting Democratic and Latino candidates.

I still remember meeting with her, the day her and her husband Jess developed the Latino Chicano Democratic Club.

Vi's involvement with Democratic clubs, voter registration and her passion for improving the lives of Latinos in the Inland Empire are just a few areas in which she inspired those of us who know her.

Vi was also a business woman and financier for 37 years. The business that she and Jess owned earned her the recognition as one of the most successful business partners in the area and was the catalyst for Vi's commitment to the betterment of her community. It also served as the central point within the community, where many local leaders discussed political, economic, and social issues.

Some of her many accomplishments include: President and member of the 65th Assembly District committee, vice-chairwoman of the party's Chicano-Latino Caucus, and member of the San Bernardino County Democratic Central Committee since 1996.

Vi was also the founding member of the Yucaipa Democratic Club, the Comision Femenil Mexicana Nacional, and the Chicana Service Action Center.

She is survived by her husband of 56 years, Jesus (Jess) Munoz, Sr., sons Jesus Munoz, Jr., and Kenneth Munoz, daughter Beverly Munoz, five grandchildren and six great grandchildren.

Vi has left behind a wonderful legacy of community and political activism. The many relatives and friends who loved her dearly, know that she will be missed. Vi touched us all with her kind deeds and leadership in our community.

My wife Barbara, my family and I extend our deepest condolences to Vi's family. May God bestow his comfort upon them at this time.

RECOGNIZING THE PEACE CORPS VOLUNTEERS FROM OREGON'S 3RD DISTRICT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. BLUMENAUER. Madam Speaker, President Kennedy, speaking 46 years ago at the establishment of the Peace Corps, remarked that, ''The initial reactions to the Peace Corps proposal are convincing proof that we have, in this country, an immense reservoir of such men and women—anxious to sacrifice their energies and time and toil to the cause of world peace and human progress.'' What was true in 1961 is true today; Peace Corps Volunteers are an outstanding group of men and women serving the cause of humanity across the globe.

During this National Peace Corps Week, I want to honor the service and commitment of the Peace Corps Volunteers from Oregon's 3rd Congressional district and express my pride in my fellow Oregonians who have chosen to devote years of their lives in service to others.

In particular, I want to recognize those Peace Corps Volunteers who have begun their service in the past year: Annie Crater (Honduras), Michelle Gerdes (Tanzania), Benjamin Grace (Niger), Eli Mechanic (Morocco), James Murphy (Mali), Nicole Probst (Malawi), Radhika Reddy (Burkina Faso), Michael Thoeresz (Belize), and Lauren Towery (Romania).

Their work to empower people and communities in developing countries is an invaluable contribution to creating a safe and prosperous world, building bridges between America and the world, and establishing a better future for people everywhere.

TRIBUTE TO THE NATIONAL ACTIVE AND RETIRED FEDERAL EMPLOYEES ASSOCIATION

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. SAXTON. Madam Speaker, I rise today to honor the Harry H. O'Claire Chapter #637 of the National Active and Retired Federal Employees Association (NARFE), on the occasion of its 50th anniversary.

Chartered in 1957 and located in Lakewood, New Jersey, Chapter #637 has maintained an abiding commitment to developing, promoting and implementing policies and programs to enrich the quality of life in its community. Its mission and focus has remained constant, and its efforts to protect and improve the retirement benefits of federal retirees, employees and their families have remained strong.

Throughout my time in Congress, it has been a privilege and a pleasure to work with Chapter #637, and in particular, my good friend, Frank Spatola, the current Legislative Chair. Over the years, we have worked together on behalf of seniors and retirees in Ocean County, New Jersey, on a variety of issues—including health care, Social Security, and other issues of importance to this community.

I congratulate the Harry H. O'Claire Chapter of NARFE on its 50th anniversary, and salute its exemplary history as an organization of concerned, responsible and involved citizens. I wish my friends at Chapter #637 many more years of success.

HONORING THE LIFE OF DEANNE STONE

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. LARSON of Connecticut. Madam Speaker, I rise today to pay great honor to Mrs. Deanne C. Stone, who passed away on January 28th after a year long struggle with cancer. Born in Hartford, Connecticut and eventually residing in the state of Massachusetts, Mrs. Stone leaves behind a great legacy through her leadership roles and tireless volunteer work in many distinguished organizations, as well as through her friends and family who loved her dearly.

Born to the late Janet and Yale Cohn, Mrs. Stone demonstrated a passion for success at a young age. As Mrs. Stone's sister Barbara Gordon recalls, she was actively involved in her years as a young woman at Weaver High School, working on the school newspaper and eventually graduating as valedictorian of her class in 1957. She went on to graduate with degrees from Brandeis University and Leslie College. Dedicating her life to helping others, Mrs. Stone served in numerous leadership roles for many different organizations, ranging from The Foundation for Children's Books to local Brownie and Cub Scout troops, and an elementary school PTA president.

Known widely throughout the Jewish communities, Deanne Stone worked tirelessly with numerous organizations closely connected with her faith. She was the Executive Director at Maimonides School and Temple Israel of Boston. She became the founding president of the Women's Division of the Greater Framingham Jewish Federation, and served with her husband, Harvey, as the co-editor of the Jewish Reporter.

Her passion for working within the Jewish community was acknowledged by receiving the honor of being named the national chair for the National Women's Department of the Council of Jewish Federations. Her faith and diligence was also recognized through an invitation to the White House to celebrate the signing of a historic peace treaty between Egypt and Israel.

Madam Speaker, I ask my colleagues to join me today in honoring the life of Mrs. Deanne C. Stone. Her tireless dedication to the local and Jewish community has touched and inspired those who knew Mrs. Stone, and will continue to resonate through her achievements. My thoughts and prayers are with her friends and family, especially her husband Harvey, and the families of her children Matthew and Allison, and sister Barbara. The Hartford community is thankful for having the honor of knowing Mrs. Deanne Stone.

HONORING CAPTAIN HARRY W. ORLADY'S CAREER AS A PIONEER IN AVIATION SAFETY HUMAN FACTORS

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. OBERSTAR. Madam Speaker, I rise to honor a true pioneer in aviation safety and human factors, on his distinguished career of service to the safety of world-wide aviation. Captain Harry W. Orlady passed away peacefully in his sleep on February 7, 2007 at age 86. A memorial service and reception will be held on Friday, March 2, 2007 in Los Gatos, California.

Captain Harry Orlady was a pioneer in the area of aero medical research and aviation human factors. He had a lifelong passion to improve aviation safety in order to, in his words, ''make the system better for people who use it.'' He wrote and delivered more than 100 papers and presentations, conducted studies on medical disabilities, pilot incapacitation, and flight crew complement. He was the originator and principal developer of United Airlines' Flight Safety Awareness Program, the first formalized and effective non-punitive incident reporting system, which was the model for the NASA Aviation Safety Reporting System. Captain Orlady initiated work on pilot incapacitation research at United, and he was the originator of the ''two communication rule'' that has been a mandatory procedure for years at most of the world's airlines.

Harry Orlady initiated ''human factors'' research and practices before the importance of those concepts was understood and widely accepted in the aviation industry. Prior to that time, the aviation community was apt to label most accidents as ''pilot error'' and simply move on without understanding how the system and the equipment contributed to these errors, which were the primary cause of aircraft accidents.

Harry Orlady served as a mentor to numerous young researchers at NASA and at the nation's colleges and universities. At a time when the airlines did not take human factors principles seriously, Harry Orlady worked tirelessly to provide access to these young researchers, with the result that human factors principles would ultimately become part of the standard curriculum at all major airlines, worldwide, and they remain so today.

As a direct result of Captain Orlady's tireless efforts to raise awareness with senior aviation decision-makers, training concepts such as Crew Resource Management (CRM) became recognized and accepted as an essential element of all military and civilian flight training programs. Human factors training programs are now required by the Federal Aviation Administration (FAA), and by most of the world's civil aviation authorities, as well as in International Civil Aviation Organization (ICAO) Annexes.

Captain Harry Orlady was active in the Air Line Pilots Association serving multiple terms on the Negotiating Committee, System Board, as Chair of Council 12, and was founder of the Medical Committee. He strongly believed that pilots should not have to retire at age 60. To support that belief, and he completed the Honolulu Marathon at age 59 in 4 hours and 36 minutes.

Retirement from United in 1980 did not slow Harry Orlady down. He counted among his post-retirement contributions: 9 years as a senior research scientist with NASA's Aviation Safety Reporting System; an FAA consultant in the certification of the B747–400 and MD–11; and co-author, with his daughter Linda, a B767 Captain at United, of a well-received book Human Factors in Multi-Crew Operations, which has sold more than 4000 copies.

Captain Orlady received numerous awards for his hard work including United's W. A. Patterson Award, the Aerospace Medical Association's Harry G. Mosely Award, induction into the Wisconsin Aviation Hall of Fame, and as an elected Fellow of the Aerospace Medical Association. However, Harry Orlady would tell you that the main satisfaction of his work came from his peers, from people who told him that he made a difference, and most of all, from watching those whom he coached and mentored make contributions to the industry.

Aviation aside, Harry Orlady's main interest was his family. Harry met the love of his life, Ellen, when she was a stewardess for United during the DC–3 days. At the time, stewardesses were required to be registered nurses and also could not continue to fly once married. Harry and Ellen were blessed to share 59 years of marriage. Besides Ellen, Harry is survived by 4 children: Roger and his wife Nancy; Sue and her husband, John Brown; Linda and her husband, John Cirino; and Craig; as well as his ''bright lights,'' grandchildren: Stephanie, Steve, and Scott Brown.

Madam Speaker, Captain Harry Orlady's contributions to aviation safety will be long remembered and carried on by his many colleagues and students. He will be gready missed, but his momentous contributions will live on forever.

HONORING ROBERT L. HARRIS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Ms. LEE. Madam Speaker, I rise today to honor the extraordinary life and work of Robert L. Harris, a native of Oakland, California. Today Bob celebrates his retirement from Pacific Gas and Electric Company (PG&E), where he currently serves as the Vice President of Environmental, Health, Technical and Land Services. His outstanding contributions to his company are second only to what he has given back to our community. I am proud to have this opportunity to salute him for his many years of service.

Bob graduated from Merrit College in 1963 and the University of California, Berkeley School of Law (Boalt Hall) in 1973. There he had a memorable career, where he was an associate editor for the California Law Review. He was admitted to the California State Bar on December 13, 1972, and was a state bar examination grader from 1973–1979. He made continuing education a priority throughout his career, completing the Harvard Graduate School of Business Advanced Management Program, as well as the Management Development Program at Duke University's School of Business.

Almost immediately after his graduation from law school, Bob was invited to join the legal staff of PG&E. In 1985, he became the first and only lawyer in PG&E's history to argue and win a case for the company in the United States Supreme Court. The issue he won pertained to free speech.

In 1989, Bob was selected to become the manager of one of PG&E's major operating divisions in its East Bay region in Oakland, California. He was the first lawyer ever appointed to such a position within PG&E. In that position, he proved his exceptional leadership skills in the face of disaster on more than one occasion. In 1989, the Loma Prieta Earthquake devastated the Bay Area and damaged PG&E's facilities. Despite the severity of the situation, Bob was able to keep his division afloat and organized. Two years later, the Oakland Hills Firestorm, the largest urban firestorm in United States history, struck and devastated our region. During this crisis, Bob was once again able to lead a demonstration of commitment to Bay Area residents, and PG&E restored service to the remaining homes in record time. As a result, PG&E won accolades from throughout the East Bay for maintaining service to their customers, no matter how grave the situation.

In addition to his success with PG&E, Bob has distinguished himself in numerous endeavors within the community. He is an active longtime member of the Kappa Alpha Psi Fraternity, and has served as the Sire Archon (president) of Alpha Gamma Boulé of Sigma Pi Phi Fraternity. Bob is a former president of the Charles Houston Bar Association of the San Francisco Bay Area, and in 1970–1980, he served as president of the National Bar Association. He is one of the founders of the California Association of Black Lawyers, and served as a member of the Board of Commissioners at the Port of Oakland from 1996–2000.

Bob is also active in energy matters that impact African Americans. He is the second vice chairman and former general counsel of the American Association of Blacks in Energy. Bob is a board member of the U.S. EPA's National Advisory Council on Environmental Justice. the National Energy Policy Commission, the California EPA Advisory Committee on Environmental Justice, and the California League of Conservation Voters.

Bob is well known for his unparalleled dedication to community service and has received numerous accolades for his work. Among them is the NAACP's highest legal honor, the ''William Robert Ming Award,'' as well as the National Bar Associations highest honor, the ''C. Francis Stradford Award.'' In July 2005, he also received the Kappa Alpha Psi's highest honor, the ''Laurel Wreath.'' Currently Bob chairs the United Negro College Fund's Bay Area Advisory Board, and has received its highest honor, the ''Fredrick D. Patterson Award.'' On five different occasions, he was selected by Ebony Magazine as one of the ''100 Most Influential Blacks in America.''

Today, the friends, family and colleagues of Robert L. Harris have come together to celebrate his career and immeasurable contributions to our community. On this very special day, I join all of them in thanking Bob for his invaluable service, and for the profoundly positive impact his work has had on. countless lives here in California's 9th U.S. Congressional District, across our country and throughout the world.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2237–S2285

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 687–698, and S. Res. 86–87. **Pages S2273–74**

Measures Reported: S. 316, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market. **Page S2272**

Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act of 2007: Senate began consideration of the motion to proceed to consideration of S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security. **Pages S2245–53**

During consideration of this measure today, Senate also took the following action:

By a unanimous vote of 97 yeas (Vote No. 53), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S2246–47**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, February 28, 2007. **Page S2285**

Surface Transportation and Rail Security Agreement: A unanimous-consent agreement was reached providing that the motion to proceed to consideration of S. 184, to provide improved rail and surface transportation security, be withdrawn. **Page S2245**

A unanimous-consent agreement was reached providing that the vote on the motion to invoke cloture on the motion to proceed to consideration of the bill be vitiated.

Nominations Received: Senate received the following nominations:

Jeffrey A. Taylor, of the District of Columbia, to be United States Attorney for the District of Columbia for the term of four years.

14 Navy nominations in the rank of admiral. **Page S2285**

Executive Communications: **Pages S2270–72**

Executive Reports of Committees: **Pages S2272–73**

Additional Cosponsors: **Pages S2274–75**

Statements on Introduced Bills/Resolutions: **Pages S2275–84**

Additional Statements: **Pages S2267–69**

Amendments Submitted: **Page S2284**

Notices of Hearings: **Page S2284**

Authorities for Committees to Meet: **Page S2285**

Privileges of the Floor: **Page S2285**

Record Votes: One record vote was taken today. (Total—53) **Page S2247**

Adjournment: Senate convened at 10 a.m., and adjourned at 5:23 p.m., until 9:30 a.m. on Wednesday, February 28, 2007.

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: On Tuesday, February 13, 2007 committee approved for reporting the following subcommittee assignments for the 110th Congress:

Subcommittee on Nutrition and Food Assistance, Sustainable and Organic Agriculture, and General Legislation: Senators Leahy (Chairman), Lincoln, Stabenow, Brown, Casey, Klobuchar, Coleman, Lugar, Cochran, McConnell, and Crapo.

Subcommittee on Energy, Science and Technology: Senators Conrad (Chairman), Nelson (NE), Salazar, Brown, Casey, Klobuchar, Thune, Lugar, Graham, Coleman, and Grassley.

Subcommittee on Domestic and Foreign Marketing, Inspection, and Plant and Animal Health: Senators Baucus (Chairman), Conrad, Stabenow, Nelson (NE), Salazar, Casey, Graham, McConnell, Roberts, Crapo, and Thune.

Subcommittee on Production, Income Protection and Price Support: Senators Lincoln (Chairman), Leahy, Conrad, Baucus, Brown, Klobuchar, Roberts, Cochran, Coleman, Thune, and Grassley.

Subcommittee on Rural Revitalization, Conservation, Forestry and Credit: Senators Stabenow (Chairman), Leahy, Baucus, Lincoln, Nelson (NE), Salazar, Crapo, Lugar, Cochran, McConnell, and Graham.

AGRICULTURE PROGRAMS BUDGET

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine the President's proposed budget request for fiscal year 2008 for agriculture programs, after receiving testimony from Mike Johanns, Secretary of Agriculture; and Andrew von Eschenbach, Commissioner, Food and Drug Administration, Department of Health and Human Services.

SUPPLEMENTAL BUDGET REQUEST

Committee on Appropriations: Committee concluded a hearing to examine the Supplemental Request for fiscal year 2007, after receiving testimony from Condoleezza Rice, Secretary of State; Robert Gates, Secretary of Defense; and General Peter Pace, Chairman, Joint Chiefs of Staff.

WORLDWIDE THREATS

Committee on Armed Services: Committee concluded open and closed hearings to examine the current and future worldwide threats to the national security of the United States, after receiving testimony from General Michael D. Maples, USA, Director, Defense Intelligence Agency; Thomas Fingar, Deputy Director of National Intelligence for Analysis, and Chairman, and Joseph DeTrani, North Korea Mission Manager, both of the National Intelligence Council; and Vice Admiral John M. McConnell, USN (Ret.), Director, National Intelligence.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 1,281 military nominations in the Army, Navy, Air Force, and Marine Corps.

PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security concluded a hearing to examine S. 294, to reauthorize Amtrak, after receiving testimony from Senator Casey; Pennsylvania Governor Edward G. Rendell, Harrisburg; Joseph H. Boardman, Administrator, Federal Railroad Administration, Department of Transportation; Frank J. Busalacchi, Wisconsin Department of Transportation, Madison, on behalf of the States for Passenger Rail Coalition; Kelly Taylor, Oregon Department of Transportation Rail Division, Salem; and Alex Kummant, Amtrak, Washington, D.C.

ENERGY

Committee on Finance: Committee concluded a hearing to examine America's energy future, focusing on bold ideas and practical solutions, including the Air Force Energy Strategy for the 21st Century, after receiving testimony from Michael A. Aimone, Assistant Deputy Chief of Staff for Logistics, Installations, and Mission Support, United States Air Force; Montana Governor, Brian Schweitzer, Helena; Dan E. Arvizu, National Renewable Energy Laboratory, Golden, Colorado; Robert Socolow, Princeton University Carbon Mitigation Initiative, Princeton, New Jersey; and Dan W. Reicher, Google Corporation Energy and Climate Initiatives, Mountain View, California.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations Stanley Davis Phillips, of North Carolina, to be Ambassador to the Republic of Estonia, who was introduced by Senators Dole, Burr, and Lieberman, and Sam Fox, of Missouri, to be Ambassador to Belgium, who was introduced by former Senator Danforth and Senators Bond, McCaskill, and Specter, after the nominees testified and answered questions in their own behalf.

TOBACCO REGULATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine S. 625, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, after receiving testimony from Lisa Shames, Acting Director, Natural Resources and Environment, Government Accountability Office; Matthew Myers, Campaign for Tobacco-Free Kids, and Elmer Huerta, American Cancer Society, both of Washington, D.C.; Richard Land, Southern Baptist Convention, Nashville, Tennessee; Jack E. Henningfield, Pinney and Associates, and Johns Hopkins University School of Medicine, Baltimore, Maryland; Gregory N. Connolly, Harvard School of Public Health, Cambridge, Massachusetts; and Alan Blum, University of Alabama Center for the Study of Tobacco and Society, Tuscaloosa.

PROSECUTORS AND DEFENDERS INCENTIVE ACT

Committee on the Judiciary: Committee concluded a hearing to examine S. 442, to provide for loan repayment for prosecutors and public defenders, after receiving testimony from Paul A. Logli, Winnebago

County State's Attorney, Rockford, Illinois, on behalf of the National District Attorneys Association; Jessica A. Bergeman, Cook County Assistant State's Attorney, Chicago, Illinois; and George B. Shepherd, Emory University School of Law, Atlanta, Georgia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 1190–1219; 1 private bill, H.R. 1220; and 8 resolutions, H.J. Res. 38; H. Con. Res. 75; and H. Res. 194, 196–200, were introduced. **Pages H1966–68**

Additional Cosponsors: **Pages H1968–70**

Reports Filed: A report was filed on Friday, February 23rd as follows:

H.R. 556, to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security and to establish the Committee on Foreign Investment in the United States, with an amendment (H. Rept. 110–24, Pt. 1).

A report was filed today as follows:

H. Res. 195, providing for consideration of H.R. 556, to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security and to establish the Committee on Foreign Investment in the United States (H. Rept. 110–25). **Page H1966**

Speaker: Read a letter from the Speaker wherein she appointed Representative Salazar to act as Speaker pro tempore for today. **Page H1899**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Supporting the goals and ideals of a National Medal of Honor Day to celebrate and honor the recipients of the Medal of Honor: H. Con. Res. 47, to support the goals and ideals of a National Medal of Honor Day to celebrate and honor the recipients of the Medal of Honor, by a ⅔ yea-and-nay vote of 411 yeas with none voting "nay," Roll No. 103; **Pages H1900–03, H1931**

Promoting Transparency in Financial Reporting Act of 2007: H.R. 755, to require annual oral testimony before the Financial Services Committee of the Chairperson or a designee of the Chairperson of the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board, relating to their efforts to promote transparency in financial reporting, by a ⅔ yea-and-nay vote of 412 yeas with none voting "nay," Roll No. 104; **Pages H1903–05, H1931–32**

Depository Institution Community Development Investments Enhancement Act: H.R. 1066, to increase community development investments by depository institutions; **Pages H1905–06**

Brownfields Redevelopment Enhancement Act: H.R. 644, to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields; **Pages H1906–09**

Promoting Antiterrorism Cooperation through Technology and Science Act: H.R. 884, to provide for the establishment of the Science and Technology Homeland Security International Cooperative Programs Office, by a ⅔ yea-and-nay vote of 396 yeas to 16 nays, Roll No. 105; **Pages H1909–14, H1932–33**

Recognizing Ann Richards' extraordinary contributions to Texas and American public life: H. Res. 42, to recognize Ann Richards' extraordinary contributions to Texas and American public life; **Pages H1914–19**

Pell Grant Equity Act of 2007: H.R. 990, to provide all low-income students with the same opportunity to receive a Pell Grant by eliminating the tuition sensitivity provision in the Pell Grant program; **Pages H1919–21**

Agreed to amend the title so as to read: "To provide all low-income students with the same opportunity to receive a Pell Grant by suspending the tuition sensitivity provision in the Pell Grant program.". **Page H1921**

Commending the University of Southern California Trojan football team for its victory in the 2007 Rose Bowl: H. Res. 126, to commend the University of Southern California Trojan football team for its victory in the 2007 Rose Bowl; **Pages H1921–23**

Congratulating the Mount Union College Purple Raiders for winning the 2006 NCAA Division III

Football National Championship: H. Res. 103, to congratulate the Mount Union College Purple Raiders for winning the 2006 NCAA Division III Football National Championship; **Pages H1923–24**

Providing for the construction, operation, and maintenance of an arterial road in St. Louis County, Missouri: H.R. 1129, to provide for the construction, operation, and maintenance of an arterial road in St. Louis County, Missouri; **Pages H1924–26**

Providing for the conditional conveyance of any interest retained by the United States in St. Joseph Memorial Hall in St. Joseph, Michigan: H.R. 494, to provide for the conditional conveyance of any interest retained by the United States in St. Joseph Memorial Hall in St. Joseph, Michigan; and **Pages H1926–27**

Expressing the sense of the Congress regarding the need for additional research into the chronic neurological condition hydrocephalus: H. Con. Res. 74, to express the sense of the Congress regarding the need for additional research into the chronic neurological condition hydrocephalus. **Pages H1929–31**

Recess: The House recessed at 5:14 p.m. and reconvened at 6:30 p.m. **Page H1931**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed until Wednesday, February 28th:

Supporting the goals and ideals of American Heart Month: H. Con. Res. 52, to support the goals and ideals of American Heart Month. **Pages H1927–29**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1899.

Senate Referrals: S. 171 was referred to the Committee on Oversight and Government Reform. **Page H1965**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H1970–77.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H1931, H1932, and H1932–33. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:43 p.m.

Committee Meetings

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Secure Border Initiative. Testimony was heard from the following officials of the Department of Homeland Security: W. Ralph Basham, Commissioner, Customs and Border Patrol; Gregory Giddens, Manager, SBInet Program Manager; David Aguilar, Chief, U.S. Border Patrol; and Jayson Ahern, Assistant Commissioner, Field Operations; and the following officials of GAO: Richard Stana, Director, Homeland Security Justice Issues; and Randolph Hite, Director, Information Technology Architect and Systems Issues.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Interior Context. Testimony was heard from Tracy Mehan, former Assistant Administrator, Water, Water Quality, EPA; and public witnesses.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on the Secretary of Health and Human Services. Testimony was heard from Michael O. Leavitt, Secretary of Health and Human Services.

LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on the Architect of the Capitol: Long-Range Requirements. Testimony was heard from Stephen Ayers, Acting Architect of the Capitol; Anna Franz, Director, Planning and Project Management; and Frank Tiscione, Superintendent of House Office Buildings.

STRENGTHENING COMMUNITIES

Committee on Education and Labor: Subcommittee on Healthy Families and Communities held a hearing on Strengthening Communities: An Overview of Service and Volunteering in America. Testimony was heard from David Eisner, CEO, Corporation for National and Community Service; and public witnesses.

OVERSIGHT—MINERAL AND LAND MANAGEMENT BUDGET

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing to review the proposed fiscal year 2008 budget for the Minerals Management Services, the Bureau of Land Management, Energy and Minerals programs, the Office of Surface Mining Reclamation and Enforcement, the Minerals and Geology Program of the Forest Service, and the U.S. Geological Survey, except for the activities and programs of the Water Resources Division. Testimony was heard from the

following officials of the Department of the Interior: R.M. Johnnie Burton, Director, Minerals Management Service; Mark Myers, Director, U.S. Geological Survey; Jim Hughes, Acting Director, Bureau of Land Management; and Brent Wahlquist, Acting Director, Office of Surface Mining Reclamation Enforcement; and Frederick Norbury, Associate Deputy Chief, National Forest System, U.S. Forest Service, USDA.

OVERSIGHT—NOAA-U.S. FISH AND WILDLIFE BUDGET

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, and Oceans held an oversight hearing on the Fiscal Year 2008 budget request for NOAA and the U.S. Fish and Wildlife Service. Testimony was heard from VADM Conrad C. Lautenbacher, Jr., USN (Ret.) Under Secretary, Oceans and Atmosphere and Administrator, NOAA, Department of Commerce; and H. Dale Hall, Director, U.S. Fish and Wildlife Service, Department of the Interior.

OVERSIGHT—OFFICE OF INSULAR AFFAIRS BUDGET

Committee on Natural Resources: Subcommittee on Insular Affairs held an oversight hearing on the Fiscal Year 2008 budget request for the Department of the Interior's Office of Insular Affairs. Testimony was heard from David B. Cohen, Deputy Assistant Secretary, Insular Affairs, Department of the Interior; and the following Governors: Togiola T. A. Tulafono, American Samoa; and Felix Perez Camacho, Guam.

OVERSIGHT—BUREAU OF LAND MANAGEMENT AND FOREST SERVICE BUDGETS

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held an oversight hearing on the Fiscal Year 2008 Budget Request for the Bureau of Land Management and the Forest Service. Testimony was heard from Abigail Kimbell, Chief, Forest Service, USDA; and Jim Hughes, Acting Director, Bureau of Land Management, Department of the Interior.

NATIONAL SECURITY FOREIGN INVESTMENT REFORM AND STRENGTHENED TRANSPARENCY ACT OF 2007

Committee on Rules: Granted, by a voice vote, an open rule with a preprinting requirement. The rule provides one hour of general debate on H.R. 556. National Security Foreign Investment Reform and Strengthened Transparency Act of 2007, equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill except for clause 9 and 10 of Rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule provides that the committee amendment in the nature of a substitute shall be considered for amendment by section and that each section shall be considered as read.

The rule also makes in order only those amendments to the amendment in the nature of a substitute that are pre-printed in the Congressional Record or are pro forma amendments for the purpose of debate. The rule provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or a designee, and that each amendment shall be considered as read. Finally, the rule provides one motion to recommit with or with instructions. Testimony was heard from Chairman Frank, Representatives Maloney of NY, and Paul.

Joint Meetings

DISABLED AMERICAN VETERANS

Committee on Veterans' Affairs: Committee concluded joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Disabled American Veterans, after receiving testimony from Bradley S. Barton, Disabled American Veterans, Cold Spring, Kentucky.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D207)*

H.R. 742, to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction. Signed on February 26, 2007 (Public Law 110–6)

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 28, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies, to hold hearings to examine AMTRAK 2008, 10:30 a.m., SD–138.

Subcommittee on Defense, to hold hearings to provide an overview of the President's proposed budget for fiscal

year 2008 for defense-related matters, 10:30 a.m., SD–192.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine one year after the Sago and Alma coalmining disasters relating to efforts to improve mine safety, 2 p.m., SD–124.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Terrorism Risk Insurance Program, 10:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Insurance, and Automotive Safety, to hold hearings to examine vehicle safety for children, 10 a.m., SR–253.

Subcommittee on Space, Aeronautics, and Related Agencies, to hold hearings to examine the President's budget request for fiscal year 2008 for the National Aeronautics and Space Administration (NASA), 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the President's budget request for fiscal year 2008 for the USDA Forest Service, 9:45 a.m., SD–366.

Committee on the Judiciary: to hold hearings to examine comprehensive immigration reform, 10 a.m., SH–216.

Committee on Rules and Administration: to hold hearings to examine Senate Committee Budget Requests, 9:30 a.m., SR–301.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the President's Budget Request for Fiscal Year 2008 for the Small Business Administration, 10 a.m., SR–428A.

Special Committee on Aging: to hold hearings to examine the aging workforce, focusing on its meaning for businesses and the economy, 10:30 a.m., SD–628.

House

Committee on Agriculture, Subcommittee on Horticulture and Organic Agriculture, hearing to review the proposals of the Department of Agriculture for the 2007 Farm Bill with respect to specialty crops and organic agriculture, 10 a.m., 1302 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on FDA, 10 a.m., 2362A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, on National Science Board, 10 a.m., and on Science Funding, 2 p.m., 2359 Rayburn.

Subcommittee on Energy and Water Development, and Related Agencies, on Energy Outlook—the Next Decade, 10 a.m., 2362B Rayburn.

Subcommittee on Financial Services and General Government, on Consumer Issues, 10 a.m., 2220 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on the EPA, 9 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on Health Resources Services Administration, 10 a.m., 2212 Rayburn.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Fiscal Year 2007 Supplemental Request, 2 p.m., H–143 Capitol.

Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies, on Transportation and Housing: Trends and Challenges over the Next Decade, 10 a.m., 2358 Rayburn.

Committee on Armed Services, hearing on the Fiscal Year 2008 National Defense Budget Request from the Department of the Air Force, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on the impact of changes to the Reserve Montgomery G.I. Bill, 2 p.m., 2118 Rayburn.

Committee on the Budget, hearing on Fiscal Challenges and the Economy in the Long Term, 10 a.m., 210 Cannon.

Committee on Education and Labor, Subcommittee on Early Childhood, Elementary and Secondary Education, hearing on Improving Head Start for America's Children, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing entitled ''The Lack of Diversity in Leadership Positions in NCAA Collegiate Sports,'' 9:30 a.m., 2322 Rayburn.

Subcommittee on Energy and Air Quality, hearing entitled ''A Review of the Administration's Energy Proposal for the Transportation Sector,'' 10 a.m., 2123 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing entitled ''H.R. 251, Truth in Caller ID Act of 2007,'' 2 p.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled ''Insurance Claims Payment Processes in the Gulf Coast after the 2005 Hurricanes,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Iraq and U.S. Foreign Policy, 10 a.m., and a hearing on North Korea: The February 13th Agreement, 1:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communication, Preparedness, and Response and the Subcommittee on Management, Investigations, and Oversight, joint hearing entitled ''Reforming FEMA: Are We Making Progress?'' 10 a.m., 311 Cannon.

Committee on House Administration, to consider Committee funding requests, 9:30 a.m., and 2 p.m., 1310 Longworth.

Committee on the Judiciary, to consider the following: pending Committee business; a resolution establishing an Antitrust Task Force; and H.R. 1130, Judicial Disclosure Responsibility Act, 10:15 a.m., 2141 Rayburn.

Antitrust Task Force, hearing on Competition and the Future of Digital Music, 3 p.m., 2141 Rayburn.

Committee on Natural Resources, oversight hearing on the Evolving West, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, to consider the following: Committee's Budget Views and Estimates for Fiscal Year 2008 for submission to the Committee on the Budget; H. Res. 180, Honoring the life and achievements of Leo T. McCarthy and expressing profound sorrow on his death; H. Res. 162, Recognizing the contributions of the Negro Baseball Leagues and their players; and H. Con. Res. 62, Supporting the goals and

ideals of a National Children and Families Day, in order to encourage adults in the United States to support and listen to children and to help children throughout the Nation achieve their hopes and dreams; followed by a hearing entitled ''Reforming the Presidential Library Funding Disclosure Process,'' 10 a.m., 2154 Rayburn.

Subcommittee on Government Management, Organization, and Procurement, hearing entitled ''9/11 Health Effects: Federal Monitoring and Treatment of Residents and Responders,'' 12 p.m., 2247 Rayburn.

Committee on Rules, to consider H.R. 800, Employee Free Choice Act, 3 p.m., H–313 Capitol.

Committee on Science and Technology, to mark up the following bills: H.R. 85, Energy Technology Transfer Act; H.R. 1068, To amend the High-Performance Computing Act of 1991; H.R. 1126, To reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; and H.R. 363, Sowing the Seeds through Science and Engineering Research Act, 10 a.m., 2318 Rayburn.

Committee on Small Business, to consider Committee's Budget Views and Estimates for Fiscal Year 2008 for submission to the Committee on the Budget, 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on Information and Security Management at the Department of Veterans Affairs, 2 p.m., 334 Cannon.

Committee on Ways and Means, to consider Committee's Budget Views and Estimates for Fiscal Year 2008 for submission to the Committee on the Budget, 10 a.m., and to hold a hearing on Energy and Tax Policy, focusing on climate change, 10:30 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on Fiscal Year 2007 Supplemental Request, 10:30 a.m., H–405.

Joint Meetings

Joint Economic Committee: to hold hearings to examine meeting the challenge of income instability, 9:30 a.m., SD–562.

Next Meeting of the SENATE

9:30 a.m., Wednesday, February 28

Senate Chamber

Program for Wednesday: After the transaction of morning business (not to extend beyond 60 minutes), Senate will begin consideration of S. 4, Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 28

House Chamber

Program for Wednesday: Consideration of H.R. 556—National Security Foreign Investment Reform and Strengthened Transparency Act of 2007.

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