United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, MARCH 6, 2007 No. 38

House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Ms. GIFFORDS).

DESIGNATION OF SPEAKER PRO TEMPORE

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

Washington, DC, March 6, 2007.

I hereby appoint the Honorable GABRIELLE GIFFORDS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

WE MUST TAKE CARE OF OUR VETERANS

Mr. BLUMENAUER. Madam Speaker, historically, the month of March has been a time when we greet representatives of our Nation's veterans who come to Capitol Hill to advocate on behalf of their fellow veterans. This year, however, it is hard not to feel a sense of shame as we see the veterans spreading out over Capitol Hill again carrying their message. Sadly, as has been shown in our hearings and on the front pages of our papers around the country in countless news accounts, Congress has done a poor job of listening to their needs in the past, and we are seeing more than ever the need to address those concerns directly.

I haven't supported the reckless treatment of our veterans. I have supported our Democratic efforts when we were in the minority, fighting for appropriate funding and equipment. But we can only go so far with an administration that has been focused on its own version of reality and its own priorities very much at variance with our veterans, and that have been enabled for the last 6 years by a Republican leadership with their own sense of priorities.

We have seen and heard from our veterans about the long waits, the red tape. It is not, however, the fault of some faceless bureaucracy as implied by Vice President CHENEY yesterday, because there are countless dedicated men and women who still provide good care for most of our veterans and who want to do better. It is an administration and its policies and the people that they have put in charge that must change. And, of course, it is the war in Iraq, itself.

It is not just a question of money. We have given plenty of money to this administration, more in fact than they have asked for. We are spending more on our military and veterans than the entire rest of the world combined. But because of the mismanagement, we have been giving too much to the wrong people to do the wrong things, dealing with the wrong priorities.

I just left a budget hearing. We are still looking at an administration that wants to lavish billions on missile defense and Cold War era weapons, while having proposals that would cut programs for traumatic brain injury and, according to the Congressional Budget Office, underfund our veterans' needs by some $3.4 billion over the next 5 years.

We are dealing with an administration that has put political operatives in sensitive positions. The head of the Veterans Administration, for example, is a former head of the Republican Party who was surprised about the budget problems, whose administration forgot about the thousands of returning veterans that were going to need more services, who was baffled by the security lapses in the veterans' files on VA computers.

This last week, I hope the tide is turning. I hope that finally the spotlight that has been focused on amplifying the concerns that a number of us have heard and have talked about in the past, will make a case that will not be possible for this administration to ignore any longer.

Mr. Vice President, it's not just the Federal bureaucracy. It's your bureaucracy after 6 years. It's your budgets, your priorities, your leaders who are failing.

I am confident that this Congress will be able to turn the tide so next year, when our veterans' representatives are here on Capitol Hill, we are not going to feel guilty; that we will be able to look our young men and women who are in the service today and the people who are recovering from their service overseas in the eye, knowing that we, this Congress, the administration and the American people have done all we could for them.

FIRST COOLING, NOW WARMING

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

Mr. STEARNS. Thank you, Madam Speaker.

My colleagues, here is a quote from a Newsweek article: ''There are ominous signs that the Earth's weather patterns have begun to change dramatically, and that these changes may portend a drastic decline in food production, with

Printed on recycled paper.

serious political implications for about every nation on Earth. The drop in food output could begin quite soon, perhaps only 10 years from now.''

My colleagues, Newsweek published this dire warning in its April 28, 1975 issue, years before global warming began getting the headlines it does today.

Did Newsweek accurately forecast the coming of global warming more than 30 years ago? No. The article entitled ''The Cooling World'' warned that the Earth's climate seemed to be cooling to the point that populations around the world are in imminent danger because of the coming ice age.

Newsweek was not the only publication to warn about the supposed threat of global cooling during the 1970s. In an article entitled ''Another Ice Age?'' the June 24, 1974 issue of Time reported: ''When meteorologists take an average temperature around the globe, they find that the atmosphere has been growing gradually cooler for the past three decades.'' And Time's article did not predict a break in this decade-long cooling trend.

The article continued to warn that ''telltale signs were everywhere, from the unexpected persistence and thickness of packed ice in the waters around Iceland to the southward migration of warm-loving creatures like the armadillo from the Midwest.''

Fortune magazine also gave warning. A February 1974 article entitled ''Ominous Changes in the World's Weather'' claimed that ''there is a fair agreement among researchers that the earth is now heading very slowly into another major ice age, such as the one that brought the glaciers deep into North America before it retreated some 10,000 years ago.''

This article also pointed to the supposedly unusual weather patterns of the day as indication of much worse weather to come: ''Climatologists now blame those recurring droughts and floods on a global cooling trend. It could bring massive tragedies for mankind.''

These days, of course, we no longer hear much, if anything, about the possibility of runaway global cooling triggering another ice age. Instead, we hear a lot about the threat of catastrophic global warming. Now, what happened? Well, the temperature trend changed. After dropping for about 35 years, the temperature started to rise in the mid seventies, although the global temperature now is only slightly higher than it was in the 1940s when the cooling trend began.

Over the centuries and millennia, the weather has changed, at times radically. During the 10th century, the Vikings established prosperous colonies in Greenland, having named the island for its lush pastures. By the early 15th century, however, these were wiped out by cold and hunger, and now four-fifths of Greenland lies buried under hundreds of feet of ice cap. No one blamed human activity for this climate shift or the ice age.

But in the seventies, some experts argued that human impact on the environment had grown to the point where their atmospheric pollutants were contributing significantly to global cooling, just as some experts argue that CO_2 and other greenhouse gas emissions are causing global warming today.

Climatologists suggested that dust and other particles released into the atmosphere as a result of farming and the burning of fossil fuels were blocking more and more sunlight from reaching and heating the surface of the Earth. They projected that man's potential to pollute would increase six- to eightfold over the next 50 years. And as Reid Bryson stated in Fortune in February 1974, ''It is something that, if it continues, will affect the whole human occupation of the Earth, like a billion people starving.''

Another of the concerned scientists was Dr. Stephen Schneider, the co-author of the Science report, who in the seventies was worried about the threat of global cooling. Now at Stanford University, Dr. Schneider not only sees things differently but is considered one of the leading experts now sounding the alarm about global warming. In a recent MSNBC report, Dr. Schneider argued that today's warming trend ''has been induced by humans using the atmosphere as a free place to dump our tailpipe waste.'' However, not everyone sounded the alarm about global cooling in the seventies, just like not everyone is sounding the alarm about global warming today.

Madam Speaker, the fact that so many experts were wrong about global cooling in the seventies does not necessarily mean that they are wrong about global warming today, but it does at least show that experts are sometimes incredibly, incredibly wrong.

RECESS

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

Accordingly (at 10 o'clock and 43 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. WOOLSEY) at noon.

PRAYER

The Reverend Stan Gruneich, National Chaplain, The American Legion, offered the following prayer:

Holy God, our help in ages past, present and future. In this place of history and memory, we remember with gratitude that You have blessed our Nation with this great land as our heritage for this space in time. Grant that in humility we all may live worthy of that trust.

Bless this legislative body with clear vision, deep insight and courage to seek and do what is right. In Your gracious mercy, Lord, may each strive to see the best in everyone else. It is then that we can discern what is best for all here and in the world around us.

We pray for the men and women of our military services. Sustain them and their families during difficult times. Give Your comfort to the wounded in body or mind. Grant eternal rest to those who died in the line of duty.

Lord, hear our prayer. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from South Dakota (Ms. HERSETH) come forward and lead the House in the Pledge of Allegiance.

Ms. HERSETH led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND STAN GRUNEICH

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

Ms. HERSETH. Madam Speaker, I rise today to recognize Reverend Stan Gruneich, National Chaplain of the American Legion, as guest chaplain of the House of Representatives.

On behalf of the entire House, thank you, Reverend, for your prayer, for serving as guest chaplain, for your military service to this country, and for your service to the American Legion as national chaplain. We are honored to have you here today.

Reverend Gruneich was appointed National Chaplain of the American Legion on August 30, 2006. A U.S. Army Vietnam-era veteran, he received his bachelor of arts degree and his master's in divinity from the University of Sioux Falls in Sioux Falls, South Dakota.

He is a member of the Kelly-Porter Post 70 in Flandreau, South Dakota. During his 22 years in the American Legion, Chaplain Gruneich has held several key positions. In addition to serving as post commander, he brings 15 years of experience as the South Dakota department chaplain to the floor today.

Reverend Gruneich, I look forward to continuing to work with you and your

colleagues in the American Legion to ensure our Nation's veterans receive the benefits they have earned and deserve.

Madam Speaker, thank you. And thank you again to the Reverend, as we thank him for sharing his spiritual guidance and wisdom here today in the House of Representatives and for his commitment to serving his fellow veterans.

SCOTT GARDNER ACT

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

Mrs. MYRICK. Today, I reintroduce the Scott Gardner Act. Tragically, Scott Gardner, who was a loving husband and father, was killed by a drunk illegal alien who remained in our country even though he had previous DWI convictions.

And we have had other constituents killed recently. Jasmine Lawrence and Min Chang were both killed in wrecks caused by drunk-driving illegal immigrants in Charlotte, North Carolina, area roads.

Most recently, 20-year-old LeeAnna Newman and her unborn child were killed just outside of my district after her car was struck by an illegal alien who later admitted to getting behind the wheel after drinking tequila. He had a previous conviction also in North Carolina.

This act will give our law enforcement and immigration officials the capacity and resources to deal with illegal aliens driving under the influence in a manner that fits the crime. It would make DWI grounds for mandatory detention and deportation of illegal aliens, and it would aid law enforcement and our immigration laws by requiring the sharing of information among Federal, State and local law enforcement agencies, who would be required to collect this information during the course of their normal duties.

State and local law enforcement agencies would be given the resouces required to detain illegal aliens for DWI and immigration violations until they could be transferred to Federal authorities for deportation.

It is a travesty that our country allows illegal immigrants to remain after being found guilty of DWI.

We cannot prevent every instance of illegal aliens driving under the influence.

However, there is no reason we should not take every measure possible to remove habitual DWI offenders from our roads.

Our constituents expect us to ensure their safety and security.

The Scott Gardner Act will go a long way toward clearing our roads of criminal illegal aliens who represent a grave threat to the safety of our citizens.

THE EMPLOYEE FREE CHOICE ACT

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

Mr. ALTMIRE. Madam Speaker, the new Democratic Congress continues to listen to the concerns of middle-class Americans.

We know that average American families have actually lost ground over the past several years, even after several years of economic growth and high corporate profits. Wages are stagnant, personal debts are at an all-time high, and individual savings are at an all-time low. Higher education and health care costs are skyrocketing.

Last week, the Democratic Congress took a step towards helping middle-class families by passing the Employee Free Choice Act, which helps Americans join together to bargain for better wages, benefits and working conditions.

Once again, our legislation passed with bipartisan support, and once again, it will benefit working families across this country. This is just one more example of how the new Congress is leading this Nation in a new direction, just as the American people asked us to do last November.

SLOW-BLEED IS NO OPTION

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

Mr. PRICE of Georgia. Madam Speaker, right now, brave Americans are going door to door in some of the most dangerous parts of Iraq. They are working with the Iraqi people to bring stability to Iraq, and they are doing this because it is their duty and because they understand our enemy, what is at stake should we not succeed.

Right now, in households all across this country, there are families praying for the safe return of their loved ones. They understand the dangers. They know what is at stake. Unfortunately, in Washington, it would seem that too many politicians do not realize what is at stake, what the consequences are of failure. Instead, some propose we tell these soldiers and their families that Congress believes that the only choice is to close the door. They say retreat is our only option. Their desire is to adopt a policy of slow bleed, methodically squeezing off the necessary funding.

We all know our enemy is committed. We also know that this slow-bleed tactic, supported by some here in Washington, is a weakly disguised measure to turn our backs on our soldiers. That is something, Madam Speaker, that I cannot support.

SCOTT GARDNER ACT

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

Mr. MCINTYRE. Madam Speaker, I am pleased to be speaking today about an extremely important piece of legislation that my good friend, Representative SUE MYRICK, and I are introducing. The Scott Gardner Act strengthens our national immigration laws and preserves our public safety.

On July 16, 2005, 33-year-old husband and father, Scott Gardner, was killed by a drunk driver while his family was driving to the beach located in my congressional district. His wife was critically injured and his two children were robbed of their father for the rest of their lives. The drunk driver was a repeat offender and an illegal immigrant, an individual who should never have been in this country in the first place.

This tragedy was completely preventable, but our broken borders allowed an illegal immigrant with four prior drunk driving charges to remain in the United States. This situation must change so that we never lose another life to a criminal who doesn't deserve rightfully to be in our country.

This act, the Scott Gardner Act, would ensure that DWI is grounds for mandatory detention and deportation of illegal aliens. It would improve communications between Federal, State and local agencies. And it would allow those agencies and law enforcement to collect immigration information in the course of their normal duties.

FAMILY FARM PRESERVATION ACT

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

Mr. PITTS. Madam Speaker, America has some of the most beautiful farmland in the world. But rapidly expanding urban sprawl is threatening this cherished natural resource every day. In fact, since 1960, approximately 1.5 million acres of American farmland have been converted to nonagricultural uses each year.

This week, I will introduce legislation aimed at slowing this trend that threatens family farms and our cherished open spaces. The Family Farm Preservation Act would encourage farmers to continue farming their land by exempting them from capital gains taxes when they sell their land development rights to qualified groups committed to conservation. Without protection from this significant tax burden, too many farmers are being forced to sell their land to developers, and that means fewer family farms and ever-shrinking open spaces.

By giving farmers an incentive to continue farming their land, this bill helps preserve the cherished way of life while protecting beautiful American landscapes at the same time. I hope all my colleagues will support the Family Farm Preservation Act.

PRESIDENT'S HOMELAND SECURITY BUDGET

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

Mr. WALZ of Minnesota. Madam Speaker, in his second State of the

Union Address, President Bush stood in this very Chamber and told the Nation that the government would take unprecedented measures to protect our people and defend our homeland. As I stand here, almost 5 years after the creation of the Department of Homeland Security, the President has delivered a budget that will not keep that promise.

The President's proposed budget once again provides inadequate appropriations for Homeland Security. President Bush proposes slashing grants to our first responders. This will include massive cuts to both our firefighter grants and our State homeland security grants. It includes cuts to law enforcement and cuts to the Justice Department, and all of this while trying to fund tax cuts for the wealthiest among us.

Madam Speaker, this Democratic Congress remains focused on protecting this Nation from the real threat of global terrorism. Democrats are fighting for America's future. We will secure not only our homeland but our families, our jobs and our children's future.

HONDURAS MISSION

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

Mr. GINGREY. Madam Speaker, I rise today to recall the memory of three selfless and courageous Georgians, who tragically were killed in an accident last month while performing missionary work in rural Honduras.

Perry Goad and Ric Mason of Cartersville and Martha Fuller of Newnan were doing God's work on a church mission in the tiny village of Mal Pais. Together with a group of volunteers from several Georgia churches, they were working to set up running water, connect electricity, pave roads and improve life for the families living in Agalta Valley. It was during this effort that the group's truck rolled over on an undeveloped stretch of road, killing Perry, Ric and Martha.

Madam Speaker, these are three outstanding citizens who eagerly dedicated their time, their effort, their love and spirit to helping those in need. They were not content to simply sit in church and learn about the problems facing our world. They made an effort to go out and to fix these problems. And indeed, our community has truly lost three guiding lights.

Madam Speaker, I ask you to join me in remembering the righteous lives of Perry Goad, Ric Mason and Martha Fuller and in offering prayers of healing to the other volunteers who were injured in the accident.

FALSE LINK BETWEEN AL QAEDA-IRAQ

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

Mr. PASCRELL. It is not surprising to learn that during the Scooter Libby trial, Vice President CHENEY's former communications aide, Catherine Martin, said that delivering a message on Meet the Press was a tactic we often use. By the way, within the last 10 minutes, Mr. Libby has been found guilty on four of five counts.

The truth shall lead America. The truth is that the 9/11 Commission found no credible evidence of a link between Iraq and Al Qaeda and the attacks upon the United States. The epicenter of our war against terror is not Iraq but on the border of Pakistan and on the border of Afghanistan.

The American people deserve the truth instead of deceptive tactics. And if this administration won't give the people the truth about this war, then this Congress will.

He stated, Mr. CHENEY, five separate occasions that Saddam Hussein was joined at the hip with bin Laden. He told the American people five times a lie and repeated it year after year on the same TV station. The epicenter of our war on terror is on the border of Afghanistan and Pakistan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members must refrain from engaging in pesonalities toward the Vice President.

WE MUST TAKE CARE OF OUR VETERANS

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

Mr. WALBERG. Madam Speaker, all of us in this Chamber agree, our recovering veterans deserve hospitals that are clean, secure and sanitary when they return home from the battlefield defending our great Nation in the name of liberty.

The recent findings at Walter Reed Army Medical Center are a grave breach of trust to those who shed blood on the battlefield fighting for our freedoms. This Congress must work with the administration to implement a comprehensive evaluation of conditions at Walter Reed and hold those in charge accountable for these deplorable conditions.

The bipartisan commission created by the President to determine whether similar problems exist at other military and VA hospitals is also a necessary and appropriate course of action. Going forward, we must ensure world-class standards and patient-centered efficiency for our veterans. Better oversight is clearly necessary to ensure military facilities exemplify our soldiers' honor and courage.

As hearings on the conditions at Walter Reed are held this week, this Congress must reaffirm its commitment to our wounded soldiers and veterans to ensure they are provided first class medical care.

WALTER REED SCANDAL

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

Mr. COURTNEY. Madam Speaker, the long-festering situation at Walter Reed's Building 18 is nothing short of a national scandal. I am pleased that the new 110th Congress is taking critical steps this week to investigate problems at the facility, and hold accountable leaders that allowed these conditions to deteriorate to this disgraceful state.

Last week, I met with veterans from my district to express deep concern about the lack of adequate transportation for veterans, the increasing length of time it takes for veterans to receive benefits or access health care and the stagnant funding of the VA system over the last 6 years. And they describe a system unable to cope with increasing patients at a time of war.

The challenges faced by these Connecticut veterans are emblematic of a military and VA health system swamped by the influx of wounded from the wars in Iraq and Afghanistan, and shortfalls of funding to adequately care for them caused by the misplaced priorities of the last Congress.

In the first days of this new Congress, we took an important step to address this problem by providing an additional $3.6 billion for veterans health care, yet as my constituents related, there remain critical issues that need to be addressed as we move forward. The men and women who serve this country deserve nothing less than a health care system worthy of their service and sacrifice.

□ 1215

CALLING FOR RESOURCES, ATTENTION, AND ACCOUNTABILITY FROM GOVERNMENT

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

Mr. SARBANES. Madam Speaker, you cannot run America on the cheap.

In the wake of Katrina, we learned that years of requests for investment in infrastructure and basic human needs had been ignored. After sending our troops into Iraq, we learned that they lacked basic protective equipment because this administration was looking to save pennies even as it was wasting billions of dollars on private contracts run amok.

Now the scandal at Walter Reed Hospital is revealing that behind the curtain even our neediest veterans are not being spared the double whammy of inadequate resources and lax accountability.

All Americans should be outraged at this and demand accountability. But we should also be outraged at the cynical agenda this administration has brought to all government functions. Resources are cut, making it impossible for the affected workforce to deliver high-quality services. At the same

time, critical functions are contracted out to the private sector without adequate oversight. Then the administration turns around and says, see, government doesn't work.

Madam Speaker, it's time we reversed course and put adequate resources, attention, and accountability towards the needs of all our citizens but most especially our veterans.

PENTAGON SHOULD HAVE TAKEN ACTION EARLIER THAN THE RELEASE OF THE POST INVESTIGATION

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

Mr. SPACE. Madam Speaker, both high-ranking Pentagon officials and the White House have said that they were shocked to learn of the shoddy treatment wounded soldiers were receiving at Walter Reed. They say the first time they heard about this treatment was from The Washington Post investigation last month.

Madam Speaker, there is simply no way that the Bush administration did not know that this was a problem before the Post report. Several GAO reports have been conducted at the urging of Congress, and the findings of those reports back up exactly what we are now seeing at Walter Reed.

The Washington Post was also not the first media outlet to highlight this problem. Salon magazine reported on the mistreatment of soldiers at Walter Reed 2 years ago.

And yet the Bush administration continues to claim that it knew nothing about this until the Washington Post investigation last month. The administration is either completely out of touch or it simply does not believe taking care of our wounded military personnel is a top priority. Either way, it should be a top concern for this Congress and the American people.

BUSH ADMINISTRATION SHOULD NOT BE NICKEL-AND-DIMING AMERICA'S INJURED SOLDIERS

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

Mr. SIRES. Madam Speaker, The Washington Post headlines said it best: ''Rotten Homecoming—This is no way to treat a veteran.''

A 4-month Washington Post investigation found frustrating delays some of our returning soldiers are facing in receiving the compensation they are owed for the service to this Nation. One soldier was sent to Walter Reed after being smashed in the head by a steel cargo door of an 18-wheeler near the Iraqi border. Now the Pentagon is saying that the soldier's mental impairment comes from his being slow in high school, not from the dramatic head injury he suffered in combat.

Madam Speaker, this Congress has already begun investigating the outrageous problems our soldiers are facing at Walter Reed. President Bush cannot send them off to battle without properly caring for them when they return home.

CONGRESS MUST STOP FUNDING THE WAR

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

Mr. KUCINICH. Madam Speaker, it appears that Congress, in the name of supporting the troops, will soon give President Bush the money he needs to continue the war in Iraq even though we don't take care of the troops when they come home.

If Congress funds the war, what will happen next? More troop casualties; more innocent civilians die; more destruction to Iraq; more destruction to our budget here at home; cuts in health care and education and job creation and housing and, yes, in veterans care.

Unless Congress cuts off funds and brings our troops home, we will be in Iraq for years to come. And for what?

I have introduced H.R. 1234, a bill to bring our troops home and stabilize Iraq.

Congress must take the first step and stop funding the war. Support the troops. Bring them home. Support H.R. 1234.

BUSH ADMINISTRATION NOT PROPERLY PLANNING TO CARE FOR WOUNDED MILITARY PERSONNEL

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

Mr. ARCURI. Madam Speaker, the treatment some of our wounded military personnel are receiving at Walter Reed Army Hospital and other facilities around the Nation is outrageous and should be fixed immediately.

The conditions and the neglect that many of these wounded soldiers are facing is just another example of this administration's failure to plan for the war in Iraq. It was bad enough that the administration went into this war without properly planning for the aftermath of the fall of Baghdad. It is inexcusable that the same administration does not have an acceptable plan to care for wounded soldiers who return from combat in Iraq.

We have all heard the stories about soldiers being moved into Building 18 with mold, mice, and cockroaches because Walter Reed had simply run out of space.

Time after time this administration has cut the Veterans Administration budget during a time of war. And now the President wants to send an additional 21,000 troops into Iraq. How can we think of sending more troops into Iraq when we don't have enough space here in our military hospitals to provide the wounded with the care they rightfully deserve?

We promise our veterans the quality care they need and deserve when they sign up to serve our country. It is time we make good on that promise.

WALTER REED HOSPITAL

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

Ms. NORTON. Madam Speaker, at yesterday's hearing on Walter Reed, I asked the brass whether putting Walter Reed on the BRAC closure list had affected the hospital's staffing and stability. All responded that it had. Army Vice Chief of Staff Cody said, ''We're trying to get the best people. Who would want to sign up to work at a hospital that might be closing?''

You don't close your premium military hospital in the middle of a shooting war and the war on terrorism. I can't imagine that Congress would spend $3 billion on bricks and mortar that could go to wounded soldiers and to veterans. Yet as long as BRAC mandates closure, vital staff who value their careers get the closure signal.

This week I intend to file a bill to keep Walter Reed open. Too much harm has been done already. Let's not compound Walter Reed's problems by keeping a costly closure threat on the books.

SCHIP

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

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to speak about the immediate crisis in Georgia's PeachCare program.

Georgia's SCHIP program is expected to have $131 million in shortfall this fiscal year. This shortfall has forced the Georgia Department of Community Health to announce that by March 11, in only 5 days, it will no longer accept new enrollees. This means that by next week nearly 300,000 children in Georgia will remain uninsured and unable to participate in this hugely successful program.

The leadership in the Georgia General Assembly seems to think that eliminating some children from the program will help resolve the PeachCare crisis. The Governor has so far not stated publicly that he will use available State money to sustain PeachCare during this shortfall crisis. And Congress, for its part, has been unable to act quickly enough to appropriate the funds that Georgia and the other 13 shortfall States need.

The Georgia General Assembly, the Governor, and the Congress must act immediately to save the PeachCare program. Georgia must continue to provide health care to children who are currently enrolled in the PeachCare program and to all of those children who are eligible for the program.

Long live the Dixie Chicks.

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:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 5, 2007.

Hon. NANCY PELOSI,
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 March 2, 2007, at 12:30 pm:

That the Senate passed S. 743.

That the Senate agreed to without amendment H. Con. Res. 47.

That the Senate agreed to S. Con Res. 16.

Appointments:

British-American Interparliamentary Group

North Atlantic Treaty Organization Parliamentary Assembly

Canada-United States Interparliamentary Group

Mexico-United States Interparliamentary Group

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

HONORING THE LIFE AND ACHIEVEMENTS OF THE LATE DR. JOHN GARANG DE MABIOR

Mr. PAYNE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 98) honoring the life and achievements of the late Dr. John Garang de Mabior and reaffirming the continued commitment of the House of Representatives to a just and lasting peace in the Republic of the Sudan, as amended.

The Clerk read as follows:

H. RES. 98

Whereas Dr. John Garang de Mabior, founder and leader of the Sudan People's Liberation Movement/Army (SPLM/A), was born on June 23, 1945, in Bor, Sudan;

Whereas Dr. Garang joined the Anya-Nya Movement in 1970, a liberation movement in Southern Sudan, and after the 1972 Addis Ababa Peace Agreement, he became a member of the Sudanese Armed Forces;

Whereas as Deputy Director of the Military Research Branch of the Sudanese Armed Forces, Dr. Garang demonstrated his leadership abilities in the early stages of his military career;

Whereas Dr. Garang studied economics at Grinnell College and received his master of arts and doctorate degrees from Iowa State University;

Whereas Dr. Garang skillfully managed to consolidate his base after the devastating split in the SPLM/A in 1991;

Whereas as the undisputed leader of the SPLM/A, Dr. Garang demonstrated remarkable political and military leadership for over two decades;

Whereas Dr. Garang was a soldier, a scholar, a statesman, and a father, who had a clear vision and unwavering love for his people and country;

Whereas Dr. Garang fought for 22 years to achieve a just peace for his people, but only served 21 days as First Vice President of Sudan;

Whereas Dr. Garang fought not only for the people in Southern Sudan, but also for the forgotten and long marginalized people of the Nuba Mountains, Southern Blue Nile, Darfur, and other regions of the country;

Whereas Dr. Garang worked tirelessly to help build international support for a new Sudan that would be multi-ethnic, multi-religious, democratic, and united;

Whereas the new Sudan envisioned by Dr. Garang, if fully realized, would be a country in which all Sudanese would live in peace without discrimination and hatred, with equality, pride, and dignity;

Whereas Dr. Garang creatively and painstakingly managed the often conflicting aspirations of his people for an independent Southern Sudan and his vision for a new Sudan;

Whereas the Comprehensive Peace Agreement, which was signed by the Government of Sudan and the SPLM/A on January 9, 2005, provides Southern Sudan the right to self determination through a referendum after six years and also offers the northern establishment in Sudan the opportunity to make unity attractive during the interim period;

Whereas on July 8, 2005, millions of people throughout Sudan came to show their support in Khartoum when Dr. Garang was sworn in as First Vice President of Sudan; and

Whereas on July 30, 2005, Dr. John Garang died in a helicopter crash returning to Southern Sudan from Uganda: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the life and achievements of Dr. John Garang de Mabior;

(2) reaffirms its commitment to a just and lasting peace in the Republic of the Sudan;

(3) calls for full implementation of the Comprehensive Peace Agreement without any delay;

(4) strongly urges the people of Southern Sudan and its leaders to continue to support Dr. Garang's vision for a new Sudan;

(5) strongly urges the full commitment of the United States, the United Nations, the European Union, the African Union, and the League of Arab States to support Dr. Garang's vision for a new Sudan by endorsing democratic elections throughout Sudan in 2009, as provided by the Comprehensive Peace Agreement;

(6) strongly supports the creation of a Dr. John Garang de Mabior Institute for Agriculture, Peace, and Economic Development in Southern Sudan; and

(7) directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to the Secretary of State with a request that the Secretary transmit it to Dr. Garang's widow, Rebecca Garang, and to the Government of Southern Sudan, through the Office of the Sudan People's Liberation Movement (SPLM) in the District of Columbia.

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

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in strong support of House Resolution 98.

Let me begin by thanking Chairman LANTOS for his leadership in the Foreign Affairs Committee, which allowed our resolution to come through the committee, and our ranking member. And I would like to also give special acknowledgment to Congressman FRANK Wolf, who for many, many years, even preceding my entrance to Congress, was working on issues dealing with the problem in Sudan. And he worked very closely with the late Dr. John Garang de Mabior to help bring about peace in southern Sudan.

Madam Speaker, H. Res. 98 honors the life and achievements of Dr. John Garang de Mabior and reaffirms the continued commitment of the House of Representatives to a just and lasting peace in Sudan. The resolution honors the life and achievements of Dr. Garang; reaffirms its commitment to a just and lasting peace in the Republic of Sudan; calls for the full implementation of the Comprehensive Peace Agreement without delay; strongly urges the people of southern Sudan and its leaders to continue to support Dr. Garang's vision for a new Sudan; and strongly supports the creation of a Dr. John Garang de Mabior Institute for Agriculture, Peace, and Economic Development in southern Sudan.

Dr. Garang had a vision for a new Sudan, a Sudan which is multicultural, multi-ethnic, and peaceful. He fought for 21 years as the leader of the Sudanese People's Liberation Movement/Army to achieve a just peace for his people but only served 21 days as the first Vice President of Sudan before being killed in a tragic and mysterious helicopter crash on July 30, 2005, in his region of south Sudan where he was to be sworn in as President.

Dr. John, as he was affectionately called, was a powerful human being and a symbol of a people's freedom from oppression. Dr. John was born into a poor family of the Dinka ethnic group in the Upper Nile region of Sudan. He was orphaned by the age of 10 but supported by his family members. When the first civil war started in 1962, he was too young to fight and was sent away to school in Tanzania and later came to the U.S. to get his degree and studied at the University of California Berkeley but decided to go back.

□ 1230

The fact is that Dr. Garang was a person that we honor and respected so much, and he will live on in that country. But there was this tragic and mysterious crash on July 30, 2005, which took his life. At the time I was traveling the region in hopes of seeing Dr. Garang in Southern Sudan to discuss the status of the Comprehensive Peace Agreement. It was a terribly saddening situation when I received the news of his crash.

Besides leaving behind a wife and five children, he also was mourned by the people of all of Sudan, from east, west, the center, to the north as well as the south. They all saw him as their hope for future peace and justice in Sudan.

Thankfully, the number two member of the SPLM, Dr. Salva Kiir, was installed as the new first vice president of the government of Sudan and President of the government of South Sudan, and we are working to help professionalize the government of Southern Sudan and the SPLA. This is a critical time for real and lasting peace in Sudan.

We must support the government of Southern Sudan in development efforts and arrange for elections in 2 years. We also must ensure that the people of Southern Sudan get the right to self-determination through a referendum in 2011, as provided for in the Comprehensive Peace Agreement.

I have followed the crisis in Sudan for most of the last 21 years as the Islamic government in Khartoum waged war against the Sudanese People's Liberation Army/Movement and the people of the south. More than 4 million people were displaced from Southern Sudan, and over 2 million people were killed over the course of this 21 year war.

During that time, the National Islamist Front Government, led by Omar el Bashir, committed innumerable brutalities of unimaginable scope against the people of the South and the marginalized areas of Southern Blue Nile and Nuba Mountains. It was the longest running war in Africa until January 9, 2005, when the parties signed the Comprehensive Peace Agreement.

I was in Nairobi for the signing of the CPA and was cautiously hopeful that the long awaited peace in Sudan would work. However, once the north-south conflict reached a point where an agreement was imminent, the government began its attack on the innocent civilians in Darfur. With the help of the Janjaweed, the National Congress Party, formerly the National Islamic Front, had destroyed villages and communities, and maimed, raped, killed and terrorized the people of Darfur.

In the annual Country Report on Human Rights released today, the State Department called Darfur ''the most sobering reality in 2006.'' Over 400,000 are dead; more than 2.5 million displaced.

The people of Sudan have suffered tremendously under the hands of this government which, by the way, came to power in a bloody coup in 1989. This same government harbored Osama bin Laden for 5 years between 1991 and 1996. He plotted several terrorist attacks from there.

However, the Comprehensive Peace Agreement so many people have worked for has not been implemented fully, and the genocide in Darfur is not abating. We must be firm with Khartoum. Khartoum must comply with the CPA. Khartoum must stop the killings in Darfur.

I urge my colleagues to support the passage of this resolution.

I also want to take the opportunity on the floor of the House of Representatives to congratulate Ghana on 50 years of independence from Britain. Today, people from all over Ghana and all over the world and many heads of state are celebrating the first Sub-Saharan country to gain its independence 50 years ago. So the correlation between the new Southern Sudan and what happened 50 years ago in Ghana is very important.

Let us remember that Ghana's first leader, Kwame Nkrumah, had a broad vision of African unity. President Nkrumah did not make a distinction between north and south. He called it one continent. His belief is in one Africa, one of the underpinnings for African unity.

So Africa certainly has a long way to go, but the continent as a whole is more stable today than it was many years ago, and with better governance and use of resources, as well as fairer trade policies by the U.S. and other Western countries, African countries can grow and develop into one of the most important areas in the world.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I thank Chairman PAYNE for his words. I am also pleased to support House Resolution 98, highlighting the life and achievements of the late John Garang and reaffirming the commitment of the House to a just and lasting peace in Sudan.

While much attention is currently focused on the crisis in Darfur and that region of western Sudan, it is critical that we do not allow ourselves to become complacent in the south. After all, it was in the south that over 20 years of war between the government in Khartoum and the Sudan People's Liberation Army left over 2 million people dead and 4 million others displaced. It was in the south that the government of Sudan honed its craft in genocide, manipulating ethnic tensions, arming proxy militias, conducting aerial bombardments of civilians and engaging in forced displacement, mass murder, looting, torture and rape. It was also in the south that a generation of boys was lost, having been forcibly conscripted to serve as child soldiers for the Armed Forces of Sudan, associated militias and the Sudan People's Liberation Army.

Any analyst will tell you that war is a terrible business, and the war in Southern Sudan was no exception. There were no saints. That said, it is clear that without the leadership of Dr. Garang, it is likely that the oppressors would have succeeded and that the opportunity for peace presented by the conclusion of the Comprehensive Peace Agreement for Sudan in 2005 would have been lost.

Dr. Garang envisioned a united democratic Sudan, a country in which all citizens enjoyed the freedom to live, to worship and to prosper without the fear of discrimination or persecution. If realized, this dream would proffer untold benefits, not only for the people of the south, but also for those fighting inequality in eastern Sudan and Darfur. He fought fiercely toward this end and succeeded in overcoming seemingly insurmountable challenges so that the south could negotiate with one voice.

After years of negotiations and countless failed attempts, it appeared that Dr. Garang's efforts would finally pay off in January of 2005 as the historic peace agreement which would end Africa's longest running civil war was signed in Nairobi, Kenya. His tragic death on July 30, 2005 proved to be the first major test of the Comprehensive Peace Agreement for Sudan. Unfortunately, it would not be the last.

It is critical that the United States Government not lose sight of the challenges that remain in implementation. Too many innocents have died. It is time for all Sudanese to pursue the path toward peace and it is incumbent upon us to help them on their way.

I urge my colleagues to support this important resolution.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in strong support of H. Res. 98. I rise to honor the life and achievements of the late Dr. John Garang de Mabior. I rise to reaffirm the continued commitment of the House of Representatives to a just and lasting peace in the Republic of the Sudan.

Let me express my thanks to Mr. PAYNE and Mr. WOLF, the chair and ranking member of the Subcommittee on Africa and Global Health of the Committee on Foreign Affairs, respectively. I also wish to express my appreciation to the many other co-sponsors of this resolution who have worked long and hard to help bring about a just and lasting peace in Southern Sudan.

Madam Speaker, the life of Dr. John Garang de Mabior, ''Dr. John,'' as he was affectionately called, is testimony to mankind's innate capacity to do good and a powerful symbol of a peoples' struggle for freedom. In honoring Dr. John today, we also keep alive the dreams of his people. One day peace and justice will flow like milk and honey for all people throughout Southern Sudan.

Dr. John was born into a poor family of the Dinka ethnic group, in the Upper Nile Region of Sudan. He was orphaned by the age of 10 but was supported by his family members. It truly took a village to raise a child and what a child he was!

When the civil war broke out in 1962, Dr. John was too young to fight and was sent away to high school in Tanzania. In 1969, he earned a scholarship attend Grinnell College in Iowa. After graduation he could have attended graduate school at the University of California at Berkeley but turned it down, choosing instead, to return to Tanzania to study agricultural economics where he could be closer to his people.

In 1972, Dr. John joined the Sudanese military and became a career soldier. He eventually took a leave and earned his doctorate in agricultural economics from the University of Iowa. But a life of academic repose was not for Dr. John for he was a man of action and passion. And the actions and passions of his time called him to a life of struggle on behalf of the oppressed people of his country.

In 1983, Dr. John left the military and joined the newly created Sudanese Peoples' Liberation Army, a movement opposed to the imposition of Sharia law. Thus began his long career as the political and military leader of the people of Southern Sudan.

Throughout this struggle, Dr. John developed a strong political and personal relationship with many Members of the House of Representatives.

The struggle for justice in Sudan was not a partisan issue for Members of Congress. Strong bonds of collegiality and friendship were formed through our efforts to shape U.S. foreign policy toward Sudan.

In that sense, Dr. John's life and struggle, and the struggle of the Southern Sudanese people served to unite Democrats and Republicans in a common cause for freedom.

When I first met with Dr. John in my congressional office, I recall he did not waste words. In his soft-spoken way, he laid out very clearly his vision for Southern Sudan. And, in his highly dignified way, this powerfully charismatic man of deep conviction and strong moral character asked for my support and the support of the United States Congress on behalf of his people. It was clear to me then, as it is now, that Dr. John lived a purposeful life of singular devotion to the liberation and well-being of his people.

Dr. John's tragic death in the mountains of Uganda shocked the world. It seems enormously unjust for this man, who brought his people through a long and devastating civil war, who became Vice President of Sudan, and who later became head of Southern Sudan, to die in 2005 in a helicopter crash.

Madam Speaker, out of this historic tragedy, the people of Southern Sudan have been called to carry on. As Dr. John said after being inaugurated: ''I congratulate the Sudanese people. This is not my peace or the peace of al-Bashir; it is the peace of the Sudanese people.''

Madam Speaker, the recognition this House today gives Dr. John Garang de Mabior should also remind us of the importance of redoubling our resolve to end the genocide in Darfur. There is wide-spread and broad-based consensus in America and between Democrats and Republicans that the ongoing genocide in Darfur is intolerable and must be ended. Thus, this is an area in which there is ample opportunity for the Congress and the Bush administration to find common ground to alleviate the overwhelming suffering in Darfur.

Not since the Rwandan genocide of 1994 has the world seen such a systematic campaign of displacement, starvation, rape, mass murder, and terror as we are witnessing in Darfur for the last 3 years. At least 400,000 people have been killed; more than 2 million innocent civilians have been forced to flee their homes and now live in displaced-persons camps in Sudan or in refugee camps in neighboring Chad; and more than 3.5 million men, women, and children are completely reliant on international aid for survival. Unless the world stirs from its slumber and takes concerted and decisive action to relieve this suffering, the ongoing genocide in Darfur will stand as one of the blackest marks on humankind for centuries to come. The people of Darfur cannot wait. The time has come for decisive leadership from the United States.

It has been more than 2 years since I and my colleagues in the Congressional Black Caucus Darfur Task Force met with Secretary Colin Powell to press successfully for the administration to declare that the campaign of ethnic cleansing and atrocities carried out against civilians primarily by the Government of Sudan and its allied Janjaweed militias is genocide.

It has been more than a year since I flew to Chad and walked across the border to Sudan and met with African Union troops who pleaded for more peacekeeping authority and the resources to protect the refugees from violence, rather than merely monitor it. After returning from that Congressional delegation, I worked with other Members of Congress to secure increased funding to aid the thousands of Sudanese displaced to refugee camps in Chad and to provide additional funding to assist Chad in responding to the humanitarian crisis.

It has been almost 2 years since the UN Security Council adopted Resolution 1556 demanding that the government of Sudan disarm the Janjaweed. This demand was later followed by Resolution 1706, which authorizes a 20,000 strong U.N. peacekeeping force.

It has been 6 months since the Darfur Peace Agreement was brokered in May 2006 between the Government of Sudan and one faction of Darfur rebels.

But still the violence continues; indeed, the violence is escalating. This violence is making it even more dangerous, if not impossible, for most of the millions of displaced persons to return to their homes and for humanitarian relief agencies to bring food and medical aid. According to Jan Egeland, the U.N.'s top humanitarian official, the situation in Darfur is ''going from real bad to catastrophic.''

We have come full circle. Violence is increasing, peace treaties are falling apart, and again as a member of the Congressional Black Caucus Darfur Taskforce and a ranking member on the House Judiciary immigration subcommittee, I have been meeting with Secretary of State Condoleezza Rice seeking an increase in the number of refugee visas for Darfur students to come to the United States to study. I will continue my ongoing, unceasing efforts to end the suffering in Darfur and bring peace to Sudan. These efforts include intensifying my discussions with Secretary Rice, the United States Ambassador to the United Nations, representatives of the Arab League, and humanitarian groups such as Human Rights Watch, Amnesty International, and various African public policy groups to discuss ways and means of bringing peace to that troubled land.

It is also not too early to begin the hard thinking and hard work needed to transform the Darfur region from killing field to economically, politically, and socially viable and peaceful community. This work will, of course, require the active and purposeful engagement of the United States and other key stakeholders, such as China, and the Arab League. In this connection, I have been engaged in an ongoing dialogue with government representatives of Egypt, a dialogue that has already yielded significant dividends. For example, Egypt has implemented several fast track projects in southern Sudan in different sectors involving health, agriculture, electricity, irrigation, infrastructure, and education in order to make unity an even more attractive option to the people of south Sudan.

It must be noted that no just and lasting peace in Sudan can be achieved without the responsible intervention of China. For too long China, which is Sudan's biggest oil customer, has also served as Khartoum's enabler and protector by preventing the U.N. Security Council from imposing more serious sanctions on Sudan in response to the genocide and crimes against humanity committed in Darfur. As former Deputy Secretary of State Robert Zoellick stated in a major policy speech on China a year ago: ''China should take more than oil from Sudan—it should take some responsibility for resolving Sudan's human crisis.'' Based on my meetings with Zhou Wenzhong, China's ambassador to the United States, I am hopeful that China can be persuaded to provide the type of constructive leadership in Sudan befitting a great power.

There is much work to be done and not much time, Madam Speaker. And I have no doubt that our response will be worthy of our responsibility as a world leader. But today, it is right and good and just to pause, reflect, and honor the remarkable life of a remarkable human being—Dr. John Garang de Mabior, which we will do by adopting H. Res. 98.

I urge all my colleagues to join me in supporting the resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time.

Mr. PAYNE. Madam Speaker, I have no further 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. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 98, as amended.

The question was taken.

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

Mr. PAYNE of New Jersey. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

NATO FREEDOM CONSOLIDATION ACT OF 2007

Mr. TANNER. Madam Speaker, I move to suspend the rules and pass the

bill (H.R. 987) to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes.

The Clerk read as follows:

H.R. 987

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 ''NATO Freedom Consolidation Act of 2007''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The sustained commitment of the North Atlantic Treaty Organization (NATO) to mutual defense has made possible the democratic transformation of Central and Eastern Europe. Members of the North Atlantic Treaty Organization can and should play a critical role in addressing the security challenges of the post-Cold War era in creating the stable environment needed for those emerging democracies in Europe.

(2) Lasting stability and security in Europe requires the military, economic, and political integration of emerging democracies into existing European structures.

(3) In an era of threats from terrorism and the proliferation of weapons of mass destruction, the North Atlantic Treaty Organization is increasingly contributing to security in the face of global security challenges for the protection and interests of its member states.

(4) In the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), Congress declared that ''full and active participants in the Partnership for Peace in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area should be invited to become full NATO members in accordance with Article 10 of such Treaty at an early date . . .''.

(5) In the NATO Enlargement Facilitation Act of 1996 (title VI of section 101(c) of title I of division A of Public Law 104–208; 22 U.S.C. 1928 note), Congress called for the prompt admission of Poland, Hungary, the Czech Republic, and Slovenia to the North Atlantic Treaty Organization, and declared that ''in order to promote economic stability and security in Slovakia, Estonia, Latvia, Lithuania, Romania, Bulgaria, Albania, Moldova, and Ukraine . . . the process of enlarging NATO to include emerging democracies in Central and Eastern Europe should not be limited to consideration of admitting Poland, Hungary, the Czech Republic, and Slovenia as full members of the NATO Alliance''.

(6) In the European Security Act of 1998 (title XXVII of division G of Public Law 105–277; 22 U.S.C. 1928 note), Congress declared that ''Poland, Hungary, and the Czech Republic should not be the last emerging democracies in Central and Eastern Europe invited to join NATO'' and that ''Romania, Estonia, Latvia, Lithuania, and Bulgaria . . . would make an outstanding contribution to furthering the goals of NATO and enhancing stability, freedom, and peace in Europe should they become NATO members [and] upon complete satisfaction of all relevant criteria should be invited to become full NATO members at the earliest possible date''.

(7) In the Gerald B. H. Solomon Freedom Consolidation Act of 2002 (Public Law 107–187; 22 U.S.C. 1928 note), Congress endorsed ''. . . the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996''.

(8) At the Madrid Summit of the North Atlantic Treaty Organization in July 1997, Poland, Hungary, and the Czech Republic were invited to join the Alliance, and the North Atlantic Treaty Organization heads of state and government issued a declaration stating ''[t]he alliance expects to extend further invitations in coming years to nations willing and able to assume the responsibilities and obligations of membership . . . [n]o European democratic country whose admission would fulfill the objectives of the [North Atlantic] Treaty will be excluded from consideration''.

(9) At the Washington Summit of the North Atlantic Treaty Organization in April 1999, the North Atlantic Treaty Organization heads of state and government issued a communiqué declaring ''[w]e pledge that NATO will continue to welcome new members in a position to further the principles of the [North Atlantic] Treaty and contribute to peace and security in the Euro-Atlantic area . . . [t]he three new members will not be the last . . . [n]o European democratic country whose admission would fulfill the objectives of the Treaty will be excluded from consideration, regardless of its geographic location . . .''.

(10) In May 2000 in Vilnius, Lithuania, the foreign ministers of Albania, Bulgaria, Estonia, Latvia, Lithuania, the Republic of Macedonia, Romania, Slovakia, and Slovenia issued a statement (later joined by Croatia) declaring that—

(A) their countries will cooperate in jointly seeking membership in the North Atlantic Treaty Organization in the next round of enlargement of the North Atlantic Treaty Organization;

(B) the realization of membership in the North Atlantic Treaty Organization by one or more of these countries would be a success for all; and

(C) eventual membership in the North Atlantic Treaty Organization for all of these countries would be a success for Europe and for the North Atlantic Treaty Organization.

(11) On June 15, 2001, in a speech in Warsaw, Poland, President George W. Bush stated ''[a]ll of Europe's new democracies, from the Baltic to the Black Sea and all that lie between, should have the same chance for security and freedom—and the same chance to join the institutions of Europe—as Europe's old democracies have . . . I believe in NATO membership for all of Europe's democracies that seek it and are ready to share the responsibilities that NATO brings . . . [a]s we plan to enlarge NATO, no nation should be used as a pawn in the agenda of others . . . [w]e will not trade away the fate of free European peoples . . . [n]o more Munichs . . . [n]o more Yaltas . . . [a]s we plan the Prague Summit, we should not calculate how little we can get away with, but how much we can do to advance the cause of freedom''.

(12) On October 22, 1996, in a speech in Detroit, Michigan, former President William J. Clinton stated ''NATO's doors will not close behind its first new members . . . NATO should remain open to all of Europe's emerging democracies who are ready to shoulder the responsibilities of membership . . . [n]o nation will be automatically excluded . . . [n]o country outside NATO will have a veto . . . [a] gray zone of insecurity must not reemerge in Europe''.

(13) At the Prague Summit of the North Atlantic Treaty Organization in November 2002, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia were invited to join the Alliance in the second round of enlargement of the North Atlantic Treaty Organization since the end of the Cold War, and the North Atlantic Treaty Organization heads of state and government issued a declaration stating ''NATO's door will remain open to European democracies willing and able to assume the responsibilities and obligations of membership, in accordance with Article 10 of the Washington Treaty''.

(14) On May 8, 2003, the United States Senate unanimously approved the Resolution of Ratification to Accompany Treaty Document No. 108–4, Protocols to the North Atlantic Treaty of 1949 on Accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia, inviting Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia to join the North Atlantic Treaty Organization.

(15) At the Istanbul Summit of the North Atlantic Treaty Organization in June 2004, the North Atlantic Treaty Organization heads of state and government issued a communiqué reaffirming that NATO's door remains open to new members, declaring ''[w]e celebrate the success of NATO's Open Door Policy, and reaffirm today that our seven new members will not be the last. The door to membership remains open. We welcome the progress made by Albania, Croatia, and the former Yugoslav Republic of Macedonia (1) in implementing their Annual National Programmes under the Membership Action Plan, and encourage them to continue pursuing the reforms necessary to progress toward NATO membership. We also commend their contribution to regional stability and cooperation. We want all three countries to succeed and will continue to assist them in their reform efforts. NATO will continue to assess each country's candidacy individually, based on the progress made towards reform goals pursued through the Membership Action Plan, which will remain the vehicle to keep the readiness of each aspirant for membership under review. We direct that NATO Foreign Ministers keep the enlargement process, including the implementation of the Membership Action Plan, under continual review and report to us. We will review at the next Summit progress by aspirants towards membership based on that report''.

(16) Georgia and Ukraine have stated their desire to join the Euro-Atlantic community, and in particular, are seeking to join the North Atlantic Treaty Organization. Georgia and Ukraine are working closely with the North Atlantic Treaty Organization and its members to meet criteria for eventual membership in NATO.

(17) At a press conference with President Mikhail Saakashvili of Georgia in Washington, DC on July 5, 2006, President George W. Bush stated that ''. . . I believe that NATO would benefit with Georgia being a member of NATO, and I think Georgia would benefit. And there's a way forward through the Membership Action Plan . . . And I'm a believer in the expansion of NATO. I think it's in the world's interest that we expand NATO''.

(18) Following a meeting of NATO Foreign Ministers in New York on September 21, 2006, NATO Secretary General Jaap de Hoop Scheffer announced the launching of an Intensified Dialogue on membership between the Alliance and Georgia.

(19) At the NATO-Ukraine Commission Summit in Brussels in February 2005, President of Ukraine Victor Yushchenko declared membership in NATO as the ultimate goal of Ukraine's cooperation with the Alliance and expressed Ukraine's desire to conclude a Membership Action Plan.

(20) At the NATO-Ukraine Commission Foreign Ministerial meeting in Vilnius in April 2005, NATO and Ukraine launched an Intensified Dialogue on the potential membership of Ukraine in NATO.

(21) At the Riga Summit of the North Atlantic Treaty Organization in November 2006, the Heads of State and Government of the

member countries of NATO issued a declaration reaffirming that NATO's door remains open to new members, declaring that ''all European democratic countries may be considered for MAP (Membership Action Plan) or admission, subject to decision by the NAC (North Atlantic Council) at each stage, based on the performance of these countries towards meeting the objectives of the North Atlantic Treaty. We direct that NATO Foreign Ministers keep that process under continual review and report to us. We welcome the efforts of Albania, Croatia, and the former Yugoslav Republic of Macedonia to prepare themselves for the responsibilities and obligations of membership. We reaffirm that the Alliance will continue with Georgia and Ukraine its Intensified Dialogues which cover the full range of political, military, financial and security issues relating to those countries' aspirations to membership, without prejudice to any eventual Alliance decision. We reaffirm the importance of the NATO-Ukraine Distinctive Partnership, which has its 10th anniversary next year and welcome the progress that has been made in the framework of our Intensified Dialogue. We appreciate Ukraine's substantial contributions to our common security, including through participation in NATO-led operations and efforts to promote regional cooperation. We encourage Ukraine to continue to contribute to regional security. We are determined to continue to assist, through practical cooperation, in the implementation of far-reaching reform efforts, notably in the fields of national security, defence, reform of the defence-industrial sector and fighting corruption. We welcome the commencement of an Intensified Dialogue with Georgia as well as Georgia's contribution to international peacekeeping and security operations. We will continue to engage actively with Georgia in support of its reform process. We encourage Georgia to continue progress on political, economic and military reforms, including strengthening judicial reform, as well as the peaceful resolution of outstanding conflicts on its territory. We reaffirm that it is of great importance that all parties in the region should engage constructively to promote regional peace and stability.''

(22) Contingent upon their continued implementation of democratic, defense, and economic reform, and their willingness and ability to meet the responsibilities of membership in the North Atlantic Treaty Organization and a clear expression of national intent to do so, Congress calls for the timely admission of Albania, Croatia, Georgia, Macedonia, and Ukraine to the North Atlantic Treaty Organization to promote security and stability in Europe.

SEC. 3. DECLARATIONS OF POLICY.

Congress—

(1) reaffirms its previous expressions of support for continued enlargement of the North Atlantic Treaty Organization contained in the NATO Participation Act of 1994, the NATO Enlargement Facilitation Act of 1996, the European Security Act of 1998, and the Gerald B. H. Solomon Freedom Consolidation Act of 2002;

(2) supports the commitment to further enlargement of the North Atlantic Treaty Organization to include European democracies that are able and willing to meet the responsibilities of Membership, as expressed by the Alliance in its Madrid Summit Declaration of 1997, its Washington Summit Communiqué of 1999, its Prague Summit Declaration of 2002, its Istanbul Summit Communiqué of 2004, and its Riga Summit Declaration of 2006; and

(3) endorses the vision of further enlargement of the North Atlantic Treaty Organization articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and urges our allies in the North Atlantic Treaty Organization to work with the United States to realize a role for the North Atlantic Treaty Organization in promoting global security, including continued support for enlargement to include qualified candidate states, specifically by entering into a Membership Action Plan with Georgia and recognizing the progress toward meeting the responsibilities and obligations of NATO membership by Albania, Croatia, Georgia, Macedonia, and Ukraine.

SEC. 4. DESIGNATION OF ALBANIA, CROATIA, GEORGIA, MACEDONIA, AND UKRAINE AS ELIGIBLE TO RECEIVE ASSISTANCE UNDER THE NATO PARTICIPATION ACT OF 1994.

(a) DESIGNATION.—

(1) ALBANIA.—The Republic of Albania is designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act.

(2) CROATIA.—The Republic of Croatia is designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994, and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act.

(3) GEORGIA.—Georgia is designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994, and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act.

(4) MACEDONIA.—The Republic of Macedonia is designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994, and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act.

(5) UKRAINE.—Ukraine is designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994, and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act.

(b) RULE OF CONSTRUCTION.—The designation of the Republic of Albania, the Republic of Croatia, Georgia, the Republic of Macedonia, and Ukraine pursuant to subsection (a) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994—

(1) is in addition to the designation of Poland, Hungary, the Czech Republic, and Slovenia pursuant to section 606 of the NATO Enlargement Facilitation Act of 1996 (title VI of section 101(c) of title I of division A of Public Law 104–208; 22 U.S.C. 1928 note), the designation of Romania, Estonia, Latvia, Lithuania, and Bulgaria pursuant to section 2703(b) of the European Security Act of 1998 (title XXVII of division G of Public Law 105–277; 22 U.S.C. 1928 note), and the designation of Slovakia pursuant to section 4(a) of the Gerald B. H. Solomon Freedom Consolidation Act of 2002 (Public Law 107–187; 22 U.S.C. 1928 note) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994; and

(2) shall not preclude the designation by the President of other countries pursuant to section 203(d)(2) of the NATO Participation Act of 1994 as eligible to receive assistance under the program established under section 203(a) of such Act.

SEC. 5. AUTHORIZATION OF SECURITY ASSISTANCE FOR COUNTRIES DESIGNATED UNDER THE NATO PARTICIPATION ACT OF 1994.

Of the amounts made available for fiscal year 2008 under section 23 of the Arms Export Control Act (22 U.S.C. 2763) such sums as may be necessary are authorized to be appropriated for assistance to the Republic of Albania, the Republic of Croatia, Georgia, the Republic of Macedonia, and Ukraine.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I want to thank Chairman LANTOS and my good friend, Representative PAUL GILLMOR from Ohio, for helping with this bill, and also the ranking member on the Foreign Affairs Committee.

NATO is probably arguably one of the most important organizations now in this post-cold war period. NATO, our allies in Europe and Canada, have presently almost 17,000 troops on the ground in Kosovo and 35,000 in Afghanistan. The alliance is strong, and it is very important from the standpoint of being an international organization that can go anywhere and bring order to chaos and back it up with some military capability. That is unique and critical, in my judgment, in this post-Cold War world.

NATO itself symbolizes really the cooperative effort across the Atlantic to promote regional and area-wide stability and also to encourage fledgling democracies, particularly in Eastern Europe. This legislation before us recognizes the continuing efforts of Albania, Croatia, Georgia, Macedonia and Ukraine to become members of NATO and encourages them to continue on that path. It is a statement from the Congress that we believe that what they are doing is important, and we believe that they are moving in the right direction.

Since 1989, 10 countries have joined NATO. We have seen Eastern European countries join NATO and make a remarkable contribution to the ongoing effort not only in Afghanistan and in the Balkans, but also as it relates to the furthering of democracy across some of those formerly Warsaw Pact countries. Every President has endorsed the efforts that are embodied in this bill in terms of the expansion of NATO, and this process is not yet complete.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I thank the gentleman for recognizing the great work that both Chairman LANTOS as well as Congressman GILLMOR of Ohio have done in paying attention to this issue of NATO.

Madam Speaker, I am so pleased to support this very timely legislation. This measure is a further step in helping to ensure that NATO, its member states and those aspiring to join this alliance are united in pursuit of European democracy and security.

Since its formation in 1949, NATO's mission has been to safeguard the freedom, common heritage and civilization of its members by promoting stability and well-being in the North Atlantic area.

□ 1245

The measure before us serves to express America's continued support for these important goals.

The NATO Freedom Consolidation Act should help to nurture all those European states that may eventually join that alliance and give it a sense of common strategic peacekeeping goals, by encouraging them to prepare, assume and maintain the responsibilities of membership.

Specifically, the legislation calls for the timely admission of Albania, Croatia, Georgia, Macedonia, and Ukraine to NATO and authorizes security assistance for these countries in fiscal year 2008. The standards for joining NATO should not be lowered in any way and each country should be evaluated individually on the merits.

Albania, Croatia, and Macedonia have been making progress on reforms through their participation in the NATO Membership Action Plan since 2002.

Georgia and Ukraine have not yet been granted a Membership Action Plan, but these two nations are making strides in order to qualify for MAP.

The NATO Freedom Consolidation Act will provide important incentives and assistance to the countries to continue the implementation of democratic, defense and economic reforms. In these times, Madam Speaker, when we have important missions to accomplish overseas, I encourage my colleagues to vote in support of this measure.

Madam Speaker, I yield such time as he may consume to Mr. GILLMOR, who just returned from a NATO conference overseas.

Mr. GILLMOR. Madam Speaker, I thank the gentlewoman for yielding and also for her support of this resolution. I am very pleased to join with my colleague, JOHN TANNER, in supporting this resolution.

NATO is our most successful military alliance, maybe the most successful military alliance in history. It won the Cold War, and it is also providing security now in many other areas of the world that are outside the exact geographical footprint of the NATO countries. For example, as Mr. TANNER pointed out, there are troops in the Balkans. There are NATO troops in Afghanistan where they are carrying the fight. Many of those NATO allies have had troops also in Iraq.

Very shortly after NATO was created in 1949, there was another group called the NATO Parliamentary Assembly to keep a close liaison between the North Atlantic Council, which is NATO, and the parliaments of those countries. Mr. TANNER and I have had the opportunity to represent the United States on that organization for I think a little over 10 years, and it has been a very valuable organization from the point of view of the United States. We have both had the opportunity at different times to serve as vice president of it and as chairman of the Economic and Security Committee, and Mr. TANNER now leads our delegation to that group.

One of the things that I think is important about that when we go, as Republicans and Democrats, we seem to quit being Republicans and Democrats when we get outside of the United States. I would say when we meet with our European allies, the only way they know which party we belong to is when they ask us, because we speak with one voice.

But many of the nations on the other side of the Cold War east of the Iron Curtain are now members of NATO, and they are some of the strongest and most enthusiastic members. As recently as 2004, seven new countries were added, all of them Warsaw countries, bringing the NATO membership to 26: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia.

I want to point out that NATO is not a club you just join. You have to earn membership in NATO. It is a military alliance. You have to meet the criteria, and you have to contribute your part to that military strength in order to be a member. As long as the new members meet those commitments, NATO will continue to be a strong alliance and one of the strongest forces for peace, stability, and democracy in the world.

Ms. ROS-LEHTINEN. Madam Speaker, I reserve the balance of my time.

Mr. TANNER. Madam Speaker, it is my pleasure to recognize a member of our delegation to the NATO PA; and by the way, Mr. GILLMOR is a vice president of the NATO PA this term, and I am proud to serve with him, and now I would like to recognize a member of our delegation to the NATO Parliamentary Assembly, the gentlewoman from Missouri (Mrs. EMERSON), and yield to her such time as she may consume.

Mrs. EMERSON. Madam Speaker, I rise in support of H.R. 987.

I want to tell a little story, if that is all right. Back in 1968 when I was 17 years old and a senior in high school, my high school actually organized a spring break Eastertime trip to the Soviet Union, to Czechoslovakia, to Poland, and to East Berlin. It was my first trip out of the country; it was my first trip on an airplane; and of all places to go, it was behind the Iron Curtain.

I knew a lot about NATO back then simply because we were studying it in my civics class, but I really didn't understand the importance of NATO until I went on that trip; and I didn't understand what it all meant until I went with my colleagues to my very first NATO Parliamentary Assembly meeting a few years ago.

When you went to visit countries behind the Iron Curtain back when communism was rampant, it was remarkable to go into these countries where you had no freedom, no expression of thought, no nothing. It was gray and it was dreary, and it was so sad. Even though we were able to spend, at least in Czechoslovakia, time with some students, you really understood the importance of protecting your civil rights and your freedom of speech. I really understood that for the first time because of course we were all as kids afraid that we were being bugged in our hotel rooms and we were afraid to say anything because we thought we would get taken by the police.

Anyway, back to my first NATO meeting and we are sitting across the table from members of the Czech Republic, from Latvia, Lithuania, Estonia, countries that had always been under the iron thumb of communism and the Soviet Union, and with the fall of the Berlin Wall, of course, were able to come into their own once again. That is one of the most remarkable things about getting to known our fellow parliamentarians and understanding their great desire to join an alliance like NATO that has done really an amazing job in protecting the North Atlantic region and our allies throughout that particular area.

I don't know that people really understand the importance of this treaty organization and how it has fostered security and cooperation for almost 60 years now.

I know, though, that the work of NATO is not complete because we have newly democratic countries such as Georgia and the Ukraine who have expressed strong interest in joining NATO, as well as other countries like Croatia and Macedonia who have actually opened constructive dialogues on their potential for NATO membership.

When you have lived or touched on what it is like to live in countries that had no freedoms or protections like NATO can offer, it is so important for us to look favorably upon their opportunity to join this important treaty organization.

There is no doubt in my mind that NATO membership will be able to further our goal of extending democracy throughout the globe. Certainly H.R. 987 will help accomplish this goal, and I am very pleased that my colleague,

Mr. TANNER, has offered this bill; and I look forward to its passage.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time, and I thank Mr. TANNER for his leadership.

Mr. TANNER. Madam Speaker, I want to thank Mrs. EMERSON and Mr. GILLMOR, and you, Ms. ROS-LEHTINEN, for participating. This is an important bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and pass the bill, H.R. 987.

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.

SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Ms. WATSON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 149) supporting the goals of International Women's Day.

The Clerk read as follows:

H. RES. 149

Whereas there are over 3,000,000,000 women in the world, representing 51 percent of the world's population;

Whereas women continue to play the prominent role in caring for families within the home as well as serving as economic earners;

Whereas women worldwide are participating in the world of diplomacy and politics, contributing to the growth of economies, and improving the quality of the lives of their families, communities, and nations;

Whereas women leaders have recently made significant strides, including the 2007 election of Congresswoman Nancy Pelosi as the first female Speaker of the House of Representatives, the 2006 election of Michelle Bachelet as the first female President of Chile, the 2006 election of Ellen Johnson-Sirleaf as the first female President in Africa's history, and the 2005 election of Angela Merkel as the first female Chancellor of Germany, who will also serve as the second woman to chair a G8 summit beginning in 2007;

Whereas women account for 80 percent of the world's 70 million micro-borrowers, 75 percent of the 28,000 United States loans supporting small businesses in Afghanistan are made to women, and 11 women are chief executive officers of Fortune 500 companies;

Whereas in the United States, women are graduating from high school at higher rates and are earning bachelors degrees or higher degrees at greater rates than men, with 88 percent of women between the ages of 25 and 29 having obtained a high school diploma and 31 percent of women between the ages of 25 and 29 earning a bachelors degree or higher;

Whereas despite tremendous gains, women still face political and economic obstacles, struggle for basic rights, face the threat of discrimination, and are targets of violence all over the world;

Whereas worldwide women remain vastly underrepresented in national and local assemblies, accounting on average for less than 10 percent of the seats in parliament, except for in East Asia where the figure is approximately 18 to 19 percent, and in no developing region do women hold more than 8 percent of the ministerial positions;

Whereas women work two-thirds of the world's working hours and produce half of the world's food, yet earn only 1 percent of the world's income and own less than 1 percent of the world's property;

Whereas in the United States between 1995 and 2000, female managers earned less than their male counterparts in the 10 industries that employ the vast majority of all female employees;

Whereas of the 1,300,000,000 people living in poverty around the world, 70 percent are women and children;

Whereas according to the United States Agency for International Development, two-thirds of the 876,000,000 illiterate individuals worldwide are women, two-thirds of the 125,000,000 school-aged children who are not attending school worldwide are girls, and girls are less likely to complete school than boys;

Whereas worldwide women account for half of all cases of HIV/AIDS, approximately 42,000,000 cases, and in countries with high HIV prevalence, young women are at a higher risk than young men of contracting HIV;

Whereas globally, each year over 500,000 women die during childbirth and pregnancy;

Whereas domestic violence causes more deaths and disability among women between ages 15 and 44 than cancer, malaria, traffic accidents, and war;

Whereas worldwide, at least 1 out of every 3 women and girls has been beaten in her lifetime;

Whereas according to the Centers for Disease Control and Prevention, at least 1 out of every 6 women and girls in the United States has been sexually abused in her lifetime;

Whereas worldwide, 130,000,000 girls and young women have been subjected to female genital mutilation and it is estimated that 10,000 girls are at risk of being subjected to this practice in the United States;

Whereas according to the Congressional Research Service and the Department of State, illegal trafficking in women and children for forced labor, domestic servitude, or sexual exploitation involves between 1,000,000 and 2,000,000 women and children each year, of whom 50,000 are transported into the United States;

Whereas between 75 and 80 percent of the world's 27,000,000 refugees are women and children;

Whereas in times and places of conflict and war, women and girls continue to be the focus of extreme violence and intimidation and face tremendous obstacles to legal recourse and justice;

Whereas March 8 has become known as International Women's Day for the last century, and is a day on which people, often divided by ethnicity, language, culture, and income, come together to celebrate a common struggle for women's equality, justice, and peace; and

Whereas the people of the United States should be encouraged to participate in International Women's Day: Now therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of International Women's Day;

(2) recognizes and honors the women in the United States and in other countries who have fought and continue to struggle for equality in the face of adversity;

(3) reaffirms its commitment to ending discrimination and violence against women and girls, to ensuring the safety and welfare of women and girls, and to pursuing policies that guarantee the basic human rights of women and girls both in the United States and in other countries; and

(4) encourages the President to—

(A) reaffirm his commitment to pursue policies to protect fundamental human rights and civil liberties, particularly those of women and girls; and

(B) issue a proclamation calling upon the people of the United States to observe International Women's Day with appropriate programs and activities.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in strong support of this resolution, and I first want to thank the gentlewoman from Illinois (Ms. SCHAKOWSKY) and the other cosponsors of this resolution for recognizing International Women's Day in honor of the contributions and achievements of women all over the world and the importance of promoting and protecting their rights.

I want to pay special tribute today to my distinguished female colleagues on the Committee on Foreign Affairs, who are performing their important responsibilities with distinction and honor. I also want to recognize my distinguished colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN), who has achieved the distinction of becoming the first woman to obtain the ranking position on this committee.

Today, women all over the world are becoming leaders in science, medicine, the arts, politics, business, and even the military.

Despite this progress, women and girls continue to represent the majority of the poor, the chronically hungry, refugees, the HIV-infected, the sick, the uneducated and the undereducated, the unemployed and disenfranchised people.

Women are also subject to specific forms of physical and structural violence and discrimination because of their gender. These include sexual violence in both conflict and nonconflict situations, sex trafficking, and domestic violence from their partners and family members.

Cruel cultural practices targeted at women include denial of voting rights, freedom of movement, and property rights. Women are also subjected to genital mutilation, forced and early marriages, humiliating and harmful

widow practices, bride burnings and honor killings. Women also continue to experience an unequal remuneration for work of equal value, discrimination in hiring and admission to educational institutions, and lack of flexibility for special needs such as paid and extended family leave.

It is not enough to simply declare the equality of women, condemn their mistreatment, and increase the number of women in the workplace. We must, in all sectors of society, address the structural mechanisms which deny women and girls access to the same rights and opportunities as boys and men.

□ 1300

We must also attack and eliminate the criminal and cultural practices which destroy the lives and freedom and the health of women.

Statistics prove that when women are better off in our society, their children are happier, healthier and more educated, and our world is better off.

I will do everything in my power to ensure that every piece of legislation we consider in the committee will improve the security, opportunity and prosperity of women, and I know my colleagues will share this important goal.

In honor of our wives, our mothers, our daughters, our female colleagues and our Speaker, and women around the world, I am proud to support this resolution, and I urge all my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

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

I thank Ambassador WATSON for her eloquent statements and as well as for her leadership in our Foreign Affairs Committee.

Madam Speaker, I also rise in support of H. Res. 149, supporting the goals of International Women's Day. International Women's Day has developed into a day of recognition and celebration of the contributions and social advancement of women.

I want to thank the author of this resolution, Representative SCHAKOWSKY of Illinois, for accepting the suggested changes that we had to her base text prior to the introduction and committee consideration.

These very modest clarifications emphasize that we are seeking to promote for women and girls the full and equal enjoyment of those fundamental human rights and civil liberties that are the birthright of all people, regardless of gender, race or creed, not some separate of gender-based claims or a problematic agenda related to abortion.

We must all advance the cause of human dignity by ending violence against women and girls, by protecting their fundamental freedoms and civil liberties, and promoting their genuine welfare through robust educational and economic opportunities.

To the extent that International Women's Day serves those purposes, it deserves our recognition.

I ask my colleagues to render their full support to this important measure.

Madam Speaker, I reserve the balance of our time.

Ms. WATSON. Madam Speaker, I yield 5 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the author of the bill.

Ms. SCHAKOWSKY. Madam Speaker, I thank the gentlewoman for yielding to me and for her great support for this measure, and I also thank Representative ROS-LEHTINEN for her help for a long time making this resolution possible today.

I do rise in support of H. Res. 149, the International Women's Day resolution. I want to also thank Representative JUDY BIGGERT, who is the lead Republican sponsor, for her consistent support and work to bring this resolution to the House floor. We have introduced this resolution honoring women three times, and it has been a pleasure working with her over the years.

Also, as the vice chair of the Women's Caucus, I am honored to have this resolution to be the first of our top five priority agenda items to make it to the House floor with such remarkable bipartisan support under the leadership of the chairwomen, LOIS CAPPS and CATHY MCMORRIS RODGERS. I appreciate their help.

Each year, countries around the world mark March 8 as International Women's Day as a day to recognize the contributions and the impact that women have made to our world's history, to recognize those women who have worked for gender equality and to acknowledge the work that is yet to be done.

Over the years, women have made significant strides. Women all over the world and throughout history have consistently contributed to their economies, participated in their governments and improved the quality of life of their families and their Nations.

In 2007, Congresswoman NANCY PELOSI became the first woman in the history of the United States to be Speaker of the House. In 2006, I attended the inauguration of Michelle Bachelet, the first woman President of Chile, and visited in Liberia its President Ellen Johnson-Sirleaf, the first woman President in Africa's history. In the 110th Congress, we have an all-time high of 74 women in Congress, a 35 percent increase from just 8 years ago. However, women still make up only 16 percent of the House of Representatives.

In the United States, we have made significant strides in education. In fact, women now graduate from high school at higher rates and earn bachelor's or higher degrees at greater rates than men. While that is true, yet two-thirds of the 876 million illiterate individuals in the world are women. That is, two-thirds of them are women. Two-thirds of the 125 million school-aged children who are not attending school worldwide are girls, and girls are less likely to complete school than boys elsewhere around the world.

Women are making progress in business, and women make up 11 of the current CEOs of Fortune 500 companies. However, more progress still needs to be made. While great strides have been made in business, women still earn less, own less and have less access to education and employment than men. Globally, while women work two-thirds of the world's working hours and produce one-half of the world's food, we still earn only 1 percent of the world's income and own less than 1 percent of the world's property. Of the 300 million people living in poverty, 70 percent are girls and women.

Although Congress passed the PROTECT Act, a good bipartisan bill to prevent trafficking, there are still millions of women and girls who are trafficked, physically abused, sexually abused or face the threat of violence every day. In Iraq, Darfur and Afghanistan, women and girls continue to be the targets of extreme violence, brutality and intimidation where they face overwhelming, if not insurmountable, obstacles to legal recourse and justice. And in times of war and conflict, although most women and children are not engaged in that conflict, they continue to suffer the most.

So, Madam Speaker, it is important that Congress recognize the importance of March 8 and participate with the rest of the world in celebrating International Women's Day. Hopefully, the passage of this critical resolution will help raise awareness of the work we need to do and will help women continue to overcome the overwhelming obstacles that are still left to be overcome.

We must make a commitment to invest in women. Women contribute to the growth of economies and improve the quality of the lives of their families, the health of their communities and their Nations. We have won many battles for equality and justice for women worldwide, and we can do it.

The passage of this resolution puts us, the United States House of Representatives, firmly on the side of women who are seeking gender equality across the world, and I urge its passage.

Ms. ROS-LEHTINEN. Madam Speaker, I reserve the balance of my time.

Ms. WATSON. Madam Speaker, I yield 3½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Madam Speaker, I thank my colleague for yielding, and it is such a pleasure to rise in strong support of H. Res. 149 and to commend my colleague from Illinois, JAN SCHAKOWSKY, for bringing attention through this resolution to International Women's Day, and to thank my colleagues here in the House for their support of this resolution.

As my friend from Illinois has pointed out, with today's passage of this resolution, the Congressional Caucus for

Women's Issues is passing the first item on its must-pass agenda list for the 110th Congress. What a fitting way that we begin this session and acknowledge the importance of International Women's Day and the significance of it in our country and around the world.

As we look around this world and we look here at home, we see that women are reaching the highest levels of power in many parts of the world and with our own country as well. They are being elected and appointed into positions previously reserved only for men.

We see this in our communities, in business positions and education and in civic life and we see it here in Congress. As has been noted, we have for the first time in our 200-year history as a democracy we have a woman Speaker of the House. We have in this 110th Congress the most women who have every served in this House. The Senate can say the same this year.

At the same time, today, women remain around the world and here in this country more likely to live in poverty, lack education, be victimized by violence than ever before.

It is my pleasure and privilege to serve on the House Democracy Assistance Commission. In that capacity, I have visited several emerging democracies and have met with parliamentarians of other countries where these democracies are emerging. In each case, it is the women Members who reach out to me on behalf of their sisters throughout their country, and note with dismay that they have so many challenges to meet the needs of the women that they serve.

I was especially touched when I visited the women of Afghanistan in their 1-year-old democracy who have struggled over the years and are still struggling and are so determined, despite the extreme oppression by the Taliban, determined to take their role in the parliament. Both threats on their lives and harassment and violence have marred that passage. Determined to make a better life for themselves and their children.

Let me call out a similar kind of situation, a grassroots networking that I have seen and we have all experienced around this world today, networking to provide microloans from woman to woman, as is one of the nonprofit organizations called, giving women the opportunity to become self-sufficient for themselves and their families. They look to us as role models and as leaders, and yet we have our own challenges here.

So as we become that role model for so many democracies around the world in so many emerging democracies, as we see that we have challenges facing our women in this country, let us celebrate then International Women's Day this Thursday making a firmer commitment to improving the lives of women here in the United States and throughout this world.

Ms. WATSON. Madam Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Madam Speaker, I thank my good friend from California for yielding to me and my good friend as well from Illinois for coming forward with this bill.

To tell you the truth, I had often looked at bills which celebrate groups in two ways, because I noticed that only insurgent groups have such days named for them or groups most in need, and so they become days of celebration. I have warmed to them only because I have recognized why such groups have their own day, International Women's Day for example.

It is because having such a day provides an opportunity for a call to action. I wish I could come to the floor to celebrate women internationally. It is hard for me to do that when I see the progress in the global economy and look at what has happened and is happening internationally to women who are still chattel in most places in the world, who essentially would qualify as an oppressed group, not as a group seeking equality. So I think we ought to use International Women's Day to speak out for women who cannot speak for themselves.

What is to me perhaps most tragic is that the experience that most women in this country welcome is one that women across the world, particularly in developing countries, may dread, and that is the experience of pregnancy. Where pregnancy cannot be controlled by a woman, it is not the extraordinarily wonderful and welcome state that it is in our country. There will never be equality for women until women can control their own fertility.

□ 1315

As long as women are subject to men, as long as they have no control over their own fertility, then you will see women with as much HIV and AIDS as men. Where saying ''no'' to a man isn't something you do as a woman, but something you can't do as a woman, you are not equal.

So today I call attention to the world that our country has done very little to help women across the world control their fertility and understand what equality means. We would not have women marching for equality and toward equality today if each and every woman who chose was not able to control her fertility. May we help obtain the same for our good sisters around the world.

Mr. HOYER. Madam Speaker, I am proud today to join Congresswoman JAN SCHAKOWSKY—who continues to do a great job as a Chief Deputy Whip—in recognizing the importance of International Women's Day on March 8.

Almost 100 years ago, a group of courageous women proposed creating an International Women's Day to honor the women's rights movement and to continue the fight for universal suffrage. This day has since expanded in scope to serve as an opportunity to celebrate the accomplishments of women, and recommit ourselves to ending discrimination and violence against women across the globe.

Since the first commemoration of International Women's Day in 1910, women have made significant advances. Women have been elected to the highest levels of government across the world, and they serve as the leaders of nations such as Chile, Liberia, and Germany. An estimated 10.4 million businesses in the United States are owned by women. Worldwide, women receive eighty percent of all micro-loans to start small businesses. In the United States, women are graduating from high school and college at record rates.

However, while these accomplishments are indeed significant, we still have far more work to do. In the United States and across the world, women still face obstacles to political and economic equality. While women work two-thirds of the world's working hours, they earn only one percent of the world's income. Of the 1.3 billion people living in poverty, 70 percent are women and children. Violence against women continues at a horrific rate. These are unacceptable statistics, and we must do everything we can to change them.

As we mark this year's International Women's Day, we must renew and reaffirm our commitment to stopping violence against women and putting an end to discriminatory practices so that all women have a real opportunity to participate in society to the fullest.

By recognizing International Women's Day and all that it represents, we give hope to women across the world. We honor the women who have fought—and continue to fight—for their rights, and I am proud to stand with them as we continue efforts to achieve equality and justice.

Again, I thank Congresswoman SCHAKOWSKY for introducing this important bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to pay tribute to women by supporting the goals of International Women's Day. As a woman, I recognize and honor all the women who have fought and struggled for the equality of women.

Women from all parts of the world are divided by ethnic, linguistic, cultural, economic and political differences. This day will allow for the differences to be overshadowed by the similarities. This day will enable them to look back to a tradition that represents decades of struggle for equality, justice, peace, and development.

International Women's Day recognizes the importance of securing peace and allowing social progress by identifying the rights of women to equal opportunity and freedom. Women are being given the opportunity to participate in the workforce and contribute to international peace and security; this is an extraordinary advancement.

As Members of Congress, we need to reaffirm the commitment of ending discrimination and violence against women and girls. We must continue to encourage the President to affirm his commitment to pursue policies to protect human rights and civil liberties.

Madam Speaker, the key fact remains: women themselves have the right to live in dignity. Let us rededicate ourselves to making that a reality by honoring International Women's Day. I urge my colleagues to vote in support of International Women's Day.

Mrs. BIGGERT. Madam Speaker, I rise today to support the goals of International

Women's Day. This is a day that not only recognizes the struggles women and girls have faced and continue to face throughout the world, but also celebrates their significant advancements and achievements.

Founded in the United States in the early 1900's, International Women's Day has grown to be recognized throughout the world each year on March 8th: from Australia, to Singapore, to Afghanistan, to Chile. This year alone, there are 269 International Women's Day events scheduled around the globe, with 44 occurring in the United States.

Since the inception of International Women's Day, women have made considerable progress throughout the world. A vast majority of women now have the right to vote. There currently are eleven women heads of state and 27 women presiding over national assemblies across the globe—including NANCY PELOSI, the first female Speaker of the U.S. House.

Some of women's most notable legislative successes here at home include: securing the right to vote in 1920; passage of the Equal Pay Act in 1963; Title IX in 1972; and the Violence Against Women Act in 1994.

Despite these significant achievements, women in the United States and throughout the world still face obstacles to full equality. Women and girls are more likely to be illiterate, impoverished and a victim of domestic violence. Additionally, the U.S. Department of State estimates that every year, 800,000 to 900,000 people are victims of trafficking—most of them are women and girls.

I stand here today—in solidarity with women and girls around the globe—to bring attention to International Women's Day. It is important to recognize and celebrate the obstacles women have surmounted on the road to equality. Additionally, I hope to bring attention to the inequalities that we still face, so that we can continue to break down gender barriers in the hope that we can one day eradicate gender inequality.

Mr. LANTOS. Madam Speaker, I rise in support of H. Res, 149, a resolution supporting International Women's Day on March 8, 2007. For several decades the international community has reserved this day to celebrate the achievements and contributions of women around the world. International Women's Day is also a time to recognize and remember the work we still have before us to achieve equal social and political rights for women.

Today, women all over the world are becoming leaders in every professional field imaginable. The achievements of women in politics are especially noteworthy. As we celebrate Women's History Month in the United States, it is my honor to recognize this important Day under the historic leadership of the first woman Speaker of the House, my fellow Californian, NANCY PELOSI.

The 110th Congress also marks the rise of six women to seven committee chair positions, the most ever held by women in any prior Congress:

Congresswoman JUANITA MILLENDER-MCDONALD from California is chairing the House Committee on Administration;

Congresswoman LOUISE SLAUGHTER from New York is chairing the House Rules Committee;

Congresswoman NYDIA VELÁZQUEZ from New York is chairing the House Committee on Small Business;

Congresswoman STEPHANIE TUBBS-JONES from Ohio is chairing the House Committee on Standards of Official Conduct;

Senator DIANNE FEINSTEIN from California is chairing the Senate Committee on Rules and Administration; and

Senator BARBARA BOXER from California is chairing the Senate Committee on the Environment and Public Works and is currently Acting Chair for the Senate Select Committee on Ethics.

These women all honor our Nation with their distinguished service and leadership.

I also want to pay special tribute to my distinguished colleague Congresswoman ROS-LEHTINEN who has achieved the distinction of becoming the first woman Ranking Member on this committee. We all benefit from her contributions and those of all of the women Members who are performing important responsibilities on the Committee of Foreign Affairs with honor and distinction.

Despite notable political progress for women in leadership positions in the U.S. and around the world, women continue to struggle for equal social and political rights; access to health care, education and work; and freedom from civil conflict, violence, human trafficking and various cultural practices that put women's lives at risk.

The theme for this year's International Women's Day captures a critical goal we all must share: ''ending impunity for violence against women and girls.''

While manifestations of violence against women and girls vary across social, economic, cultural and historical contexts, it is clear that violence against women and girls remains a devastating reality in all parts of the world. The global evidence is chilling. Violence against women is a pervasive violation of human rights and a major impediment to achieving gender equality, development and peace.

According to the United Nations:

> Domestic violence is the largest form of abuse of women worldwide, irrespective of region, culture, ethnicity, education, class and religion. Violence against women is the most common but least punished crime in the world.
>
> The number of women forced or sold into prostitution is estimated worldwide at anywhere between 700,000 and 4 million per year. Profits from sex slavery are estimated at $7 to $12 billion per year. The number of women trafficked into forced labor put these numbers at even more astounding levels.
>
> It is estimated that more than two million girls are genitally mutilated per year.
>
> Systematic rape continues to be used as a weapon of terror in many of the world's recent conflicts—including Darfur, Bosnia and Rwanda.

While international, regional and national legal and policy frameworks have been established, to address violence against women and girls, implementation of these laws and norms remains insufficient and inconsistent around the world. Gender inequality, poverty and endless cycles of violence are exacerbated as a result of failures to hold perpetrators of violence against women and girls accountable for their actions.

Eliminating violence against women remains one of the most serious and urgent challenges of our time. Each one of us has a duty to support and sustain a political and social environment where violence against women and girls is not tolerated; where friends, family members, neighbors, men and women, intervene to ensure these crimes and acts are not committed with impunity.

I will do everything in my power as chairman to ensure that every piece of legislation we consider in this Committee will improve the security, opportunity and prosperity of women and I know my colleagues will share this important goal.

I want to thank my colleague Congresswoman JAN SCHAKOWSKY and the other cosponsors of this resolution for giving us this opportunity to recognize the importance of International Women's Day. I am proud to support this resolution and I urge all my colleagues to do the same.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today as a cosponsor of House Resolution 149, in support of International Women's Day. I thank my colleague, Congresswoman SCHAKOWSKY of Illinois, for introducing this important resolution.

Women in every country around the world face an every-day battle for their safety, and for equal rights, civil rights, and human rights.

Even here in this country, every day, women are victims of sexual assault, abuse, and domestic violence.

Today, I stand with my colleagues in the House—with women in this country, and with women around the world—to make a commitment to work together to end discrimination and violence against women.

Yesterday, I returned from a trip where I led a Congressional delegation of female members to visit Iraq. While. we were there, we met with Iraqi women who told us that they are treated like second class citizens.

This is unacceptable. Women in Iraq deserve the same basic human rights and civil liberties as men. It is fitting that we should take this occasion, on the day before March 8th—International Women's Day—to restate this basic and essential message.

I urge my colleagues to unanimously support this resolution, a message to women everywhere—that this House is committed to fight for their civil rights, human rights, and their right to live each day without fear of sexual abuse, assault, and domestic violence.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in strong support of H. Res. 149, which supports the goals of International Women's Day (IWD). International Women's Day is a day on which millions around the world come together to commemorate their continued struggle for equality, justice, peace, and development for all women around the world.

International Women's Day has grown to become a global day of recognition and celebration across developed and developing countries alike. For decades, IWD has grown from strength to strength annually. For many years the United Nations has held an annual IWD conference to coordinate international efforts for women's rights and participation in social, political and economic processes.

Madam Speaker, 1975 was designated as 'International Women's Year' by the United Nations. Women's organizations and governments around the world have also observed IWD annually on March 8 by holding large-scale events that honor women's advancement and while diligently reminding of the continued vigilance and action required to ensure that women's equality is gained and maintained in all aspects of life.

There are over 3,000,000,000 women in the world, representing 51 percent of the world's population; we need to celebrate and emphasize the important roles that women play around the world.

Throughout history women have faithfully and fervently forged a strong fight to tear down the walls of discrimination, bridge the gap between the haves and have-nots, and lay the foundation of a towering edifice of equality and justice. Some of these strong soldiers for justice include Harriet Tubman, Sojourner Truth, and Rosa Parks. I am extremely proud of the recent passage of H.R. 4510, a bill on which Senator HILLARY CLINTON and I worked diligently together to pay tribute to the enormous contributions Sojourner Truth made in the interests of all women. H.R. 4510 directs the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol. On behalf of women in this country, and all around the world, it was important to urge the recognition and honor of abolitionist Sojourner Truth with the addition of her likeness to the statue commemorating women's suffrage in the United States Capitol.

Women continue to play the prominent role in caring for families within the home as well as serving as economic earners. Women are defined by their versatility. Women not only cook, clean, and care for their children, but they also own and operate businesses, teach our schoolchildren, drive buses, create art, practice medicine and law, and legislate, as well as perform in many other capacities.

All over the world women play important roles in the world of diplomacy and politics, contribute to the growth of economies, and improve the quality of the lives of their families, communities, and nations.

Madam Speaker, we recently celebrated the 2007 election of Congresswoman NANCY PELOSI as the first female Speaker of the House, a significant stride in the cause of promoting the advancement of women as leaders and major players in politics. We also witnessed the recent passage of H.R. 4510, a bill I proudly introduced which directed the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol. On behalf of women in this country, and all around the world, it was important to urge the recognition and honor of abolitionist Sojourner Truth with the addition of her likeness to the statue commemorating women's suffrage in the United States Capitol. We also witnessed the 2006 election of Michelle Bachelet as the first female President of Chile; the 2006 election of Ellen Johnson-Sirleaf as the first female President in Africa's history; and the 2005 election of Angela Merkel as the first female Chancellor of Germany, who will also serve as the second woman to chair a G8 summit beginning in 2007.

Women account for 80 percent of the world's 70 million micro-borrowers and 75 percent of the 28,000 United States loans supporting small businesses in Afghanistan are made to women, and 11 women are chief executive officers of Fortune 500 companies.

In the United States, women are graduating from high school at higher rates and are earning bachelors degrees or higher degrees at greater rates than men, with 88 percent of women between the ages of 25 and 29 having obtained a high school diploma and 31 percent of women between the ages of 25 and 29 earning a bachelors degree or higher.

But in spite of tremendous gains, women still face political and economic obstacles, struggle for basic rights, face the threat of discrimination, and are targets of violence all over the world.

Worldwide women remain vastly underrepresented in national and local assemblies, accounting on average for less than 10 percent of the seats in parliament, except for in East Asia where the figure is approximately 18 to 19 percent. In no developing region do women hold more than 8 percent of the ministerial positions.

Women work two-thirds of the world's working hours and produce half of the world's food, yet earn only 1 percent of the world's income and own less than 1 percent of the world's property.

In the United States between 1995 and 2000, female managers earned less than their male counterparts in the 10 industries that employ the vast majority of all female employees. Of the 1,300,000,000 people living in poverty around the world, 70 percent are women and children.

Madam Speaker, we need to continue to support programs that ensure women and girls across the globe are empowered with an education so that they reach their performance potentials and therefore function as productive citizens of the world.

According to the United States Agency for International Development, two-thirds of the 876,000,000 illiterate individuals worldwide are women, two-thirds of the 125,000,000 school-aged children who are not attending school worldwide are girls, and girls are less likely to complete school than boys.

Women are particularly vulnerable to health problems and we must continue to fight to ensure that every woman around the world has access to adequate health care and health insurance.

Worldwide women account for half of all cases of HIV/AIDS, approximately 42,000,000 cases, and in countries with a high prevalence of HIV/AIDS, young women are at a higher risk than young men of contracting HIV. Globally, each year over 500,000 women die during childbirth and pregnancy.

We must also provide adequate protection and support systems that empower women to avoid or discontinue the victimization of abusive relationships. Domestic violence causes more deaths and disability among women between ages 15 and 44 than cancer, malaria, traffic accidents, and war. Worldwide, at least 1 out of every 3 women and girls has been beaten in her lifetime.

According to the Centers for Disease Control and Prevention, at least 1 out of every 6 women and girls in the United States has been sexually abused in her lifetime.

Worldwide, 130,000,000 girls and young women have been subjected to female genital mutilation and it is estimated that 10,000 girls are at risk of being subjected to this practice in the United States. According to the Congressional Research Service and the Department of State, illegal trafficking in women and children for forced labor, domestic servitude, or sexual exploitation involves between 1 million and 2 million women and children each year, of whom 50,000 are transported into the United States. Between 75 and 80 percent of the world's 27,000,000 refugees are women and children.

In times and places of conflict and war, women and girls continue to be the focus of extreme violence and intimidation and face tremendous obstacles to legal recourse and justice.

Madam Speaker, March 8 has become known as International Women's Day for the last century, and is a day on which people, often divided by ethnicity, language, culture, and income, come together to celebrate a common struggle for women's equality, justice, and peace. For these reasons, the people of the United States have reason and should be eager to participate in International Women's Day.

I strongly support H. Res. 149.

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

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of our time.

Thank you, Ambassador Watson, and thank you to the gentlewoman from Illinois for introducing this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 149.

The question was taken.

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

Ms. WATSON. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

LYNDON BAINES JOHNSON DEPARTMENT OF EDUCATION BUILDING

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 584) to designate the headquarters building of the Department of Education in Washington, DC, as the Lyndon Baines Johnson Federal Building, as amended.

The Clerk read as follows:

H.R. 584

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

SECTION 1. DESIGNATION.

The Federal building located at 400 Maryland Avenue Southwest in the District of Columbia shall be known and designated as the ''Lyndon Baines Johnson Department of Education Building''.

SEC. 2. REFERENCES.

Any reference in law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Lyndon Baines Johnson Department of Education Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 584.

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

There was no objection.

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

I commend Congressman GENE GREEN of Texas for his steadfast advocacy to this bill. In the 109th Congress, he introduced H.R. 4252, a bill to designate the Department of Education headquarters building. Lyndon Baines Johnson, ''the teacher who became President,'' was one of the leading political figures of the 20th century, I think, on both sides of the aisle, it would be agreed.

He served the country in ways too numerous to mention, including lieutenant commander in the U.S. Navy during World War II.

A Member of both Houses of Congress, Vice President of the United States and, of course, the 36th President of the United States, we are all aware of President Johnson's humble beginnings in Stonewall, Texas. In 1927, he enrolled in Southwest Texas State Teachers College at San Marcos, Texas, now the Texas State University at San Marcos.

He graduated with a bachelor of science degree in August 1930. After graduation, he taught at Pearsall High School in Pearsall, Texas, and taught public speaking at Sam Houston High School in Houston, Texas. In a special election in 1937, President Johnson won the U.S. House of Representatives seat representing the 10th Congressional District of Texas, defeating nine other candidates. In the next election he was elected to a full term in the 76th Congress and to each succeeding Congress until 1948.

After the bombing of Pearl Harbor, on December 7, 1941, President Johnson became the first Member of Congress to volunteer for active duty in the Armed Forces, enlisting in the U.S. Navy, reporting for active duty on December 9, 1941.

President Johnson received the Silver Star for gallantry from General Douglas MacArthur.

In 1948, he campaigned for and was elected to the U.S. Senate. He was elected minority leader of the Senate in 1953 and majority leader in 1955, where he served until January 1961, when he resigned to become Vice President of the United States.

Lyndon Johnson became the 36th President of the United States on November 22, 1963, after the tragic assassination of President John F. Kennedy.

During his administration, education was one of the many areas where Johnson blazed new ground. He pursued numerous education initiatives and signed many landmark education bills into law.

In 1963, President Johnson approved the Higher Education Facilities Act, which authorized a 5-year program of Federal grants and loans for construction for improvement of public and private higher education facilities in 1964. President Johnson signed the Library Services Act in order to make high-quality public libraries more accessible to both urban and rural residents.

Later that year, President Johnson signed the Civil Rights Act, which, among its provisions, authorized the Federal authorities to sue for the segregation of schools and to withhold Federal funds from education institutions that practiced segregation, if I may say so. The bill also authorized title VII of the 1964 Civil Rights Act, the equal employment part of the act it was my great privilege to enforce as Chair of the EEOC.

In 1965, President Johnson signed the Elementary and Secondary Act. This was the first general aid-to-education program ever adopted, and it provided programs to help educate disadvantaged children in urban and rural areas.

Later that year, he also signed the Higher Education Act, which was the first U.S. congressional approval for scholarships to undergraduate students.

In 1965 as well, President Johnson launched Project Head Start as an 8-week summer program to help break the cycle of poverty by providing preschool children of low-income families with a comprehensive program to meet their emotional, social, health, nutritional, and psychological needs.

In 1966, President Johnson signed the International Education Act, which promoted international studies at United States colleges and universities.

In 1968, he signed the Elementary and Secondary Education Act amendments of 1967, establishing bilingual education programs for non-English speaking children and providing more funds for special education for handicapped education.

Later that year, he also signed the Handicapped Children's Early Education Assistance Act, which authorized experimental programs for handicapped children of preschool age. After leaving office, President Johnson continued his involvement in education and taught students while he wrote his memoirs and pursued other academic endeavors. President Johnson died January 22, 1973.

Lyndon Baines Johnson will be remembered not only as a great President and Member of the House and of the Senate, but also as a champion of education. Thus, the Department of Education, located at 400 Maryland Avenue, Southwest, Washington, D.C., most appropriately should bear the name of and be designated as the Lyndon Baines Johnson Department of Education Building.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, H.R. 584 designates the Department of Education Building as the Lyndon Baines Johnson Department of Education Building. Lyndon Baines Johnson was born in Stonewall, Texas, on August 27, 1908, and his connection to education began very early in life when at the age of 4 his mother persuaded the teacher at the nearby one-room junction school to take him as a student.

Lyndon Baines Johnson enrolled in the Southwest Texas State Teachers College in 1927. He graduated in 1930 and embarked on a teaching career that would eventually lead him to the White House. As was pointed out by the gentlelady, in 1937 he was elected to the U.S. House of Representatives in a special election.

He was subsequently re-elected to the House in each succeeding Congress until 1948 when he was elected to the United States Senate. In 1961, he resigned from the Senate to become the 37th Vice President; and on November 22, 1963, a day we all remember, Lyndon Baines Johnson became the 36th President of the United States.

This teacher who would become President pursued numerous education initiatives, as was pointed out. He signed into law education legislation such as the Higher Education Facilities Act, the Library Services Act, the Elementary and Secondary Education Act, and the Higher Education Act, just to name a few.

After leaving office, President Johnson continued to have an impact on education, as he taught students while he was writing his memoirs, and subsequently passed away on January 22, 1973.

Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I am pleased to recognize the gentleman from South Carolina for such time as he may consume.

Mr. CLYBURN. Madam Speaker, as a former public school teacher who started his educational pursuits as a 4-year-old in his mother's kindergarten, I proudly rise in support of H.R. 584, legislation to designate the headquarters building of the Department of Education here in Washington as the Lyndon Baines Johnson Federal Building.

Madam Speaker, most people remember President Johnson for his poise and confidence as he assumed the Presidency during a turbulent and mournful time for our Nation. He is also remembered for his leadership and vision with the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

It was his support in the White House for a movement that I and my brothers and sisters were fighting for on buses and at lunch counters throughout the South and helped bring here today.

But I give special thanks to his work in an area that is dear to my heart, education. President Johnson recognized the power of education to

strengthen the Nation and help bring people out of poverty. He made his name as the first education President by signing into law over 60 education bills during his Presidency, most notably the Economic Opportunity Act of 1964, the Elementary and Secondary Education Act of 1965, and the Higher Education Act of 1965.

He was the first President to recognize the need for strong Federal investment in education, backing programs that funded not only elementary and secondary education, but higher education with the Federal student loan program for college and graduate school students. He gave us the Head Start Program, which since its inception has helped millions of disadvantaged children get off on the right foot by providing health, nutritional and educational assistance, recognizing that an investment in our children at an early age pays off in the long run.

His domestic vision for this country was revolutionary in the areas of civil rights and the fighting of poverty. We still see the benefits of his vision for a Great Society today. That is why I am proud to join my colleagues in passing this legislation to designate the Department of Education, the first Federal building in Washington to bear his name. I thank the gentlelady for yielding me this time, and I thank her for her leadership.

□ 1330

Mr. GRAVES. Madam Speaker, I wish to yield 6 minutes to the ranking member of the House Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I want to thank Congressman GRAVES for his gracious allocation of time.

I rise in strong support for H.R. 584, a bill to name the Department of Education headquarters in Washington, D.C., as the Lyndon Baines Johnson Federal Building. I am proud to be the primary Republican sponsor of this legislation, and I believe that all the Republicans in the Texas delegation have also cosponsored this particular piece of legislation.

I commend Mr. GREEN of Texas for being the primary sponsor of the overall bill and his tireless work on this. He has worked on it for a number of years now, and it is good to see that it has finally come to fruition.

I never had the privilege to meet the late President Lyndon Baines Johnson. I wish I had. I am a great admirer of his in many ways, not so much some of the policies that he pursued, but I am a great admirer of the enthusiasm and the tenacity with which he pursued those policies.

In my first campaign for Congress in 1984, I read the first Caro book, ''Path to Power,'' the first installment of that, and required all my campaign staff to read that book; because President Johnson, when he ran for Congress in the 1930s in the middle of the Depression, he made it a motto of his that he would literally search out the voters of his congressional district one by one, whether they were in the fields plowing or in the stores working or at church socials or wherever. He went where the people were to spread his message.

And I took that to heart, and numerous times traveled hundreds of miles to meet with small groups and in a few cases one or two people just so I could have an option. On one occasion, I went and met with a gentleman at 6 a.m. because he didn't think I would show up at 6 a.m., and so he said meet him at 6 a.m. when he opened his business. And I was there at 5:45. On another occasion, a banker in Houston couldn't see me. I waited in his waiting room from 4 o'clock in the afternoon until 8:30 that evening, and finally, in exasperation, he agreed to see me and, before I left, had given me a substantial contribution and agreed to let me use his name on my steering committee. Those were both things that I got from the way President Johnson ran his campaign.

In terms of his policies, the two bills that he supported that became law that had the greatest impact on my life were the creation of the White House Fellows program in 1965. I was a White House Fellow in 1981 and 1982. That is a program that President Johnson established to bring young Americans to Washington for a year to work in the Cabinet agencies, and then either go back to their areas or to stay in Washington. And so far, there have been about, I believe, 700 young Americans have gone through that program. Texans like Henry Cisneros come to mind, a former White House Fellow. Colin Powell is a former White House Fellow, Senator SAM BROWNBACK in the other body is a former White House Fellow. But it had a tremendous impact on my life and led me for the first time to think about trying to become a Member of this body.

Another program that President Johnson established was the Head Start program. And in the summer I believe of 1964 or 1965, when that program was established in Waco, Texas, my mother became a Head Start assistant at Brooke Avenue Elementary School in Waco, Texas, at a time when my family was in need of financial income, and so she decided to work part time outside the home and went to work at a Head Start program; and, because of that, became a school secretary and spent her career in education. The impact on me that summer was, I was the oldest child, and it forced me to learn to cook, learn to clean and learn to take care of my three younger brothers and sisters.

I will never forget the day that my father showed up for lunch and I had been trying to make gravy. To this day, that gravy is still in the pan because it would not come out of the pan when you turned it upside down. That was my one and only attempt to learn how to make gravy. And my father said, ''From now on, son, if you need to make gravy, ask your mother to do it or ask me to do it, but nobody can eat what you are trying to make.'' So thanks to President Johnson, I never had to learn to cook, because that was one of the few times I even attempted it.

So I rise in strong support of this piece of legislation. President Johnson was a great President, he was a great American, and he was obviously a great Texan. And there are still people in Washington today that are effective in the political arena. People that come to mind that are still active in Washington, Jack Valenti who was for many years the president of the Motion Picture Association of America who came to Washington with President Johnson, and an attorney named Harry McPherson who is still active in his practice, he, too, was involved with the President. Some of the former members of this body, the late Jake Pickle, the late Jack Brooks, were LBJ proteges. And then former Governor of Texas, John Connelly, a good friend of mine who helped me politically when I was getting started, is another protege of Lyndon Johnson.

So I am proud to be a cosponsor of the bill with Congressman GREEN. I think it is right to honor President Johnson with this building. He wanted to be known as the ''educational president'' and did many, many things to bring forth public education for our citizens.

Ms. NORTON. Madam Speaker, I yield to the gentleman from Texas, Mr. GREEN, the author of the bill, such time as he may require.

Mr. GENE GREEN of Texas. Madam Speaker, as author and sponsor of the bill, I rise in strong support of H.R. 584. I would like to thank both Chairman OBERSTAR and Chairwoman NORTON and Ranking Member MICA and Ranking Member GRAVES for moving this legislation out of committee, and I like to thank Majority Leader HOYER for bringing it to the floor.

A bipartisan group of Texas delegation members introduced this bill to name the Department of Education headquarters building in Washington, D.C. the Lyndon Baines Johnson Federal Building. We now have over 50 cosponsors from around the country, and I am proud to be joined on this legislation by the ranking member of the Energy and Commerce Committee, JOE BARTON, who just spoke, Congressman MIKE MCCAUL, and also our dean of the Texas delegation, Congressman SOLOMON ORTIZ. Representative MCCAUL actually represents the Johnson family in Congress. Their bipartisan efforts have helped move this bill to the floor, and I think they should be congratulated for the efforts.

I would say one thing, though. Former Congressman Jack Brooks is not deceased. He is still much alive, and Congressman BARTON, I suspect you will be getting a call very shortly from Jack Brooks, as we all know, former dean of the Texas delegation.

I did have the opportunity at a very young age to meet President Johnson. In January 1973, I was a young State Representative in Austin, Texas, my first term. President Johnson came to our swearing in my first term in 1973, and I actually got a very candid photo with him that I hang proudly in our office here in Washington. He passed away a week later, and I was honored to be able to go to his funeral and his burial there at the Johnson Ranch.

President Johnson was a proud Texan, and back in those days, many of my Republican friends were Democrats as well. President Johnson pioneered issues such as civil rights and voting rights, but his educational leadership stands out even among these accomplishments. President Johnson passed away over 30 years ago, and to this day, he has no Federal buildings in his name in the Capitol area. So we believe the Education Building is a fitting honor. Presidents Reagan and Bush have been honored with the International Trade Center for President Reagan and the Central Intelligence Agency building for President Bush reflecting their priorities and contributions.

President Johnson presided during turbulent times in our Nation's history. He ascended to the presidency after the Kennedy assassination and faced a difficult conflict in Southeast Asia. President Johnson was a very human figure, but his legacy is with us in many ways today.

Lyndon Johnson's first priority in life was education. He was the first ''Education President.'' Before Johnson, educational opportunity in America was not a national priority, as it continues to be today for both our parties, including current President George W. Bush.

In 1927, Lyndon Baines Johnson's career and education began when he went to Southwest Texas State Teachers College in San Marcos, Texas. He earned money as a janitor and taught the fifth, sixth, and seventh grades at the Mexican-American School in the South Texas town of Cotulla. He taught later at Sam Houston High School, which is part of our congressional district.

As a Jeff Davis High School student, which Madam Speaker, you actually visited a few years ago, in 1965 and 1966, I saw the impact of the first Federal dollars that came to my high school firsthand.

In his memoirs, President Johnson declared, ''There is an old saying that kids is where the money ain't.'' And I need to repeat that. That may be true today, Madam Speaker, ''That kids is where the money ain't, which summed up one of the major problems confronting the American educational system when I became President.'' And that is a direct quote.

Continuing the quote, ''because of these convictions, I made a personal decision during the 1964 Presidential campaign to make education a fundamental issue and to put it high on the Nation's agenda.

''I proposed to act on my belief that, regardless of a family's financial condition, education should be available to every child in the United States, as much education as he or she could absorb. I had no intention of walking away from this fight.''

President Johnson succeeded in his fight to improve education for all Americans. He signed into law 60 education bills, including the Economic Opportunity Act of 1964, which established the Head Start program, the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965.

The Elementary and Secondary Education Act was the first real Federal assistance to grade school education, and it is widely supported today. The President actually signed that in a one-room schoolhouse in Stonewall, Texas, with his elementary school teacher.

In large part, President Johnson's education priorities are accepted by both political parties, as some of them were then. The Higher Education Act passed by 368–22 in the House and 79–3 in the Senate, strong bipartisanship votes.

In discussing President Johnson's education legacy, we have to recognize First Lady, Lady Bird Johnson, who was also a major contributor and strong advocate for his educational initiatives. During her White House years, Ms. Johnson served as honorary chair of the National Head Start program, the program for underprivileged school children which prepares them to take their places in the classroom on par with their peers.

In part for her education efforts, President Ford presented her with the country's highest civilian award, the Medal of Freedom. Mrs. Johnson turned 94 last December, and hopefully she is listening to this debate.

Mrs. Johnson also received the Congressional Gold Medal from President Reagan in 1988. This legislation is a fitting honor for both President Lyndon Baines Johnson and also First Lady, Lady Bird Johnson.

Mr. GRAVES. Madam Speaker, I yield 7 minutes to another gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL of Texas. I want to thank my colleague from Texas, Mr. GREEN, for introducing this bill. It has been a real honor to work with you on this bill. I am proud to be a lead sponsor and to have played a role in terms of whipping votes on my side of the aisle and getting this bill to the floor of the House where it stands today.

Madam Speaker, I rise in support of this important piece of legislation which honors a former President of the United States and his commitment to better educate the future generations of America.

Today, we will vote to name the Department of Education building in Washington, D.C., the Lyndon Baines Johnson Federal Building. And, by doing so, we honor a son of Texas who left a positive mark on me, my family, the State of Texas, and this country.

Born on August 27, 1908, in Stonewall, Texas, Lyndon Johnson's family knew that he was destined to do great things. The future President got his experience in Washington first as a secretary to Congressman Richard Kleburg. Shortly after that, Johnson met Claudia Alta Taylor, a woman the world has come to affectionately know as Lady Bird.

In 1937, after the death of Congressman James Buchanan, Lyndon Johnson entered a special election for the 10th Congressional District of Texas, a district which I am proud to represent today. Representative Johnson beat nine other candidates to win the seat, an experience that I can personally relate to.

In addition to his tour of duty during World War II, LBJ would spend the next 23 years in the Congress as both a Congressman and Senator. During his career in the Congress, Johnson would serve as Senate minority and Senate majority leader. As President Kennedy's Vice President, Johnson served as the chairman of NASA and the Presidential Space Committee.

Lyndon Johnson early on earned a reputation for getting things done for the betterment of our Nation, and he used that intensity to lead America to land a man on the moon and continue America's dominance in space.

□ 1345

But it was Lyndon Johnson's steady and calming leadership after the assassination of President Kennedy which helped to lead our Nation through one of its most turbulent and tragic hours.

Taking the experience he had gained from his younger days as a teacher, President Johnson focused on working with the Congress and passing several landmark education bills. These initiatives served as a foundation for a new standard of education in America. Among them were programs such as Head Start, the first Federal aid to public schools and the first Federal student loan programs.

President Johnson recorded in his memoirs, he said, ''I remember seeing in the folder of reading material I took to my bedroom one night, the account of a 62-year old man who learned how to write his name after years of making an X for his signature. He was so excited that he sat for a whole hour just writing his name over and over again.''

Johnson said, ''Reading about this man whose life had been so enriched, I was almost as excited as the man himself.''

Now, that sums up so much of the man President Johnson was. In his story, our striving for increased opportunity and education took shape and became real and valid. It is this love and dedication to education that makes this bill the ideal way, in my view, and my judgment, to honor President' Johnson's memory.

While President Johnson will always be remembered as a champion of the

Civil Rights Act, it was President Johnson's wish that the education papers from his Presidency be the first set of records to be made public because he believed, and I quote, in his words, ''You can't get your civil rights without your education.'' This is why, in my judgment, he will always be known as the first ''Education President.''

One of the greatest honors I have had during my tenure in the Congress was the opportunity to sit down with Lady Bird Johnson, who I am proud to have as a friend and a constituent. I spoke with her about my intention to see this bill through the Congress and have the Department of Education named for her husband. And the excitement and the gratitude in her eyes that she responded with will be a memory that I will cherish for the rest of my life.

As the Representative of President Johnson's former congressional district, I have been inspired by his dedication to the American people. I specifically look back to his work in supporting the space program and education as I consider ways to further improve our great Nation.

So I urge my colleagues to honor this great Texan and to support the Lyndon Baines Johnson Department of Education Act.

May God bless Lyndon Johnson, and may God bless our national treasure, Lady Bird, may God bless Texas, and may God bless the United States of America.

Ms. NORTON. Madam Speaker, may I ask how much time remains on both sides?

The SPEAKER pro tempore. The gentlewoman has 5½ minutes. The gentleman has 7 minutes.

Ms. NORTON. Does the gentleman have any further speakers?

Mr. GRAVES. I don't.

Madam Speaker, I would be more than happy to yield 5 minutes to Chairman NORTON.

The SPEAKER pro tempore. Without objection, the gentlewoman will control 5 additional minutes.

There was no objection.

Ms. NORTON. Madam Speaker, I appreciate very much the courtesy of the gentleman in yielding additional time, and I am pleased to yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, today, we belatedly honor the Education President by affixing his name to the Education Building.

President Johnson began as student Johnson, a Blanco County farm boy going to college in Hays County, Texas, at Southwest Texas State Teachers College. It was a time when he remarked that ''poverty was so common we didn't even have a name for it.''

He borrowed $75 to get his college education, which is one of the reasons he appreciated the need for strong student financial assistance programs. And he even took leave there at Southwest Texas, as it later became known, in order to teach school and earn a little money to stay in school.

Recently, we dedicated an LBJ museum in San Marcos to commemorate his years as a student there, recognizing that now Texas State University continues to provide quality higher education to students across the State, Nation and globe.

President Johnson continued his involvement as President with students. One of my own most memorable experiences as a university student was going with a small delegation of university student leaders to meet with President Johnson in the residence at the White House and having an opportunity to ask him questions about the important work that he was doing in Washington.

In 1994, I had the good fortune to be elected to represent the congressional district that Lyndon Johnson once served in this House, having served in the State Senate before that time.

With his own premature passing, we lost the opportunity to have his continued involvement in Texas, but we have been blessed, as other speakers have noted, with the active involvement of the woman we know only as ''Lady Bird,'' who continues now, even at this point in her life, to make public appearances and support causes for education and other good deeds in the Central Texas area.

Similarly, we are blessed that his commitment to education is reflected in the work of his daughter, Luci Baines Johnson Turpin, and his granddaughter, Catherine Robb, who are active participants in our Central Texas community. This family recognized that, as President Johnson said of the NATO alliance many years ago, ''There are no problems we cannot solve together, and very few we can solve by ourselves.''

The importance of working together is true, whether our objective is to provide more children an education, guarantee seniors' retirement security or protect our veterans with the coverage that they earned and deserve.

As we name this building to honor President Johnson, I think that we share his commitment to the least, the last, and the most in need. All of us welcome this measure as a fitting tribute to a man who did so much for this country, so much for education, and so much to improve the quality of life for all Americans.

Ms. NORTON. Madam Speaker, I am pleased to yield 2 minutes to another gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Madam Speaker, as a proud Texan, I rise this afternoon in support of H.R. 584 in naming the Department of Education Headquarters Building in Washington, D.C. after the first ''Education President,'' President Lyndon B Johnson.

Like myself, President Johnson began his career in the field of education and, like me, he also had to borrow money in order to attend college.

In 1927, he borrowed $75, as indicated by the previous speaker, to attend the Southwest Texas State Teachers College in San Marcos, Texas. He temporarily dropped out of school to serve also as a principal and teacher, and he taught at a school in South Texas in La Salle County in a city by the name of Cotulla, which is a city that I had the pleasure of representing while I was representing the 28th Congressional District. There he taught a good number of Mexican Americans as a young man.

On August 19, 1930, President Johnson graduated with a Bachelor's Degree in Science and continued teaching at Pearsall High School, also in the 28th Congressional District that I served.

Pioneering the importance of education as our President, on April 11, 1965, Johnson signed the Elementary and Secondary Education Act, which was the first Federal general aid to education law and focused on disadvantaged children, both in inner cities and rural communities throughout this country.

Madam Speaker, President Johnson has no Federal buildings in the District of Columbia named after him, and since he enacted over 60 education bills in his term, including the Economic Opportunity Act, Head Start, the Elementary and Secondary Education Act (title I) and the Higher Education Act, (beginning student loan program), the Department of Education building is a fitting honor for President LBJ.

I urge my colleagues in joining me in passing H.R. 584.

Ms. NORTON. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Madam Speaker, I thank the gentlelady for yielding me the time, and our Republican colleagues for the graciousness in extending our time.

I first met Lyndon Baines Johnson when he was a Senator from Texas and he came to my high school and showed the commitment that he had to education and to inspiring young people to go into public service. I was one of those young people who responded to his words at that time. And I am privileged today to represent the area where the Lyndon Baines Johnson Space Center, the Johnson Space Center, is located in Texas, and it continues to be a beacon to inspire young people to enter into, particularly math and science education, critical areas that we need.

And I am also privileged to speak today in support of this piece of legislation, H.R. 584, a bill to name the Department of Education's Washington headquarters in honor of one of our Nation's greatest Presidents, President Lyndon Baines Johnson.

As a Texan, it gives me particular pride to help this effort to name the building after a man who did so much to enhance and improve the educational system for all Americans. Not only did he begin his storied career in public service as an educator, as I did, and some of my colleagues who have

already spoken, President Johnson also ushered in the Economic Opportunity Act of 1964, the Elementary and Secondary Education Act of 1965, and the Higher Education Act of 1965, all keystones in our efforts to provide excellent and enduring educational opportunities for all of our children.

The House should take this simple step to honor a great leader and educator and, of course, a great Texan. It is a fitting tribute to his family that remains, including Lady Bird. I ask for the support of all Members of this piece of legislation, H.R. 584.

Ms. NORTON. Madam Speaker, may I ask Mr. GRAVES, the gentleman from Missouri, whether he has any more speakers and if he is prepared to yield back his time?

Mr. GRAVES. I have none. I yield back the balance of my time.

Ms. NORTON. I thank the gentleman again for his courtesy in allowing a number of Members to speak with the time he provided.

Madam Speaker, before I yield back the remainder of our time, I must say that it would be hard to find a greater domestic policy President than Lyndon Baines Johnson. The only one I could think of would be FDR himself, and of course, President Johnson updated the Roosevelt New Deal. In fact, we are naming the education building, the Department of Education building after President Johnson. We could as soon have named the HHS building. This is the Medicare President. This is the Medicaid President.

On both sides of the aisle, the historic accomplishments of this great President have been embraced. And I must tell you, they have certainly been embraced by our constituents. He updated the New Deal. And as we consider what domestic legislation lies ahead for us, I think we would do well to remember that history gets made in one era; and the New Deal era with Social Security, unemployment insurance and the like, and then in another era, new issues come forward. President Johnson found those issues. None could have been more important than education and health care, and I appreciate the bipartisan nature of this bill.

No building should be named in Washington that is not embraced on both sides of the aisle, and there is no more appropriate person to name this building after than President Lyndon Baines Johnson.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 584, a bill to designate the Department of Education headquarters building located at 400 Maryland Avenue Southwest in the District of Columbia as the "Lyndon Baines Johnson Department of Education Building."

I commend the gentleman from Texas, Mr. GREEN, and his colleagues of the Texas delegation, for their steadfast advocacy for this bill. In the 109th Congress, Mr. GREEN introduced a similar bill, H.R. 4252. Regrettably, the House did not take action on that legislation.

Lyndon Baines Johnson, "the Teacher who became President," was one of the leading political figures of the 20th century. He served his country in ways too numerous to detail, including as lieutenant commander in the U.S. Navy during World War II, Member of both houses of Congress, Vice President of the United States, and the 36th President of the United States.

President Johnson was born on August 27, 1908, in Stonewall, TX. In 1927, he enrolled in Southwest Texas State Teachers College at San Marcos, TX—Texas State University—San Marcos. He took a leave of absence for a year to serve as principal and teach fifth, sixth, and seventh grades at Welhausen School, a school in the south Texas town of Cotulla. He graduated with a bachelor of science degree in August 1930. After graduation, he taught at Pearsall High School in Pearsall, TX, and taught public speaking at Sam Houston High School in Houston, TX.

In a special election in 1937, Johnson won the U.S. House of Representatives seat representing the 10th Congressional District of Texas, defeating nine other candidates. In the next election, he was re-elected to a full term in the 76th Congress and to each succeeding Congress until 1948.

After the bombing of Pearl Harbor on December 7, 1941, Johnson became the first Member of Congress to volunteer for active duty in the Armed Forces—U.S. Navy, reporting for active duty on December 9, 1941. Johnson received the Silver Star from GEN Douglas MacArthur for gallantry in action during an aerial combat mission over hostile positions in New Guinea on June 9, 1942. President Roosevelt ordered all Members of Congress in the Armed Forces to return to their offices, and Johnson was released from active duty on July 16, 1942.

In 1948, he campaigned for and was elected to the U.S. Senate. He was elected minority leader of the Senate in 1953 and majority leader in 1955, where he served until January 1961, when he resigned to become Vice President.

Lyndon Johnson became the 36th President of the United States on November 22, 1963, after the assassination of President John F. Kennedy.

During President Johnson's administration, education was one of the many areas where Johnson blazed new ground. He pursued numerous education initiatives, and signed many landmark education bills into law.

In 1963, President Johnson approved the Higher Education Facilities Act—P.L. 88–204—which authorized a 5-year program of Federal grants and loans for construction or improvement of public and private higher education academic facilities. This legislation created the largest education program since enactment of the National Defense Education Act of 1958, and it was the first comprehensive education bill enacted in the post-World War II period that was not tied to national defense.

In 1964, President Johnson signed the Library Services Act—P.L. 88–269—to make high quality public libraries more accessible to both urban and rural residents. The funds made available under this act were used to construct as well as operate libraries, and to extend this program to cities as well as rural areas. Later that year, President Johnson signed the Civil Rights Act—P.L. 88–352—which, among its landmark provisions, authorized Federal authorities to sue for the desegregation of schools and to withhold Federal funds from education institutions that practiced segregation.

In 1965, President Johnson signed the Elementary and Secondary Act—P.L. 89–10. This legislation was the first general aid-to-education program ever adopted by Congress, and it provided programs to help educate disadvantaged children in urban and rural areas. Later that year, he also signed the Higher Education Act—P.L. 89–329, which was the first program approved by Congress for scholarships to undergraduate students.

President Johnson launched Project Head Start, as an 8-week summer program in 1965, to help break the cycle of poverty by providing pre-school children of low-income families with a comprehensive program to meet their emotional, social, health, nutritional, and psychological needs. Recruiting children ages three to school-entry age, Head Start was enthusiastically received by education and child development specialists, community leaders, and parents across the Nation. Currently, Head Start continues to serve children and their families each year in urban and rural areas in all 50 States, the District of Columbia, Puerto Rico, and the U.S. territories, including many American Indian and migrant children.

In 1966, President Johnson signed the International Education Act—P.L. 89–698, which promoted international studies at U.S. colleges and universities.

In 1968, he signed the Elementary and Secondary Education Act Amendments of 1967—P.L. 90–247, establishing bilingual education programs for non-English speaking children, and providing more funds for special education for disabled children. Later that year, President Johnson also signed the Handicapped Children's Early Education Assistance Act—P.L. 90–538, which authorized experimental programs for disabled children of preschool age.

After leaving office, Lyndon Baines Johnson continued his involvement in education and taught students while he wrote his memoirs and pursued other academic endeavors. Lyndon Johnson died January 22, 1973.

Lyndon Baines Johnson will be remembered not only as a great President and Member of Congress, but also as a champion for education. Thus, it is very appropriate that the headquarters building of the Department of Education, located at 400 Maryland Avenue Southwest in the District of Columbia, be designated as the "Lyndon Baines Johnson Department of Education Building."

I urge my colleagues to join me in supporting H.R. 584.

Mr. HOYER. Madam Speaker, today I join Congressman GENE GREEN and a bipartisan group of the Texas delegation in supporting the renaming of the Department of Education headquarters building to the "Lyndon Baines Johnson Federal Building."

It is a fitting tribute to name the building that houses the Department of Education after President Lyndon B. Johnson. Under his watch, over 60 education bills were signed into law, several of which changed the face of education in America.

One such bill enacted by President Johnson is the Elementary and Secondary Education Act of 1965. For the first time, Federal funds were explicitly directed to elementary and secondary public schools. These funds have improved the quality of education received by millions of students over the past 42 years.

President Johnson soon followed this measure with the Higher Education Act of 1965. This legislation made a college education possible for millions of Americans by creating the Federal student aid program.

Additionally, the Economic Opportunity Act of 1964 contained the provisions creating the Head Start Program, which has put generations of preschool-age children on the path of learning and success. Head Start gives children the foundation they need in order to be successful in school in the future.

As President Johnson himself once said, ''Poverty must not be a bar to learning and learning must offer an escape from poverty.'' By opening the doors of education to millions of Americans, President Johnson improved countless lives and put the American dream within the reach of many.

I thank Congressman GREEN for bringing this bill to the floor so that we all may recognize the contributions of President Johnson to this Nation and to our educational system.

Mr. ORTIZ. Madam Speaker, I rise in support of H.R. 584, a bill introduced by my friend GENE GREEN of Houston, which names the Department of Education Headquarters Building in Washington, DC, after President Lyndon B. Johnson.

President Johnson's legacy is vast and mostly underappreciated. He was a visionary in terms of groundbreaking social legislation that literally changed the way this country elected leaders, treated one another in the workplace, and educated our children.

President Johnson passed away over 30 years ago, and is survived by his First Lady, Lady Bird Johnson. Despite the groundbreaking work in education and so many other levels, no Federal buildings bear his name in the national Capital area.

In May 1964, Johnson called for a nationwide war against poverty and outlined a vast program of economic and social welfare legislation designed to create what he termed the Great Society. Central to his vision of a nation no longer hindered by poverty and hate was an education for every child, no matter what their economic status.

During his time in office, President Johnson passed over 60 education bills, including the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, and created the Head Start Program. Taken together, these legislative feats form the basis of public education in the United States today.

President Johnson grew up in San Marcos, TX, seeing abject poverty all around him and seeing the power scheme that separated white children from Hispanic and African-American children. From his earliest days, he concluded the only true equalizing influence in our Nation was through an equal education for all Americans, no matter what their skin color or their economic status.

The Department of Education headquarters building on Maryland Avenue, SW., in Washington, DC, has no name on it today. Bearing the name of our 36th President would be a fitting tribute to the life and legislative accomplishments in education of the Johnson presidency.

While novel in his day, the Johnson administration's policy to place a national priority on education is supported by large majorities of both parties today, illustrating the long-term righteousness of Johnson's cause.

Truly, the only silver bullet to equalize people in this Nation is education. That was LBJ's vision, and perfecting that vision should be our duty in the 21st century.

I thank the gentleman from Texas for his work in bringing this bill to the floor today.

Mr. ENGEL. Madam Speaker, I rise today in strong support of H.R. 584, a bill to name the headquarters of the United States Department of Education after President Lyndon B. Johnson.

In the entire District of Columbia, with all its Federal buildings, parks and monuments, there is not a single Federal facility named after the man many historians call one of the best Presidents in American history. From his stewardship of legislation creating Medicare and Medicaid, to his passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, President Johnson left a legacy on this Nation that we still enjoy today.

In addition to his quest to achieve racial equality in the United States, President Johnson was an avid supporter of education. In 1965 he signed the Elementary and Secondary Education Act into law. This landmark bill provided significant federal funding to public schools. Also in 1965, he stewarded the Higher Education Act to passage. Thanks to this legislation, children in poverty for the first time were able to attend college.

Madam Speaker, like President Johnson, I was a public school teacher, and I understand the importance of a good education. Let me conclude by quoting President Johnson himself.

> I shall never forget the faces of the boys and the girls in that little Welhausen Mexican School, and I remember even yet the pain of realizing and knowing then that college was closed to practically every one of those children because they were too poor. And I think it was then that I made up my mind that this Nation could never rest while the door to knowledge remained closed to any American.

Madam Speaker, I can think of no better person after whom we should name the building of the Department of Education. I urge my colleagues to support H.R. 584.

Mr. HINOJOSA. Madam Speaker, I rise in proud support of H.R. 584, a bill to re-name the Department of Education Building after a great Texan and a great American, Lyndon Baines Johnson. I would like to thank my good friend and colleague, GENE GREEN for bringing this bill to us.

Today, we aspire to fulfill the vision of the Great Society that President Johnson envisioned for this Nation—in his words—a place where the meaning of man's life matches the marvels of man's labor.

Early on in his life, President Johnson was exposed to the unacceptable inequities in our Nation's education system. As a teacher and a principal in Cotula, TX, President Johnson worked with impoverished Hispanic students for whom the dream of pursuing higher education was all but out of reach. He saw a nation failing to live up to its potential because it failed to develop the talents of its low-income and minority citizens. He vowed not to rest until America's opportunities were open and accessible to everyone.

It is a fitting tribute to name the Department of Education headquarters after the President who brought us the Head Start Program, the Higher Education Act and student financial aid, as well as the Elementary and Secondary Education Act, which today we know as the No Child Left Behind Act.

Under his watch, our Nation made a commitment to education so that opportunity and success would no longer be determined by family wealth or the color of one's skin.

President Johnson was a visionary and a patriot. For me, a member of the Education and Labor Committee, he was a hero.

I urge all my colleges to support H.R. 584.

Mr. DINGELL. Madam Speaker, I rise in support of H.R. 584, legislation to designate the Department of Education headquarters in Washington, DC, after our 36th President, Lyndon Baines Johnson.

An elementary school teacher himself, President Johnson had a deep appreciation for the importance of education. In his ''Great Society'' speech at the University of Michigan in 1964, President Johnson stated:

> We must seek an educational system which grows in excellence as it grows in size. This means better training for our teachers. It means preparing youth to enjoy their hours of leisure as well as their hours of labor. It means exploring new techniques of teaching, to find new ways to stimulate the love of learning and the capacity for creation.

President Johnson's statement rings true to this day. Now is an especially important time to revisit his vision. As the global marketplace becomes more competitive, it is becoming clear that education is the vehicle that will drive U.S. global leadership into the future. It is therefore vital that we renew our commitment to Federal education programs.

Some of President Johnson's largest education initiatives were passed in 1965, including the Elementary and Secondary Education Act—ESEA—and the Higher Education Act HEA. ESEA provided the first program ever adopted by Congress to provide Federal support for public schools, and HEA provided the first-ever Federal financial aid programs to help students afford college. In addition, 1965 saw the passage of legislation to create the National Head Start program and the National Endowments for Arts and Humanities.

For over 40 years, President Johnson's education initiatives have helped millions of children across the country achieve the American dream. It is only fitting that the Federal Department of Education building be named after a man who was a pioneer in his endeavors to promote Federal investment in education.

I am proud to be an original cosponsor of this legislation and I urge my colleagues to join me in voting for it.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of this legislation to name the Department of Education Building in honor of President Lyndon B. Johnson.

President Johnson believed that everyone should have the right to a free and adequate education regardless of their gender, race or economic status. President Johnson fought for opportunity and access for all Americans, and I can truly think of no one better person for whom to name the Department of Education building.

President Johnson's first job was as a Texas elementary school teacher and principal at a segregated school attended by only Mexican-Americans. He held that experience with him, and continually fought for education and equality for all Americans. President Johnson recognized that education meant opportunity for millions of Americans who would otherwise never be able to achieve the American dream.

The strides made for educational equality and fairness under the Johnson administration were truly remarkable. Under President Johnson, we adopted many landmark education policies including the Early and Secondary Education Act of 1965, the National Endowment for the Arts, the National Endowment for Humanities, and the Higher Education Act of 1965. Perhaps no other President has ever overseen so many pioneering changes to the way that we educate our Nation's children.

I fully support Congressman GENE GREEN's effort to name the U.S. Department of Education building in honor of President Lyndon B. Johnson, and I urge my colleagues to vote in support of this legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, as an original cosponsor and proud Texan, I rise today in strong support of H.R. 584, which designates the national headquarters building of the U.S. Department of Education located in the District of Columbia as the Lyndon Baines Johnson Department of Education Building. I support this bill because it is a fitting tribute to the greatest ''education President'' in the history of our Nation.

It is no exaggeration to say, Madam Speaker, that Lyndon Baines Johnson's record of extending the benefits of education to all Americans in every region of the country, of every race and gender, irrespective of economic class or family background, remains unsurpassed. Lyndon Johnson recognized that the educated citizenry is a nation's greatest economic asset and most powerful guardian of its political liberties.

Madam Speaker, Lyndon Johnson did more than any single American, living or dead, to make the Federal Government a partner with States and localities in the vitally important work of educating the people of America, from pre-kindergarten to post-graduate school. It makes perfect sense, therefore, to name the headquarters building of the U.S. Department of Education in his honor.

Madam Speaker, Lyndon Baines Johnson was one of the leading figures of the 20th century. This teacher who became a President served his country in numerous, distinguished ways, including as lieutenant commander in the U.S. Navy during World War II, as a Member of both Houses of Congress, as Vice President of the United States, and as the 36th President of the United States.

Lyndon Baines Johnson was born on August 27, 1908, in Stonewall, TX. In 1927, he enrolled in Southwest Texas State Teachers College at San Marcos, TX—Texas State University—San Marcos. He took a leave of absence for a year to serve as principal and teach fifth, sixth, and seventh grades at Welhausen School, a Mexican-American school in the south Texas town of Cotulla. He graduated with a bachelor of science degree in August 1930. After graduation he taught at Pearsall High School in Pearsall, TX, and taught public speaking at Sam Houston High School in Houston, TX. In the spring of 1931, his debate team won the district championship.

In a special election in 1937, Johnson won the U.S. House of Representatives seat representing the 10th Congressional District of Texas, defeating nine other candidates. He was re-elected to a full term in the 76th Congress and to each succeeding Congress until 1948.

After the bombing of Pearl Harbor on December 7, 1941, Johnson became the first Member of Congress to volunteer for active duty in the Armed Forces—U.S. Navy, reporting for active duty on December 9, 1941. Johnson received the Silver Star from GEN Douglas MacArthur for gallantry in action during an aerial combat mission over hostile positions in New Guinea on June 9, 1942. President Roosevelt ordered all Members of Congress in the Armed Forces to return to their offices, and Johnson was released from active duty on July 16, 1942.

In 1948, after a campaign in which he traveled by ''newfangled'' helicopter all over the State, Johnson won the primary by 87 votes and earned the nickname ''Landslide Lyndon,'' and in the general election was elected to the U.S. Senate. He was elected minority leader of the Senate in 1953 and majority leader in 1955. He served in the U.S. Senate until he resigned to become Vice President in January 1961.

Lyndon Johnson became the 36th President of the United States on November 22, 1963, after the assassination of President John F. Kennedy.

During his administration, education was one of the many areas where President Johnson blazed new ground. He pursued numerous education initiatives, and signed many landmark education bills into law.

In 1963, President Johnson approved the Higher Education Facilities Act—P.L. 88–204, which authorized a five-year program of Federal grants and loans for construction or improvement of public and private higher education academic facilities. This legislation was the largest education program enacted by Congress since the National Defense Education Act of 1958, and it was the first broad education bill enacted in the post-World War II period that was not tied to national defense.

In 1964, Johnson signed the Library Services Act—P.L. 88–269—to make high quality public libraries more accessible to both urban and rural residents. The funds made available under this act were used to construct as well as operate libraries, and to extend this program to cities as well as rural areas. Later that year, President Johnson signed the Civil Rights Act—P.L. 88–352, which among its landmark provisions authorized Federal authorities to sue for the desegregation of schools and to withhold Federal funds from education institutions that practiced segregation.

In 1965, President Johnson signed the Elementary and Secondary Education Act—P.L. 89–10—at the former Junction Elementary School in Stonewall, TX, where he first attended school. Sitting beside him as he signed the bill was his first teacher, Mrs. Kathryn Deadrich Loney. This legislation was the first general aid-to-education program ever adopted by Congress, and it provided programs to help educate disadvantaged children in urban and rural areas. Later that year, he also signed the Higher Education Act—P.L. 89–329, which was the first program approved by the U.S. Congress for scholarships to undergraduate students.

In 1965, President Johnson launched Project Head Start, as an 8-week summer program, to help break the cycle of poverty by providing pre-school children from low-income families with a comprehensive program to meet their emotional, social, health, nutritional, and psychological needs. Recruiting children from ages three to school-entry age, Head Start was enthusiastically received by education and child development specialists, community leaders, and parents across the Nation. Currently, Head Start continues to serve children and their families each year in urban and rural areas in all 50 States, the District of Columbia, Puerto Rico, and the U.S. territories, as well as many migrant children.

In 1966, President Johnson signed the International Education Act—P.L. 89–698, which promoted international studies at U.S. colleges and universities.

In 1968, he signed the Elementary and Secondary Education Act Amendments of 1967—P.L. 90–247, establishing bilingual education programs for non-English speaking children, and providing more funds for special education for disabled children. Later that year, he also signed the Handicapped Children's Early Education Assistance Act—P.L. 90–538, which authorized experimental programs for disabled children of pre-school age.

After leaving office, Lyndon Johnson returned to his native Texas and continued his involvement in public education. His presidential papers are housed at the Lyndon Baines Johnson Library and Museum at the University of Texas, which in 1970 established the Lyndon Baines Johnson School of Public Affairs, The ''LBJ School,'' as is commonly known, pioneered what was then regarded as a novel approach to training for public service.

The curriculum combined courses in theory with courses that took students into government agencies to work and conduct research; the faculty included academics from various disciplines as well as practitioners from various levels of government; public service programs included an academic publishing program as well as workshops for government officials. This blend of the academic and the practical remains the distinguishing characteristic of the LBJ School and this highly effective approach to training for public service is today an accepted model for public affairs graduate programs across the country.

Madam Speaker, Lyndon Baines Johnson, who died January 22, 1973, will be remembered not only as a great President and Member of Congress, but also as the greatest champion of accessible and affordable quality education for all. President Johnson truly understood the importance of leaving no child behind, and he didn't.

For all these reasons, Madam Speaker, it is most appropriate that the headquarters building of the Department of Education located at 400 Maryland Avenue, SW., in the District of Columbia be designated the ''Lyndon Baines Johnson Department of Education Building.''

Ms. NORTON. Madam Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 584, 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 designate the Federal building located at 400 Maryland Avenue Southwest in the District of Columbia as the 'Lyndon Baines Johnson Department of Education Building' ''.

A motion to reconsider was laid on the table.

□ 1400

R. JESS BROWN UNITED STATES COURTHOUSE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 399) to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse''.

The Clerk read as follows:

H.R. 399

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

SECTION 1. DESIGNATION.

The United States Courthouse to be constructed at the site bounded on the north by Court Street, on the west by West Street, on the south by South Street, and on the east by President Street in Jackson, Mississippi, shall be known and designated as the ''R. Jess Brown United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the courthouse referred to in section 1 shall be deemed to be a reference to the ''R. Jess Brown United States Courthouse''.

The SPEAKER pro tempore (Mr. ROTHMAN). Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material concerning H.R. 399.

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

There was no objection.

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

I rise to support H.R. 399, a bill to designate the courthouse to be constructed in Jackson, Mississippi, as the R. Jess Brown United States Courthouse.

R. Jess Brown was born in Coffeyville, Kansas on September 2, 1912. He was educated in the Muskogee, Oklahoma, public schools and received a bachelor of education degree from the Illinois State Normal University in 1935 and a master of education degree from the University of Indiana in 1943. He attended Texas Southern Law School.

In 1953, he was admitted to the bar for the State of Mississippi and admitted to practice before the United States District Court for the Southern District of Mississippi. In 1955, he cofounded the Magnolia Bar Association, and he later served on the board of the National Bar Association for nearly 15 years. In 1958, he was admitted to practice before the United States Supreme Court.

As associate counsel for the NAACP Defense and Educational Fund, Mr. Brown filed the first civil rights suit in Mississippi in the 1950s in Jefferson Davis County, seeking the enforcement of the right of black citizens to become registered voters. In 1961, Mr. Brown represented James H. Meredith in a suit to enter the University of Mississippi. This victory in this case opened the doors to that university to all Mississippi citizens. While an associate with the NAACP Legal Defense Fund, he played a major role in fighting discrimination in transportation and other public accommodations, working together with Thurgood Marshall, who would later become Associate Justice of the United States Supreme Court.

Mr. Brown also served as counsel to the American Civil Liberties Union, where he was successful in obtaining reversals of convictions of black defendants because of discrimination in jury selection. He also represented numerous black defendants in cases where the State sought the death penalty. As a result of these appeals, none of these defendants were ever executed.

R. Jess Brown died in Jackson, Mississippi, on January 2, 1990. He is remembered as a brave American, brilliant attorney, civil rights leader, and devoted family man. It is both fitting and appropriate that the United States courthouse, soon to be constructed in Jackson, Mississippi, would be designated the R. Jess Brown United States Courthouse.

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

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

Mr. Speaker, H.R. 399 designates the United States courthouse, which is to be constructed in Jackson, Mississippi, as the R. Jess Brown United States Courthouse. This bill honors R. Jess Brown's work as an attorney and civil rights leader.

As was so eloquently pointed out, and I think Chairman NORTON went through it very well, Mr. Brown was the associate counsel for the Legal Defense and Education Fund for the National Association for the Advancement of Colored People, where his work was well documented.

He worked alongside Thurgood Marshall, who would later become Associate Justice to the United States Supreme Court. And as Mr. Brown was working for the NAACP in that capacity, he filed the very first civil rights suit in Mississippi in the 1950s.

Mr. Brown died in Jackson, Mississippi, on January 2, 1990.

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

Ms. NORTON. Mr. Speaker, I am pleased to introduce the author of the bill, who represents the district in Jackson, Mississippi, where this courthouse will be located.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 399, the bill naming the soon-to-be-constructed courthouse in Jackson, Mississippi, after attorney R. Jess Brown.

For most of those individuals here, I represent Jackson, Mississippi. I knew R. Jess Brown. Most of the African American attorneys in the State of Mississippi would not be there had it not been for R. Jess Brown's tenacity and perseverance to encourage other people to participate.

Both speakers have talked about his ability as a lawyer; but the one thing that I would like to share is, while he did not graduate from law school, when he was practicing, you could practice law if you could pass the bar. He taught himself law and ultimately became one of the great lawyers in our State. He represented James Meredith. He represented Medgar Evers. He represented teachers who were trying to get equity in pay. He represented other students trying to go to the University of Southern Mississippi, a number of schools.

But the good thing about R. Jess Brown, Mr. Speaker, he also was a teacher. He always had time for young people. He taught at Alcorn State University as well as Lanier High School at a time where practicing law was not as beneficial as it is perhaps now.

I am happy to join the support of H.R. 399, this bill nominating the soon-to-be-constructed courthouse after R. Jess Brown.

The Brown family in Jackson, Mississippi, is well known. The widow of attorney Brown will be quite pleased with this. Oftentimes we don't give flowers to people while they are living, but perhaps this legacy in naming this Federal courthouse after attorney R. Jess Brown is fitting and proper.

So R. Jess Brown, Mr. Speaker, will be remembered more than as a brilliant attorney and civil rights leader. He will be remembered as a great American. As such, it is very appropriate that the United States courthouse soon be built in Jackson, Mississippi, is designated the R. Jess Brown United States Courthouse.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 399, a bill to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse''.

R. Jess Brown was born in Coffeeville, Kansas, on September 2, 1912. He was educated in the Muskogee Oklahoma public schools and received a Bachelor of Education Degree from Illinois State Normal University in 1935, and a Master of Education Degree from the University of Indiana in 1943. He attended Texas Southern Law School.

In 1948, he was a co-plaintiff in a suit for equal salaries for Jackson, Mississippi school teachers.

In 1953, he was admitted to the bar for the State of Mississippi and admitted to practice before the United States District Court for the Southern District of Mississippi. In 1955, he co-founded the Magnolia Bar Association, and he later served on the Board of the National Bar Association for nearly 15 years. In 1958, he was admitted to practice before the United States Supreme Court.

As associate counsel for the NAACP Legal Defense and Educational Fund, Brown filed the first civil rights suit in Mississippi in the 1950s in Jefferson Davis County, seeking the enforcement of the right of black citizens to become registered voters. In 1961, Brown represented James H. Meredith in his suit to enter the University of Mississippi; his victory in this case opened the doors of that university to all of Mississippi's citizens. While an associate with the NAACP Legal Defense Fund, he played a major role in fighting discrimination in the areas of transportation and other public accommodations working along side Thurgood Marshall, who would later become Associate Justice of the United States Supreme Court.

Brown also served as counsel for the American Civil Liberties Union, where he was successful in obtaining reversals of convictions of black defendants because of discrimination in jury selection. He also represented numerous black defendants in cases where the State sought the death penalty. As a result of these appeals, none of these defendants were ever executed.

R. Jess Brown died in Jackson, Mississippi, on January 2, 1990.

R. Jess Brown will be remembered as more than a brilliant attorney and civil rights leader; he will also be remembered as a great American. As such, it is very appropriate that the U.S. Courthouse in Jackson, Mississippi, be designated the "R. Jess Brown United States Courthouse".

I urge my colleagues to join me in supporting H.R. 399.

Mr. GRAVES. Mr. Speaker, I would urge my colleagues to support this bill, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I think this bill deserves the unanimous vote of Members on both sides of the aisle. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 399.

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.

SANTIAGO E. CAMPOS UNITED STATES COURTHOUSE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 544) to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse".

The Clerk read as follows:

H.R. 544

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

SECTION 1. DESIGNATION.

The United States courthouse at South Federal Place in Santa Fe, New Mexico, shall be known and designated as the "Santiago E. Campos United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Santiago E. Campos United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material concerning H.R. 544.

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

There was no objection.

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

Mr. Speaker, in the 107th, 108th and 109th Congresses, Congressman Tom Udall introduced legislation to designate the Federal courthouse in Santa Fe, New Mexico, as the Santiago E. Campos United States Courthouse. No action was taken during the past Congress. Therefore, it is with great pleasure that the 110th Congress finally moves forward with this bill to honor an outstanding American.

Judge Campos was a life-long resident of the United States and graduated first in his class from the University of New Mexico. He served the people of New Mexico and his country with honor and great distinction. He was a World War II veteran, serving the United States Navy as a seamen first class from 1944 to 1946. After leaving the Navy, Judge Campos attended the Central College in Fayette, Missouri, and received his law degree from the University of New Mexico in 1953, graduating first in his class again. From 1954 to 1957, he worked as an assistant attorney general and subsequently as first assistant attorney general for the State of New Mexico. After 14 years in private practice, Judge Campos was elected district judge for the First Judicial District of New Mexico in 1971 and served in that capacity until 1978.

President Jimmy Carter appointed him to the Federal bench in 1978. Judge Campos was the first Hispanic appointed to the Federal bench in New Mexico. He served as chief judge from 1987 until 1989. Known for his compassion, quick wit and inquisitive mind, Judge Campos was a role model for students, fellow jurists and professional colleagues. He was well liked among peers and judicial staff as well.

I strongly support Congressman UDALL and his efforts on behalf of this bill, and I urge my colleagues to join in support of H.R. 544.

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

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

Mr. Speaker, H.R. 544, introduced by Representative UDALL of New Mexico, designates the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the Santiago E. Campos United States Courthouse. The bill honors Judge Campos, who was the first Hispanic to be appointed to the U.S. District Court of New Mexico.

Judge Campos served in the United States Navy during World War II and graduated first in his law class at the University of New Mexico. His career in public service included serving as the assistant and first assistant attorney general in New Mexico, and serving as a district court judge in New Mexico's First Judicial District, and culminated in his appointment to the Federal bench.

Judge Campos was appointed by President Carter in 1978 to the District Court of New Mexico. He served as chief judge from 1987 to 1989 and became a senior judge on December 26, 1992. He served with distinction on the bench, and on January 20, 2001, Judge Campos passed away.

I support this legislation, and I encourage my colleagues to do the same.

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

Ms. NORTON. I thank the gentleman. And I concur and strongly support this legislation as well.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 544, a bill to designate the United States Courthouse at South Federal Place, Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse".

I commend the Gentleman from New Mexico (Mr. UDALL) for his steadfast support of this bill to honor an outstanding jurist.

Mr. UDALL introduced identical legislation in three previous Congresses—H.R. 5083 in the 107th Congress, H.R. 2274 in the 108th Congress, and H.R. 984 in the 109th Congress. Regrettably, the House never considered those bills. I am pleased that we are moving forward on this legislation today.

Santiago E. Campos was born on December 25, 1926, in Santa Rosa, New Mexico. He served in the United States Navy as a Seaman 1st Class from 1944 to 1946. After leaving the Navy, Judge Campos attended Central College in Fayette, Missouri, and received his law degree from the University of New Mexico in 1953, graduating first in his class.

From 1954 until 1957, he worked as an Assistant Attorney General and subsequently as First Assistant Attorney General for the State of New Mexico. After 14 years in private practice, Judge Campos was elected District Judge for the 1st Judicial District of New Mexico in 1971, and served in that capacity until 1978. In 1978, Judge Campos was appointed to the Federal Bench by President Jimmy Carter and began serving on July 20, 1978.

Judge Campos was the first Hispanic American to serve as a Federal Judge in the District Court of New Mexico, as well as the first Hispanic American to serve as its Chief Judge. He held the title of Chief U.S. District Judge from February 5, 1987, to December 31, 1989, and took senior status on December 26, 1992. Judge Campos died on January 20, 2002, after suffering a long bout with cancer.

During his career, Judge Campos was named an honorary member of the Order of the Coif. He also received the Distinguished Achievement Award of the State Bar of New Mexico in 1993, and in the same year the University of New Mexico honored him with a Distinguished Achievement Award.

H.R. 544 has received the unanimous endorsement of the Judges of the 10th Circuit Court in New Mexico and the district judges of the District of New Mexico.

In honor of Judge Campos's trailblazing legal career in New Mexico and his outstanding contributions to the legal profession, it is both fitting and proper to designate the courthouse located at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse".

I urge my colleagues to join me in supporting H.R. 544.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 544.

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.

□ 1415

CHARLIE W. NORWOOD LIVING ORGAN DONATION ACT

Mr. INSLEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 710) to amend the National Organ Transplant Act to clarify that kidney paired donation does not involve the transfer of a human organ for valuable consideration, as amended.

The Clerk read as follows:

H.R. 710

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 "Charlie W. Norwood Living Organ Donation Act".

SEC. 2. NATIONAL ORGAN TRANSPLANT ACT; AMENDMENT REGARDING PAIRED DONATION OF HUMAN KIDNEYS.

(a) IN GENERAL.—Section 301(a) of the National Organ Transplant Act (42 U.S.C. 274e(a)) is amended by adding at the end the following: "The preceding sentence does not apply with respect to the paired donation of human kidneys.".

(b) DEFINITION.—Section 301(c) of the National Organ Transplant Act (42 U.S.C. 274e(c)) is amended by adding at the end the following:

"(4) The term 'paired donation of human kidneys' means the donation and receipt of human kidneys under the following circumstances:

"(A) An individual (referred to in this paragraph as the 'first donor') desires to make a living donation of a kidney specifically to a particular patient (referred to in this paragraph as the 'first patient'), but such donor is biologically incompatible as a donor for such patient.

"(B) A second individual (referred to in this paragraph as the 'second donor') desires to make a living donation of a kidney specifically to a second particular patient (referred to in this paragraph as the 'second patient'), but such donor is biologically incompatible as a donor for such patient.

"(C) Subject to subparagraph (D), the first donor is biologically compatible as a donor of a kidney for the second patient, and the second donor is biologically compatible as a donor of a kidney for the first patient.

"(D) If there is any additional donor-patient pair as described in subparagraph (A) or (B), each donor in the group of donor-patient pairs is biologically compatible as a donor of a kidney for a patient in such group.

"(E) All donors and patients in the group of donor-patient pairs (whether two pairs or more than two pairs) enter into a single agreement to donate and receive such kidneys, respectively, according to such biological compatibility in the group.

"(F) Other than as described in subparagraph (E), no valuable consideration is knowingly acquired, received, or otherwise transferred with respect to the kidneys referred to in such subparagraph.".

SEC. 3. ADDITIONAL FUNDING FOR THE MEDICARE PHYSICIAN ASSISTANCE AND QUALITY INITIATIVE FUND.

Section 1848(l)(2) of the Social Security Act (42 U.S.C. 1395w–4(l)(2)) is amended—

(1) in subparagraph (A), by adding at the end the following: "In addition, there shall be available to the Fund for expenditures during 2009 an amount equal to $30,000,000 and for expenditures during or after 2013 an amount equal to $470,000,000."; and

(2) in subparagraph (B)—

(A) in the heading, by striking "FURNISHED DURING 2008";

(B) by striking "specified in subparagraph (A)" and inserting "specified in the first sentence of subparagraph (A)"; and

(C) by inserting after "furnished during 2008" the following: "and for the obligation of the entire first amount specified in the second sentence of such subparagraph for payment with respect to physicians' services furnished during 2009 and of the entire second amount so specified for payment with respect to physicians' services furnished on or after January 1, 2013".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. INSLEE) and the gentleman from Texas (Mr. BARTON) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. INSLEE. 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 Washington?

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 710

Mr. INSLEE. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 710, a bill originally introduced by Representative Norwood of Georgia, only for the purpose of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

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

Mr. Speaker, we are here today to pass the Charlie W. Norwood Living Kidney Organ Donation Clarification Act. We do so both to honor Dr. Norwood, who provided such great service to his district and to the country for many years; of course, Dr. Norwood did so as the result of being a recipient of lung transplants himself; but also to honor the thousands of Americans who are today waiting for kidney transplants. This bill, we believe, will be a great step forward to hasten the day when those folks can potentially have kidney transplants.

It is a fitting tribute to Dr. Norwood for his tireless efforts to improve our Nation's health and his great work in fighting as a patient's advocate. I will submit for the record a statement from Dr. Norwood in support of this legislation.

Second, I would like to thank the staff of both of the committees, as well as Dr. Norwood's office and personal staff, for their work to make this bill a reality.

This legislation would allow a procedure commonly known as paired donation to be legal, to make that clear, and to provide hope to patients waiting for kidney transplants. Paired organ donation will make it possible for thousands of people who wish to donate a kidney to a spouse, a family member or a friend but find that they are medically incompatible to still become living kidney donors.

This is very important, because, as of February 23, we had over 70,000 patients who are now on the waiting list for a kidney transplant, and yet we performed only 16,500 kidney transplants in 2005, of which only 6,500 were living kidney donors. H.R. 710 will take a significant step towards reducing the number of patients on the waiting list and giving many more the hope that their wait will not be endless.

Further, this bill is supported by numerous medical organizations, including the United Network for Organ Sharing, the American Society of Transplant Surgeons, the American Society of Transplantation, the National Kidney Foundation and the American Society of Pediatric Nephrology.

I have sort of a local person who gives me advise about this, Dr. Connie Davis, who is a transplant expert, a physician, and she says that this bill is a huge step forward for the transplant community as clinical efforts in the direction of paired donation have been severely hampered by concerns over the legal status of such activity.

I believe it is imperative that we make it clear that there is no intent by Congress to bar this procedure. It is my hope that the Senate will act quickly on this. Simply put, we want this legislation to save lives immediately.

So, for the 70,000 patients waiting for lifesaving kidney transplants, with time spent on costly and often arduous

dialysis treatment, their time on the waiting list can be significantly shortened with passage and implementation of this bill.

It is an honor to stand here working for the name of Dr. Charlie Norwood. I want to thank all those who have worked on this bill, and I hope very shortly we can have this on the President's desk and help those 70,000 people to a healthy future and great productive years, just like Dr. Norwood had in the U.S. Congress.

STATEMENT OF THE HONORABLE CHARLIE NORWOOD

Mr. Speaker, I rise in support of H.R. 710, the Living Kidney Organ Donation Clarification Act. This bill will explicitly state that Americans in need of a kidney will have a greater chance of receiving one through the process of paired donation.

Over 70,000 Americans are currently in need of a kidney transplant. As a result of significant demand and limited supply, most transplantees wait for over four years before receiving a kidney. Four years for their lives to be saved or lost.

During this time, if their kidneys fail, End Stage Renal Disease can set in. These patients must undergo dialysis. While dialysis extends patients' lives, their condition often prevents them from being fully engaged in their community and career. Dialysis is life-extending, but not life-bettering.

Sadly, in many cases, this is where patients lose their battle. In 2004 alone, 3,823 transplant candidates died awaiting a kidney. As our population ages, that figure is going to increase.

Mr. Speaker, medical science has enabled us to perform more successful organ transplants than ever before. These transplants give patients a new lease on life. Many Members in this body or their loved ones have been touched by the lifesaving gift of organ donation, myself included.

Kidney transplants from living donors tend to be highly successful, but in many cases, those who want to give a kidney to a loved one feel they cannot help because they are not biologically compatible with the patient in need.

H.R. 710 is very simple. It clarifies that paired donation is legal under the National Organ Transplant Act. As a result, a pair consisting of a kidney transplant candidate and an incompatible living donor can be matched with another such incompatible pair to enable two transplants that otherwise would not occur.

Remember those 3,823 souls and ask yourself—could you justify not allowing a process of simply cross-matching to save their lives?

I urge my colleagues to join me in supporting this legislation in memory of those who have died waiting for a kidney as well as the thousands of Americans who are seeking a transplant or trying to become a living donor to save a loved ones' life.

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

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

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, first, I want to thank Chairman DINGELL and Subcommittee Chairman PALLONE and Ranking Member DEAL and Congressman INSLEE for expediting consideration of this specific piece of legislation.

As I have pointed out earlier on the House floor after notification of Congressman Norwood's passing, he wrote me a letter the last day he was in Washington before he flew home to Georgia, and this particular piece of legislation was the primary issue in that letter. It is very, very heartwarming, and I am very grateful that the majority would move this piece of legislation as quickly as they have done. I want to thank them sincerely for doing that.

As has been pointed out, this piece of legislation will be called the Charlie Norwood Living Kidney Organ Donation Clarification Act, and it is in honor of Congressman Norwood, the late Congressman from the Tenth District of Georgia.

There are over 78,000 Americans who need kidney transplants. The average wait is over 4 years. Paired donation can create greater access to kidney transplants. A paired donation consists of a transplant candidate and an incompatible living donor who are matched with another similar pair so as to enable two transplants that would otherwise not occur.

The legislation before us today clarifies the ability to perform paired transplantations through the National Organ Transplant Act, or NOTA. This legislation clarifies that paired donations are not considered a valuable consideration.

This legislation has received the strong support of all the major transplant organizations, including the United Network for Organ Sharing, the American Society of Transplantation, the Association of Organ Procurement Organizations, the National Kidney Foundation, the American Society of Pediatric Nephrology, the Cedars Sinai Health Systems, Johns Hopkins, and the American Society of Transplant Surgeons.

As a consequence of the legislation that Congressman Norwood and Congressman INSLEE have crafted, we assume that at least an additional 2,000 organ transplants a year will occur. That is truly a gift of living that will keep on giving for many, many years to come.

This legislation, unfortunately, will be the last of many great pieces of legislation that Congressman Norwood helped to pass when he was a colleague of ours in this body. He was a true statesman and sincerely a warm, personal friend of mine. I will miss him greatly.

Before I yield back, I want to tell a story about Charlie and then read something into the RECORD.

Congressman Norwood always considered himself to be very prepared. He was always ready for almost any contingency.

The night that we voted the Medicare Modernization Act part D prescription drug benefit on this floor will be a time that will long be remembered because it was such a close vote and it took so long to get it passed. Charlie and myself and three other members of the Energy and Commerce Committee on the Republican side had been a part of a group to craft an alternative program for the part D prescription drug benefit. Some of our alternative program was in the final legislation, but not all of it. As a consequence, Charlie was listed as a ''lean no.'' He was in reality a ''hard no,'' but he listed himself as a ''lean no.''

As we all know, when the climactic vote occurred, there weren't enough yeses on the board to pass it. So I went to one of the senior leaders of the majority party, I am not going to say which one, but I went to one of the senior leaders and I said, ''I think we can get Charlie Norwood to vote for this bill.'' They said, ''No, you're not going to get Charlie to vote for the bill.'' I said, ''I think we can, if you'll talk to him.''

So I went to Charlie and I said, ''Would you talk?'' Charlie said, ''I don't want to talk to anybody. I'm going to vote against the bill.''

I went back and forth. I finally arranged a meeting back in the Republican cloakroom where Charlie would discuss this particular piece of legislation.

Now, he had been a no, no, no, no, no for the last 2 weeks. So when I finally got the two parties together, Norwood immediately pulled out a list from his pocket. Now, he is deceased, so whatever the statute of limitations is has expired. And this Congressman, who had been a lean no, lean no, lean no, had a list of 10 things, 10, that if the senior leadership on the Republican side would consider, he would consider voting for the bill. Ten.

Obviously, that discussion didn't go too far, so he ended up voting no. But he was prepared, and he had a list of things.

Now, in that same sense of being prepared, Mr. INSLEE has already put into the RECORD Congressman Norwood's statement on this bill. Isn't that amazing? I am going to read it into the RECORD. This is the floor statement in support of this bill by the late Congressman Charlie Norwood of the 10th District of Georgia.

''Thank you, Mr. Speaker. I also offer a sincere thank you to Ranking Member BARTON, Chairman DINGELL and Mr. INSLEE for all of their help moving this bill. Committee staff, including Katherine Martin, John Ford and Peter Goodloe should be acknowledged for their aid as well. A special thank you to Nick Shipley with Mr. INSLEE's office who worked with J.P. from my staff from day one as a tireless advocate to get this bill into law.

''It has been said that common sense is the knack of seeing things as they are and doing things as they ought to be done. Well, let me tell you how things were being done. For years, people missed or were delayed in an opportunity to have a life-saving kidney transplant simply because a member of the executive branch couldn't grasp the

true intent of the National Organ Transplant Act's valuable consideration clause. The valuable consideration clause was meant to outlaw the buying and selling of organs, which everyone agrees is proper.

''Now, there are two types of transplant donors, living and cadaveric, or deceased. As a lung transplant recipient, I benefited from the latter, but in the case of the first, a friend or a relative wanting to spare their loved ones from death or dialysis graciously offers to give up one of their kidneys. Regardless of the method, both patient and donor must be biologically compatible.

''In recent years doctors discovered that by using the simple database methods that we use in our everyday lives and business, a paired donation could take place with these living donors.

''In the process of a kidney paired donor transplant, a pair consisting of a kidney transplant candidate and an incompatible living donor is matched with another such incompatible pair to enable two transplants that otherwise would not occur.

''Now, I'm just an old country dentist, but isn't this just common sense? I want to give to someone, but I'm not compatible, but I can give to another patient. Their willing, yet also incompatible, friend can give to my loved one. As a result, two people live; two more slots are opened on the list for even more transplants to take place. Common sense, Mr. Speaker.

''However, instead of every single transplant center undertaking this commonsense approach, some folks were denied the chance to be cross-matched and, instead, their loved one suffered and even died while awaiting a transplant.

''73,652. That is roughly the number, Mr. Speaker, of people waiting for a kidney transplant. I can't imagine looking at any of those people and telling them 'I am sorry, some bureaucrat 10 years ago inspired fear around the simple process to save you today, so you will have to languish on the list and hope for the best.'

''I will tell you what: That is hogwash. Times have changed. Paired donation is saving lives today and will save even more once we get this bill done. H.R. 710 has the support of every major transplant organization, from the United Network for Organ Sharing, who will manage the national list, to the surgeons who will perform the transplants, to the patient advocates to the hospitals.

''In fact, a study published in the Journal of Transplantation predicts a 14 percent increase in the live kidney donor transplants performed each year if paired donation were allowed. Moreover, for each patient who receives a kidney, Medicare will save $220,000 in dialysis costs.

''In fact, Johns Hopkins just did a five-way paired donation where five people were saved instead of being put on the waiting list. Now imagine the good a national list will do. Thousands will be saved through simple common sense. Paired donation is the way things ought to be done.

''How often can we stand in this well on this floor and know what we are doing will save the government money, improve patient quality of life and save lives? Not too often, Mr. Speaker. I can testify to that.

''What the bureaucracy has failed to correct, this Congress will now step up and take care of, unfortunately for all of those who have not been able to benefit, not a minute too soon.

''I yield back the balance of my time.''

That is the floor statement of the late Congressman Norwood on a bill that, at the time he prepared this, he wasn't sure would get to the floor.

□ 1430

Yet because of his tenacity and preparedness and the willingness of Mr. DINGELL and Mr. INSLEE and Mr. PALLONE and Speaker PELOSI, the bill is on the floor. I would urge all of my colleagues to support this bill. I do intend to ask for a rollcall vote and let us leave a living legacy of life for the late Congressman Charlie Norwood.

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

Mr. INSLEE. Mr. Speaker, I want to thank Mr. BARTON for reading Dr. Norwood's eloquent statement into the RECORD.

I want to note that kidney donation is not just for the recipients. It is for their families and the places they work, and even the U.S. Congress. The reason we had the benefit of Dr. Norwood's wisdom for years in the U.S. Congress was because of a lung transplant. I want to note that what we are doing today is not only helping those 70,000 people, but also their families and workplaces and the whole U.S. economy.

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

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. DEAL), the ranking member of the Health Subcommittee.

Mr. DEAL of Georgia. Mr. Speaker, I thank the ranking member for yielding me this time.

I too wish to express appreciation to the sponsor and all of those who have made it possible to bring this bill to the floor today. It is certainly altogether fitting and proper that we name this bill after the late Charlie Norwood.

This bill does two very important things that Charlie really believed in. The first is he believed in organ transplant. As Mr. INSLEE alluded, he was the recipient of a lung transplant that extended his life. He believed in organ transplants.

The second thing that it does is something that he really believed in as well, and that is overcoming bureaucratic red tape that made no common sense. And that is what this bill does. Pairing of donations for kidneys makes all of the common sense in the world. It will save lives and money. Certainly in the tradition of Charlie Norwood, it will perpetuate the importance of organ donations and do so in the memory and in the honor of a great Member of this body.

Mr. INSLEE. Mr. Speaker, I would yield to the dean of the House whose leadership helped bring this bill to the floor today, the gentleman from Michigan (Mr. DINGELL), for such time as he may consume.

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

Mr. DINGELL. Mr. Speaker, my colleagues have said strongly why this is a good piece of legislation and why it should be enacted. I strongly support it, and I urge my colleagues to vote for H.R. 710, the Charlie W. Norwood Living Organ Donation Act. I am delighted that the Commerce Committee could report this good piece of legislation to the House floor, and I am pleased by the consequences of it because we will achieve more help to those in need of organ donation, something which is of great importance to the country and to those who are in such grave and serious need.

Charlie Norwood wanted this bill very badly. It is a good bill. We are delighted that we could bring to the House floor a good bill which not only does good but which honors its author, Charlie Norwood, by carrying forward his goals, his purposes, and his intentions with regard to helping his fellow Americans. I am delighted we can do this for Charlie Norwood who was a valuable member of the committee and who will indeed be missed by his colleagues in Congress on both sides of the aisle.

I have a longer statement which will appear in the RECORD which I believe sets forth some of the things already said by my colleagues. I thank my good friend, the manager of the bill on this side, and the former chairman of the committee, the gentleman from Texas (Mr. BARTON), my dear friend, for their leadership on this matter.

I rise in strong support of H.R. 710, the "Charlie W. Norwood Living Organ Donation Act."

Representative Charlie Norwood was a dear friend and colleague of mine. Beginning in 1995, Charlie served the people of the tenth district of Georgia admirably and honorably in the House of Representatives. Sadly, Charlie lost his long battle with cancer on February 13, 2007, but he shall not be forgotten and we will pass this legislation in his honor.

H.R. 710 would modify the National Organ Transplant Act (NOTA) to clarify that "paired" kidney donations do not violate a clause of the act regarding "valuable consideration," which outlaws the buying or selling of kidneys and other organs.

A "paired" donation occurs when a donor who is willing to give a kidney to a family member or friend, but is biologically incompatible, donates to another patient, who also has an incompatible donor. By cross-matching two

or more incompatible donor-recipient pairs, more patients can receive kidneys and more donors can give them.

Currently, an estimated 6,000 individuals nationwide have offered kidneys to family members and friends, only to have the donation rejected because they are incompatible. Many providers will not perform paired donations, however, for fear of violating NOTA. If paired donations were allowed, a study published in the Journal of Transplantation by Johns Hopkins Hospital and the Massachusetts Institute of Technology predicts that there would be a 14 percent increase in the number of live kidney donor transplants performed each year.

The controversy over paired organ donation began with an interpretation by the Department of Health and Human Services (HHS) stating that paired donation MAY be in violation of NOTA's valuable consideration clause. The clause was intended to outlaw the buying or selling of transplantable human organs. This stigma against paired donation elicits concern within some areas of the transplant community, which desperately wants clear legislative guidance on this issue.

This legislation is supported by leading organ donation and organ transplant organizations such as the National Kidney Foundation, the American Society of Transplantation, the American Society of Transplant Surgeons, the Association of Organ Procurement Organizations, the Organization for Transplant Professionals, and the United Network for Organ Sharing (UNOS).

Paired transplantation is a way to solve the dilemma faced by people who want to become living organ donors for a family member or friend, but are unable to do so because they are biologically incompatible. And one of the added benefits of this bill is that it produces savings. Since Dr. Norwood was dedicated to making sure that physicians were treated right and paid properly, we will be using this savings to do just that.

I would like to sincerely thank Representatives Norwood and INSLEE for their leadership, dedication, and diligent work on this important legislation. I urge all of my colleagues to join me in strong support of H.R. 710, the "Charlie W. Norwood Living Organ Donation Act."

Mr. BARTON of Texas. Before I yield to Dr. GINGREY, I want to thank the gentleman from Michigan for his excellent leadership and his willingness to expedite this process. It is because of JOHN DINGELL that this bill is on the floor this afternoon. We on the minority are very appreciative of that.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

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

Mr. GINGREY. Mr. Speaker, I thank the ranking member for recognizing me, and I have a longer speech that I want to submit for the RECORD. I think my staff must have been looking over the ranking member's shoulder when they wrote it. He has already said those nice things about our good friend, Charlie Norwood.

I was touched, though, in the letter that he received and read, the phrases ''hogwash'' and an ''old country dentist.'' I was sitting here thinking, I can see Charlie saying those things on this floor. That is the way he was and that is the way we remember him. He wasn't an old country dentist, let me assure you. He was a prosperous dentist in Augusta, Georgia, a population of 130,000, the home of the Masters; but that was Charlie.

Let me join JOE BARTON, the ranking member, in thanking Chairman DINGELL. I mentioned this bill to the chairman last week, and he looked at me and said, Doc, and he had a little mist of tear in his eye, he said, Don't worry about this; we are going to do this. And I knew then that the chairman and Representative INSLEE and others were fully supportive of what Charlie was trying to do.

If he was thinking just of himself, Mr. Speaker, this bill probably would say the Living Lung Organ Donation Act, which also would be possible; but that wasn't Charlie. He was thinking about those 70,000 other people who are waiting for a kidney.

Charlie himself had to wait a long time to get that lung. Too long, we think. I don't know if it would have saved his life if he would have had an opportunity for a paired living lung donor, but he was thinking of others who were suffering, and as others have said, to bring a commonsense solution to problem solving in a bipartisan way. They described Charlie as a dog that has got ahold of a bone and won't let it go. Well, we can say to Charlie today, as part of our legacy to him, that he has succeeded.

Mr. Speaker, let's support this bill as a legacy and tribute to the great Member, Charlie Norwood.

Mr. Speaker, this legislation honors a dear friend and former colleague in this body, the late Congressman Charlie Norwood. Charlie worked tirelessly as an advocate for patients across our Nation, and this bill is a fitting tribute to the tremendous impact he's made on healthcare in America.

Mr. Speaker, in this country, there are more than 74,000 men, women and children on the waiting list for a kidney transplant. Unfortunately, if the current trend of kidney transplants continues, only about half of these candidates will ever receive a life-saving transplant. Tragically, in 2004, nearly 4,000 listed patients died while awaiting a kidney.

One way for individuals to avoid the kidney transplant waiting list all together is to find a living donor, like a friend or family member who is willing to selflessly donate a kidney to save a loved one. The limitation on this compassion is that only compatible matches can donate kidneys; if your friends and family are not a match, they can't be your donor.

But those of us who knew Charlie know that he was an excellent problem solver, always turning challenges into opportunities. With the limited donor options individuals face within their community of family and friends, patient advocates and healthcare providers have pushed for living organ donors. Charlie was convinced of the unlimited potential that could be realized when the pool of living donors would be expanded beyond one's immediate family and friends. In fact, there have been success stories of hospitals doing just this—finding pairs of living kidney donors who aren't matches for their own loved ones, but are matches for someone else's loved one.

Unfortunately, due to conflicting interpretations of the National Organ Transplant Act, hospitals across the country are hesitant to make this type of procedure a rule—and this where the Charlie Norwood Living Kidney Organ Donation Act will create miracles.

H.R. 710 would clarify in statute that this type of paired living kidney donation would be allowed under Federal law. This will alleviate the concerns of hospitals and healthcare providers that want to give all kidney patients the hope that transplants represent but ambiguity in law currently prevents.

Mr. Speaker this is a win-win situation. More patients would benefit from a kidney transplant, thereby reducing the number of individuals on the waiting list. In turn, more Americans—both on the waiting list and off—will have that miraculous second chance at life.

Mr. Speaker, passing this legislation will be a lasting tribute to Charlie Norwood's selfless efforts to help those in need. While we all wish our friend's lung transplant had saved his life, we can honor him by giving Americans across our Nation greater access to the potential miracle of an organ donation.

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

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to another distinguished member of the Georgia delegation, Congressman John Linder.

Mr. LINDER. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in support of the underlying legislation, and in support of the memory and legacy of its author, my friend and colleague, Charlie Norwood.

Many people may remember the story of Nicholas Greene, the 17-year-old boy who was killed during a family vacation in Italy. The tragic and sudden loss of this young boy was turned into a story of hope and love when his parents generously donated his organs. Out of his tragic death sprang life, as seven people received Nicholas' heart, liver, kidneys, corneas, and pancreatic cells.

If there is one lesson we can take from Nicholas' great gift to the world and from the strong humanitarian legacy of Charlie Norwood, it is that we must support life whenever we have that opportunity.

H.R. 710 specifically excludes kidney-paired donation from the National Organ Transplant Act's valuable consideration clause. The valuable consideration clause has a noble purpose, which is to keep people from buying and selling human organs. In the case of kidney-paired donation, which is held to the highest of medical ethical standards, that purpose is obstructing the ability to save lives. By supporting this bill, we can give countless people a better chance for survival.

Let me be clear: paired-organ donation does not constitute the buying or selling of organs. If we believe as much, then we accept the idea that the gift of life has a monetary value. Charlie vehemently opposed this concept, and so should we.

Thousands of people die each year waiting on a transplant list, praying for the right match for a kidney. Paired donation will significantly increase the number of available kidneys each year, allowing even more people to live productive, healthy lives.

H.R. 710 honors the memory of our friend Charlie Norwood, it honors the memory of Nicholas Greene and his family, and it honors all those Americans who have lost their lives while waiting on a transplant list. As such, I urge all of my colleagues to join me in passing this critically important vehicle for giving the gift of life to others.

Mr. INSLEE. Mr. Speaker, in closing, I want to make a point. I think this is a great bipartisan success, to try to improve organ donation prospects for these 70,000 Americans. But we have more work to do. This bill is not the end of our efforts. I worked for 2 years with MIKE BILIRAKIS, a great Republican, to try to have people in hospitals work with families on transplant donation issues. We need to fund that bill, and I hope we can have a bipartisan effort to do that.

We have work to do to fund immunosuppressant drugs. Right now, we are not funding the drugs that donees need to suppress the immunological response to donation.

So I hope we can continue to work in a bipartisan fashion to help these 70,000 Americans. We will remember Charlie Norwood's efforts in this regard and on future successes.

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

Mr. BARTON of Texas. Mr. Speaker, I yield 2½ minutes to another distinguished member of the Georgia delegation, Jack Kingston from Savannah.

Mr. KINGSTON. Thank you, Mr. BARTON, and I thank Dr. BURGESS for letting a noncommittee member go first. I appreciate the courtesy; and I wanted to thank Mr. INSLEE for his help on this bill and all of the work and leadership by both parties on this.

If Charlie Norwood were here today, he would be sitting there and he would be embarrassed. He would be deflecting all of these sweet things that are being said about him. But if this bill was controversial and was having a tough fight, Charlie Norwood would be right in the middle of it and pushing it along and making sure it got done and standing up for the folks outside the 70,000-plus folks who are in line for an organ transplant right now. That is who he always answered to.

I remember the Norwood-Dingell bill on the Patients' Bill of Rights, how he did not appreciate the leadership in our party's position on it, so he went out and found alternative ways to get it done. And in that case, he cobbled together a bipartisan group of Democrats and Republicans to push his Patients' Bill of Rights because Charlie Norwood was a fighter, and he was always a fighter for a good cause. So it is fitting and proper for him to be recognized in this bill.

A couple of weeks ago I was at the University of Georgia, which is located in Athens, my hometown and in Charlie Norwood's district. And I met with Dr. Steve Stice. He told me he is doing a lot of work on stem cell, and he casually mentioned that the University of Georgia had cloned about 50 cattle and sheep. I could not believe they had cloned that many.

But as I listened to him and all of the technological breakthroughs that are happening in the world of science and medicine today, I think what lies out there in organ transplant, we have not even scratched the surface. There will be medical revolutions in the years to come because of the technology that is out there.

So our laws and what we are doing today is keeping the law current with the technology and with the science. That is why it is a good thing to do this. Think about Floyd Spence, our colleague from South Carolina, who had a lung transplant for 12 years, and our brave Charlie Norwood. Think about what they do; they educate the rest of us.

Our day in office for all of us will end. Either politically or biologically or for whatever reason, but what a great thing it is to have that service time in the House be used to hold a baton high that you can pass on to the next generation and have true national impact. That is what we are doing here today.

Mr. BARTON of Texas. How much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 1½ minutes remaining.

Mr. BARTON of Texas. I, unfortunately, can only yield 1 minute to the gentleman from Texas (Mr. BURGESS), a member of the committee.

Mr. BURGESS. Mr. Speaker, I thank Mr. BARTON for the time, and I thank Chairman DINGELL for bringing this bill to the floor. This is a wonderful legacy for Charlie Norwood. Charlie was all about clarification and common sense. We miss him on the committee. Personally, he was my mentor and had seen me through many issues on the committee. But I can think of no more fitting way to close out the legacy of Charlie Norwood than with this act that brings clarification to Federal law and allows paired donations to proceed apace.

Charlie Norwood, from life hereafter, has reached back to this House and delivered one last dose of common sense. Thank you, Charlie.

Mr. BARTON of Texas. Mr. Speaker, could I ask unanimous consent for 3 additional minutes to tell one last Charlie Norwood story.

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

There was no objection.

□ 1445

Mr. BARTON of Texas. Mr. Speaker, before I close, since we have painted Charlie Norwood to be such a saint today, I have got to kind of get a little bit truer picture of him.

In the Energy Policy Act debate of 2005, there was a provision in the bill that was not controversial in the overall part of the bill, but it was very controversial in certain areas of the country. One of those areas was in Charlie's area of the southeast.

I had been working with him all through the debate to try to get him to help me forge a compromise on this particular issue, and he agreed that the compromise was the best public policy, but it wasn't the policy that his region supported. So he was in a difficult position of agreeing with me, the chairman, on what the good public policy was, but knowing that that was not a vote that he would be supported in taking for his region.

I went round and round with him about how to convince him to support this particular item in the bill, and he just flat couldn't do it. But I finally got him to agree that, at the critical moment, he would not be there to vote against it. In other words, he would be absent, meeting a constituent or something, and he just couldn't be there. He and I agreed on this, and our staffs had worked it out so that when the time came to vote, Mr. Norwood would not vote ''no,'' which would make me happy, but he wouldn't vote ''yes'' either, which would have made me even happier. He just wouldn't vote.

So, sure enough, the critical moment came, and the vote occurred. True to his word, Charlie Norwood was not around, but as soon as I gaveled the vote, he burst into the room, Mr. Chairman, Mr. Chairman, could I be recorded. I said, no, the vote has already expired. He said, what kind of hogwash is this and just raised holy cane, purely for theatrical purposes, but you know, the point had been made.

So his constituency felt justified in his support, and I felt justified in he didn't vote against me, and yet he had upstaged his chairman, but in some cases, that was Charlie Norwood.

We rise in support of this bill. It does save money. It saves $30 million or $40 million the first year and I think $400 million to $500 million over the 10-year scoring period. So we are going to work with the majority to find a way to put these savings to use so, once again, Congressman Norwood not only is doing a good thing, providing a gift to the living, but this piece of legislation, if it becomes law, will also save the taxpayers money.

I would strongly urge a ''yes'' vote on this bill.

Mr. HOYER. Mr. Speaker, I am proud to support legislation by Congressman JACK INSLEE that will save thousands of lives by speeding the kidney donation process.

By making paired kidney donation legal, this bill will facilitate the identification of kidney donors and speed the process by which donors are matched with patients. In fact, this bill could increase the number of live kidney donor transplants performed each year by 14

percent according to a study by the Journal of Transplantation.

In addition to the positive effects for kidney transplant patients, speeding the donation process will also help reduce federal spending. According to the Congressional Budget Office, this bill will reduce Medicare spending for dialysis by $500 million over 10 years.

This legislation has a wide base of support from the medical community, including the United Network for Organ Sharing, the American Society of Transplantation, the Kidney Fund, the Transplant Surgeons, and the Association of Organ Procurement Organizations. I am proud to add my vote of support to this list.

This bill will give much needed hope to the more than 95,000 people who are waiting for a life-saving organ donation. I commend Congressman INSLEE for introducing this important bill.

Mr. BARTON of Texas. 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 Washington (Mr. INSLEE) that the House suspend the rules and pass the bill, H.R. 710, as amended.

The question was taken.

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

Mr. BARTON of Texas. 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 15. Concurrent resolution authorizing the Rotunda of the Capitol to be used on March 29, 2007, for a ceremony to award the Congressional Gold Medal to the Tuskegee Airmen.

COMMENDING AND CONGRATULATING VIRGINIA STATE UNIVERSITY ON ITS 125TH ANNIVERSARY

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 182) commending and congratulating Virginia State University on the occasion of its 125th anniversary, as amended.

The Clerk read as follows:

H. RES. 182

Whereas Virginia State University, overlooking the Appomattox River in the Town of Ettrick in Chesterfield County, will celebrate its 125th anniversary in 2007;

Whereas Virginia State University (VSU) was founded on March 6, 1882, as the Virginia Normal and Collegiate Institute, making it the first fully State-supported 4-year institution of higher learning for black Americans and one of Virginia's two land-grant institutions;

Whereas since its humble beginnings, Virginia State University has responded to the needs of Virginians as a dynamic institution offering an accessible, affordable, quality education;

Whereas with an enrollment of nearly 5,000, VSU students live and attend classes on a beautiful 236-acre main campus with more than 50 buildings, including 15 dormitories, 16 classroom buildings, and a 416-acre agricultural research facility;

Whereas the first president of Virginia State University was John Mercer Langston, who became the first African American elected to Congress from Virginia;

Whereas Virginia State University has an exemplary and dedicated faculty and staff, who are committed to offering their students the personal attention that smaller institutions can offer;

Whereas Virginia State University's academic programs include the Bridges to Baccalaureate program for students transferring from 2-year colleges who want to major in the sciences, the Ronald E. McNair Scholars Program for students planning to pursue doctoral degrees, and the Honda Campus All-Star Challenge;

Whereas Virginia State University offers 45 baccalaureate and master's degree programs within its 5 schools (the School of Agriculture, School of Business, School of Engineering, Science, and Technology, School of Liberal Arts and Education, and the School of Graduate Studies, Research, and Outreach), and a Certificate of Advanced Study may also be earned from each school;

Whereas honors scholarships are available to entering VSU freshmen, including the Presidential and Provost Scholarships;

Whereas in 2003 Virginia State University introduced its first doctoral program and 12 enthusiastic students enrolled in the new Doctor of Education in Administration and Supervision program;

Whereas in 2005 Virginia State University began a vital new nursing degree program, an important initiative that will train nurses to meet the urgent demand for qualified medical professionals in the hospitals and clinics of Southside Virginia;

Whereas the School of Graduate Studies, Research and Outreach allows students, often working adults with diverse professional and educational backgrounds, to more conveniently continue their education on a full-time or part-time basis; the school also provides workshops, seminars, and credit courses on campus and at sites in Richmond, Emporia, Petersburg, Chesterfield, Dinwiddie, Henrico, and other Southside Virginia locations; and

Whereas Virginia State University has a long and rich history and has grown and changed considerably since 1882, and it continues that growth today, enriching individual lives, the surrounding community, and the Commonwealth through excellent teaching and innovative and engaging programs of study: Now, therefore, be it

Resolved, That the House of Representatives commends and congratulates Virginia State University on the occasion of its 125th anniversary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H. Res. 182 into the RECORD.

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

There was no objection.

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

Mr. Speaker, H. Res. 182 is a resolution commending and congratulating Virginia State University on the occasion of its 125th anniversary. H. Res. 182 was introduced by my colleague from Virginia from the Fourth Congressional District of Virginia, Mr. FORBES.

Virginia State University was founded on March 6, 1882, as the Virginia Normal and Collegiate Institute, making it the first fully State-supported 4-year institution of higher learning for African Americans. Today, it is one of Virginia's two land-grant institutions.

The first president of Virginia State University was John Mercer Langston who upon his election to Congress in 1890 was the first African American elected to Congress and, until my election in 1992, had been the only African American elected from Virginia.

In 1935, Virginia State University founded a 2-year satellite school at Norfolk, Virginia. That school today is known as Norfolk State University.

Today, Virginia State has an enrollment of nearly 5,000 students who live and learn on a 236-acre main campus overlooking the Appomattox River in Chesterfield County, Virginia. The school also has a 416-acre agricultural research facility.

The University's academic programs include the ''Bridges to Baccalaureate'' program for students transferring from 2-year colleges who want to major in science, as well as the Honda Campus All-Star Challenge and the Ronald E. McNair Scholars Program for students planning to pursue doctoral degrees.

Virginia State has helped set the standard for minority-serving institutions in Virginia and across the Nation by providing quality higher education opportunities for 125 years.

My family has a proud Trojan tradition. My mother attended Virginia State, my older brother is a graduate of Virginia State, and I am honored to have an honorary degree from Virginia State.

So I congratulate Virginia State University on its 125th anniversary and wish them another successful 125 years.

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

Ms. FOXX. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I rise in support of H. Res. 182, a resolution to recognize the contributions of Virginia State University on the occasion of its 125th anniversary.

I want to thank the gentleman from Virginia (Mr. FORBES) and my colleague on the Education and Labor Committee, Mr. SCOTT, for introducing this resolution and recognizing the important role that Virginia State University plays in educating young people from all over the world.

As a historically black college and university, or HBCU, Virginia State University is one of a diverse community of institutions. Historically black colleges and universities include 2- and 4-year institutions, public and private institutions, as well as single-sex and coed institutions. To be designated a historically black college or university, an institution must have been established prior to 1964 with a primary mission of educating African Americans.

Mr. Speaker, HBCUs have a long, proud and well-established heritage. These institutions have been educating the students of this Nation for over 100 years. While comprising fewer than 3 percent of the country's 2-and 4-year institutions, HBCUs are responsible for producing a significant number of all bachelor's, master's and professional degrees earned by African Americans.

Congress has repeatedly recognized the importance of the historically black colleges and universities. Between 1995 and 2006, congressional funding for the Strengthening Historically Black Colleges and Universities Program rose from $109 million to $238 million, a 118 percent increase. What is more, funding for the HBCU Grad Program increased from $19.6 million to $57.9 million, an increase of 195 percent.

Virginia State University, located in Petersburg, VA, was originally founded on March 6, 1882, as the Virginia Normal and Collegiate Institute and was the first fully State-supported 4-year institution of higher education for African Americans and one of Virginia's two land-grant institutions. VSU's first president, John Mercer Langston, went on to become the first African American Member of Congress from the Commonwealth of Virginia.

This school offers 43 undergraduate degree programs and 15 graduate degree programs. The campus is composed of more than 50 buildings, which include a 416-acre agricultural research facility. Since its founding, VSU has grown from a small HBCU to an institution that enrolls just over 5,000 students, 96 percent of whom are African American.

Mr. Speaker, it is for all of these reasons and more that I urge my colleagues to honor the 125th anniversary of Virginia State University and support H. Res. 182.

Mr. Speaker, I now yield as much time as he needs to my colleague from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Speaker, I would like to begin by thanking Chairman MILLER and Ranking Member MCKEON for their work in getting this resolution to the floor. I also want to thank my friend and colleague, Congressman SCOTT, for his hard work and the work of his staff in getting the bill here and also Congresswoman FOXX for her efforts and her staff in helping to get H. Res. 182 on the floor today.

Mr. Speaker, I rise today, as do my colleagues, to commend Virginia State University on the celebration of their 125th anniversary. This resolution honors Virginia State University's continued resolve to provide an excellence in education since March 6, 1882.

Mr. Speaker, today we just pause and we say to all of the current students of Virginia State University, to the alumni, to the faculty and to the administration, thank you for a job well done in the pursuit of excellence that you have done for these last 125 years.

As you may know and you have heard mentioned today, Mr. Speaker, Virginia State University is located in my district in Chesterfield County, and it is warmly embraced by the neighboring city of Petersburg. It was the first university to be fully funded by the Commonwealth of Virginia as an institution of higher learning for African Americans.

Currently, Virginia State University offers 45 baccalaureate and master's degree programs and introduced their first doctoral program in 2003. This campus includes 236 acres and an additional 416-acre agriculture research facility. They host nearly 5,000 students and continue to grow.

It fills me with pride to stand on the House floor today to present this resolution. We have had a long-standing relationship with Virginia State University and look forward to continuing this through the years to come.

Mr. Speaker, this resolution comes before the House floor cosponsored by the entire Virginia congressional delegation. Though I cannot speak for my colleagues, I believe I can say we are proud of the progress Virginia State University has provided through its 125 years of service to the students in Virginia and beyond. This anniversary represents a significant milestone in the Commonwealth of Virginia's history.

The university is more than worthy of this distinguished recognition for the impressive advancements and accomplishments in their 125-year history, and we are honored to acknowledge their achievements today.

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

Mr. SCOTT of Virginia. Mr. Speaker, 125 years ago, Virginia State University was founded. I want to thank my colleague from Virginia for his leadership in introducing this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 182, as amended.

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

A motion to reconsider was laid on the table.

□ 1500

AUTHORIZING USE OF ROTUNDA FOR CEREMONY TO AWARD CONGRESSIONAL MEDAL OF HONOR TO THE TUSKEGEE AIRMEN

Ms. MILLENDER-MCDONALD. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 15) authorizing the Rotunda of the Capitol to be used on March 29, 2007, for a ceremony to award the Congressional Gold Medal to the Tuskegee Airmen.

The Clerk read as follows:

S. CON. RES. 15

Resolved by the Senate (the House of Representatives concurring), That the Rotunda of the Capitol is authorized to be used on March 29, 2007, for a ceremony to award a Congressional Gold Medal collectively to the Tuskegee Airmen in accordance with Public Law 109–213. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. MILLENDER-MCDONALD) and the gentleman from California (Mr. MCCARTHY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge adoption of Senate Concurrent Resolution 15, which would authorize the use of the Capitol rotunda on March 29, 2007, to present a Congressional Gold Medal to members of the Tuskegee Airmen.

With the passage of the Civilian Pilot Training Act of 1939, Tuskegee University, along with various civil rights groups and the black press, began an effort to transform Federal Government policies and procedures that excluded African Americans from pilot training programs.

In this initial phase, Tuskegee Institute, which had a proven civilian pilot training program and had a history of producing graduates with the highest of flight aptitude exam scores, was awarded a contract by the U.S. Army Air Corps to help train America's first black military aviators.

Between 1940 and 1946, nearly 1,000 black pilots were trained at Tuskegee University. This undertaking produced the unrivaled Tuskegee Airmen, who are credited with not losing a single bomber to enemy fire in more than 200 combat missions as air escorts, a record unmatched by any other fighter group.

The Tuskegee Airmen destroyed some 260 enemy aircraft. These brave men accumulated a total of 850 medals for their service and valor. Tuskegee University continues its legacy of leadership in aeronautics.

Today, it is the first and only Historically Black College or University to offer a degree in aerospace science

engineering. Since 1983, it has produced the largest number of black aerospace engineers of any institution in America.

In spite of the adversity and limited opportunities, African Americans have played a significant role in the U.S. Navy and military history. The Tuskegee Airmen overcame segregation and prejudice to become one of the most highly respected fighter groups of World War II.

So on March 29, 2007, the President of the United States will present the Congressional Gold Medal to the survivors expected to attend the ceremony, after which the medal will be given to the Smithsonian Institution and will be displayed in the future as appropriate.

Last year, the House and Senate unanimously passed legislation brought to the floor by the Financial Services Committee to authorize the Congressional Gold Medal, which became Public Law 109–213. The bill had 310 cosponsors in the House and 77 in the Senate. Our colleague, the Honorable CHARLIE RANGEL of New York, has worked tirelessly as the lead House sponsor of this legislation, and he has been the catalyst to ensure that these men got their rightful spot in history.

Since the House Administration Committee has jurisdiction over matters relating to the Smithsonian Institution, I am especially pleased that language was able to be worked out in the bill which would allow the Smithsonian to accept this historic medal on behalf of the American people and to display it as appropriate, including a location associated with the Tuskegee Airmen.

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

Mr. MCCARTHY of California. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of S. Con. Res. 15, which authorizes the use of the rotunda of the Capitol for the ceremony to award the Congressional Gold Medal to the Tuskegee Airmen.

I would like to thank the distinguished chairman from New York (Mr. RANGEL) for sponsoring the House version of this resolution. I would also like to thank my Chair of House Administration for her work as well.

All of our men and women of the armed services deserve our praise and recognition for the contributions they have made in defense of our country. It is notable that in the case of the Tuskegee Airmen they were fighting not one but two battles. As they bravely flew and maintained combat aircraft in World War II, these men also fought against the notion that somehow the color of their skin would affect their ability to courageously protect our Nation.

In 1941, the formation of the all African American squadron based in Tuskegee, Alabama, a group that would come to be known as the Tuskegee Airmen, was largely regarded as an experiment of the U.S. military to test the combat readiness of the all-black fighting squadron. Sadly, there were some at the time who expected or perhaps even hoped that the experiment would fail. Instead, the Tuskegee Airmen became one of the most highly regarded units of the war, fighting bravely with distinction.

Among the honors bestowed upon them, they were awarded 150 Distinguished Flying Crosses, 744 Air Medals, 14 Bronze Stars, and 8 Purple Hearts. I proudly support authorization of the use of the Capitol rotunda where they will be recognized once more for their bravery and for blazing a trail, not only in the sky, but in the history as well.

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, I reserve the balance of my time.

Mr. MCCARTHY of California. Mr. Speaker, I yield as much time as he may consume to the gentleman from the great State of California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise in support of this resolution authorizing the use of the rotunda of the Capitol for the ceremony honoring the Tuskegee Airmen with the Congressional Gold Medal. I am pleased that S. Con. Res. 15 is currently under consideration.

As we all know, the Tuskegee Airmen were young men who enlisted to become America's first black military airmen at a time where, sadly in this country, there were many people who argued that black men lacked the necessary skills or ability to be part of an effective military force. Well, the Tuskegee Airmen effectively dispelled that notion that in any way African Americans were second-class citizens.

Mr. Speaker, although the term ''hero'' is perhaps overused in today's discourse, there is no better description of the Tuskegee Airmen. Not only were they the first black airmen to perform as they did, but they put their lives on the line for all Americans, regardless of color.

For that, we are all eternally grateful and eternally in their debt; and it is not only appropriate, but fitting, for us to take this step today. As one in his younger years who had an opportunity to meet some of these Tuskegee Airmen, I can tell you that they carried themselves with a great deal of pride in the contribution they had made to this Nation, and any conversations I had with such airmen, that is what they stressed, their contribution to this Nation.

So it is fitting that we take the time, as a thankful Nation, to give them this respect and honor them in this singular way with a Congressional Gold Medal and to have this done here at the center, at the heart of our democracy, the rotunda of the United States Capitol.

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

Ms. MILLENDER-MCDONALD. On March 29 of this year, this Nation will give to its Americans, rightfully, the Congressional Gold Medal that they deserve.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Con. Res. 78, which authorizes the use of the Capitol Rotunda for a ceremony to award the Congressional Gold Medal to the Tuskegee Airmen. I strongly support the resolution because it is an appropriate and fitting tribute to one of the greatest groups of the Greatest Generation.

On July 19, 1941, the American Air Force created an all black flight training program at the Tuskegee Institute in Alabama. The Tuskegee Airmen were not only unique in their military record, but they inspired revolutionary reform in the Armed Forces, paving the way for integration of the Armed Services in the U.S.

The first class of cadets began in July of 1941 with 13 men, all of whom had college degrees, some with PhDs and all had pilot's licenses. From all accounts, the training of the Tuskegee Airmen was an experiment established to prove that ''coloreds'' were incapable of operating expensive and complex combat aircraft. Stationed in the segregated South, the black cadets were denied rifles.

The Tuskegee Airmen were credited with 261 aircraft destroyed, 148 aircraft damaged, 15,553 combat sorties and 1,578 missions over Italy and North Africa. They destroyed or damaged over 950 units of ground transportation and escorted more than 200 bombing missions. ''We proved that the antidote to racism is excellence in performance,'' said retired LTC Herbert Carter, who started his military career as a pilot and maintenance officer with the Tuskegee Airmen's 99th Fighter Squadron. Clearly, the experiment, as it was called, was an unqualified success.

The Tuskegee Airmen were awarded 3 Presidential Unit Citations, 150 Distinguished Flying Crosses and Legions of Merit, along with The Red Star of Yugoslavia, 9 Purple Hearts, 14 Bronze Stars and more than 700 Air Medals and clusters. On February 28, 2006, the House passed H. Con. Res. 1259, authorizing the award of a Congressional Gold Medal on behalf of the Tuskegee Airmen. The President signed the legislation and it became Public Law 109–213 on April 11, 2006. The concurrent resolution before us authorizes the use of the Capitol Rotunda on March 29, 2007, for the award ceremony.

I would like to thank Congressman RANGEL for his tenacity in seeing to it that the contributions of Tuskegee Airmen are fully recognized and acknowledged by the people of the United States. I urge my colleagues to join me in supporting the resolution.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 15.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. MILLENDER-McDONALD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks in the RECORD on Senate Concurrent Resolution 15.

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

There was no objection.

RECOGNIZING THE CONTRIBUTIONS OF THE NEGRO BASEBALL LEAGUES AND THEIR PLAYERS

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 162) recognizing the contributions of the Negro Baseball Leagues and their players, as amended.

The Clerk read as follows:

H. RES. 162

Whereas even though African Americans were excluded from playing in the major leagues of their time with their white counterparts, the desire of many African Americans to play baseball could not be repressed;

Whereas Major League Baseball did not fully integrate its leagues until July 1959;

Whereas African Americans began organizing their own professional baseball teams in 1885;

Whereas the skills and abilities of Negro League players eventually made Major League Baseball realize the need to integrate the sport;

Whereas six separate baseball leagues, known collectively as the ''Negro Baseball Leagues'', were organized by African Americans between 1920 and 1960;

Whereas the Negro Baseball Leagues included exceptionally talented players who played the game at its highest level;

Whereas on May 20, 1920, the Negro National League, the first successful Negro League, played its first game;

Whereas Andrew ''Rube'' Foster, on February 13, 1920, at the Paseo YMCA in Kansas City, Missouri, founded the Negro National League and also managed and played for the Chicago American Giants, and later was inducted into the Baseball Hall of Fame;

Whereas Leroy ''Satchel'' Paige, who began his long career in the Negro Leagues and did not make his Major League debut until the age of 42, is considered one of the greatest pitchers the game has ever seen, and during his long career thrilled millions of baseball fans with his skill and legendary showboating, and was later inducted into the Baseball Hall of Fame;

Whereas Josh Gibson, who was the greatest slugger of the Negro Leagues, tragically died months before the integration of baseball, and was later inducted into the Baseball Hall of Fame;

Whereas Jackie Robinson, whose career began with the Kansas City Monarchs of the Negro American League, became the first African American to play in the Major Leagues in April 1947, was named Major League Baseball Rookie of the Year in 1947, subsequently led the Brooklyn Dodgers to 6 National League pennants and a World Series championship, and was later inducted into the Baseball Hall of Fame;

Whereas Larry Doby, whose career began with the Newark Eagles of the Negro National League, became the first African American to play in the American League in July 1947, was an All-Star 9 times in the Negro Leagues and Major League Baseball, and was later inducted into the Baseball Hall of Fame;

Whereas John Jordan ''Buck'' O'Neil was a player and manager of the Kansas City Monarchs of the Negro American League, became the first African American coach in the Major Leagues with the Chicago Cubs in 1962, served on the Veterans Committee of the National Baseball Hall of Fame, chaired the Negro Leagues Baseball Museum Board of Directors, and worked tirelessly to promote the history of the Negro Leagues;

Whereas the talents of such players as James Thomas ''Cool Papa'' Bell and Oscar Charleston earned them recognition in the Baseball Hall of Fame as well as the Sporting News List of Baseball's Greatest Players, but were all denied admission to the Major Leagues due to the color of their skin;

Whereas Minnie Miñoso played in the Negro Leagues for several years before being allowed to play in the Major League and was denied admission to the Hall of Fame, because during his prime years, he was a victim of racial discrimination;

Whereas Autozone Park in Memphis, Tennessee, has been designated to host on March 31, 2007, the inaugural Civil Rights Game between World Series champions, the St. Louis Cardinals and the Cleveland Indians in commemoration of the Civil Rights Movement; and

Whereas by achieving success on the baseball field, African American baseball players helped break down color barriers and integrate African Americans into all aspects of society in the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the teams and players of the Negro Baseball Leagues for their achievements, dedication, sacrifices, and contributions to both baseball and our Nation; and

(2) requests that the President issue a proclamation recognizing ''Negro Leaguers Recognition Day''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. WATSON. Mr. Speaker, in 1872, Bud Fowler became the first African American to enter organized baseball. At the time, Sporting Life magazine called him ''one of the best general players in the country. If he had had a white face,'' they said, ''he would be playing with the best of them.'' There were only a handful of black players during that time.

By the end of the 1800s, the door to organized baseball was slammed shut to African Americans, and as a result, in 1920, Andrew ''Rube'' Foster managed a Negro baseball team and organized seven other team owners to join him to form the Negro National Baseball League. Mr. Foster is known by many people to be the father of the Negro Baseball League.

For his efforts and contributions to baseball, he was inducted into the National Baseball Hall of Fame in Cooperstown, New York. Since 1920, many teams were formed to expand the Negro Baseball Leagues. He produced many extraordinary players like Satchel Paige, ''Cool Papa'' Bell, ''Double-Duty'' Radcliffe, ''Groundhog'' Thompson and many others.

Presently, there are 278 members of the National Baseball Hall of Fame, 18 whom had played in the Negro League. These greats include Willie Mays and Jackie Robinson, who first played in the Negro Leagues and then entered Major League Baseball.

Indeed, the players in the Negro Leagues were of such high caliber that many of them later moved to other major leagues and enjoyed better statistics playing there than they did in the Negro Leagues.

The opening of the doors of the major leagues to Negro League players often is attributed to Branch Rickey, who made a bold decision to sign Jackie Robinson to play for the Brooklyn Dodgers in 1947. Unfortunately, many owners of Negro baseball teams could not compete in the recruitment and financial compensation for African American players, which later caused many African American teams to fold in the early 1960s.

Some people shake their heads and say that the Negro Leagues' players came along too early. I think ''Cool Papa'' Bell had it right when he said ''they opened the door, just too late.''

But then it is never too late to right what has been a wrong, to create equal opportunity and to open the doors for the Luke Easters, the Minnie Minosos, the Kirby Picketts, the Barry Bondses, the Frank Thomases, and countless others who have thrilled and delighted us with their skills.

The achievement and success of African American baseball players on the baseball field have helped break down color barriers and integrate African Americans into all aspects of society.

□ 1515

This bill recognizes the teams and the players of the Negro Baseball Leagues for their achievements, their sacrifices, their dedication, and their contributions to baseball and the Nation. I commend the gentleman from Tennessee (Mr. COHEN) for introducing the bill, and I urge its swift passage.

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

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

Mr. Speaker, I rise today in support of H. Res. 162, which honors the Negro Baseball League.

Those of us who love baseball relish the comparisons between players of different eras that our rich statistical records permit. Nobody who witnessed

Hank Aaron, a Negro League alum, break Babe Ruth's home record can deny the impact that feat had on the game and on society.

The shame of racism, which afflicts our country even today, prevents us from properly assessing the place in the game of Negro League players. We know that some of the greatest players ever to pick up a bat and ball toiled in those leagues. But who was better, Josh Gibson or Johnny Bench? Satchel Paige or Cy Young? Cool Papa Bell or Mickey Mantle? How would the Pittsburgh Crawfords, who had six Hall of Famers, stack up against the 1927 Yankees, the best team of baseball's all-white era?

Baseball today is one of America's most perfect meritocracies. If you can throw 92-mile-per-hour strikes or hit them consistently, there is a place in the game for you.

It wasn't until 1890, when team owners began to see the potential of their product, that black players began to disappear from white teams. And then it wasn't until the mid 1940s when Branch Rickey of the Dodgers decided he would rather beat the Yankees than honor the unspoken agreement to keep black players out of the game that black players returned.

Today we understand as a Nation that talent comes in all shapes, sizes, and colors. Baseball taught us that. Negro League players taught baseball that. For that, Mr. Speaker, we are eternally grateful.

I urge all my colleagues to join me in supporting H. Res. 162.

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

Ms. WATSON. Mr. Speaker, I ask that the Representative from Tennessee, Representative STEVE COHEN, have as much time as he might consume.

Mr. COHEN. Mr. Speaker, I rise in support of H. Res. 162, which recognizes the contributions of Negro Baseball Leagues.

The Negro Baseball Leagues are part of our history when segregation was the rule, segregation was the law. It is an unfortunate, most unfortunate part of America's history, part of a blemish on the soul of America, part of the blemish on the Constitution, on our laws, and the basis of the founding of the country.

No Nation has a more distinguished, honorable, and respected foundation conceived in life, liberty, and the pursuit of happiness, and equal justice for all. But in so many institutions it wasn't true, it wasn't real, until about the 1960s. The work of a great Democratic Congress and President Johnson and others, Republicans as well in a bipartisan move, overcame and repealed Jim Crow laws and passed amendments and laws that allowed people to use public facilities and to have integration in this country and to give everybody the American Dream, which had been denied for over 200 years in this country.

The baseball leagues that were reserved for Negroes were an example of that. There were great players who didn't have the opportunity to perform and achieve until integration. Branch Rickey of the Dodgers brought Jackie Robinson up in the 1940s, and there were great players that didn't have that opportunity.

I want to tell you one story about one particular baseball player who is in this resolution. He is in this resolution because he deserves to be in any resolution about baseball, about discrimination, and about kindness, Minnie Minoso. Minnie Minoso was a Cuban, African Cuban, who came to this country. I guess he would be an African American.

Minnie Minoso started his career in the Negro League, and didn't get to the Major Leagues until he was about 28 or 29 years of age. He had a great career. He led the American League in triples and doubles and stolen bases, one time in RBIs, received three or four Golden Glove awards, named to the All-Star games many, many times, and had statistics with home runs and batting average at nearly .300 for his career that should have qualified him for the Hall of Fame. But he hasn't gotten into the Hall of Fame, and he is not going to get in the Hall of Fame because he wasn't allowed to start in Major League Baseball until he was 28 or 29 because of discrimination.

Well, in 1955, at a spring training game in Memphis, Tennessee, at Russwood Park, I went to a ball game in Memphis. I had had polio the previous year, and I attended the game with my White Sox cap and White Sox T-shirt, on crutches. A player came up to me and offered me a baseball; I was down by the railing trying to get them. The player was named Tom Poholsky, who was white. And I thanked him, but he told me, You shouldn't thank me. You should thank that player over there, number 9, Minoso. Minoso gave Poholsky the ball and wanted me to have it. But because of segregation in this country, Minnie Minoso, one of 60 players, they hadn't cut the rosters yet for spring training, was the only player who had the kindness in his heart to see somebody who was a ball fan who couldn't play at the time because he was on crutches. But in a segregated South, he couldn't give me that ball. He couldn't have a decent act of kindness because of segregation.

Well, I got the ball, and I went down with my dad and we got to know Minnie Minoso, and it started a friendship that has continued to this day. Minnie Minoso was a class act, a wonderful human being who goes beyond baseball, the most popular player ever to wear a White Sox uniform, and a person who has given his life to baseball. But because of the denial of segregation, not allowing him to play in the Major Leagues until he was 28 or 29, he will not get the respect he is due, just like other players in the Negro Leagues didn't. So many of them who were great players, who would have led the majors in stolen bases, in doubles, in triples, in home runs, in RBIs, or average, as shown over the years by great players like Maury Wills and Bob Gibson and so many other great players who got the opportunity to play and show they could perform.

This year in Memphis on March 31, the major leagues are having a civil rights game. The last exhibition game of the season will be in Memphis at Auto Zone Park; it will be the Cleveland Indians and the St. Louis Cardinals play. There will be a special luncheon the day before the game where the widows of Roberto Clemente and Buck O'Neal will be honored, as well as Spike Lee, for contributions that baseball and civil rights have given to the growth of this country.

It is somewhat ironic in a way that we now see what baseball did to help integrate our country. And this resolution, which is part of the process of showing what this country has gone through, is about a time when we had segregation. Baseball helped integrate society. It helped get little young white kids to appreciate black players and see simple acts of kindness and see the absurdity of segregation. It gave me the opportunity in 1961 in Memphis to go to the Lorraine Hotel, then an all-Negro institution, and see a hero and other players like Walter Bond and Dick Powell staying in the segregated black hotel when the Caucasian players were at the Peabody, and see how ridiculous is this that my hero, an All-Star, a Golden Glove award winner, has to stay at the Lorraine Hotel which was not up to standards.

Baseball has come a long way. The Negro Leagues did a lot to give entertainment to Negroes and Caucasians who went to those games, and gave players an opportunity to play. And it is unfortunate they had to exist, but they did. They gave these players a great opportunity, from Josh Gibson, the great catcher, Satchel Paige, Buck O'Neal, and so many others who are enshrined in the Hall of Fame in Kansas City where there is a Negro League Baseball museum. But they also gave this country the opportunity to look at segregation for what it was, stupid, ignorant, retarded, and gave a process by which we overcame.

Sports have been a great vehicle to overcome discrimination and prejudice, and it was done in baseball, through heroic works by Branch Rickey, heroic at the time of Jackie Robinson who took all kinds of taunts. Now there is a Hall of Fame and there are players in there of both races, and you get there by talent. And that needs to happen all throughout this society and all throughout this country.

I was pleased to bring this resolution because of my experience with Minnie Minoso, my love of baseball, and the fact that baseball gave me an exposure to the horrors of segregation and what it did to my hero and a man who was kind to me through the years, Minnie

Minoso. But there were so many others. I went to games at Martin Stadium in Memphis, which is the home of the Memphis Red Sox, and it was all Negro players. They were great players. They didn't get an opportunity to show their skills. They later did.

I urge all my colleagues to support House Res. 162, recognizing the contributions of the Negro Baseball League, but at the same time reflect on how sad it was that there had to be a Negro Baseball League, and to reflect upon the need to make amends, not just to African Americans who were enslaved by this country's laws and limited and punished and enslaved by Jim Crow laws, but at the same time to think about the greatness of our country and mend a fault and a tear in our Constitution and our soul and civic justice, and put it together and apologize for slavery and Jim Crow, and make our country more whole and do the right thing. When you are wrong, you apologize. When you do evil, you do apologize, and you move forward. They are different bills, and I hate to mix them, but they are all part of the same story.

America needs to move forward, and progress has been made. We need to appreciate the past, but see where we were and move forward. And I am honored to be with the other sponsors of this bill, I think there are hundreds of them, and recognize the contributions of the Negro Baseball League and the story that baseball has played, and ask everybody in America to pay attention on March 31 to the final exhibition game of the season which will be televised on ESPN, a civil rights game that will highlight the civil rights heroes through sports, where Julian Bond will speak at a luncheon at the Peabody Hotel and tell a story of integration and success through sports that came too late in this country's history.

Ms. FOXX. Mr. Speaker, I now yield 2 minutes to my distinguished colleague from the State of Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Speaker, I hadn't intended to come over and speak on this, but the gentleman from Tennessee's eloquence moved me to also add my support for this resolution. I supported it through the committee process. But to also recognize the contributions of the players, the Josh Gibsons, the Buck O'Neals who, because of the bars of segregation at the time, were never allowed to participate in what we now know as the Major Leagues.

But this resolution speaks to the fact that their contributions, that their activities and their records are also an important part of American history and of baseball history, and they should be remembered for their contributions. And that is what this resolution does. In their own ways, they are not only great players, great allstars, great performers, and great athletes, but they also were pioneers. And I am proud to be here to support the gentleman's resolution.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 162, which recognizes the contributions of the Negro Baseball Leagues and their players for their achievements, dedications and sacrifices to baseball and the Nation.

African Americans began to play baseball in the late 1800s on military teams, college teams, and company teams. They eventually found their way to professional teams with white players. Moses Fleetwood Walker and Bud Fowler were among the first to participate. However, racism and "Jim Crow" laws would force them from these teams by 1900. Thus, black players formed their own units, "barnstorming" around the country to play anyone who would challenge them.

In 1920, an organized league structure was formed under the guidance of Andrew "Rube" Foster—a former player, manager, and owner for the Chicago American Giants. In a meeting held at the Paseo YMCA in Kansas City, MO, Foster and a few other Midwestern team owners joined to form the Negro National League. Soon, rival leagues formed in Eastern and Southern states, bringing the thrills and innovative play of black baseball to major urban centers and rural countrysides in the U.S., Canada, and Latin America. The Leagues maintained a high level of professional skill and became centerpieces for economic development in many black communities.

In 1945, Major League Baseball's Brooklyn Dodgers recruited Jackie Robinson from the Kansas City Monarchs. Robinson now becomes the first African American in the modern era to play on a Major League roster. While this historic event was a key moment in baseball and civil rights history, it prompted the decline of the Negro Leagues. The best black players were now recruited for the Major Leagues, and black fans followed. The last Negro Leagues teams folded in the early 1960s, but their legacy lives on through the surviving players and the Negro Leagues Baseball Museum.

The Negro Leagues Baseball Museum is extremely significant because it represents many of the outstanding contributions that blacks made to the game of baseball notwithstanding their initial exclusion from the professional baseball league here in this country. The museum was designated America's National Negro Leagues Baseball Museum when the House passed a resolution. The museum, in the 18th and Vine Historic Jazz District, was founded in 1990 to commemorate an era when many of baseball's top players could not perform on the game's biggest stage, the major leagues, but instead made their own history. The museum draws about 60,000 visitors a year who can view evidence of the great contributions made to America's favorite pastime.

The legacy of the Negro Baseball Leagues also lives on through the multitude of great black and Latino players who have contributed greatly to the game of baseball. The contributions of the Negro Baseball League players certainly paved the way for baseball giants such as Jackie Robinson, Hank Aaron, Willie Mays, Roberto Clemente, and Barry Bonds. Hank Aaron is the Major League Baseball homerun record-holder because of the significant role the Negro Baseball Leagues played in the black community. The Negro Baseball League is not only a great contribution to the black community but also to the Nation and the world.

Mr. Speaker, I strongly urge my colleagues to support H. Res. 162 to recognize the contributions of the Negro Baseball Leagues and their players for their achievements, dedication and sacrifices to baseball and the Nation.

Ms. FOXX. Mr. Speaker, I too want to commend Mr. COHEN for his eloquence, for introducing this resolution; and I urge all Members to support the passage of H. Res. 162, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 162, as amended.

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

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF A NATIONAL CHILDREN AND FAMILIES DAY

Ms WATSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (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, and for other purposes.

The Clerk read as follows:

H. CON. RES. 62

Whereas research shows that spending time together as a family is critical to raising strong and resilient kids;

Whereas strong healthy families improve the quality of life and the development of children;

Whereas it is essential to celebrate and reflect upon the important role that all families play in the lives of children and their positive effect for the Nation's future;

Whereas the fourth Saturday of June is a day set aside to recognize the importance of children and families; and

Whereas the country's greatest natural resource is its children: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress supports the goals and ideals of a National Children and Families Day.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentleman from Virginia (Mr. TOM DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

□ 1530

Ms. WATSON. Mr. Speaker, the most sacred institution of our society is that of the family. And within the family, its most precious asset, and that is its children. I stand before you today asking that my colleagues support me in

establishing a National Children and Families Day.

President Bush has stated that, ''Families instill in our children values; they shape character and are the foundation of a hopeful society.'' These are the goals for which we strive on National Children and Families Day. It is the intent of the National Children and Families Day to emphasize the importance of loving and stable relationships between parents, communities and children.

I once heard a teacher ask her class, What is the greatest Nation in the world? As the students muttered the names of countries worldwide, she pointed to her head and said, Imagination.

Through National Children and Families Day, I wish to cultivate and encourage the active imaginations of children, for we know that from creative and innovative thinking comes the ability to hope and dream for a brighter future.

Creating an environment that instills important values and builds strong character and provides sound education for our children is a vital national priority. With a firm foundation, children will be better able to face the challenges of the future.

As a legislator, I often find myself thinking of the countless children I represent whom I view as future voting constituents. And I think of how the policies we enact today could hinder or empower them 10, 15 or 20 years from now.

This, Mr. Speaker, is why I urge my colleagues to support National Children and Families Day.

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

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

Mr. Speaker, with so many distractions in our lives today, it is important to take a step back to acknowledge the central role that families play in the development of our Nation's youth. This resolution celebrates those aspects found in a positive family atmosphere which promotes healthy and well-adjusted young men and women.

It is true that the children are our future, and the strength of our country has been and will continue to be built on families providing educational, social, ethical and moral guidance to our children.

The devotion of time is one of the most important things we can do to help maintain a positive family environment. And while it may be difficult to find time in our hectic schedules, things as simple as playing with educational toys, reading together or visiting an age-appropriate museum will stimulate a child's curiosity that will be beneficial throughout their lives.

Also, something as easy as slowing down enough to take the time to listen to one another, maybe by having dinner as a family whenever possible is a time tested way to nurture a child through family participation during their formative years.

Young people are increasingly exposed to the stress and pressures of our modern society. In order to combat these negative influences, we must take it upon ourselves, as a society, to expose young people to loving and supporting families whenever possible. As an example, doing a community service project as a family is one of the many ways to teach children that to build a community and to thrive as a society, we should all share in assisting one another.

National Children and Families Day provides us an opportunity to recognize our responsibility to create family environments that nurture the next generation and to promote a positive environment for families across America.

I urge my colleagues to join me in supporting H. Con. Res. 62.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H. Con. Res. 62, which supports the goals and ideals of National Children and Families Day. The purpose of H. Con. Res. 62 is to encourage adults to listen to children and to help children throughout the Nation achieve their hopes and dreams, and for other purposes.

As Chair of the Children's Caucus, I strongly believe that we must continue creating positive and effective support systems for our children so that they will become healthy, productive citizens. To do this, we must ensure that all of our children have access to quality education and healthcare. We must also give quality time to our children.

Mr. Speaker, National Children and Families Day encourages parents to spend time with their children and to spend time together around the dinner table.

Our young children are increasingly facing monumental challenges such as drug and alcohol addiction, pregnancy, depression, and obesity. We must invest the time and money in the necessary resources needed to help our children combat these challenges. I recently hosted a briefing, ''Childhood Obesity: Factors that are Impacting the Disproportionate Prevalence in Low-Income and Minority Communities,'' to discuss the causes of, and search for solutions to the childhood obesity epidemic. Eating dinner at the dinner table with parents is one of the suggested ways children may develop healthier eating habits.

According to research by The National Center on Addiction and Substance Abuse (CASA) at Columbia University, the more often children eat dinner with their families, the less likely they are to smoke, drink or use drugs. The research suggested that the conversations that go hand-in-hand with dinner will help parents learn more about their children's lives and better understand the challenges they face.

Mr. Speaker, I strongly urge my colleagues to support H. Con. Res. 62 to support the goals and ideals of a National Children and Families Day.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 62.

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.

HONORING THE LIFE AND ACHIEVEMENTS OF LEO T. McCARTHY AND EXPRESSING PROFOUND SORROW ON HIS DEATH

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 180) honoring the life and achievements of Leo T. McCarthy and expressing profound sorrow on his death.

The Clerk read as follows:

H. RES. 180

Whereas Leo McCarthy was born in Auckland, New Zealand, on August 15, 1930;

Whereas Leo McCarthy immigrated to the United States with his parents at the age of three and settled in San Francisco, California;

Whereas Leo McCarthy earned his undergraduate degree from the University of San Francisco and his law degree from San Francisco Law School;

Whereas Leo McCarthy served the United States in an intelligence unit of the Strategic Air Command of the United States Air Force from 1951 to 1952 during the Korean War;

Whereas Leo McCarthy was elected to the San Francisco Board of Supervisors in 1963 and again in 1967;

Whereas Leo McCarthy was elected to the California Assembly in 1968 and served until 1982;

Whereas Leo McCarthy led the California Assembly with honor and distinction as its Speaker from 1974 until 1980;

Whereas Leo McCarthy instituted reforms in the California Assembly to provide more accountability and greater public access;

Whereas Leo McCarthy was a champion of coastal protection and secured passage of the California Coastal Act;

Whereas Leo McCarthy worked to secure permanent financing for the Bay Area Rapid Transit (BART) system;

Whereas Leo McCarthy was elected Lieutenant Governor of the State of California three times, serving from 1982 through 1994;

Whereas Leo McCarthy established the Feminization of Poverty Task Force, comprised of women leaders from business executives to former welfare recipients to develop ways to overcome economic barriers that confront women;

Whereas Leo McCarthy helped implement the Greater Avenues for Independence (GAIN) program to help welfare recipients move into the workforce;

Whereas Leo McCarthy collaborated with business leaders and advocates to publish ''Child Care: The Bottom Line'' to educate businesses about the economic and productivity benefits of employer-provided child care;

Whereas Leo McCarthy sponsored the Nursing Home Patients' Protection Act, which made landmark improvements in the treatment of patients in nursing homes;

Whereas Leo McCarthy drafted and sponsored a resolution declaring breast cancer an epidemic in California and called for Federal action;

Whereas Leo McCarthy sponsored the Mammography Quality Assurance Act to create new standards governing mammography facilities and technology;

Whereas Leo McCarthy worked to promote minority and women-owned businesses, publishing and distributing 100,000 copies of the award-winning guide, ''Starting and Succeeding in Business: A Special Publication for Small, Minority, and Women-Owned Businesses'';

Whereas Leo McCarthy established the Task Force on the Seriously Mentally Ill to develop an alternative service delivery system to assist Californians suffering from severe mental illnesses;

Whereas Leo McCarthy sponsored the Chemical Safety Act to facilitate toxic waste prevention and cleanup;

Whereas Leo McCarthy established the Lieutenant Governor's Commission on the Prevention of Hate Violence to investigate the causes of hate crimes and identify innovative ways of promoting tolerance;

Whereas Leo McCarthy, serving as acting Governor, led the State of California through the initial turmoil of the 1989 Loma Prieta earthquake;

Whereas Leo McCarthy served on the University of California Board of Regents and the California State University Board of Trustees;

Whereas Leo McCarthy was twice a candidate for the United States Senate;

Whereas Leo McCarthy was appointed to the National Gambling Impact Study Commission;

Whereas Leo McCarthy was a beloved mentor to generations of public servants;

Whereas Leo McCarthy founded the Leo T. McCarthy Center for Public Service and the Common Good at the University of San Francisco;

Whereas Leo McCarthy was, for 51 years, the beloved husband of Jacqueline Burke McCarthy;

Whereas Leo McCarthy was the father of two daughters and two sons, and grandfather of 11;

Whereas Leo McCarthy earned the highest respect of the people of California for his record of accomplishment on their behalf; and

Whereas the House of Representatives has learned of the death of Leo McCarthy on February 5, 2007: Now, therefore, be it

Resolved, That the House of Representatives——

(1) expresses its profound sorrow and deep condolences to the McCarthy family on the occasion of the death of Leo McCarthy on February 5, 2007; and

(2) directs the Clerk of the House of Representatives to transmit a copy of this resolution to the family of Leo McCarthy.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. 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 gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, public service is the cornerstone of living democracy. That said, I do fervently believe it takes a special person to give their life to serve the public. I stand before you to honor an individual who, for over 30 years, dedicated his life to public servitude, former California Lieutenant Governor, Leo T. McCarthy.

Lieutenant Governor McCarthy was one who valued what was best for all of Californians, not just those that were of means and access. Much of this can be attributed to McCarthy's humane beginnings as the child of a poor immigrant family. It was during the time McCarthy's father, Daniel, opened a pub which became the community haven for the local Irish Catholic population, that young McCarthy became smitten with service. In his youth, McCarthy engaged in many service-oriented activities, which included early studies for the priesthood and service within the United States Air Force.

After earning his law degree, he began a career in politics that spanned over three decades. He served first as a member of the California Board of Supervisors and, in 1968, won a State assembly seat, where he eventually assumed the role of Speaker.

During his tenure in the California Assembly, McCarthy instituted a number of reforms. He reduced the number of oversight committees, provided members with bill analysis for floor sessions and provided more accountability and greater public access.

Leo McCarthy was a man on a mission, and in 1982, he ascended to what would become the pinnacle of his political career, the role of Lieutenant Governor of the State of California. As Lieutenant Governor, McCarthy wanted to unify the differing socioeconomic and cultural climates of the State. He established the Feminization of Poverty Task Force, which was comprised of women from all walks of life to develop ways to overcome economic barriers common amongst women and girls.

He also enacted legislation to better regulate nursing home patients and ensure that women had the best possible preventive care. He was an advocate for minority and female-owned businesses, and coerced business leaders into understanding the economic benefits of work site child care facilities.

When asked to reflect about his years in the public sector, Leo McCarthy said, ''I was lucky. I was in a position to make a contribution. I felt very fortunate to have played a role. Some days were miserable, and some unhappy, but there were a lot of days that were great. There was a sense of satisfaction and being helpful to people.''

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

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

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

Mr. Speaker, Leo McCarthy was a dedicated public servant and long time political force in the San Francisco area for decades. It is with sad news that we speak about him on the floor today after learning about his recent death.

Throughout his political career, he worked tirelessly on issues such as coastal protection, nursing home reform, breast cancer awareness, female-owned small businesses, financing for the Bay Area Rapid Transit System, employer provided child care and the prevention of hate crimes, just to name a few.

He was born in Auckland, New Zealand and emigrated with his family to California at the age of 4. The son of an Irish bar owner, he was raised in San Francisco's Mission district and attended St. Ignatius College Preparatory.

Before his political life began, he served his country proudly in the Korean war in the U.S. Air Force. He earned his undergraduate degree from the University of San Francisco and his law degree from San Francisco law school.

He began his political career as the youngest member of the San Francisco Board of Supervisors in 1963 before serving on the California Assembly from 1969 to 1982. He honorably led the California Assembly as its Speaker from 1974 to 1980. He was elected to a record three terms as Lieutenant Governor before retiring from politics in 1994. While serving as Lieutenant Governor, he instituted reforms to provide more accountability and greater public access. Among his work, he established the Feminization of Poverty Task Force comprised of women leaders from business executives to former welfare recipients to develop ways to overcome economic barriers confronting women. He also supported the Greater Avenues for Independence Program to help welfare recipients enter the work force.

After retiring from politics in 1994, his passion and dedication to public service continued with the creation of the Leo T. McCarthy Center for Public Service and the Common Good at the University of San Francisco. The goal of the center is to inspire and equip students for lives and careers of ethical public service and serving others. Since its inception in the fall of 2001, the McCarthy Center has initiated several programs including academic courses, public panels, internship programs and faculty-led projects that engage students in the analysis of social and political issues. Leo McCarthy's leadership in the center spread inspiration throughout all the students and staff involved. It exemplified his dedication to his community and to the greater good. He will be greatly missed by all those who knew him and worked with him.

I ask all Members to join me in support of this resolution.

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

Ms. WATSON. Mr. Speaker, I ask that the author of the bill, Representative ANNA ESHOO from California, be given 5½ minutes to speak.

Ms. ESHOO. Mr. Speaker, I thank my distinguished colleague and my colleagues on the Republican side of the aisle for being here today to pay tribute to really a great and very good man, Leo McCarthy.

I had the pleasure of knowing Leo for many, many, many years. He was not only my mentor; he was my friend. He was dear to my family. But he inspired me in public service. I had the privilege of serving as his chief of staff of his district office, which was in San Francisco, at the time, and I learned so much from him.

There are so many times, my colleagues, that the closer we get in terms of view of someone, the less we may like what we see. With Leo McCarthy, the closer I got, the more I saw, the more my respect for him was deepened.

□ 1545

He was a man of the fullest integrity. He was an honest man. An honest man. And he made everyone proud of his service to people not only in his beloved city of San Francisco but in the entire State of California. I think he helped to make California more golden of a State.

He was a policy wonk. He knew exactly why he had gone into government service. In all of his years serving on the board of supervisors in the city and county of San Francisco to his election to the assembly, the California Assembly, to his elevation as Speaker of the California Assembly, and then the time that he served as Lieutenant Governor, political writers, the people that he served, the counties throughout our State, 58 counties and the people that live in them, knew that Leo McCarthy's word was golden, that he was there to serve them and that that is what motivated him.

He was a great family man. All the years that he served in Sacramento, he drove home every single evening to be with his family in San Francisco. It was really the measure of the man. The love of his life was Jackie McCarthy, and he always said that she did the hard work because she was at home raising four extraordinary children: Sharon, Conna, Niall, and Adam. I wish all of my colleagues could have heard these four adults pay tribute to their father at St. Ignatius Church at the magnificent funeral mass that was in celebration of his good life.

He was a man filled with faith, and he served at a very early time in the minor seminary. And he said to me one day, Anna, that didn't last too long. And I responded to him, Leo, it lasted a lifetime. Because he blended his faith with the service that he gave to people and he was rooted in it.

When he left public life, he went on, and in the latter years of his all too short life, I think, I always wanted Leo to live forever, he founded a center at the University of San Francisco, his alma mater that he loved so much. And during the funeral mass, the Jesuits paid tribute to him. There must have been 30 Jesuits on the alter, the archbishop of San Francisco, the former bishop of Oakland, and the auxiliary bishop, John Westor, all there to pay tribute to Leo McCarthy. That Center for Public Service and the Common Good spoke of Leo's desire to help students get involved in public policy at the State, at the Federal, and the local levels.

Leo McCarthy had a singular friend that loved him in unquestioned ways. He was his aid when Leo first went to Sacramento as a member of the State legislature. He then was elected in his own right to the State legislature. He then went on to become the mayor of San Francisco. And that man is Art Agnos. Every single day of Leo's too long illness, which marked all of last year, and at all other times in his life but especially during that difficult time, Art Agnos was by Leo's bedside every day, every night.

So, Mr. Speaker, I want to conclude by thanking all the members of the committee for passing the resolution. It will mean a great deal to the family. I thank Josh Andrews in my office. I thank all of my colleagues. I know this will mean a great deal to the family.

And I say to whomever is listening in, God rest Leo McCarthy's noble soul.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, I thank very much my colleague for yielding me this time.

I am very, very appreciative of this resolution being on the floor today. A phrase oft used in the West would suggest that you should ''bring us men to match our mountains.'' And in California such men have made truly a magnificent difference in the way the far West was developed. Leo McCarthy certainly was at the top rank of those leaders.

I first met Leo McCarthy when he and I were elected to the State legislature together. We were classmates and colleagues and friends. A supervisor and assemblyman, became Speaker of the House, Lieutenant Governor of our State, a magnificent leader who absolutely wallowed in the business of public policy. He cared about making a difference on a number of issues across the spectrum of those issues that impact people's lives. He was a guy who was devoted to his family, as has been suggested, but also devoted to public service.

As we pay tribute to Leo McCarthy today, let us seek other men and women who would so serve, for, indeed, he is an example of the very best among us and reflects the best of our public affairs.

Let me say that probably most important to me over the years was the fact that Leo, while he played a very significant partisan role, absolutely knew in his soul that real solutions did not come by way of partisan confrontation. A magnificent leader who I am proud to say was my very good friend.

Ms. WATSON. Mr. Speaker, I request that Representative JIM COSTA of California speak for 2 minutes.

Mr. COSTA. Mr. Speaker, I thank the Chair, ranking members, and colleagues, especially those who, like myself, from California had an opportunity to serve with Leo McCarthy.

Leo McCarthy, as has been said, put faith, family, and service as the preeminence in his life goals, and he lived them every day by example.

Leo McCarthy was Speaker when I was first elected to the State Assembly in 1978. Those were heady days in California, and Speaker McCarthy had a contentious caucus that he had to work with among younger members who thought that they oftentimes knew better. But I can tell you that from the lessons I learned firsthand from Speaker McCarthy, later to be our Lieutenant Governor, was that of being a quintessential legislator. He believed in process, he believed in transparency, he believed in accountability, and he believed in working in bipartisan fashions to solve problems for people of California. And because of those facts, Leo McCarthy's speakership was successful.

I was part of a group that ended up in what often happens within political families, a difficult speakership fight, and I chose for various reasons not to support Speaker McCarthy. Nonetheless, we travailed for over a year. During that entire time, Leo maintained class and maintained dignity and attempted to still reach out and bring the caucus back together.

That was not to be, but his legacy was the fact that he always, always treated people the way he wanted to be treated himself. And for that I would like to join with my colleagues in the memory of a tremendous public servant, not only in California but throughout our country, Leo T. McCarthy.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of California (Mr. DREIER).

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this resolution.

And I want to thank my very distinguished colleague ANNA ESHOO for authoring this, and I want to congratulate my California colleagues on both sides of the aisle for once again coming together to recognize public service.

Mr. Speaker, I never had the opportunity to serve in Sacramento, but I did know Leo McCarthy to be an extraordinary public servant. And one of the things that is very moving, as I listened to the remarks of my colleague from Highland, Mr. LEWIS, who was elected with Governor McCarthy in 1968 to the California State legislature and as I listened to ANNA ESHOO, who I had no idea she was his district office representative, I was reminded of the fact that public service is a very important calling. And as I listened to Ms.

FOXX outline the service record, although I suspect she never met Leo McCarthy, she went through his extraordinary accomplishments.

As a legislator, I am reminded of the fact that we need to recognize that we are here to do the people's business. Yes, we need to have that clash of ideas. Yes, it is important that we engage in vigorous debate. But at the end of the day, we are here to accomplish very important things for the people whom we are honored to represent.

It was in 1963, as has been pointed out, that he first ran for the County Board of Supervisors, and I will say I learned not only that ANNA ESHOO was his district representative, I had heard that he was from New Zealand originally, but then when I heard he was from Auckland, I was of course reminded of the old story about the guy who got on an airplane to go to Oakland, California, and ended up in Auckland, New Zealand. And it sounded like Leo McCarthy actually took the reverse route, and I wondered how many times he was headed to Oakland that people might have thought that he was going home to Auckland.

But the fact is I had great regard for Leo McCarthy, and I wondered why anyone would leave New Zealand, because it is a spectacular spot. In fact, I have said on more than a few occasions if I didn't have the opportunity to live in the United States of America, New Zealand would be the spot that I would live in.

But having said that, I will simply say that my colleagues, Republican and Democrat alike, had great regard for Leo McCarthy and his extraordinary public service to the people of California.

May God rest his soul, and our thoughts and prayers are with his wonderful family members. And I know that one of the things Leo McCarthy said when asked the question what his greatest accomplishments would be, he said it was his family, and so our thoughts and prayers are with them.

Ms. WATSON. Mr. Speaker, I request 2½ minutes for Representative HOWARD L. BERMAN from California.

Mr. BERMAN. Mr. Speaker, I thank my colleague Ms. WATSON for yielding me this time.

I came to Sacramento as a State assemblyman, elected in 1972, began my service in 1973, and had never known Leo McCarthy or met him before that time. Already in the California Assembly, a speakership fight was brewing between Leo McCarthy and sort of the favored candidate over the vacancy which would occur when the Speaker at that time was planning to run for Governor and would be giving up his seat. In the course of the year and a half between the time I came to Sacramento and the time that I voted for Speaker, I got to know someone who was particularly unique in terms of public office and public service.

I would say three words characterize the service of Leo McCarthy in all aspects of his public career and, I think, of his personal life: probity, energy, and a tremendous level of integrity.

This was a very unusual public servant. He cared deeply about the public interest, about policy, about learning what needed to be known to be effective and advocating for policies, about building legislative consensus, and about making things happen.

During the 5 years that he was Speaker in the State Assembly, I had the honor of being for 4½ of those 5½ years his majority floor leader. The end of our legislative careers wasn't quite as good as the start of it because we ended up in a speakership fight that got rather out of control and 11 months of battle. I think of speakership fights in California as war by other means, and that is what we had during that time. And, unfortunately, after that time while our relationship was civil and friendly, it was never as close as it was before.

□ 1600

I have never met anybody who made his fundamental decisions on what legislation to prioritize, what to push based on a focus on the public interest without regard to what a particular lobbyist or a particular specialist might push, with a level of integrity and with a level of energy, it has already been referenced in terms of his career, that was really unique in public office. He really was a very fine man, a very youthful man. In fact, his passing is so tragic because of that youth and vigor that he always exhibited.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H. Res. 180, and I yield back the balance of my time.

Ms. WATSON. I request that the Speaker take as much time as she desires, Mr. Speaker.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding. To both of them, thank you for bringing this resolution honoring Leo McCarthy to the floor. He was a very special person to us, and I thank you. Congresswoman ESHOO, thank you for your leadership in bringing this as well.

I am pleased to join my California colleagues, and others, in singing the praises of one great man, Leo McCarthy.

Mr. Speaker, in the Book of Ecclesiastes, there is a chapter known as the Eulogy of Heroes; its words could be used to describe Leo McCarthy.

''Now let us praise great men, the heroes of our nation's history, through whom the Lord has established His renown and revealed His majesty. Some were sage counselors who led the people by their counsel and by their knowledge of the law; out of their fund of wisdom, they gave instruction. They were men of loyalty, whose good deeds have not been forgotten.''

I know that all who knew Leo McCarthy knows how fitting that description is of him. Leo McCarthy was indeed such a person. And as the Eulogy of Heroes proclaims, ''He will be buried in peace, but his name lives forever, as people recount his wisdom.''

Leo's great wisdom was in knowing that the future of his children, Sharon, Conna, Adam and Niall, was linked to the destiny of all children. There were many years when, as the most senior Democrat in California politics, Lieutenant Governor Leo McCarthy was the main person standing between drastic cuts to benefits for our children, the elderly and the disabled.

Leo took seriously the responsibility to carry the banner of the Democratic Party, as he advanced social and economic justice. As Speaker of the State Assembly House and Lieutenant Governor, Leo promoted a values-based agenda to educate our children, grow our economy and protect our environment. He did so living up to the highest ethical standards, and he always strove to act in a bipartisan way.

Leo's word was his bond. And when he promised that he would protect our seniors and stand up for California's magnificent coastline, he kept his word. In fact, Leo was so scrupulously principled and honest that there are those of us who thought he must be wearing a Boy Scout uniform under his business suit. What was under there was a heart of gold. And really, in all of the testimonials that followed Leo's passing, I said he had the heart of a lion; they said he was a lion.

Leo opened public service to so many Californians, opening up the Democratic Party and welcoming in the grassroots. As a former staffer of his said, Leo liked to take chances on talent. From him they got not only their start but also their ethics, how to look after their family, their community and their country at the same time.

He also encouraged the next generation of leadership through his work at the University of San Francisco as head of the Leo T. McCarthy Center for Public Service and the Common Good. Leo helped to give me my start, encouraging me not only to support candidates but to run in my own right. I consider him both a dear friend and a purposeful mentor.

He made my first run for Congress a family affair, with my children working alongside his children to elect me to Congress. I said, again, he had a heart of gold, he also had the heart of a lion which sustained him through his illness. With all the strength that he could muster and a clear mind, he gave me sage counsel and wise instruction, as the eulogy said, through this last campaign, always reminding me that it was necessary to win in order to keep faith with the American people. And I know he took special joy in our victories in November, indeed, they were his victories as well.

Leo was optimistic to the end. And as recently as Saturday night, which was the Saturday night before he passed, I spoke to him and he said, My morale is high. I am home with Jackie, that is his wife, and my children and my

grandchildren are with me. More than anything, Leo loved his family, his wife Jackie, his children and grandchildren.

My husband Paul and I and my entire family extend our deep sympathy to Jackie, Sharon, Conna, Adam and Niall. Again, I hope it is a comfort to them that so many people mourn their loss, sing Leo's praises and are praying for them at this sad time.

Mr. Speaker, Leo McCarthy will be buried in peace, but his name lives forever as people recount his wisdom.

Ms. WATSON. Mr. Speaker, I request 2 minutes for the gentleman from California, SAM FARR.

Mr. FARR. Mr. Speaker, I am one of the Members that served with Leo McCarthy. I was a member of the California legislature. And like Speaker PELOSI, he was the one who convinced me, when I was a young staff member working for the California legislature in 1975, that I ought to return to my district and start running in public life for politics. And that is what got me into being a county supervisor, and the rest is history.

But serving with Leo McCarthy indeed is distinction for all the reasons talked about. But I loved his youthful energy. The shock of Leo McCarthy dying is that he never looked old, never seemed old. He always had the energy of youth; looked young; and just was a remarkable person. He twice ran for the United States Senate. And doing that in California is indeed a tough problem because the State is so big, so expansive, and it requires so much time, and Leo would never abandon his family.

I remember, Leo was born in Auckland, New Zealand, and I remember going on a trip to Auckland, New Zealand with him. He was welcomed home as a town hero. He pointed out that because he was born in that town, he could never run for President of the United States, not being a native born. I also traveled with him to Canada, when we went on several of the communications issues. And I remember him so devoted to Jackie that he took all his life savings to make sure that Jackie could have a wonderful coat that she wanted, and I know that she still has that.

Ladies and gentlemen, Leo McCarthy was the kind of person you want in public life. And indeed, California is better off for having him serve. It is a great State, and he made it greater. He produced a lot of us that are serving in Congress. And certainly, almost like a daughter, ANNA ESHOO, the author of this resolution, and NANCY PELOSI, Speaker of the House, he has a lot to be proud of. We are very proud that we were able to work for him, serve for him and be in public life with him.

All our condolences go to Jackie and the family.

Ms. WATSON. Mr. Speaker, I request unanimous consent to extend the time of debate 2 minutes.

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

There was no objection.

Ms. WATSON. Mr. Speaker, I request 2 minutes for the gentleman from California, BRAD SHERMAN.

Mr. SHERMAN. Mr. Speaker, I want to thank Congresswoman ESHOO for offering this important legislation that I am proud to have cosponsored, honoring the life and achievements of Leo McCarthy and expressing the sorrow of the House of Representatives on his death.

The resolution properly recounts and reflects Leo's many accomplishments, a lifetime dedicated to effective service on behalf of the people of California and of the United States. Yet Leo McCarthy's life was much more than the titles he earned and the awards he accumulated. He was a loving husband to Jacqueline, his wife of 51 years, and a father of four children and 11 grandchildren. When Leo McCarthy died on February 5, he also left a world of friends.

It is fitting that my colleagues have obtained the opportunity to speak of Leo's many outstanding personal accomplishments and his qualities, his loyalty, his friendliness, his wise counsel. Those of us who knew Leo knew these qualities well.

As Speaker of the California Assembly for 6 years, and then during his unprecedented three terms as Lieutenant Governor, Leo was responsible for path-breaking legislation such as the California Coastal Act and the Nursing Home Patients Protection Act. He led the way toward implementation of important initiatives to educate business on the value of employer-provided health care and programs to help welfare recipients move into the workplace.

Leo was a charitable man who encouraged public service through his contributions and his service at the University of San Francisco and as head of the Leo T. McCarthy Center for Public Service and the Common Good.

I join in expressing the profound sorrow of this House and in offering my personal condolences to the McCarthy family on Leo's death. Our prayers are with all of you who mourn Leo McCarthy.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor the life of Leo McCarthy, former Lieutenant Governor of California, who passed away last month after a long illness due to a kidney ailment.

Born in New Zealand, Leo began his lifetime of public service for his adopted country as a member the United States Air Force Strategic Air Command in the Korean War.

His political service began in 1963 when he was elected to the San Francisco Board of Supervisors, and later to the California Assembly, where he had the honor and distinction of serving as speaker from 1974 to 1980.

In 1982 he was elected Lieutenant Governor—a position he held until 1994.

Leo's dedication to his community was clear from the diversity of issues on which he worked: from assisting welfare recipients, to increasing breast cancer awareness, to finding ways to stop toxic contamination.

He also worked to promote tolerance by establishing the Lieutenant Governor's Commission on the Prevention of Hate Violence.

After leaving the political field, Leo continued to serve the community by founding the Leo T. McCarthy Center for Public Service and the Common Good at the University of San Francisco.

This Center, where young men and women can learn and be inspired to pursue a life and career of ethical public service, is a fitting legacy for a man whose life was devoted to serving the community.

Leo McCarthy is survived by his wife, Jacqueline, their four children and eleven grandchildren. Our thoughts and prayers are with them.

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for H. Res. 180. This bipartisan resolution honors the life and achievements of Leo T. McCarthy, and expresses profound sorrow on his recent death.

I want to thank my friend and colleague from California, Representative ESHOO, for sponsoring this resolution.

Leo McCarthy was many things in his life. He was an airman, a politician, and a life-long public servant. But above all things, he was a decent and compassionate man.

Leo was first elected to the California Assembly in 1968.

He served with honor and distinction as its Speaker from 1974 and 1980 and went on to serve as Lieutenant Governor of California for three terms.

Leo's accomplishments in office express the compassion and love he possessed for his fellow man.

His leadership helped change the way California looked at issues like child care, breast cancer research, elder care, and treatment for the mentally ill.

Beyond his professional work, he was a loving family man, and dedicated friend and mentor to countless of my California peers.

I urge my colleagues to honor the life of this good man. May he rest in peace.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 180.

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.

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. Res. 98, by the yeas and nays;

H. Res. 149, by the yeas and nays.

The vote on H.R. 710 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

HONORING THE LIFE AND ACHIEVEMENTS OF THE LATE DR. JOHN GARANG DE MABIOR

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 98, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 98, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 410, nays 1, not voting 22, as follows:

[Roll No. 121]

YEAS—410

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
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
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
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—22

Abercrombie
Bono
Brown, Corrine
Butterfield
Cubin
Davis (IL)
Davis, Jo Ann
DeLauro
Jackson-Lee (TX)
Jindal
Johnson, E. B.
Jones (OH)
Kilpatrick
Larson (CT)
McGovern
Meek (FL)
Meeks (NY)
Rush
Tauscher
Tiahrt
Udall (NM)
Wasserman Schultz

□ 1641

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Stated against:

MOMENT OF SILENCE IN MEMORY OF FORMER U.S. SENATOR THOMAS F. EAGLETON

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

Mr. CARNAHAN. Mr. Speaker, I want to advise and remind the Members of the passing of former U.S. Senator Thomas F. Eagleton of Missouri over this past weekend, and I ask the House to observe a moment of silence in his memory.

The SPEAKER pro tempore. All Members will rise.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 149.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 149, 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 403, nays 0, not voting 30, as follows:

[Roll No. 122]

YEAS—403

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
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson

Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
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
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—30

Abercrombie
Bono
Brady (PA)
Brown, Corrine
Butterfield
Cubin
Davis (IL)
Davis, Jo Ann
DeLauro
Fattah
Gordon
Jackson-Lee (TX)
Jindal
Johnson, E. B.
Jones (OH)
Kilpatrick
Larson (CT)
Markey
Meek (FL)
Meeks (NY)
Price (GA)
Radanovich
Rush
Sali
Saxton
Space
Tauscher
Tiahrt
Udall (NM)
Wasserman Schultz

□ 1652

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I regret that I could not be present today, Tuesday, March 6, 2007 to vote on rollcall vote Nos. 121 and 122 due to a family medical matter.

Had I been present, I would have voted:

"Yea" on rollcall vote No. 121 on passage of H. Res. 98, a bill honoring the life and achievements of the late Dr. John Garang de Mabior and reaffirming the continued commitment of the House of Representatives to a just and lasting peace in the Republic of the Sudan. "Yea" on rollcall vote No. 122 on passage of H. Res. 149, a bill supporting the goals of International Women's Day

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, I regret that due to official business, I was unable to vote on Tuesday, March 6, 2007. Had I been present, I would have voted "yea" on rollcall vote 121, Final passage of H. Res. 98 as amended, Honoring the Life and Achievements of the late Dr. John Garang de Mabior and Reaffirming the Continued Commitment of the House of Representatives to a Just and Lasting Peace in the Republic of the Sudan, and "yea" on rollcall vote 122, Final Passage of H. Res. 149, Supporting the Goals of International Women's Day.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 569, WATER QUALITY INVESTMENT ACT OF 2007

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–31) on the resolution (H. Res. 214) providing for consideration of the bill (H.R. 569) to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 700, HEALTHY COMMUNITIES WATER SUPPLY ACT OF 2007

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–32) on the resolution (H. Res. 215) providing for consideration of the bill (H.R. 700) to amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 866

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 866.

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

There was no objection.

FEDERAL GOVERNMENT PROTECTING BORDER VIOLATORS

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

Mr. POE. Mr. Speaker, being a lawman in the vastness of west Texas has always been a rough task. Now it is more difficult because the Federal Government has taken the side of the lawbreaker over the lawman.

Deputy Gilmer Hernandez of Edwards County, Texas, was recently on patrol in the darkness of the night in Rocksprings, Texas, when he spotted a van violating Texas traffic laws. He pulls the van over and notices numerous people lying down on the floor.

Then without warning, the driver suddenly drives off and tries to run over Deputy Hernandez. Hernandez shoots out the tires of the van in self-defense. The other illegals jump out and take off.

The Texas Rangers do a thorough investigation and clear Deputy Hernandez of any wrongdoing, but the Mexican Government arrogantly demands the Federal Government prosecute Hernandez for using his gun, and the Feds do exactly that.

Hernandez is convicted, and now he is in jail awaiting sentencing by a Federal judge, all because he did his job. Our government ought to support the border protectors like Hernandez and prosecute the border violators. Why is our Federal Government taking the wrong side in the border war?

And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

NO PLAN B IN IRAQ

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

Ms. WOOLSEY. Mr. Speaker and my esteemed colleagues, one of the most grievous blunders in the whole Iraq debacle was the total failure to figure out what we would do after toppling Saddam Hussein. The architects of this war thought that was the whole task. Mission accomplished.

There was no plan for how to manage the aftermath. No plan for keeping the peace in a country with deep sectarian divisions, no plan for how to institute democracy in a society with no democratic infrastructure or institutions. Well, now we see history repeating itself, because The Washington Post reported yesterday that the Bush administration and top military commanders apparently have no idea what the next step is if the troop escalation plan fails, which General Petraeus himself believes probably will.

The Post reports that the Chairman of the Joint Chiefs of Staff, Peter Pace, told a meeting of the Nation's Governors: ''I'm a Marine, and Marines don't talk about failure. They talk about victory.''

Well, confidence is one thing. Single mindedness is another, and, frankly, if the Bush national security team had a better track record of smart decisions and strategic successes, I might be willing to give them the benefit of the doubt. But as it turns out, these folks have been wrong, very wrong, throughout most of this occupation.

Indeed, when President Bush announced the so-called surge nearly 2 months ago, he essentially conceded that mistakes had been made and not everything his administration has done in Iraq has gone by design.

But as yesterday's Post article points out, we are way beyond plan B. This is more like plan D. There have been many times that we have been told the necessary adjustments are being made to achieve victory, whatever that means, in the context of Iraq.

But here we are, 4 years into this war, still spinning our wheels and nearly 3,200 Americans dead, and the ones who come home in one piece sent to military hospitals that are in deplorable conditions, often delivering substandard care. How many more chances does the Bush administration get to make things right in Iraq? I say: none. There is only one solution: bring our troops home in short order as soon as logistically and safely as possible.

□ 1700

In a way, actually, all the discussion about whether plan A, B, C, D, is, at best, something of a distraction is like arguing about what was the worst part of a root canal. The fact is, the whole Iraq enterprise was fundamentally flawed from the beginning and never should have been launched in the first place. There is not much we can do now to reverse the unforgivable mistake of this Iraq occupation and the unspeakable damages done, but we can do something to ensure it doesn't last a minute longer. We can here in the United States Congress use our Constitutional powers to ensure that not one more family has to lose a son or daughter, a husband or wife, a mother or father for someone else's ideological mess.

It is time, Mr. Speaker. It is time for this tragic chapter in American history to finally end. It is time to bring our troops home.

U.S. BORDER PATROL AGENTS RAMOS AND COMPEAN

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

Mr. JONES of North Carolina. Mr. Speaker, today is the 49th day since two U.S. Border Patrol Agents entered Federal prison. Agents Ramos and Compean were convicted last spring for shooting a Mexican drug smuggler who brought 743 pounds of marijuana across our borders into Texas.

These agents never should have been sent to prison. There are legitimate legal questions about how this prosecution was initiated and how the prosecutor's office proceeded in this case.

To prosecute the agents, the U.S. Attorney's Office granted immunity to the known drug smuggler. Homeland Security officials promised Members of Congress information about this case, then they could not provide the information. Recently, reports indicated that the prosecutors in this case may have withheld crucial evidence from the defense. Mr. Speaker, I am going to repeat that. Recently, reports indicated that the prosecutors in this case may have withheld crucial evidence from the defense.

Drug Enforcement Agency reports have revealed that the Mexican drug smuggler brought a second load of marijuana, 752 pounds, into the United States. In fact, Mr. Speaker, this drug smuggler is not an American citizen, and he is suing the Border Patrol for $5 million. But, Mr. Speaker, the information I just mentioned, this information was kept from the jury and the public.

Mr. Speaker, I have sent a letter to House Judiciary Chairman JOHN CONYERS asking for hearings on this case and, Mr. Speaker, other Members have made the same request of the chairman. And knowing the chairman to be a fair-minded person, I hope that he will hold hearings on this prosecutor in west Texas and how he looked into this case and brought this case to the jury, because, again, these Border Agents are heroes. They are not convicts; they are heroes.

Over the past 6 months, dozens of Members of Congress have asked the President to pardon these agents. I myself have sent five letters to the President asking that he pardon these two agents. They are heroes of this country. They should not be in Federal prison.

Mr. President, we are calling on you to listen to the American people and to the thousands of citizens who have petitioned you to pardon these men. It is time for justice to prevail over an injustice.

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.)

WAR IN IRAQ

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

Mr. KUCINICH. Mr. Speaker, in a few short days the Congress of the United States will have an opportunity to end the war in Iraq if it so pleases, or we will vote to approve the supplemental and give the President of the United States the money that he is asking for to continue the war possibly through the end of his term.

In the next 5 minutes, I would like to discuss the implications of Congress's action and a plan that would enable us to take a new direction in Iraq, to bring our troops home, to stabilize Iraq, to close our bases, to end the occupation, and to end the war.

Last week, I submitted to this Congress such a plan embodied in H.R. 1234. H.R. 1234 is a plan to end the war, and it contains a number of elements which were arrived at with the help of people who have long experience at the U.N. in peacekeeping missions and security missions, experts in international relations, and military experts.

Two days ago, the administration said that it has no plan B for Iraq. As a matter of fact, a senior general said, ''Plan B is plan A,'' which means that the administration is committed to a course of action which would keep our troops in Iraq through the end of its term. That is simply not acceptable.

In November, the American people voted for a new direction. In November, the American people changed the leadership of the Congress, voted to turn both the House and the Senate from Republican control to Democratic control, and I submit the issue was the war.

All across this country there is a great concern about the rising number of casualties; about that even when our troops serve and they come home after being injured, they are not being cared for; about the costs of the war, how we are seeing our budgets for housing and health care, for education, for seniors services, and, indeed, for veterans affairs reduced.

America is losing not only the lives of our soldiers, not only are we going into a great financial debt borrowing money from Beijing to fight a war in Baghdad, but we are losing our moral position in the world, continuing to prosecute a war that is simply based on lies. Let's face it, every assertion made that took us into Iraq has been ripped away as being a lie.

So what are we to do? H.R. 1234 does the following: It is predicated on Congress taking action to end the war, stop the funding. At that point, the administration will go to the world community and say, ''Look, the money is no longer here for the war. We are going to close our bases, we are going to end the occupation, we are going to bring our troops home.'' Only by asserting that we will end the occupation will we be in a position to be able to get help from the world community, which really doesn't want anything to do with this war absent the United States taking a new direction.

The insurgency is fueled by the occupation. It is well understood. So we end the occupation. But then that is not enough. We need the international community to help us build a peacekeeping and security force that would move in as our troops move out.

The elements of the plan embodied in H.R. 1234 are the following: Not only do we end the occupation and bring our troops home and get the international community involved, but we also create the context for a program of reconciliation between the Shiites, the Sunnis, and the Kurds. Right now there is no movement towards reconciliation, because with the U.S. occupying, the Shiites don't have any incentive at all to do that. We need to move out so that we can set in place a program of reconciliation and a program of honest reconstruction. No more theft from the American taxpayers or the Iraqi people by these contractors whose performance has been absolutely abominable, who have stolen billions of dollars. Give the Iraqi people a chance to have their own reconstruction program, with the jobs going to the people of Iraq so they can feed their families. In an economy with 50 percent of the people unemployed, we need to take a new approach and end the reconstruction program as it exists and start a new one.

In future presentations to this Congress, I intend to lay out the rest of H.R. 1234, which is the plan to end the war, bring our troops home, stabilize Iraq, and take a new chapter in America's relationship with the world.

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

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

THE GLOBAL NATURE OF OUR ECONOMY

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

Mr. DREIER. Mr. Speaker, as we clearly saw last week with the sharp decline in our stock market following a major drop in the Chinese market, the increasingly global nature of our economy is one of the most defining issues of our time. The growing connectedness of the world's consumers, producers, workers, and investors is having an impact on virtually every aspect of our lives. And with all the rapid change that globalization is bringing about, it is very natural for us to ask ourselves the question: Have these changes been for the better? We want to know if globalization is improving our lives or making them worse.

Mr. Speaker, one of the biggest concerns that we have when we look at this question is the issue of income inequality, something that many people are talking about. We read reports of massive executive salaries, and compare them to the circumstances of America's middle class and the concerns that working families have, and we inevitably wonder if the system is in fact fair. I recently spoke here on this issue, on this very question.

The critical issue is not, Mr. Speaker, whether those at the top are becoming more prosperous; the critical issue is whether everyone is becoming more prosperous, particularly those who are at the bottom of the economic ladder.

We looked at the issue of wages and saw that they are growing for all workers. But when we looked even deeper, we saw that the outlook is even more positive. The purchasing power of working families is increased by lower taxes and greater access to low-cost goods through international trade. This growing purchasing power, along with rising wages, is increasing the standard of living for all Americans, with the greatest positive impact for those who are just beginning to move up the economic ladder.

Today, I want to look at another issue that helps to answer the question of whether quality of life is improving for everyone; that is, the issue of jobs, Mr. Speaker. More specifically, new job creation, and the quality of those new jobs.

Jobs are perhaps the most critical issue in determining standards of living. Does everyone who wants a job have a job? Does that job provide the opportunity to prosper and improve one's quality of life? Just as we saw with wages, the numbers demonstrate a very positive outlook for workers. Unemployment is at 4.6 percent, a rate that is exceptionally low. Mr. Speaker, in fact, we have had 16 straight months of unemployment at 5 percent or less. At the same time, the workforce has been rapidly expanding. Our economy has created nearly 7½ million new jobs in the last 3½ years. There are 146 million Americans working today, more than at any time in our Nation's history. The jobs outlook in the United States continues to be very, very good.

But just like with wages, we see an even fuller picture, a better picture when we dig just a little deeper. Average monthly hires last year were nearly 5 million, the highest rate ever since data have been collected. Of those 5 million, the share of workers who left their old job voluntarily for new work was also at the highest level. 58.3 percent made that move. This means that workers are not just finding jobs, they are finding better jobs, better opportunities. Anyone who has been stuck in a dead-end job knows that this is a huge quality of life issue.

Having a job is essential to providing for a family, and any job can serve as a starting point to success. But having a good job that offers new opportunities to prosper is essential to a growing standard of living.

The fact that we are seeing 5 million new hires every month demonstrates a great deal of churn and dynamism in our workforce, and we know that that change is not always easy.

But the rapidly growing number of workers who are voluntarily leaving their old jobs demonstrates that new and better opportunities are being created. It demonstrates, Mr. Speaker, the increased confidence in our workforce that comes with growing prosperity and the prospect of a better life. And it also helps to answer the question of whether the standard of living is improving for everyone, not just those who are at the top of the economic lead ladder.

□ 1715

New jobs and new opportunities are helping to make all of us more prosperous.

Mr. Speaker, I urge my colleagues on both sides of the aisle to continue to pursue pro-growth economic policies, including an embrace of America's global leadership role. Those policies have brought about this dynamic work force, where everyone is upwardly mobile.

The SPEAKER pro tempore (Mr. HOLT). Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

BALLAD OF THE ALAMO

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

Mr. POE.

In the southern part of Texas
In the town of San Antone
There's a fortress all in ruins
That the weeds have overgrown.

You may look in vain for crosses
And you'll never see a one.
But sometime between the setting
And the rising of the sun
You can hear a ghostly bugle
As the men go marching by.
You can hear them as they answer
To that roll call in the sky.
Colonel William Barrett Travis, Davy Crockett
And 180 more.
Captain Dickinson, Jim Bowie
They're all present and accounted for.

Mr. Speaker, these are the lyrics to Marty Robbins' ''Ballad of the Alamo.''

It was there in an old beat up Spanish mission in south Texas called the Alamo on March 6, 1836, 171 years ago today, that 187 men stood defiant against oppression and tyranny. They were an odd looking bunch. They were dressed in buckskin. They had large knives, tomahawks and long rifles. They were of all races, of all States, and 13 foreign countries, including Mexico. They were facing a professional army over 20 times their size.

They were there because of the new dictator of Mexico, Santa Anna. He had abolished the democratic Mexican constitution and made himself dictator of all of Mexico.

Hispanics and Anglos living in the Texas part of Mexico wanted the Mexican constitution restored, or independence from Mexico.

Santa Anna then invaded Texas with three armies to put down the dissenters. The men at the Alamo were led by a 27-year-old lawyer from South Carolina and Alabama named William Barrett Travis.

There is a lot of legend, lore and tradition about the defense of the Alamo. But what is true, Mr. Speaker, is that the Alamo defenders believed that some things were worth living for and dying for. One of those being the word, liberty.

Being surrounded, Travis knew he could not hold off Santa Anna's army and he sent out numerous dispatches for help. I have a copy of one of those letters on my office wall. It reads, ''Fellow citizens and compatriots, I am besieged by 1,000 or more of the enemy under Santa Anna. I have sustained a continual bombardment and cannon fire for over 24 hours, but I have not lost a man. The enemy has demanded surrender at its discretion, otherwise this fort will be put to the sword. I have answered that demand with a cannon shot and the flag still waves proudly over the north wall. I shall never surrender or retreat. I call upon you in the name of liberty and patriotism and everything dear to our character to come to my aid with all dispatch. If this call is neglected, I am determined to sustain myself for as long as possible and die like a soldier that never forgets what is due his honor and that of his country. Victory or death, William Barrett Travis, commander of the Alamo.''

Travis held out for 5 days and 6 days and up to 13 days. But no troops ever came to help the Alamo defenders except the 32 men from Gonzales, Texas.

Eventually Travis and the boys were overwhelmed, and not one was spared by Santa Anna. But victory was expensive for the dictator Santa Anna. Travis, in his last letter from the Alamo said, ''Victory will be more costly for Santa Anna than defeat.'' He was right. Santa Anna's losses were staggering. He also had a crippled army and lost the moral victory to the Texas war of independence.

Then on April 21, 1836, General Sam Houston routed Santa Anna's larger army at the marshes of San Jacinto. Texas became an independent nation and was so for 9 years. And Mr. Speaker, the rest, they say, is Texas history.

William Barrett Travis is my favorite person in all of history. My grandson is named Barrett Houston in his honor.

I conclude these remarks about the Alamo with Marty Robbins' closing lines:

The bugles are silent.
There's rust on every sword.
There's a small band of soldiers
That lie asleep in the arms of the Lord.
And like a statue on his pinto
Rides a cowboy all alone.
And he sees the cattle grazing
Where just a century before
Santa Anna's guns were blazing
And the cannons used to roar.
His eyes turn sort of misty
And his heart begins to glow
And then he takes his hat off slowly
To the men of that Alamo.
To the 13 days of glory
At the siege of the Alamo.

Mr. Speaker, that's just the way it is.

THE ENUMERATED POWERS ACT

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

Mr. SHADEGG. Mr. Speaker, today I rise to speak of the importance of the 10th amendment and of a bill that I have introduced each Congress since the 104th Congress, the Enumerated Powers Act. I speak today as a member of the Constitution caucus, chaired by my colleague, Congressman SCOTT GARRETT of New Jersey. It is a caucus that is dedicated and works tirelessly to illuminate the importance of the Constitution and of the 10th amendment.

The 10th amendment to the United States Constitution reads as follows: ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

Let me emphasize that again. ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

What that means is that the Founding Fathers intended our national government to be a limited government, a government of limited powers that cannot expand its legislative authority into areas reserved to the states or to the people. As the final amendment in the 10 Bill of Rights, it is clear that the Constitution establishes a Federal Government of specifically enumerated and limited powers.

For that reason, as I indicated, I have introduced, each year since I have been in this Congress, the Enumerated Powers Act. This bill would require that all pieces of legislation introduced in the Congress, by a Member of Congress, would have to contain a statement setting forth the specific constitutional authority granted by the Constitution to the U.S. Congress by which that piece of legislation was to be enacted. This measure would enforce a constant and ongoing re-examination of the role of our national government.

The Enumerated Powers Act is simple. It is simply intended to require a scrutiny that we should look at what we enact and that, by doing so, we can slow the growth and reach of the Federal Government, and leave to the states or the people, those functions that were reserved to them by the Constitution.

It will perform three most important functions.

First, it would encourage Members of Congress to pause and reflect and to consider whether they propose a piece of legislation, whether it belongs at the Federal level in the allocation of powers under our U.S. Constitution, or properly belongs with the states or with the people.

Second, it would function to force us to include a statement in the legislation explaining by what authority we are acting.

And third, it would give the United States Supreme Court the ability to look at the constitutional justification for each piece of legislation, and if that constitutional justification did not stand up to scrutiny, the courts and the people would find it easier to hold the Congress accountable and to eliminate those acts which are beyond the scope of the Constitution.

In 1787, when the Founding Fathers wrote our Constitution, they created a national government with great powers but limited powers, believing that granting specific, rather than general legislative power to the national government would be a central mechanism for protecting freedom while allowing us still to achieve the objectives of a national government. As a result, the Constitution gives the Federal Government only 18 specific enumerated powers, just 18 powers.

For the largest part of our history, for the first 130 years, the Constitution served as a bulwark against excessive Federal regulation and against excessive all powerful Federal Government. Unfortunately, the restraint that Congresses demonstrated under that provision of the Constitution has largely been abandoned in the latter half of the 20th Century and now in the 21st Century.

Beginning with the New Deal, modern Congresses have displayed a willingness to ignore the 10th amendment

in order to greatly expand the Federal Government.

Let me be clear. Virtually all the measures which go beyond the scope of the powers granted to the Federal Government by the 10th amendment are well-intentioned. But unfortunately, many of them are not authorized by the Constitution. The Federal Government has ignored the Constitution and expanded its authority into every aspect of human conduct, and quite sadly, it is not doing many of those things very well.

The size and scope of the Federal Government has exploded, and there is a belief that the Federal Government can do anything. And yet, that is not what the Founding Fathers intended.

For too long, the Federal Government has operated without constitutional restraint, blatantly ignoring the principles of federalism.

I urge my colleagues to join me in supporting a review and a criticism and an evaluation of the proper role of the Federal Government in order to empower the American people and to distribute power as the Constitution contemplated it.

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

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

SECURE RURAL SCHOOLS

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

Mr. SALI. Mr. Speaker, I rise today to speak about an issue that is of vital importance to Idaho's First Congressional District, my State as a whole, and the greater western region of our country.

It is critical that Congress include language in the Emergency Supplemental to reauthorize and fully fund a 1-year extension of Secure Rural Schools and Community Self-Determination Act of 2000. It affects more than 615 rural counties and 4,400 schools near national forests in 39 states and literally, tens of thousands of students.

Without reauthorization, in Idaho alone, we would lose $23.3 million in funding this next year. That is a staggering loss in my small rural state.

In order to fully understand this issue we need to go back to the final year of Theodore Roosevelt's presidency to the establishment of the 1908 Payment Act for National Forests. Under this act, the Forest Service has paid 25 percent of its gross receipts to the states for the use of roads and schools in the counties where our national forests are located. The receipts come from leases, rentals, timber sales or other fees paid for using the National forest lands or resources. This is especially critical in Idaho, where more than 60 percent of our land is federally managed.

Congress realized at the time it was difficult for rural communities to be financially independent if they were surrounded by Federal land. If we privatized the land in those counties, they would be collecting property tax. But they cannot because the land is managed by Uncle Sam.

The Secure Rural Schools and Community Self-Determination Act of 2000, or a bipartisan Craig-Wyden plan was passed by Congress and signed into law by President Clinton to provide funding to offset the loss of revenues to counties resulting from the severely reduced Federal timber sales in rural communities. The laws kept schools opened, roads maintained, search-and-rescue missions operating and many other essential services afloat.

The 5-year time frame of the Craig-Wyden measure was designed to allow counties sufficient time to broaden their economic bases to replace historic timber sale income. The Federal timber sale program in Idaho has, to put it mildly, come up short. Idaho's communities want to log and carefully make use of the State's timber resources, but regulatory restrictions won't let them.

□ 1730

And that is why we need to take action.

Allow me to cite one example. I have the good fortune of representing the people of Shoshone County. Shoshone County is a rural county with about 13,000 students. Shoshone County receives the second largest amount of funds under the Secure Rural Schools Act, about $4.3 million. This is an already economically depressed community. About 75 percent of Shoshone County is in the Federal system, and yet the county is responsible to maintain more than 400 miles of public roads.

On my recent trip home just days ago, I had the opportunity to meet with Shoshone County commissioners and superintendents of public schools. For Shoshone County, losing these funds, 40 percent of their budget, means massive layoffs in an already small school system, loss of transportation for children to get to school, placing children in hazardous conditions to get to school. The road system needs constant care and maintenance. They can barely get by with what they have now.

We don't let Idahoans harvest timber. We expect them to maintain Federal roads. We provide them no fiscal relief or support. We want a top quality education for our children, but they have no economic base to raise even modest taxes.

Congress has to step in. We have to act now. First, in the short term, the solution is for Congress to approve a 1-year extension of Craig-Widen in the emergency supplemental. Second, while providing interim funding, Congress must come up with a long-term solution to this situation. I believe ultimately the answer lies in increasing timber harvesting.

The House Appropriations Committee will mark up the emergency supplemental this week. The emergency supplemental will be the last opportunity to address this issue before counties have to start implementing cuts to schools and services. Without a 1-year reauthorization of and funding for the Secure Rural Schools and Community Self-Determination Act, the predicament will be an emergency without rescue for hundreds and hundreds of rural counties across America.

I want to urge my colleagues to support this crucial 1-year extension.

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

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

FEDERAL GOVERNMENT LAND

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

Mr. DUNCAN. Mr. Speaker, today the Federal Government owns over 30 percent of the land in this country. State and local governments and quasi-governmental agencies are controlling the other 20 percent. Half the land, 50 percent, is in some type of government or public ownership or control.

We could probably live with this, but the problem is that government at all levels keeps taking over more and more property at a faster rate than ever before.

People don't get upset unless or until their property gets taken. And it sounds great for a politician to create a park, but now we have so many parks, recreation areas, nature preserves, national forests, and on and on that we can't take care of all of them.

We are constantly being told we have a mega-billion-dollar maintenance backlog for the national parks and all these other public areas; yet we keep taking over more land. You really can never satisfy government's appetite for money or land.

We just do not teach our young people how important private property is to both our freedom and our prosperity. We see this most clearly in the fact that counties that have high percentages of public land are almost always poverty areas or at least counties with incomes far below the national average. Also, because we keep taking so much land off the tax rolls, we keep shrinking our tax base at the same time that all of the schools and government agencies tell us they need more money.

Now almost every State has gone to lotteries, casinos, or some type of gambling in a desperate attempt to get more revenue because property taxes just don't raise enough money since so much land has been taken off the tax rolls. Because of this, I believe gambling addiction is going to become a real problem in this country in the years ahead.

Another part of this problem is that government at all levels keeps putting more and more restrictions on the land that remains in private hands. The Washington Post had a headline a few months ago that said: ''Judge Saves Land From Development.'' It might also have said: ''Judge Preserves Land for Wealthy'' or ''Judge Keeps Young People From Buying Homes.''

Preventing more land from development is driving up the cost of homeownership and putting it out of reach for many young families. It is also forcing more people into apartments or townhouses or homes on postage-stamp-size lots, leading to new problems from congestion.

The Washington Times pointed out that more than five times as much land, more than five times as much land, has been set aside as national parks, wilderness areas, Federal forests, and Federal grazing areas than has ever been developed. Today, you could put every family of four in the State of Texas and give them 3 acres of lands each and leave the whole rest of the country empty. Over three-fourths of the population lives on 3½ percent of the land.

USA Today reported last November 30 that the U.S. now has 37 million acres of private land under some type of protective trust or restrictive easement, a 54 percent increase just since 2000. Also, conservation of private land from 2000 to 2005 averaged 2.6 million acres a year, which USA Today said was almost half the size of New Jersey, each year. This is information from the Land Trust Alliance, which represents 1,200 of the 1,667 local, State, and national land trusts.

Another group, the Nature Conservancy, manages 1,400 areas in the U.S. and now has assets of $4.14 billion. Some people will recall The Washington Post series about the sweetheart deals the Nature Conservancy was doing for its wealthy contributors and board members. The Nature Conservancy had income of $1.8 billion in 2004 and 2005 and has set aside 15 million acres. According to its tax returns, the Nature Conservancy in fiscal year 2005 received over $97 million in government grants, over $14 million in government fees and contracts, and over $165 million from sales of land almost all to government. All this is always reported in the news as the greatest thing since sliced bread; but unless these activities are slowed, which is very doubtful, young people will find it extremely difficult to find places to start small businesses or build new homes. Also, there will be less money for people to travel to and enjoy all the parks, preserves, national forests, and recreation areas we already have.

Mr. Speaker, if we keep taking more and more property off the tax rolls, we are going to really cut back on government services. Much worse, if we keep destroying private property and restricting development, we are going to slowly do away with the dream of homeownership and we are eventually going to bring about a lower standard of living for our children and grandchildren.

OUR MILITARY HEALTH CARE SYSTEM

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

Mr. PENCE. Mr. Speaker, I have long believed that how we treat the most vulnerable in society says a great deal about who we are as a Nation. So you can imagine that I, along with tens of millions of Americans, was appalled at the recent revelations in the media about the care at the outpatient facility at the Walter Reed Army Medical Center.

Now, let me say, having visited Walter Reed more than once with my wife to visit injured Hoosier soldiers returning from battle, that there are, in fact, dedicated caregivers at the Walter Reed Army Medical Center, doctors and nurses and members of the facility staff who spend their days and nights helping the wounded. But the now infamous Building 18, a decrepit former hotel outside the main gates of Walter Reed, has come to public notice. It housed more than 80 soldiers. With moldy walls, soiled carpets, leaky pipes, mice, and cockroach infested, this facility was a national embarrassment.

I am outraged that our wounded warriors were forced to endure these terrible conditions. Our troops deserve better care, and they deserve it as soon as possible.

But more than the filthy living conditions, Mr. Speaker, the dirty secret of the military health care system in this country is that our injured veterans, after navigating the dangers of the battlefield, must navigate a bureaucratic morass to get the care they deserve. After receiving lifesaving surgeries at military facilities, wounded soldiers, sailors, airmen, and marines must negotiate an overwhelming amount of red tape. I have seen it firsthand, working with families attempting to make their way through our veterans' and military health care system.

I was at the President's speech this morning at the 47th annual gathering at the American Legion as the President said that these bureaucratic delays as well as these living conditions must come to an end. The President said, ''It is unacceptable to me. It is unacceptable to you. It is unacceptable to our country. And it is not going to continue.''

I applaud the President and Secretary Gates for all they have done to hold the entire chain of command responsible for the conditions at Walter Reed, but we must do more to fundamentally bring reform to the system whereby we provide health care services to our veterans.

Today, the American Legion signed an agreement, for instance, with Walter Reed Army Medical Center to establish an office at the facility to assist in the transition of wounded servicemembers from the Department of Defense to the Department of Veterans Affairs. This is a good start. The hope is that the legion office will significantly alleviate the long backlogs in out-processing wounded soldiers. Thank God for these veterans who are willing to help.

As a fiscal conservative, I have long called for smaller, more accountable government. In the area of military health care, we need now, more than ever, more accountable government. I appreciate the President's emphasis on the need to improve the delivery of services and not just throw more money at it. Washington D.C. and especially this Congress under current management and, quite frankly, prior management often solves problems by throwing more money at it. But assuming Congress enacts the President's 2008 budget, the VA health care budget alone will be up 83 percent since he took office.

Money alone is not the answer. We must change the way we serve the medical needs of those who have served us in uniform. We need substantive reforms, and it is my hope that the Dole-Shalala Commission and the Secretary of Veterans Affairs task force that the President announced this morning are able to meet those immediate needs.

The President said, and I would echo today, ''We have a moral obligation to provide the best possible care and treatment to the men and women who have served our country. They deserve it, and they're going to get it.''

But let us not just solve the problem with more money, with changes in the chain of command. Let us work in a bipartisan way in this Congress to fundamentally bring changes to our health care system that serves our military, that serves our veterans, that ultimately will rise to the level that each one of them deserves.

The Old Book says if you owe debts, pay debts; if honor, then honor; if respect, then respect. One of the ways that our Nation discharges a debt that we cannot ever fully repay to those who have worn the uniform is to ensure that they receive the medical treatment that they so richly deserve. And I commit myself to that today.

THE ENUMERATED POWERS ACT

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

Mr. AKIN. Mr. Speaker, I rise today to discuss and to support the Enumerated Powers Act introduced by Congressman SHADEGG. The Enumerated Powers Act is most important to protect the tenth amendment. We understand that with the word ''federalism.''

People perhaps, though, are not so aware of where the concept of federalism originally came from. They think some brilliant founders got together in Philadelphia in 1789 and came up with the idea of federalism, but, in fact, that is not quite true.

The concept of federalism dates way, way back to 18 years after the arrival of the Pilgrims in the Plymouth Colony. It goes to the time when the State of Connecticut was being founded and a great preacher by the name of Hooker preached a series of sermons outlining how the government in Connecticut should be structured. Those sermons resulted in what was called then the ''Fundamental Orders of Connecticut.'' And what it said was that Hartford had certain enumerated powers and of anything not specifically enumerated for Hartford to handle, the other towns would have those powers.

So it was that we started with the idea of federalism, that is, that there is only specific power granted to the central organizing authority, in this case the U.S. Constitution.

□ 1745

Now, the Enumerated Powers Act requires that all bills introduced in the U.S. Congress include a statement setting forth the specific constitutional authority under which the law is being enacted. It would, of course, enforce, then, the reexamination of the proper role of the national government and it will fundamentally alter the ever-expanding reach of the Federal Government. The Enumerated Powers Act requires scrutiny of the Federal Government to slow this reach, particularly in the sense that it will require that there be a properly cited constitutional authority to precede the legislation proposed.

Now, the Constitution gives the Federal Government only 18 specific enumerated powers. But ignoring the principles of Federalism in the Constitution, starting with FDR and continuing through LBJ's Great Society right down to the modern day, Congresses have displayed a willingness to ignore the 10th Amendment in order to greatly expand the Federal Government.

The size and scope of the national government has exploded over the last seven decades. Congress has created ineffective costly programs, incredible annual deficits and a huge debt exceeding $7 trillion that will be passed only to our children and grandchildren. State and local governments are now dependent upon the Federal Government for funding, and the Feds now tamper with issues that are best understood by States and localities, with education and welfare reform being two cases in point.

I believe that Ronald Reagan had it right: ''I have always felt that the nine most terrifying words in the English language are, 'I'm from the government and I'm here to help.'''

We need to uphold the entire Constitution, not just the parts we choose to use for our own ends.

UMBRAGE TAKEN AT COMMENTS REGARDING DEMISE OF VICE PRESIDENT

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

Mr. BURTON of Indiana. Mr. Speaker, I was watching television last night, I think it was the O'Reilly Show, I am not sure exactly, but I believe it was the Bill O'Reilly Show on Fox Network, and they had an excerpt of another show from which were taken some remarks by a well-known comedian and political advocate in which he was inferring that the country would be better off if the Vice President of the United States died. I took great umbrage at that. I was very, very upset about that, because Vice President CHENEY has been an outstanding servant of this country for a long, long time.

I had the pleasure of serving with Vice President CHENEY when he served in this body as the Republican whip. He worked very hard in the Ford administration as the chief of staff. I don't know that anybody has ever really been able to question his integrity, because he is a man of integrity, and he has been trying his best to assist the President of the United States in dealing with some very, very troubling issues, not the least of which are the war against terror and the war in Iraq.

Mr. Speaker, I won't mention the comedian, the political pundit, who made the remarks on television on HBO just recently, but I will just say that I think it is very, very bad taste for anyone to infer, even infer, that the Vice President of the United States, Mr. CHENEY, who has done such an outstanding job for this country over a long period of time, should be better off dead. That was the inference that was made. I think it was wrong, and I hope that doesn't happen in the future.

I may take issue with political leaders on the other side of the aisle, and I may very much in very severe ways disagree with them, but in no way would I ever indicate that they should be better off under the ground than on top of the ground, even though we have severe differences. And for anyone to infer that the Vice President should die really, really bothers me, especially in this time we are in, these very troubling times.

Vice President CHENEY is a great man. He has done an outstanding job for this country and he should be respected, even if you disagree with him.

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

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

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

(Ms. GINNY BROWN-WAITE of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

BLUE DOG COALITION

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

Mr. ROSS. Mr. Speaker, this evening, as every Tuesday evening, I rise on behalf of the 43 member strong fiscally conservative Democratic Blue Dog Coalition. We are a group of fiscally conservative Democrats that are doing our best to restore common sense and fiscal discipline to our Federal Government. Part of that is accountability.

This evening I am pleased to be joined by another gentleman from Arkansas, Mr. BERRY, from Arkansas's First Congressional District, as we talk about restoring not only common sense and fiscal discipline to our national government, but accountability to our Federal agencies.

Mr. Speaker, a week ago, Saturday, February 24, 2007, at about three in the afternoon, not one but two tornadoes devastated the rural delta county of Desha County. The county seat is Arkansas City. It was spared. McGehee was spared for the most part. But Dumas, a town of about 5,000 people, was hit, and hit hard, as you can see from this photo provided to me by Agnes Ross at the Dumas Clarion. This is what was left of the Fred's Dollar Store. My district director's dad was in the meat locker of the grocery store, Matt Butcher, next door, which was also destroyed. In fact, Mr. Speaker, 150 homes were either destroyed or

heavily damaged. Depending on whose numbers you want to rely on, somewhere between 600 and 800 workers were displaced from work, because wherever they worked was destroyed or heavily damaged. That community of Dumas and much of Desha County went without power for five days.

It was bad enough that the Governor cut short his trip to the National Governor's Association meeting here in Washington and flew home, and I was privileged to join him in going to Dumas and spending the afternoon visiting folks and reassuring folks that help was on the way. It was bad enough that the Governor called out 150 members of the Arkansas National Guard.

That was February 24, 2007. More than a week later, the President still has not declared Desha County a Federal disaster area and FEMA has not responded to my request to move 150 mobile homes that were purchased for Hurricane Katrina to Dumas and Desha County to be used for temporary housing while these good folks in this forgotten delta county get their lives put back together and rebuild their homes.

Mr. Speaker, this is one example of the damage. Again 150 National Guard soldiers called out; 150 people's homes either destroyed or severely damaged; 600 to 800 workers temporarily displaced from their job because wherever they worked was destroyed or heavily damaged; no power for 5 days. And yet the Federal Emergency Management Agency says that this forgotten delta county, Desha County, is not worthy of a Federal disaster declaration. They want to talk about all these rules and regulations and all this bureaucratic this and bureaucratic that.

You would expect that from the IRS, Mr. Speaker, you would expect that from most Federal agencies. But when I think of the Federal Emergency Management Agency, when I think of FEMA, I think of first responder. I think of one Federal agency that should be able to cut through the bureaucratic red tape and get something done. If FEMA can't do it, no Federal agency can do it, and FEMA is not.

I guess what infuriates me more is a week after these two tornadoes struck Dumas and Desha County, and here is another good photo of one of the houses that was destroyed, we can't convince FEMA that that home is destroyed, but we believe it was destroyed, it is certainly uninhabitable, but what gets me is, a week ago Saturday, the tornadoes hit Dumas. The President has yet to declare it a Federal disaster area, FEMA has yet to help with temporary housing, or anything else, for that matter, and yet the following Saturday, and my heart goes out to the people in Alabama and Georgia, we were fortunate in Dumas and Desha County, we did not have a loss of life. We did have a couple of dozen injuries, some of them very serious, but the good Lord was working overtime in Dumas, Arkansas, a week ago Saturday. There is no doubt about that. People go through and tour this town and they scratch their head. How in the world did no one die? And for those who did die in those tornados that came about a week later in Georgia and Alabama, our heart goes out for those people.

But it really galled me to see the director of FEMA with the President in Alabama and Georgia holding hands singing ''Kumbaya'' and talking about the new and improved FEMA. The new and improved FEMA has forgotten this delta county.

And this story gets better, and is hard to believe. But you can see here, this is one of the 150 homes that is either destroyed or badly damaged. Dumas is a rural community. It is not like there are a lot of rental houses available there. People, even those with insurance, need a place to live while they get their life put back together and their homes rebuilt, which could take up to a year. And this story gets better, or a better word, this story gets more tragic. Some of you are aware of this, Mr. Speaker.

When Hurricane Katrina hit the gulf coast in August 2005, one of the first things FEMA did was they ordered thousands of brand new, fully furnished mobile homes; not the camper trailers. We are talking brand new, fully-furnished mobile homes, 14 to 16 foot wide, 60 foot long, built-in microwaves, coffee tables, end tables, sofas, dining room sets, built-in central heat and air with the unit ready to drop out of the back. Most of them are equipped, or filled, I should say, with Ashley furniture.

Hope, Arkansas, because it is the old proving grounds from World War II, and it is an old military airport and they had some inactive runways and tarmacs, well, FEMA approached the City of Hope, which is also in my district. Hope used to be known as the birthplace of President Clinton. Now we are known as the largest trailer park in the world.

So FEMA entered into an agreement with the City of Hope to store these mobile homes in Hope. Not store. Actually, it was to be a FEMA staging area where they would transition through there on their way from wherever they purchased them to the gulf coast region. That was shortly after August 2005, Hurricane Katrina.

They kept delivering these mobile homes to Hope. They kept bringing more and more mobile homes to Hope. This an aerial photo that I took Saturday. This is current. I took this Saturday at the Hope Airport from a small plane. This is a current aerial photo.

All these white things, those are mobile homes that were purchased for Hurricane Katrina victims August 2005. And the staging area quickly became a storage area where more and more mobile homes arrived, but none of them ever left. Why? Because, at the time, FEMA said, oh, we don't place mobile homes in flood plains.

Well, they knew that they don't place mobile homes in flood plains before they bought them. And guess what? Everybody that lost their home in Hurricane Katrina and needed a home lived in a floodplain. So these homes were never placed.

Then President Bush was at the Democratic Caucus last month at Williamsburg, and he and I talked about this after the chairman of the Homeland Security Committee, BENNIE THOMPSON, questioned him specifically about these mobile homes, and the President told me, we are saving them for future disasters.

In Dumas, Arkansas, a week ago Saturday, the people were struck not by one but by two tornadoes; 150 homes destroyed or badly damaged; 600 to 800 workers out of work because wherever they worked has been destroyed or heavily damaged; 150 members of the Arkansas National Guard called out; and yet, that was a week ago Saturday, on Monday, the Governor and I toured Dumas and on Tuesday at 9 a.m. in a conference call I asked David Paulison, the Director of FEMA, to release 150 of these 8,420 mobile homes. That is how many are currently at the Hope Airport from the photo taken Saturday. There is 8,420 of these parked at the airport in Hope today.

I respectfully requested 150 of these be moved to Dumas, which is only 3 hours away, to provide temporary housing for the people of Dumas and Desha County while they rebuild their homes.

□ 1800

I am still waiting on an answer. So I called him back again Thursday. He still couldn't give me an answer. They still have not declared this forgotten delta county a Federal disaster, and they have yet to move a single one of these mobile homes. If what I saw in Dumas is not a Federal disaster, Mr. Speaker, I doubt we will ever see another Federal disaster again.

And, Mr. Speaker, if they refuse to move 150 of these 8,420 mobile homes from Hope to Dumas to help folks, isn't that what FEMA is supposed to be in the business of doing? Then do you really believe any of these will ever be moved for the public good to help people? It is reprehensible; I am appalled by it. I am ashamed of our government, Mr. Speaker. This is a symbol of what is wrong with FEMA. This is a symbol of why so many people in this country have given up on their Federal Government.

And the story gets better. Shortly after Hurricane Katrina and all these mobile homes showed up in Hope and they weren't moving them to the people that needed them on the gulf coast, Mr. Speaker, I spoke up and brought a photo similar to this to the House floor and I said, FEMA, if you do not move these homes to the people who need them on the gulf coast, they are going to start sinking into the cow pasture, the hay meadow, thinking that would get FEMA off high center and they would start moving them to the people

that needed them. What did FEMA do? They showed up with $7 million worth of gravel to put under them. Folks, you cannot make this up; it is too unbelievable.

And so if I appear frustrated this evening, I am because a week ago Monday, Governor Beebe and I toured Dumas and the Back Gate community. And in Back Gate, at least a week ago, and perhaps tonight, there were 30 people crowded in a metal building, calling it home because they have no place to live. I talked to Agnes Ross at the Dumas Clarion earlier today and she said she ran into somebody on the streets of Dumas earlier today, an elderly woman that had no place to go, no place to live, and yet 8,420 brand new, fully furnished mobile homes are sitting there at the airport in Hope, Arkansas, 3 hours from Dumas.

When the Blue Dog Coalition talks about restoring accountability to our government and making Federal agencies answer for their action, or a lack of action, this is a good example. This is about as good as it gets. And, Mr. Speaker, I am not here to beat up the President or beat up the director of FEMA. I tried for a week to go through the proper channels and get this done, but for the life of me I am imploring the President and the director of FEMA, Mr. Speaker, to move just a few of those mobile homes from Hope to Dumas to help these folks, provide them temporary housing while they try to get their lives put back together and their homes rebuilt.

MARION BERRY, a Congressman from the First District of Arkansas, is from Gillette. He doesn't live but a few miles from Dumas. He knows these people, too. This storm affected his area, and he is very aware of what is going on and the lack of attention from FEMA. At this time I would yield to him. I want to thank him for joining me this evening to talk about trying to help the folks of Dumas and Desha County, this forgotten delta county.

Mr. BERRY. I thank the gentleman from south Arkansas, and I certainly appreciate his leadership in this matter.

I would also encourage everyone that can hear my voice to keep in our hearts and minds and certainly in your prayers our men and women in uniform, especially those on the battlefield this evening. Reach out to them and their families and let them know that you understand and appreciate the sacrifice and commitment they make out of the goodness of their hearts.

My esteemed colleague from south Arkansas is absolutely correct. We have these horrible tornados almost every year in Arkansas. We had two in the First Congressional District that I am privileged to represent last year. We have had as many as a hundred in one day all across Arkansas.

I have served in this Congress since 1997, and from 1997 to January of 2001 we had a director of FEMA that remains distinguished to this day and always will. His name was James Lee Witt. He knew how to run an agency. He didn't make excuses. When a tornado hit, you didn't have to call FEMA, you didn't have to call the director, you didn't have to call anybody. They would just show up, Johnny-on-the-spot. They knew what they were doing. They were trained. They could make decisions. They helped people start putting their lives together. They helped communities and local governments clean up the mess. They provided the necessary financing to get the economy going again. They worked with the public schools to get them repaired and back in order.

Today, FEMA is a worse disaster than the storms. If they show up at all, which they haven't in Desha County, and my colleague, Mr. ROSS, is absolutely right, I just live right across the river from Desha County, it is part of my home. Today, if they show up at all, it is for a photo op. I saw this past Saturday on CNN, FEMA has a new truck, a communications truck. They were so proud. They were explaining that this communications truck, and I would love to know how much it cost, was the secret to their success because they were going to be able to use that truck to take pictures and broadcast them back to FEMA headquarters and they would get the same information they could have gotten from CNN 3 hours ago. All of this would be hysterically funny if it was not so tragic.

This is not a funding issue. It is just a simple matter of incompetence from the top to the bottom. This administration simply does not know how to run a government agency.

I have not talked to Mr. Paulison. I have talked to him on previous occasions, and he defines the word ''bureaucrat,'' which is a sad thing to have to say about anyone. It is the job of the Congress to hold these people accountable.

I have had conversations with Secretary Chertoff. And he assures me that these trailers that are down in Hope, we are going to take care of those. This was over a year ago. He appeared before the Appropriations Committee and explained that in just a few months these were all going to be moved out and everything was going to be wonderful. They are just sitting down there going to ruin. Nobody is using them. But they wouldn't let the victims of tornados in my district last year use them. They won't let the good people of Desha County use them this year. This just doesn't make any sense.

It is the job of the Congress, and that is the reason my colleagues and I are here this evening, to begin the process to hold these incompetent bureaucrats accountable for the terrible way they are running this agency. For crying out loud, if you can't do anything else, give us a ''no'' answer. Tell us something. Don't just let it stay out there and twist in the wind.

I can tell you this: You don't have to be all broke out in brilliance to look at these pictures or drive through that community and know a terrible disaster took place, and they are deserving of the help of the Federal Government. What a sad thing it is to go from an agency and a government only 6 years ago that would come to the aid of the people when a disaster happened, to this horrible mess that we call FEMA today that is so incompetent all they can do is spend money where it doesn't help the people. It is time that they at least appeared before this Congress and make some kind of a pathetic explanation as to why they are operating the way they are at this time. And let's hope that by some stroke the administration and the White House, who is ultimately in charge, will at least have the credibility and feel responsible enough to get control of that agency, because we know there will be more disasters that will happen to the American people, and we are going to need help from our Federal Government.

We cannot continue to operate this way. What a sad thing it is to see this agency and the way they treat people who have had their lives destroyed, their jobs destroyed, their homes destroyed, and yet they are not even deemed worthy by the director of FEMA or the Secretary of Homeland Security of a little bit of help and a little bit of recognition by the Federal Government so they can get some help on their own.

And can you imagine, if the Secretary of Homeland Security can't see that FEMA works, can you imagine the mess that the rest of Homeland Security is in? What a terrifying thought that these people are in charge of anything, but certainly in charge of our homeland security and in charge of the very Federal agency that is charged with bringing assistance and helping the people when these tragedies take place.

I would join my colleague in recognizing tragedies that took place in Alabama and Georgia and the loss of life and how terrible that was, and we hope they get treated better. They certainly deserve to be treated well. They deserve all the help it is possible to give them at this time.

Let's hope that we are not back here in 2 weeks to hear stories from Alabama and Georgia about how, well, FEMA came and they had their picture made with us and they gave us a big hug, and then they left and nothing happened. They deserve better. And let's hope that they get better. We also deserve to have help for the people in Desha County in south Arkansas in the First Congressional District. They deserve to be treated better, also.

And, Mr. Speaker, I can tell you that my colleague, Mr. ROSS, will not rest, nor will the Arkansas delegation, nor will the Governor of the State of Arkansas rest until we see the recovery taking place and the wonderful community of Dumas, Arkansas, begin to be restored and the economy begins to prosper again, and the people begin to put their lives back together.

I thank my colleague for his leadership, and I will yield back.

Mr. ROSS. I thank the gentleman from Arkansas for joining me this evening and talking about the lack of accountability within the Federal Emergency Management Agency.

To recount, February 24, 2007, a week ago Saturday, not one, but two tornadoes devastated the town of Dumas and the Back Gate community in Desha County. The Governor declared it a State disaster, called out 150 members of the Arkansas National Guard who were there for nearly a week. It took crews of more than a hundred working for 5 days to restore electricity to that delta county. Some 600 to 800 people remain out of work because of the damage done to their workplace. And yet here we are, a week ago Saturday in Dumas, horrible tornados. And the ironic thing is that FEMA has a staging area with 8,420 brand new fully furnished mobile homes 3 hours away, filled with Ashley furniture and built-in microwaves ready to be set up, and the mayor and the county judge, Marion Gill, the mayor of Dumas, Mark McElroy, the county judge in Desha County, they have got sites available. The zoning is cleared with city water, with water and electrical and sewer hook-ups, and yet FEMA, which is supposed to be in the business of helping people, refused to move a single one of these to the more than 150 people who lost their home, like this family right here.

□ 1815

This is one of the 150 homes that were either totally destroyed or heavily damaged. Yes, some of these folks had insurance, but yes, we have 8,420 mobile homes 3 hours away that are not doing anybody any good sitting at the airport in a hay meadow. They were purchased to help people.

There is no place to rent in Dumas. These folks in Dumas and Desha County need a place to live temporarily. We are not asking that they give these mobile homes to them. We are asking for temporary assistance. That is what FEMA is in the business of or supposed to be. Allow these folks to temporarily live in 150 of these 8,420 brand new mobile homes, filled with Ashley furniture.

They are not doing anybody good in Hope. Let us get them moving, Mr. Speaker, to Dumas, Arkansas, and let these folks in Dumas who lost their homes or had their homes heavily damaged live in them temporarily while they get their life put back together and rebuild their homes.

Mr. Speaker, this is not the first time we have raised this issue. Here is the timeline, talk about accountability and restoring accountability to our government: Saturday, February 24, two tornadoes devastated the communities of Dumas and Back Gate in Desha County. Monday, February 26, I surveyed the damage on the ground and in the air along with Governor Beebe and other elected officials. Governor Beebe named Desha County a State disaster area and announced his plans to request a Federal disaster declaration.

Tuesday, February 27, I held a conference call with FEMA Director David Paulison, along with Senator LINCOLN from Arkansas and staff for Senator PRYOR. In the call, I conveyed my support of Governor Beebe and requested FEMA expedite their decision and action as well as encouraged FEMA to use 150 manufactured homes from this supply of 8,420 of them from Hope, Arkansas, just 3 hours away, for the families without shelter in Desha County.

Later Tuesday, my staff talked with FEMA again regarding the status of the disaster declaration, and they expressed that they did not read the laws as we did and that they are still working with Arkansas to gather information. In other words, the bureaucracy began.

Wednesday, February 28, I joined with both senators, Senator LINCOLN and Senator PRYOR from Arkansas in sending a letter to President Bush and FEMA Director Paulison supporting Governor Beebe's request for a Federal disaster declaration.

Thursday, March 1, 2007, I again talked with FEMA Director Paulison regarding the lack of a response and movement of these mobile homes from Hope and expressed my displeasure with his office. It had been 6 days since the tornadoes and the communities were just beginning to regain electricity in parts of the town. At that point, FEMA says the reason for not declaring a disaster area is the high rate of insured homes and the fact that the State is capable of taking care of the damage.

Supposedly, they told CNN, FEMA did, that the State has a surplus this year, and they do not need their help. Well, Mr. Speaker, that is the craziest thing I have ever heard of. The city and county is a very rural area. It is in the delta region. They lost half their sales tax base when a big retail store left about a year ago. They had a Fred's Dollar Store and a grocery store left, and they have been destroyed. They have, at least for a short period of time, perhaps up to a year, lost much of their tax base. At the same time, they are struggling to pay for a new county hospital and new city hospital there in Dumas, and they are not getting any help from the one agency that we thought was supposed to be there to help us in the time of need, the Federal Emergency Management Agency.

Friday, March 2, 2007, I again joined with Senators LINCOLN and PRYOR to send another letter to FEMA in support of Governor Beebe and the immediate need for mobile homes in Desha County.

Saturday, March 3, during an address in Memphis, Tennessee, at the 55th Annual Mid-South Farm and Cotton Gin show, I commented on the lack of response from FEMA one week after the tornadoes.

I went to Hope, and I stood in front of these 8,420 mobile homes to highlight the waste of taxpayers' money, the fact that these brand new, fully furnished manufactured homes are just 3 hours away from Dumas, yet they are not being put to good use. They are not helping the people some 3 hours away in Dumas.

Then, Tuesday, March 5, 2007, that is today, I joined Senators LINCOLN and PRYOR in sending a letter in support of Governor Beebe's request to the U.S. Small Business Administration to request small business disaster loans be administered in Desha County to help the 25 businesses which were destroyed and the more than 800 employees who are now without a job or a place to work nearby, some 600 to 800 depending on which day it is and which businesses are able to get back up.

My office hand delivered letters from me and photos I took, this photo right here. We delivered an 8x10 copy of this photo along with a letter today to President Bush, to FEMA Director Paulison, and to the Department of Homeland Security Secretary Chertoff, making one final plea to assist these folks in this forgotten delta county.

Well, we have gone on long enough on this, Mr. Speaker, but I think it is important. As members of the Blue Dogs, we talk about accountability, and you cannot talk about accountability and the lack of it without talking about FEMA. Again 8,420 brand new mobile homes sitting there at the Hope airport, not doing anybody any good, and I have got 150 homes either totally destroyed or damaged like one 3 hours away.

It has been more than a week. FEMA refuses to send a single mobile home to assist these folks. If they are not going to move them 3 hours away to a disaster area, Mr. Speaker, I can assure you these mobile homes will never be put to the public good. They will never go to help people if they are not going to help people 3 hours away in their time of need.

I am, once again, Mr. Speaker, imploring the President and the director of FEMA and the Secretary of Homeland Security to do the right thing and to get some of these mobile homes moving to Dumas, where tonight 30 people are living in a metal building. They need our help, Mr. Speaker.

That is what the Blue Dog Coalition is all about. We are about trying to restore common sense and fiscal discipline to our national government, and we are about accountability.

In fact, Mr. Speaker, we have what is called the Iraq War Accountability Act, and we are going to be talking about that more this evening.

Mr. Speaker, as you walk the halls of Congress, it is easy to know when you are walking by an office that belongs to a member of the fiscally conservative Democratic Blue Dog Coalition. Why? Because you will see this poster. A poster reminding Members of Congress and reminding the people who

walk the halls of Congress that our Nation is in debt.

Today, the U.S. national debt is $8,811,969,377,773 and some change, and if you divide that by every man, woman and child in America, your share, Mr. Speaker, of the national debt is $29,245. It is time that this Nation get its fiscal house in order, and one of the ways we do that is by restoring accountability to our Federal agencies, which is what this business with FEMA is all about, trying to restore accountability and common sense and cutting through the bureaucracy and red tape to help people in their time of need.

At this time, it is a pleasure for me to yield to my friend from the State of Ohio (Mr. WILSON). We are pleased to have Mr. WILSON as a new Member of the fiscally conservative Democratic Blue Dog Coalition, and at this time, I recognize Mr. WILSON.

Mr. WILSON of Ohio. Mr. Speaker, it is hard to believe when the Katrina accident happened that we were out of line as much as we were and not responsive, as has been indicated here this evening, and it is even harder to believe that after the correction of that, we are back in the same boat again.

I know they changed FEMA directors. Mr. Brown was terminated and went on. And then now we have a new group of people running FEMA, but it does not seem to be any better.

Mr. Speaker, the Blue Dogs stand for accountability. We stand for accountability in a lot of different ways. We feel that there are some truly misguided priorities that are hurting our country and hurting us as people here.

Mr. Speaker, just Sunday evening, millions of Americans watched ''60 Minutes.'' We heard what the Blue Dogs have been talking about for more than a decade.

In the report, the U.S. Comptroller General, the Nation's top accountant, urged people to wake up to our budget crisis before it is too late. These are his words, Mr. Speaker.

''What's going on right now is we're spending more money than we make.'' Couldn't be much more simple. ''We're charging it to a credit card and expecting our grandchildren to pay.''

Mr. Speaker, that is absolutely wrong. The Comptroller General is absolutely right. Our fiscal mess is outrageous, and we as Blue Dogs stand for accountability. Reckless budgets and irresponsible spending has got us into the fix we are in, and now it is the responsibility of this Congress to help us get out.

The administration has had misguided priorities that have been painfully clear. They send pallets of cash to Iraq while our veterans at home suffer in dirty, broken-down facilities, not getting the medical care that they need after putting their life on the line for our country. Recent reports of the deplorable conditions and the roach-infested rooms at Walter Reed are an outrage, and they are unacceptable. Mr. Speaker, it is an understatement to say that our brave veterans deserve so much more than the way they are being treated.

We must hold this administration accountable for this reckless approach that has allowed millions of dollars to go missing in Iraq while our brave young men and women who need proper medical care have gone without it. We must provide real oversight to keep this from happening again, just like we need to provide real oversight as we work for a responsible budget.

Mr. Speaker, what will happen if we do not clean up this fiscal mess? We only need to listen to the words of the Comptroller General again in last Sunday's ''60 Minutes'' presentation. He said, ''We suffer from a fiscal cancer. It's growing within'' our country. ''And if we do not treat it, it could have catastrophic consequences for'' America.

As Blue Dogs, Mr. Speaker, we will shine a bright light on this cancer and nurse our budget back to health. Our future and the future of our children and our grandchildren depend on it.

Mr. ROSS. Mr. Speaker, I want to thank the gentleman from Ohio (Mr. WILSON), an important member of the fiscally conservative Blue Dog Coalition, for sharing your thoughts with us this evening as we try to, Mr. Speaker, talk about the need to restore fiscal discipline and accountability to our government. You gave a good example of putting an end to the debt and the deficit spending, and we have had examples this evening about restoring accountability to government, and the accountability and lack of it within FEMA.

We are going to hear about other areas where we need to restore accountability within our Federal Government this evening, and we will talk some about the Blue Dog Coalition's Iraq War Accountability Act.

We support our troops. In fact, we support them so much we want to make sure this $12 million an hour that is being sent to Iraq of your hardearned tax money, Mr. Speaker, is going to support our men and women in uniform. Unfortunately, as we have learned, much of it is not, and that is why we have this legislation, H.R. 97, the Iraq War Accountability Act.

Mr. Speaker, if you have got any comments, questions or concerns for us, you can e-mail us at bluedog@mail.house.gov. That is bluedog@mail.house.gov.

At this time, Mr. Speaker, I yield to another member of the fiscally conservative Democratic Blue Dog Coalition, the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I want to thank the gentleman from Arkansas (Mr. ROSS), my good friend, who every day is working to represent the constituents of his State.

I share, too, the concerns with the lack of accountability that has taken place over the last 4 years as we have put America's finest men and women in uniform in harm's way, fighting this war on terrorism, but specifically in Iraq and Afghanistan, and only to find that too often we have not done the necessary planning, we have not put the necessary resources in place nor have we taken the time to ensure that their work is focused on in a way that brings results, the kind of results that all Americans as taxpayers want to see when we invest in our Nation's interests.

The Iraq Accountability Act is an important step to try to reinstate credibility through this war effort, and therefore, we are urging our colleagues throughout the House to embrace this effort. This is not a partisan issue. This is all about making sure that when we invest $25 billion in reconstruction, when we need that kind of investment here at home, that it, in fact, is not taken in by sole source contracting single bids; that, in fact, that the work actually takes place at a level of quality so that the Iraqi government or the citizens can, in fact, benefit from that investment of infrastructure.

□ 1830

We just saw recently about the construction of a police station that was so shoddily built with U.S. taxpayers dollars that, in fact, it has been deemed unusable.

So as fellow Blue Dog members, we really urge in a bipartisan basis for us as a House to come together. We are the people's House, after all, and it is important that we put partisan politics at the water's edge. We are in a real mess in Iraq. There is no doubt about that. I have every hope, as do most Americans, that, in fact, we do the right thing in ensuring that this effort takes place in a way that brings our American troops home as safely and as quickly as possible.

However, if this surge is not successful, as I asked Secretary of State Condoleezza Rice in the Foreign Affairs Committee just 2 weeks ago, that I think it is absolutely critical that we understand what our backup plan is. I think the American public is getting tired of us pursuing these efforts without the sort of time invested effort that is going to ensure that if this effort is not successful, we have a backup and that we are not simply winging it, because I think too often that has been the history of the recent past in this engagement.

Mr. Speaker, and my colleague, Congressman MIKE ROSS, I would like to shift this effort of accountability and transparency back to our Nation's shores. I was very moved by the comments Congressman MIKE ROSS made when he talked about the devastating impact of those tornados in his district back in Arkansas. I saw the devastation on television shortly after it occurred.

I e-mailed my friend, Congressman MIKE ROSS, and asked him how it was there. He talked about the horrific

challenges his constituents were facing, and I felt for him. I felt for him because whether we like it or not, natural disasters occur throughout the country, whether it is in Florida, whether it is Katrina in Louisiana and Mississippi. I know, because just in January we had a similar natural disaster in California, called the freeze.

This devastating freeze has now impacted the State of California over $1.3 billion. Now, when you have a freeze that impacts communities in many counties such as we had in California in January, it doesn't take on the same sort of graphic visuals that a tornado or a hurricane does, but it is the worst freeze we have had in over 10 years. Governor Schwarzenegger immediately declared the State a disaster, an area designated as 31 counties eligible for State aid, and the State has been putting money in there.

We have signed a bipartisan letter to the President asking for Federal support. The estimate is that the freeze has affected not only $1.3 billion in losses, and those numbers are adding up, but over 12,000 farm workers, as well as farmers, have been impacted. The livelihood of these farmers, these farm workers and the communities they live in have threatened the economies of these towns where we have had 50 percent, 70 percent unemployment just in the last 4 to 6 weeks.

I was talking to a good friend of mine, Sarah Reyes, who heads up the community foodbank back in Fresno County. She told me that in the last 6 weeks they have fed over 91,000 families, 91,000 families that don't have jobs, that are out of work. But still, even though we have sent this letter, the Governor made the declaration, 31 counties have been impacted, the administration has yet to declare the freeze a Federal disaster.

So you ask why, why is our Governor, Governor Schwarzenegger's request being ignored? Why is the letter that has been signed by both Democrats and Republicans among the California congressional delegation being disregarded? Why is the administration acting so casually about a situation that puts families out of work and family businesses at risk?

Mr. President, the freeze may not make the sort of pictures that we have seen in Florida or in Arkansas or in Louisiana or in Mississippi; but I can tell you, if you come to those communities and visit and meet with those farm workers who are out of work, you talk to those farmers and their families who have invested their entire lives in their family farm, you will see just as dramatic an impact as any devastation of any other natural disaster. So I think it is time for the administration to focus on the accountability in its efforts in California for those families that have been so impacted by this devastating freeze. Accountability is what people expect their government to do. They expect their government to solve problems.

When the President spoke here in the State of the Union in January and said that folks are less concerned about the partisan squabbling that takes place and they are more concerned about doing the people's business, I agree with the President. In fact, this is part of the people's business, being accountable, being transparent, and making sure that after action that has already taken place, clearly 6 weeks, now going on to 7 weeks, after the initial disaster, that yet we have no response from Washington.

Ladies and gentlemen, folks in California and those 31 counties expect better. My constituents expect better, and I am hopeful that soon the President and the administration will step up to the plate and take FEMA's recommendation and that the Office of Management and Budget will suggest to the President that, in fact, California is deserving of the same sort of support and response and accountability that all of our citizens expect.

I thank the gentleman from Arkansas, my dear friend and colleague, Mr. MIKE ROSS.

Mr. ROSS. An important member of the Blue Dog Coalition, a group of fiscally conservative Democrats who spends many a Tuesday night here on the floor with me talking about the need to restore common sense and fiscal discipline to our Federal Government.

Why? Because today the U.S. national debt is $8,811,969,377,773 and some change. For every man, woman and child in America, their share, our share of the national debt is $29,245. It is what those of us in the Blue Dog Coalition have coined as the debt tax, d-e-b-t, and that is one tax that cannot go awayand cannot be cut until our Nation gets its fiscal House in order.

Why is this important? Our Nation is borrowing nearly $1 billion a day. In addition to billing $1 billion a day, we are spending about half a billion every day paying interest on the debt we already got before it goes up another $1 billion today, a half a billion dollars a day. What could we do with that?

Just in my district alone, give me three days' interest on the national debt, and I could complete I–49 across the western side of Arkansas. Give me another three days' interest on the national debt, and I could complete I–69 through the delta region of south Arkansas, two important interstate road projects that could help create economic opportunities and lift up one of the poorest regions in our country.

Yet these priorities continue to go unmet. Why? Because of a lack of fiscal discipline, because too much of your hard-earned tax money is going to pay interest, not principal, but just interest on the national debt. Year after year, it is hard now to believe, but from 1998 to 2001, we had a balanced budget in this country and a surplus, the first time either a Democrat or a Republican had given us that, in about 40 years.

Yet, we have squandered that, this administration and this Republican Congress, for the past 6 years, year after year, have given us the largest deficit ever in our Nation's history and the largest debt ever in our Nation's history.

In fact, to put it in perspective, the total national debt from 1789 to 2000 was $5.67 trillion. But for 2010, the total national debt will have increased to nearly $11 trillion. That is a doubling of the 211-year debt in just 10 years. Interest payments on this debt are one of the fastest-growing parts of the Federal budget, the debt tax we call it, d-e-b-t; and it is one tax that cannot be repealed.

Our Nation is spending more money paying interest on national debt than we are educating our children. If that is not wrong, I don't know what is. It is morally wrong.

Well, you could see the current national debt is at an all-time high. Why do deficits matter? Because they do reduce economic growth. They burden our children and grandchildren with liabilities. They increase our reliance on foreign lenders who now own 40 percent of our debt. Mr. Speaker, this administration in the past 6 years has borrowed more money from foreign central banks and foreign investors than the previous 42 Presidents combined.

Mr. Speaker, you might be surprised at who they are. It is kind of like David Letterman and his Top 10 list. Here is the Top 10 list of people that we have gone out and borrowed money from in the last 6 years. The United States of America goes out to other countries and borrows money to fund tax cuts in this country for folks earning over $400,000 a year.

Here is the Top 10, we have borrowed, the United States of America has borrowed, $637.4 billion from Japan; China, $346.5 billion; the United Kingdom, $223.5 billion. You will love this one, OPEC, the United States of America has borrowed $97.1 billion from OPEC; Korea, $67.7 billion; Taiwan, $63.2 billion; the Caribbean Banking Centers, $63.6 billion; Hong Kong, $51 billion; Germany, $52.1 billion.

Rounding out the Top 10 countries, where the United States of America has gone and borrowed money from foreign central banks and foreign lenders, you will not believe this one, Mexico. The United States of America has borrowed $38.2 billion from Mexico to fund tax cuts in this country for people who earn over $400,000 a year.

We are trying to fix this, and in this new Democratic majority, I am proud to tell you that not in the first 100 hours, but the first 24 hours, the new Democratic leadership listened to the 43-member strong fiscally conservative Democratic Blue Dog Coalition and reinstituted what is known as the PAYGO rules, which means pay-as-you-go. Those were the rules that were in place on this House floor from 1998 through 2001 when President Clinton gave this Nation its last balanced budget.

Some Republicans will have you believe, oh, that means they want to raise taxes to fund a program. Not so. That means that we think you should review programs and find programs that don't work and cut them to pay for new programs. Pay-as-you-go does not mean raise taxes to fund a new program. It means restore accountability to our government, no more rubber-stamp Congress.

It means we are going to demand accountability from our Federal agencies; and when programs don't work, and when agencies don't know how to administer them, we are going to cut them and use that money to fund other programs that can work.

Well, we have talked a lot this evening about accountability, and I am real proud to be joined by one of the authors of our Iraq War Accountability Act. We support our troops. In fact, the gentleman here with me tonight, from Pennsylvania, Mr. MURPHY, is an Iraqi war veteran. My brother-in-law is serving tonight in the Middle East.

We support our troops, but we also want to make sure that this $12 million an hour of your tax money that is being sent to Iraq is accounted for, and that it is being spent on our troops to protect them so they can return home safely.

For the remaining 5 or 10 minutes we have got this evening, I recognize the gentleman from Pennsylvania, a new member but an important member of the Blue Dog Coalition, Mr. MURPHY.

Mr. PATRICK J. MURPHY of Pennsylvania. Thank you, Congressman ROSS. I will make sure that when my wife and I retire today we will pray for your brother-in-law over in the Middle East. He is one of our heroes, and we are proud of his service to the country.

I rise today to bring an end to the pattern of systemic neglect from the White House. Last November, American families sent Democrats to Congress to bring about change. There are now 49 new Members in the House of Representatives. Five of those Members are veterans. Of those five, I am proud to say they are all Democrats. I am also proud to say that three of the five are from the great Commonwealth of Pennsylvania in Admiral SESTAK, Commander CARNEY, and myself.

Change from the neglect our military veterans are currently experiencing, as they try to get the health care they deserve, Americans have seen now the past few days what is going on in Walter Reed. It is our opinion that this is criminal neglect.

□ 1845

But when the people voted for change in November, they voted to change from the strategy in Iraq that has American troops refereeing a civil war while too many Iraqis sit on the sidelines, and a change in the way we pay for the war in Iraq.

The American taxpayers have spent more than $400 billion in Iraq. If they were to see an invoice, just one invoice, taxpayers would see the widespread waste, fraud, and abuse. And that is why, as Blue Dogs, we stood together with the Iraqi Accountability Act. Fifty-eight Members of Congress agreed to this act. Congressmen ALLEN, ALTMIRE, ARCURI, BACA, BAIRD, BARROW, BEAN, BERRY, BISHOP, BOSWELL, BOYD, BOYDA, BRADY, BRALEY, CARDOZA, CASTOR, CHANDLER, COSTA, DAVIS, DONNELLY, ELLSWORTH, GILLIBRAND, GONZALEZ, HARE, HARMAN, HERSETH, HILL, HODES, HOLDEN, ISRAEL, MAHONEY, MARSHALL, MATHESON, MCINTYRE, MCNERNEY, MELANCON, MARCHANT, MILLER, MITCHELL, DENNIS MOORE, GWEN MOORE, PETERSON, POMEROY, ROSS, SALAZAR, SCHWARTZ, SCOTT, SHULER, TANNER, THOMPSON, WELCH, FILNER, WALZ, CLARKE, ELLISON, SIRES, HOLT, REYES.

All of these Members, all 58 Members are cosponsors to the Iraq Accountability bill, and they signed on because they have seen what is really going on. They have seen that over the past 4 years families of my district of Bucks County, Pennsylvania and northeast Philadelphia and across the country have heard a lot of bad news from Iraq.

But we are also hearing about money lost and weapons missing. Recently here in Congress we heard from the Special Inspector General for Iraq Reconstruction. He spoke to the Armed Services Committee, and he told us about $9 billion that has simply vanished. But as many as 14,000 weapons have disappeared, weapons that could be in the enemy's hands right now. These are dollars and these are weapons that were sent to the Iraqis that have gone missing because of mismanagement and fraud. It is not just about the money, but it is also about the safety of our troops. Those missing weapons could arm an entire division of the Muqtada al-Sadr army, an entire division.

Mr. Speaker, it is long past time that we kept track of the money and the weapons that we are giving to the Iraqis and replace the fraud, waste, and abuse with proper oversight, responsibility, and accountability.

The legislation that the Blue Dogs are supporting addresses the glaring lack of oversight and accountability in Iraq and addresses how taxpayer dollars are spent on the war. It puts forward commonsense proposals that ensure that fewer resources are wasted and more resources get to the troops on the battlefield.

This legislation calls for transparency in how Iraq's war funds are spent. It urges the establishment of a Truman committee-type commission to track and curb the fraud, waste, and abuse. It calls for the Iraqi war to go through the normal budgeting process, not through emergency bills or supplementals. These are measures everyone should agree on regardless of the political party.

American families are frustrated with the war in Iraq. This legislation will go a long way toward providing the change that we all seek and the transparency that we all deserve. It is time for answers, Mr. Speaker, and it is time for accountability, and it is time to put an end to the pattern of neglect.

Mr. ROSS. I thank the gentleman from Pennsylvania for his work in helping write the Iraq War Accountability Act, which calls for transparency on how Iraq war funds are spent. It creates a Truman-like commission to investigate the awarding of contracts, the need to fund the Iraq war through the normal appropriations process and not the so-called emergency supplementals that hide the funding, and using American resources to improve Iraqi assumption of internal policing operations. Another example of how the Blue Dogs are leading the way, Mr. Speaker, in trying to restore accountability to our government here at home as well as in Iraq.

And in closing, Mr. Speaker, as I began this Special Order this evening, I talked about the terrible tornados that devastated Dumas and Desha Counties in my district, and I enter into the RECORD two letters addressed to the President, one February 28 and one March 5, 2007.

CONGRESS OF THE UNITED STATES,
Washington, DC, February 28, 2007.

Hon. GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to support Governor Mike Beebe's request for a Presidential declaration of major disaster for Desha County in Arkansas. Currently, the State of Arkansas and local communities are beginning the process of recovering from the heavy rains, high winds, and tornadoes that touched down in Arkansas on Saturday, February 23rd. Pursuant to the provisions of Section 501(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, we ask that the State of Arkansas receive a federal disaster designation for the damage assessed in Desha County.

As you are probably aware, we represent a predominantly rural state where municipal governments are often ill-equipped to respond to disasters of this magnitude. We have no doubt that all available resources at the state and local level are being used, but federal assistance will be needed to help the affected communities recover.

We would also like to specifically request that Desha County be approved for the FEMA Individuals & Households Program (IHP) to include Temporary Housing and assistance with Mobile Homes and Travel Trailers, Small Business Administration disaster loans, and Direct Federal Assistance. The availability of rental property is restricted with the closest jurisdiction being approximately 45 miles.

As you know, many of the manufactured homes and travel trailers purchased by FEMA for use in the Hurricane Katrina disaster are currently sitting unused in Hope, Arkansas. It is our belief that these manufactured homes and travel trailers should be made available to those Arkansans left homeless by Saturday's storms. The inability of FEMA to find a permanent home for these manufactured homes and travel trailers in areas affected by Katrina has been a source of frustration for the Arkansas delegation and our constituents. However, their close proximity to the disaster in our state provides a perfect opportunity to put some of them to a good use.

Mr. President, we respectfully request your swift consideration and approval of this request. If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

BLANCHE L. LINCOLN.
MARK PRYOR.
MIKE ROSS.

MARCH 5, 2007.

Hon. GEORGE W. BUSH
President of the United States,
The White House, Washington, DC.

DEAR MR. PRESIDENT, I am writing to you because I have great concerns regarding the lack of a federal disaster declaration for Desha County, Arkansas, and the desperate need for temporary housing for this storm-ravaged Delta County.

On February 24,2007, two terrible tornadoes hit the towns of Dumas and Back Gate in Desha County, Arkansas. While my heart goes out to the people in Alabama and Georgia who were recently hit by deadly tornadoes, I write to you because I am concerned that the Federal Emergency Management Agency (FEMA) has now forgotten about our situation in Arkansas. The tornadoes that passed through our state destroyed or heavily damaged more than 150 homes; caused 800 people to be out of work because 25 businesses were destroyed; required the Governor to send in the National Guard to enforce security and for clean up purposes; and forced the town to be without electrical power for five days. In this small town, with an estimated population of 5,300, this level of damage and destruction has been overwhelming.

Desha County has still not been declared a federal disaster area, and one of my greatest concerns is the fact that there is no alternative housing for those residents who have been displaced. Nearly 9,000 brand new, fully furnished mobile homes sit less than three hours away at a FEMA staging area in Hope, Arkansas, and all I ask that you make wise use of our taxpayers' money and instruct FEMA Director David Paulison to move 150 of these mobile homes to Desha County for temporary housing.

Last week, I toured the devastation in Desha County with Governor Mike Beebe and strongly supported his request to you for a federal disaster declaration to assist those businesses and individuals that have been damaged or left without shelter. I also joined Arkansas's U.S. Senators Blanche Lincoln and Mark Pryor in support of that request. At that time FEMA Director Paulison informed me in a phone conversation that the Governor's request had been passed on from the FEMA Region VI office to FEMA's Washington, DC office and was pending his review.

Mr. President, as you and I spoke a month ago at the House Democratic Caucus Retreat in Williamsburg, Virginia, the need to put to use the nearly 9,000 brand new, fully furnished mobile homes stored in Hope could not be greater. It has now been more than a week since these storms hit our state, and I respectfully request that you do what is right and declare Desha County, Arkansas, a federal disaster area. Such a declaration would enable area businesses to take advantage of federal resources and allow you to begin moving mobile homes from the Hope Airport to Desha County for temporary housing.

I have toured the devastation in Desha County and seen first-hand the effects of this storm. I have also enclosed a photo taken Saturday of the nearly 9,000 fully furnished mobile homes purchased for Hurricane Katrina victims but never used that sit unused in Hope, Arkansas. I again ask that you declare Desha County a federal disaster area and make 150 mobile homes available so that victims can have access to temporary emergency shelter. This is the right thing to do and I look forward to your response.

Sincerely,

MIKE ROSS.

THE OFFICIAL TRUTH SQUAD

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

Mr. PRICE of Georgia. Mr. Speaker, I appreciate that recognition. I want to thank the leadership on the Republican side for the opportunity to address once again the House of Representatives and talk about some important issues that our Nation is dealing with, and bring the latest version of the Official Truth Squad. This is a group of folks who have determined to try to bring some sunlight and some truth to the issues that we talk about here in Washington. And after the last hour, Mr. Speaker, a lot of truth needs to be shed, because the amount of misinformation and disinformation that our friends on the other side of the aisle have put forward needs to be corrected, and so we are here as the Official Truth Squad to do just that. It is a great privilege, and I want to thank the Republican Conference, the Republican leadership for that opportunity.

The Official Truth Squad started as a group of freshmen last term who were frustrated by, as I said, the disinformation and the misinformation that was perpetrated and brought forward on this House floor day after day after day after day, and we thought that it was appropriate to get together and attempt to bring some light to issues, attempt to bring some facts to issues. And we have a favorite quote.

We have a lot of favorite quotes, but one of our favorite quotes is indeed one of my favorite quotes that I think crystallizes exactly what the mission is here. And in Washington it is so difficult to try to get to the second clause of this sentence. But this is from Daniel Patrick Moynihan, Senator Moynihan, a former United States Senator from the State of New York and a former United States representative of the United Nations, a wonderful gentleman, a very wise individual. And he said, ''Everyone is entitled to their own opinion, but not their own facts.'' Everyone is entitled to their own opinion, but not their own facts.

So it is in that spirit, Mr. Speaker, that we come to the floor tonight and talk about a number of issues, and try to shed some of that light, try to bring some facts to the table.

We get visited oftentimes here in Washington by folks who are constituents, folks from back home. They come here and they visit us, and they talk about the kinds of issues that are important to them. And today, Mr. Speaker, and yesterday in Washington we have been visited, all of us have been visited, I know, by members of the VFW, by the Veterans of Foreign Wars. And it is very humbling to sit and to talk with members of the VFW, to listen to their stories, to hear their concerns, to appreciate the challenges that they have and the issues that they believe Congress ought to be addressing.

These are truly heroes. They are truly heroes from previous conflicts that our Nation has been involved in. And it is distressing when you talk to these members of the VFW and you hear their same kinds of concerns about facts.

Many of them from my district came, and they wanted to know why there was not the kind of correct information that was getting out on the floor of the House of Representatives, why we weren't talking about the truth as it relates to, not just our veterans, but the current situation in the world. They were extremely concerned that so many of our friends on the other side of the aisle were distorting the truth, were not bringing real information to the American people, and were causing great challenges for all of us to try to do the right thing as it relates to our Nation and to our members of the military right now who are defending liberty around the globe, and to assist veterans in their time of need. And so I shared my concern with them about the information that was being brought forth, especially about the situation in Iraq.

As you know, Mr. Speaker, we have heard what the strategy of the Democrats is as it relates to Iraq. They have preemptively surrendered. One of their Members has defined what has been described as a slow-bleed policy. It kind of gives you chills when you think about it, Mr. Speaker, a slow-bleed policy. That individual was interviewed 2 or 3 weeks ago, and during that period of time when asked how is he going to institute this, how is he going to institute this slow-bleed policy on the military as a Member of the House of Representatives, an influential Member of the House, a member of the majority party, a member who has an opportunity to do great things, and what he has said is, ''They won't be able to continue. They won't be able to do the deployment. They won't have the equipment.''

Mr. Speaker, that is chilling. That is chilling.

It is made all the more disgusting because of the comments of our own Speaker who said that funds would never be cut off from our troops in harm's way. And here the individual who is charged with developing the strategy for the majority party in the House of Representatives on Iraq says, ''They won't be able to continue. They won't be able to do the deployment. They won't have the equipment.''

Mr. Speaker, I don't know about you, but I get e-mails and communications sent to me from constituents who are serving in Iraq. I know men and women

who are serving in Iraq who are doing their duty. To have a Member of the House of Representatives in a remarkably influential role say he is going to do all he can to limit the equipment that will protect our men and women in harm's way in Iraq and around the world is deplorable. It is deplorable.

Mr. Speaker, that is a fact. Not an opinion, not my opinion. That is a fact. That is what he said. That is what he plans on doing. That is what he said he will work to convince his party to do.

About that same time, our Speaker was quoted as making the following claim, ''Democrats have proposed a different course of action over and over again, and we have suggested a different plan.'' That is the claim. That is the facts of the statement.

The truth, according to United States Senator JOE LIEBERMAN who has been a stalwart in recognizing the danger that the world finds itself in and recognizing the importance of supporting our troops who are in harm's way, the truth, as he states it, is, ''Any alternatives that I have heard ultimately don't work. They are all about failing. They are all about withdrawing. And I think allowing Iraq to collapse would be a disaster for the Iraqis, for the Middle East, and for us.''

□ 1900

Mr. Speaker, I find the double talk that is coming out of the majority party's mouth at this time as it relates to protecting our troops and fighting for freedom and liberty to be not only disingenuous, I find it to be a disservice to the American people, because when we are not talking about facts, it is impossible to reach the right conclusion.

All of us come to this body with various experiences, different backgrounds, different professions, different work experience. Mine is as a physician. I spent over 20 years, nearly 25 years practicing medicine. And I knew that when I took care of patients, that if I didn't do my level best to make certain that I had made the right diagnosis, that I had dealt with truthful items to get to the right diagnosis, I couldn't institute the right treatment.

And so I would suggest, Mr. Speaker, to my colleagues that unless we recognize truthful statements, unless we recognize the facts that are presented to us, that we will not make the right diagnosis. And I would suggest, Mr. Speaker, that the other side, the majority party has failed to make the correct diagnosis, so it will be difficult for them to institute the right treatment.

Now, I won't go so far as to say, although I might be legitimate in doing so, that occasionally, when physicians make the wrong diagnosis, they are charged with malpractice. But I would ask my friends on the other side of the aisle to appreciate and recognize that truth will get you to the right diagnosis, which will allow all of us to work together to identify what the right treatment ought to be.

And that is in the case with this reprehensible, ''slow bleed'' policy that has been put forward by the majority party, as much it is with the rest of the policies that we will address, some of which we will address tonight.

I want to just highlight a couple other matters as it relates to this ''slow bleed'' policy. And Mr. Speaker, as you know what that has been defined as is cutting off the funding or decreasing the funding, not for the troops specifically but for the equipment, for the logistics, for the support staff that is required, all of the things that make it so our men and women can be secure in the knowledge that they are able to have all the equipment and the personnel available to protect themselves and to carry out their mission.

So, once again, the quote from our Speaker, another quote from our Speaker about, almost now 2 months ago, from January 19, 2007. The quote was, ''Democrats will never cut off funding for our troops when they are in harm's way.''

The reality is, and it goes into a broken promise that I believe, we believe, the other side is getting very adept at. They are continuing to break promises that they make with the American people over and over again. This one, the promise was, we will never cut off funding for the troops.

The reality, according to Mr. JOHN CONYERS, Representative JOHN CONYERS, ''The founders of our country gave our Congress the power of the purse because they envisioned a scenario exactly like we find ourselves in today. Not only is it in our power, it is our obligation. It is our obligation to stop President Bush.''

Another quote from Representative MAXINE WATERS, Representative from California, made just a couple of weeks ago, ''I will not vote for one dime. I will not vote for one dime.''

So, Mr. Speaker, we see the promises that are being made, that are being talked about to the American people, but the truth of the matter is that the majority party is continuing to break promises, and I find that very distressing. I also find that of great concern to being able, once again, to reach the right diagnosis of the challenges that we have before us and then moving forward with the correct treatment.

I want to talk for a little bit, now, Mr. Speaker, about another item that has, another issue that has not had a whole lot of light from the other side of the aisle on it, and that is our economy and the remarkable economic growth that this Nation has seen over the last three to 4 years.

If you look at truth, and you look at facts, one would have to admit that this has been a remarkably robust economy. We have now seen nearly 3½ years of solid, consistent economic expansion which followed the downturn, the economic downturn and the recession of 2001.

The measure of economic expansion can be measured by all sorts of different parameters, and we are going to look at a couple of them this evening. Measure of economic expansion can be measured by real GDP growth, gross domestic product growth. And that has averaged a robust 3.6 percent since the enactment of what, Mr. Speaker? Tax reductions in 2003. The tax relief measures of 2003 have resulted in, I believe, we believe, a remarkably robust economy.

And so as we move through these facts tonight, as we move through these measures, it is important to appreciate, well, how did that all come about? Why did that happen? It didn't just happen willy nilly. And so what we have seen over the last 3½ years is a remarkably robust growth in the gross domestic product; 3.6 percent, as I mentioned, over that period of time. Mr. Speaker, that is faster than the averages of the 1970, which was 3.4 percent, the 1980s, which was 3.1 percent, and I know this will come as a shock to some folks, Mr. Speaker, but those glory days of the 1990s, when we all thought that the economy was booming as rapidly as it could and as good as it could; in fact, that growth during the 1990s was 3.3 percent, again, compared to 3.6 percent since the tax reductions, appropriate tax reductions in 2003.

What we have on this chart, Mr. Speaker, is the unemployment rate, and it is another kind of gauge of how the economy is doing. How many jobs is our economy creating? And that is the good news, Mr. Speaker, that since June of 2003, 7.4 million new jobs; 7.4 million new jobs, Mr. Speaker, which is a remarkable number, an average of 169,000 new jobs each and every month.

Now, you would say, well, that had just been going on just like that before the reductions in the tax rates in 2003. But this poster, Mr. Speaker, speaks to that. What this poster shows is the level of unemployment, the percent level of unemployment in our Nation and plots it over a period of time.

Here on the far left portion of the graph, we have 2001, and on the far right portion, we have 2007. So over the past 7 years, 6 to 7 years, what we see is this red line that demonstrates the level of unemployment. And we see it climbing from a rate of mid 4 percent until 2003, at this point where it reached its apex, its highest amount of about 6.3 percent. And at that point, something happened.

Something happened, Mr. Speaker. And what happened was that this administration recognized and this Congress recognized that the economy needed stimulating, needed some encouragement, needed some investment. And our good friends on the other side of the aisle oftentimes say, well, when the economy needs more money what we need to do is to get more taxes from the American people. We need to take more money from them so that government has the amount of money that it needs to be able to do whatever they would like to do with revenue that comes into the Federal Government.

But what we understand, and what fiscal conservatives understand and what true historians understand is that, when you cut taxes, when you decrease taxes on the American people, revenue goes up, the economy booms, and jobs are created. And that is what happened in 2003, Mr. Speaker. And you see, since then, a steady decline in the unemployment rate. Why? Because the American people had more money in their back pocket, because American people know best how to spend their money, not government. It is not the government's money. It is the American people's money. And when they have that money and can make those decisions, those personal financial decisions, then our Nation is helped in ways that are incalculable. Incalculable. And what happens is that the economy grows, the economy booms, and more jobs are created.

What about household net worth? We have heard, well, it is not getting down to real people. It is not getting down to those who own homes. In fact, Mr. Speaker, there are more individuals, more people, more percent and more numbers of Americans owning homes now than ever before in the history of our Nation. Mr. Speaker, that is a good thing. That is a good thing.

I know there is a lot of doom and gloom out there, and a lot of people in this town don't want the American people to know that there are some good things that are happening in our Nation. I, frankly, get tired of all the naysayers. I know that people in my district do as well, because they know what is happening on the ground and what is happening out there across America is that more Americans own their home now than ever before in the history of our Nation.

And that is not just absolute numbers. That is a percent. Nearly 70 percent of the American people own their home. That is a record. That is a record, Mr. Speaker.

And when you look at household net worth, household net worth, the value of homes for the American people has reached an all-time historic high, and in the last year, it increased by 7 percent. We see the unemployment rate down to 4.6 percent in January of this year.

We talked about some averages for economic growth over the last couple of decades, comparing now, where we are right now, to where we have been over the last couple of decades.

What about unemployment? Well, the unemployment rate that we have right now, at 4.6 percent, is lower than the average for the 1960s, 1970s, 1980s, and yes, Mr. Speaker, the 1990s, too. Isn't that something? That is wonderful news. That is great news. And I would suggest to my colleagues in the House that it would be important to relay that news to your constituents. That is a good thing.

The average rate in the 1960s of unemployment was 4.8 percent. Right now, 4.6 percent. The average for the 1970s, difficult time, 6.2 percent. Right now, Mr. Speaker, 4.6 percent. The average through the 1970s, 7.3. Right now, Mr. Speaker, 4.6 percent. And you remember the 1990s? Again, that wonderful time, those halcyon days of the 1990s, when our economy was booming and everybody was doing just grand?

Well, Mr. Speaker, the average unemployment rate in the 1990s was 5.8 percent. Today, 4.6 percent. Mr. Speaker, that is a fact.

And remember, Mr. Speaker, people are entitled, as Senator Moynihan used to say, they are entitled to their opinion, but they are not entitled to their own facts.

And then we hear, well, there are jobs, yes, but they are not good jobs. They are not real jobs. They aren't jobs that have seen any real economic growth. Well, let's look at some facts there, too, Mr. Speaker.

Productivity growth, which is a fundamental driver of the potential long-term economic growth, what kind of productivity, what kind of output our economy is producing, grew at a rate of 2.1 percent in 2006. The average growth between 1993 and 2000, remember those halcyon days, Mr. Speaker, the average growth during that period of time in productivity was 1.8 percent.

□ 1915

The average growth now, productivity growth: 2.1 percent.

So, Mr. Speaker, these are good days from an economic standpoint.

And then wage growth, we hear from some of our friends on the other side of the aisle, well, they just aren't good jobs. Real wage growth isn't happening. But wage growth plus benefits growth, total compensation, which had lagged behind productivity growth earlier in this recovery, surged in the last year, in 2006. It was up 6.3 percent, 6.3 percent on an analyzed rate in the fourth quarter of 2006.

Mr. Speaker, that is good news. That is good news. I would once again urge my friends on the other side of the aisle to convey that good news to their constituents. And then I would urge them to ask why is that happening, why have we seen this kind of good news.

Well, Mr. Speaker, it is because of the appropriate tax reductions that this Congress, this administration passed on to the American people in 2003.

We have many folks who will say, well, when you cut taxes, what happens is that the government doesn't have enough money to be able to do what it needs to do. And that sounds plausible, I guess. But when you look at what really happens, when you look at what happens historically and you look at what has happened with this tax reduction in 2003, what we have seen is a significant increase in revenue coming into the Federal Government. And it ought not be a surprise, Mr. Speaker, because in the two major tax reductions that have occurred in this Nation over the last 45 years, the tax reductions of President Reagan's administration and, yes, Mr. Speaker, the tax reductions of President Kennedy's administration, both of those tax reductions saw a significant increase in the amount of revenue that comes into the Federal Government. And why is that? It seems kind of counterintuitive. Why is that?

Well, again, when you allow the American people to make decisions about their own money and not have the government making decisions about that money, they decide for themselves when to save or to spend or invest that money, and what that does is stimulate the economy in ways that the government never, never can stimulate.

And consequently what you see, Mr. Speaker, is this kind of graph: here we have the capital gains tax revenues. These are revenues from taxes on the gains that are seen across all types of investments. And what we have is the amount of money from that capital gains that came into the Federal Government in the years 2003, 2004, 2005, and 2006 on the same track as heading for 2007. And the yellow line on the bottom here, Mr. Speaker, is the projection that the CBO, the Congressional Budget Office, made prior to the tax reductions, appropriate tax reductions. So we see a gradual, steady increase in the amount of money coming into the Federal Government based upon capital gains tax revenue. The same graph would hold for dividend taxation revenue.

And what we see actually happened when the tax reductions were instituted is the blue line, and it tracked a little bit above it for the first year. But what we always see, when you keep tax reductions in place, is more economic development, more job growth, more gross domestic product growth, more revitalization of the economy; and so what happens is that annual revenues coming into the Federal Government actually increase, and they increase by a huge amount. Increase by a huge amount.

The tax relief has resulted in significant economic growth that has resulted in significantly higher tax revenue. After the declines from 2000 to 2003, revenue surged in 2004, 2005, and 2006. In 2005 the revenues grew by 14.6 percent. In 2006 they were up by 11.8 percent.

This next statement, Mr. Speaker, is important because it speaks to the permanence and the penetration of the result of these tax reductions and how they affect the economy and how they affect our Nation. Those two revenue increases, 14.6 percent in 2005 and 11.8 percent in 2006, that was the first time since the mid-1980s, and you will recall that that was the last time we had significant tax reductions, the first time since the mid-1980s that our Nation has generated double-digit revenue growth in consecutive years. Remarkable, Mr. Speaker. It really is.

And I would think that any individual charged with representing this Nation and charged with having some input into how to keep this economy moving and how to generate more growth in this economy would want to know why, why did that happen? What happened in 2003 to turn that around?

And it is still continuing. Revenues continue to surge in fiscal year 2007. Through the first 4 months of the year, revenues are up by 9.8 percent, with 12.6 percent for individual receipts and 22.1 percent for corporate receipts.

Mr. Speaker, these are incredible numbers, truly incredible numbers. So one would think that Members of the House of Representatives, Members of the Senate, who are charged with formulating national policy that by any estimation anybody would look at these numbers and say, yes, that kind of looks pretty good, maybe we ought to continue that. And if you are charged with developing policy, Federal policy, national policy that results in these kinds of good numbers, you would think that they would want to know why, how did that happen.

How did that happen? Well, there are some other charts that I would like to share with you that will demonstrate how that happened and the effect of it.

I think it is always helpful, Mr. Speaker, to compare what happened before the tax reductions and what has happened since because unless you can point to a date on the calendar when something concrete changed and identify the occurrences in this Nation from an economic standpoint before that date and after that date, it becomes difficult to answer that question why, why did these seemingly good things happen?

So this poster here demonstrates business investment before and after the tax relief of 2003. And this is remarkably telling. As you see, the middle line here is the percent of business investment, either increased investment or decreased investment. And you could say, Mr. Speaker, that through 2001 and 2002 and the first quarter of 2003, virtually all of those quarters had decreased business growth or investment. In fact, the average was a decrease of 5.6 percent. And that is a decrease from year to year to year. So, in fact, the cumulative amount of decreased investment is huge.

And then something happened here. Mr. Speaker, on this vertical line, something happened. And it answers the question why, why did we see these remarkable improvements? And it was the appropriate tax reductions of 2003. And these are undeniable numbers. This is the business investment after the tax reductions of 2003, and they have averaged since that time 7.29 percent every quarter. So you see it over and over and over and over again. In fact, we have had 15 straight quarters of economic business investment increase. And that is not because the business of America says it is not a good idea to invest, it is not a good idea to grow. That is because they say it is a great idea. And the policies that have been put in place at the Federal Government level will result in their opportunity to succeed, their opportunity for their employees to succeed, the opportunity for employees to then take that success from the company and from the employee and go buy homes and go buy cars and go buy all sorts of items that are needed by each and every American. And what happens then is that it just becomes a wonderfully self-perpetuating cycle.

But, Mr. Speaker, the reason that it is important to look at this and the reason that I am talking about this tonight and that we on our side of the aisle are trying to bring truth and light to this issue is because there is a plan on the other side of the aisle to do away with the tax reductions that have resulted in all this wonderful, wonderful economic news. And that is just baffling to me when I think about again the challenge, the charge that each of us in this House has, which is to, I believe, develop policies that will work to the benefit of the vast majority and as many Americans as possible.

And these types of numbers here, these facts, Mr. Speaker, not opinions, but facts, demonstrate that that is exactly and precisely what the tax reductions have done from 2003. And they have done so by decreasing also the budget deficit. And, again, if the economy is booming to a greater degree, if it is more successful, more people working, more people investing, more people participating in the American Dream, that is a good thing. And what happens is that more revenue comes into the Federal Government, and what happens, Mr. Speaker, to the budget deficit? It decreases. It goes down. In fact, if we allow the tax reductions to remain in place, which is what we absolutely ought to do, and some of our friends on the other side of the aisle, some of our friends in the majority party have already said they don't believe any of those tax reductions ought to remain in place, that every American ought to have a tax increase, but if we allow them to stay in place, what this chart demonstrates, Mr. Speaker, is that the budget will balance of its own accord because of the policies already in place within a 4-year period of time. Within a 4-year period of time.

Now, our friends on the other side of the aisle, they will come up to the well of the House and they will say, sure we have got to balance the budget, but we have got to raise taxes to do it.

Mr. Speaker, it just isn't so. It just isn't so. So I would encourage all Members of the House to look at these numbers, to appreciate the trend that has occurred, the facts of the economic numbers that we have available to us in this Nation, and to appreciate that there is a reason, there is a reason that more people are working now. There is a reason that more people are owning their own home. There is a reason that more individuals are able to invest in this economy. There is a reason that there is more money coming into the Federal Government. And that reason is we are allowing more Americans to keep more of their hard-earned money.

Oftentimes I hear in committee meetings many Members of Congress who will talk about the government's money as if it is the government's, as if it is ours in Congress, that we have ownership of this money and that we ought to be able to just spend it as we please without absolute priorities.

We heard our good friends earlier this evening talk about PAYGO, pay-as-you-go, making certain that new programs that come before the Congress, that any costs for those new programs will be offset by decreasing the expenditures for another program. But what they don't tell you, Mr. Speaker, is that in that small print of the rules that they have passed, it doesn't apply to the vast majority of the budget. It doesn't apply. And, in fact, what the Rules Committee upstairs does over and over and over again is to say we are going to bring this bill to the floor and we are going to adopt this program and we will adopt it and not require it to comply with the PAYGO rules that this House has supposedly adopted.

That is what happened in the very first 100 hours, Mr. Speaker, the vaunted 100 hours, that period of time when the new majority was taking this Nation in what they called a ''new direction.'' Well, they were. And the direction they were taking them was into the red, further into the red, by spending more money without any offsets.

Mr. Speaker, I don't think that is what the American people voted for in November of 2006. I just don't believe that. And when I go home, that is what people tell me at home. They don't believe that the Federal Government ought to be spending more money. They think that we ought to be decreasing the expenditures, not increasing them.

So the challenge from an economic standpoint is truly the size of the Federal budget and the lack of ability of this Congress, this new majority Congress, to prioritize where it wants to spend the hard-earned taxpayer money.

□ 1930

Again, Mr. Speaker, it is not the government's money. It is not the government's money. It is the American people's money, and they work hard, hard, for that money, and we ought to be very diligent about how we address spending their hardearned money.

I believe that we ought to allow them to keep a whole lot more of their hardearned money. I believe, if you look objectively at the facts of our economy right now, we are moving along pretty well. But there is caution on the horizon.

We are moving down a highway, and we are ticking along pretty well, our speed is pretty much at the speed limit, but the signs are flashing. They

are flashing, and they are saying, caution ahead, caution ahead, because, in our Federal budget, there is automatic spending that is occurring, and it is occurring primarily in three programs: Social Security, Medicare and Medicaid, three wonderfully successful programs providing great comfort and assurance to the individuals who receive the benefits from those programs.

Each of those programs have been promises made to the American people, and those programs ought to continue for the individuals who are eligible for those programs currently in the manner in which they were instituted. But if we continue them in that manner for every American who reaches that wonderful age of 62 or 65 and becomes eligible for them, then this is what happens, Mr. Speaker.

This chart demonstrates the entitlement programs, and I don't like that word ''entitlement,'' I like the word ''automatic,'' because it is automatic spending. It just keeps on going. These programs have a formula built into them that generates increased money going into those programs year after year after year because there are more individuals who become eligible for them, because of the demographics of our society. But we are an aging society. There are more individuals who are becoming eligible for these programs, and consequently, it takes more money.

This poster demonstrates the percentage of the Federal budget that is generated in tax revenue, and this line here is the revenue of the Federal budget. So we average somewhere a little below 20 percent of the gross domestic product coming in as tax revenue. If we continue that right along, that is, if we don't raise taxes on the American people, which is what we are committed to doing, that is, not raising taxes, this is about the level of revenue that we will have as a nation.

Down below are the fiscal years starting with 2007, this year, and moving forward all the way to 2050. People say well, that is a long way away, and they are absolutely right. But if no changes are made in these three programs, Medicare being the blue, Medicaid being the yellow and Social Security being the green, this chart demonstrates that those three programs, those three automatic spending programs, will consume the entire Federal budget, the entire Federal budget by the year 2045 or 2046.

That seems like a long way away, Mr. Speaker, but do you know what? That is under 40 years from now. Under 40 years ago was the late sixties, and I remember the late sixties very well. Many of us will remember when the United States landed on the moon. That is about 40 years ago, 38 years ago. Many individuals, most individuals who were alive at the time will certainly remember when President Kennedy was assassinated. On the one hand, it seems a long time ago. On the other hand, it doesn't seem like very long at all. It doesn't seem like very long at all. So this is not a long way away.

What this is screaming at us, what this is shouting at us, what this is saying to us as we travel down that road and those caution lights are flashing, is that we as a United States Congress, in order to be wise and prudent and spend taxpayer money appropriately, these programs need to be reformed. We need to keep the solemn promise that we have with the American people who are in these programs currently, and we need to make certain that we move forward aggressively and actively with programs that will make it so these are financially sound programs.

Now, there are a couple ways you can go. There are a couple directions you can head when you reform programs like this. The real question that becomes asked when you reform these kinds of programs is this question, Mr. Speaker. It is the question that is really being shouted right now in Washington. That is the question, who decides? Who decides?

We all come to Washington as Members of Congress with different experiences, as I mentioned. We come to Washington with different political stripes. We come to Washington with different political philosophies. We come to Washington with various degrees of understanding or appreciation for our Nation's history and how we became great.

Right now, we are at a crossroads, Mr. Speaker. We are at a crossroads for our financial programs. We are at a crossroads for so many of our social programs. We are at a crossroads for, I believe, our Nation when it relates to freedom and liberty. And the question being asked is, who decides?

Are we going to, with our tax policy, allow the Federal Government to make more and more decisions as it relates to how to spend the hard earned taxpayers' money? Are we going to allow the Federal Government to be the ones that prioritize how the American pocketbook ought to be spent? Are we going to allow the Federal Government to increase its involvement in American lives?

Our friends in the majority party talk about new direction. Mr. Speaker, that is the new direction that I see. When they talk about it, bill after bill and policy after policy, if you look at each and every one, whatever the policy is, the question that they are answering is, who decides?

Their answer to that question, more often than not, Mr. Speaker, is that the Federal Government ought to be deciding, not the States, not the local communities and not the American people.

Mr. Speaker, I happen to believe firmly in the rectitude of decisions made by the American people. I believe strongly that decisions are best when left to the American people, about almost anything. I believe that the American people know best how to spend their hardearned money.

That is why I believe that it is incumbent upon all of us to ask those questions, why is the economy doing as well as it is right now, appreciating the truth in the facts that have been presented this evening that demonstrate that the reason that the economy is doing so well right now is because Americans have more of their hardearned money in their back pocket so that they can decide when they spend or they save or invest their money. What that results in is the ability and the opportunity for them to make those personal decisions; not the Federal Government.

So, Mr. Speaker, when you see people coming down to the floor of the House and they are asking questions about or asking their colleagues to support this program or that program or this policy or that policy, I would ask you to think about this question: Well, who is deciding? Who are they asking to make decisions in this bill? And more often than not, Mr. Speaker, I think you will appreciate that this new majority, the Democrat majority that is currently controlling this House of Representatives, is answering that question with the Federal Government. The Federal Government is deciding.

I mentioned earlier, Mr. Speaker, that I am a physician. In my previous life, I was a doctor. I practiced medicine outside of Atlanta for nearly 25 years. I have great concerns about the direction of health care in our Nation.

We are at one of those crossroads, and this is the question that this Congress will have to answer as it relates to health care: Who decides? Who is going to be allowed to make personal health care decisions? Is it going to be patients and doctors, is it going to be families and their children, along with the guidance of a medical professional, or is it going to be the Federal Government? Is it going to be individuals in buildings around this Capitol and around this Nation who may or may not have any medical training or any medical experience at all that will be making decisions, personal health care decisions, for people?

I don't think that is the direction in which we ought to go, Mr. Speaker, and I don't think that is what the American people believe we ought to do as it relates to health care, and I certainly don't believe that that is the new direction that the American people thought they were going to get when they went to the polls last November.

You say, well, what kind of program could that be? Well, Mr. Speaker, there are a number of proposals that have been put forward by members of the majority party, and not just freshman members, not just members who don't have any input, real input, into the nuts and bolts of health care policy that is coming forward. In fact, what we have are the chairs of the committees of jurisdiction, the chair of the House Ways and Means Committee that has jurisdiction over health care

and the chair of the Energy and Commerce Committee that has jurisdiction over health care in this Nation.

Those individuals, certainly the latter, has said that what he believes we ought to move toward in terms of health care in this Nation is what he describes as Medicare for all. Medicare for all.

Mr. Speaker, I am here to tell you that all patients have to do around this Nation, all citizens have to do around this Nation, is the next time they talk to their doctor, ask their doctor, do you believe that our health care system would be better if it were to look like Medicare? Do you believe that my personal insurance would be better if it were like Medicare? Do you believe that allowing the Federal Government to make health care decisions like they do in Medicare for our entire Nation is the right way to go?

I don't believe that is the case, Mr. Speaker. I don't believe that is what the American people want, and I know, I know that when patients ask their doctors around this Nation, that is not what they will want.

Why? Why wouldn't we want Medicare for all? Let me give you an example or two, Mr. Speaker.

We had a huge debate a couple of years ago in this Nation about whether or not Medicare ought to cover prescription medication for Medicare recipients. That debate went on for a few years. It was a proposal by this administration, passed by this Congress in 2003, and we have seen that program instituted over the past 14 months, 15 months, and it is a relatively successful program.

But I don't want to talk about the merits of the program, because that is a different debate. I want to talk, Mr. Speaker, about a program that takes 40 years to decide that it needs to cover prescription medication for seniors in this Nation. That is Medicare. It is a government program that cannot, it is impossible for it to be responsive to people. It is impossible for it to incorporate the kind of new inventions and wonderful treatment options that are available to the American people in a private system. It is impossible for them to be able to incorporate those treatment changes to benefit patients.

Why is it impossible? Because it is a massive government bureaucracy, and a massive government bureaucracy cannot be by its very definition nimble and flexible and responsive to the American people. And that is the answer to this question, who decides? Who decides?

This new majority thinks that the Federal Government ought to be deciding personal health care decisions for people. I, and most of my colleagues on our side of the aisle, simply believe that ought not be the case; that patients and doctors, that families and children in consultation with their doctor, that those people ought to be the ones that are making those personal health care decisions.

So I urge my colleagues to ask as we go through the next number of months, as we go through the kind of policy suggestions and bills that will come to the floor, to ask this question. I know what my answer is. Who ought to decide in terms of the policies that we brought forward? I know what my answer is. I believe that the American people ought to be the ones deciding.

□ 1945

I believe that the American people ought to be the ones that have an opportunity to say, I think that my hard-earned money ought to be spent in this way. I ought to be allowed to decide when to spend or save or invest my money, not the Federal Government, not the Federal Government. As well intentioned as they are, and individuals who work in the Federal Government by and large are extremely well intentioned, they are encumbered by the very apparatus that is in place because of the size and massive nature of our Federal Government. It is impossible for them to be responsive to the American people. It is impossible for them to be as nimble as they ought to be, to be as flexible as they ought to be.

Health care is one example where science is exploding, and all sorts of wonderful opportunities are available for the treatment of disease. But should we in this House of Representatives be the ones deciding what kind of health care treatment ought to be given in a very particular instance? I would say no. Those decisions ought to be the decisions of people, individuals with their doctor and their family.

So I urge my colleagues as we look at the issues that come before us over the next number of months to ask this question: Who decides? Who ought to decide? I think if they answer honestly, they will come down on the side that I have come down on, and that is on the side of the American people.

I would encourage my colleagues when they go home this weekend when they talk to their constituents to ask their constituents, who do you think ought to decide how to spend your money? Should you, should the American people decide that, or should the Federal Government? Should the American people be able to decide what kind of health care treatment they ought to receive, or should the Federal Government? Should the American people be able to decide what kind of education system they want for their children, where they want their child educated, what kind of curriculum they want for their children in their community, or should that decision be made by the Federal Government?

Huge questions, Mr. Speaker. We are at a crossroads. We are at a crossroads in this Nation on so many areas. Our time right now is to govern responsibly. It is our time to make certain that we listen to our constituents. It is our time to do our due diligence to make certain that we appreciate how we became this wonderful and glorious and grand and great Nation. It is our responsibility in the United States Congress to listen to the truth, to appreciate how we got to where we are right now and to incorporate the structure that allowed us to become this great and wonderful and glorious Nation, to be the Nation that truly is the beacon to all who love freedom and love liberty around this world. How did we become that Nation, and to incorporate the reasons, the rationale and the policies that brought us to that point into the policies that we promote to move our Nation forward.

I am confident that if we do that, we will answer the question of who decides, with the American people being first and foremost. I am confident if we do that as a Congress, we will make the right conclusions. I am confident if we do that as Congress, we will make the right diagnosis for this Nation, and we will develop the right treatment plan as we go forward.

I want to thank once again the leadership for allowing me the opportunity to come and speak to the House this evening and bring some truth and light to some issues that are oftentimes very complex, but oftentimes very simple because we ask simple questions. We ask simple questions: Who should decide? Should it be the American people or the Federal Government? Mr. Speaker, I vote for the American people.

PEAK OIL

The SPEAKER pro tempore (Mr. ARCURI). Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, I believe this is the 24th time since the 14th day of last March that I have come to this floor to talk about a subject which is growing in importance. That subject is energy.

I had the privilege of leading a codel to China. We left just after Christmas and we spent New Year's in Shanghai. There were nine of us who went there, and the primary purpose of that congressional delegation was to talk to the Chinese primarily about energy.

I was both surprised, shocked, and really pleasantly surprised that they began their conversation about energy by talking about post oil. This just wasn't the energy people in China, it was high officials in other parts of the government. Everywhere we went and spoke with them, they talked about post-oil, a recognition that oil cannot be forever, and they talked about a five-point program.

The first point of this program was conservation, a recognition that the world has no surplus energy to invest in developing alternatives. If there was any surplus energy, we wouldn't be paying $60 a barrel for oil.

Conservation not only frees up oil, but it buys some time because if we in

fact are producing oil at the rate at which it is consumed and we cannot easily increase that production, then we have not only run out of surplus energy, we have also run out of time. So an aggressive conservation program will buy some time and free up some energy that we can invest in alternatives.

So the first part of their five-point plan was conservation. The second and third points was diversify, get energy from as many other nonfossil fuel sources as you can, and get as much of it as you can from your own country. From a national security perspective, that makes good sense.

The fourth point in their five-point program, and again, it wasn't just the energy people in China talking about this, it was leaders in government in several other parts of the government, the fourth part of their five-point plan was be kind to the environment. You think, gee, that is strange they would say that since they are the world's biggest polluter. They are the world's biggest country. Their economy grew at 11.4 percent for the last quarter. And they know they are a big polluter. They are apologetic. They have 1.3 billion people, and they don't know how to use energy wisely, and they are asking for cooperation so they might use their energy as efficiently as we use ours.

The fifth point was that we need international cooperation because this planet is a little spaceship, not all that big. It once seemed absolutely enormous when we sailed the ocean in sailing ships, but now with airplanes it seems much smaller. We are here together, so we have a global responsibility.

I thought of this attitude on the part of the Chinese when I read an article that appeared in the New York Times on page 1 on March 5. It says, ''Oil innovations pump new life into old fields.''

Bakersfield, California. That is out in the desert. I used to teach medical school out there and drove through Bakersfield coming east. This states the Kern River oil field, discovered in 1899, revived when Chevron engineers here started injecting high-pressure steam to pump out more oil. The field, whose production had slumped to 10,000 barrels a day in the 1960s now has a daily output of 85,000 barrels. In Indonesia, Chevron has applied the same technology to the giant Duri oil field discovered in 1941, increasing production there to more than 200,000 barrels a day, up from 65,000 barrels a day in the mid-1980s. And in Texas, ExxonMobil, the world's largest oil company, expects to double the amount of oil it extracts in its Means field which dates back to the 1930s. Exxon, like Chevron, will use three-dimensional imaging of the underground field and the injection of gas, in this case carbon dioxide, to flush out the oil.

I might pause to interject here that this is a very appropriate use of carbon dioxide. It is a greenhouse gas. Its concentration in the atmosphere has about doubled in the last couple hundred years, and most of the world's scientists who study weather believe that the Earth's temperature is increasing and that the greenhouse gases, chief among them carbon dioxide, are responsible. So sequestering the carbon dioxide and pumping it down into these wells to force the oil out is a doubly good thing. It keeps it from going into the atmosphere, and it gets some additional oil.

This article continues, within the last decade, technology advances have made it possible to unlock more oil from old fields, and at the same time higher oil prices have made it economical for companies to go after reserves that are harder to reach. With plenty of oil still left in familiar locations, forecasts that the world's reserves are drying out have given way to predictions that more oil will be found than ever before.

Well, I have a chart here which looks at the oil discoveries back through the last number of years, last 70 years, and we see here in the bar graph the discoveries of oil and we see there were some big discoveries in the 1940s and 1950s and 1970s and down in the 1980s. And ever since that time, it has been down, down, down. That is in spite of ever-better technology for discovering oil.

They mention the 3–D seismic computer modeling they are using. We now have a pretty good idea of the Earth's geology, and so we know where we might find gas and oil. Some very unique geological conditions are necessary in order to have gas and oil. We don't really know how the oil and gas got there, but there are some reasonable conjectures, and if you understand these conjectures and if they are correct, it gives you some clue as to how much more gas and oil we are likely to find.

The most popular theory goes that a long time ago when the Earth was more uniformly warm than today, there did not appear to be the torrid equator or the frigid poles, and because there were subtropical seas at the North Slope and in ANWR and in Prudhoe Bay, and those subtropical seas had a seasonal growth and then death of algae-like organisms and maybe some small, animal organisms with them like the algae that grows on your pond today. I don't know that they had winters, but they had seasonal growth, and each season it would mature and die and then sink to the bottom, and Earth runoff would mix in and overlay it, and then the next year another layer of the organic material was deposited. This continued until there was big buildup, a lot like at the bottom of a lake.

Then the theory says that the tectonic plates of the Earth moved and surface seas with all of the organic material mixed with the inorganic, rock and sand, were now submerged down under considerable pressure and near enough to the molten core of the Earth there was just the right combination of pressure and temperature. And with time, this organic material was converted into what we know as gas and oil.

Now the products were some very short-chain products such as gases, methane, the shortest of the chains; and then very long chain ones which end up as Vasoline or waxes or something like that. If there was not a rock dome over this, kind of an umbrella of rock, then the gases would have escaped through the years and what would be left was some tarry stuff that you couldn't pump because you would have to heat it up. That is known as heavy oil where it exists today. You have to heat it up or mix it with volatiles to get it moving.

This dome keeps the gas from escaping. This was the explanation why for many oil wells when you finally pump down into the oil, it is not a pocket of oil that you are sucking out like a soda through a straw. It is all mixed with sand and rock, fractured rock and so forth, but it will flow. For wells that were gushers, this gas pressure that accumulated under the rock dome was now pushing down on this oil, and it pushed it up the well pipe. So we had these gushers.

□ 2000

Well, this may not have been the way that oil and gas was produced, but it certainly sounds logical because that is where we find it, where we have these rock domes and so forth. What that means is, of course, that with these current techniques that we have of mapping the world, we can find those areas which have rock domes, which were likely to and with the location relative to the edges of the tectonic place, we can now identify where it is probable that you might find gas and oil production. And with ever-increased capabilities, computer modeling and 3–D seismic, we have found less and less oil through the years.

Now, this chart has another curve on it, and that is the consumption curve. Interesting curve. You will notice for a long time we were finding enormously more oil than we were using, because we were using this much, but we had found that much. But from about 1980 on, increasingly we have found less and less oil and used more and more oil.

I would like you to note the interesting change in the curve here in the 1970s. There was a stunning statistic up until the seventies, the Carter years, with this rate of increase and use. Every decade the world was using as much oil as it had used in all of previous history. Now that is a stunning statistic. What that means is that when you have used half the world's oil, there would then be 10 years left at current use rates. Well, we had a big shock in the 1970s at the Arab oil embargo, and we learned how to be much more efficient. For, what, 10 years or so here, there was essentially no increase in oil, and now it is slowly going

up again as the world's economies grow. In China, bicycles are banned on some of their streets. I was late getting to one of the appointments there because of traffic jams in Beijing. I was, a couple of years ago, in Moscow, and traffic jams in Moscow. I was there in 1973, and the streets were essentially deserted. The only cars I saw there were a few government cars. So all over the world there is a surge in interest in automobiles, and they are now being bought by the Indians. And not very long, the Indian middle class will be as big as our whole population. Information technology, which they excel, is increasing this middle class.

Now, this chart looks at what the future may hold. This article that I just read, ''Oil Innovations Pump New Life Into Old Wells'' says that we are going to have more oil than we have ever found. Now, we are not really finding new oil, most of this is oil that is in some of these fields, and these bars will go up higher here because now, with enhanced recovery, we are able to get more oil out. And they are making the projection that we are going to find as much more oil as we have remaining. And one projection is, and I will come to that in a few moments, that we are going to find as much more oil as we have ever found.

The next chart shows an interesting picture. This is the same consumption curve that you saw there with the same perturbations between the seventies and the eighties as a result of the Arab oil embargo.

Now, this chart, which is from our Energy Information Agency, is assuming something that I think is not rational to assume, and that is that we are going to find as much more oil as all of the reserves which we now know to exist.

A couple of congresses ago, I chaired the Energy Subcommittee on Science, and one of the first things I wanted to do was to determine the dimensions of the problem, and so we had oil experts from all over the world come in. How much oil did we find? How much of what we found is still there? And there was surprising unanimity from just under 2,000 giga barrels to just over 2,000 giga barrels. That is their figure here of 2.248,000 billion barrels.

Now, we use giga barrels. They said billion barrels here, that is because it is for an American audience. But if you were in England, a billion is a million million, in this country it is a thousand million. So you may confuse the audience when you are talking about billions. If you use giga, apparently gigs is a billion the world around. But what I want to point out in this chart is that even if they are correct, that the main amount, expected amount of oil that we will find, is 3,000 giga barrels, that moves the peak out from the present to only 2016. So even if they are right, and I think the probability that they are right is small, and I will give you several evidences of that as we go along, but even if they are right, even if we find as much more oil as all the reserves that we now know to exist out there, that will move the peak out only from about now, when most of those who work in this area believe that peaking has occurred or will shortly occur. If we find there is much more as that which remains, and by the way, of this 2,248,000 giga barrels, we have used about half of that, and about half of it remains. Now, with this enhanced oil recovery that this article is talking about from the New York Times, we will get a bit more of that. How much more remains to be seen. But if we find this extra roughly thousand giga barrels, that will only move the peak out to 2016. Now, one of the authorities in this area believes that we will find another thousand giga barrels, and we will be up around 4,000 giga barrels total. If that is true, since this is an exponential curve, and this was only, what, 16 years? The next may be only 12 years. So that moves the peak out only to about 2028. And that assumes that we are going to find as much more oil as all the oil that has ever been found.

The next chart shows an interesting prediction, and the data that was collected following the prediction. This shows the discovery curves. What this does here is to kind of round out those big bars that you saw in the previous one. And here they have done a very interesting thing. They have taken the F–5, F–50 and F–95, which was fractional, and I don't have the chart to how they got there, but I can tell you how they got there. What they did is run a lot of simulations. And they had the number of simulations on the ordinate, and they had the amount of oil that the simulation indicated would be found on the abscissa. So, they put these numbers into their computer simulation, and they got numbers out, and they graft all those numbers. And then they found the mean of those numbers, and they found that 95 percent, which meant that 95 percent of the predictions indicate you would find more oil than that and so forth. And so they assumed that the most likely thing would be the mean. Now, it was a mean of their projections. But somehow that F got translated when it went from USGS to the Energy Information Agency, it got translated to P, which is the probability. Now, if this is really probability, this is a bizarre use of statistics.

So they show here three probabilities. They show the P–95 probability, the P–50 probability and the P–5 probability. Now, if these really are probabilities, there should be another green line coming down this way; because if you are only 50 percent certain, obviously that is a pretty broad funnel you create out there. If you are only 5 percent certain, it is really broad. It is like the path of the hurricane. For the next 24 hours, they know pretty well where it will be, so that is pretty narrow. But as you go out in time, 2, 3 and 4 days, why it gets wider and wider because you are less and less certain of where it is going. So there should have been another green line down here and another blue line down here because you have a broad uncertainty if you are only 5 percent certain.

But notice what the actual data points have been doing. They have been following, as you might suspect, the 95 percent probability, if in fact it is probability. Obviously 95 percent probable is a lot more probable than 50 percent probable.

In a wide-ranging study published in 2000, a U.S. Geological Survey estimated that ultimately recoverable sources of conventional oil total about 3.3 trillion barrels, that was this little mean number in the previous chart right here, of which a third has already been produced. What has been produced is a half of what we have discovered. They are predicting that we will discover for that mean, as they call it, as much more oil as all of the reserves that we now know to exist.

More recently, Cambridge Energy Research Associates, an energy consultant, estimates the total base of recoverable oil, and here they have 4.8 trillion. The little chart I showed you before had that at just under 4 trillion, you will remember. But notice from the peaking chart that even if that is true, that will push peaking out to only a bit before 2030. That is not all that far into the future.

Then they say there is a minority view held largely by a small band of retired petroleum geologists and some Members of Congress, that would be me, that oil production has peaked, but the theory they say has been fading. Well, they should have told that to T. Boone Pickens, because an Associated Press article, March 1 of this year, just a few days ago, this is from Doha, Qatar, he is over there talking about oil. And by the way, I didn't know until I read this article that he started his professional life as a petroleum geologist. We know him as a very wise investor on Wall Street. Legendary Texas oil man T. Boone Pickens sees today's stubbornly high price as evidence that daily global production capacity is at or very near its peak.

If demand for crude rises beyond the current global output of roughly 85 million barrels a day, Pickens told the Associated Press, prices will rise to compensate, and alternative sources of energy will begin to replace petroleum. If I am right, T. Boone Pickens says, we are already at the peak. If that is true, the price will have to go up.

And then he makes this statement: ''I think there are less reserves around the world than are being reported.'' Well, the two sources I mention are reporting greatly increased reserves. T. Boone Pickens says that he believes that they are over-reporting, said the 78-year-old former—by the way, young people can be very bright, but wisdom comes with age, and so T. Boone Pickens has 78 years of wisdom—who now

heads the Dallas-based Hedge Fund BP Capital. There are no audited reserves in the Mid East. It makes me suspicious, he says. We really don't know how much oil is in the Mideast because they do not open their books for us to see.

Forbes publisher, Steve Forbes, challenged Pickens' assumptions during an exchange during the conference saying political, not technological or geological, road blocks stood in the way of increasing the world's oil production. Now, I know Steve Forbes, and I admire him very much, but I think that he gives far too much credit to the marketplace. Many people believe that the market is both omniscient, that is, all knowledgeable, and omnipotent, all powerful.

If we had unlimited resources, the market might do what Steve Forbes has confidence that it will do. With the right incentives in places, such as Mexico, more oil could be brought to market and prices could drop, Forbes said. Pickens responded by saying that Mexico is a declining producer of oil, as are most other countries, indeed. Thirty-five out of the top 43 oil-producing countries in the world have already reached peak.

□ 2015

Pickens responded by saying that Mexico is a declining producer of oil, as are most other countries, naming the United States, Norway, Britain and soon Russia. By the way, Russia did peak once already, and then they kind of fell apart with the dissolution of the Soviet Union. They are reaching a second peak, which I believe will be less than the first peak.

''The world has been looked at,'' Pickens told Forbes. ''There is still oil to be found, but not in the quantities we have seen in the past. The big fields have been found and the smaller fields, well, there is just not enough of them to replenish the base. Global consumers, led by the United States, have already pumped 1.1 trillion barrels of oil, roughly half of the 2.2 trillion barrels that have been discovered,'' or what Pickens describes as nearly half of the world's estimate. He thinks we will find a little more, 2.5 trillion barrels of oil. Other experts put reserves at 3 trillion, Energy Information Agency; or 4 trillion barrels of oil, Cambridge Energy Research Associates.

''From now on,'' Pickens said, ''rising demand will be met by higher prices, rather than ever larger crude oil production. Alternative energy sources will begin to take a share of the energy market until the world evolves from a hydrocarbon-based economy to something that is a mix of hydrocarbons and something else. Everything from nuclear, coal, wind, solar, hydrogen and biofuels stands a chance to assuage growing demand for energy.''

I would just like to make a comment about hydrogen. All the others are truly energy sources. Nuclear, coal, wind, solar, biofuels are energy sources. Hydrogen is not an energy source. So why do we list it there? You can't mine hydrogen; you can't pump hydrogen. The only way you can get hydrogen is to make it from something else. Unless you are going to violate the second law of thermodynamics, it will always take more energy to make hydrogen than you will get out of hydrogen.

It is made today largely from natural gas. It can also be made by electromagnetizing water, splitting water into hydrogen and oxygen. Well, if you will always use more energy to make the hydrogen than you get out of the hydrogen, why would we be interested in hydrogen?

Well, for two reasons. One is that when you finally burn it, you get water. Water is the oxide of hydrogen. When you burn hydrogen, you get hydrogen oxide. We commonly call it water. That is pretty nonpolluting.

The second reason we are interested is that it is a great candidate for fuel cells if we ever get economically supportable fuel cells. We have been working on them for a long time, experts tell us, maybe 20 years. We will have economically supportable fuel cells, but that's the reason we talk about hydrogen.

A lot of people believe hydrogen is an energy source. Hydrogen, think of it as a battery, is something that carries energy from one place to another place. You can't put the falling water in your car and run it, nor can you put the electricity, unless you have a lot of batteries in your car to run the car, but you can take the electricity you get from the hydroelectric plant, split water, compress the hydrogen, put the hydrogen in your car. So you are really running your car on the energy from the waterfall.

But secondhand you produce hydrogen with it, and if you have a fuel cell in your car, now you will not only be running your car, polluting, just with water, which is pretty nonpolluting, but you will also get at least twice the efficiency out of that as you get out of the reciprocating engine.

The next chart is a very interesting one that shows us the sources to which one might turn to get energy other than the energy we get from fossil fuels. This chart reminds me very much of a young couple whose grandmother has died and left them a big inheritance, and they now have established a pretty lavish lifestyle. Eighty-five percent of all the money they spent came from their grandmother's inheritance and only 15 percent of the money they spend comes from what they earn.

They look at their grandmother's inheritance and how old they are, and, gee, this money is not going to last until we retire, so obviously we have got to do something, and that something is going to be either make more money or spend less money. That is pretty much exactly where we are relative to energy.

Eighty-five percent, some people will tell you 86 percent, but 85 percent of all the energy that we are expending today comes from natural gas, from petroleum, and from coal; and that leaves only 15 percent of the gas to come from other sources, of energy to come from other sources.

A bit more than half of that 15 is nuclear energy. That is 20 percent of our electricity, and in France, by the way, about 80 or 85 percent of their electricity comes from nuclear; and in our country, about 20 percent, but it is 8 percent of our total energy.

So when you look at the true renewables, only 7 percent now, it is a little different that this today, because this is a 2000 chart, and we have been really ramping up with solar cells, for instance, producing solar electricity. That market has been growing at about 30 percent a year. That is incredible growth.

But this started out as 1 percent of 7 percent, that is .07 percent. Suppose it is four times bigger today, that is .28 percent, less than a third of a percent, big deal. We have got a long way to go.

Thirty-eight percent of this renewable energy comes from wood, but that is not the person heating their house with wood so much as it is the timber industry and the paper industry wisely using what would otherwise be a waste product to produce energy. Waste to energy, 8 percent of this 7 percent.

There is a really state-of-the-art plant up here in Dickerson. They will be happy to have you come visit. It is really a showcase, and they are burning waste to produce electricity.

Now, one word of caution about waste: that huge stream of waste represents a big investment of fossil fuels, and don't count on having that big stream of waste in an energy-deficient world. We will live comfortably, we can live comfortably, but we will be producing far less waste in the future because all of that waste represents the use of fossil fuels.

If T. Boone Pickens is correct, and, by the way, he is not the only one, there are a number of experts out there who believe that we have peaked or are about to peak, there will be less and less of this waste. But at least for a moment it is a great use of this waste material, much better, I think, than putting it in a landfill. Recycle what you can; what you can't recycle, why, burn it to produce energy.

Wind. That is growing; it is really efficient. Our big wind machines today are producing electricity at about 2.5 cents a kilowatt hour. By the way, none of those big ones are made in our country. I hope we can change that, but Norway makes them, for instance.

These are huge machines with blades that turn very slowly. You have to be a really sick bird or bat that flew into those. These aren't the little ones they had first where the blades twirled around quickly and did kill some birds and bats. You may have seen them. They are really quite large, and, I think, quite handsome.

That could and should grow. It is really growing in California. It is a totally renewable resource. By the way, the wind is simply secondhand sun. The wind blows because the sun heats the Earth unequally and so it is differential temperatures on the surface that cause the winds to blow.

Then the big chunk of these renewables are conventional hydroelectric. Now, in our country we have pretty much tapped out on the conventional hydroelectric. We probably dammed every river that should have been dammed and maybe a few that shouldn't have been dammed. They are now building fish ladders, and we are blowing up some of those dams because we think that the environmental pressures are greater than the relatively small amount of electricity we get from some of those.

That probably can't grow much in our country, conventional, but microhydro produces far less environmental impact and some believe might be as big as conventional hydro. This is a little dam and small amounts of electricity, maybe only watts, but 100 watts, 24/7, that will produce a fair amount of light for your reading, for instance.

At this 2000 chart, alcohol fuel represented 1 percent of 7 percent, that is .07 percent. Today it represents more than that. We have a number of ethanol plants; it is growing very rapidly. There is a very interesting speech given by Hyman Rickover to an audience of physicians. The 50th anniversary of that will be in just a few days, few weeks, the 14th day of May. In that article he noted, that speech, really, we used to have a transcript of it, he noted that one day there would be competition between energy and food for our biological crops.

I thought of that when I spent some time on a couple of occasions recently with our dairymen; and what has happened is that with the relatively small amount of ethanol we have made from corn, the supply demand has been so changed that in September of last year corn was $2.11 a bushel, and in December it was $4.08 a bushel, nearly double. The price of tortillas in Mexico has gone up, which is hurting poor people there, and our dairymen are going bankrupt because of the high cost of feed. Now, this is a boon to the corn producer, but it is anything but that to the animal feeder, because with the relatively small amount of ethanol that we have made, we have doubled the price of corn.

Well, this pretty much is where we are going to have to find alternative energy sources, and it is quite obvious, if you stop and think about it. You may want to put this off into the future, but at some point we will reach peak oil. I think we are there or nearly there for conventional oil.

Then at some point in the future, oil and gas will be so hard to find, and so expensive, that other sources of energy will be more attractive. We will look back in the future at the age of oil, and what an incredible age it was.

If you do a Google search for Hyman Rickover and energy, you will pull up the transcript of this fascinating talk that he gave almost 50 years ago. He, in that talk, goes through a very interesting history of the development of civilization and the role that energy played in the development of that civilization.

All one has to do is kind of reverse the tape, as you may see, when somebody jumps into a swimming pool, and you reverse the tape and they jump back out of the swimming pool. So we can see the contributions energy made to the development of civilization, and you reverse that tape, you can get some idea as to what would happen to our civilization if we are not able to derive energy from other sources equivalent to that, which we are getting from fossil fuels.

The next chart is a very interesting one from CERA, Cambridge Energy Research Associates, and this has several projections of peaking on it.

Now, the title of this article is ''Undulating Plateau Versus Peaking,'' and what they are contending in the article is that those who believe in peaking probably also believe in the tooth fairy, that they are about as probable. But in that article they have this graph which shows a peak. I agree with them that it will not be a smooth plateau, that it will be undulating.

I disagree that it will be that far in the future and it will be that broad. But let's look at this chart. They agree that if we find no additional large quantities of oil, that's the roughly 2 trillion barrels that will have been found, that's the current discovered oil in the previous charts, the peaking will be occurring fairly soon.

If we find another, roughly another trillion barrels by enhanced recovery and going under 7,000 feet of water and 30,000 feet of rock, as that last oil find in the Gulf of Mexico was, that we can get that much more conventional oil. So peaking will be pushed out to about this point.

□ 2030

And then they are looking at unconventional oil. And just a word about some of that unconventional oil. There are incredibly large potential reserves of unconventional oil. For instance, the tar sands of Alberta, Canada, contain more potential oil than all the oil that has been discovered so far. The same thing is true of our oil shales out in Utah and Colorado.

So why aren't we resting easy then that there is no problem for the immediate future because there is this incredible reserve of oil? Now, they believe that we are going to tap a pretty large amount of that.

In Alberta, Canada, they are exploiting this field. They have a shovel which lifts 100 tons at a time. It dumps into a truck which hauls 400 tons, and they carry this 400 tons to a cooker. They have what is called stranded natural gas in Alberta, a lot of gas and not many people. And since gas is hard to transport, it is not worth much because there is not many people there to use it, so we call it stranded. So its value is low. And from a dollar and cents perspective, they are making a lot of money in Alberta. It is costing between $18 and $25 a barrel; that is bringing $60 a barrel. That is a very handsome profit, so they are aggressively exploiting this field. They are using natural gas to cook the oil. The natural gas will not last forever. They know that, so now they are looking at the possibility of building a nuclear power plant there.

I have asked: How long do you have to operate a nuclear power plant before you get back to the fossil fuel energy it took to build the nuclear power plant? I get wildly divergent estimates of how long that is, which makes the point that we really need for this dialogue, which we really need to have, we really need an honest broker to help us agree on the facts, because it is very difficult to have an enlightened discussion when you can't agree on the facts. That honest broker might very well be the National Academy of Sciences. They are very knowledgeable. They are highly respected, and I think that they would assume this responsibility and I hope that we can find the resources so that they can do that.

Now, the Canadians know that this is not sustainable. The gas will run out. And, in addition to that, this vein, if you think of it as a vein which has now pretty much surfaced, it will shortly duck under a heavy underlay so there will be a lot of material to remove above it, so much so that they could not economically continue to mine it and carry it to the cooker. So then they will have to develop it in situ, in place. They really don't know yet how they would do that.

Now, the real profit that you need to look at in any of these things is what is called energy-profit ratio, how much energy you put in and how much energy you get out. In the big oil fields, and we have no giant oil fields in our country. We have never had one. The Ghawar War Field, perhaps the grand daddy of all oil fields in Saudi Arabia, has been producing oil for a very long time, and for much of its life, it was producing $100 worth of oil for $1 worth of investment, energy-profit ratio of 100.

Our oil was never that good. It started out maybe 10 or 20, and now it is down to 1 or 2 energy-profit ratio, how much energy you have to put in compared to how much energy you get out. And so although there are very large potential reserves in these unconventional oil fields, the net that you get out will be very much less. Even if it is feasible to get it out, the net will be very much less than the amount of oil which is there.

Now, they are working very hard in Canada. It is a huge enterprise. They are producing about 1 million barrels a

day. That is a lot. But that is less than 5 percent of what we use in this country, and just a bit more than 1 percent of the 85 million barrels a day that the world uses. So even though this is a tremendous effort and a lot of oil produced, it still is making a fairly small contribution to the total amount of oil in the world.

Now, I would ask the listener, Mr. Speaker, to draw their own conclusions: How much additional oil do you think we will get from current fields with enhanced oil recovery? Even if we get as much more as all of the present projected reserves, that will only push the peak by their own chart, which we saw a bit ago, out to 2016. And if we find double the amount of oil that we have ever found, it pushes it out only to about 2027 or 2028. That is not the distant future.

The next chart is really an interesting one, and I think graphically this kind of presents the dilemma that the world is in, and this is what the geography of world would look like if the size of a country was relative to the amount of oil reserves that it has. It is a really interesting map; isn't it? Saudi Arabia dwarfs everything else. And notice little Kuwait, a tiny corner of Iraq. You can see now why Saddam Hussein was interested in Kuwait, a tiny province down there at the southeastern corner of Iraq, just a fraction of the geography of Iraq, but nearly as big as Iraq. It dwarfs the United States. Here we are; we would fit five times into Kuwait. They have five times the reserves that we have.

Notice the two largest countries in the world, China and India; 1,300,000,000 people in China; 1 billion in India and growing. They don't have the birth control, the population control they have in China, and it won't be very long until India's population is equal to that of China. I mentioned a bit ago that it won't be too long before the middle class in India is the size of our total population, 300 million people. They all want cars. They all want heated and air conditioned homes. All of this takes energy.

So the traditional roughly 2 percent increase per year in energy demand is going to pick up with the development of countries like China and like India. Russia, which is now a huge exporter of oil, notice, they are only four times the size of the United States, a fraction of the size of Saudi Arabia, probably a bit smaller than Kuwait.

Notice where most of the world's oil is. There is some in this hemisphere, in Venezuela, but the rest of it is all northern Africa and the Middle East. Someone had noted that it is very strange that the world of Islam has most of the oil and the Christian world has most of the arable land. It seems to me there ought to be some opportunity for partnering. We can produce the food; they can produce the energy. But those kind of relationships in this confrontational world are hard to achieve.

The next chart is one that further develops this picture. And what this shows is the world, not as that would be proportioned by oil but as it is, and it shows what the symbols here, who is buying oil where. And these symbols for China, you notice one here, they almost bought Unocal in our country, and China is now buying up oil around the world very aggressively, not just buying oil, but in the process making friends. ''Would you like a hospital? How about a soccer field?'' And the Chinese are doing this all over the world. You can see their symbols where they are all over the world, and notice many of them in that oil rich crest of Africa and the Middle East.

Why are they doing this? The Chinese economy is growing at over 10 percent. The last quarter for which I saw data was 11.4 percent. They have to have observed that oil is fungible; that it really doesn't matter who owns the oil, which is why I didn't have any big problem with them buying Unocal. It doesn't really matter who owns the oil. The country, the company that gets the oil is the high bidder because oil moves in a global marketplace. Today, it was roughly $61 a barrel. So it doesn't make one bit of difference who owns the oil. The person who has the money, who bids the highest, gets the oil.

So, if this is how oil moves on the world market, why would China be buying up all of this oil? We happen to have one of the largest reserves of coal. We have 250 years of coal at current use rates. But if you increase the use of coal only 2 percent; by the way, this exponential growth is poorly understood by most people. After the discovery of nuclear energy, Dr. Einstein was asked what the next great energy source in the world would be, and he kind of jokingly responded that there was nothing quite like the power of compound interest.

Let me tell you just a little story to help understand this. The story is told that chess was developed in an ancient small kingdom. And the king was very appreciative, and he told the inventor of chess that, ''You have made such a contribution to our culture that I will give you anything reasonable that you ask.''

And so the inventor said, ''Oh, king. I am a very simple man. I have simple needs. If you would just take my chess board with, what, 64 squares on it, and if you put a grain of wheat on the first square and two grains of wheat on the second square and four grains of wheat on the third square and eight on the fourth and so forth until you filled all of the squares of the chess board, that will be an adequate compensation.''

The king said to himself, ''Foolish fellow. I would have given him anything reasonable. All he is asked for is a little wheat on his chess board.''

The king of course could not do that, because the amount of wheat that would have been on that chess board I understand represents a decade of world harvest of wheat. That is what exponential increase does.

Well, the world has been increasing at about 2 percent a year. That rate of growth will increase. There is an easy formula that you can use. If you divide the percentage growth into 70, it will give you doubling time. So 2 percent growth doubles in 35 years; 10 percent growth doubles in 7 years. So you can now get doubling time if you divide the percent into 70.

This coal that would last us 250 years, if you have only 2 percent increase in growth, that exponential function decreases the duration of its use to just 85 years. And since coal will not be useful for many of the uses of energy that we have, we are going to have to convert it into a gas or a liquid. And the energy to do that if you take it from coal will now reduce the amount of time that that 250 years of coal will last to 50 years.

But since energy sources move on a world market, we might be expected to share that liquid from coal or gas from coal with the rest of the world. And since we use ¼ of the world's energy, that 50 years divided by 4 comes down to 12½ years. So this amazing 250 years of coal suddenly shrinks to just 12½ years at only 2 percent growth if we are sharing it with the rest of the world.

Well, we may decide that, since the coal is ours, that we won't need to share it with the rest of the world if there is an acute energy shortage here.

□ 2045

That would be a logical decision that a country would make.

Now, if we, if there is a possibility we would not want to share our coal with the rest of the world, is there a possibility that China might not want to share their oil, which they have now bought in all of these countries around the world; that they would not want to share their oil with the rest of the world?

Mr. Speaker, with that thought in your mind, you might reflect on the fact that China today is aggressively building a blue water navy. Some I think 60 percent of their oil goes through the Straits of Moloch. We now could cut off that oil.

From a national security perspective, I can understand why they would have a meaningful interest in a blue water navy large enough to protect their supply lines for oil.

By the way, talking about choke points for oil, I think 40 percent of the world's oil moves through the Straits of Hormuz. And if that were mined, or if super tankers were sunk there to block that, 40 percent decrease in the amount of oil would bring all of the world's economies to their knees, essentially overnight. I hope that we are guarding well the Straits of Hormuz because that would, indeed, be the ultimate in asymmetric attack.

I have here a little article called, ''Corn Based Plastic Coming Soon.''

Now, of course, we live in a plastic world. And all of these plastics are made from oil. If you will look at your car, if you look at your home, you look at your television set, you look at almost anything in your environment, and I suspect this rug was made out of oil. Our pesticides, our herbicides, our pharmaceuticals, our make up, this is all made out of oil or a great part of it is made out of oil. So there is an interest in getting the things we make out of oil, much of our clothing is made out of oil, interested in being able to get these fibers, this material from something else, and so this is an article, ''Corn Based Plastic Coming Soon.''

Every bushel of corn that we produce requires a lot of fossil fuel energy. And almost half that energy comes from natural gas, which currently is used to make nitrogen fertilizer. Corn, as a plant, is a pig. It requires and uses incredible amounts of nutrients. And we have now engineered hybrid corn so that it can be planted close together. It grows rapidly. It uses the sunlight efficiently, and it uses enormous amounts of energy. And so, this corn based plastic that they are talking about, I don't know what the efficiency there is. But if it is no better than the efficiency of making ethanol, and ethanol, remember, every gallon of ethanol represents at least three-fourths of a gallon of fossil fuel to make it. Some, Dr. Pimenthal, for instance, believes that if you really cost-account all the energy that goes into producing corn, that you use more fossil fuel energy to produce the corn than you get out of the corn. I hope he is wrong. I believe he is wrong. Anyway, after you have produced the ethanol from the corn, you still have a pretty good feed left, and I don't think his calculation took that into effect.

So this corn based plastic really is, in large measure, just recycling fossil fuels. It may make you feel good to say that my shirt is made from corn. But when you recognize the incredible amounts of fossil fuel energy, if it is the same efficiency as using ethanol, at least three-fourths of the fiber of your shirt might just as well have been made from oil because that oil or some fossil fuel source was used in growing the corn from which the plastic was made.

Mr. Speaker, we will continue next week.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 97

Whereas Thomas F. Eagleton spent his 30-year career in elected office dedicating himself to his country and his home state, representing Missouri in the United States Senate for 18 years;

Whereas Thomas F. Eagleton served in the United States Navy from 1948 until 1949;

Whereas Thomas F. Eagleton, a graduate of Amherst College and Harvard University Law School, launched his political career with his election as St. Louis Circuit Attorney in 1956 and was elected Missouri Attorney General in 1960 and Missouri Lieutenant Governor in 1964;

Whereas Thomas F. Eagleton was elected to the United States Senate in 1968, ultimately serving three terms and leaving an imprint on United States history by co-authoring legislation creating the Pell Grant program to provide youth with higher education assistance, helping to create the National Institute on Aging, and leading the charge to designate 8 federally-protected wilderness areas in southern Missouri;

Whereas Thomas F. Eagleton continued to contribute to his community, state, and nation following his 1986 retirement by practicing law, teaching college courses, writing political commentaries, and encouraging civility in politics;

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Thomas F. Eagleton, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate stands adjourned today, it stand adjourned as a further mark of respect to the memory of the Honorable Thomas F. Eagleton.

RENEWABLE FUELS

The SPEAKER pro tempore (Mr. ARCURI). Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate being recognized and the privilege to address you here on the floor of the United States Congress this evening. And I appreciate the previous speaker, who has brought up the issue of renewable fuels and the overall energy situation that America is addressing here. And this dialogue has got to be expanded and continued, and so this input that comes from the gentleman from Maryland is an essential part of our discussion and our debate. I know that when Professor Bartlett digs up some scientific information and lays it out here for us, we know that it is well researched and it is well founded and well grounded, and that it becomes a significant part of the overall debate.

And I would add some more things to this overall debate as we talk about energy and then, perhaps, Mr. Speaker, I will move into some other issues as well that are of important concern to the American people.

On this energy that we are dealing with, I have continually heard from the other side of the aisle, well, we can't drill in ANWR. I haven't heard why. We can't drill in the outer continental shelf. I haven't heard why.

I have heard that we have to conserve energy. I think that is good, but it is hard to do that without having the proper financial incentives in place. And one thing we haven't done is reward the companies for doing the exploration, particularly, the exploration for American oil, Mr. Speaker.

And so, as I look at this overall picture, I will submit this scenario that we need to do, and that is, we must grow the size of the energy pie, this overall circle pie chart that we use that is the 100 percent model. And in there are the components we have today called gasoline, diesel fuel, coal, natural gas, nuclear power, hydroelectric, solar, wind; the list goes on of those components, some hydrogen. But it is a smaller size of supply than we need, and that is why our energy prices are high. And that is linked with the rest of the world, certainly.

But here in the United States, we need to be looking at this from the perspective of reducing and eventually eliminating our dependence upon Middle Eastern oil. That is essential that we do that because the funds that are going into Middle Eastern oil, when we are buying oil on the market, those funds, some of them, end up in the hands of our enemies, in the hands of the terrorists, in the hands of the Islamic jihadists. And that is the strongest incentive to becoming more dependent upon domestic energy and less dependent on Middle Eastern energy.

But additionally, our balance of trade goes the wrong way for us. When we are importing energy from overseas in places like the Middle East, that transfers the wealth of the United States over to and puts it into the countries of the Middle East. And so our approach here needs to be the expansion and the continued promotion of these energy supplies that we have that we can develop here in the United States.

The most obvious of those are the biodiesel components, which have been expanding rapidly here in the United States, and particularly in Iowa and particularly in Iowa's Fifth Congressional District, the western third of the State. We are now and have been for some time the number one congressional district out of all 435 in biodiesel production. And that biodiesel production comes from animal fats and soybeans, and the extraction of that processed into diesel fuel, that has proven to be a very effective and reliable, and much of it a biodegradable type of a fuel, much more environmentally friendly than the diesel fuel that is on the market that comes out of the sands of Saudi Arabia, for example. And so our leadership there in the biodiesel production needs to be expanded, and we are on a track to do that.

We are also, in the district that I represent, ranking number two of the 435 Congressional districts in ethanol production. By some time this year, in 2007, we will be number one in ethanol production. That will rank us first in the Nation in ethanol production of the 435 congressional districts, and also first in the Nation in biodiesel production.

We rank currently today about fourth or at least tied for fourth in wind generation of electricity. That will go up to at least second time this year, and perhaps it will be first.

But some of the things that we are creating here is an intellectual property, Mr. Speaker, a knowledge base that, of the billions of dollars of capital that we have poured into renewable energy, primarily in the ethanol and the biodiesel, but also in the wind generation of electricity, that capital investment produces the energy out of our crops and out of our wind. But additionally, we are building a knowledge base, an understanding of what enzymes work best, what practices work best. We are squeezing more ethanol out of a bushel of corn than we have ever squeezed out of there before, and we will soon be up to that 3 gallons a bushel of ethanol production. And as the enzymes get better and the process gets better, we will also be able to extract ethanol out of the cellulosic, which is about any kind of plant product that is made out of cellulose and other products as well. But that would be the primary ones.

And as we develop our skills, I run into people around the country, especially in our hearings for agriculture, and they will come up to me and say, really, the future for our energy is in ethanol. We need to learn how to do that. We need to go to Brazil and see how they make ethanol in Brazil. And my response to that is, why don't you come to Iowa, see how we make ethanol in Iowa? I have been to Brazil to see their operations down there. They need to come to Iowa to see how we make ethanol in Iowa.

And, in fact, the United States has surpassed Brazil in ethanol production. They make most of theirs out of sugar cane. We make most of ours out of corn. But we passed up Brazil a couple of years ago in overall gallon production of ethanol.

And Iowa produces 26 percent of the ethanol that is produced in the entire country. And our plants are far more modern than those that you see in Brazil. Technology a little different because there they will some days make sugar out of the sugar cane when the market is right, and other days they make ethanol out of the sugar cane. But ours are still far more modern. We conserve energy. We have got efficiencies there. We have software packages that manage and control the flow of all the operations within the plant. We have one or two people sitting there monitoring that 24/7. But an impressive combination of technology and people and know-how pulled together.

And I often, Mr. Speaker, use the model of how Texas was the place where they discovered oil. And among the places, and Texas produced a lot of the oil back starting in the teens to some degree, but more like the 1920s and the 1930s. And as they, the boom State of Texas hit oil, and they began to develop and produce oil and distribute and refine it and distribute it around the country, they also developed the skills, the skills and the expertise of deeper drilling and other ways to extract oil out of the formations, fishing skills to fish broken bits out of wells, Red Adair's oil well firefighters, some of those examples, and then of course the seismic technology and all of the things that go along to making an oil industry profitable.

Well, as the oil began to play out in Texas, the expertise kept growing, and there is a tremendous amount of wealth in Texas that comes from the intellectual property that has been created, the common knowledge or the knowledge base that has been built.

We are doing the same thing in the Midwest in the renewable fuels category, Mr. Speaker. And as that knowledge base grows, there will be people that are brought up, educated in, work in and nurtured within this epicenter of renewable fuels that we are today in the neighborhood that I have the privilege to represent. And as they look around, they will move outside the area, and they will begin to add their skills to ethanol biodiesel production plants that move out to the limits of the corn belt and the soybean belt.

And as that happens, there will be, of course a center of knowledge, a center of technology and people, can-do people with know-how, that emanate from the epicenter of renewable fuels. That is a big future, I believe, for us. And that is one component in this overall energy pie that we need to grow.

So as we grow our ethanol production from corn and grow our biodiesel production from mostly animal fats or mostly soybeans, but also animal fats, that would be a processing product that comes from our plants. As that grows, we also are looking at developing the cellulosic ethanol, and that can come from any kind of plant. And we are 5 to 6 years away from being able to produce the cellulosic ethanol in the kind of volume where we can see how we might be able to add a lot more gallons to the overall supply of gasoline type products that are consumed on our vehicles on the roads.

□ 2100

And yet where we are, that cellulose comes in the form of corn stalks and cane products and switch grass and the list goes on, wood chips. Anything that has plant and fiber in it is cellulose that can be converted into ethanol. So we don't know to the extent that that will be built out across the country, but I believe this: I think you can draw circles on the map in the corn belt where there will be ethanol plants and they will draw corn from those areas. And then there will be other circles where the biodiesel plants draw soybeans particularly or else extracted oil from soybeans into that area. And the gaps, I think, get filled with cellulosic. And there will also be dual crops that come out at least for some time that convert the shell corn into ethanol and the corn stalks into cellulosic ethanol. That kind of thing will happen too to the extent that the economics will drive this.

Capital makes good decisions on where it goes. It will always being attracted to where there is profit. It will always shy away from places where there isn't profit. And right now the capital is being attracted to the renewable fuels. That is a piece of this overall energy pie, and the size of the piece that is ethanol today and renewable fuels needs to get bigger.

Also, we look out on the Outer Continental Shelf. There are 406 trillion cubic feet of natural gas that we know of offshore, a lot of that offshore in Florida. We opened up a tiny little sliver of that, I think it was Lease 181, to allow for a little more drilling way offshore in Florida, but we are wasting or ignoring a tremendous resource where we should be down there tapping into that massive supply of natural gas, pumping it into our markets here because of the foundation for a lot of our production in our plants, particularly plastic production, is in natural gas, is in feedstock, as well as natural gas is a feedstock for commercial fertilizer, and the control of that fertilizer will also be part of the control for the overall food production in the United States.

So it is essential that we keep at an economic and I will even say a cheap supply of natural gas on the markets. And it is foolish for us to ignore the supply that we have and not be out here extracting that natural gas out from underneath the seabed. There has never been a spilled natural gas that had any environmental damage. It has always been one of the safest things that we can do and certainly one of the cleanest things that we can do. Natural gas is a wonderful product, and that natural gas needs to be put into our markets to keep our fertilizer costs down, to keep our production costs down, and to be used more sparingly in the production of electricity because that is a higher cost type of an item, and that can be done more with coal or with clean burning coal.

And we need to also be expanding our energy use beyond the natural gas. We should look at our domestic supplies of crude oil, and offshore there is also a significant amount of domestic supplies of crude oil. One of the largest fields discovered is southwest of New Orleans, offshore in the Gulf of Mexico. And that supply down there, that find that is discovered by Chevron, can be something that will rival and perhaps exceed one of the large finds up on the North Slope. But the North Slope needs to be opened up too, and I mean specifically ANWR, the Arctic National Wildlife Refuge. That is an area up there that if God was going to put oil somewhere that we ought to go get that is not going to impact on very many species or on human population, that, Mr. Speaker, is the place.

I have traveled up there, and I have looked at the fields in ANWR. I looked at the oil that is developed on the North Slope of Alaska. And I can see, and I don't think there is a disagreement, that it has been a very environmentally friendly development that

took place up there in the 1970s, and we can do better yet just a little ways to the east in a similar type of a terrain, because we have the technology to allow us to do directional drilling. So we can sit in one spot and we can drill in an area out in multiple directions and extract that oil in a single location with a very minimal footprint on the area up there in ANWR.

There is no justifiable reason not to tap into that. Whatever the promise happened to be back in the 1970s that some people here on the floor of the House have said, well, there was a promise that we would never drill in ANWR or we would never let you drill in the North Slope, well, I don't know who made that promise. I don't see that that promise is in law. I know it is not in the Constitution. But even if it is in law, and I don't believe it is, Mr. Speaker, one legislature, one Congress can't bind a succeeding Congress. They can't make a decision in 1970 that keeps us from doing the right thing in 2007.

And our Founding Fathers would have never taken a position like that. So whoever thinks that they have been disenfranchised by a promise shouldn't have been willing to accept that kind of promise back in the 1970s, if it was ever made. But what would we get out of that, foolishly hanging on to somebody's idea that because it is called the Arctic National Wildlife Refuge that somehow we can't have a little spot there that is equivalent of a postage stamp on a football field to go set a rig there, drill some holes in the ground, and pull that back out and only have a little rock pad about 50 feet wide by 100 feet long that even Dennis Kucinich wouldn't recognize as an oil field except you would have to take him up there and show him. And that is the case for many people that oppose drilling up there.

The oil is there. It is there for a reason. We need to dump it on our market and do it now. A million barrels a day could be coming back down into this market here in the United States, and that is a million barrels a day that we wouldn't be drawing out from Middle Eastern oil, and the profit from that million barrels a day would not be going into the hands of jihadists or potential jihadists or neighbors to jihadists. It would be going into American companies, and it would be saving money in the pockets of the American people, Mr. Speaker.

And those are two logical things that we need to do: drill the Outer Continental Shelf for oil and gas everywhere that we can find it, go up to ANWR and drill up there because we have already found it. We know it is there.

And so those two are simple commonsense inarguable points that can only be addressed in opposition by emotionalism and hyperbole, not by rational logic or empirical data.

And as we look across at the rest of the energy that we need to produce, we are doing a great job with the wind energy. We have got the wind chargers pumping out electricity. One thing about it, the air really never gets where it wants to go. It keeps traveling around this globe. And we can harness that tremendous amount of energy, and we do so, and turn it into generated electricity, a very clean, a very safe supply of energy. I am glad to see those tall surrealistic windmills churning out all at an identical speed, pumping electricity down through the cables into the ground and on off to our customers. That is a very gratifying thing.

And we would have difficulty, with the political climate that we face today, in expanding our hydroelectricity capability. Whether we can do that or not, I would like for any opportunities and be supportive of the rational ones, but we must keep alive the hydroelectric generation of electricity that is taking place across this country. That is some of the cheapest electricity that we have and some of the safest electricity that we have and some of the most environmentally friendly electricity that we have.

We will have flood control projects on these rivers, or we will have bottoms flooded out continually and, since we built those, particularly Pick-Sloan on the Missouri River when you take advantage of the gravity situation of the water dropping down off of the dams down through the generation plants.

Another place that we need to expand is going to be our nuclear capability. I don't believe we built a new nuclear plant, nuclear electrical generating plant, in the United States since the mid-1970s. And yet statistically nuclear power is by far the safest form of electricity that we have that we can generate. If you want to count the accidents, the fatalities, all the records about the safety of nuclear stand up to support that nuclear is safer than any other. And when you look across the world in places like France, we make a little fun of the French, but they made a good decision on their electricity. They have a different kind of demand than we have, different levels of resources. But their prudent decision sets up nuclear plants in France, and 78 percent of their electricity is generated by nuclear plants.

To the extent that we can generate more electricity with nuclear, that would take the load off the natural gas that is being used in particularly these new plants where they are burning natural gas to generate electricity. That, I believe, is an imprudent path to go down, to build generating plants that plan to burn natural gas, especially if you are doing so in States like Florida that oppose drilling off their own shores where there is gas sitting there in massive quantities but still are building gas-fired generating plants across the State of Florida. Those things add to the negative and make it harder for us.

And I know that there are States that have an ability and a confidence that they can produce cleaner burning coal, and coal-fired generators have been a very effective and efficient way to generate electricity, the base plants in particular, and there is coal that is hauled all across this country by rail from Wyoming all the way to Georgia, if I remember right, 16 million tons going into Georgia out of Wyoming coal because that is the most economical way they can generate electricity in those areas in Georgia that receive that coal from up in the Powder River Basin in Wyoming.

But the point is to continually grow the size of this energy pie, put more Btus on the market. One of those pieces of the pie needs to be conservation, to save the part that we are wasting, and then expand the size of the pie for the renewable so that there is more ethanol, more biodiesel, more wind-generated electricity, nuclear-generated power, more base plants for coal-fired generating plants and other means that we can use more coal; and in the process of doing that, we have taken the pressure off. There will be less pressure on gasoline, on diesel fuel, on the places we are most vulnerable, from the Middle Eastern oil and Middle Eastern energy.

That is the path we need to follow, Mr. Speaker, and I believe that is the path that is mostly going to be consistent with that that was presented by the gentleman from Maryland who spoke just ahead of me.

But I wanted to talk about the energy issue in the beginning because I intend to, in what is left of this presentation this evening, Mr. Speaker, talk about how we fix our problems here in the United States, how we address our global problems. And I have addressed the energy issue. And when we have cheap energy, we are going to have at least a foundation for a strong economy. That is why energy is important. We can't be hostage to other countries. We can't have someone else draining the profit and the lifeblood off of the workers of Americans by pocketing high profits because they happen to be sitting in a place where there is a lot of energy supply themselves with low input costs. That is the case today with Middle Eastern oil. That is why I raise the energy issue.

The second thing that matters is how we deal with our foreign relations. We are vulnerable to Middle Eastern oil today. Some 60 percent or more of our oil is imported from overseas. And whether you take that directly from places like Saudi Arabia or Iran or Iraq, other countries there in the Middle East, Kuwait, for example, or whether you buy it from the Canadians, and we don't have much access to markets from the Russians, but from the western shore of Africa, wherever that oil comes from, you are taking it from the world market, the overall supply of oil in the world market. And if you do that, it is essentially the equivalent of purchasing the Middle Eastern oil. And when that happens, of

course, as I said two or three times, that money gets into the hands of Islamic jihadists.

And so today we are in a global war against terror and these terrorists are Islamic jihadists. They live scattered across most continents, if not all continents. There are enclaves there, cells where they are training and planning to attack us. They believe they are called by Allah to kill us because they label us as infidels. It says so in their Koran.

Thomas Jefferson bought a Koran or acquired a Koran, and in there he studied it so he that he could begin to understand the Islamic enemy called the Barbary pirates. And the language is the same. It says the same thing today, and the extremists believe that directs them to kill the people that they define as infidels and infidels being described as nonbelievers in their religion.

□ 2115

So, that is the root of this belief. They believe they are commanded to fall upon us and attack us with every stratagem of war and to continue doing so until such time as the infidels either convert or pay tribute.

That was their demand at the beginning of the wars with the Barbary pirates that began in 1784. That war, the long-lasting war with the Barbary pirates, with the same kind of philosophical enemy and nearly same location, that lasted over 30 years, by my calculation 32 years before it was wrapped up. In fact, it may have been a little longer than that.

The resistance finally stopped in 1830 when the French went in and occupied Algiers. We did our part up to that period of time. It is my recollection the United States was in combat about 32 years, or through a drawn-out war for 32 years, about 6 years of intense combat through that period of time, beginning in 1784, the year after hostilities with the British ceased.

So this is not anything new for us. We just need to go back and read our history and understand that they believe they have to kill us, that that is their religious belief to do so. And Thomas Jefferson said so. All we had to do was read Jefferson. He studied. It reflects today about the enemy we are up against.

Now, this even my needs to have some bases to operate from. They had a base to operate from in Afghanistan. The Taliban and the al Qaeda working with the Taliban, they need anarchy. They need a failed state, a state that doesn't have the rule of law, that doesn't have security, that has a collapsed economy, a place where they can operate freely. They had done so with the Taliban, working with al Qaeda in Afghanistan.

When September 11 came, we went to Afghanistan and put an end to their terrorist camp. When it came time to liberate Iraq, it was a similar motive. And we know that al Qaeda has always seen Iraq since the victorious liberation in Afghanistan, they have always seen Iraq as the central battlefield in this global war on terror, Mr. Speaker.

So, this is the nature of our enemy. And wherever we fight them, they populate most of the continents all around the globe. We have seen the second generation Pakistanis rise up in Great Britain and turn around and plot to and ultimately attack the British people, their hosts in Great Britain. Those kind of cells exist in the United States, they exist in many countries of the world, and that is some of the nature of the enemy we are up against.

So, how do we deal with this kind of enemy? We have addressed it to the extent that we brought a measure of freedom to Afghanistan. We are surely not done there. There is more violence there in the last year, not less. That is a bad sign. We are more aggressive than we have been in the past, not less. That is a good sign. And we have NATO in there now working directly with us, and that is also a very good sign. They have started a spring offensive, and that is going to keep al Qaeda back on their heels. But we may not for a long, long time put this enemy a way to where they quit attacking us.

They don't really have a head leader. They don't have a capital city. They don't have a definable military that we can attack and destroy. But they do attack us with whatever they have, with the resources that they have, and we know that they are in Iraq in significant numbers and we have been fighting there, along with somewhere between five and eight different factions that are engaged in the violence there in Iraq.

But the most pervasive concern that I have, Mr. Speaker, is that Iran has been fighting a proxy war against the United States in Iraq. I have known for approximately 2 years that the Iranians were funding the insurgency there, that they were making munitions, that they were shipping those munitions into Iraq, that they were training and supporting the insurgency in Iraq and committing and fighting a proxy war against the United States within Iraq, from Iran.

Yet the information that we had at the time wasn't quite solid enough to go public, not quite solid enough to accuse the Iranians of what I have known for 2 years they were doing. But today we know. We know they have infiltrated people, military personnel and trainers into Iraq. We know that they are making sophisticated devices to knock out our armored personnel carriers and our tanks and armored Humvees. And we have had at least 170 Americans who have been killed because of these devices, these sophisticated improvised explosive devices. That is an act of war against the United States troops that is taking place in Iraq at the hands of the Iranians.

Now, the downside, the worst case scenario of this is, as I listened over on this side of the aisle a couple of weeks ago, 2½ weeks ago when we had our debate about the resolution that did this contradictory thing, respected the troops and opposed their mission, a disgraceful debate that we had on the floor, but many Members on that side of the aisle said it is a civil war, that we should get out, we should not be engaged in a civil war.

First of all, Mr. Speaker, it is not a civil war in Iraq. There is not a force in Iraq that is seeking to unseat and depose and replace the duly elected democratic government of Iraq. You have not heard that out of the mouths of the leaders of the insurgencies that are there. They are not there to destroy the government in Iraq. So, that is rule number one. If they are not trying to depose the government, probably it is a pretty good sign it is not a civil war.

Rule number two is there are hundreds of thousands of Iraqis in uniform today that are defending and fighting for Iraqis. These uniformed Iraqi military and security personnel are not choosing up sides to shoot at each other. If they did that, we would maybe have a definition of a civil war. So, since the Iraq military and the Iraq security personnel are not fighting against each other, but they are fighting to provide security in Iraq, that says there is not a civil war. Because no one is trying to depose the legitimate government of Iraq, that says it is not a civil war.

So that puts the argument I think away on that. You can argue there is unrest, and there is, and there are fighting factions that are competing against each other for power in a relative vacuum in some of the areas, but that doesn't constitute a civil war.

But even if it were, Mr. Speaker, I would point out the United States has engaged in a number of civil wars to try to put down the kind of unrest and been successful to some degree. One of those places would be in Kosovo. We have been in there now for more than 10 years. We have suppressed a civil war there and saved a lot of lives and had a measure of safety because of that.

So, it is not a civil war, but if it were, that is not a reason not to be there, Mr. Speaker. There is a very good reason to be there, and I will point out that very good reason, and that is the Iranian hegemony is pervasive in Iraq. They are bonded with and are a powerful, strong influence with the two largest Shia organizations in Baghdad and the areas outside and south of Baghdad, all the way to the southern border.

The Shia region of Iraq would be taken over by the influence of the Iranians. If we pulled out of there, the Iranians would fill that vacuum. Yes, there would be some fighting amongst the other factions, but I believe the Iranians fill that vacuum.

If the Iranians fill the vacuum through their relationships with the

Shia leaders that they have already been nurturing and funding and supporting, one of them would be Moqtada al-Sadr, who has absconded to Iran with his leaders, with the commanding officers of his militia, if that happened, those people get propped up. Sadr gets propped up, Hakeem gets propped up, and the Iranian influence gets ahold of the 70 to 80 percent of the oil in Iraq that is in the area of the Shias today. Maybe eventually all of it, but almost immediately they get their hands on 70 to 80 percent of the Iraqi oil.

Mr. Speaker, if that happens, then you have the Iranians sitting there where their cash boxes will be flushed, their war chest be full. They will be overflowing with cash. They will be able to will buy any kind of nuclear power that they want to buy, any kind of nuclear material they want to buy. They will be able to accelerate and buy more centrifuges and process fuel and develop nuclear weapons at a faster pace, and they aren't far from having that accomplished now.

They will be able to develop a means to delivery that nuclear capability in the form of missiles, and if they aren't able to develop that technology there in Iran, they can pay for it and accelerate their research to get that done. If they aren't, they can turn around and buy that on the open market somewhere, the means to deliver, from places like North Korea, which has demonstrated a propensity for marketing off their nuclear capability.

But I think we are not many years away from Iran having a nuclear capability. And a cash flush Iran with a nuclear capability and a means to deliver it doesn't mean it just threatens Tel Aviv, Mr. Speaker. It isn't just that Ahmadinejad has declared that he wants to annihilate Israel. That is a big deal. They are the only democracy in the Middle East, aside from Iraq today. But Ahmadinejad has vowed to destroy Israel and the United States.

But those missiles and that nuclear capability that they would acquire if we withdraw from that area would give them also the ability to reach Western Europe, the ability one day not very far down the line to reach the United States, and it becomes a far more difficult equation for us to deal with.

This time, this place, right now, is the opportune time to resolve the issue of the conflict in the Middle East. We have invested blood and treasure, precious blood and valuable treasure, and we owe it to the memories of those who have committed their lives and given their lives to this cause to get the issue resolved in Iraq.

We are far from not being able to win there, and anyone who thinks that this is a difficult military situation hasn't read back through American history to see some of the circumstances that we have come out of in the past, Mr. Speaker.

But thinking of the concept of a cash-flush Iran with their hands on the valve that controls 42.6 percent of the exportable world's oil supply, control of Straits of Hormuz, to be able to fill their coffers up with cash until they overflow, buy their nuclear capability and buy their missiles as a means to deliver it, and then look around the world and say, well, I am called upon by Allah to annihilate you infidels, and I want to start with the Israelis over here, so what I am going to do is maybe not fire off the missile right away, because it might start off a kind of a nuclear firestorm. I will just turn down the valve on the oil and starve the Americans out.

Think what happens Mr. Speaker, if as vulnerable as we are to imported Middle Eastern oil, if we let Ahmadinejad crank down that valve at the Straits of Hormuz and shut down or shut off 42.6 percent of the world's marketable oil supply. It wouldn't take anywhere near that amount to bring this economy in the United States to its knees, because we are too dependent.

If they did that, and our economy would shrink down into at least a recession, most likely a severe depression, and us going into a recession or depression immediately impacts China, China is dependent upon our economy because we are buying a lot of their goods, and China is also dependent upon foreign oil to provide energy for their growing demand that they have. They have a voracious appetite for oil and they are reaching out across the world to purchase more and more oil reserves and find ways to keep that oil flowing into their country.

But if Ahmadinejad gets his hands on that oil, that 70 to 80 percent of the Iraqi oil, and flush with cash cranks that valve down on the world's exportable oil supplies, the United States economy could be pushed into a collapse, Mr. Speaker. The Chinese economy could be pushed into a collapse, Mr. Speaker. And the winner would be Iran, who into have free sailing all over the Middle East, and the winner would also be Russia, who has a tremendous supply of oil. They would become more and more cash flush, more and more rich, more and more able to buy the things that strengthen them militarily.

This equation that I have described, Mr. Speaker, describes why Putin in Russia has been taking a more and more belligerent posture as the weeks and months unfold. He sees this chess game folding out on the world's chess board. I don't know why we can't see it here in the United States Congress, Mr. Speaker. But that is the reality we are faced with in that scenario.

So, we must put our cross hairs on the Iranian nuclear capability today. We must say to them, you will never be a nuclear powered country, you will never have a military means to have nuclear power and a means to deliver it, and we have made a decision that that won't happen here in the United States and we are going to go through every diplomatic channel possible, try every kind of sanction, every kind of blockade, every kind of diplomacy that we can, to convince Iran they should stop, back off, dismantle their nuclear effort. But that would be the only option for them. The other option would be to eliminate their endeavor to become a military nuclear power.

□ 2130

That is where the negotiations need to start in Iraq. Iran has to back off. They need to understand that their involvement in the proxy war against the United States and Iraq accelerates the day when they will, with a thunderous response, lose their nuclear capability should they persist down this path they are heading down.

That is where the crisis is today. But the people in Iran have something to say about what kind of a country they are. And they have something to say about what kind of country they will become.

I am hopeful that the people in Iran will look at their leader, who appears to be an unstable and very much a vindictive, violent man, and come to the streets of Iran and find a way to replace him with someone who can bring Iran back into the 21st century so they can become a moderate, Islamic state that can deal with science and technology and education and use their oil wealth to help support the people in the country rather than the kind of violence being planned by Ahmadinejad.

That will help a lot, if Iran should become a free country. For example, Afghanistan today is a free country. Iraq today is a free country. Iran sits in the middle. They are a geographical link between the two. If Iran can be flipped over and become a regime-change free country, we will have the core of the Middle East, the center for the kind of Islamic jihadists that are coming after us from around the world, after Western civilization itself. The center would become a free territory where there are far less odds that they would be raising the jihadists that they are in the environment that they have today.

There would still need to be some things done in the mountains of Pakistan and within Saudi Arabia. There needs to be things done in Great Britain, for that matter; but that would take us a long way towards a final victory in the global war on terror. And being able to eliminate real estate and places where they could train and foster terrorism would be an essential key in a final victory against these Islamic jihadists.

Mr. Speaker, I have spoken to the issue of energy and why we have to do something about energy, and that is take the money out of the hands of our enemies and put it into the hands and the control of the American people. But at the same time, we must succeed in the Middle East. We have come this far. We are very, very close to being able to see an Iraq that can be an ally, a trading ally, a military ally, a partner that will see us as a friend to them in the Middle East.

It has been a precarious path that we have followed. I believe it has been the right path when you look back and ask the question: What did you know and when did you know it?

You can argue each side of everything, but where we are today is where we are. We must move forward and succeed. The military situation there is not a crisis. It is not precarious, but we do have a situation where there is far too much violence there; and a strategy which has been driven by our President, what is commonly called ''the surge,'' has reduced the casualties in Baghdad and divided Baghdad into nine different sections to where it is far easier to control the smuggling of arms and devices between regions in the city.

If we can resolve that in Iraq, and I believe we will get there if we don't lose our resolve here, then we have taken a giant step forward. As we become less dependent on Middle East oil, the United States gets back on stable footing again.

Now, we have a situation also, though, where it is not just that we are purchasing foreign oil, and that is working against us in our balance of trade. In addition to that, we are importing more and more goods from foreign countries and our trade deficit has gone up from 2 years ago, $617.7 billion in our trade deficit. Last year it was $725 billion. This year, the number usually comes out in February, but the trend has been for our trade deficit to increase about 20 percent a year. I think we can look to expect that is going to happen, and we will see a trade deficit in the $800 billion or more category, Mr. Speaker.

Now, there are those who are not concerned about the trade deficit. They say as long as we can buy cheap products built by cheap labor, we should not be concerned. And they will say because we are deficit spending, we shouldn't be concerned about borrowing money from the Chinese bank, for example.

Well, I would ask those people who are so confident as money shifts in this direction, what would be your ideal kind of economy? Why wouldn't you start with an ideal, lay out the metric for the ideal economy, and then try to achieve the ideal?

I would submit it this way. I would like to have a balance of trade. I would like to not be buying more than we are selling. Any business can think of it in those terms. If you are in business and you are producing $100,000 worth of product a year and are selling that out on the open market, and you turn around and you are buying back $110,000 worth of product, it is easy to see you are going in the red. That is how the trade deficit works. There are currencies that change that equation some, and there is credit that changes that, and the credit on our capital; but I would want to ideally start with a balance in trade, and then work to have an export surplus because the wealth comes back to the United States and we would hold their collateral. That would be one thing.

I would want to have a balanced budget here in the United States. I would want to spend no more than I take in. I am different than the PAYGO argument that comes here because I think we have to keep taxes low so we have a vibrant economy that has an incentive.

We did that. In 2001 and 2003, we did two rounds of tax cuts. That saved our economy from an inevitable recession and perhaps a depression that came from the bursting of the dot-com bubble about the time President Bush took office, and it also came from the September 11 attacks, which we know about, the money we had to spend to set up homeland security and the billions of dollars to protect ourselves, and also the billions of dollars we had to spend militarily to take our fight to the enemy.

But this economy needs to be a strong economy. It needs to be healthy and vibrant. I am for balanced trade, perhaps with an export surplus; and I am for a balanced budget, and I am for paying off the national debt. I think we need to do all of that in the form of reducing the demand on discretionary spending in the United States, by setting up the long-term reform of Social Security and Medicare so that growing entitlement funds can be shrunk down, because as it grows, there is going to be nothing left in the budget except Medicare and Medicaid and the interest on our national debt.

It is always easier to fix the problem earlier than later before it becomes a crisis. We didn't have the political will to do that a couple of years ago when President Bush went across the country and gave speech after speech promoting the reform of Social Security. That needs to be done some time. It will happen when the young people start to come forward and start to have their voice heard, along with the senior citizens in America.

But this budget needs to be balanced. We need to end up with a surplus and collect more than we spend and use that to pay down our national debt. Some of that happened. It happened up until the September 11 attacks. That took us out of the balanced budget that was there.

Mr. Speaker, it is time to get back to it. One of the ways we can do that is not with a gimmick; it is with a total tax reform. The most aggressive organization we have for an agency in America, the one that goes out and really does their job is the Internal Revenue Service. They collect that money that they have due. They are effective and efficient at it.

We have a Tax Code that is more pages than I can remember, and more complicated than anybody can comprehend. And that Tax Code is the best Tax Code that money can buy. K Street here in Washington, D.C. and the lobby that is here has created this Tax Code by getting their little exemption and their little tax deduction. As this adds up, it gets more complicated and convoluted, and it suppresses the growth in our economy, Mr. Speaker.

So what we need to do is look at this Tax Code that we have and say we can't fix this Tax Code. It is beyond anybody's comprehension how to do it, and it is beyond our ability to get it solved politically. The only thing you can do is take the Tax Code and throw it over the side. I would be happy to pitch it into the bay in Boston Harbor and eliminate the Tax Code and never let it grow back again. Also, eliminate the IRS because there is where it would grow, another type of a tax policy that we have today, and go to a national sales tax, a national consumption tax, a fair tax, Mr. Speaker.

If we do that, we have changed the entire dynamic of our taxation in America. It works like this: Ronald Reagan once said what you tax you get less of. If we stick with the tax side, what you tax you get less of. What we do here, in our lack of infinite wisdom, is Uncle Sam has a first lien on all productivity in America.

If you punch the time clock at 8 in the morning, Uncle Sam wants his money first. You will work there until April 14 or April 15 before he gets his due, and then you can start giving your money to the State and on down the line. After a while, you get to keep some of the fruits of your own labor.

But the Federal Government has the first lien on your labor starting the second you go to work anytime. If you pick up the phone and make those extra sales calls for that commission, he has the first lien on that commission.

If you invest your money and you collect the interest, maybe passbook savings, Uncle Sam has the first lien on the productivity of your investment.

If it is a pension income, if it is Social Security income, if it is capital gains, if it is any kind of productivity at all, your labor, your investment, Uncle Sam has the first lien on all of that productivity.

So people make decisions like, I don't think I want to work that extra overtime this week. It is not really worth it because too big of a piece comes out of my check and goes to the Federal Government. I think I'll take the day off. I am going to enjoy life a little bit. After all, I don't get to keep enough of the money I earn.

Or, I am not going to expand that extra line in my factory because, after all, I am in a tax bracket that says I can maintain a level of comfort here, so I am not going to take that risk because the reward is not great enough. That is part of the vision that is going on also.

I am not going to make the extra phone calls for the extra sales because I don't want to pay the tax. I want to be able to keep the money I earn.

That is the mind-set of anyone. The psychology has always been the reason

a controlled economy, a managed society, like, for example, flat out pure communism or European-style socialism, the reason the Soviet Union collapsed was because they did not let people have an incentive to be productive and let them earn and keep the money they made. They took that away from them, and human beings being not as rational as capital is, but human beings being rational, they make those decisions that I talked about, those decisions like, I am not going to put out this effort.

You have heard this: from each according to their ability, to each according to their need. That was the belief of Karl Marx and that was the belief of Lenin and that was the belief of Mao Tse-Tung.

But the equation that they miss is if you are going to take from a producer according to their ability, and maybe they have the ability to produce five or six times as much as somebody who has the need, why in world would they put out five or six times the productivity of the person who is going to be receiving the fruits of their labor?

The answer to that is of course they won't, and of course they don't, and that is why the economies in managed societies like the Soviet Union will collapse because they don't tap into the best instincts of human nature, which is we want to work hard, we want to produce, we want the fruits of our labor. And by the way, if we are allowed to keep the fruits of our labor, we will also contribute and donate and tithe better than any other people on Earth.

We do all of that, we need to go to a national sales tax, a consumption tax, so you decide when you pay your taxes.

I think there is a Texan here with something boiling up inside him, and I would be very happy to yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. I thank my friend, the gentleman from Iowa, the Honorable Mr. KING. I have been hearing most of the hour you have been talking about the concepts that I know you and I hold so dear.

There was a group from my hometown, Mr. Speaker, Tyler, Texas, that had come to Washington. They are an inspirational group. They are from Grace Community School. I took them around the Capitol tonight. They know their history. It is great when you see education work.

□ 2145

You see the very things you have been talking about, the free market, at work, and that free enterprise works and that really get backs to our very founding, the Judeo-owe Christian values that were so often espoused as the Declaration of Independence was written.

I have had people say the Constitution itself, there is nothing at all like it. By the way, you cannot send out a letter with the letters addressed or dated as you date them because it says like for today, March whatever day, all my letters, whatever day, ''in the year of our Lord,'' now this year 2007. I was originally told by the franking people, we do not believe you can send that out with ''in the year of our Lord'' on there; that may be inappropriate. My comment was, if you are saying it is unconstitutional to date a letter the same way the Constitution is dated, then we have got a real problem here. He did not realize the Constitution is dated in that manner, ''in the year of our Lord, 1787.''

But anyway, there are groups there are schools where they still learn that kind of history, the very thing my friend Mr. KING has been talking about.

I just wanted to pay tribute to the speaker of this group. I know the rules are that we are not to recognize people in the gallery. So I will not violate the rules, but it is a wonderful group that understands the values, the very values the gentleman from Iowa has been discussing, and it just makes me proud to be an American to hear you talk about the values I grew up on, the values that I know are being instilled in the young people still today.

I thank the gentleman from Iowa (Mr. KING), my good friend, and I would encourage you to keep up the good job.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas for picking up on that. There is a reason why there is a strong affinity between this Western Iowan and this Texan and lot of the Texas delegations.

I know that today is the anniversary of the final battle of the Alamo, and I am very much aware of what that means in Texas and across this country. In fact, if you walk into my office, this Iowan's office, framed there is a letter from Colonel Travis. That level of freedom, the Texans reached out for freedom and they had to fight for it a number of times, number of different ways. I like that flag that hangs in Mr. HENSARLING's office that shows a picture of the cannon and says, ''Come and take it.'' That is the right kind of attitude.

We have this freedom here in America, and there are people here that do not want our freedom, they detest our freedom. They just want to take our lives, and to understand an enemy like that goes beyond the scope of our religious foundation and our beliefs. So I think it is important for us to understand this enemy.

I would reflect upon a major from Kentucky whom I spent some time with in the Middle East in the early part of December who said: Thank you for all your prayers. Thank you for the support for our military. We have everything we need. We have the training, the technology. We have the weapons. For men that have to do this job, we have everything we need, but when you pray for us, pray for the American people. Pray that the American people will understand the threat that we are up against, and pray that they will not lose their resolve. We will not lose ours.

I think that might be an appropriate time, unless the gentleman from Texas has another remark to make in watching the clock, Mr. Speaker, I would like to close with that thought, that our military is not going to lose their resolve. They understand this enemy that we are against. This Congress needs to understand this enemy we are against. A majority of the American people understand the enemy we are against, and we have a historical time here.

We can close the door on the legacy of Vietnam, Lebanon, Mogadishu, and we can build upon the success in Afghanistan, and we can close the situation in Iraq and build upon that success. If we do that, we have a bright and free future. If we fail to do that, every enemy that wants to come after us will come after us.

I appreciate again Mr. GOHMERT coming down here, the way you engage with your constituents and the way that you bring these values, these American values out of the heartland to flow all the way through the middle part of the United States here. I am proud to serve with the gentleman from Texas, Mr. Speaker, and I am glad to have had the privilege to address you in this chamber.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today and until 4:00 p.m. March 7.

Ms. DELAURO (at the request of Mr. HOYER) for today after 4:00 p.m. and until 4:30 p.m. March 7 on account of a death in the family.

Mr. LARSON of Connecticut (at the request of Mr. HOYER) for today and the balance of the week on account of a family medical matter.

Ms. WASSERMAN SCHULTZ (at the request of Mr. HOYER) for today on account of official business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. LORETTA SANCHEZ of California) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, March 8, 9, 12, and 13.

Mr. GOHMERT, for 5 minutes, today and March 7.

Mr. PENCE, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, today and March 7.

Ms. GINNY BROWN-WAITE of Florida, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. KUCINICH, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 743. An act to amend title 36, United States Code, to modify the individuals eligible for associate membership in the Military Order of the Purple Heart of the United States of America, Incorporated; to the Committee on the Judiciary.

S. Con. Res. 16. Concurrent resolution calling on the Government of Uganda and the Lord's Resistance Army (LRA) to recommit to a political solution to the conflict in northern Uganda and to recommence vital peace talks, and urging immediate and substantial support for the ongoing peace process from the United States and the international community; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 7, 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:

701. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule — Electronic Filing of Notices of Exemption and Exclusion Under Part 4 of the Commission's Regulations (RIN: 3038-AC33) received February 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

702. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Material Inspection and Receiving Report (DFARS Case 2003-D085) (RIN: 0750-AE73) received February 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

703. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Restriction on Carbon, Alloy, and Armor Steel Plate (DFARS Case 2005-D002) (RIN: 0750-AF17) received February 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

704. A letter from the Liaison Officer, DoD, Department of Defense, transmitting the Department's final rule — DoD Policy on Organizations That Seek to Represent or Organize Members of the Armed Forces in Negotiation or Collective Bargaining [DOD-2006-OS-0057] (RIN: 0790-AH99) received February 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

705. A letter from the Liaison Officer, DoD, Department of Defense, transmitting the Department's final rule — Service by Members of the Armed Forces on State and Local Juries [DOD-2006-OS-0204] (RIN: 0790-AI07) received February 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

706. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Assessments (RIN: 3064-AD09) received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

707. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — State Operating Permit Programs; West Virginia; Amendment to the Definitions of a ''Major Source'' and ''Volatile Organic Compound'' [EPA-R03-OAR-2006-0625; FRL-8280-8] received February 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

708. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Financial Accounting, Reporting and Records Retention Requirements Under the Public Utility Holding Company Act of 2005 (FERC Docket No. RM06-11-000) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

709. A letter from the Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: NUHOMS HD Addition (RIN: 31 50-AH93) received December 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

710. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting Pursuant to the reporting requirements of Section 36 (b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-10, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Taiwan for defense articles and services, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

711. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting an annual report required by section 655 of the Foreign Assistance Act of 1961, pursuant to Public Law 104-164, section 655(a) (110 Stat. 1435); to the Committee on Foreign Affairs.

712. 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.

713. A letter from the Acting Under Secretary for Industry and Security, Department of Commerce, transmitting a report that the Department intends to impose new foreign policy-based export controls on exports of certain items under the authority of Section 6 of the Export Administration Act of 1979, as amended, and continued by Executive Order 13222 of August 17, 2001, as extended by the Notice of August 7, 2003; to the Committee on Foreign Affairs.

714. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Section 3 of the Arms Export Control Act, as amended, detailing possible unauthorized retransfers and misuses of defense articles; to the Committee on Foreign Affairs.

715. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the quarterly report of obligations and outlays of FY 2004, FY 2005 and FY 2006 funds under the Emergency Plan for AIDS Relief through September 30, 2006, 2006 pursuant to Division D, Pub. L. 108-199; to the Committee on Foreign Affairs.

716. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the December 21, 2006 — February 21, 2007 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998 (Pub. L. 105-338); to the Committee on Foreign Affairs.

717. A letter from the Secretary, Department of Education, transmitting the fifty-fifth Semiannual Report to Congress on management decisions and final actions taken on audit recommendations, covering the period April 1, 2006 through September 30, 2006 in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

718. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

719. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

720. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

721. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

722. A letter from the Assistant Administrator, OARM, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

723. A letter from the Director, Peace Corps, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Corps' report on competitive sourcing efforts for FY 2006; to the Committee on Oversight and Government Reform.

724. A letter from the Board Members, Railroad Retirement Board, transmitting a copy of the annual report for Calendar Year 2006, in compliance with the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

725. A letter from the Inspector General, Railroad Retirement Board, transmitting the budget request for the Office of Inspector General, Railroad Retirement Board, for fiscal year 2008, prepared in compliance with OMB Circular No. A-11; to the Committee on Oversight and Government Reform.

726. A letter from the Inspector General, Small Business Administration, transmitting the semiannual report of the Office of Inspector General for the period April 1, 2006 through September 30, 2006, pursuant to 5

U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

727. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Commercial Quota Harvested for New York [Docket No. 051128313-6029-02; I.D. 120406C] received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

728. A letter from the Deputy Director, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Conducting Precision Strike Weapons Testing and Training by Eglin Air Force Base in the Gulf of Mexico [Docket No. 060629183-6289-02; I.D. 022106A] (RIN: 0648-AT39) received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

729. A letter from the Assistant Administrator, Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Commercial Shark Management Measures [Docket No. 060925247-6323-02; I.D. 091106B] (RIN: 0648-AU84) received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

730. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, transmitting the Bureau's final rule — Establishment of the Outer Coastal Plain Viticultural Area (2003R-166P) [T.D. TTB-58; Re: Notice No. 59] (RIN: 1513-AB13) received February 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

731. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's Congressional Justification of Budget Estimates for Fiscal Year 2008, pursuant to 45 U.S.C. 231f(f); jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on January 2, 2007]

Mr. EHLERS: Committee on House Administration. Report on the Activities of the Committee on House Administration During the 109th Congress (Rept. 109–752). Referred to the Committee of the Whole House on the State of the Union.

[Filed on March 6, 2007]

Ms. MATSUI: Committee on Rules. House Resolution 214. Resolution providing for consideration of the bill (H.R. 569) to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants (Rept. 110–31). Referred to the House Calendar.

Mr. CARDOZA: Committee on Rules. House Resolution 215. Resolution providing for consideration of the bill (H.R. 700) to amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects (Rept. 110–32). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 799. A bill to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965, with an amendment (Rept. 110–33). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. ROYBAL-ALLARD (for herself and Mr. GEORGE MILLER of California):

H.R. 1327. A bill to direct the Occupational Safety and Health Administration to complete its rulemaking on Employer Payment for Personal Protective Equipment for workers; to the Committee on Education and Labor.

By Mr. PALLONE (for himself, Mr. RAHALL, Mr. YOUNG of Alaska, Mr. KILDEE, Mr. GEORGE MILLER of California, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. BOREN, Mr. HINCHEY, Mr. KENNEDY, Mr. KIND, Mr. INSLEE, Mr. BACA, Mr. UDALL of New Mexico, Mr. RENZI, Mr. WU, Mr. CONYERS, Mr. OBERSTAR, Mr. THOMPSON of California, Mr. WAXMAN, Mr. COLE of Oklahoma, Mr. BOSWELL, Ms. HERSETH, Mr. ENGEL, Mr. KAGEN, Ms. BORDALLO, Mrs. BONO, Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. HONDA, Mr. FILNER, Mr. MCKEON, and Ms. SOLIS):

H.R. 1328. A bill to amend the Indian Health Care Improvement Act to revise and extend that Act; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and 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. BARTON of Texas (for himself and Mr. DEAL of Georgia):

H.R. 1329. A bill to amend title XXI of the Social Security Act to make available additional amounts to address the funding shortfalls in the State Children's Health Insurance Program for fiscal year 2007; to the Committee on Energy and Commerce.

By Mr. CARNEY (for himself and Mr. BURTON of Indiana):

H.R. 1330. A bill to amend title 10, United States Code, to extend the time limit for the use of education assistance by members of the Selected Reserve and members of the reserve component supporting contingency operations and certain other operations; to the Committee on Armed Services.

By Mr. DOGGETT (for himself, Mr. ABERCROMBIE, Mr. BACHUS, Mr. BECERRA, Mr. BERMAN, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BURGESS, Mr. CLEAVER, Mr. CUELLAR, Mr. DAVIS of Illinois, Mr. LINCOLN DAVIS of Tennessee, Mr. DEFAZIO, Mr. EDWARDS, Mr. EHLERS, Mr. ELLISON, Mr. FARR, Mr. FILNER, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HALL of New York, Mr. HASTINGS of Florida, Ms. HOOLEY, Mr. HOLT, Mr. INSLEE, Mr. ISRAEL, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY, Mr. KIND, Mr. LAMPSON, Mr. LANTOS, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Ms. MATSUI, Mrs. MCCARTHY of New York, Mr. MCCAUL of Texas, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEHAN, Mr. MICHAUD, Mr. MILLER of North Carolina, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mrs. MUSGRAVE, Mrs. NAPOLITANO, Mr. RODRIGUEZ, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SHULER, Mr. SMITH of Texas, Mr. THOMPSON of California, Mr. TOWNS, Mr. UDALL of New Mexico, Mr. UPTON, Mr. VAN HOLLEN, Mr. WAMP, Ms. WATSON, Mr. WAXMAN, Ms. WOOLSEY, and Mr. WU):

H.R. 1331. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for new qualified plug-in hybrid motor vehicles; to the Committee on Ways and Means.

By Ms. BEAN (for herself, Mr. CHABOT, and Ms. VELÁZQUEZ):

H.R. 1332. A bill to improve the access to capital programs of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. DENT (for himself, Mrs. EMERSON, Mr. EHLERS, Mr. LAHOOD, Mr. REICHERT, Mr. GERLACH, Ms. GINNY BROWN-WAITE of Florida, Mr. KIRK, Mr. PATRICK MURPHY of Pennsylvania, Ms. FOXX, Mr. MCCAUL of Texas, Mr. ROGERS of Alabama, Mr. BARTLETT of Maryland, Mr. UPTON, Mr. HOLDEN, Mr. GRAVES, Mr. PLATTS, Mr. KING of Iowa, Mr. RUPPERSBERGER, Mr. BRADY of Pennsylvania, Mr. MICHAUD, Mr. ENGLISH of Pennsylvania, Mr. MCCOTTER, Mr. TERRY, Mr. DUNCAN, Mr. SHUSTER, Mr. BURTON of Indiana, Mr. GOHMERT, Mr. RENZI, Mrs. BLACKBURN, Mr. SPRATT, Mr. SMITH of Nebraska, Mr. TOM DAVIS of Virginia, Mr. BOSWELL, and Mr. KING of New York):

H.R. 1333. A bill to amend the Homeland Security Act of 2002 to direct the Secretary to enter into an agreement with the Secretary of the Air Force to use Civil Air Patrol personnel and resources to support homeland security missions; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, 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. YOUNG of Alaska (for himself and Mr. REICHERT):

H.R. 1334. A bill to provide for the tax treatment of income received in connection with the litigation concerning the Exxon Valdez oil spill, and for other purposes; to the Committee on Ways and Means.

By Mr. BARRETT of South Carolina:

H.R. 1335. A bill to designate the facility of the United States Postal Service located at 508 East Main Street in Seneca, South Carolina, as the ''S/Sgt Lewis G. Watkins Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. BLUMENAUER:

H.R. 1336. A bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes; to the Committee on Natural Resources.

By Mr. COLE of Oklahoma:

H.R. 1337. A bill to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District; to the Committee on Natural Resources.

By Ms. DELAURO (for herself, Mr. HALL of New York, Mr. LEVIN, Mr. LARSON of Connecticut, Ms. DEGETTE, Ms. BORDALLO, Mr. SKELTON, Mr. HONDA, Ms. BERKLEY, Ms. SCHAKOWSKY, Mr. DOYLE, Mr. KILDEE, Mr. BOSWELL, Ms. CARSON, Mr. FILNER, Mr. OBERSTAR, Mr. WYNN, Ms.

ESHOO, Mr. PRICE of North Carolina, Ms. SCHWARTZ, Mrs. MALONEY of New York, Mrs. CAPPS, Mr. HINCHEY, Mr. GEORGE MILLER of California, Mr. BUTTERFIELD, Mr. MORAN of Virginia, Mr. LANTOS, Ms. WOOLSEY, Ms. NORTON, Mr. DINGELL, Ms. MCCOLLUM of Minnesota, Mr. DOGGETT, Mr. OBEY, Mr. MOORE of Kansas, Ms. KILPATRICK, Mr. DEFAZIO, Mr. BERMAN, Ms. ZOE LOFGREN of California, Mrs. CHRISTENSEN, Mr. ALLEN, Mr. SHERMAN, Mr. CONYERS, Mr. KENNEDY, Mr. RYAN of Ohio, Mr. BACA, Ms. SOLIS, Mr. ELLISON, Mrs. MCCARTHY of New York, and Mr. GRIJALVA):

H.R. 1338. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Education and Labor.

By Mr. FORTUÑO:

H.R. 1339. A bill to make residents of Puerto Rico eligible for the earned income tax credit; to the Committee on Ways and Means.

By Mr. FORTUÑO:

H.R. 1340. A bill to amend the Internal Revenue Code of 1986 to promote freedom, fairness, and economic opportunity by establishing National Enterprise Zones to promote prosperity in economically depressed areas; to the Committee on Ways and Means.

By Mr. GILLMOR (for himself, Ms. DEGETTE, Mr. KUCINICH, and Mr. JONES of North Carolina):

H.R. 1341. A bill to require corporate income reported to the Internal Revenue Service to be included in annual reports to the Securities and Exchange Commission; to the Committee on Financial Services.

By Mr. GINGREY:

H.R. 1342. A bill to suspend the visa waiver program until certain entry-exit control requirements are met, and for other purposes; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas (for himself and Mr. PICKERING):

H.R. 1343. A bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act; to the Committee on Energy and Commerce.

By Ms. HERSETH (for herself, Mr. POMEROY, Mrs. EMERSON, and Mr. MCGOVERN):

H.R. 1344. A bill to improve Federal nutrition programs; to the Committee on Education and Labor, and in addition to the Committee on Agriculture, 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. HIGGINS (for himself, Mr. REYNOLDS, and Ms. SLAUGHTER):

H.R. 1345. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to include certain former nuclear weapons program workers in the Special Exposure Cohort under the energy employees occupational illness compensation program; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Ms. BALDWIN, Ms. BERKLEY, Mrs. CAPPS, Ms. CARSON, Mr. CLEAVER, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. ELLISON, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HARE, Mr. KUCINICH, Ms. ZOE LOFGREN of California, Mrs. MALONEY of New York, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. OLVER, Mr. PAUL, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. STARK, Mr. TIERNEY, Mr. VAN HOLLEN, Mr. WEXLER, Ms. WOOLSEY, Mr. CONYERS, Ms. ESHOO, Ms. HIRONO, and Mr. KAGEN):

H.R. 1346. A bill to amend the Elementary and Secondary Education Act of 1965 to direct local educational agencies to release secondary school student information to military recruiters if the student's parent provides written consent for the release, and for other purposes; to the Committee on Education and Labor.

By Ms. HOOLEY (for herself, Ms. BEAN, Mr. MCGOVERN, Mr. JOHNSON of Georgia, Mr. PATRICK MURPHY of Pennsylvania, Ms. BERKLEY, Mr. STARK, Mr. FILNER, Mr. MILLER of North Carolina, Ms. MATSUI, Mr. LIPINSKI, Mr. BOSWELL, Mr. KIND, Mr. SPRATT, Mr. BAIRD, Mrs. CAPPS, Ms. DEGETTE, Mr. WYNN, Mrs. MALONEY of New York, Mr. CONYERS, Mr. COURTNEY, Mr. DEFAZIO, Mr. HOLT, Mr. INSLEE, Mr. MCDERMOTT, Mr. MCINTYRE, Mr. MICHAUD, Mr. MOORE of Kansas, Mr. ROSS, Ms. SCHAKOWSKY, Mr. TANNER, Mr. THOMPSON of California, Mr. VAN HOLLEN, Ms. MCCOLLUM of Minnesota, and Mr. BOREN):

H.R. 1347. A bill to extend the period during which members of the Armed Forces deployed in contingency operations may request and receive reimbursement for helmet pads, which are designed to protect the wearer from bomb blasts and non-ballistic impacts, that are purchased by such members; to the Committee on Armed Services.

By Mr. KENNEDY (for himself and Mr. SULLIVAN):

H.R. 1348. A bill to redesignate the National Institute on Drug Abuse as the National Institute on Diseases of Addiction, and to redesignate the National Institute on Alcohol Abuse and Alcoholism as the National Institute on Alcohol Disorders and Health; to the Committee on Energy and Commerce.

By Mr. KING of New York:

H.R. 1349. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 increase in income taxes on Social Security benefits; to the Committee on Ways and Means.

By Mr. EHLERS (for himself, Mr. EMANUEL, Mr. KIRK, Mr. DINGELL, Mr. REYNOLDS, Mr. LATOURETTE, Mr. WALBERG, Mrs. MILLER of Michigan, Mr. KNOLLENBERG, Mr. CAMP of Michigan, Mr. HOEKSTRA, Mr. UPTON, and Mr. STUPAK):

H.R. 1350. A bill to establish a collaborative program to protect the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Natural Resources, Science and Technology, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY (for herself and Mrs. MALONEY of New York):

H.R. 1351. A bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Administrator of the United States Fire Administration to provide assistance to firefighting task forces, and for other purposes; to the Committee on Science and Technology.

By Mr. MARKEY (for himself, Mr. WAXMAN, Mr. CONYERS, Mr. GEORGE MILLER of California, Mr. CAPUANO, Mr. VAN HOLLEN, Mr. ALLEN, Mr. BLUMENAUER, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. HINCHEY, Mr. HOLT, Mr. KUCINICH, Ms. LEE, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Ms. MCCOLLUM of Minnesota, Mr. MCGOVERN, Mr. PAYNE, Mr. SERRANO, Mr. PASTOR, Ms. SCHAKOWSKY, Mr. TIERNEY, Ms. WOOLSEY, Ms. BALDWIN, Mrs. CAPPS, Ms. DELAURO, Mr. FARR, Ms. JACKSON-LEE of Texas, Ms. MATSUI, Mr. MCNULTY, Mr. MEEHAN, Mr. MICHAUD, Mr. MORAN of Virginia, Mr. NADLER, Mr. OLVER, Mr. PRICE of North Carolina, Mr. ROTHMAN, Mr. THOMPSON of California, Mr. UDALL of New Mexico, Ms. WATSON, Mr. MCDERMOTT, Mr. RUSH, Mr. HONDA, and Mr. SIRES):

H.R. 1352. A bill to prohibit the return or other transfer of persons by the United States, for the purpose of detention, interrogation, trial, or otherwise, to countries where torture or other inhuman treatment of persons occurs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MOORE of Kansas (for himself and Mr. SALAZAR):

H.R. 1353. A bill to amend title II of the Social Security Act to ensure that the receipts and disbursements of the Social Security trust funds are not included in a unified Federal budget and to provide that Social Security contributions are used to protect Social Security solvency by mandating that Trust Fund monies cannot be diverted to create private accounts; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Virginia (for himself, Mr. LAHOOD, Mr. CROWLEY, Mr. FARR, Mr. GRIJALVA, Ms. KAPTUR, Mr. KENNEDY, Mr. MARKEY, Mrs. MCCARTHY of New York, Ms. WOOLSEY, Mrs. MALONEY of New York, Ms. BERKLEY, Mr. STARK, Ms. HIRONO, Mr. WAXMAN, Ms. MCCOLLUM of Minnesota, Mr. LANGEVIN, Mr. CAPUANO, Mr. HARE, Mr. VAN HOLLEN, Mr. NADLER, Mr. RAMSTAD, Mr. MCDERMOTT, Mr. HONDA, Mr. PASCRELL, Mr. WU, Mr. FILNER, Mr. RUSH, Mr. SHAYS, Mr. BERMAN, Mr. PETERSON of Minnesota, Ms. CARSON, Ms. MATSUI, Mr. KAGEN, Mr. WEXLER, Ms. SHEA-PORTER, Mr. MURTHA, Mr. BISHOP of Georgia, Mr. BOYD of Florida, and Mr. ROTHMAN):

H.R. 1354. A bill to amend titles 10 and 38, United States Code, to improve benefits and services for members of the Armed Forces, veterans of the Global War on Terrorism, and other veterans, to require reports on the effects of the Global War on Terrorism, 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 Mrs. MYRICK (for herself and Mr. MCINTYRE):

H.R. 1355. A bill to improve sharing of immigration information among Federal, State, and local law enforcement officials, to improve State and local enforcement of immigration laws, and for other purposes; to

the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself, Mr. MICA, Mr. COSTELLO, and Mr. PETRI) (all by request):

H.R. 1356. A bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2010, to improve aviation safety and capacity, to provide stable, cost-based funding for the national aviation system, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Science and Technology, and 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 Ms. ROS-LEHTINEN (for herself, Mr. BLUNT, Mr. LANTOS, Mr. CANTOR, Mr. SHERMAN, Mr. FOSSELLA, Mr. PENCE, Mr. CHABOT, Mr. TANCREDO, Mr. BURTON of Indiana, Mr. ROHRABACHER, Mr. SMITH of New Jersey, Mr. FORTUÑO, Mr. WEXLER, Mr. CROWLEY, Mr. KLEIN of Florida, and Mr. MCCAUL of Texas):

H.R. 1357. A bill to require divestiture of current investments in Iran, to prohibit future investments in Iran, and to require disclosure to investors of information relating to such investments; to the Committee on Financial Services, and in addition to the Committees on Oversight and Government Reform, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHADEGG (for himself, Mr. PASTOR, Mr. FLAKE, and Mr. RENZI):

H.R. 1358. A bill to create a new nonimmigrant visa category for registered nurses, and for other purposes; to the Committee on the Judiciary.

By Mr. SHADEGG (for himself, Mr. WESTMORELAND, Mr. MILLER of Florida, Mr. GARRETT of New Jersey, Mr. LAMBORN, Mr. GINGREY, Mr. FLAKE, Mr. GOHMERT, Mr. MARCHANT, Ms. FOXX, Mr. BARTLETT of Maryland, Mr. BURTON of Indiana, Mr. HERGER, Mr. AKIN, Mr. CONAWAY, Mr. BISHOP of New York, Mr. PAUL, Mr. MCCOTTER, and Mrs. MYRICK):

H.R. 1359. A bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, 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. SHAYS:

H.R. 1360. A bill to amend title 4 of the United States Code to limit the extent to which States may tax the compensation earned by nonresident telecommuters; to the Committee on the Judiciary.

By Ms. VELÁZQUEZ (for herself, Mr. BAKER, Mr. JEFFERSON, Mr. TAYLOR, Mr. MELANCON, Mr. GONZALEZ, Mr. GRIJALVA, Mr. LIPINSKI, Ms. MOORE of Wisconsin, Mr. BRALEY of Iowa, and Mr. JOHNSON of Georgia):

H.R. 1361. A bill to improve the disaster relief programs of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. WAXMAN:

H.R. 1362. A bill to reform acquisition practices of the Federal Government; to the Committee on Oversight and Government Reform, 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 Ms. WOOLSEY (for herself and Mr. SHAYS):

H.R. 1363. A bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of ''food of minimal nutritional value'' to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs; to the Committee on Education and Labor.

By Mr. MCGOVERN (for himself and Mrs. BONO):

H. Con. Res. 81. Concurrent resolution expressing the sense of the Congress regarding bone marrow diseases; to the Committee on Energy and Commerce.

By Mr. FERGUSON:

H. Con. Res. 82. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of the USS New Jersey and all those who served aboard her; to the Committee on Oversight and Government Reform.

By Mr. POE (for himself, Mr. GRAVES, Mr. GINGREY, Mr. DAVIS of Kentucky, Mr. SIMPSON, Mr. GOODE, Mr. WAMP, Mr. AKIN, Mrs. BLACKBURN, Mr. JONES of North Carolina, Mr. GARY G. MILLER of California, Mr. FEENEY, Mr. HUNTER, Mrs. MYRICK, Mr. BURTON of Indiana, Mr. MARCHANT, Mr. MCHENRY, Mr. FORBES, Mr. DOOLITTLE, Mr. MCCRERY, Ms. GINNY BROWN-WAITE of Florida, Mr. GARRETT of New Jersey, Mr. MCCAUL of Texas, Mr. CAMPBELL of California, Mr. SAM JOHNSON of Texas, Mr. ROYCE, Mr. ROHRABACHER, and Mr. BILBRAY):

H. Con. Res. 83. Concurrent resolution expressing the sense of the Congress that State and local governments should be supported for taking actions to discourage illegal immigration and that legislation should be enacted to ease the burden on State and local governments for taking such actions; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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. SHUSTER:

H. Res. 216. A resolution commending the Juniata College volleyball team for winning the NCAA Division III Women's Volleyball Championship; to the Committee on Education and Labor.

By Mr. WU:

H. Res. 217. A resolution expressing the sense of the House of Representatives concerning the 50th anniversary of Celilo Falls; to the Committee on Natural Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LATOURETTE introduced a bill (H.R. 1364) for the relief of Zdenko Lisak; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. REYES.
H.R. 39: Mr. BRALEY of Iowa.
H.R. 74: Mr. HILL.
H.R. 101: Ms. WASSERMAN SCHULTZ.
H.R. 133: Mr. EVERETT.
H.R. 140: Mr. GORDON and Mr. MEEHAN.
H.R. 146: Mr. WOLF.
H.R. 157: Mr. GRIJALVA and Mr. LEWIS of Georgia.
H.R. 216: Mr. CONYERS.
H.R. 217: Mr. CONYERS and Mr. STARK.
H.R. 243: Mr. MCCOTTER.
H.R. 367: Mr. MCCAUL of Texas.
H.R. 413: Mr. HONDA.
H.R. 419: Mr. COLE of Oklahoma.
H.R. 436: Mr. MILLER of Florida.
H.R. 464: Ms. WATSON.
H.R. 507: Mr. LEWIS of Georgia, Mr. SPACE, Mr. ROSS, Mr. REYES, Mr. CUMMINGS, Mr. CLAY, Mr. ETHERIDGE, and Mr. CONYERS.
H.R. 549: Mr. COHEN, Mr. JOHNSON of Illinois, Mr. RADANOVICH, and Ms. CARSON.
H.R. 570: Mr. GERLACH.
H.R. 588: Mr. CARNEY.
H.R. 642: Ms. BERKLEY, Mr. HOLDEN, and Mr. SCOTT of Virginia.
H.R. 643: Ms. BERKLEY, Ms. SCHAKOWSKY, Mr. BOOZMAN, Mr. RUSH, Mr. HASTINGS of Florida, and Mrs. DAVIS of California.
H.R. 661: Mr. WU.
H.R. 662: Mr. FATTAH, Ms. JACKSON-LEE of Texas, and Mr. WAXMAN.
H.R. 694: Mr. BRADY of Pennsylvania and Mr. JEFFERSON.
H.R. 710: Mr. GENE GREEN of Texas, Mr. GONZALEZ, Mr. WOLF, Mr. BUTTERFIELD, Mr. CUMMINGS, Mr. HELLER, and Ms. HIRONO.
H.R. 718: Mr. WILSON of South Carolina, Mrs. CUBIN, and Mr. ALEXANDER.
H.R. 721: Mr. MICHAUD, Mr. BOYD of Florida, and Mr. NUNES.
H.R. 727: Mr. PATRICK MURPHY of Pennsylvania, Mr. ENGEL, and Mr. HOLDEN.
H.R. 736: Mr. MANZULLO.
H.R. 746: Ms. NORTON and Mr. PAYNE.
H.R. 748: Mr. MCINTYRE, Ms. MCCOLLUM of Minnesota, and Mr. BOSWELL.
H.R. 769: Mr. KLINE of Minnesota.
H.R. 787: Ms. CLARKE, Mr. ELLISON, Mr. SIRES, Mr. JACKSON of Illinois, Mr. CAPUANO, Mr. WYNN, and Mr. PASCRELL.
H.R. 805: Mr. CARNAHAN, Mr. MCCOTTER, Mr. MCCAUL of Texas, and Mr. HOLDEN.
H.R. 814: Mr. GRIJALVA.
H.R. 822: Mr. RUSH and Mr. HONDA.
H.R. 847: Mr. PEARCE and Mr. COHEN.
H.R. 869: Mr. SPACE, Mr. RAHALL, and Mr. TERRY.
H.R. 872: Mr. REYES and Mr. KAGEN.
H.R. 873: Mr. COHEN.
H.R. 876: Mr. GENE GREEN of Texas.
H.R. 887: Mr. GENE GREEN of Texas.
H.R. 901: Mr. CROWLEY, Mrs. MCCARTHY of New York, and Mr. WAXMAN.
H.R. 913: Mr. LAMPSON.
H.R. 916: Ms. LINDA T. SÁNCHEZ of California.
H.R. 931: Mrs. MUSGRAVE.
H.R. 933: Mr. COHEN.
H.R. 938: Mr. BOOZMAN.
H.R. 947: Ms. KILPATRICK.
H.R. 950: Mr. HOLDEN.
H.R. 962: Ms. MATSUI.
H.R. 971: Mrs. MCMORRIS RODGERS, Mr. BRALEY of Iowa, Mr. MCINTYRE, Mr. BOUSTANY, Mr. KLEIN of Florida, Mr. MCHUGH, Mr. HERGER, Mr. FILNER, Mr. ORTIZ, and Mr. SALAZAR.
H.R. 972: Mr. HOLDEN.
H.R. 1017: Mr. LEVIN and Mr. COHEN.
H.R. 1030: Ms. BORDALLO.
H.R. 1031: Mr. THOMPSON of Mississippi, Mr. AL GREEN of Texas, Mr. JEFFERSON, Ms. LEE, Ms. WATSON, Mr. CUMMINGS, Mrs. CAPPS, Mr. RUSH, Mr. MCNULTY, Mr. HONDA, Mr. CUELLAR, and Mr. ABERCROMBIE.
H.R. 1032: Ms. WATSON and Mr. MCCOTTER.
H.R. 1038: Mr. WAMP.

H.R. 1055: Mr. GENE GREEN of Texas.

H.R. 1061: Mr. WELCH of Vermont.

H.R. 1072: Mr. RUSH, Mr. MCDERMOTT, Mr. DELAHUNT, Mrs. MCCARTHY of New York, Mr. CUMMINGS, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, and Ms. WOOLSEY.

H.R. 1073: Mr. WEINER, Mr. WALSH of New York, Mr. GENE GREEN of Texas, Mr. KING of New York, Mr. COSTELLO, Mr. ORTIZ, Mr. BISHOP of New York, Mr. PASTOR, Ms. ZOE LOFGREN of California, Mrs. BOYDA of Kansas, and Mrs. MALONEY of New York.

H.R. 1076: Mr. COSTELLO.

H.R. 1082: Mr. KILDEE, Mr. STARK, Mr. PAYNE, Mr. UDALL of Colorado, Mr. MCHUGH, Mr. ELLISON, and Mrs. NAPOLITANO.

H.R. 1092: Mr. MCDERMOTT.

H.R. 1093: Mr. FARR, Ms. JACKSON-LEE of Texas, Ms. BERKLEY, Mr. GARY G. MILLER of California, and Mr. CONYERS.

H.R. 1125: Mr. BISHOP of Georgia, Mrs. CAPITO, Ms. SHEA-PORTER, Mr. COBLE, Mr. HALL of Texas, Mr. MACK, Mr. JONES of North Carolina, Mr. MANZULLO, Mr. MATHESON, Mr. RENZI, Mr. PAUL, Mr. HUNTER, Mr. ROSKAM, and Mr. STARK.

H.R. 1126: Ms. SUTTON, Mr. ALTMIRE, Mr. WILSON of Ohio, and Mr. HOLDEN.

H.R. 1144: Mr. COHEN, Ms. DEGETTE, Mr. HONDA, Mr. JINDAL, Ms. ZOE LOFGREN of California, Mr. GONZALEZ, Ms. MCCOLLUM of Minnesota, Mr. MCGOVERN, Mr. PASTOR, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, and Mr. WEXLER.

H.R. 1146: Mr. EVERETT.

H.R. 1152: Mr. ROGERS of Michigan.

H.R. 1176: Mr. GRIJALVA.

H.R. 1192: Mr. GERLACH.

H.R. 1238: Mr. WAXMAN.

H.R. 1250: Mr. SENSENBRENNER.

H.R. 1261: Mr. MACK, Mr. WALBERG, Mr. CANNON, Mr. DAVIS of Kentucky, Mr. TERRY, Mr. WILSON of South Carolina, Mrs. MYRICK, Mr. MARCHANT, Mr. DOOLITTLE, and Mr. MCCAUL of Texas.

H.R. 1280: Ms. SCHAKOWSKY, Mr. CUMMINGS, Mr. HIGGINS, Mr. HILL, Mr. KILDEE, and Mr. BERMAN.

H.R. 1283: Mr. COOPER and Mr. PRICE of North Carolina.

H.R. 1303: Mr. LIPINSKI, Mr. BERMAN, and Mr. JOHNSON of Illinois.

H.R. 1307: Mr. YOUNG of Florida, Mr. MCCAUL of Texas, and Mr. EVERETT.

H.R. 1308: Mr. BERMAN.

H.R. 1324: Ms. ROS-LEHTINEN and Mr. SHERMAN.

H.J. Res. 1: Mr. FORTENBERRY and Mr. BOSWELL.

H.J. Res. 14: Mr. RAHALL, Ms. KAPTUR, Ms. NORTON, and Mr. FILNER.

H. Con. Res. 49: Mr. LAMBORN and Mr. KINGSTON.

H. Con. Res. 53: Mr. CALVERT, Mrs. MYRICK, and Mr. TERRY.

H. Con. Res. 71: Mrs. MYRICK.

H. Res. 49: Mr. BURTON of Indiana and Mr. PASTOR.

H. Res. 87: Mr. CARNEY.

H. Res. 97: Mr. OLVER, Mr. FILNER, Mr. WALZ of Minnesota, Ms. CLARKE, Mr. ELLISON, Mr. SIRES, Mr. HOLT, Mr. REYES, Mr. NADLER, and Mr. STARK.

H. Res. 101: Mr. PRICE of North Carolina.

H. Res. 107: Mr. FATTAH.

H. Res. 121: Ms. SLAUGHTER, Mr. MEEKS of New York, and Ms. JACKSON-LEE of Texas.

H. Res. 136: Mr. KING of New York, Mr. BOOZMAN, Mr. KIND, Mr. MCDERMOTT, Mr. MICA, and Ms. ZOE LOFGREN of California.

H. Res. 149: Mr. HALL of New York.

H. Res. 158: Mr. PICKERING, Mrs. MCMORRIS RODGERS, Mr. HERGER, Mr. PETRI, Mr. BARTLETT of Maryland, Mr. HOBSON, Mr. RUPPERSBERGER, Mr. TIAHRT, Mr. TERRY, Mr. GONZALEZ, and Mr. WALBERG.

H. Res. 182: Ms. JACKSON-LEE of Texas and Mr. COHEN.

H. Res. 186: Mr. GENE GREEN of Texas, Mr. KLEIN of Florida, and Mr. MCCOTTER.

H. Res. 196: Ms. WOOLSEY, Mr. BERMAN, Mr. GONZALEZ, and Mr. KUCINICH.

H. Res. 197: Mr. GONZALEZ, Ms. ZOE LOFGREN of California, Mr. SERRANO, Mr. WYNN, Mr. MCDERMOTT, Mr. CARNAHAN, Mr. HALL of New York, Mr. BACA, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Ms. BERKLEY, Ms. KAPTUR, Mr. CROWLEY, Ms. DEGETTE, Mr. OLVER, Ms. VELÁZQUEZ, Mr. ORTIZ, Mr. REYES, Ms. WOOLSEY, and Mr. GENE GREEN of Texas.

H. Res. 208: Mr. MARSHALL, and Mr. MCNULTY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 866: Mr. MARIO DIAZ-BALART of Florida.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 569

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 1: At the end of the bill, add the following:

SEC. 3. REQUIREMENT OF OFFSETS.

(a) IN GENERAL.—No authorization of appropriations made by this Act or other provision of this Act that results in costs to the Federal Government shall be effective except to the extent that this Act provides for offsetting decreases in spending of the Federal Government, such that the net effect of this Act does not either increase the Federal deficit or reduce the Federal surplus.

(b) DEFINITIONS.—In this section, the terms ''deficit'' and ''surplus'' have the meanings given such terms in the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.).

H.R. 569

OFFERED BY: MR. ROHRABACHER

AMENDMENT NO. 2: Page 5, after line 9, add the following:

(e) PARTICIPATION IN EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAM.—Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1300) is amended by adding at the end the following:

''(j) PARTICIPATION IN EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAM.—The Administrator may make a grant to a State, municipality, or municipal entity under subsection (a) only if the State, municipality, or municipal entity provides assurances satisfactory to the Administrator that the State, municipality, or municipal entity will impose conditions requiring all persons, including contractors and subcontractors, carrying out activities using amounts of the grant—

''(1) to elect to participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note); and

''(2) to comply with the terms and conditions of the election.''.

H.R. 569

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 3: Page 4, line 6, strike ''$250,000,000'' and insert ''$237,500,000''.

Page 4, line 7, strike ''$300,000,000'' and insert ''$285,000,000''.

Page 4, line 7, strike ''$350,000,000'' and insert ''$332,500,000''.

Page 4, line 8, strike ''$400,000,000'' and insert ''$380,000,000''.

Page 4, line 9, strike ''$500,000,000'' and insert ''$475,000,000''.

H.R. 700

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 1: At the end of the bill, add the following:

SEC. 3. REQUIREMENT OF OFFSETS.

(a) IN GENERAL.—No authorization of appropriations made by this Act or other provision of this Act that results in costs to the Federal Government shall be effective except to the extent that this Act provides for offsetting decreases in spending of the Federal Government, such that the net effect of this Act does not either increase the Federal deficit or reduce the Federal surplus.

(b) DEFINITIONS.—In this section, the terms ''deficit'' and ''surplus'' have the meanings given such terms in the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.).

H.R. 700

OFFERED BY: MR. ROHRABACHER

AMENDMENT NO. 2: Page 2, after line 5, insert the following:

(a) PARTICIPATION IN EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAM.—Section 220(c) of the Federal Water Pollution Control Act (33 U.S.C. 1300(c)) is amended—

(1) by striking ''The Administrator'' and inserting the following:

''(1) AUTHORITY UNDER STATE LAW.—The Administrator''; and

(2) by adding at the end the following:

''(2) PARTICIPATION IN EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAM.—The Administrator may make a grant under this section to an entity only if the entity provides assurances satisfactory to the Administrator that the entity will impose conditions requiring all persons, including contractors and subcontractors, carrying out activities using amounts of the grant—

''(A) to elect to participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note); and

''(B) to comply with the terms and conditions of the election.''.

Page 2, at the beginning of line 6, insert ''(b) AUTHORIZATION OF APPROPRIATIONS.—''.

H.R. 700

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 3: Page 2, after line 5, insert the following:

(a) SELECTION OF PROJECTS.—Section 220(d)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1300(d)(2)) is amended by inserting before the period at the end the following: ''or whether the project is located in an area which is served by a public water system serving 10,000 individuals or fewer''.

Page 2, at the beginning of line 6, insert the following:

(b) AUTHORIZATION OF APPROPRIATIONS.—

H.R. 700

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 4: Page 2, after line 5, insert the following:

(a) ELIGIBILITY.—Section 220(c) of the Federal Water Pollution Control Act (33 U.S.C. 1300(c)) is amended by inserting before the period at the end ''and the entity does not permit the use of its water for retail sale of water in containers of 5.7 gallons (20 liters) or less''.

Page 2, line 6, before ''Section'' insert ''(b) AUTHORIZATION OF APPROPRIATIONS.—''.

H.R. 700

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 5: Page 2, line 9, after the dollar amount insert ''for fiscal years ending before October 1, 2008''.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, MARCH 6, 2007 No. 38

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.

Eternal Lord God, who commanded humanity to be fruitful, bless our Senators in their work. Help them to be faithful in the discharge of their duties and honorable in all of their dealings. Give them self-control in speech and temper as You empower them to be models of humility and thoughtfulness. Strengthen them to labor so that in thoughts, words, and deeds they may glorify You.

Lord, give them the wisdom to build new bridges of friendship and to discover fresh opportunities for service. May their labors for liberty be as the light of morning when the Sun rises and like the tender grass springing out of the Earth.

We pray in Your loving 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 clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 6, 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, following whatever time the leaders utilize, the Senate will be in a period of morning business for 60 minutes, with each side controlling 30 minutes and the majority going first.

Following morning business, the Senate will resume consideration of S. 4.

Yesterday, I offered a unanimous-consent agreement to have votes on the pending amendments relating to collective bargaining. There was an objection to that request.

In view of that objection, I indicated I would move to table the DeMint amendment, and I will make that motion at 12 noon today, so Members can expect the first vote at noon today.

Today being Tuesday, the Senate will recess at 12:30 until 2:15 for our weekly conferences.

I would also like to remind Members that tomorrow at 11 o'clock, King Abdullah, the King of Jordan, will address a joint meeting of Congress in the House Chamber. The Senate will depart for the House Chamber around 10:45 a.m.

MEASURE PLACED ON THE CALENDAR—S. 761

Mr. REID. Mr. President, it is my understanding that S. 761 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 761) to invest in innovation and education to improve the competitiveness of the United States in the global economy.

Mr. REID. Mr. President, I object to any further proceedings on this piece of legislation.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

IRAQ

Mr. REID. Mr. President, every morning I get up and do my exercise. It takes me about an hour to go out and do what I do in the morning. This morning was very cold. I listen to the radio. I listen to the news every morning. It is with a heavy heart that I finished my exercise this morning and came into my home and got ready to come to work.

Nine American soldiers were killed in Iraq yesterday. I don't know how many were wounded. I don't know how many were grievously wounded. But I have to focus on those nine soldiers and their families.

I am fortunate. I am one of four sons. My brother Dale died as a young man, and I still have not gotten over my brother Dale dying at 46, 47 years old. I know his death is not comparable, of course, to these valiant soldiers who were killed in Iraq yesterday, but he is still my brother and I still feel very badly.

I can't imagine how the nine soldiers' families feel today. Some of them have not yet been notified that their loved one has been killed, but most of them by now have been notified. This is a reminder of what is happening in Iraq thousands of miles from here but affecting the lives of everyday Americans. The current approach isn't working. We need to change course in Iraq.

Mr. President, I yield the floor.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

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 of morning business for up to 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 Republican leader or his designee.

The Senator from Washington is recognized.

VETERANS HEALTH CARE

Mrs. MURRAY. Mr. President, I listened to the majority leader talk a few minutes ago about going out to do his morning exercise and hearing once again of nine soldiers who were killed today in Iraq and the heavy burden all of us have as we sit and listen to the debate about Iraq and how we should proceed and how we cannot ever forget the burden it places on so many families and will continue to be on so many families for years to come.

I have been out on this floor several times to talk about the administration's failure to care for our troops. I am sure it is not going to be my last time; in fact, I am positive it will not be my last time. I am going to keep talking about these men and women and their families who have been impacted so dramatically and what we are doing as a nation to make sure we are there for them every step of the way. Unfortunately, the list of failures is very long—too long. Recently, we heard about the obstacles of service men and women with traumatic brain injuries when they return home from battle. I have seen these men and women. I have watched what happens to them. It is not a couple of days. It is not a couple of months. It is a lifetime of dealing with a traumatic brain injury and how it impacts them, their families, their ability to be able to be productive, their family's ability to be able to put food on the table and continue to care for the person. It is a long-term cost. It is part of the cost of the war, and it is a burden we should all be sharing and as of yet have not been sharing.

We have heard about the shameful treatment of patients at Walter Reed Hospital. We have all felt so compassionate as we listened to these men and women and the squalid conditions they lived in. I am here to tell my colleagues, this is a syndrome, the ''Walter Reed'' syndrome. It is not just at Walter Reed. We are hearing from men and women across the country who have been impacted by this war and have been sort of the forgotten stepchildren of this war, left in a facility somewhere, and their families are struggling every single day, every single minute to deal with these young men and women. Sometimes they are older. I have talked to men and women who are in their 50s who are members of the Guard and Reserve who have been impacted. Some are grandparents.

This morning the President announced that one of our former colleagues, Senator Bob Dole, will join with former Secretary of Health and Human Services Donna Shalala, who will cochair a panel to look into the problems at the Department of Defense and the veterans health care system. I am pleased the President finally, after 4 years, is putting an emphasis on this crisis. I think he has chosen two very well-qualified individuals to lead this panel, but I remain very concerned.

First of all, let me remind everybody that the President received recommendation after recommendation from panel after panel during this administration, and time and time again he refused to implement their suggestions or simply ignored them. We see that on the Senate floor today. We are out here debating the 9/11 Commission. They released their findings years ago. Few of them have been implemented. It has taken a shift in power from Republicans to Democrats to finally implement the 9/11 Commission recommendations.

Even more recently, the Iraq Study Group, another bipartisan, highly regarded commission, released its findings on a path forward in Iraq. The President applauded the members of the group, said they were great, but he has ignored their recommendations. Instead, he has left it up to us in Congress to try to bring a new direction to the war in Iraq.

So we are right, I believe, to be wary of this new step from the President—two good people, Bob Dole, Donna Shalala, and another highly regarded commission to look into this. I know those members will take their time and evaluate everything. But once they make their recommendations, my question to all of us is: What will the President do with them? The President knows how to talk the talk, but I am pretty worried he doesn't know how to walk the walk.

I am here this morning to say our troops don't need any more rhetoric. They do need a lot of action. That is why the Senate Democrats are determined to address these problems, not just at Walter Reed—of course at Walter Reed but beyond that—through comprehensive action aimed at taking care of the men and women who serve us from the battlefield all the way to their local VA and for a lifetime, if that is what it takes.

We need decisive action, not commission after commission and report after report that the President can simply choose to ignore. I hope this commission will, as well as the group actually who has been set up by Secretary Gates, who has responded, I believe, in a strong manner, I hope they come forward with positive ideas that will benefit our troops. But I also promise to our troops, to our men and women, to our veterans, and to all their families that we in this body are not going to sit idly by and wait for another commission report or for this President to act.

Lost in the news coverage last week of this whole Walter Reed fiasco was a report on the President's failure to provide adequate mental health care for our Armed Forces. That report which was lost in all of this was a military psychologist-led task force, and they told us 30 percent of our troops meet standards for having a mental disorder, but less than half of them ever receive care. Thirty percent of the men and women we send to Iraq and Afghanistan come home with what is termed a mental disorder. Yet less than half of them ever receive care. The stories I hear from these troops and from their families and the people whom I talk to are heartbreaking.

My staff this past week spoke to one soldier who returned from his second tour in Iraq and is suffering from a severe case of post-traumatic stress disorder. He said that at his hospital, if you are not missing a limb, you are virtually invisible. If you are not missing a limb, you are virtually invisible. To me, that is appalling, and I fear that is not an isolated case. Sometimes those in need choose not to seek help, but for many of them, the ones who want and need mental health care or who their families know need mental health care and are trying to get them into the system, the services haven't been available.

Amazingly, only 40 percent of the Army and Navy's Active-Duty, licensed clinical psychologist positions are filled. Only 40 percent of them are even filled. The psychologists who are on staff report being worked to the bone and having a low motivation for work. I talked to a psychologist myself recently on a visit, and he told me he was doing the same thing he did during the Vietnam war, and he said to me: I don't know if I can do this anymore. These psychologists are worked to the bone and they are tired. They are tired because they see men and women who are not getting the care and they are worried they can't keep up—almost 4 years into this war, 4 years into this war. To me, this is so unacceptable.

It is unacceptable that there are severe staffing shortages in mental health care when men and women need help. An equally troubling conclusion of the report—that was lost last week because we are so focused on Walter Reed, but I think we need to focus on it—was that our National Guard and Reserve Forces are being particularly hit hard by the shortage in mental health care. We know that Guard and Reserve members come from some of our smallest communities, and they have sacrificed so much for this country. They have left loved ones and left

their jobs for months to go over and police an Iraqi civil war. For the President's escalation plan, now we are seeing many of them being forced to go back a second, third time—and I even talked to one soldier who is going back the fourth time—without the necessary break. These brave men and women accepted these realities without complaint. Two to one, they say to me: I am honored to serve my country.

Despite all that has been asked of them and all they have given, this administration is not providing the mental health care they need.

However disturbing these findings are—and they are horribly disturbing—the worst aspect is that there has been report after report after report, year after year after year, detailing the lack of mental health care.

Last year, as I have said on the floor before, the Government Accountability Office found similar problems. Last spring, in an unusually candid interview—almost a year ago now—the VA's Under Secretary for Health Policy Coordination, Dr. Frances Murphy, said mental health care services are inadequate and that when services are available, ''waiting lists render that care virtually inaccessible.''

This is the President's administration, his Veterans' Administration and Under Secretary there, who has been telling us for almost a year now that waiting lists render mental health care services virtually inaccessible. What has this President's response been? Total silence. I ask: How does that fall on the ears of these soldiers and their families?

This administration has known about these problems for years. But we have seen no changes and no improvements.

With minimal amounts of sleep, our service men and women work longer days than you and I can imagine. They see things none of us should ever witness: bodies blown to pieces, mutilation, the blood of their fellow soldiers on the streets of a country we have no place being.

All of this is for a war we were misled into supporting. There were no weapons of mass destruction, Saddam Hussein was never connected to al-Qaida, and nobody can say we are spreading democracy to Iraq today. In truth, we are fighting a war with no cause.

These stresses and images from a pointless conflict take a toll on our troops. It takes a toll on their families. They suffer mental stress, which is no surprise to anybody; it ought to be expected. As Americans across this country—but especially Senators—it is our solemn duty, as those who have not seen the horrors of battle, to care for those who have. Even more so, as the one who sent Americans to Iraq, it is the duty of the President.

Providing mental health care for our children falls under this duty—a duty that, sadly, this President has failed to fulfill.

So I came to the floor this morning to remind my colleagues—my Republican colleagues and this President—actions speak louder than words. Talk does not improve the quality of the living conditions, and it doesn't make adequate mental health care available. Talk is cheap. Eventually, after a lot of talk and no action, words catch up with you. That is what we are seeing today. The Bush administration says they have provided for our Active-Duty warriors and our veterans, but story after story, report after report proves otherwise.

Unfortunately, it is pretty clear to all of us now that from enlistment to retirement, this administration has failed our troops. It is time for us to take action. I look forward to working with all of my colleagues on this floor to have action and not just words. I don't want to see report after report, all this year long and a year from now, stories that continue. We have a responsibility, when we send men and women overseas to fight for us, that we are on this floor fighting for them.

This Congress, so far, has failed to do that in many ways. This White House has done it day after day. I call on all of my colleagues to step up at every step of the way as we approve bill after bill, supplemental budgets, authorization bills, to stand up and speak out for our troops and no longer ignore the reality of this war.

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 assistant legislative clerk proceeded to call the roll.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MARTINEZ. Mr. President, I ask unanimous consent to be able to address the Senate in morning business and the time be discounted from the minority's time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING MARIO CHANES DE ARMAS

Mr. MARTINEZ. Mr. President, I rise today to pay tribute to a Cuban patriot—Mario Chanes de Armas.

When we speak of individuals who have spent their lives fighting for the fundamental right of people to live in freedom, we often think of individuals like Nelson Mandela and Natan Sharansky.

However, today I want to share with you the story of Mario Chanez de Armas. He spent 30 years as a prisoner of conscience in Castro's gulag. He was the longest serving political prisoner the world has known—30 years imprisoned for his political views.

Sadly, Mr. Chanes died last week at the age of 80 before his one true dream could be fulfilled—freedom for the people of Cuba.

I want to extend my condolences to the members of his family and his many friends.

He was a man of great conviction and held a true love for humanity. Mario Chanes was a freedom fighter in the truest sense of the words. Originally a labor leader, Chanes de Armas demonstrated leadership and charisma and was an early ally of the then perceived ''reformer'' Fidel Castro. They had worked together for democracy and against the Batista dictatorship. He and Castro shared a cell in Batista's prison until they were both released.

Shortly after the Castro take over Mario began to see the true nature of the individual that was his former cell mate. He realized that Castro did not care about civil liberties and human rights or democracy as he once claimed but rather Castro became what he remains today—irrational, a devoted communist, and an enemy of freedom, a brutal dictator. For pointing out the danger Castro posed to Cubans, Chanes de Armas was jailed as a counter-revolutionary.

He served for 30 years in deplorable conditions.

Human Rights Watch reports that Cuban political prisoners spend months in isolation cells, sometimes without light or ventilation. They are often provided no beds—no mattresses. Their rations of food and water are barely enough to sustain life. Sanitation and medical conditions are so bad that inmates often leave prison with serious ailments—if they are allowed to leave at all.

Chanes de Armas suffered these conditions. For his continued resistance against the dictatorship, he was put in tapiadas, steel isolation cells, and gavetas, ''drawers'' so narrow that he only had room to stand. And for what? For refusing to change his political beliefs and for rejecting communism. They never broke his spirit in spite of all the punishment.

Mr. President, Today I want us to take a moment to remember Mario Chanes de Armas—to honor him, his legacy, our continued battle for freedom and the ideals in which he believed and tried so hard to bring to Cuba—liberty, democracy, human rights, rules of law. His dream lives on and his legacy lights the way.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio is recognized.

TRANSPORTATION SECURITY OFFICERS

Mr. BROWN. Mr. President, there are 43,000 men and women working as transportation security officers, or TSOs, for the Transportation Security Administration. They deserve our respect, not our indifference.

The McCaskill amendment is straightforward. It provides TSOs basic rights and protections in the workplace.

The DeMint amendment, however, strips away those rights and protections. Proponents have raised specious arguments about the consequences of providing worker protections to people whose job it is to protect us. In fact, the opposite is true.

The McCaskill amendment helps ensure that a screening system intended to prevent acts of terrorism actually prevents acts of terrorism. If we want TSOs to protect our health and safety, we should protect theirs. For the sake of screeners and travelers both, TSOs should not be overworked.

For the sake of screeners and travelers both, TSOs should not fear retaliation if they report security breaches.

For the sake of screeners and travelers both, TSOs should have somewhere to turn if they are being harassed or bullied at the workplace or if there are health and safety issues in the workplace.

Basic rights, basic common sense. That is what the McCaskill amendment is about. It doesn't give TSOs the right to strike. It does not compromise the public safety. Actually, it promotes the public safety.

I urge every Member of this body to allow TSOs the same basic rights and privileges and protections as other Federal employees. Vote yes on the McCaskill amendment because you care about these workers, and vote yes because you care about all of us, the people they are protecting.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina is recognized.

COLLECTIVE BARGAINING

Mr. BURR. Mr. President, I take the floor today to speak on two subjects and very briefly to address my colleague from Ohio. Mr. President, I wish to make an important point about why these collective bargaining provisions are, in fact, harmful to the United States of America and to the American people. It is a pretty simple point.

Terrorists don't have collective bargaining agreements. I will say that again. Terrorists don't have collective bargaining agreements. Terrorists don't go on strike. Terrorists don't call their unions to negotiate before they attack. They are always plotting and, because of this, we must be always working vigilantly to protect our homeland.

Today we are debating how quickly we are going to respond to threats from terrorists who are eager to strike us, and some in this body are suggesting that we should give the ability of the people who are on the front lines to collectively bargain. It is absurd. It is absolutely absurd. But I assure my colleagues, if this collective bargaining language stays in, we risk doing exactly that—accepting something absurd.

(The remarks of Mr. BURR pertaining to the introduction of S. 765 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BURR. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

RISK-BASED FUNDING

Mr. MARTINEZ. Mr. President, I wish to speak this morning in favor of Feinstein-Cornyn amendment No. 335 and highlight how important it is that our homeland security grants be awarded on the basis of risk.

As we have debated and discussed on the floor of this Chamber on numerous occasions, the smartest and most pragmatic approach to funding for homeland security grants is based on the level of risk faced by communities, not by some arbitrary formula.

It is a simple approach. Places that face more risk and are more attractive targets to terrorist attacks should receive more funding. This was the approach articulated and supported by the 9/11 Commission, and it is one that this body should have approved.

As we all know, the way homeland security funds are distributed now reflects a political compromise. It does not reflect a realistic assessment of our Nation's security needs. Some money will be based on risk, but all States are guaranteed of receiving some funding.

It makes very good sense to create a structure whereby first responder funds are allocated based on risk of a terrorist attack. In my home State of Florida, we have ports, tourism, and population centers. We have major cities, such as Miami, Tampa, and Jacksonville, all with stadiums, professional sports franchises, and busy downtowns.

As a former mayor of Orange County, I recognize the critical need for risk-based funding of homeland security grants.

If you look at the population of Orlando, it appears to be a moderately sized city. However, if one considers the interests of the greater Orlando area with tourist attractions, amusement parks, and resorts, at any one time, there can be millions of Americans and foreign visitors in the Orlando area.

According to the Orlando County Visitors Bureau, roughly 45 million visitors come to central Florida each year—45 million visitors. There is no way our current funding system accounts for this reality. Across Florida, we have significant roadways, railways, and some of the busiest ports in the world. We are told all are potential targets, but our current method of funding does not reflect the needs of my State or that of many other States. We need to correct this problem. The American people expect us to correct this problem. That is why I am supporting the Feinstein-Cornyn amendment.

Following the recommendations of the 9/11 Commission, this amendment would, first of all, ensure that homeland security grants are allocated on a risk-based formula built on assessment of threat, vulnerability, and consequence to the maximum extent practicable. Secondly, it would assure a guaranteed minimum funding for homeland security grants, without turning the program into another grant system for redistributing Federal funds arbitrarily. The amendment also directs the DHS Secretary to consider transient and tourist populations as risk targets for deciding the disbursal of funding for homeland security grants. Finally, it sets minimum performance requirements for homeland security grants and a 2-year audit cycle for grant recipients by the DHS inspector general.

Under this amendment, every State would continue to receive some funding; it is just that now the cities and States most at risk would receive most of the funding. This amendment certainly makes sense to Florida's new Governor, Charlie Crist, who believes it to be the best option for Florida. I feel the same way. I know other Senate colleagues of mine believe Senators FEINSTEIN and CORNYN have put together a commonsense amendment that helps the cities and States most at risk. I will vote in favor of this amendment, and I encourage my colleagues to do the same.

Our Secretary of Homeland Security, Michael Chertoff, also thinks it a prudent move and said as much during a debate on the homeland security grants during 2005. Secretary Chertoff remarked then:

> Funding our first responders based on risk and need gives us the flexibility to ensure our finite resources are allocated in a prioritized and objective manner.

What this means is communities across this Nation—whether they are large or small; whether or not they would appear to be high-risk terrorist targets—are receiving precious resources that are going to local law enforcement agencies so they can upgrade their equipment and other resources. We should not be allocating, in some formulaic method, the limited money set aside for first responders. We need to take a more direct approach.

There is a reason terrorists struck New York and Washington on September 11: They wanted to strike two of our most powerful cities. They wanted to cripple our Government and sabotage our economy. It is for these reasons that cities such as New York and Washington should receive homeland security grants that are commensurate with that risk. A spending formula does not speak to this basic reality.

I support the Feinstein-Cornyn amendment and ask my colleagues to support this amendment as well.

As we continue this important debate, the heart of our efforts should be on making America safer, not rewarding particular communities or interest groups. It is disheartening to me that

so much of the debate thus far has been about granting additional rights to unions. Is this going to make us any safer? Is it worth all the time we are spending on it? Of course not.

Rather than debating all aspects of union rights associated with our national security, we should be considering some other proposals that have been offered, such as increasing penalties for those found to be financially supporting the families of suicide bombers or granting additional subpoena authority to Federal terrorism investigators so they can find individuals who wish to do us harm and then bring them to justice. This debate should be about strengthening our national security; it should not be about strengthening unions. This should not be about political payback; it should be about making America safer. Anything less would be a disservice to this body and do little to further the safety and security of those we are elected to represent.

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 assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

IMPROVING AMERICA'S SECURITY ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 4, which the clerk will report.

The bill clerk read as follows:

A 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.

Pending:

Reid amendment No. 275, in the nature of a substitute.

Sununu amendment No. 291 (to amendment No. 275), to ensure that the emergency communications and interoperability communications grant program does not exclude Internet Protocol-based interoperable solutions.

Salazar/Lieberman modified amendment No. 290 (to amendment No. 275), to require a quadrennial homeland security review.

DeMint amendment No. 314 (to amendment No. 275), to strike the provision that revises the personnel management practices of the Transportation Security Administration.

Lieberman amendment No. 315 (to amendment No. 275), to provide appeal rights and employee engagement mechanisms for passenger and property screeners.

McCaskill amendment No. 316 (to amendment No. 315), to provide appeal rights and employee engagement mechanisms for passenger and property screeners.

Dorgan/Conrad amendment No. 313 (to amendment No. 275), to require a report to Congress on the hunt for Osama Bin Laden, Ayman al-Zawahiri, and the leadership of al-Qaida.

Landrieu amendment No. 321 (to amendment No. 275), to require the Secretary of Homeland Security to include levees in the list of critical infrastructure sectors.

Landrieu amendment No. 296 (to amendment No. 275), to permit the cancellation of certain loans under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Landrieu amendment No. 295 (to amendment No. 275), to provide adequate funding for local governments harmed by Hurricane Katrina of 2005 or Hurricane Rita of 2005.

Allard amendment No. 272 (to amendment No. 275), to prevent the fraudulent use of social security account numbers by allowing the sharing of social security data among agencies of the United States for identity theft prevention and immigration enforcement purposes.

McConnell (for Sessions) amendment No. 305 (to amendment No. 275), to clarify the voluntary inherent authority of States to assist in the enforcement of the immigration laws of the United States and to require the Secretary of Homeland Security to provide information related to aliens found to have violated certain immigration laws to the National Crime Information Center.

McConnell (for Cornyn) amendment No. 310 (to amendment No. 275), to strengthen the Federal Government's ability to detain dangerous criminal aliens, including murderers, rapists, and child molesters, until they can be removed from the United States.

McConnell (for Cornyn) amendment No. 311 (to amendment No. 275), to provide for immigration injunction reform.

McConnell (for Cornyn) amendment No. 312 (to amendment No. 275), to prohibit the recruitment of persons to participate in terrorism.

McConnell (for Kyl) amendment No. 317 (to amendment No. 275), to prohibit the rewarding of suicide bombings and allow adequate punishments for terrorist murders, kidnappings, and sexual assaults.

McConnell (for Kyl) amendment No. 318 (to amendment No. 275), to protect classified information.

McConnell (for Kyl) amendment No. 319 (to amendment No. 275), to provide for relief from (a)(3)(B) immigration bars from the Hmong and other groups who do not pose a threat to the United States, to designate the Taliban as a terrorist organization for immigration purposes.

McConnell (for Kyl) amendment No. 320 (to amendment No. 275), to improve the Classified Information Procedures Act.

McConnell (for Grassley) amendment No. 300 (to amendment No. 275), to clarify the revocation of an alien's visa or other documentation is not subject to judicial review.

McConnell (for Grassley) amendment No. 309 (to amendment No. 275), to improve the prohibitions on money laundering.

Thune amendment No. 308 (to amendment No. 275), to expand and improve the Proliferation Security Initiative while protecting the national security interests of the United States.

Cardin amendment No. 326 (to amendment No. 275), to provide for a study of modification of area of jurisdiction of Office of National Capital Region Coordination.

Cardin amendment No. 327 (to amendment No. 275), to reform mutual aid agreements for the National Capital Region.

Cardin modified amendment No. 328 (to amendment No. 275), to require Amtrak contracts and leases involving the State of Maryland to be governed by the laws of the District of Columbia.

Feinstein amendment No. 335 (to amendment No. 275), to improve the allocation of grants through the Department of Homeland Security.

Schumer/Clinton amendment No. 336 (to amendment No. 275), to prohibit the use of the peer review process in determining the allocation of funds among metropolitan areas applying for grants under the Urban Area Security Initiative.

Schumer/Clinton amendment No. 337 (to amendment No. 275), to provide for the use of funds in any grant under the Homeland Security Grant Program for personnel costs.

Collins amendment No. 342 (to amendment No. 275), to provide certain employment rights and an employee engagement mechanism for passenger and property screeners.

Coburn amendment No. 325 (to amendment No. 275), to ensure the fiscal integrity of grants awarded by the Department of Homeland Security.

Sessions amendment No. 347 (to amendment No. 275), to express the sense of the Congress regarding the funding of Senate approved construction of fencing and vehicle barriers along the southwest border of the United States.

Mr. LEAHY. Mr. President, is there a pending amendment?

The ACTING PRESIDENT pro tempore. The pending amendment is amendment No. 347.

AMENDMENT NO. 333 TO AMENDMENT NO. 275

Mr. LEAHY. Mr. President, I ask to set that aside and call up amendment No. 333.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself, Mr. THOMAS, Mr. STEVENS, Mr. ROBERTS, Mr. PRYOR, Mr. SANDERS, and Mr. ENZI, proposes an amendment numbered 333 to Amendment No. 275.

Mr. LEAHY. I ask unanimous consent the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase the minimum allocation for States under the State Homeland Security Grant Program)

On page 69, lines 19 and 20, strike ''0.45 percent'' and insert ''0.75 percent''.

Mr. LEAHY. Mr. President, I can explain this easily. It is a bipartisan amendment. I offer it on behalf of myself and Senators THOMAS, STEVENS, ROBERTS, PRYOR, SANDERS, ENZI, HATCH, and WHITEHOUSE to restore the minimum allocation for States under the State Homeland Security Grant Program. Right now, in the underlying bill, it is proposed at .45 percent. Our amendment would restore it to current law which is .75. That means that every State would have, of the homeland security money, at least .75 percent of it.

I should point out, incidentally, as with current law, our State minimum, under our amendment, would apply only to 40 percent of the overall funding of this program. This may sound somewhat tricky, but what it means is

we have special funding for certain unique areas—ports areas, large cities and all—but this applies to only 40 percent of the overall funding. The majority of the funds would continue to be allocated based on risk assessment criteria—again, the idea of a major port, or something like that, as are the funds under the several separate discretionary programs which Congress has established for solely urban and high-risk areas. These are also governed by risk assessment calculations. That is not something that is going to be affected by the so-called small State minimum.

The underlying bill before the Senate would reduce the all-State minimum for SHSGP in the Law Enforcement Terrorism Prevention Program to .45 percent. In the other body it is reduced even further, to .25 percent. So we know this is going to be a matter in conference under any circumstances. In fact, due to the formula differences—it is somewhat complicated, but as a result, there is no guarantee that the minimum would not even be further reduced during conference negotiations.

Small- and medium-sized States face a loss of millions of dollars for our first responders if the minimum is lowered. If you reduce the all-State minimum to .45 percent, the underlying bill would reduce the guaranteed dollar amount for each State by 40 percent. With the appropriations for the formula grants having been cut by 60 percent since 2003—it was $2.3 billion in 2003; it is $900 million in fiscal year 2007—if you have a further reduction in first responder funding, it is going to hinder, actually, every State's effort to deal with potential terrorist attacks. That applies to fiscal year 2007 homeland security and law enforcement terrorism grants which were funded at $525 million and $375 million, respectively, for a total of $900 million.

Under the current all-State minimum, the base amounts States receive is $6.75 million. Under the 2007 levels, each State would face a loss of an estimated $2.7 million or 40 percent under this new formula, and this is assuming we do not go even lower when we go to conference with the other body. For small States—one that comes to mind is Montana. Why that particular one came to mind I don't know. Maybe looking at the distinguished Presiding Officer made me think of it. But the cuts would be even deeper should the President's budget requests for next year be approved. He requested only $250 million for these two important first responder grant programs.

Under the .45 percent minimum proposed by the underlying bill and the .25 percent minimum proposed by the Feinstein-Obama amendment, the guaranteed amount for each State would drop to $1.125 million and $625,000 respectively.

Again, these are all numbers and percentages you talk about. But what it means is it would be a loss of millions of dollars in homeland security funding for fire, police, and rescue departments in small and medium-sized States. At the same time we are being told, you have got to prepare to be able to do this and do that; we have to be able to have a unified response around our Nation, we are going to have to call on you first and foremost; you have got to have your radios, your equipment, your training. Oh, by the way, find the money somewhere. You are part of a national effort, but find the money somewhere in your small communities or States to do it.

It deals a crippling blow to launch federally mandated multiyear plans for terrorism preparedness. Basically we can say from Washington what you should do in these multiyear plans. We tell you how to coordinate, how you train and plan, and it may be a small town on the border, the Federal border, you could be on a major waterway, but find the money somewhere. We want you to do this because the Nation needs you, we just cannot help you.

Now, I understand there is a budget crunch. We need a lot of money to send over to Iraq so the Iraqis can prepare for national defense. We need a lot of money to send over to Iraq so they can spend it on their police departments. We need a lot of money to send over to Iraq so they can spend it on their fire departments. I don't know, maybe I am old-fashioned in this regard, but I think maybe we kind of ought to look at our police departments first, our fire departments first. If I have a burglar in the middle of the night, I am not going to call the Iraqi police department, I am going to call my local police department. If we have a fire, I am not going to call the Iraqi fire department, I am going to call my own fire department. If we have a terrorist attack, if we have a terrorist attack coming across our border or on one of our major waterways, I am not going to call the Iraqi fire department or police department, I am going to call our own. We are going to be the first responders. It is not going to do much good to say, sorry, we do not have the money for you because we needed it for your counterparts in Iraq.

Even if the current .75 percent minimum is applied to the President's budget request, as my amendment does, States would still see a major drop. They would be guaranteed a minimum amount of $1.875 million. That is a drop of $4.875 million from the fiscal year 2007 guaranteed minimum amount.

Now, I have voted for, I have supported, antiterrorist efforts for our large States. We have seen what terrorism can do in larger States. In Oklahoma, it was, of course, homegrown. In Oklahoma City it was an American, former member of our armed services who attacked. But the damage to our people was as great as somebody coming from outside.

In New York City, it was from outside our Nation, the Twin Towers, and every one of us who goes to work in this building that was targeted for destruction by the terrorists. I have no problem in giving special funding to places that might be seen as being possible high-profile targets. But I wrote the current all-State minimum formulas as part of the USA PATRIOT Act in 2001 to guarantee each State receives at least a fraction of 1 percent, three-quarters of 1 percent of the national allotment to help meet their national domestic security needs. Some States may have many times that, of course. But each State receives some kind of a minimum amount because every State—rural, urban, small or large—has basic security needs. They are going to have basic security requests from the Federal Government, and they deserve to receive Federal funds under this partnership to meet both those needs and the new homeland security responsibilities the Federal Government demands.

As I said before, high-density urban areas have even greater needs, and that is why this year alone we provided $1.3 billion for homeland security programs which Montana cannot apply for, Vermont cannot apply for. I don't have any problems with that. There is only a small number of urban areas that can, and we have a special pot of money for that.

Those needs deserve and need to be met. We are talking about the amount of money for homeland security which is a fraction of what we currently are spending in Iraq anyway. At some point we have to talk about what our needs are here inside the homeland.

I worked very hard over the years to help address the needs of larger States and high-density areas. I have done it on the Appropriations Committee, I have done it in the Judiciary Committee, and I have opposed the administration's efforts to pit our States against each other as they have tried to mask their efforts, the administration's efforts, to cut overall funding for first responders.

Smaller States especially would never be able to fulfill the essential duties they are asked to do by the Federal Government on top of their daily responsibilities without some Federal support, such as DHS currently suggesting that States will have to pay for REAL ID implementation, this idea they have come up with, which is basically having a national identification card. No matter what you call it, it is the first time in our history that we have a national identification card. But you know that is going to cost the States, this idea that was cooked up out of an office here in Washington. It is going to cost our individual States $16 billion. If you cut down the minimum even more at the same time you are making substantial drops in overall first responder funding, then small and medium-sized States are not going to be able to meet these Federal mandates for terrorism prevention, preparedness, and response.

Some from urban States argue that Federal money, the Federal money to

fight terrorism, is being spent in areas that do not need it; it is wasted in small towns. They claim the formula is highly politicized and insist on the redirection of funds to urban areas that they believe face these heightened threats of terrorist attacks.

Well, what the critics of the all-State minimums seem to forget is that since the September 11 terrorist attacks, the Federal Government has asked every State, every State and every local first responder, every local first responder, to defend us as never before on the front lines in the war against terrorism.

Emergency responders in one State have been given the same obligations as those in any other State to provide enhanced protection, preparedness, and response against terrorists. The attacks of 9/11 added to the responsibilities and risks of first responders across the country.

In recent years, due to the .75 all-State minimum allocation for formula grants, first responders have received resources to help them meet their new responsibilities. They have made their neighborhoods safer. They made our communities better prepared. A lot has been done.

I hope my colleagues will support my amendment to restore the .75 percent minimum base and give us the kind of support and resources for our police, fire, and EMS services in every State if we want them to carry out the responsibilities.

I see the distinguished senior Senator from Utah, one of our cosponsors on the floor.

I yield the floor.

Mr. HATCH. Mr. President, I ask unanimous consent that immediately following my remarks, Senator COBURN be given an opportunity to make his comments, and then immediately following him Senator DEMINT be given his opportunity to speak here on the floor.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. I thank the distinguished President of the Senate.

Mr. HATCH. Mr. President, last week I shared some of my thoughts and concerns regarding section 803 of S. 4. I am referring to the section that was inserted into this important piece of legislation during the committee consideration; this section would permit TSA's Transportation security officers, our Nation's airport security screeners, to engage in collective bargaining—a change that was not recommended by the 9/11 Commission.

During those remarks, as a former union member, I argued that collective bargaining would adversely affect one of the greatest weapons that our Transportation security officers employ: the flexibility to change tactics quickly.

Why? Because we all know that one of the central aspects of any collective bargaining agreement is a determination of the conditions by which an employee works; when a person works, where he or she works, and how he or she works are all matters which are open to negotiation. Obviously, efficiency and productivity can be dramatically affected—for better or worse—by a collective bargaining agreement.

In my last address on this issue, I also pointed out that flexibility has been one of the central tenets of our Nation's successful antiterrorism response, as was shown so well last August when the security services of the United Kingdom discovered a well-organized conspiracy that reportedly sought to blow up commercial aircraft in flight using liquid explosives disguised as items commonly found in carry-on luggage.

As that case showed only too well, quick and decisive action was required to protect our citizens and commerce from a very real threat. That action was taken by our Transportation security officers, who, within 6 hours of learning of the plot, made quick use of this highly classified information and trained and executed new security protocols designed to mitigate this threat.

What would have been the result if collective bargaining had been in effect? Very real questions and uncertainties can be raised about the impact that a TSA subject to collective bargaining could have had on the discovery of that plot. Should the Government have to bargain in advance over what actions it can or cannot take when dealing with an emergency situation? If so, how would we know what to bargain for? Would there be time to conduct this negotiation? I think not.

One of the TSA's great strengths in responding to the U.K. plot was the fact that a fundamental change in our tactics was accommodated in a short period of time. Would not the vital capability of a uniform response to emerging threats be drastically curtailed if Transportation security officers were permitted to join different unions at various airports? Think about that. There would be separate collective bargaining agreements at various locations which would force TSA to implement dissimilar procedures in order to meet the legal requirements of each agreement. That obviously will not work.

I can see the posters now: ''Defend America, but only during the hours and under the conditions that my union negotiated.''

What about the relationship that will be created between supervisors and Transportation security officers? Might not collective bargaining create an atmosphere of us-versus-them? During a war, is this the attitude that we wish to foster? Rather, should we not attempt every day to enhance all of our agency's capabilities by building a team mentality?

What about training?

What about training? One of TSA's great successes took place in 2005 when the agency, in fewer than 6 weeks, was able to train 18,000 transportation security officers in new methods to discover explosives.

What would have occurred if a collective bargaining agreement had been in place? Rules governing training are often found in collective bargaining agreements—rules that require further negotiation as to the need, method, and time of training. It is common to hear in other situations that these negotiations require 60 to 180 days before training is implemented. Would that be a change for the better? I think not.

As I mentioned before, during the U.K. plot transportation security officers were retrained in 6 hours, and in fewer than 6 weeks they received new explosive training. Are we to sacrifice this impressive capability for an ad hoc system that might work after 60 or 180 days of negotiation? I would think not. Now, that would be a true gift to al-Qaida.

Additionally, many collective bargaining agreements require that an employer only judge if a worker has learned a new technical skill on a ''pass or fail'' basis. Imagine that. Would you feel safe traveling in an aircraft knowing that all a security screener had to do was get 1 point above failing to be certified in a technical skill or would you feel safer under the current system that rewards technical skill, readiness for duty, and operational performance? I know which system gets my vote.

Then there is the question of the law. Can the Federal Government prevent employees, especially those with national security functions, from engaging in collective bargaining? The law and decisions reached by our Federal courts are clear. Under section 111(d) of the Aviation and Transportation Security Act, the Under Secretary of Transportation for Security—which is the position now held by the Assistant Secretary of Homeland Security for the Transportation Security Administration—has the discretion:

> To employ, appoint, discipline, terminate, and fix the compensation, terms and conditions of employment of the Federal service for such a number of individuals as the Under Secretary determines to be necessary to carry out screening functions.

In 2003, the then-Under Secretary signed an order that stated:

> In light of their critical national security responsibilities, Transportation Security Officers shall not, as a term or condition of their employment, be entitled to engage in collective bargaining.

Unions, of course, challenged this law before the Federal Labor Relations Authority and the Federal courts, charging that it violated the transportation security officers' constitutional rights and Federal law that allow workers to join unions.

The Federal Labor Relations Authority upheld the opinion that:

> There is no basis under law to reach any result other than to dismiss the union's petitions. Congress intended to treat security screeners differently than other employees of the agency.

On appeal to the Federal courts, the D.C. Circuit Court affirmed the decision of the district court that the Federal Labor Relations Authority was the correct venue for the union's complaint and that the union's constitutional claims should be dismissed.

As I have said on many occasions, I support collective bargaining, but I will not support collective bargaining under these conditions.

We are at war. The decisions we make will mean the difference between life and death. I will not risk the lives of Americans so that an important constituency of the other party—or both parties, for that matter—can receive a political reward.

I hope my colleagues will join me in opposing this section and supporting the DeMint amendment that will remove it from that bill.

Mr. President, I understand the distinguished Senator from Oklahoma wishes to speak next, and I yield the floor.

The PRESIDENT pro tempore. Who seeks recognition?

The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I rise to express my strong support for the section of S. 4, our committee's legislation, which will extend to transportation security officers—so-called TSOs who screen passengers and baggage at airports throughout our country—the same employee rights most everybody else in TSA and most everybody else in the Department of Homeland Security already has.

I am going to stop for a moment. I note the presence on the floor of the Senator from Oklahoma. I believe there was an order for him to be called on next. I want to ask him if he intends to address the motion to table that will be made at noon.

Mr. COBURN. I do.

Mr. LIEBERMAN. I am going to yield the floor to him, and I hope I can take some time back after he is finished.

Mr. COBURN. Mr. President, the unanimous consent request was for myself, followed by Senator DEMINT, and I will be happy to yield if I have remaining time.

I need to do a little housekeeping first. I ask unanimous consent that the pending amendment be set aside to call up amendment No. 345.

The PRESIDENT pro tempore. Is there objection?

Mr. LIEBERMAN. I object, Mr. President. I don't know which amendment the Senator wants pending. I need to have a conversation with the Senator from Oklahoma about which amendment this is.

The PRESIDENT pro tempore. The Senator from Connecticut objects.

Mr. COBURN. Mr. President, I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The 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 PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I have had a conversation with the Senator from Oklahoma, and I remove my objection to his request.

AMENDMENT NO. 345

Mr. COBURN. Mr. President, I ask unanimous consent that amendment No. 345 be called up and the pending amendment be set aside.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 345.

Mr. COBURN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize funding for the Emergency Communications and Interoperability Grants program, to require the Secretary to examine the possibility of allowing commercial entities to develop public safety communications networks, and for other purposes)

At the appropriate place, insert the following:

SEC. ___. TRANSFER OF FUNDS FROM DTV TRANSITION AND PUBLIC SAFETY FUND.

(a) IN GENERAL.—Section 3006 of the Deficit Reduction Act of 2005 (Public Law 109-171; 120 Stat. 24) is repealed.

(b) AUTHORITY OF SECRETARY TO MAKE PAYMENTS FROM FUND.—The Secretary may make payments of not to exceed $1,000,000,000, in the aggregate, through fiscal year 2009 from the Digital Television Transition and Public Safety Fund established under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E)) to carry out the emergency communications operability and interoperable communications grant program established in section 1809 of the Homeland Security Act of 2002, as added by section 301(a)(1).

(c) LIMITATIONS.—Grants awarded under section 1809 of the Homeland Security Act of 2002, and funded by sums made available under this section may not exceed—

(1) $300,000,000 in fiscal year 2007;

(2) $350,000,000 in fiscal year 2008; and

(3) $350,000,000 in fiscal year 2009.

SEC. ___. REPORT TO CONGRESS.

(a) IN GENERAL.—The Secretary, in cooperation with the Chairman of the Federal Communications Commission, shall study the possibility of allowing commercial entities to develop national public safety communications networks that involve commercially based solutions.

(b) CONTENT OF STUDY.—The study required under subsection (a) shall examine the following:

(1) Methods by which the commercial sector can participate in the development of a national public safety communications network.

(2) The feasibility of developing interoperable shared-spectrum networks to be used by both public safety officials and private customers.

(3) The feasibility of licensing public safety spectrum directly to the commercial sector for the creation of an interoperable public safety communications network.

(4) The amount of spectrum required for an interoperable public safety communications network.

(5) The feasibility of having 2 or more competing but interoperable commercial public safety communications networks.

(c) SUBMISSION TO CONGRESS.—Not later than 12 months after the date of enactment of this Act, the Secretary shall report to Congress—

(1) the findings of the study required under subsection (a); and

(2) any recommendations for legislative, administrative, or regulatory change that would assist the Federal Government to implement a national public safety communications network that involves commercially based solutions.

SEC. ___. REPEAL.

Section 4 of the Call Home Act of 2006 (Public Law 109-459; 120 Stat. 3400) is repealed.

SEC. ___. RULE OF APPLICATION.

Notwithstanding any other provision of this Act, section 1381 of this Act shall have no force or effect.

AMENDMENT NO. 301

Mr. COBURN. Mr. President, I ask unanimous consent that the pending amendment be set aside and amendment No. 301 be called up.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 301.

Mr. COBURN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 301

(Purpose: To prohibit grant recipients under grant programs administered by the Department from expending funds until the Secretary has reported to Congress that risk assessments of all programs and activities have been performed and completed, improper payments have been estimated, and corrective action plans have been developed and reported as required under the Improper Payments Act of 2002 (31 U.S.C. 3321 note))

On page 106, between the matter preceding line 7 and line 7, insert the following:

SEC. 204. COMPLIANCE WITH THE IMPROPER PAYMENTS INFORMATION ACT OF 2002.

(a) DEFINITIONS.—In this section, the term—

(1) ''appropriate committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Oversight and Government Reform of the House of Representatives; and

(2) ''improper payment'' has the meaning given that term under section 2(d)(2) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(b) REQUIREMENT FOR COMPLIANCE CERTIFICATION AND REPORT.—A grant recipient of funds received under any grant program administered by the Department may not expend such funds, until the Secretary submits a report to the appropriate committees that—

(1) contains a certification that the Department has for each program and activity of the Department—

(A) performed and completed a risk assessment to determine programs and activities that are at significant risk of making improper payments; and

(B) estimated the total number of improper payments for each program and activity determined to be at significant risk of making improper payments; and

(2) describes the actions to be taken to reduce improper payments for the programs and activities determined to be at significant risk of making improper payments.

AMENDMENT NO. 314

Mr. COBURN. Mr. President, I ask unanimous consent that amendment No. 301 be set aside and we return to the pending amendment that we had prior to my asking that those two amendments be called up.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. COBURN. Mr. President, I wish to spend a little bit of time talking about the process.

Yesterday, curiously, we had a hearing on the opportunity for labor representation for TSO officers. It is curious in that we had the hearing after the bill was on the floor because we didn't have the hearing before to know what we were talking about before we formulated the bill. That is because we wanted to rush this bill, and rather than do it right, we did the process backward.

But I think it is very instructive for us to hear what the testimony was yesterday. Kip Hawley is the Administrator of TSA. Some very important things were brought out in that hearing that most Americans probably don't think of often. Let me quote some of the things he said:

The job of the Transportation Security Officer is one in which you don't know whether you have an emergency until it is over, and in the aviation business, that is too late. There are a bedeviling array of dots out there and we have the responsibility to make sure that not one of them is allowed to progress and become an attack on the United States. So we constantly try to move and adjust and change and you cannot be sure until it is too late that you have had an emergency. You do not get an advanced warning.

In response to Senator AKAKA regarding TSA's collaboration with employees on the decision to double the amount of bonus money that would be made available under their bonus performance plan, the question by Senator AKAKA was:

Did you invite any union representatives to the initial development efforts?

In response to his question, he said:

No, sir. Our employees didn't have to pay union dues to get that service.

One of the other key points Secretary Hawley made is his concerns about his ability to move and sustain their strategy and flexibility.

Also coming out of that was the note that the union which would represent security officers won't be negotiating for pay. Well, what will they be negotiating for? They will be negotiating over everything else other than pay. Why is it important? Everything else is what matters.

What matters is—and specifically the reason this was not allowed when the 9/11 Commission Report was written and when the bill establishing TSA was set up—there is a moving target, and that flexibility in work rules, in relationships, in movement of people, in tier job training, and in multifaceted interface of those officers with any situation on the ground has to be able to be done and done on the move, all the time—not in an emergency because every day has to be thought of as an emergency. What we do know is all that is what they want to negotiate. That is the last thing we should be negotiating.

It comes down to this point, and the point is this: Do people who work for the Federal Government have rights? Absolutely. Should they be treated fairly and have the opportunity to have a good wage, a good appeal process, whistleblower protection? Yes. But is that right greater than the right of the American people to have secure and safe air travel? I would put forth for this body that it is not, that the betterment of the whole and the protection of the whole far outweighs any individual right within TSA to collectively bargain on the very things that are going to keep the flying American people safe.

What we do know is there are only 1,300 members out of 42,000 screeners now. They can all join a union, and they can have that representation in terms of their interface with management. What we also know is that the people who really want this opportunity are not the transportation security officers. Who wants this opportunity is the union and the politics of payback.

So this isn't really about responding. As a matter of fact, all of the claims that have been made, we fleshed all those out yesterday in the hearing. As to severance rates, as to work injury, as to movement, as to wage rates, as to bonus, as to productivity—all that was fleshed out. It should have been fleshed out before this bill ever came to the floor but, unfortunately, it wasn't. All that was fleshed out yesterday, and what came down is we have a very responsive agency that in the vast majority of the cases is doing a great job with their employees. We have great transportation security officers who are being remunerated properly and don't want to pay $360 a year for something that wants to negotiate the very thing that will take away the safety of our air transport system.

With that, I yield to the Senator from South Carolina.

The PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. MENENDEZ. Mr. President, I ask the Senator from South Carolina to yield briefly so I can offer an amendment and then return to the regular order.

Mr. DEMINT. Mr. President, if he is offering the amendment without an attached speech, I am fine with that. The majority leader limited our time and he will take the floor at 12. I will yield for the offering of an amendment.

AMENDMENT NO. 352

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the present amendment be set aside and I send an amendment to the desk.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] proposes an amendment numbered 352.

Mr. MENENDEZ. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the security of cargo containers destined for the United States)

On page 219, between lines 7 and 8, insert the following:

SEC. 804. PLAN FOR 100 PERCENT SCANNING OF CARGO CONTAINERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop an initial plan to scan 100 percent of the cargo containers destined for the United States before such containers arrive in the United States.

(b) PLAN CONTENTS.—The plan developed under this section shall include—

(1) specific annual benchmarks for—

(A) the percentage of cargo containers destined for the United States that are scanned at a foreign port; and

(B) the percentage of cargo containers originating in the United States and destined for a foreign port that are scanned in a port in the United States before leaving the United States;

(2) annual increases in the benchmarks described in paragraph (1) until 100 percent of the cargo containers destined for the United States are scanned before arriving in the United States;

(3) the use of existing programs, including the Container Security Initiative established by section 205 of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 945) and the Customs–Trade Partnership Against Terrorism established by subtitle B of title II of such Act (6 U.S.C. 961 et seq.), to reach the benchmarks described in paragraph (1); and

(4) the use of scanning equipment, personnel, and technology to reach the goal of 100 percent scanning of cargo containers.

Mr. MENENDEZ. I yield the floor.

AMENDMENT NO. 314

Mr. DEMINT. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors of the DeMint amendment: Senators VITTER, CRAIG, ROBERTS, BUNNING, ENZI, HATCH, and GRAHAM.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. DEMINT. Mr. President, I want to speak about the DeMint amendment and make sure all of my colleagues are clear on what is about to happen.

The majority leader has said at 12 o'clock today he will make a motion to table or to kill the DeMint amendment to the 9/11 bill. It would be a large mistake for this body to kill this amendment, because it enables our airport security personnel to keep Americans safer.

One of the biggest threats we have now as a nation is we are beginning to forget 9/11 and what happened and what could happen. We are forgetting we are under a constant threat, that we live under alerts every day. It is not a matter of saying one day is an emergency and one day is not. It is not a matter of saying one passenger is an imminent threat but the other one might not be.

Our transportation security agency is charged with making sure we screen every passenger, every bag, and that we have an alert system based on intelligence and other information that allows them to move toward possible threats.

Unfortunately, we have heard Members of this Senate saying the war on terror is not an emergency, that al-Qaida is not a new imminent threat, when we know that every day al-Qaida may have a new plan to attack Americans at different points.

When the Homeland Security agency was formed, we had a debate about whether the transportation security agencies, the officers working for them, the screeners, should have collective bargaining. It was agreed at the time, because of the need for flexibility and constant change, that screeners would have the freedom to join a union, and a number of workers' rights and protections were put into place, but that they would not have collective bargaining arrangements as some of our other agencies do.

I point out we have heard some in this Chamber use border security as an example of collective bargaining working. What I hold in my hands is only one example of a collective bargaining agreement for our Customs Service.

We cannot make a case that our border security has worked well. We have over 12 million illegals in this country that testify it is not. Our customs system is becoming well known as being one of the slowest in the world. Collective bargaining will not work for our airports. I am afraid, again, we are beginning to forget we are in an emergency situation. The 9/11 Commission didn't recommend we change current airport security.

My amendment is designed to keep current law the same. The majority leader will ask this Chamber to kill that bill, which would mean we would lose the 9/11 security bill we have all worked on.

I ask unanimous consent that several items be printed in the RECORD. First is a letter from the Assistant Secretary of Homeland Security, Kip Hawley, who tells us if collective bargaining is implemented with the transportation security agency, it will significantly reduce their ability to keep our country safe. Next is a letter with over 36 Senators signing it, saying they will sustain the President's veto of the 9/11 bill if it hampers our security by injecting collective bargaining into the process. Next is a letter from the House of Representatives, with 155 signatures, saying they will sustain the veto.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF HOMELAND SECURITY, OFFICE OF THE ASSISTANT SECRETARY,

Arlington, VA.

Hon. JIM DEMINT,
U.S. Senate,
Washington, DC.

DEAR SENATOR DEMINT: In the aftermath of 9/11 when the Transportation Security Administration (TSA) was created, Congress gave the TSA extraordinarily flexible human resource tools. Congress recognized—and the 9/11 Commission reinforced—that the terrorist threat is adaptive and that in the post-9/11 era, our security systems must be fast and flexible.

The Senate is now considering legislation to replace these effective human resources tools with collective bargaining. Its effect would have serious security consequences for the traveling public.

In the post-9/11 environment, TSA's mission requires that its Transportation Security Officers (TSOs) be proactive and constantly adaptive, able to quickly change what they do and where they do it. After the liquid explosives incident in the United Kingdom, TSOs reported for work on August 10 and, without prior notice, trained for and implemented the most extensive security changes rolled out since 9/11—and they did it in real time, literally live and on television.

Implementing an outdated system that brings bargaining, barriers, and bureaucracy to an agency on whom travelers depend for their security does not improve security. A system that establishes outside arbitrators to review TSA's constant changes after the fact—without the benefit of classified information that might explain the rationale—would be ineffective, unwieldy, and detract from the required focus on security. Today, TSA is able to make necessary personnel changes to ensure topnotch performance; under collective bargaining, ineffective TSOs could be screening passengers for months while the process runs its course.

The TSO position itself has been improved recently. Training has been more professional so TSOs can exercise independent judgment in their work. TSOs are accountable for their performance—with significant pay raises and bonuses available ($52 million just awarded for 2006), and a clearly defined path to promotions and career development.

TSA depends on the capabilities granted by Congress to mitigate the real and ongoing terrorist threat. Dismantling those tools and replacing them with a cumbersome, ineffective system would have a troubling, negative effect on security. I urge you oppose provisions that remove from TSA's arsenal the resources and tools that so significantly contribute to our ability to fulfill the security mission.

Sincerely yours,

KIP HAWLEY.

U.S. SENATE,
Washington, DC.

Hon. GEORGE W. BUSH,
President of the United States,
Washington, DC.

DEAR MR. PRESIDENT: We are concerned that one of the provisions in S. 4, the 9/11 Commission Rccommendations bill, will undermine efforts to keep our country secure. Like you, we believe we need an airport security workforce that is productive, flexible, motivated, and can be held accountable. S. 4 would introduce collective bargaining for Transportation Security Administration (TSA) workers, which would reverse the flexibility given to TSA to perfonn its critical aviation security mission. Removing this flexibility from TSA was not recommended by the 9/11 Commission and it would weaken our homeland security. If the final bill contains such a provision, forcing you to veto it, we pledge to sustain your veto.

Sincerely,

(SIGNED BY 36 SENATORS).

CONGRESS OF THE UNITED STATES,
Washington, DC, March 5, 2006.

President GEORGE W. BUSH,
Washington, DC.

DEAR PRESIDENT BUSH: One of the provisions in S. 4 will severely complicate efforts to keep the traveling public safe and secure.

We believe that providing a select group of federal airport security employees with mandated collective bargaining rights could needlessly put the security of our Nation at risk. Moreover, nowhere in the 9/11 Commission Report did the Commission recommend that Transportation Security Administration (TSA) employees be allowed to collectively bargain. We need an airport security workforce that is productive, flexible, and accountable.

TSA employees at our Nation's airports currently enjoy the ability to unionize and are afforded a fair and balanced working environment.

If a bill is sent to you with such a provision, forcing you to veto the bill, we pledge to sustain your veto.

Sincerely,

(SIGNED BY 155 MEMBERS OF CONGRESS).

Mr. DEMINT. Mr. President, a vote to kill the DeMint amendment is a vote to kill the 9/11 bill we have all worked on. Let there be no question about it, the vote should be no. There is no reason to change the operation of the transportation security agency and to inject third party negotiations, particularly when it involves sensitive information.

So let us be clear that the motion to table my amendment is a motion to make our airports less secure. I urge my colleagues to vote no on the motion to table.

Mr. President, I see our minority leader is here. I will yield to him for comments at this time.

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. COBURN. Will the leader yield for a parliamentary procedure?

Mr. MCCONNELL. Yes. The Senator from Oklahoma wants to modify an amendment, I believe.

AMENDMENT NO. 294

Mr. COBURN. Mr. President, earlier we called up an amendment that was pending. I ask unanimous consent that the pending amendment be set aside for the moment while we call up amendment No. 294.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 294.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with, and I ask that we return to the pending amendment.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that the provisions of the Act shall cease to have any force or effect on and after Dcember 31, 2012, to ensure congressional review and oversight of the Act)

After title XV, add the following:

TITLE XVI—TERMINATION OF FORCE AND EFFECT OF THE ACT

SEC. 1601. TERMINATION OF FORCE AND EFFECT OF THE ACT.

The provisions of this Act (including the amendments made by this Act) shall cease to have any force or effect on and after December 31, 2012.

AMENDMENT NO. 314

Mr. HARKIN. Mr. President, one thing I have learned in my years in public service is that if you want answers to the big problems in our society, you have to ask the people who work with those problems every day. When there is a meth crisis in my State, the first people I want to talk to about it are the police chiefs and sheriffs because they are the ones that have to think every day about how a meth distributor might think, where they hide, and how they operate. When I want to know how education policy is affecting children in the classrooms, I talk to teachers and parents.

So it only stands to reason that if we want to know where the holes in our TSA screening processes are, then we ought to be talking to the transportation security officers, or TSOs. These are the people who are responsible for screening airline passengers. A good way for the screeners to band together and share their collective thoughts on how to improve safety in our airports is by allowing them to collectively bargain. I realize that some members of this body have antiunion sentiments. They think that if folks come together and try to negotiate for better pay and working conditions that we won't be able to expect consistently high results.

Let me remind my colleagues that before we created a Department of Homeland Security, we routinely heard horror stories about the non-Federal airport screeners making near minimum wage pay and working in terrible conditions resulting in high turnover and a lack of experience and dedication to our shared goal of keeping our airways safe.

So we created a Federal workforce. We knew that the pay and benefits that the Federal Government provides can attract top notch workers. I strongly feel that Federal TSOs are the first people to care about safety in our airports.

I would remind my colleagues that many Federal workers who are critical to our Nation's security, such as Capitol Police, Border Patrol agents, Customs agents, and immigration enforcement officers are all allowed to collectively bargain while ably serving our Nation's security interests. We are simply saying that TSOs should have the same rights and responsibilities as other Federal workers performing similar functions who also are allowed to collectively bargain but not to strike or disclose information that would somehow jeopardize national security.

I would also like to point out that last fall, the United Nations International Labor Organization opined that TSOs should have the right to organize. This is a disgrace, that we are allowing fear to override rationality in supporting our need for a well-trained, well-compensated workforce that can more ably make suggestions about how to improve security in our Nation's airports.

One of the most critical protections that the DeMint amendment would strip is protection from retaliation against whistleblowers. Whistleblowers are some of our most valuable assets in identifying and eliminating systemic fraud. I, for one, want to see a vigilant Federal workforce ready to shed as much sunlight as possible on any practices at any agency that are in contradiction to our goal of promoting the national defense. I don't see a need to explicitly limit TSO whistleblower authority when the Administrator already has the ability to expressly prevent TSOs from divulging information that jeopardizes national security. Most notably, FBI whistleblower Coleen Rowley's invaluable information about failures in our intelligence system led to a reworking of the agency in a way that can hopefully help the flow of information that could prevent another September 11-type attack. One whistleblower can change the world. Stifling that activity can and will do more harm than good.

Here is the irony—administration officials threatening out of one side of their mouths to halt legislation containing important homeland security improvements over an irrational disposition against unions, while out of the other side of their mouths calling supporters of the right to organize enemies of security. I ask this: Is it so important to strip away TSO collective bargaining rights that we must sacrifice all of the other important components of this legislation? The truth is that we all want more security. This is precisely why we want TSOs to have fair pay and benefits and a channel for their concerns for everyone's safety. We need seasoned personnel with reasonable work hours and benefits. A good way to keep good people on the job is by giving them a voice at work. What we are fighting for is a security enhancement, not a detraction.

The truth is that there is nothing in the collective bargaining process that would make TSOs less capable of serving the public. We have nothing to lose and everything to gain by giving them collective bargaining rights and the clear ability to communicate their concerns about screening protocols with the TSA.

I ask my colleagues to defeat the DeMint amendment—to support our constitutionally granted freedom of association, and to protect the millions of Americans who rely on TSOs to protect their safety every day.

Mr. KENNEDY. Mr. President, the men and women who serve as transportation security officers, TSOs, are on the front lines of our effort to keep America safe. They do backbreaking, difficult work, day and night, to preserve our national security. Yet for years they have been treated as second-class citizens.

These officers do not have the same rights and protections enjoyed by most Federal employees, including other employees at the Department of Homeland Security. They don't have a voice at work. They don't have protections if they speak out about safety conditions or security issues. And they have no right to appeal if they are subject to discrimination or unfair treatment.

Because they lack these basic protections, TSOs often labor in disgracefully poor working conditions. In 2006, they had the highest rate of injury among all DHS agencies—more than twice that of any other security agency. Inadequate staffing means TSOs are often forced to work mandatory, unscheduled overtime, leaving them exhausted and creating unsafe conditions. They can be fired for speaking out about unfair treatment, unsafe working conditions, or national security issues, and they have no effective way to appeal such unfair treatment.

As a result, TSOs have the lowest morale and highest rate of turnover among Federal agencies. In 2006, the attrition rate for TSOs was 16 percent—more than 3 times that of any other security agency, and more than 6 times the national average for the Federal government. They have a higher attrition rate than even high turnover private sector employers. The chances are good that the person preparing your coffee at the airport has more experience than the screener who checked your bags for bombs.

These sky-high attrition rates are alarming. The lack of experienced security screeners threatens our national security. Constant turnover reduces institutional knowledge and undermines the agency's ability to implement effective security procedures. It also has a high financial price—the cost of training new employees has risen so high that TSA has had to request an additional $10 million in funds from Congress for this year to address these turnover concerns.

Low morale and high turnover at a front-line security agency is a recipe for disaster. We have to solve the problem. Our Nation, and these hard-working federal employees, deserve better.

TSOs have earned the right to be treated with respect. They deserve the same fundamental workplace rights as other Federal security employees, including whistleblower protections, appeal rights, and collective bargaining rights. The issue is one of basic respect for this valuable workforce.

I have heard some deeply disturbing rhetoric from my Republican colleagues about the effect of restoring these collective bargaining rights. It has been suggested that if these rights are restored, workers will try to hide behind their contracts and not respond in an emergency. It has been suggested that collective bargaining rights keep security workers from performing their jobs effectively.

These suggestions are an insult to every man and woman in uniform who works under a collective bargaining agreement across this country. To suggest that union workers will not do what is best for our country in the event of an emergency is scandalous, particularly in light of recent history.

Every New York City firefighter, EMT and police officer who responded to the disaster at the World Trade Center on 9/11 was a union member under a collective bargaining agreement. No one questions these employees' loyalty or devotion to duty because they are union members.

On 9/11, Department of Defense employees were required to report to wherever they were told, regardless of their usual work assignments. No Federal union tried to hold up this process in any way to bargain or seek arbitration. Not a single grievance was filed to challenge the assignments after the fact.

Other Federal security employees already have the protections that the bill would provide, including Border Patrol agents, Capitol police officers, Customs and Border inspection officers, and Federal Protective Service officers. Many of these officers—particularly customs and border inspection officers who work at airports, seaports, and border crossings—perform fundamentally similar tasks to TSOs and have been performing them effectively with collective bargaining rights for years. It is an insult to each of these men and women to suggest that they will not be capable of fully performing their important duties if they are given a voice at work.

Collective bargaining is the best way to bring dignity, consistency, and fairness to the workplace. It will make our TSO workforce safer and more stable, and enhance our security. Restoring these essential rights is long overdue, and I urge my colleagues to oppose the DeMint amendment that would remove these valuable protections from the bill.

Mr. AKAKA. Mr. President, I rise today to speak in opposition to the amendment offered by Senator DEMINT that would continue to deny basic employee rights and protections to transportation security officers, TSOs, at the Transportation Security Administration, TSA.

Yesterday, I chaired a hearing of the Senate Oversight of Government Management Subcommittee to review TSA's personnel system. Very quickly, the discussion turned to collective bargaining. Despite claims that collective bargaining would be a threat to national security, TSA Administrator Kip Hawley said that the San Francisco International Airport, which uses private sector screeners who engage in collective bargaining, is safe. In addition, Mr. Hawley cited the London bombing plot and how TSA needed the flexibility to move TSOs to respond to that situation. When asked, he also admitted that the airports in the United Kingdom, which have screeners who engage in collective bargaining, are also safe.

I, along with every other American, want TSA to have the flexibility to move staff and resources as necessary to keep air travel safe. However, I do not believe that this flexibility precludes workers from having basic rights and protections. In 2002, when Congress created the Department of Homeland Security, we debated this very issue. The President argued that he needed flexibility in the areas of pay, classification, labor relations, and appeals in order to prevent and respond to terrorist attacks. While the Homeland Security Act gave the President that flexibility, it also explicitly provided for full whistleblower protections, collective bargaining, and a fair appeals process. I fail to see why TSA employees should be denied these same protections.

Since 2001, TSA has faced high attrition rates, high numbers of workers compensation claims, and low employee morale which, in my opinion, are a direct result of a lack of employee rights and protections. Without collective bargaining, employees have no voice in their working conditions, which could drastically reduce attrition rates. Moreover, without a fair process to bring whistleblower complaints, employees are constrained in coming forward to disclose vulnerabilities to national security. At our hearing yesterday, Mr. Hawley said that he knew of only one TSO whistleblower case that was investigated by the Office of Special Counsel, OSC, in the past 2 years. For non-TSOs, the number of whistleblower cases is 12. However, OSC informs me that it has received 124 whistleblower complaints since OSC began investigating TSO whistleblower cases. This demonstrates to me that even without full rights and protections, employees are trying to come forward and disclose wrongdoing and threats to public health and safety. However, a lack of protections may keep others from coming forward when only one TSO has seen a positive resolution to their case.

Granted, TSA has made improvements in managing the screening workforce, but we must build upon these efforts and give employees a real place at the table. Protecting employees from retaliatory action complements efforts to secure our nation. Strong employee rights and protections ensures that we have a screener workforce focused on their mission and not preoccupied by fear of retaliatory treatment by management. As such, I urge my colleagues to ensure that TSOs, who work to provide safe air transportation for all Americans, receive basic worker rights and protections.

I have a letter from the Federal Law Enforcement Officers Association which opposes the premise that collective bargaining could adversely affect national security. 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:

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION,
Lewisberry, PA, March 2, 2007.

Hon. DANIEL AKAKA, *Chairman,*
Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia, U.S. Senate, Washington, DC.

DEAR CHAIRMAN AKAKA: As the President of the Federal Law Enforcement Officers Association (FLEOA), representing over 25,000 Federal law enforcement officers, I am writing to you regarding a potential threat of a veto of vital law enforcement legislation (H.R. 1 and S. 4) that Congress is about to pass, because of the provision giving TSA employees collective bargaining rights.

We have sat back in silence and watched the on-going debate over collective bargaining rights for TSA employees, since this does not directly impact our members. However, now that this issue has the potential to stop implementation of the final 9/11 Commission Recommendation Bill, we deem it appropriate to weigh in.

The absurd premise put out by both DHS and TSA that being a union member precludes someone from serving our country in a national security capacity is unacceptable. There are currently hundreds of thousands of law enforcement officers on a Federal, State and local level who are all members of a union and have collective bargaining rights. This has never impacted their ability to react to terrorist threats, respond to terrorist incidents or impaired their ability to fulfill their critical mission of homeland security. This was quite evident on September 11, 2001.

FLEOA supports and agrees with the recent statement of AFGE President John Gage, when he stated, "The notion that granting bargaining rights to TSOs would result in a less flexible workforce is just plain nonsense, and is also an insult to the hundreds of thousands of dedicated public safety officers with collective bargaining rights from Border Patrol Agents to firefighters to Capitol Hill Police."

Senator Akaka, thank you for your support in this matter and your continued support for the entire Federal workforce. You truly are a friend to all of us in Federal law enforcement and we appreciate all of your efforts on our behalf.

Sincerely,

ART GORDON,
National President.

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. MCCONNELL. Mr. President, the vote we are about to have should give all Members of the Senate a sense of deja vu; we have been here before. We are about to vote on an amendment that is reminiscent of a rather significant debate we had in the fall of 2002 in connection with the creation of the Department of Homeland Security. The

issue at that time, as is the issue this morning, is the question of whether we are going to have collective bargaining for the transportation security agency.

The public spoke rather loudly in the fall of 2002 in the form of Senate elections that year. They thought collective bargaining for transportation security workers was not a good idea. The public was correct then, and I think that is the public view today. In the ongoing debate over Iraq, it is easy to forget the success we have had in fighting terrorism, and chief among that is the fact that America has not seen a terrorist attack at home in 5½ years since 9/11. There is one reason, and that is the heroic work of our soldiers in Afghanistan and Iraq and the tireless efforts of our homeland defenders in detecting, preventing, discouraging, and disrupting those attacks in our country. Yet, today, these two pillars of our post-9/11 security are being put at risk by those who have the audacity to put union work rules above the national security.

It is no secret that big labor expects something in return for last November's elections. But America's security should not be on the table. It is ironic that Democrats who campaigned on the pledge that they would implement all of the recommendations of the 9/11 Commission are now forcing us to consider something that wasn't in the report at all. This measure was not in the report and they are blocking us from considering something that was in the report. I am talking about the proposal to give all 43,000 airport screeners the ability to collectively bargain. Not only was this proposal not in the 9/11 report, it would end up undermining the commission's recommendation.

A key recommendation of the 9/11 Commission said:

> The United States should combine terrorist travel intelligence, operations, and law enforcement in a strategy to intercept terrorists, find terrorist travel facilitators, and constrain terrorist mobility.

That is in the 9/11 report. We saw this during the U.K. bombing threat in August. TSA workers who showed up for work at 4 a.m. that morning in the United States were briefed on the plot and trained immediately in the new protocol. Within 12 hours, we had taken classified intelligence and adapted to it. There was no noticeable impact on U.S. flights.

It was a different situation over in Great Britain, where unionization is the norm. Dozens of flights had to be canceled as they worked out an understanding on how they would respond to the new threat, travelers were delayed, and backups ensued literally for days. We saw the importance of mobility earlier that year when TSA acquired new technologies for bomb detection. It trained nearly 40,000 airport screeners in the new methods in less than 3 weeks. The TSA says that under collective bargaining the same training would take 2 to 6 months.

We are not going to let big labor compromise national security. The President has said he will veto a 9/11 bill if it includes collective bargaining. We have the votes to sustain that veto. The House has just announced it has the votes to sustain a Presidential veto.

This bill will not become law with this dangerous provision in it. The only question now is why we are being kept from passing a 9/11 bill that focuses on security alone. The President made it clear he will veto the bill if it includes a provision that compromises security. The American people have already made clear where they stand on collective bargaining.

Remember, as I stated, we have been down this road before. We had a huge debate in Congress over collective bargaining when we created the Department of Homeland Security. Americans didn't like the idea of labor slowdowns among security personnel in 2002. They said so at the polls in November of 2002. The answer, I am afraid, is clear: This new attempt to insert this into the 9/11 bill is a show that was meant to appease a voting bloc. We know how this charade is going to end. Republicans won't let security be used as a bargaining chip. We are not going to let it happen.

It is too bad Americans will have to wait even longer for this bill to be signed into law because of the efforts to satisfy organized labor.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I move to table amendment No. 314, and I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from North Carolina (Mrs. DOLE) and the Senator from Wyoming (Mr. ENZI).

Further, if present and voting, the Senator from North Carolina (Mrs. DOLE) would have voted ''nay.''

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—51

Akaka	Durbin	Menendez
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murray
Biden	Harkin	Nelson (FL)
Bingaman	Inouye	Nelson (NE)
Boxer	Kennedy	Obama
Brown	Kerry	Pryor
Byrd	Klobuchar	Reed
Cantwell	Kohl	Reid
Cardin	Landrieu	Rockefeller
Carper	Lautenberg	Salazar
Casey	Leahy	Sanders
Clinton	Levin	Schumer
Conrad	Lieberman	Specter
Dodd	Lincoln	Stabenow
Dorgan	McCaskill	Tester
		Webb
		Whitehouse
		Wyden

NAYS—46

Alexander	DeMint	McConnell
Allard	Domenici	Murkowski
Bennett	Ensign	Roberts
Bond	Graham	Sessions
Brownback	Grassley	Shelby
Bunning	Gregg	Smith
Burr	Hagel	Snowe
Chambliss	Hatch	Stevens
Coburn	Hutchison	Sununu
Cochran	Inhofe	Thomas
Coleman	Isakson	Thune
Collins	Kyl	Vitter
Corker	Lott	Voinovich
Cornyn	Lugar	Warner
Craig	Martinez	
Crapo	McCain	

NOT VOTING—3

Dole	Enzi	Johnson

The motion was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. CASEY). The Senator from New Jersey.

AMENDMENT NO. 352

Mr. MENENDEZ. Mr. President, just a little while earlier, I offered an amendment that deals with trying to move us forward in a middle ground on the question of cargo screening.

Last week, this body voted down an amendment that I offered with Senator SCHUMER that would have set some strong, clear deadlines to achieve 100 percent scanning of cargo coming into our Nation's ports. While I wish we could have persuaded more of our colleagues to support this framework for expanding scanning of our cargo containers, I understand a number of our colleagues have serious concerns about the consequences of setting a strict timeline to achieve 100 percent scanning. I hope this body will take a step forward toward achieving that goal rather than take no action at all.

With that in mind, the amendment I have offered I hope will find a middle ground. This amendment would ensure that we are indeed on the road to 100 percent scanning of cargo, but it would not do so within the confines of any strict deadline. Instead, it builds upon the framework of the SAFE Port Act to call for a plan to meet the goal of 100 percent scanning. The SAFE Port Act already requires the Department of Homeland Security to report on the lessons learned from the pilot program currently underway at six ports. This amendment would simply expand that reporting requirement by calling on the Department to submit a plan for achieving 100 percent scanning of cargo before it reaches U.S. ports.

I think all of us agree that we want to obtain the goal of 100 percent scanning of cargo containers. We may disagree on how to implement that goal or what timeline we should set, but at the end of the day I think we all know that 100 percent scanning is the ideal that we should strive for. That is essentially what this amendment is

about. It simply prods the Department to come up with a plan to take the lessons learned from the pilot project and submit a proposal for reaching 100 percent scanning.

We have to look at a few contradictions in our national security. Not everyone who walks into the White House is a high threat. Yet we screen 100 percent of people. We need to apply the same understanding to other aspects of our security. We must recognize that the terrorists will come to understand what we consider as high-risk cargo. As we say we are looking at high-risk cargo and we do 100 percent of that, that still leaves 95 percent of all the cargo unscanned. Eventually, the terrorists will adapt and they will determine that they should go and try to place their device in that which is not considered high-risk cargo. Without 100 percent scanning, we will not be able to adapt to terrorists as they change their tactics.

We have seen in aviation security how they have changed their strategy from box cutters, to shoes, to liquids. The methods they use to infiltrate our security continue to evolve. So must we. We are naive to think only high-risk cargo should be scanned. We need to be able to be as adaptable as they are so we can stay one step ahead.

My colleagues, in noting their opposition to the Schumer-Menendez amendment last week, did not object to the goal of reaching 100 percent scanning. In fact, the distinguished Senator from Maine stressed the importance of moving forward with vigorous implementation of the SAFE Port Act, including the requirement that 100 percent of all high-risk cargo be scanned. I would argue this amendment helps achieve that goal and will ensure that we continue to move forward toward 100 percent scanning.

Last year, I offered an amendment that would have required the Department to develop a similar plan to achieve 100 percent scanning, and there were a few provisions my colleague from Maine took issue with, and so we have amended this version. In the scheme of things, this is a very small additional requirement for the Department, but in my opinion it takes us a significant step forward toward a very crucial goal.

Finally, this amendment does not ignore the progress we are making because of the SAFE Port Act. In fact, it would build upon the SAFE Port Act's goal of expanding scanning at foreign ports on a reasonable timeline.

I also hope my colleagues will not look at the 9/11 Commission Report as a way to argue that improving security of our cargo is not in line with the 9/11 Commission recommendations. There is no doubt our ports remain one of the most vulnerable transportation assets. The 9/11 Commission recognized this. Let's take a step back and look at what the Commission actually said.

First, I think it is important to keep the Commission's report in context. It runs nearly 600 pages and covers an incredible amount of material, from a factual accounting of the events leading up to September 11, an assessment of the weaknesses of our national security, and, finally, what the Commission itself calls a limited number of recommendations. The recommendations are wide ranging in scope, and there is no way we can expect each recommendation to carry out each detail of what that recommendation should entail and the action that should be carried out.

In discussing cargo security, the Commission lumped it together with aviation and transportation security. Given the nature of the attacks, we understand the obvious focus on aviation security. However, the Commission also noted the vulnerabilities in cargo security and lamented the lack of a strategic plan for maritime security.

In making its recommendations on transportation security, the Commission called on Congress to do two very specific things: Set a specific date for the completion of these plans, and hold the Department of Homeland Security accountable for achieving them.

I could not agree more. We come to the floor calling for the opportunity to work our way, building upon the present port security initiative—to work our way to see the Department of Homeland Security give us a plan to achieve that final goal, recognizing all of the challenges. In doing so, we move closer and closer to that day in which, in fact, we will be adaptable to the reality that at some point the terrorists will come to understand that only going after high-risk cargo leaves them a huge opening, 95 percent of all the other cargo, to get in their weapon of mass destruction.

That is not a risk that we can afford. We need to be right all the time. They only need to be right once. Therefore, I believe this is an amendment that creates a middle ground and moves us forward to that 100 percent scanning opportunity and therefore improves our national security. I hope when the time comes to vote on it we will have the support of our colleagues in this body.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

The PRESIDING OFFICER. The Senator from Connecticut.

AUTHORIZING USE OF THE ROTUNDA OF THE CAPITOL

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. Con. Res. 15 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 15) authorizing the Rotunda of the Capitol to be used on March 29, 2007, for a ceremony to award the Congressional Gold Medal to the Tuskegee Airmen.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LIEBERMAN. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid on the table, and that any statements be printed in the RECORD with no intervening action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 15) was agreed to, as follows:

S. CON. RES. 15

Resolved by the Senate (the House of Representatives concurring), That the Rotunda of the Capitol is authorized to be used on March 29, 2007, for a ceremony to award a Congressional Gold Medal collectively to the Tuskegee Airmen in accordance with Public Law 109–213. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

IMPROVING AMERICA'S SECURITY ACT OF 2007—Continued

AMENDMENT NO. 352 WITHDRAWN

Mr. LIEBERMAN. Mr. President, on behalf of Senator MENENDEZ, I ask unanimous consent to withdraw amendment No. 352, which he had introduced earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 354 TO AMENDMENT NO. 275

Mr. LIEBERMAN. On his behalf, I send another amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for Mr. MENENDEZ, proposes an amendment numbered 354 to amendment No. 275.

Mr. LIEBERMAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the security of cargo containers destined for the United States)

On page 219, between lines 7 and 8, insert the following:

SEC. 804. PLAN FOR 100 PERCENT SCANNING OF CARGO CONTAINERS.

Section 232(c) of the Security and Accountability For Every Port Act (6 U.S.C. 982(c)) is amended—

(1) by striking ''Not later'' and inserting the following:

''(1) IN GENERAL.—Not later''; and

(2) by inserting at the end the following new paragraph:

''(2) PLAN FOR 100 PERCENT SCANNING OF CARGO CONTAINERS.—

''(A) IN GENERAL.—The first report under paragraph (1) shall include an initial plan to scan 100 percent of the cargo containers destined for the United States before such containers arrive in the United States.

''(B) PLAN CONTENTS.—The plan under paragraph (A) shall include—

''(i) specific annual benchmarks for the percentage of cargo containers destined for the United States that are scanned at a foreign port;

''(ii) annual increases in the benchmarks described in clause (i) until 100 percent of the cargo containers destined for the United States are scanned before arriving in the United States;

''(iii) the use of existing programs, including the Container Security Initiative established by section 205 and the Customs–Trade Partnership Against Terrorism established by subtitle B, to reach the benchmarks described in clause (i); and

''(iv) the use of scanning equipment, personnel, and technology to reach the goal of 100 percent scanning of cargo containers.

''(C) SUBSEQUENT REPORTS.—Each report under paragraph (1) after the intial report shall include an assessment of the progress toward implementing the plan under subparagraph (A).''.

Mr. LIEBERMAN. Mr. President, I believe the Senator from Pennsylvania is here. I will yield to him in a moment.

I am pleased to note the presence of the Senator from Illinois, who has come to the floor to propose an amendment with regard to the funding formula in the bill. This would make the third such amendment. I hope we will have a good, hearty debate on those three and then go to votes either later today or tomorrow morning on them which, of course, I hope will reject all three and sustain the wisdom of the committee, but that will be determined by the body.

I yield to the Senator from Pennsylvania.

AMENDMENT NO. 286 TO AMENDMENT NO. 275

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, on behalf of Senator LEAHY, Senator DODD, and myself, I call up amendment No. 286. This is an amendment which would repeal the provisions of the Military Commission Act, striking Federal court jurisdiction for habeas corpus except for the Circuit Court for the District of Columbia.

I have previously talked to Senator LINDSEY GRAHAM and Senator JON KYL to give them notice that we would be calling up this amendment. I discussed the issue with Senator LIEBERMAN, the manager of the bill, as to procedures which we may follow, but I wanted to call it up and have it pending and proceed to debate it at a later time.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself, Mr. LEAHY, and Mr. DODD, proposes an amendment numbered 286 to amendment No. 275.

The amendment follows:

(Purpose: To restore habeas corpus for those detained by the United States)

At the appropriate place, insert the following:

SEC. ____. RESTORATION OF HABEAS CORPUS FOR THOSE DETAINED BY THE UNITED STATES.

(a) IN GENERAL.—Section 2241 of title 28, United States Code, is amended by striking subsection (e).

(b) TITLE 10.—Section 950j of title 10, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) LIMITED REVIEW OF MILITARY COMMISSION PROCEDURES AND ACTIONS.—Except as otherwise provided in this chapter or in section 2241 of title 28 or any other habeas corpus provision, and notwithstanding any other provision of law, no court, justice, or judge shall have jurisdiction to hear or consider any claim or cause of action whatsoever, including any action pending on or filed after the date of the enactment of the Military Commissions Act of 2006, relating to the prosecution, trial, or judgment of a military commission under this chapter, including challenges to the lawfulness of procedures of military commissions under this chapter.''.

(c) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by this section shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to any case that is pending on or after the date of enactment of this Act.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. OBAMA. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Specter amendment which was just called up.

Mr. OBAMA. I ask unanimous consent to be added as a cosponsor to the amendment just introduced by Senator SPECTER.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 338 TO AMENDMENT NO. 275

Mr. OBAMA. Mr. President, I ask unanimous consent that the pending business be set aside so I may call up an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. OBAMA. Mr. President, I call up amendment No. 338 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. OBAMA], for himself, Mr. WARNER, Mr. COBURN, Ms. LANDRIEU, Mr. KENNEDY, Mr. MENENDEZ, Mrs. CLINTON, and Mr. SCHUMER, proposes an amendment numbered 338 to amendment No. 275.

The amendment follows:

(Purpose: To require consideration of high-risk qualifying criteria in allocating funds under the State Homeland Security Grant Program)

On page 69, strike line 15 and all that follows through page 70, line 2, and insert the following:

''(d) MINIMUM ALLOCATION.—

''(1) IN GENERAL.—In allocating funds under subsection (c), the Administrator shall ensure that, for each fiscal year—

''(A) except as provided in subparagraph (B), each State (other than the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands) receives an amount equal to not less than 0.25 percent of the total funds appropriated for the State Homeland Security Grant Program;

''(B) each State (other than the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands) that meets any of the additional high-risk qualifying criteria described in paragraph (2) receives an amount equal to not less than 0.45 percent of the total funds appropriated for the State Homeland Security Grant Program;

''(C) the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands each receives an amount equal to not less than 0.08 percent of the total funds appropriated for the State Homeland Security Grant Program; and

''(D) directly eligible tribes collectively receive an amount equal to not less than 0.08 percent of the total funds appropriated for the State Homeland Security Grant Program, except that this subparagraph shall not apply if the Administrator receives less than 5 applications for that fiscal year from directly eligible tribes or does not approve at least 1 such application for that fiscal year.

''(2) ADDITIONAL HIGH-RISK QUALIFYING CRITERIA.—The additional high-risk qualifying criteria described in this paragraph are—

''(A) having an international land border; or

''(B) adjoining a body of water within North America through which an international boundary line extends.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. OBAMA. Mr. President, it was a typical fall day in New York City. People were headed to work, cars were stuck in traffic, the subways were packed, and the construction crews were busy rebuilding at Ground Zero. Nearby, Con Ed personnel were at work in a manhole, and they made a tragic discovery: ID tags and human remains not seen since that other fall day 5 years earlier. The city paused again. It launched another effort to recover and identify those taken from us on that dark September day.

The recovery is continuing after all this time. The recovery continues 5½ years later, and just last week more victims were unearthed. After all this time, we are still recovering from September 11. Our prayers remain with the family members and friends who still mourn and miss the fathers and mothers and children who made their lives complete. During the Homeland Security Committee meeting to discuss the underlying bill, I met with some of those loved ones.

That is why we are here today. We are here to do the work that ensures no other family members have to lose a loved one to a terrorist who turns a plane into a missile, a terrorist who straps a bomb around her waist and climbs aboard a bus, a terrorist who figures out how to set off a dirty bomb in one of our cities. This is why we are here: to make our country safer and make sure the nearly 3,000 who were taken from us did not die in vain; that their legacy will be a more safe and secure Nation. That is what lies at the heart of this 9/11 bill. It is not just

about how we send the money from Washington to States and local governments; it is about saving lives and doing everything in our power to prevent another attack, to prevent another tragedy, to ensure no one climbs down a manhole expecting to do their work only to find the deceased left in darkness 5 years earlier. That is why we are here—to protect our people.

Most of us had hoped these steps would have already been taken, would have been taken many years ago, that we would have capitalized on the unity and national spirit we shared after the towers fell, the Pentagon was hit, and the Pennsylvania field smoldered. It is never too late to do, however, what is right for our country.

It has been more than 2½ years since the 9/11 Commission issued its report. Not only did the panel of dedicated American researchers find out what happened that day, but they also gave a list of serious recommendations about how to make our country safer in the future. The 9/11 Commission showed us how to move beyond the politics of division in order to achieve the solemn task of better protecting our country.

In its report, the Commission said the following:

> Homeland security assistance should be based strictly on an assessment of risks and vulnerabilities [and] federal homeland security assistance should not remain a program for general revenue sharing.

This is one of the goals of the 9/11 Commission. My amendment that I just introduced moves us closer to a true system of risk-based allocation of State homeland security grants and ensures that funding goes to areas most at risk of terrorist attacks.

This is not an issue of big States versus little States or urban States versus rural States. It is about good policy and about maximizing our use of the people's money.

Today, the system is set up so that all States receive at least .75 percent of the State Homeland Security Grant Program dollars. After each State receives that minimum level of funding, the dollars are then allocated according to risk. As a result, the current amount of State minimum funding eats up approximately 40 percent of that funding.

While the new bill does attempt to address this problem—and I applaud Chairman LIEBERMAN and Senator COLLINS for trying to bring the .75 percent down to .45 percent—the bill does not go far enough. It is a good first step, but we are already 50 yards behind, sending too much money to areas where there are not real risks, threats, and vulnerabilities. That is why we must use the most dollars in those areas which are at the greatest risk of attack. We cannot afford to waste a single cent on places that do not need immediate help when first responders in major cities still lack the basic communications equipment they need to talk to one another if, Heaven forbid, tragedy strikes again.

That is why the families of 9/11 recently issued a statement saying:

> Reports of air conditioned garbage trucks being purchased with homeland security funds are indicative of the frivolity that results from non risk-based methods. When the threat against our Nation is so real, we cannot afford not to take it seriously.

That is why the 9/11 Commission said Congress should not use this money as porkbarrel. That is why in 2005 the Commission issued a report giving the Nation an ''F'' for risk-based funding. That is why 9/11 Commission Chairman Lee Hamilton recently sent me a letter. He wrote:

> Since 9/11 and since the issuance of our report, the United States has not allocated homeland security resources wisely. Resources for homeland security are not unlimited, so it is thus essential that they be distributed based on a careful analysis of the risk, vulnerability and potential consequences of a terrorist attack. Adopting such a risk-based approach would make the best use of our homeland security resources, and would make the American people safer.

That is why 9/11 Commissioner Tim Roemer wrote in support of this amendment, saying:

> We cannot afford to waste any more money, time or effort.

That is why the amendment I offer today, a bipartisan amendment with the support of Senators WARNER, COBURN, LANDRIEU, KENNEDY, MENENDEZ, CLINTON, and SCHUMER, reduces the guaranteed State minimum to .25 percent and allows those States on our northern and southern borders to see an increased minimum of .45 percent. This basic framework was adopted by a wide bipartisan margin in the House in January.

It is time for all of us to approach homeland security funding not as something we can bring home to the States we represent but funding we can use to better protect the United States of America. As we lower the guaranteed amount, we increase the funding available to protect those places most at risk, and 40 States will receive either the same amount or an increase in the funding they need to better protect our borders, our ports, our railways, our subways, our chemical plants, our nuclear powerplants, our food supply, and our firefighters, police officers, and EMTs.

We have waited more than 5 years to better develop our approach to funding our security in a post-9/11 world. Sometimes division and politics have prevented us from doing what we need to do. But I believe those days are finally behind us. We have a real chance to not only learn from our mistakes but to get the job done and better protect our people. That is why we are here—to make our country as safe and secure as we can. That is the common cause we all share. The American people need to see that in us today. The 9/11 Commission experts that from us. The families and friends of the 9/11 victims are owed that from us—that we will never forget those who died. We will never forget those who are suffering and sick because of their heroism that day. We will never forget that 60 percent of the victims were never identified. We will never forget that we are still recovering from 9/11—and that is why our work goes on.

Mr. President, let me add one last point.

I recognize it is difficult for some to see any shift of funding because it is difficult if that State potentially sees their funding reduced. But even within Illinois, I confront some of these same issues.

The fact of the matter is I have fought at the State level and have said publicly we should make sure risk assessments entirely determine how money within Illinois is allocated. That is the same approach we need to take for the Nation as a whole. Keep in mind my home city of Chicago is actually doing quite well under the current formula. So this is not something that is based solely on any parochial concerns.

I ask unanimous consent that the statements of the 9/11 families, the 9/11 Commission chairman, Lee Hamilton, and 9/11 Commissioner Tim Roemer be printed in the RECORD, as well as a chart showing how each State would fare under my amendment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS,
Washington, DC, February 27, 2007.

Senator BARACK OBAMA,
Hart Senate Office Building,
Washington, DC.

DEAR BARACK: Thank you for inquiring about my position with regard to risk-based homeland security funding.

In our report, the 9/11 Commission issued the following recommendation:

''Homeland security assistance should be based strictly on an assessment of risks and vulnerabilities. Now, in 2004, Washington D.C. and New York City are certainly at the top of any such list. We understand the contention that every state and city needs to have some minimum infrastructure for emergency response. But federal homeland security assistance should not remain a program for general revenue sharing. It should supplement state and local resources based on risks or vulnerabilities that merit additional support. Congress should not use this money as a pork barrel.''

Since 9/11, and since the issuance of our report, the United States has not allocated homeland security resources wisely. Resources for homeland security are not unlimited, so it is thus essential that they be distributed based upon a careful analysis of the risk, vulnerability, and potential consequences of a terrorist attack. Adopting such a risk-based approach would make the best use of our homeland security resources, and would make the American people safer.

With best wishes,

Sincerely,

LEE H. HAMILTON,
President and Directors.

WASHINGTON, DC,
March 5, 2007.

Senator BARACK OBAMA,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR: The Homeland Security and Government Affairs Committee has produced a strong bill and is off to a productive

start, yet there are areas in need of improvement.

I am writing today to support your efforts to more fully implement the 9/11 Commission's recommendation that State homeland security grants should be based solely on an assessment of risks and vulnerabilities.

Your amendment moves in the right direction. By reducing the amount of funding available through the ''minimum allocation,'' this amendment increases the availability of funding for our most at-risk facilities and infrastructure.

As you know, the bi-partisan National Commission on Terrorist Attacks upon the United States, said:

''We understand the contention that every state and city needs to have some minimum infrastructure for emergency response. But Federal homeland security assistance should not remain a program for general revenue sharing. It should supplement state and local resources based on risks or vulnerabilities that merit additional support. Congress should not use this money as a pork barrel.''

Two years ago, the Commission gave Congress and the administration failing grades in their implementation of our recommendations: five Fs, twelve Ds, and 2 Incompletes. On homeland security, the government received an F because too many of our vulnerabilities received too few resources. We cannot afford to waste any more money, time or effort.

Obviously, there is much more to accomplish to make America safer. I commend these efforts to move the Senate in a better direction and believe this amendment creates the opportunity for the full spirit of the 9/11 Commission's recommendation to be realized in conference with the House.

Yours sincerely,

TIMOTHY J. ROEMER,
Former 9/11 Commissioner.

FAMILIES OF SEPTEMBER 11,
New York, NY, February 26, 2007.

STATEMENT REGARDING HOMELAND SECURITY GRANTS

Families of September 11 stands in strong support of allocating all homeland security grants based on risk. There are limited funds to protect our homeland—each and every dollar should be spent effectively on protecting the areas at most risk as a first priority. None should be used for general revenue sharing or political purposes.

The 9/11 Commission recommends that homeland security assistance be based ''strictly on an assessment of risks and vulnerabilities.'' They continue to say that ''Congress should not use this money as a pork barrel.'' We stand in complete agreement.

Reports of air-conditioned garbage trucks being purchased with homeland security funds are indicative of the frivolity that results from non risk-based allocation methods. When the threat against our nation is so real, we cannot afford not to take it seriously.

Congress has a duty to spend taxpayer dollars wisely to protect the homeland. Sometimes the right choices are not easy—we understand that. But the stakes are too high not to make them. We ask Congress to do what is right and to legislate that all homeland security grants be allocated strictly on appropriately-assessed risk.

State	Obama amendment	S. 4 as amended	Obama amendment less S. 4
Alabama	$12,173,119	$11,988,972	$184,147
Alaska	4,109,312	4,109,312	0
Arizona	13,232,207	12,961,248	270,959
Arkansas	2,282,951	4,109,312	(1,826,361)
California	134,446,429	130,575,288	3,871,141
Colorado	14,354,975	14,106,024	248,951
Connecticut	10,039,748	9,918,964	120,784
Delaware	5,368,960	5,386,903	(17,943)
District of Columbia	2,282,951	4,109,312	(1,826,361)
Florida	60,448,703	58,830,723	1,617,980
Georgia	29,078,462	28,392,210	686,252
Hawaii	2,282,951	4,109,312	(1,826,361)
Idaho	7,753,324	7,645,093	108,231
Illinois	49,264,671	47,978,868	1,285,803
Indiana	14,726,698	14,466,707	259,991
Iowa	10,007,425	9,887,601	119,824
Kansas	10,928,653	10,781,467	147,186
Kentucky	12,981,213	12,773,065	208,148
Louisiana	22,565,218	22,072,415	492,803
Maine	4,109,312	4,109,312	0
Maryland	11,688,262	11,518,515	169,747
Massachusetts	24,488,484	23,938,558	549,926
Michigan	32,771,939	31,920,631	851,308
Minnesota	4,109,312	4,109,312	0
Mississippi	2,282,951	4,109,312	(1,826,361)
Missouri	27,139,035	26,510,385	628,650
Montana	4,109,312	4,109,312	0
Nebraska	9,603,377	9,495,554	107,823
Nevada	8,876,092	8,789,870	86,222
New Hampshire	4,109,312	4,109,312	0
New Jersey	16,019,650	15,721,257	298,393
New Mexico	4,109,312	4,109,312	0
New York	75,487,831	73,367,819	2,120,012
North Carolina	21,886,418	21,413,777	472,641
North Dakota	6,234,105	6,170,997	63,108
Ohio	24,319,267	23,719,012	600,255
Oklahoma	12,690,299	12,490,791	199,508
Oregon	2,282,951	4,109,312	(1,826,361)
Pennsylvania	27,632,456	26,933,796	698,660
Rhode Island	2,282,951	4,109,312	(1,826,361)
South Carolina	11,866,043	11,691,016	175,027
South Dakota	2,282,951	4,109,312	(1,826,361)
Tennessee	2,362,848	4,109,312	(1,746,464)
Texas	71,301,900	69,306,214	1,995,686
Utah	2,282,951	4,109,312	(1,826,361)
Vermont	6,428,048	6,359,179	68,869
Virginia	13,352,937	13,133,748	219,189
Washington	24,610,182	24,001,285	608,897
West Virginia	10,152,882	10,028,738	124,144
Wisconsin	13,377,664	13,102,384	275,280
Wyoming	2,282,951	4,109,312	(1,826,361)

Mr. OBAMA. Mr. President, I wish to commend Chairman LIEBERMAN and Senator COLLINS for their hard work on this issue. I acknowledge that the underlying bill is an improvement over the status quo. It is just that we can do so much better. I ask that we ensure this amendment be included in the final package we vote on.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. OBAMA. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I thank the Senator from Illinois for his thoughtful statement on his amendment. I rise to respectfully disagree with it.

In our committee, we work very hard to not just balance the political interests, but to balance the needs of all parts of our country for a reasonable amount of homeland security funding, which we, consider, I think, consistent with the most progressive thinking on this subject which is to be not just terrorist-related funding but all-hazards-related funding.

In other words, when we send homeland security funding to a State or a municipality, we are trying to help them not only prepare for the possibility, God forbid, of a terrorist attack but also to be ready to respond to the much more common occurrence, which is to say a natural disaster. The funding formula we have presented, which was part of our bill that came out of our committee with strong bipartisan support, including the support of the

distinguished occupant of the chair, the Senator from Delaware, is I think a balanced proposal.

This distributes, in fact, most of the homeland security grant money based on risk, as the 9/11 Commission called for, but respectfully disagrees with the Commission that the money should all be distributed based on only risk because our conclusion is not based on theory but reality. Terrorists may strike anywhere in this country, not just in the big cities or the highest visibility targets, and we base that on what has happened around the world, what has happened here, in fact, with domestic terrorism, striking at the Murrah Federal Building in Oklahoma City, as we all remember some years ago, but around the world, terrorists striking at apartment buildings, discos, schools, in communities large and small.

Unfortunately, in this age we are living in post-9/11, we can all imagine, and I use that term in the way the 9/11 Commission did, that part of our failure as a nation before 9/11 was a failure of imagination, which is to say that we could not imagine that human beings would do what the terrorists did to us on 9/11.

After that, we started to imagine, and one can imagine the various targets in this open society of ours that terrorists who want to create havoc and fear can strike all around the country.

The other point is this, that everyplace in the country, as we saw in the case of Katrina, most visibly and movingly, can be struck by natural disasters. So the funding formula in the committee bill learns both from the tragic lessons of 9/11 and Katrina.

We have different grant programs. The Urban Area Security Initiative, the so-called UASI Grant Program, is totally and strictly, in terms of the 9/11 Commission, distributed based on risk. In fact, the State Homeland Security Grant Program which Senator OBAMA's amendment deals with, we think 95 percent of that will be given out based on risk.

Let me give a brief explanation of what is happening. This is in the weeds, but under current law, .75 percent is guaranteed—of the total funding for the State Homeland Security Grant Program—is guaranteed to each State. That is a minimum for each State for the reasons I have stated.

The House of Representatives, in their judgment, altered that and went to a minimum amount of .25. They did not literally respond to the 9/11 Commission recommendation for total risk, which is to say, whatever the Department of Homeland Security decided is a risk assessment formula for distribution, they lowered it to .25, as the amendment from the Senator from Illinois would do. The committee decided to reach for a compromise on this one and set a minimum of .45 percent of the total funding for every State.

We have done some runs on this. The formula says that, distribute the funds first based on risk, but then if States fall below the .45 percent, then give them that minimum. By our run of the numbers, based on the risk assessment standards the Department has been using, we think 95 percent of the money will, in fact, be distributed based on risk.

I wish to make this point, something that I think is sometimes overlooked in the discussion. Take the existing formula which has .75, three-quarters of 1 percent of the total, going to each State. The fact is, even under that formula, which only Senator LEAHY, in his wisdom, would preserve in his amendment—even under that formula, the lion's share of the money, or a very large share of the money, has gone to a very few States.

This graph shows that. The fact is, this is fiscal year 2006 funding. In fiscal year 2006, the State of California received $226 million in homeland security grant funding. That is more than the total received by the 22 States at the bottom that received the least funding, the minimum.

Now, as you can see in this chart, that is California. Next is New York. Next is Texas. The fact is almost half of the entire distribution of funding went to five States: California, Florida, Texas, Illinois, and of course New York. So what I am saying is that we are lowering that. I think the big States, the high-visibility potential targets are receiving a lot of money. It would be unfair to cut that even more. Now, Senator FEINSTEIN does not only do what Senator OBAMA does, she cuts into the minimums we have established in the new dedicated grant funding program for interoperability communications.

There I think we have a very strong argument that we want people, our first responders, to be able to communicate with one another, not only in acts of terrorism—in times of terrorism—but in times of natural disaster. The interoperability grants are important for that reason.

We have placed a chart on the desks of all the Senators, and it lists all the States. It shows that under the amendment the Senator from Illinois has introduced, 32 of the States will receive less guaranteed funding than they receive now.

Ironically, the District of Columbia is one of the entities that suffers the greatest cut. Of course, most anybody would say that the District of Columbia is a high-visibility target, in fact, was targeted through the Pentagon on 9/11/2001.

Respectfully, I will oppose the amendment of the Senator from Illinois.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I ask unanimous consent that Senator COLEMAN and Senator COBURN be added as cosponsors to the Collins amendment No. 342.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I rise in opposition to the amendment offered by the Senator from Illinois to reduce the minimum guarantee to States under the State Homeland Security Grant Program.

My colleague and friend from Connecticut has done an excellent job explaining the problems with this amendment. Let me reinforce a few of the points he has made. As my colleagues can see from the chart behind me, under Senator OBAMA's amendment, 32 States and the District of Columbia would have a decrease in the guaranteed funding. Under the Obama amendment, two previous targets of attack, both the District of Columbia and Oklahoma, would receive less guaranteed funding than 18 other States. Indeed, Senator OBAMA's own projections show that the District of Columbia, presumably one of the highest risk areas in the country, would lose almost 45 percent of its total funding under his proposal

I think we need to keep in mind that assessing risk is not an exact science. Who would have guessed that Portland, ME, would have been the departure point for two of the hijackers on 9/11? Who would have guessed that four of the hijackers would train and live in Norman, OK? Who would have guessed that two of the hijackers would have spent considerable time in Stone Mountain, GA? My point is the evidence is clear that terrorists train, hide, and transit through more rural areas, which is one reason that the chairman and I have put such emphasis on preventing terrorist attacks and have allocated a percentage of funds to be used specifically for that purpose.

Now I wish to specifically address the chart that is being circulated by the distinguished Senator from Illinois. The breakdown of the winners and losers under his amendment on his chart relies upon the Department of Homeland Security allocating future risk-based funding in the same manner as it did in 2006. We know that is not going to happen. The process by which the Department allocated funding based on its risk analysis was denounced all around. I could quote the Senators from New York and California, as well as the Senator from Connecticut, Minnesota, and myself. All of us believed that whether we represented big States, small States or medium-sized States, the methodology was flawed.

Indeed, the Department has moved away from that methodology. So it is a false assumption to assume the exact same risk analysis is going to be used in future years, when, in fact, we know it would not be. I wish to point out, in fiscal year 2006, 60 percent of the Homeland Security Grant funds were allocated based on risk. We are requiring that an estimated 95 percent be allocated based on risk, but we want that risk formula reported to Congress. We want to take a look at it. We are working with the Department on it. If we

are going to become better prepared as a nation, all States must have a predictable, steady stream of homeland security funding. We need to bring all States up to reach minimum levels of preparedness, because otherwise the terrorists will exploit the weak links.

We also know many of the parts of our critical infrastructure are located in more rural areas. Nuclear powerplants are a prime example. Military bases are yet another example. So the problem is one cannot assume the only targets are in large urban areas. That is not true.

There was another point the Senator from Connecticut made that is a very important point, and that is this is an all-hazards approach to funding. As the Presiding Officer well knows, because he participated so actively in the investigation held by the Homeland Security Committee into the failed response to Hurricane Katrina, there is virtually no area of our country that is immune from natural disasters. The same kinds of communications equipment that come into play when there is a terrorist attack are also needed when a hurricane or an ice storm or an earthquake strikes. So I think we have struck the right balance in our proposal.

Now, I would note the Senator's proposal does not hit my home State. It does not hurt Maine, because he has additional funding for border States, so I am not arguing out of a parochial interest. I am arguing for the formula in our bill because it takes an all-hazards approach. It understands all States have vulnerabilities. It recognizes we need to improve every link in the chain, that we need to bring all States up to minimal levels of preparedness, and they are simply not there now. It recognizes we need predictable funding streams so that States, regions, and communities can enter into multiyear projects, because a lot of these projects, such as with interoperable communications, require more than 1 year to get to the goal.

The potential of terrorist attacks against rural or at least nonurban targets is increasingly recognized as a national security threat. Our committee held hearings on the threat of agri-terrorism—an attack on our food supply. That would be devastating for our Nation. A study conducted by the Harvard School for Public Health shows rural areas face profound homeland security challenges. A great many power and water supplies, as well as virtually our entire food supply, are located outside of urban areas.

The RAND Corporation has repeatedly warned:

> 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, that report recognized much of the Nation's infrastructure and potential high-value targets are located in rural areas.

I hope our colleagues will join us in voting against the amendment offered by the Senator from Illinois. I truly believe it would not advance the goal we all share of strengthening our homeland security.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. OBAMA. If the Senator from Maine will yield, I want to ask a couple of questions based on my understanding. Maybe I am confused.

We based our assessment of which States see an increase, which States do not see an increase, and which States see a decrease under our bill on the CRS analysis, assuming $913 million appropriated. They tell us 34 States will see an increase in funding, 6 States will see the same amount of funding under my amendment to S. 4, and 10 States will see a loss. We have not had the benefit of the analysis that was just presented on that chart indicating 32 States would see a decrease, so I am curious if either the chairman or the Senator from Maine would tell me where they got that statistic. Because I understand the statement was made: Well, the formulas may change, and this was based on the previous formula.

I have no problem with changing the formula so it is more risk-based assessed. But I don't understand how it is that simply because we are going to eliminate some of the flaws of the previous formula that somehow—or the risk assessments, that somehow that is going to change the basic assessment that was made by the Congressional Research Service.

I am happy for either Senator to respond.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I will start a response. Senator OBAMA has circulated a document which indicates if this formula is applied, I believe 34 States will get more money than under our proposal. We have a chart we are circulating which says that, in fact, 32 States lose. That is translated into the map here. Here is what the difference is, because in some sense we are measuring different things. In our chart, we are measuring the guaranteed funding of .45 under ours and .25 under that of the Senator from Illinois. The reason we are doing that is because that is all we can say with certainty that is guaranteed. We are both in fact using the same bottom line or top line, which is $913 million, which is the level the bill, S. 4, authorizes for the State Homeland Security Grant funding. The reason this says 32 States and the District of Columbia will lose guaranteed funding under the amendment of the Senator from Illinois is because that is what we have studied: the guaranteed minimum. Because the rest is an assessment of risk that is left to the Department of Homeland Security which it applied this year and it has already said it would never apply again because it was so criticized by New York and others.

So let me in fairness yield—it takes two of us to equal the Senator from Illinois on this.

Mr. OBAMA. Very briefly——

Mr. LIEBERMAN. We will roundrobin. I yield to my friend from Illinois.

Mr. OBAMA. Thank you very much. I want to make clear now, it sounds to me as if we are comparing apples and oranges. Assuming we—which is what CRS did—apply the same formula on my amendment, my amendment would have 34 States see an increase in funding, and 6 States would remain the same. Now, if the funding formula changes, it might change 1 or 2 States, depending on what the risk assessments were, but it is not going to result in 32 States suddenly seeing a decrease in funding. This is a decrease in funding based on the bare minimums without applying any of the additional funding which we know is going to be coming. So it strikes me that chart does not describe at all the reality of what would happen under my amendment. I want to make sure I am clear in terms of what we are preparing here, because the best estimate of how this funding will be impacted is based on the CRS's own assessment of what would have happened this year.

Ms. COLLINS addressed the Chair.

The PRESIDING OFFICER (Mrs. MCCASKILL). Does the Senator yield?

Mr. OBAMA. It is their time.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. OBAMA. I certainly yield to the distinguished Senator from Maine to respond to my inquiry.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Thank you, Madam President. I thank the Senator from Illinois so that I may respond to his questions.

The only thing we can count on is what the minimum is going to produce. CRS, the same as the Senator from Illinois, used last year's DHS risk assessment—a risk assessment we already know DHS has abandoned; a risk assessment that resulted in significant cuts in funding to New York City; a risk assessment that was roundly criticized by virtually every member of our Homeland Security Committee. What we are trying to do is to share with our colleagues what we know for sure, and what we know for sure is what the impact of the minimum funding percentage is under our proposal versus under the proposal of the Senator from Illinois.

What we did is we looked at what the guaranteed funding—that is why it says guaranteed funding—would be under Senator OBAMA's amendment, and as you see 32 States and the District of Columbia would lose under the amendment. I say to my friend from Illinois that I am surprised he would want to cut funding for the District of Columbia when that is a high-risk area that did not do well under the Department's formulation of applying risk

and thus does not do well under the formula of the Senator from Illinois.

Mr. OBAMA addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. OBAMA. Madam President, I want to be exactly clear on what we are talking about here so there is no confusion among my colleagues. No one disputes that under my amendment, the minimum funding changes. That is the whole point of the amendment, is to change the minimum funding levels and shift more of the money into the risk-based assessment. So to state that 32 States lose on the minimum funding levels is to state the obvious. That is the point of the amendment.

The point is more money then goes into the risk-based funding, and when you factor that in, unless there is going to be no risk-based funding—I mean I suppose that is a possibility, but I don't think so—all that money, when you factor it in, will result in, under last year's formula, 34 States gaining and 6 States staying the same.

Now, I also agree with the distinguished Senator from Maine that there were problems with last year's formula, and I am fine with changes to that formula. I have actively supported changes to that formula, including any possible shortchanging of high-risk areas such as Washington, DC or New York.

The point of my amendment is very simple, and that is more money is allocated on the basis of risk. I am not concerned about predetermining where those risks are. That is the job of the Department of Homeland Security, and that is the purpose of our amendment.

I want to be clear. Under your chart, Illinois loses money that is guaranteed under the minimum funding, as does New Jersey, Oklahoma, and Louisiana. But I would note that Senators MENENDEZ, COBURN, and LANDRIEU were all cosponsors because they understand when the money is allocated based on risk, then wherever we live throughout the United States, we are going to be potentially better off.

I am going to make one last point and then I am happy to listen to a response. Both Senators LIEBERMAN and COLLINS talked about an all-hazards funding approach. I have no objection to that either. But keep in mind, we are talking here about the State Homeland Security Grant Program, which is not supposed to be targeted at all hazards. We have a separate program—the Emergency Management Grant Program—that is supposed to be addressing all hazards and that is why this amendment does not touch that portion of homeland security funding that is directed at all hazards. That is not the purpose of the State Homeland Security Grant Program. The purpose of that is supposed to be to deal with potential terrorist threats. That is why the 9/11 Commission and Chairman Lee Hamilton of the 9/11 Commission and the 9/11 families, all of whom I think have great concern about the safety of all Americans, indicate it makes sense for us to allocate this as much on the basis of risk as possible.

It is for that reason that the House allocated funding on the basis of the formula we are discussing. I wish to make sure that anybody who is listening understands, yes, the guaranteed minimum funding might be less for 32 States, but that is because more of the money goes into the pot based on risk. When you add the funding that will be allocated on the basis of risk, then we can assume that at least 34 States would see an increase under my amendment, and 6 States would see about the same amount of funding. If the formula changes, it is conceivable that instead of 34 States, it may be 32 States or 36 States that see an increase in funding; instead of 6 States with the same amount under both amendments, it might be 4 States or 8 States. But the basic principle is that the funding is going to be allocated on risk. The Emergency Management Planning Grant Program deals with all-hazards funding.

Mr. LIEBERMAN. Madam President, very briefly, this is an important debate. I say this to my friend from Illinois about the CRS estimate of his amendment.

If you take the risk analysis the Department of Homeland Security applied for this year, those numbers look correct. But what we are saying is we know the Department of Homeland Security would not use that same risk analysis because they have said so. We also know the risk analysis has changed year by year through the Department of Homeland Security. I am going to be real local about this. My hometown, New Haven, CT, in the fiscal year 2004 grant, got a grant under the Homeland Security Grant Funding Program, specifically the Urban Area Security Initiative. In the years since then, because the risk analysis changed, New Haven has received zero UASI money. So that is the basis on which we contend that the Senator's amendment would amount to 32 States getting less money than they would under our proposal.

Our proposal is evaluated based on the guaranteed minimum because that is all we will know for sure after we adopt the law.

My friend from Illinois is good, but he has not reached the level of prophet. None of us can know—perhaps Secretary Chertoff—what the Department of Homeland Security will use as a risk analysis formula in the years ahead. The top five States are getting about half of the homeland security grant funding now at the .75 level, and we are coming in, in the spirit of compromise, at .45. So they will probably get a larger share of that money—California, Florida, Texas, Illinois and, of course, New York.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. CARPER. Madam President, I think it has been a good debate. The Senator from Illinois offered a thoughtful amendment, raised some questions, and I think the managers of the bill, the Senators from Connecticut and Maine, have defended well the language in the bill.

For our colleagues who may be watching this—or if they are at committee hearings, perhaps their staffs are watching—I ask a couple of rhetorical questions as we decide how to vote on Senator OBAMA's amendment.

Should most of the funds for homeland security be allocated on the basis of risk? Sure. Should the lion's share of the funding be allocated on the basis of risk? Certainly, it should. Should all the funding for homeland security be allocated on the basis of risk? No.

What Senator OBAMA is trying to do is thread the needle and get us closer to somewhere between the lion's share and all the funds being allocated on the basis of risk. We have all heard the old adage that beauty is in the eye of the beholder. So is risk. Senator COLLINS talked about some staging that was done by the perpetrators of violence on 9/11 from places such as Stone Mountain, GA; Portland, ME; and maybe Norman, OK. Maybe Senator LIEBERMAN talked about the kinds of targets that terrorists have chosen in this country and others that maybe would not have come to mind, such as the Federal courthouse in Oklahoma City, in a disco or a bus or a train.

I don't think most people think of Delaware as a very high-risk State. As we think what is a target for terrorists, in my State we have a lot of chemical plants. Delaware used to be known as the chemical capital of the world; I don't know if it still is. We have a lot of inviting targets for people who want to do mischief. There are nuclear powerplants across the river in New Jersey, and they are closer to my home than to the Senator's from New Jersey. We have northeast corridor train tracks, not just for passengers, that run up and down my State on which all kinds of hazardous cargo is carried by Norfolk Southern and CSX Railroad. We have a busy Delaware River; hazardous cargo goes down that river every day.

Some people might look at those in my State and say there is not much risk there and, as a result, they don't need extra money. In my judgment, those are risky targets, which invite some mischief. We don't need an enormous amount of money to help prepare for some harm that may come to those targets and the people who live around them, but we need a reasonable amount. The idea that .45 percent of one program, among several that are funded through this bill, is somehow too much, I don't buy that. The real compelling point is that, if you do the math, multiply .45 percent times 50 percent, you come up with .22, .23 percent on the basis allocated by the fact that your State is under the minimum.

When you run through the numbers, as the Senators have said, 95 percent of the money under this funding program, the State Homeland Security Grant Program, would be allocated on the basis of risk. For the Urban Area Security Initiative, I think all the money is allocated on the basis of risk.

That having been said, we can have ''food fights,'' I call them, and debates all day trying to figure out should the minimum be .75 or .45 or .25 percent. Our committee said .75 percent is too much. We believe .25 percent as a minimum is too little. We believe .45 percent, which leads to about 95 percent of the funding under this specific grant program being allocated on the basis of risk, is about right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. OBAMA. Madam President, I have a very quick comment, and then I will yield to the Senator from New Jersey, who wants to speak on this amendment. I wish to make perfectly clear that the statement made by the Senator from Delaware is absolutely right. Every State has some risks. I have no doubt that Delaware has chemical plants and there are ports and various facilities that constitute real risk. Under the formula I am advocating, the funding is allocated on the basis of risk that will take into account such infrastructure. The notion somehow that the Department of Homeland Security will not take chemical plants into account is simply incorrect.

Rural States, small States, large States—for all states, all of the allocations that are made, other than the .25 percent guaranteed level of funding, would be made on the basis of risk. The Department of Homeland Security will presumably make an educated, expert assessment on the risk that exists in Delaware, Maine or Connecticut. So it is not as if those States would not be getting money under this amendment. It is simply that the judgment of those experts, who are paid to determine what the threats are and what the risks are, would be the guiding basis upon which we make these decisions.

Mr. CARPER. Before the Senator yields, I have one further comment. I take far greater comfort in the words of my friend from Illinois. But what we heard about Washington, DC,—this place was a target. We had people who lost their lives not many miles from where we are. There was another plane trying to get here. Somehow this place, our Nation's capital, which we acknowledge was a prime target on 9/11, and probably is today, should somehow be allocated less funding under the formulas—not the one in the bill but allocated less funding—doesn't make sense to me.

The PRESIDING OFFICER. The Senator from Illinois still has the floor.

Mr. OBAMA. Madam President, I would like to yield the remaining time to the Senator from New Jersey.

The PRESIDING OFFICER. There is no controlled time.

Mr. OBAMA. The Senator from New Jersey has been waiting for quite some time.

Mr. KYL. Madam President, I ask unanimous consent that the pending amendment be temporarily laid aside for the purpose of resubmittal of a technical correction to an existing amendment and laying down a second amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 317, AS MODIFIED

Mr. KYL. First, I ask unanimous consent that amendment No. 317 be modified, and I send the modification to the desk. The minority has been given a copy.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

The amendment (No. 317), as modified, is as follows:

(Purpose: To prohibit the rewarding of suicide bombings and allow adequate punishments for terrorist murders, kidnappings, and sexual assaults)

At the end, add the following:

SEC. ___. PREVENTION AND DETERRENCE OF TERRORIST SUICIDE BOMBINGS AND TERRORIST MURDERS, KIDNAPPING, AND SEXUAL ASSAULTS.

(a) OFFENSE OF REWARDING OR FACILITATING INTERNATIONAL TERRORIST ACTS.—

(1) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

''§ 2339E. Providing material support to international terrorism

''(a) DEFINITIONS.—In this section:

''(1) The term 'facility of interstate or foreign commerce' has the same meaning as in section 1958(b)(2).

''(2) The term 'international terrorism' has the same meaning as in section 2331.

''(3) The term 'material support or resources' has the same meaning as in section 2339A(b).

''(4) The term 'perpetrator of an act' includes any person who—

''(A) commits the act;

''(B) aids, abets, counsels, commands, induces, or procures its commission; or

''(C) attempts, plots, or conspires to commit the act.

''(5) The term 'serious bodily injury' has the same meaning as in section 1365.

''(b) PROHIBITION.—Whoever, in a circumstance described in subsection (c), provides, or attempts or conspires to provide, material support or resources to the perpetrator of an act of international terrorism, or to a family member or other person associated with such perpetrator, with the intent to facilitate, reward, or encourage that act or other acts of international terrorism, shall be fined under this title, imprisoned not more than 25 years, or both, and, if death results, shall be imprisoned for any term of years or for life.

''(c) JURISDICTIONAL BASES.—A circumstance referred to in subsection (b) is that—

''(1) the offense occurs in or affects interstate or foreign commerce;

''(2) the offense involves the use of the mails or a facility of interstate or foreign commerce;

''(3) an offender intends to facilitate, reward, or encourage an act of international terrorism that affects interstate or foreign commerce or would have affected interstate or foreign commerce had it been consummated;

''(4) an offender intends to facilitate, reward, or encourage an act of international terrorism that violates the criminal laws of the United States;

''(5) an offender intends to facilitate, reward, or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of the United States Government;

''(6) an offender intends to facilitate, reward, or encourage an act of international terrorism that occurs in part within the United States and is designed to influence the policy or affect the conduct of a foreign government;

''(7) an offender intends to facilitate, reward, or encourage an act of international terrorism that causes or is designed to cause death or serious bodily injury to a national of the United States while that national is outside the United States, or substantial damage to the property of a legal entity organized under the laws of the United States (including any of its States, districts, commonwealths, territories, or possessions) while that property is outside of the United States;

''(8) the offense occurs in whole or in part within the United States, and an offender intends to facilitate, reward or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of a foreign government; or

''(9) the offense occurs in whole or in part outside of the United States, and an offender is a national of the United States, a stateless person whose habitual residence is in the United States, or a legal entity organized under the laws of the United States (including any of its States, districts, commonwealths, territories, or possessions).''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 113B of title 18, United States Code, is amended by adding at the end the following:

''2339D. Receiving military-type training from a foreign terrorist organization.

''2339E. Providing material support to international terrorism.''.

(B) OTHER AMENDMENT.—Section 2332b(g)(5)(B)(i) of title 18, United States Code, is amended by inserting ''2339E (relating to providing material support to international terrorism),'' before ''or 2340A (relating to torture);''.

(b) INCREASED PENALTIES FOR PROVIDING MATERIAL SUPPORT TO TERRORISTS.—

(1) PROVIDING MATERIAL SUPPORT TO DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.—Section 2339B(a) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''25 years''.

(2) PROVIDING MATERIAL SUPPORT OR RESOURCES IN AID OF A TERRORIST CRIME.—Section 2339A(a) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''40 years''.

(3) RECEIVING MILITARY-TYPE TRAINING FROM A FOREIGN TERRORIST ORGANIZATION.—Section 2339D(a) of title 18, United States Code, is amended by striking ''ten years'' and inserting ''15 years''.

(4) ADDITION OF ATTEMPTS AND CONSPIRACIES TO AN OFFENSE RELATING TO MILITARY TRAINING.—Section 2339D(a) of title 18, United States Code, is amended by inserting '', or attempts or conspires to receive,'' after ''receives''.

(c) DENIAL OF FEDERAL BENEFITS TO CONVICTED TERRORISTS.—

(1) IN GENERAL.—Chapter 113B of title 18, United States Code, as amended by this section, is amended by adding at the end the following:

"§ 2339F. Denial of Federal benefits to terrorists

''(a) IN GENERAL.—Any individual who is convicted of a Federal crime of terrorism (as defined in section 2332b(g)) shall, as provided by the court on motion of the Government, be ineligible for any or all Federal benefits for any term of years or for life.

''(b) FEDERAL BENEFIT DEFINED.—In this section, 'Federal benefit' has the meaning given that term in section 421(d) of the Controlled Substances Act (21 U.S.C. 862(d)).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 113B of title 18, United States Code, as amended by this section, is amended by adding at the end the following:

''2339F. Denial of Federal benefits to terrorists.''.

(d) ADDITION OF ATTEMPTS OR CONSPIRACIES TO OFFENSE OF TERRORIST MURDER.—Section 2332(a) of title 18, United States Code, is amended—

(1) by inserting '', or attempts or conspires to kill,'' after ''Whoever kills''; and

(2) in paragraph (2), by striking ''ten years'' and inserting ''30 years''.

(e) ADDITION OF OFFENSE OF TERRORIST KIDNAPPING.—Section 2332(b) of title 18, United States Code, is amended to read as follows:

''(b) KIDNAPPING.—Whoever outside the United States unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away, or attempts or conspires to seize, confine, inveigle, decoy, kidnap, abduct or carry away, a national of the United States, shall be fined under this title, imprisoned for any term of years or for life, or both.''.

(f) ADDITION OF SEXUAL ASSAULT TO DEFINITION OF OFFENSE OF TERRORIST ASSAULT.—Section 2332(c) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting ''(as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242)'' after ''injury'';

(2) in paragraph (2), by inserting ''(as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242)'' after ''injury''; and

(3) in the matter following paragraph (2), by striking ''ten years'' and inserting ''40 years''.

AMENDMENT NO. 357 TO AMENDMENT NO. 275

Mr. KYL. I send a second amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 357 to amendment No. 275.

Mr. KYL. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: to amend the data-mining reporting requirement to protect existing patents, trade secrets, and confidential business processes, and to adopt a narrower definition of data mining in order to exclude routine computer searches)

At page 174, strike line 1 and all that follows through page 175, line 18, and insert the following:

''The terms ''data-mining'' and ''database'' have the same meaning as in § 126(b) of Public Law 109–177.

(c) REPORTS ON DATA MINING ACTIVITIES BY FEDERAL AGENCIES.—

(1) REQUIREMENT FOR REPORT.—The head of each department or agency of the Federal Government that is engaged in any activity to use or develop data mining shall submit a report to Congress on all such activities of the department or agency under the jurisdiction of that official. The report shall be made available to the public, except for a classified annex described in paragraph (2)(H).

(2) CONTENT OF REPORT.—Each report submitted under paragraph (1) shall include, for each activity to use or develop data mining, the following information:

(A) A thorough description of the data mining activity, its goals, and, where appropriate, the target dates for the deployment of the data mining activity.

(B) A thorough description, consistent with the protection of existing patents, proprietary business processes, trade secrets, and intelligence sources and methods, of the data mining technology that is being used or will be used, including the basis for determining whether a particular pattern or anomaly is indicative of terrorist or criminal activity.''

Mr. KYL. Madam President, I rise today to address an amendment that I have filed to the 9/11 recommendations bill, amendment no. 317. This amendment would prohibit rewarding the families of suicide bombers for such attacks, and stiffen penalties for other terrorist crimes.

The first part of the amendment would create a new offense of aiding the family or associates of a terrorist with the intent to encourage terrorist acts. This provision is targeted at those individuals who give money to the families of suicide bombers after such bombings. The amendment would make it a Federal offense to do so if the act can be connected to the United States, and if die defendant acted with the intent to facilitate, reward, or encourage acts of international terrorism.

Let me offer an example of why this amendment is necessary. In August 2001, a Palestinian suicide bomber attacked a Sbarro pizza parlor in Jerusalem. He killed 15 people. Among those killed was an American citizen, Shoshana Greenbaum, who was a schoolteacher and who was pregnant at the time.

Shortly after this bombing took place, the family of the suicide bomber was told to go to the Arab Bank. The bomber's family began receiving monthly payments through an account at that bank, and later received a lump sum payment of $6,000.

According to accounts in the press, this is not the only time that the Arab Bank has funneled money to the families of suicide bombers. One news account describes a branch of the bank in the Palestinian territories whose walls are covered with posters eulogizing suicide bombers.

According to other news accounts, suicide bombers in the Palestinian territories are recruited with promises that their families will be taken care of financially after the attack. Saudi charities, the Palestinian authority, and even Saddam Hussein have rewarded suicide bombers' families for their acts. According to the BBC, Saddam Hussein paid a total of $35 million to terrorists' families during his time.

Obviously, Saddam Hussein's actions are no longer a concern, but we should all be deeply concerned about other wealthy individuals and financial institutions who continue to pay out these rewards. It is undoubtedly the case that in some instances these payments make the difference in whether an individual will commit a suicide bombing.

My amendment would make it a Federal crime, with extraterritorial jurisdiction in cases that can be linked to U.S. interests, to pay the families of suicide bombers and other terrorists with the intent to facilitate terrorist acts.

My amendment also makes several other needed improvements to our antiterrorism laws.

The amendment increases the maximum penalties for existing material support offenses. The material-support statutes have been the Justice Department's workhorse in the war against terrorists, accounting for a majority of prosecutions. These statutes are also very effective at starving terrorist groups of resources. My amendment increases the penalty for giving material support to a designated foreign terrorist organization from a maximum of 15 years to a maximum of 25 years. The penalty for providing material support to the commission of a particular terrorist act is increased from a maximum of 15 years to a maximum of 40 years. And the maximum penalty for receiving military-type training from a foreign terrorist organization is increased from 10 years to 15 years. The amendment also adds attempts and conspiracies to the substantive offense of receiving military-type training, and denies Federal benefits to persons convicted of terrorist offenses.

Finally, my amendment expands existing proscriptions on the murder or assault of U.S. nationals overseas for terrorist purposes, so that the law punishes attempts and conspiracies to commit murder equally to the substantive offense. The amendment adds a new offense of kidnapping a U.S. national for terrorist purposes, regardless of whether a ransom is demanded. And the amendment adds sexual assault to the definition of the types of injury that are punishable under the existing offense of assault resulting in serious bodily injury.

I ask unanimous consent that a number of news articles be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Federal News Service, May 11, 2005]

PROGRAM TRANSCRIPT—FUNDING TERRORISM

BRIAN WILLIAMS: Following the money in the war on terrorism. As NBC News first reported a few weeks ago, U.S. government regulators have uncovered evidence that suggests a prominent Middle Eastern bank with

a branch here in New York City has had dozens of suspected terrorists as customers and may even have transferred funds for suspected al Qaeda terrorists through its New York office.

Now U.S. News has learned a criminal investigation of the bank is under way. Our NBC News senior investigative correspondent, Lisa Myers, has our exclusive report in depth.

LISA MYERS: August 2001. A suicide bomber hits the Sbarro pizza parlor in Jerusalem, killing 15, including an American—Shoshana Greenbaum, a pregnant schoolteacher.

The Palestinian bomber? Izz Ad-Din Al-Masri. His parents told NBC News that soon after the bombing a group which helps families of suicide bombers told them they'd be compensated for their son's 'sacrifice.'

'They told me to go to the Arab Bank and open an account and you will receive a salary.'

He says almost immediately he began receiving $140 a month. And after the Israelis leveled his house, he says he was told to go the bank and pick up more money.

(Myers' question to Shuhail Ahmed Al-Masri, Izz Ad-Din Al- Masri's father): So you went to the Arab bank, and they gave you $6,000?

SHUHAIL AHMED AL-MASRI: Yes. Six thousand dollars.

MYERS: This is the branch of the Arab Bank where Al-Masri's father says he was told to open an account, where he says received money almost every month for the last three years.

The branch, plastered with posters eulogizing suicide bombers, isn't the only one allegedly paying bombers' families. This ad in a Palestinian newspaper told dozens of martyrs' families to pick up money at the nearest branch of the Arab Bank.

Jimmy Gurule was a top U.S. official in charge of cutting off money to terrorists.

JIMMY GURULE (former U.S. Treasury official): Those types of payments were aiding and abetting terrorism.

MYERS: The FBI tells NBC News that it's now conducting a criminal investigation into the Arab Bank's alleged movement of funds for suspected terrorists. The investigation was triggered after U.S. regulators examined Arab Bank operation in New York City, here in this building on Madison Avenue.

U.S. officials tell NBC News that regulators found that the bank had as customers 40 to 60 suspected terrorists and groups allegedly associated with al Qaeda, Hamas and Hezbollah. Officials say all had accounts with the bank or had moved money through the NEW YORK office.

GURULE: I'm not aware of another situation involving a bank operating in the United States that has conducted itself in such a manner.

MYERS: The Arab Bank, headquartered here in Jordan, turned down repeated requests for an interview, so we visited bank headquarters in Amman.

(Myers at the bank): Lisa Myers with NBC News.

MYERS: We only got as far as the lobby.

OMAR AL-SHEIK (Arab Bank official): Of course not.

MYERS: Does the bank believe it's proper to move money to help terrorists'?

OMAR AL-SHEIK: Of course not.

MYERS: In a statement, the Arab bank denies ever knowingly doing business with terrorists. And officials insist the bank has never moved money for anyone officially designated a terrorist by the U.S. government.

However, NBC News provided the bank with these documents showing it dealt with three Hamas terror groups, even after they were blacklisted by the U.S. It's against the law for banks in the U.S. to handle transactions for terrorists on the blacklist.

The bank says these three transactions still were legal because they occurred outside the U.S., but that in the future it will honor the U.S. blacklist worldwide.

As for suicide bombers, the Arab Bank strongly denies ever knowingly handling payments for bombers' families. 'Arab Bank considers suicide bombings an abominable human act.'

Then what about the ad telling bombers' families to collect money at the Arab Bank?

The bank says it didn't place the ad.

After NBC provided account numbers for the Al-Masris, the bank froze their account, which the bank claims was opened before the bombing.

Shoshana Greenbaum's father, who moved to Israel after her death, is now suing the bank.

ALAN HAYMAN (Greenbaum's father): This organization, if allowed to continue in business with a mere slap on the wrist, would be sending a message that it's perfectly all right to support terrorism.

MYERS: The Arab Bank, which Israeli officials call 'the Grand Central Station of terrorist financing,' has been forced down much of its U.S. operation but remains a dominant player in the Middle East.

ARAB BANK'S TERROR TRIAL HIT

A Federal judge in Brooklyn ordered Jordan's Arab Bank to stand trial in New York on charges that it knowingly financed the Palestinian suicide bombers who have killed and maimed thousands, including many American citizens.

The survivors of suicide attacks in Israel and family members of Americans killed or wounded in the attacks sued Arab Bank last year.

The suits argue the bank had full knowledge of the acts committed by their clients from Hamas, Palestinian Islamic Jihad and the Al-Aqsa Martyrs brigades.

The victims also charge Arab Bank's distribution of payments to the families of suicide bombers was a part of the terror recruiting process.

''[The charges] support an inference that Arab Bank and the terrorist organizations were participants in a common plan under which Arab Bank would supply necessary financial services to the organizations which would themselves perform the violent acts,'' wrote U.S, District Judge Nina Gershon in an opinion released yesterday.

In July, The Post broke the story that the bank required intricate and official so-called Martyr's Kits to process the payments, concrete proof that the bank knew where its payments were destined.

A bank spokesman said ''Arab Bank remains confident that it will prevail at trial. The bank abhors terrorism and has not, and would not, knowingly or willfully support terrorism.'' Judge Gershon dismissed the bank's argument that these were ''ordinary banking services.''

She said ''there is nothing routine about the services the bank is alleged to provide.''

SICK 'MARTYR KITS'—SECRET FILES FINGER BANK IN MIDEAST TERROR PAYOFFS

Secret documents known as ''martyrs' kits'' obtained by The Post provide a startling glimpse into the world of suicide bombers, who are recruited with promises that their families will be well taken care of financially.

These kits ensure that the families of Hamas, PLO and Palestinian Islamic Jihad killers get generous ''charitable donations'' from Saudi Arabia-based organizations and, while he was in power, Saddam Hussein.

The documents reviewed by The Post include a martyr kit for Maher Kamel Hbeishe, a Hamas fanatic who blew himself up on a Haifa bus Dec. 2, 2001, killing 15 Israelis and wounding 40.

Much of the kit's paperwork carries the corporate logo of the Arab Bank—the Middle East's most important and influential financial institution—and the numbers of the accounts through which his family was paid.

The cover on Hbeishe's file—in the records of Saudi relief committees—proclaims: ''the martyrs receive reward from their Lord, they and their light.''

Replete with florid Arabic tributes to dead terrorists, the paperwork explains the manner of death, making it clear that the bank knew exactly whom it was giving money to and why.

If the terrorist were successful, the family would receive $5,316; being wounded or captured would earn them a lesser amount.

Though small by Western standards, the payments are more than six times the West Bank's average annual income of $850.

To get its money, Hbeishe's family was most likely contacted by the so-called ''social welfare arm'' of Hamas and instructed to open up an Arab Bank account. Then representatives of Hamas would use the information in the martyrs' kit to provide the bank with the name of the attacker and the beneficiaries getting checks.

The Saudi charities—called relief committees—that provide the funding for the terrorists make no secret of their activities, even taking out full-page ads in newspapers. One such ad listed more than 1,000 individuals who had been wounded or captured by the Israelis during the intifada and whose families were eligible for benefits.

Every ad explicitly directs the family members to go to Arab Bank.

A bank spokesman said, ''Arab Bank abhors terrorism. The bank would never do business with individuals or organizations it knows to be terrorists.''

It said that the documents obtained by The Post proved only that relatives of the two suicide bombers had accounts there, which is not surprising given the bank's 50 percent market share in the West Bank.

Lee Wolosky, a lawyer suing the bank on behalf of families murdered in terrorist attacks, said, ''New Yorkers would be outraged if a bank on Madison Avenue was alleged to have provided financial support to the families of al Qaeda terrorists. These allegations are no different.''

[From the BBC News]

PALESTINIANS GET SADDAM FUNDS

Saddam Hussein has paid out thousands of dollars to families of Palestinians killed in fighting with Israel.

Relatives of at least one suicide attacker as well as other militants and civilians gathered in a hall in Gaza City to receive cheques.

''Iraq and Palestine are in one trench. Saddam is a hero,'' read a banner over a picture of the Iraqi leader and Palestinian leader Yasser Arafat at the ceremony.

With war looming in the Middle East, Palestinian speakers condemned the United States and Israel, which dismissed the ceremony as support for terrorism.

One by one, at least 21 families came up to receive their cheques from the Palestinian Arab Liberation Front (PALF), a local pro-Iraq group.

A Hamas suicide bomber's family got $25,000 while the others—relatives of militants killed in fighting or civilians killed during Israeli military operations—all received $10,000 each.

Another banner in the hall described the cheques as the ''blessings of Saddam Hussein'' and PALF speakers extolled the Iraqi leader in fiery speeches.

''Saddam Hussein considers those who die in martyrdom attacks as people who have won the highest degree of martyrdom,'' said one.

The party estimated that Iraq had paid out $35m to Palestinian families since the current uprising began in September 2000.

Saddam's avowed support for the Palestinians, and his missile attacks on Israel during the Gulf War, have won him wide backing in the territories.

Israel condemned the Iraqi handouts as funding for terrorism.

''It shows that Saddam is involved in every activity that is terrorism and murderous and leads to instability in the Middle East,'' said Amira Oron, a spokeswoman for the Foreign Ministry.

However, families at this week's ceremony said the money would be used to rebuild homes destroyed by Israel and bring up orphaned children.

''Saddam supports the families of the martyrs, not terrorism,'' said Ahmed Sabah, 69, whose son was killed by an Israeli missile strike in December.

''It is a shame that Arabs stand silent as America prepares to occupy Iraq.''

Israel blamed Mr Sabah's son Mustafa for bomb attacks on three Israeli tanks which killed seven soldiers in 2002.

Tahseen Maghani, whose Hamas militant son Karam was killed trying to infiltrate the Jewish settlement of Netzarim, said he would use the money to plant crops and build a house.

''These are tough times for Saddam but his kindness will help us a lot,'' he said.

''Saddam is the only one that has stood with us.''

Sabri Salama, a relative of two Palestinian teenagers killed in an Israeli air strike on Gaza in January, said America was ''the chief terrorist state''.

Ibrahim Zanen, a PALF spokesman, said he hoped the ceremony would not be the last.

[From the Daily Standard, Dec. 19, 2005]

MEET THE NEW BOSS—PRESIDENT ABBAS'S PALESTINIAN AUTHORITY LOOKS DISTRESSINGLY FAMILIAR

(By Scott Johnson)

Are things getting better in Israel? Charles Krauthammer recently observed that ''the more than four-year-long intifada, which left more than 1,000 Israelis and 3,000 Palestinians dead, is over. And better than that, defeated.'' Krauthammer believes that Israel's Gaza withdrawal was a success and that the electoral campaigns underway in both Israel and the Palestinian Authority can fairly be attributed to Israeli unilateralism and Palestinian maturation.

All of which may be true. Yet the news from Israel isn't all good. Far from it. The terror war against Israel certainly continues. Every day Israeli security forces receive 10 to 30 security alerts regarding prospective attacks within Israel. Only the successful attacks make the news, such as the December 5 bombing that took five lives at the mall in Netanya.

More worrisome is that the terror groups operate at will within the Palestinian Authority. Among them are Hamas, Hezbollah, and Palestinian Islamic Jihad—all groups with foreign bases of support in Syria, Iran, or Saudi Arabia. These groups parade openly and operate with impunity within the territory of the Palestinian Authority. The numerous security services of the Palestinian Authority have yet to disarm them. Other terror groups actually operate as militias under the umbrella of Fatah, the party over which Palestinian Authority President Mahmoud Abbas presides. Among them, for example, is the al-Aqsa Martyrs' Brigade.

The Palestinian Authority has also taken action to support terrorists within its jurisdiction. Rachel Ehrenfeld reported on the Palestinian Authority's continuing financial support of terrorists in a November 29 Jerusalem Post column. Ehrenfeld cited a senior PA official explaining that the Palestinian Authority has created a special committee to determine the pension eligibility of all members of armed organizations. Earlier reports indicate that the Palestinian Authority contributes $4 million a month to support terrorists held in Israeli jails. (For those looking to see the glass as half full, PA finance minister Salam Fayad resigned over this issue—which is a truly optimistic development.)

Earlier this month Israel National News reported that President Abbas approved a law providing financial support to the families of ''shahids'' (martyrs)—including suicide bombers. Abbas's approval of the law was announced in the pages of the semi-official PA newspaper, Al-Hayat Al-Jadida the day of the Netanya bombing. (In addition to the sums indicated in the linked story, the law provides for a lump sum payment of $2,200 to the surviving family of ''martyrs.'')

The law would allow the Palestinian Authority to step into the role—recently vacated by Saddam Hussein—of providing financial support to the families of suicide bombers attacking Israel. Asked for comment, a U.S. State Department Near East spokesman noted that Abbas had not signed the law and that the State Department had expressed its concern to Abbas regarding it.

That's technically true: The law has been passed twice by the PA legislative council. Abbas's signature and a third approval of the law by the PA legislative council are necessary for final enactment. Perhaps the State Department's expression of concern will head off its final enactment. Yet that the law that reached President Abbas's office—and that he appears to have announced his approval of it—seems telling.

[From the Washington Times, July 31, 2006]

ISLAMIST TERROR TWINS; SHI'ITE, SUNNI JIHADISTS POSE DANGER

(By Rachel Ehrenfeld)

It took the United States four years after September 11 to develop a useful working definition of the gravest danger to world peace. Last October President Bush finally identified our enemies: ''Islamic Radicals . . . empowered by helpers and enablers . . . strengthened by front operations who aggressively fund the[m].'' Making no distinction between Sunni or Shi'ite radicals, he concluded that defeating ''the murderous ideology of the Islamic Radicals,'' is the ''great challenge of our century.''

Mr. Bush keeps addressing the turmoil in the Middle East focusing on Hezbollah as a regional struggle. Yet, defeating Israel and controlling the Middle East is only part of the global mission of both Sunni and Shi'ite terrorists. Their goal is to establish the Caliphate, extending the rule of Shariah to the entire world.

Israel is now fighting two of radical Islam's most virulent versions—the Shi'ite Hezbollah and the Sunni Hamas. Israel fights not only for its own survival. Its ability to defeat Hamas and Hezbollah will determine the survival of the United States and all Western-style democracies.

When Hezbollah attacked Israel over two weeks ago, Mr. Bush accused Syria of being the primary sponsor of Hezbollah, providing it with shipments of Iranian-made weapons. The president added: ''Iran's regime has also repeatedly defied the international community with its ambition for nuclear weapons and aid to terrorist groups. Their actions threaten the entire Middle East and stand in the way of resolving the current crisis and bringing lasting peace to this troubled region.''

One wonders what the leader of the free world needs to witness before he connects the dots. Radical Islam, or Islamofascism, as he himself described it on other occasions, is not limited to the Middle East, or promoted and advanced only by Iran, Hezbollah and Syria. Sunni radicals such as Hamas, Islamic Jihad and the numerous offspring of al Qaeda pose similar threats to Israel, the region, the United States and the rest of the world.

All radical Muslims, according to the president, are terrorists ''target[ing] nations whose behavior they believe they can change through violence.'' Their goal, he said, is to ''establish a radical Islamic empire that spans from Spain to Indonesia.'' Then, they ''would be able to advance their stated agenda: to develop weapons of mass destruction, to destroy Israel, to intimidate Europe, to assault the American people, and to blackmail our government into isolation.''

''Against such an enemy there is only one effective response,'' concluded Mr. Bush: ''We will never back down, never give in, and never accept anything less than complete victory.'' Yet, Israel is pressured for restraint by most U.S. allies, including the Saudis.

Nonetheless, the White House, politicians and the international media fall all over themselves to praise the Saudis for admonishing Hezbollah as yet more evidence of their commitment to ending extremism. In fact, the Saudis demonstrate their commitment only to end Shi'a extremism. In typical double-talk, while lambasting Hezbollah, the Saudis refrain from condemning Hamas, and in fact, they are its principal financiers from the beginning.

On Tuesday, the Saudi Government announced generous financial contributions to rebuild Lebanon and Palestine. The Saudis also held a well-advertised ''popular fundraising campaign,'' urging Saudis, all Arabs and Muslims ''to show the usual generosity and commitment towards the Arabs and Muslim Nation.'' Last week's Saudi Telethon raised $32 million, and an additional $13.5 million was raised in the UAE. There is little doubt that some of this money would find its way to the families of ''martyrs'' from Hezbollah, Hamas and Islamic Jihad carrying out the ''mission'' of Jihad.

This fundraiser brings back memories of previous Telethons such as the April 2002 King Fahd-sponsored fundraiser for the Palestinian intifada, and the August 2005 Saudi fundraiser for the Palestinian cause, aired on Iqra TV. The organizers then stated: ''Jihad is the pinnacle of Islam. A person who cannot wage Jihad with his soul is required to wage Jihad with his money . . . our brothers in Palestine desperately need financial support, which goes directly to this cause, and helps them to carry out this mission.'' On July 27, $29 million were raised in the latest Saudi telethon. Some of this money would surely find its way to the families of ''martyrs'' from Hamas and Islamic Jihad carrying out the ''mission'' of Jihad.

The radical Sunni modus operandi differs not at all from that of Hezbollah's Shi'ite terrorists. Al Qaeda and Hamas also provide social services, jobs, medical care and schools to the needy. And like Iran and Hezbollah, the Saudis use their fortunes both to fund radical terrorist groups and to develop vast international Islamic communications networks which they leverage in order to expand their anti-American and anti-Israel propaganda, while aptly manipulating U.S. leaders and the media.

The Saudi fears of a nuclear Iran are behind their condemnation of Hezbollah. However, since Hassan Nasrallah is now the leading figure of the Arab world, supported by

The Muslim Brotherhood, and ''the most prominent cleric in the Arab world, [Sheikh Yousef Al] Qaradhawi,'' the Saudis can not afford to ignore Nasrallah's popularity. That is why the Saudis publicly asked the United States to pressure Israel into ceasefire. But the growing violence of and anti-American propaganda by Sunni radical groups worldwide funded by Saudi paymasters should serve as potent reminder for the U.S. to demand that our Saudi ''ally'' stop their own terrorist financing and the propagation of their own version of radical Islam, Wahhabism, around the world. Moreover, the United States should focus on developing alternative energy sources, consequently reducing billions of dollars now available to fund terrorism.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

AMENDMENT NO. 338

Mr. MENENDEZ. Madam President, I rise in strong support of the amendment by my distinguished colleague from Illinois. His effort is not about Illinois or any of the other significant States. His effort ultimately culminates in 34 States getting additional funds and moving far closer to the 9/11 Commission's unanimous bipartisan recommendation that funding for homeland security should follow risk and risk alone.

Having said that, he still doesn't deny to other States the opportunity to have some baseline of homeland security funding. He still preserves an element for all States. But I think here is how we determine the equation. It is very interesting that one chart says 32 States and the District of Columbia will lose, but that depends upon the factor you are using.

The reality is, under Senator OBAMA's amendment, which I am proud to cosponsor, when you include the totality of homeland security funds, 34 States receive an increase—that is a significant majority of the States—and we move closer to the public policy recommendation the 9/11 Commission made that all homeland security funding should be based on risk and risk alone.

Now, whether you were on the street below at the World Trade Center or across the river in New Jersey watching the towers burn or halfway across the country watching the horrific events unfold on television, we all experienced the blow our Nation suffered that day.

I say to my distinguished colleague from Maine who mentioned a stone—I forget exactly—a location in Georgia and some other locations in rural parts of America where supposedly some of the terrorists were, but where were their targets? Not where were they hiding, but where were their targets? Their targets are very clear.

We all suffered a blow that day, but there is something unique about the locations that were chosen by the terrorists to strike. Thousands work in the Pentagon. Roughly 50,000 people worked in what was the World Trade Center, and 200,000 visitors used to go there on any given day, including many of the people from my home State of New Jersey who perished that day. Where were the planes coming from? They were coming from major airports—Logan, Newark, Dulles. To where? To major cities in California—Los Angeles, San Francisco.

So the terrorists made calculations about where and how they could inflict the most damage on our Nation because while New York and the Pentagon were the epicenters of that act, the reality is the ripple effect came across economically as well as in terms of the loss of lives across the whole country. But they understood the unavoidable facts of where their targets were. Their targets were not in rural parts. They may have hidden there as they got ready to commit their dastardly act. Their targets were in the places they could make unavoidably the greatest impact. The fact is, these targets are consistently in some of the most densely populated areas of the Nation where the greatest risk lies.

This debate should not be about fighting to maintain a certain level of funding as general revenue sharing. At issue is how to best allocate limited resources to those parts of our Nation facing the greatest risk. Senator OBAMA does that by having 34 States enhance their position and 6 being unchanged.

We cannot deny that some States simply have more risk than others. Some States simply have more risk than others. Just as I would not argue for the same share of agricultural funding for New Jersey as Iowa, or I could not possibly make an intellectually honest fight for the same level of hurricane preparedness as Florida, neither can many of my colleagues argue that some States have the same risks as other States throughout the Nation. If we had unlimited funds, that would be different. That is not the case. The case is, we have limited funds.

Senator OBAMA's amendment clearly drives us closer and closer to risk being the determining factor. That is what the 9/11 Commission unanimously said, that is what the 9/11 families have said, that is what the Chairman and Vice Chairman of the 9/11 Commission said, that is what the amendment of the Senator from Illinois ultimately does, and that is why I am proud to be a cosponsor of the amendment and one that ultimately understands that there clearly are greater risks in certain parts of the Nation. The terrorists know that. They understand the greatest consequences they can strike at and create the greatest horror for their efforts, and that is going to be a continuing truth. It is a continuing truth I hope the Senate will acknowledge in voting for Senator OBAMA's amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. OBAMA. Madam President, I thank my distinguished colleague from New Jersey for an eloquent summation of what this amendment is about. What I would like to do is reiterate my response to some of the issues that were raised by the distinguished Senators from Connecticut and Maine.

No. 1, we are talking about real money. We don't have exact figures, but let's assume we are talking about around $80 million that would be shifted from guaranteed funding to the States and instead would be allocated on the basis of risk. That $80 million will mean firefighters are getting the equipment they need in States that have higher risks. It will mean more money will be available for interoperability systems. It means this money will be allocated to States that have chemical plants and nuclear plants in higher proportion than those States that do not. In each case, this money, under my amendment, will be allocated on the basis of the risk assessments made by experts, as recommended under the 9/11 Commission Report, and will not be allocated simply on the basis that every State gets a piece of the pie regardless of risk, threats and vulnerabilities.

To go back to the issue of how many States benefit or lose, my main point is that we all win when the money is allocated on the basis of risk. We all win. Every State wins. But in terms of the estimates of which States gain and which States lose, I reiterate, the chart that was put up by the Senator from Maine is only talking about the amount of money that is allocated on the basis of guaranteed funding, not based on risk. The additional funding, the lion's share of the funding, as the Senator from Delaware stated, will be allocated on the basis of risk, and once you factor that in, then you can be assured that the overwhelming majority of States will get more money under my amendment than they will under the underlying bill. That is the central point. Don't get confused when it is stated that 32 States stand to lose money under this amendment. They stand to lose the guaranteed money because more money goes back into risk assessment, and once it is put back into the States, then you will see a majority of States gaining under my amendment.

Madam President, there is one last point I wish to reiterate. One of the seemingly plausible arguments made by the Senator from Connecticut and the Senator from Maine was that we want an all-hazards funding approach—hurricanes, natural disasters. We want to make sure that money is fairly allocated. I reiterate, that is not the point of this program. We have another program that allocates on the basis of all hazards. That is the Emergency Management Planning Grant Program.

So if they want to make an argument that money should be allocated to all States at a certain percentage to guarantee minimum funding for all hazards funding, that is entirely sensible, but that is not what this funding stream is all about. This funding stream is supposed to address the specific risks and

threats of terrorism. So if we want to follow the recommendations of the 9/11 Commission Report, then we must protect against those particular risks for which the program is designed.

I appreciate the healthy debate. This does not always happen on the floor of the Senate. I thank my colleague from Connecticut, the chairman of the committee, for entertaining as many questions as he did, and I thank him for his patience.

I reiterate that the underlying bill is an improvement over the status quo, but the same principles that drove the Senator from Connecticut and the Senator from Maine to change and reduce the amount of minimum funding each State obtains is the same principle of my amendment. I just take it a step further.

In fact, I wouldn't be surprised that if you applied the manner of calculating funding that was up on the chart behind the Senator from Maine, it is not clear to me you wouldn't see a whole bunch of States losing under the change the Chairman has proposed as well. But what he realizes and the reason he thinks the underlying bill makes sense is because that money is going to be distributed based on risk, and in the end a lot of States will do better. This amendment is no different. It simply takes it a step further in line with what the House has done and in line with what the 9/11 Commission Report recommends.

I urge all my colleagues to join on this amendment. I believe it will be an improvement not just for some States but for the entire country.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank my friend from Illinois. It has been a good debate. Again, we don't have these often enough on the floor.

I hope our friends understand the difference. Again, we know we are basing our comparison of the two formulas on the guaranteed minimums, which are the only things we can be sure about. My friend from Illinois takes the risk assessment from this year and projects it forward. It happens to have underfunded the District of Columbia, which is why they lose under this proposal as well. I will leave that for the moment and simply say that we are having a good debate about how to distribute the money.

One thing I believe we all agree on—I know my friend from Illinois and I certainly do—is that the Federal Government has been underfunding the State Homeland Security Grant Program and all the others. So while we have these significant arguments about how to divide the pie, the other part of this debate—which, fortunately, we have an agreement on—is that the pie should be bigger.

In this bill, for State homeland security grants, we go back to the high level of fiscal year 2004, $3.1 billion. Quite shockingly, the administration has lowered the money in each of the years since then, though no one's estimate would say the threat to homeland security is less than it was in 2004. That agreement we have, though we have a mutually respectful disagreement about how to divide the pie.

While we are on this subject, there was a reference earlier on the question of how the money is being spent. We hear references to this now famous air-conditioned garbage truck from New Jersey. Likewise, there was apparently a police department that is purported to have purchased leather jackets for its officers. Presumably, allegedly, these items where purchased with State homeland security grant funds. If, in fact, that is what happened—although there is some suspicion that the air-conditioned garbage truck was bought with funds that came through the Department of Justice, not the State homeland security grant funding—it was, obviously, wrong and unacceptable. This has been used to undercut support for the program generally.

I assure my colleagues, however they vote on the funding formula—and, incidentally, New Jersey is one of the States, as the Senator from New Jersey indicated, that would gain under the amendment of the Senator from Illinois high-risk States can misspend money just as easily as low-risk States. In fact, they have more money to spend, so the probability is higher.

Here is what I want to assure my colleagues: S. 4, the underlying bill, is designed to make sure the money we send back to the States and localities is spent for homeland security. Under Homeland Security Presidential Directive No. 8, the Department of Homeland Security has issued target capabilities for prevention, preparedness, and response that all communities must be able to achieve. What are target capabilities? They include risk management, citizen preparedness, information sharing, intelligence gathering, and medical triage—all necessary elements of homeland security and disaster response.

Under the Post Katrina Act that stemmed from our committee's investigation of Government failures during Hurricane Katrina, the Senate and the House and the President implemented these target capabilities as statutory requirements. So S. 4 requires that all homeland security grants must be spent in a way that works to reach the specific target capabilities stipulated by the Department of Homeland Security and the national preparedness goal. Obviously, this air-conditioned garbage truck would be an illegal expenditure, as would the purported purchase of leather jackets for a police department somewhere in America. In turn, each of these expenditures, whether at the State, local, or tribal level, must be consistent with a State homeland security plan that is required by S. 4.

S. 4 authorizes specific uses for the grants; among which are the following:

Developing plans and risk assessments, which are essential for the optimal and most efficient allocation of resources;

Designing, conducting, and evaluating training and exercises, including for mass evacuations, as we learned was so essential in Hurricane Katrina;

Purchasing and maintaining equipment, such as interoperable communications devices that are critical to responding to a disaster;

Additional measures, including overtime personnel costs, when required to respond to an increase in the threat level under the Homeland Security Advisory System;

The protection of critical infrastructure and key resources; and

Establishing fusion centers that comply with specific information-sharing guidelines as described in title I of this bill.

S. 4 also ensures that the Department has the flexibility to approve activities funded by the grants, but again, all expenditures must be tied to the achievement of target capabilities.

Additionally, S. 4 contains explicit restrictions on the use of homeland security grants: We prohibit funds from being spent on recreational or social purposes.

These provisions, backed up by extensive accountability and audit requirements, will ensure that funds are spent in the most efficient and effective way possible. Some have suggested that the misuse of grant funds in the past has been a result of extraneous funds being distributed in the form of a State minimum. But, in fact, I point out that the air-conditioned garbage trucks were purchased by New Jersey—a State which my colleagues have pointed out is one of the higher-risk States, and has, in fact, received a significant portion of antiterrorism funding. Likewise, the leather jackets were purchased by the D.C. Police Department—again, one of the areas of the country with the highest risk assessments. So no State should be considered immune from such expenses, and it is wrong to imply a link to State minimums. S. 4 will ensure that each grant awarded is tied to a carefully analyzed homeland security plan, and is expended for a specific target capability.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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, earlier today, the Senate tabled an amendment offered by the Senator from South Carolina, Mr. DEMINT, that would have struck all of the provisions in the bill related to the employment rights of the employees of the Transportation Security Administration,

TSA. Last night, I filed an amendment on behalf of myself, Senator VOINOVICH, Senator WARNER, Senator SUNUNU, Senator COLEMAN, and Senator STEVENS that seeks to strike a middle ground in this area.

Through our committee's work on homeland security, it has become clear that the ability to respond quickly and effectively to changing conditions, to emerging threats, and to crisis situations is essential. From the intelligence community to our first responders, the key to this response is flexibility, putting assets and, more importantly, personnel where they are needed, when they are needed.

My question about giving TSA employees the right to collectively bargain is whether this additional right would hamper flexibility at this critical time.

I have been a strong supporter of Federal employees throughout my time in the Senate. I very much appreciate the work they do not only in the Department of Homeland Security but throughout the Federal Government. It is my hope that we will be able to work cooperatively to forge a compromise that preserves the needed flexibility that has been described to us in both classified sessions and open hearings while protecting the rights of TSA employees. These are employees who are working hard every day to protect us.

The TSA is charged with great responsibility. In order to accomplish its critical national security mission, the Aviation Transportation Security Act provided TSA with the authority to shift resources and to implement new procedures daily—in some instances hourly—in response to emergencies and changing conditions. This authority enables TSA to make the best and fullest use of its highly trained and dedicated workforce.

We have already seen the benefit of this flexibility. In both the aftermath of Hurricane Katrina and the thwarted airline bombing plot in Great Britain last year, TSA was able to change the nature of its employees' work and even the location of their work in response to these emergencies. Last December, when blizzards hit the Denver area and many local TSA officers were unable to get to the airport, the agency acted quickly, flying in voluntary TSOs from Las Vegas to cover the shifts and covering the Las Vegas shifts with officers transferred temporarily from Salt Lake City. Without the ability to rapidly ask for volunteers and deploy them to Denver, the Denver airport would have been critically understaffed while hundreds, perhaps thousands, of travelers were stranded. This flexibility is essential.

The legislation before the Senate is designed to implement the unfulfilled recommendations of the 9/11 Commission. Most of those recommendations were enacted in 2004, but when we look at this report we don't see recommendations about changing the employees' conditions at TSA. Before we so dramatically change the TSA personnel system, we must ensure that we do not interfere with TSA's ability to carry out its mission.

That doesn't mean the status quo is adequate. I believe we know enough now that we should proceed with providing TSA employees important protections enjoyed by other Federal employees. Let me mention two such important protections with which we should proceed. The first is to bring them under the Whistleblower Protections Act. There is simply no reason TSA employees should not enjoy the formal protections and procedures set forth in that act.

Second, these TSA employees should have the same kinds of rights as other Federal employees to appeal adverse employment actions—disciplinary actions, for example, demotions, even firings—to the Merit System Protection Board. That would give them an independent agency to review their complaints, and that is an important protection as well.

In addition to these two very important provisions, the amendment makes clear that TSOs have the right to join labor unions. My amendment also requires TSA to establish a pay-for-performance system. That already exists in the agency, but we want to codify that.

Finally, the amendment would require TSA and the Government Accountability Office, GAO, to report to Congress in 1 year to assess employment matters at TSA, indicating what further changes, if any, should be made in the TSA personnel system.

I believe this takes the right approach. This is not an all-or-nothing debate, and yet that is what we seem to have boiled it down to. I urge my colleagues to take a look at the amendment. I am very pleased to have the cosponsorship of several Senators, and I hope that we will have the opportunity to vote on it, if not today, tomorrow.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 294

Mr. COBURN. Madam President, I want to discuss an amendment that has been previously called up, amendment No. 294. This is an amendment on the 9/11 bill.

Mr. LIEBERMAN. Madam President, will the Senator yield for a question?

Mr. COBURN. I will be happy to yield for a question.

Mr. LIEBERMAN. I have no objection, obviously, to the Senator from Oklahoma proceeding to the discussion. I want him to know that Senator COLLINS and I are negotiating a consent agreement on votes on the funding formulas and we may, with the Senator's permission, interrupt him as he goes forward if we reach that agreement.

Mr. COBURN. I will be more than happy to be interrupted by the chairman.

Mr. LIEBERMAN. I thank the Senator.

Mr. COBURN. Mr. President, I am a member of the Homeland Security and Government Affairs Committee, as is the Presiding Officer today. We have gone through this bill—this is the second time—looking at 9/11 and what we need to do in terms of our risk, in terms of how we protect the homeland.

As this bill is drafted, its implementation authority never expires. It never stops. So what we have is approximately $4 billion a year from now on. Actually, what we say is: however much money is needed in year four of the bill to be spent on homeland security, whether or not we need to or whether it is time to relook at the priorities of the bill.

This is an amendment that I offered in committee. I got one Democratic vote for it and my own. But what this amendment does is sunset this bill in 5 years and says it is time to take a look at it again.

One of the critical things we did following 9/11 was the PATRIOT Act, and we sunset it. Last year we took it up again and we sunset a good portion of it again. So we will look at it again.

This bill is never sunset. It is like the hundreds of other bills this body has passed, that we pass and we never look at again. We never do oversight. We never make the decisions. We just let the money keep rolling out the door and charging it to our grandchildren. This is a very simple, straightforward amendment.

All this amendment says is that 5 years from now, this one goes ''time out,'' it is over, do it again with a fresh look at the problems that we face in this very dangerous world, a fresh look at the success we have made, the accomplishments today, and ask where we need to go.

The bill, as written, assumes that nothing in the future, in terms of our risk, is going to change. I would put forward 5 years from now everything will have changed in terms of the risks that we are going to face. If we have done our jobs right with this bill, many of the areas of preparedness that we are attempting to direct funds to in this bill will be solved. Why should we continue to have money going to areas that we have solved rather than redirect money to areas that we have not solved, or maybe for our children's sake, not spend any money because there is no need other than the need for politicians to tell people at home that we sent money to them.

So this is a very simple, very straightforward amendment that says improving America's security by implementing the unfinished recommendations of the 9/11 Commission

Act of 2007 will cease having an effect on December 31, 2012.

Good government is what the American people both expect and desire. They also deserve good government. They deserve the wisdom of knowing we cannot know what is in the future today, so let's limit what we do until we can relook at it again.

Having held 46 hearings with Senator CARPER in the last 18 months on the Federal Financial Management Subcommittee of the Homeland Security and the Government Affairs Committee, what we know is what Congresses have done in the past have created about $200 billion worth of waste per year in this country.

Now, sadly, the Congress refuses to address those duplications, the fraud and the waste that is associated with that $200 billion worth of waste, fraud, and abuse. We should not add to that. We should not have a program that goes on ad nauseum addressing needs of today and saying it is OK.

All I am asking with this amendment, and I think most commonsense Americans would ask, what is so hard about saying this ends and we have to look at it again in 2012? Make the decision again based on what the very real risks are and, oh, we might even consider what our financial condition is when we decide what we are going to spend on security and what else might ought not be paid for by the Federal Government as we fund homeland security and protect this Nation.

This provision will cause us to review the needed programs and authorize spending. It will cause us to make better decisions 5 years from now than we can make today.

I will draw the corollary as a primary care physician, what I know about my 55-year-old patients with hypertension and high cholesterol. And I am going to have an example today. I said: Here is what you need to do for the next 5 years. Do not come back and see me. Your risks probably are not going to change. I can predict exactly what you are going to need. Do not worry. I will just give you prescriptions for the next 5 years.

That is what we are doing on this bill. We are not doing it for just 5 years, we are doing it for the rest of the patient's life. We would never go to a physician who treated us that way. Yet that is the way this bill approaches the future.

What are the reasons to oppose this bill? One is lack of a desire to tackle the hard job of looking at this again in 5 years. One is arrogance; we know what we are going to need. There is no way we can. Political expediency, that might have something to do with it, to be able to tell the special interest groups and our campaign donors that we have got them taken care of for the next 10 years.

I quote my chairman for whom I have the utmost respect. Here is what his quote was on the PATRIOT Act.

> The best thing we did with the PATRIOT Act was to sunset it, was to say that it needs to be reauthorized or it will go out of existence. And we are going to look back and see what happened with the PATRIOT Act so we can make a better decision in the future.

I have trouble not understanding why that same wonderful logic and great common sense should not be applied to this bill.

Senator REID in 2005:

> But we are currently considering renewal of those provisions that were considered so expensive or so vulnerable that Congress wisely decided for a 4-year sunset.

The author of the act wanted Congress to reassess in a more deliberative manner with the benefit of experience. We are presented with an opportunity again now, 4 years later, to get it right. Why would we not want to sunset this bill? I have even a bigger one. Why do we not want to sunset every bill, to go back and look at it and reassess it so we get rid of the waste, the fraud and duplication, to do the very things that we were sent to do?

I will not spend a great deal more time. I recognize that the ranking member, Senator COLLINS, and Senator LIEBERMAN have some business they want to consider. I would remind Senators there is no score on this bill. CBO hasn't scored this bill. We know the one from the House was $20 billion. Should we not look at $20 billion worth of spending again in 5 years and ask if it is under our priorities? Were we wise? What have we learned? What can we do better? What worked? What did not work?

Why would we not want to do that? I think it is a no-brainer to sunset this bill so that we, in fact, can learn from our mistakes, learn from our priorities, look at the world the way it will be 5 years from now rather than the way the world is today, and also, yes, consider the fiscal situation in which we find ourselves.

I also am adamantly opposed to any piece of legislation that says, ''such sums.'' Well, does this legislation mean we want to spend $100 billion 6 years from now? That is what we are saying if we are giving to the Appropriations Committee all our power to make the decision on areas that are under our purview 6 years from now. Don't we believe we ought to do that? I believe we ought to maintain that power, and actually it is not 6 years, it is 4 years from now because in the fourth year is when we do that.

Congress needs more sunsets, not fewer sunsets. We have an inexcusable situation that we have seen today with much of the Government operating on expired authority—expired authority. Madam President, $170 billion of what was appropriated last year was under expired authority.

Congress has not done its job to reauthorize those programs. So let's look at this again in 5 years, in 2012. We can start with January 2012. By the end of that year we can have said: Here is what we need to do for 2013. We will do it with wisdom; we will be able to do it with insight. We also will be able to do it with competence that we know what is best for our country, which we cannot predict today under this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I ask unanimous consent that at 4:10 p.m. today the Senate resume debate on the following amendments, and that the time until 5:30 p.m. run concurrently: Feinstein amendment No. 335, Obama amendment No. 338, and Leahy amendment No. 333; that all time be divided and controlled between the chairman and ranking member of the Homeland Security Committee and the sponsors of the amendments; that no amendments be in order to any of the amendments covered under this agreement prior to the vote; that there be 2 minutes of debate between each vote; that the amendments be voted in the order listed under this agreement, and that at 5:30 p.m., without further intervening action or debate, the Senate proceed to vote in relation to each amendment covered under this agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, I would ask unanimous consent that after the three votes I be recognized on the floor for another amendment.

The PRESIDING OFFICER. Is there objection?

Mr. LIEBERMAN. I would object for the moment pending a conversation between the Senator from Oklahoma and the managers of the bill.

The PRESIDING OFFICER. Objection is heard.

Ms. COLLINS. Madam President, I suggest the absence of a quorum and ask that the time be charged equally between both parties.

The PRESIDING OFFICER. Without objection, it is so ordered. 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 yield 5 minutes of my time to the Senator from Wyoming.

Mr. THOMAS. Madam President, I want to make a comment or two about the distribution of funding for homeland security. Of course, there has been a great deal of discussion about it, but we haven't heard much from small States.

I am from Wyoming and I suggest to my colleagues that we have needs—perhaps at a different level but we have needs—like everyone else for homeland security. So I have been a little disappointed with my colleagues' comments yesterday and some today with respect to securing America. I actually hadn't heard anything about rural areas, as they are at risk as well. I know we have fewer people. But what I

did hear is that rural America doesn't need homeland security funding, and that is not the case.

Most people don't know that Wyoming, which I guess is probably at the moment our smallest populated State, is the largest exporter of energy in the United States. We have oil reserves, we have gasfields, we have coal mines, we have powerplants, we have uranium mines, all of which contribute to the rest of the country and to the security of the rest of the country. If folks don't believe our rail lines and transmission lines and refineries and pipelines are not targets, then we need to reevaluate that. We need to think about it again. As a matter of fact, if you were someone seeking to do damage, you might think it is easier to go into a rather rural area and stop some of the energy development than to go into an urban area and have to go through all the network that is involved.

This energy we talk about is the very same energy that drives our economy; it turns on the lights in Los Angeles and New York City. So there are important factors to keep in mind, to keep in perspective as we go about this idea of homeland security and as we think about where the homeland security risks are.

Certainly I will tell my colleagues that Wyoming is not as at risk as Washington and New York, but, nevertheless, there is a fairly high level of risk on rural States that provide these kinds of resources. Our State is nearly 100,000 square miles in size. It is a State of diverse topography and harsh weather. Major railroads and interstate highways that connect the east and the west coasts of this country traverse the State. Whether it is ships that come into the east and west coasts or whatever, they go through this area and therefore that makes it certainly subject to various kinds of events that could happen in terms of homeland security.

The movement of hazardous waste by train and vehicle puts the citizens I represent in harm's way every day. When homeland security grants first began, Wyoming initially received roughly $20 million. Wyoming's share has dropped to $9 million over the course of time.

Let me put this debate in context. My State stands to receive roughly $10 million out of $3 billion under the plan that has been suggested that we have. I certainly understand that cities such as New York need more than my State; no one is questioning that. I also recognize that large urban areas have more resources to draw upon than rural areas do. We have less resources to protect the things we have that are not only for our State but that are for our Nation. Congress has debated and established a fair system. Every State should be provided with baseline funding.

I fully support allowing the Department of Homeland Security to determine who has the greatest risk to qualify for the urban area security funding as current law provides. Big-city States have their own urban programs so I cannot understand the uproar and anger officials from large populated States have toward their rural neighbors.

Wyoming generally doesn't ask for a lot, of course, but my State has a lot more to offer than just wide open country for people on the coast to fly over.

Let me repeat for my colleagues that Wyoming is the largest exporter of energy in the lower 48. Protecting Wyoming's infrastructure and securing our resources is critical not only to our State but to national well being. I would remind my colleagues who have directly and indirectly criticized small States that the States they represent are not the only ones that have risks that need to be addressed.

I strongly support Senator LEAHY's amendment to put fairness back into the process. Protecting rural America is something that should be important to all of us. It is all a part of our Nation. No one wins by the current effort to pit big cities against rural America.

I hope we can come to an agreement that does deal with national security and gives us an opportunity to secure all of the resources in our Nation for national benefit.

Thank you, Madam President. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Madam President, I yield 5 minutes of the time allocated to me to the Senator from West Virginia, Mr. ROCKEFELLER, who will speak on another matter than the three amendments but is sympathetic to the position I am taking on the three amendments.

Mr. ROCKEFELLER. Madam President, there is a procedural process that is missing.

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, was the time running under the quorum call being charged equally or just to one side?

The PRESIDING OFFICER. The time for this quorum call has been counted against Senator LIEBERMAN. The Thomas quorum call counted against Senator COLLINS.

Ms. COLLINS. Madam President, I ask unanimous consent that any further quorum calls between now and the beginning of the votes at 5:30 be counted equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Madam President, I suggest the absence of a quorum, to be charged equally.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST—S. 375

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 20, S. 372, the Intelligence authorization, 2007; that the Rockefeller-Bond amendment at the desk be considered and agreed to; that the bill, as amended, be read the third time and passed; that the motion to reconsider be laid upon the table; that a statement by Senator ROCKEFELLER be printed in the RECORD as if read, without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Ms. COLLINS. Madam President, on behalf of another Senator—not myself—I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. ROCKEFELLER. Madam President, let me take this opportunity to thank many people but not the particular Senator who is objecting—1 out of 100. Nevertheless, Senators REID, BOND, myself, and others have worked very hard to move this fiscal year 2007 Intelligence authorization bill forward. All parties have been enormously supportive in this effort. It is one of the more embarrassing efforts I have been associated with in my 24 years in this body. I must express my dismay, my absolute dismay. I will hold it to that.

Despite considerable efforts on the part of the chairman and Vice Chairman BOND and extensive efforts and negotiations to get agreement on this bill, there is still an objection from one Senator for its consideration. Is it just another bill? Not quite. The Senate's failure to pass this critical national security legislation for the past 2 years is remarkably shocking and inexcusable.

In 2005, the Senate failed, for the first time since the establishment of the congressional intelligence committees, to pass an annual Intelligence authorization bill. That means for 27 years we passed authorization bills for the Intelligence Committee. It is not an inconsequential committee. It instructs how intelligence is to be done. There are a number of changes that have been agreed to. All of that failure was followed by a repeat failure in 2006—in 2005 and then in 2006.

So from 1978 through 2004, the Senate had an unbroken 27-year record of completing its work on this critical legislation. You cannot move to appropriations until you go through authorization, particularly in a field such as intelligence authorization that has an unbelievably important role. The Intelligence authorization bill has been considered must-pass legislation for many years—until recently. Now, in the midst of the war on terror, with things going downhill in Iraq, going downhill in Afghanistan, and our continued military involvement in both places, when good intelligence is not just vital but a matter of life and death—and I emphasize the second—we have been prevented from passing that bill that provides the legislative roadmap for our intelligence programs.

Similar to the Defense authorization and appropriations bills, the Intelligence authorization bill is at the core of our efforts to protect America. That is why it is simply incomprehensible, shocking, and debasing that we cannot find a way to bring up and pass this critical legislation.

The result of this continued obstruction will be diminished authority for intelligence agencies to do their job in protecting America. I hope the Senator involved takes satisfaction in that. I am not sure his constituents—if it is a he—would. Yes, I am angry.

The authorization bill contains 16 separate provisions enhancing or clarifying the authority of the Director of National Intelligence. The bill includes major improvements in the way we approach and manage human intelligence, information sharing, protection of sources and methods, and even the nominations process for key intelligence community leaders.

I came to the floor several times last year to explain those provisions in detail. Today, I reiterate how important this legislation is to the war on terrorism and to every other aspect of our national security, including the ongoing fight in Iraq and Afghanistan. This should have happened years ago. Somebody objects and, of course, it cannot happen; the rules of the Senate prevail.

There is no reason the Senate cannot pass this bill quickly, so that we can confer with the House before the committee is required to turn its attention to drafting and reporting out what will be another experiment, the 2008 authorization, which we should already be halfway toward completing. If there is objection to passing this bill by unanimous consent, we have been—the vice chairman and I, who worked very well together—more than willing to negotiate a time agreement and quickly debate and pass this long-overdue national security bill.

It is essential we assist the men and women of the intelligence agencies to continue their vital work on the frontlines of Iraq and Afghanistan and something called the war on terror.

The PRESIDING OFFICER. The Senator has used his 5 minutes.

Mr. ROCKEFELLER. Madam President, I conclude by simply saying we need this bill.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. Madam President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Vermont will state his inquiry.

Mr. LEAHY. Has there been time reserved for the Senator from Vermont?

The PRESIDING OFFICER. The Senator has 13 minutes.

Mr. LEAHY. Further parliamentary inquiry: Is there an order for recognition?

The PRESIDING OFFICER. There is not.

Mr. LEAHY. Further parliamentary inquiry: Does anybody else have time reserved to them?

Mrs. FEINSTEIN. I believe I do for an amendment.

The PRESIDING OFFICER. The Senator from Illinois and the Senator from California each have 13 minutes.

Mr. ROCKEFELLER. Madam President, may I just appeal to whatever reasoned and reasonable people there may be around here, and that is that the vice chairman of the Intelligence Committee has something to say on this matter which relates to what I said. There is a sequential power in that which I think deserves consideration.

Mr. LEAHY. Madam President, I reserve my time.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, in order for the Senator from Missouri to speak, would the Senator from Maine or one of the sponsors have to yield time to him?

The PRESIDING OFFICER. That is correct.

Ms. COLLINS. How much time does the Senator from Maine have remaining?

The PRESIDING OFFICER. There is 6 minutes remaining.

Ms. COLLINS. Madam President, I yield 4 minutes to the Senator from Missouri.

Mr. BOND. Madam President, I thank the ranking member of the committee.

When this committee was formed a long time ago—30 years ago—we lacked congressional oversight. Since 9/11, we found that congressional oversight had not been as good as it should have been, and one of my first acts when I was appointed vice chairman was I suggested to the chairman that passing the authorization bill was the top priority. He agreed. We have to be able to pass authorization bills if we are to have an impact on the intelligence community.

There are already a number of Rockefeller-Bond amendments on this 9/11 bill. There will be more.

There are some who say there is nothing an executive branch agency values more than a lack of congressional oversight. But I believe congressional oversight can help them do their job better.

Is this bill perfect? No. But it is largely the same bill as last year, and we have changed provisions that were objectionable. On the good side, it would ensure that the exemption of Freedom of Information Act requirements carries over to operational files. There is a specific provision creating, within the Office of the Director of National Intelligence, a National Space Intelligence Center.

In reviewing all these, we worked very closely together to deal with problems in the bill. I believe we have taken care of most of the problems people raised. What I am afraid of is that people are objecting to the bill without knowing what is in the bill, without knowing the changes we have made, the accommodations that have been made by the chairman and by the vice chairman to make this bill acceptable.

Some have said that the administration has concerns. If the administration has concerns, obviously they could exercise those concerns in a veto. But if they have concerns, I am not sure they know the changes and the provisions we have added to this bill.

I invite my colleagues who have problems with the bill to talk with me or with the chairman about the bill so we can move it. We have worked long and hard to help improve the operations of the intelligence community. Our bill is the one way we have of providing that guidance and sharing with the intelligence community the issues that the bipartisan members of this committee believe are important.

I invite anybody, all people or any person who has a hold on this bill, to come forward and find out what is in the bill. Don't judge it by what you think it may contain.

Madam President, I yield the floor.

IMPROVING AMERICA'S SECURITY ACT OF 2007—Continued

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I believe I have 13 minutes; is that correct?

The PRESIDING OFFICER. That is correct.

AMENDMENT NO. 335

Mrs. FEINSTEIN. Madam President, yesterday I spoke on an amendment we offered. It is cosponsored by the Senator from Texas, Mr. CORNYN, as well as Senators LAUTENBERG, HUTCHISON, BOXER, SCHUMER, CLINTON, OBAMA, MENENDEZ, KERRY, COBURN, and CASEY. Essentially, what this amendment does is provide that more funds will go to States and localities based on risk, threat, and vulnerability.

As you know, Madam President, the 9/11 Commission in their 25th recommendation said, ''Homeland security assistance should be based strictly on an assessment of risk and

vulnerabilities.'' ''And Federal homeland security assistance should not remain a program for general revenue sharing.''

In current law, 40 percent of the money goes to a guaranteed minimum allocation—in other words, revenue sharing—and 60 percent is allocated based only on risk and effectiveness. The Lieberman-Collins bill—and I thank them—changes that. Twenty-four percent of the money goes to satisfy this minimum revenue-sharing requirement, and 76 percent is allocated on risk and effectiveness. That is a major step forward. There is no question about that. However, Senator CORNYN and I and our cosponsors believe that in this day and age, we have to give more money to risk, vulnerability, and threat. Therefore, the formula we present in this amendment will give 87.5 percent of the dollars based on risk and effectiveness, regardless of where that risk and effectiveness is, and 13 percent will go to satisfy guaranteed minimum allocation.

The second point I wish to make is that 35 States would benefit under this amendment: Alabama, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, Nebraska, Nevada, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

I believe this is the right way to allocate homeland security dollars.

Do you have the risk? Is there a threat? The President, in his State of the Union Message, mentioned how a threat and a terrorist plot against the tallest building on the west coast was eradicated. That tallest building on the west coast is shown in this picture. It happens to be the Library Tower building in Los Angeles—now under a new name, but nonetheless ''Library Tower'' is its historic name. This is the largest tower on the west coast. There was reportedly a second strike by al-Qaida devoted to the west coast. So it seems to me that if there is this kind of a threat, the money should go where the threat is.

States such as New York, California, and Texas have vast infrastructures. Terrorists go where the hit is going to be greatest, where the infrastructure is—big ports, big petroleum reserves, big buildings, big congregations of people—and where they can do the most psychological damage.

So we feel very strongly that this money should have an even stronger formula that puts money where the risk and threat actually are.

I do wish to correct one thing. Someone on the floor, and I don't know who, but somebody said Washington, DC, would receive less money under this amendment. We do not alter the risk-based distribution of the Urban Area Security Initiative Funds—which are called, in the vernacular of Washington, UASIF—and that comprises the lion's share of homeland security preparedness received in our Capital. Washington received nearly $50 million in UASIF funds last year alone. So we do not believe Washington would be negatively affected.

I know Senator LAUTENBERG wishes to come to the Chamber to speak. May I inquire how many minutes of the 13 I have remaining?

The PRESIDING OFFICER. The Senator has 6½ minutes remaining.

Mrs. FEINSTEIN. Madam President, I reserve the remainder of my time and yield the floor. I thank the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, would that it were that easy, as my friend from California has said, I would be eager to vote for her amendment, but she is assuming that rather than following what the law now says, the head of the Department of Homeland Security will use discretion always to benefit everybody's State—something we saw does not always work, as the people suffered after Katrina.

Under the amendment of the Senator from California, States that will substantially gain are California, Florida, Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, New York, North Carolina, Ohio, Pennsylvania, Texas, and Washington. The States, however, that lose or break even by lowering the all-State minimum for homeland security formula grants are these. I hope Senators are listening because they are going to be called upon to vote. These are the States which lose or break even. They don't receive an additional amount. The States that lose or break even by lowering the all-State minimum are Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Oklahoma.

Madam President, I haven't used my 13 minutes yet, have I? I still have a lot more States to name.

The PRESIDING OFFICER. The Senator has 11 minutes.

Mr. LEAHY. I may need it.

Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

In case anybody missed that, these are the States which will lose if my colleagues do not adopt the Leahy-Thomas, et al amendment. These States will lose if my colleagues adopt the amendment of the Senator from California: Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming. The Senators from those States, of course, feel free to vote any way they want, but should anybody be checking back home, they should know what their vote means.

I hope my colleagues will support the Leahy-Thomas amendment, No. 333, to restore the minimum allocation for States in the State Homeland Security Grant Program from .45 percent, which is proposed by the underlying bill, and bring it back to current law. We are not asking for an increase but bring it back to current law, which is .75 percent. If you don't, the proposed changes in the formula result in the loss of millions in homeland security funding for the fire, police and rescue departments in small- and medium-sized States. It will also deal a crippling blow to dozens of States' efforts to fulfill federally mandated multiyear plans to build and to sustain their terrorism preparedness.

What I am saying is, the Federal Government has said: Here, small States, cities, communities. Here is what we are saying you have to do. Initially, they said: We will give you some money to help. But now we are going to say: You still have to do it, but tax your people to do it. We don't have the money. We are going to send it to the Iraqi fire departments and to the Iraqi police departments. We are going to send it to the Iraqi homeland security. We can't spend it on your State.

As with current law, the State minimum under our amendment would continue to apply—and this is important—only to 40 percent of the overall funding under this program. The majority of the funds would continue to be allocated based on risk assessment criteria, which are the funds of several separate discretionary programs the Congress has established for solely urban and high-risk areas. A lot of these smaller States have voted for these extra amounts for these urban and high-risk areas. I think it is a good idea. The majority of the funds are not allocated to these smaller States or to areas based on risk assessment requirements. The underlying bill now before the Senate would reduce the all-State minimum. The House bill reduces it even further.

We know, however, that this is a matter that is going to face the conference anyway, and because of these formula differences, there is no guarantee that the minimum will not even further be slashed during conference. Small- and medium-sized States face enormous cuts. With appropriations for formula grants already being cut by 60 percent since 2003—$2.3 billion in 2003 to $900 million in fiscal year 2007—further reductions to first-responder funding would hamper even more these States' efforts. The cuts would be even deeper should the President's budget request for next year be approved,

since he has requested only $250 million for these two important first responder grant programs.

I am almost tempted to tell some of these small States and towns to change their names to Baghdad or northern Iraq or something similar to that and they will get all the money they want but not if they want to defend their own people here in the United States. I have heard the argument from urban States, arguing that Federal money to fight terrorism is wasted in smaller States. They seem to forget that the attacks on 9/11 added to the responsibilities and the risks of all the State and local first responders nationwide. The Federal Government has called on all of them, and the portion that is allocated to all States—again, only a portion of these funds—is part of the Federal Government's fulfillment of that directive.

I hope my colleagues will support my amendment to restore the .75-percent minimum base and ensure continued support and resources for our police, fire, and ambulance services in every State. Homeland security is a new responsibility entrusted to our first responders, and this program, along with this assurance of basic help—not the special help that goes to the large States but the special help that goes where we see special needs—but this basic help will make a big difference.

Madam President, how much time do I have?

The PRESIDING OFFICER. Four minutes.

Mr. LEAHY. Very quickly. Vote against my amendment, and here are the States that lose: Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming. If you want to vote for my friend from California, the States that do gain are: California, Florida, Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, New York, North Carolina, Ohio, Pennsylvania, Texas, and Washington.

Madam President, I reserve the remainder of my time.

Mrs. FEINSTEIN. Madam President, I believe I have 6 minutes, and I would like to use 2 of them.

I very much disagree with the figures of the distinguished Senator from Vermont. We wrote to the Congressional Research Service and asked them to compute the grant numbers. They gave us back a document, dated February 27, that relates to the two programs funded in this bill. One of them is the State Homeland Security Grant Program and the other is the Law Enforcement Terrorism Prevention Program, and these are the numbers that CRS presents. Actually, Vermont, according to CRS, benefits $72,250, according to the Congressional Research Service, as do 35 States. I didn't make up these numbers.

Madam President, I ask unanimous consent to print in the RECORD the memorandum from the Congressional Research Service, which is a straight mathematical computation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, February 27, 2007.

MEMORANDUM

To: Senator Dianne Feinstein, Attention: Ahmad Thomas.

From: Steven Maguire, Analyst in Public Finance, Government and Finance Division.

Subject: DHS Grants to States and Insular Areas Under H.R. 1, S. 4, and S. 608.

This memorandum responds to your request for a comparison of three legislative proposals: H.R. 1, S. 4 as approved by the Senate Homeland Security Committee, and S. 608. In particular, you asked CRS to estimate how much each state would receive through two programs under each proposal: (1) the State Homeland Security Grant Program (SHSGP) and (2) the Law Enforcement Terrorism Prevention Program (LETPP). All three proposals would lower the minimum grant award that states could receive under current law. S. 608, unlike H.R. 1 and S. 4, only sets a minimum for funds authorized for SHSGP. You asked CRS, for comparative purposes, to include LETPP funds in the minimum when calculating the state-by-state allocations.

Note that a third related DHS grant program, the Urban Areas Security Initiative (UASI), is not considered in this memorandum. The total grant amount to each state would change if UASI grant awards were included. However, the information needed to estimate UASI grant awards to each state under the three legislative proposals is not publicly available.

A question that immediately arises is how proposed changes to the minimum grant awards would affect the aggregate SHSGP and LETPP grant amounts awarded to each state, the District of Columbia, Puerto Rico, and the insular areas. Answering that question precisely, however, is problematic because DHS does not disclose the risk and effectiveness scores it assigns to grant applications. Accordingly, we relied on three basic assumptions to generate what we consider responsible ''rough justice'' estimates of grant amounts under the aforementioned approaches:

Assumption 1. DHS Risk and effectiveness scores for each applicant under the three proposals will equal those for FY2006. This assumption is valid only to the extent that the determinants of risk and effectiveness that pertain to each applicant and the DHS scoring system do not significantly vary from one year to the next.

Assumption 2. A proxy for each grant recipient's risk and effectiveness score in FY2006 can be found in the ratio of (a) the amount of the recipient's FY2006 total grant that was based on risk and effectiveness to (b) the sum of risk and effectiveness amounts for all recipients. In other words, if one assumes that if a recipient received 5 percent of the total funds available for allocation on the basis of risk and effectiveness in FY2006, then that recipient will receive 5 percent of the total funds available for allocation on the basis of risk and effectiveness under S. 608, H.R. 1, and S. 4.

Assumption 3. The total authorization for S. 608 and H.R. 1 will match the amount authorized in S. 4, to wit: $913,180,500.

CAVEAT

The estimates presented in the following discussion are intended for illustrative purposes only. Actual grant allocations will almost certainly differ from the estimates presented here. In addition, estimates for S. 608, which do not include funds for LETPP in the minimum, are based on the assumption that LETPP funds are included.

CALCULATING THE ESTIMATES

Estimating grants for each eligible recipient involves the following steps, the results of which are shown in Table 1:

1. Establish the proxies for risk and effectiveness.
2. Allocate the total available $913,180,500 in proportion to the proxies.
3. When a recipient's risk and effectiveness allocation is less than the statutory minimum, allocate an additional amount to reach the minimum.
4. Because this results in a total greater than $913,180,500, proportionally reduce the grants of all recipients in excess of the minimum to prevent exceeding the authorization.
5. Display the resulting adjusted estimated allocations. .

Establishing Proxies for Risk and Effectiveness Scores. In FY2006, Congress appropriated a total of $912 million for the SHSGP and LETPP programs—40 percent ($365 million) was allocated to satisfy the minimum grant award requirements for eligible recipients and the remaining 60 percent ($547 million) was allocated based on risk and effectiveness. Examination of column (b) in Table 1 shows, for example, that California received 15.18 percent of the $547 million; New York, 8.52 percent; Texas, 8.05 percent; and Florida, 6.82 percent. These percentages and the corresponding percentage for each grant recipient serve as a proxy for each jurisdiction's risk-and-effectiveness score for the CRS estimated allocations under S. 608, H.R. 1, and S. 4.

Estimating Risk and Effectiveness. H.R. 1 and S. 4 would allocate total SHSGP and LETPP amounts by risk and assessment subject to statutory minimums—lower than under existing law. In order to estimate the risk and effectiveness allocations for each eligible jurisdiction, we multiply the proxy percentage discussed above by the total authorization of $913,180,500. For comparative purposes, as you instructed, CRS used the same methodology for S. 608.

Meeting the Minimums. As noted earlier, existing law sets two minimum amounts based on the total appropriation: 0.75 percent per state, the District of Columbia, and Puerto Rico, 0.25 percent for other U.S. insular areas. S. 608 would ensure a minimum of 0.25 percent per state, the District of Columbia, and Puerto Rico and 0.08 percent for other insular areas. In contrast, S. 4 would ensure a minimum of 0.45 percent per state, the District of Columbia, and Puerto Rico. The other U.S. insular areas would be guaranteed the same 0.08 percent. Under H.R. 1, however, there would be three minimum amounts based on the total appropriation: 0.45 percent for international border states (18 states); 0.25 percent for states without an international border (32 states), the District of Columbia, and Puerto Rico; and 0.08 percent for the other U.S. insular areas. With an authorization of $913,180,500, these minimums would be $4,109,312 and $2,282,951 for the two categories of states, respectively, and $730,544 for insular areas.

The last column of Table 1, column (f), compares S. 608 to S. 4. A positive amount in column (f) indicates that the state would receive more under S. 608 than under S. 4.

For a complete explanation of the methodology used to redistribute funds so that all jurisdictions receive the required minimum, and the total authorization is not exceeded, see CRS report RL33859, Fiscal Year 2007 Homeland Security Grant Program, H.R. 1 and S. 4: Description and Analysis, by Shawn Reese and Steven Maguire.

If you have any questions about this memorandum, please call me on extension 7–7841 or send an e-mail to smaguire@crs.1oc.gov.

TABLE 1.—COMPARISON OF S. 608, H.R. 1, AND S. 4 ASSUMING A $913,180,500 AUTHORIZATION FOR SHSGP AND LETPP

Jurisdiction	FY2006 share of risk and effectiveness (Percent)	Estimated post-adjustment allocations			S. 608* less S. 4
		S. 608*	H.R. 1	S. 4 as amended Feb. 15, 2007	
Alabama	1.37	$12,319,320	$12,173,119	$11,988,972	$330,348
Alaska	0.15	2,282,951	4,109,312	4,109,312	(1,826,361)
Arizona	1.48	13,336,170	13,232,207	12,961,248	374,922
Arkansas	0.19	2,282,951	2,282,951	4,109,312	(1,826,361)
California	15.18	136,342,240	134,446,429	130,575,288	5,766,952
Colorado	1.61	14,533,429	14,354,975	14,106,024	427,405
Connecticut	1.13	10,154,413	10,039,748	9,918,964	235,449
Delaware	0.60	5,414,579	5,368,960	5,386,903	27,676
D.C.	0.10	2,282,951	2,282,951	4,109,312	(1,826,361)
Florida	6.82	61,308,537	60,448,703	58,830,723	2,477,814
Georgia	3.28	29,474,566	29,078,462	28,392,210	1,082,356
Hawaii	0.17	2,282,951	2,282,951	4,109,312	(1,826,361)
Idaho	0.86	7,776,296	7,753,324	7,645,093	131,203
Illinois	5.56	49,959,177	49,264,671	47,978,868	1,980,309
Indiana	1.66	14,910,648	14,726,698	14,466,707	443,941
Iowa	1.12	10,121,611	10,007,425	9,887,601	234,010
Kansas	1.23	11,056,458	10,928,653	10,781,467	274,991
Kentucky	1.46	13,139,360	12,981,213	12,773,065	366,295
Louisiana	2.54	22,865,040	22,565,218	22,072,415	792,625
Maine	0.14	2,282,951	4,109,312	4,109,312	(1,826,361)
Maryland	1.31	11,827,296	11,688,262	11,518,515	308,781
Massachusetts	2.76	24,816,737	24,488,484	23,938,558	878,179
Michigan	3.69	33,164,749	32,771,939	31,920,631	1,244,118
Minnesota	0.26	2,396,830	4,109,312	4,109,312	(1,712,482)
Mississippi	0.22	2,282,951	2,282,951	4,109,312	(1,826,361)
Missouri	3.06	27,506,469	27,139,035	26,510,385	996,084
Montana	0.17	2,282,951	4,109,312	4,109,312	(1,826,361)
Nebraska	1.08	9,711,591	9,603,377	9,495,554	216,037
Nevada	1.00	8,973,555	8,876,092	8,789,870	183,685
New Hampshire	0.11	2,282,951	4,109,312	4,109,312	(1,826,361)
New Jersey	1.80	16,222,713	16,019,650	15,721,257	501,456
New Mexico	0.18	2,282,951	4,109,312	4,109,312	(1,826,361)
New York	8.52	76,512,088	75,487,831	73,367,819	3,144,269
North Carolina	2.47	22,176,206	21,886,418	21,413,777	762,429
North Dakota	0.69	6,234,620	6,234,105	6,170,997	63,623
Ohio	2.73	24,587,125	24,319,267	23,719,012	868,113
Oklahoma	1.43	12,844,146	12,690,299	12,490,791	353,355
Oregon	0.23	2,282,951	2,282,951	4,109,312	(1,826,361)
Pennsylvania	3.11	27,949,291	27,632,456	26,933,796	1,015,495
Rhode Island	0.11	2,282,951	2,282,951	4,109,312	(1,826,361)
South Carolina	1.33	12,007,705	11,866,043	11,691,016	316,689
South Dakota	0.13	2,282,951	2,282,951	4,109,312	(1,826,361)
Tennessee	0.26	2,364,029	2,362,848	4,109,312	(1,745,283)
Texas	8.05	72,264,278	71,301,900	69,306,214	2,958,064
Utah	0.17	2,282,951	2,282,951	4,109,312	(1,826,361)
Vermont	0.71	6,431,429	6,428,048	6,359,179	72,250
Virginia	1.50	13,516,579	13,352,937	13,133,748	382,831
Washington	2.77	24,882,340	24,610,182	24,001,285	881,055
West Virginia	1.14	10,269,219	10,152,882	10,028,738	240,481
Wisconsin	1.50	13,483,777	13,377,664	13,102,384	381,393
Wyoming	0.12	2,282,951	2,282,951	4,109,312	(1,826,361)
U.S.	99.24	904,815,934	904,861,958	903,128,069	1,687,865
Puerto Rico	0.11	2,282,951	2,282,951	4,109,312	(1,826,361)
U.S. & P.R.	99.35	907,098,886	907,144,910	907,237,381	(138,495)
Virgin Islands	0.07	730,544	730,544	730,544	0
Am. Samoa	0.43	3,889,981	3,843,957	3,751,486	138,495
Guam	0.07	730,544	730,544	730,544	0
N. M. Islands	0.07	730,544	730,544	730,544	0
All Areas Total	100.00	913,180,500	913,180,500	913,180,500	0

Source: Estimates calculated by CRS. Caveat: for illustrative purposes only; other estimating methods based on different assumptions would yield different results.

Note: *8. 608, as introduced, includes only the SHSGP funds for purposes of calculating a minimum. For comparative purposes, the calculations in this table assume S. 608 would include LETPP in the minimum when allocating an authorized amount of $913,180,500 to each state, territory, and other insular area.

Mrs. FEINSTEIN. As I say, I understand there is a basic conflict here between small States and big States. There is a basic conflict between those who think the money should be spread around and those who believe this money should be used based on risk, vulnerability, and threat. I am in the latter. If the big threat is in Vermont, I am all for the money going to Vermont. I have no problem with that.

I look at the intelligence and I see the threats as they come in and I think the agencies that make the decisions should send the money based on their analysis of the intelligence and the threats.

I do wish to at least give my source, which is the Congressional Research Service, for these numbers which show 35 States as beneficiaries.

I know Senator LAUTENBERG should be here momentarily. I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). Who yields time?

Ms. COLLINS. Mr. President, I ask unanimous consent that a letter from the National Criminal Justice Association, in support of the formulas in the underlying bill, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL CRIMINAL JUSTICE ASSOCIATION,
Washington, DC, March 2, 2007.

Hon. JOSEPH LIEBERMAN,
U.S. Senate,
Washington, DC.
Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATORS LIEBERMAN AND COLLINS: On behalf of the National Criminal Justice Association (NCJA), I write to express our support for a number of important provisions in the Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act of 2007, or S. 4. NCJA members administer justice assistance grant funding in the states and tribal nations, and state and local criminal justice practitioners from all parts of the criminal and juvenile justice systems. In addition, NCJA provides direct technical assistance

and training to state and local homeland security grant administrators for all U.S. states and territories.

First, thank you for maintaining the Law Enforcement Terrorism Prevention Program (LETPP) in your bill. The LETPP provides needed support to public safety agencies across the country for terrorism prevention, training and information sharing. As a direct result of the LETPP funding over the past several years, state and local law enforcement agencies have become stronger partners with other homeland security disciplines in the effort to prevent, not just respond to, a terror attack. In addition, the LETPP provides invaluable financial assistance to our state and local law enforcement partners as they address the country's homeland security priorities outlined in the National Preparedness Goal. One of the most successful initiatives undertaken by state and local first responders has been the all-source, Intelligence Fusion Centers, funded primarily through the LETPP program. Clearly the LETPP has been a tremendous mechanism by which state and local public safety programs have been built to address the new requirements for all-hazards and terrorism prevention and response.

Second, we commend the Committee's creation of an Office for the Prevention of Terrorism. As described in the bill, this new office would be a useful point of coordination and support for law enforcement within the Department of Homeland Security. Coordination and information sharing among the federal, state and local law enforcement and public safety agencies is critically important. This new office would serve as a point of liaison and as an advocate for prevention and law enforcement activities, thereby increasing coordination, focusing funding and, ultimately, increasing the safety of our citizens.

Third, we ask for your continued support for a minimum guarantee for State Homeland Security Grant Program (SHSGP) funds. The primary goals of any national homeland security strategy should be to: increase preparedness in our largest urban areas; protect our targets of international significance; and, to increase overall national preparedness. An attack or disruption of our power or water or food supply could occur anywhere. Core foundations of our economy could be crippled from outside one of our major urban areas. States are working hard to protect assets of national importance within their borders and the safety of all our citizens. Only by continuing a fair, balanced and substantial state minimum guarantee can we be assured that all states reach a threshold of preparedness under a national preparedness plan.

We thank you for your work on this important piece of legislation.

Sincerely,

CABELL CROPPER,
Executive Director.

Ms. COLLINS. Mr. President, I wish to make sure my colleagues recognize that under the amendment offered by my distinguished colleague and friend from California, that States would have absolutely no guarantee at all of minimum funding under the Law Enforcement Terrorist and Prevention Program. This is a very important program. It has provided needed support to public safety agencies across the country for terrorism prevention, training, and information sharing. As the direct result of the LETPP funding over the past several years, State and local law enforcement agencies have become strong partners with homeland security.

I wish to point out one of the most important uses of funds under this program has been to establish with State and local first responders all-source intelligence fusion centers that have been funded primarily through the LETPP program. Clearly, it has been a very successful program, and one of my concerns about the amendment offered by my friend from California is she eliminates the minimum under this program. That means that potentially a State could receive no funding at all under this program.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

The time will be charged equally to all controlling time.

Mr. LIEBERMAN. Mr. President, I will proceed and yield myself time.

The first two amendments, one offered by the Senator from California and the second offered by the Senator from Illinois, are an attempt to get more funding for the large States at the expense of the smaller States, and there is a myth around about the fact that the larger States are not being adequately funded. The fact is that under the fiscal year 2006 homeland security grant funding, five States—California, Texas, New York, Florida, and Illinois—received 42 percent of the antiterrorism funds, while 20 States received less than 12 percent cumulatively.

California received in fiscal year 2006 as much money as the 22 States at the bottom in funding.

I wish to thank my staff members for their humility in holding up that chart.

What I am saying is, somebody said the money is being spread across the country like peanut butter. No way. There is a lot of peanut butter and jelly going to the larger States. They deserve it, but they would, by these two amendments, the Feinstein and Obama amendments, would take even more money, as the Senator from Vermont quite movingly demonstrated in his rollcall of the losing States. Why do the smaller States deserve something? Because that is the nature of the enemy. Everybody is vulnerable to this terrorist enemy to some degree. We are not making this up.

Mr. President, I ask unanimous consent, since we yielded 6 or 7 minutes to the Intelligence chairman and vice chairman, to add 4 minutes to the time I was allocated under the initial proposal. It may be that we will still be able to vote at 5:30.

The PRESIDING OFFICER. Is there objection?

Mr. LAUTENBERG. Reserving the right to object. The Senator from California, I believe, still has time remaining.

Mr. LIEBERMAN. Yes, indeed. This will not interfere with the time she has reserved for the Senator from New Jersey.

Mr. LAUTENBERG. All right. The Senator from California is giving her time to me, so I wanted to be sure that time remains.

Mr. LIEBERMAN. Yes, indeed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Here is the point. We know the terrorists on 9/11 struck New York, Washington, and Washington was probably intended again—the plane went down in Pennsylvania. But what was the single most devastating terrorist attack in the United States before 9/11? It was the bomb at the Murrah Federal Building in Oklahoma City, but Oklahoma City would not benefit from these amendments from the Senators from California and Illinois.

Let's go around the world. In 2001, a plot was uncovered by intelligence agencies to attack an American school in Singapore. In 2002, in Bali, Indonesia, terrorists targeted a discotheque. In 2003, terrorists struck a residential compound in Riyahd. In 2004, terrorists targeted a school in Beslan. In October 2004, computer disks were discovered in Iraq at a known insurgent's home containing detailed floor layouts and evacuation routes for plans in various States in the United States of America.

This is the nature of the enemy. This is an inhumane but thinking enemy. They will strike where they determine we are most vulnerable. That is why we think, as a matter of elemental fairness but also sound and strong homeland security, that most of the money ought to go to the large States with the most visible, potential terrorist targets, but that some minimal amount ought to go to all States.

Senator LEAHY would do that beyond what the bill does. Senator FEINSTEIN and Senator OBAMA would reduce the amount most of the States would get under this proposal from what the committee bill recommends. That is why I strongly oppose the first two amendments that will come before us at around 5:30.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I come to the floor to support the Feinstein-Cornyn amendment and tell you I must say I do not get it. We are talking now about the security of our country. We are talking about whether we put the fences up around the most susceptible targets or whether we put fences, protective fences, around places in the country where there is no threat.

To every place there is a threat. No matter where you go, you can see a place that can be a threat. But where the disease is, that is what the hospital is there for. Take those who have the potential for the disease. If you use an analogy, you don't start putting the antidote in places where the likelihood of catching this disease is not very strong.

We are looking at this amendment and this bill. Thirty-four States, besides New Jersey, will have resources

taken away. In my State, the FBI has determined the 2-mile stretch between the airport, Newark-Liberty International Airport and Port Newark, is America's most at-risk area for a terrorist attack. We know that in a moment of an orange alert the Prudential Building in Newark has been a specific target of terrorists. In fact, in the summer of 2004 only three specific areas were identified as potential targets under the orange alert: northern New Jersey, New York, and Washington, DC. Yet I have listened to my colleagues, and it disturbs me that they trivialize this purchase of some trucks in New Jersey. If those trucks were used to take debris out of an exploded or damaged area, they would be pretty valuable trucks. If there were snow on the ground when an attack took place, it would be absolutely essential that we have those trucks.

We were struck and 700 people from New Jersey died, as did 2,400 others from other places around the area. We know where the heat is when it gets hot. We ought not be dealing out pork. This is not a restaurant. We are not talking about pork. We are not talking about putting money out there in case there is an attack here or there. We know where the attacks take place. They take place in places with high density populations such as London or Spain. We know New Jersey is at risk. New York is at risk. We know other major cities are at risk. They have been identified, and homeland security funds to fight terrorism should go to those places.

Recommendation 25 of the 9/11 Commission report said homeland security grants should be distributed based solely on risk. We are having a debate here, saying no, the fact that there are risks should not count because everybody is at risk. Everybody is at risk but not at the same degree.

I hope our colleagues will respond in a way that is recommended by the 9/11 Commission, supported by Secretary Chertoff of the Department of Homeland Security, and logic. Logic is on this side.

I encourage my colleagues to embrace a risk-based approach and support the Feinstein-Cornyn-Lautenberg amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. Mr. President, how much time is left to the proponents of the various amendments?

The PRESIDING OFFICER. The Senator from Connecticut has 2 minutes remaining, the senior Senator from Vermont has 2½ minutes remaining, and the junior Senator from Illinois has 13 minutes remaining.

Mr. LEAHY. I thought we were voting at 5:30. That time has slipped or is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Mr. President, using part of my remaining time, again I would tell my friends, my dear friend, the senior Senator from New Jersey and others, we have set aside nearly 60 percent of these funds for special purposes, high-threat areas, areas that we determine need that money. We are talking about the all-State minimum going to what is remaining.

Again, I hope someone is listening to this debate. You can vote for these next two amendments and a few States will gain from them, but if you vote for these next two amendments, here are the States that will lose or at best break even: Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Oklahoma—Mr. President, I haven't used my 13 minutes yet, have I, because I still have a lot of States to name here——

The PRESIDING OFFICER. The Senator has 11 minutes.

Mr. LEAHY. I may need it—Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Without sounding like a poor rendition of Johnny Cash's song ''I Have Been Everywhere, Man''—one of my favorites, I might say; he actually mentions Brattleboro, VT. If you vote for my amendment, which will be the third one, here are the States that do not lose or break even. These are the States that will be protected under current funding: Alabama, Alaska—these are States I hope will support the amendment of the Senator from Vermont, because it is to their State's benefit: Alabama, Alaska, Arizona, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming—I realize the District of Columbia can't vote, but if they could, they would vote with us.

Mr. President, how much time is remaining to the Senator from Vermont or is any time remaining?

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time?

The Senator from Nevada.

AMENDMENT NO. 363

Mr. ENSIGN. Mr. President, I ask unanimous consent to be allowed to send an amendment to the desk, so it becomes pending. I already cleared it with both the ranking member and the chairman.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 363 to amendment No. 275.

Mr. ENSIGN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a Law Enforcement Assistance Force in the Department of Homeland Security to facilitate the contributions of retired law enforcement officers during major disasters)

On page 389, after line 13, add the following:

SEC. 15____. LAW ENFORCEMENT ASSISTANCE FORCE.

(a) ESTABLISHMENT.—The Secretary shall establish a Law Enforcement Assistance Force to facilitate the contributions of retired law enforcement officers and agents during major disasters.

(b) ELIGIBLE PARTICIPANTS.—An individual may participate in the Law Enforcement Assistance Force if that individual—

(1) has experience working as an officer or agent for a public law enforcement agency and left that agency in good standing;

(2) holds current certifications for firearms, first aid, and such other skills determined necessary by the Secretary;

(3) submits to the Secretary an application, at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, that authorizes the Secretary to review the law enforcement service record of that individual; and

(4) meets such other qualifications as the Secretary may require.

(c) LIABILITY; SUPERVISION.—Each eligible participant shall—

(1) be protected from civil liability to the same extent as employees of the Department; and

(2) upon acceptance of an assignment under this section—

(A) be detailed to a Federal, State, or local government law enforcement agency;

(B) work under the direct supervision of an officer or agent of that agency; and

(C) notwithstanding any State or local law requiring specific qualifications for law enforcement officers, be deputized to perform the duties of a law enforcement officer.

(d) MOBILIZATION.—

(1) IN GENERAL.—In the event of a major disaster, the Secretary, after consultation with appropriate Federal, State, and local government law enforcement agencies, may request eligible participants to volunteer to assist the efforts of those agencies responding to such emergency and assign each willing participant to a specific law enforcement agency.

(2) ACCEPTANCE.—If the eligible participant accepts an assignment under this subsection, that eligible participant shall agree to remain in such assignment for a period equal to not less than the shorter of—

(A) the period during which the law enforcement agency needs the services of such participant;

(B) 30 days; or

(C) such other period of time agreed to between the Secretary and the eligible participant.

(3) REFUSAL.—An eligible participant may refuse an assignment under this subsection without any adverse consequences.

(e) EXPENSES.—

(1) IN GENERAL.—Each eligible participant shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United

States Code, while carrying out an assignment under subsection (d).

(2) SOURCE OF FUNDS.—Expenses incurred under paragraph (1) shall be paid from amounts appropriated to the Federal Emergency Management Agency.

(f) TERMINATION OF ASSISTANCE.—The availability of eligible participants of the Law Enforcement Assistance Force shall continue for a period equal to the shorter of—

(1) the period of the major disaster; or

(2) 1 year.

(g) DEFINITIONS.—In this section—

(1) the term ''eligible participant'' means an individual participating in the Law Enforcement Assistance Force;

(2) the term ''Law Enforcement Assistance Force'' means the Law Enforcement Assistance Force established under subsection (a); and

(3) the term ''major disaster'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

Mr. ENSIGN. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

AMENDMENT NO. 335

Mr. LIEBERMAN. Mr. President, we have a few moments before the vote will go off. I gather Senator OBAMA is going to yield back the time remaining to him. I say to my friends, the committee bill reported out on a bipartisan vote, 16 to 0, with one abstention, has a balanced formula in it that overall would increase homeland security funding to all States. We recognize with respect, and I think a sense of reality, that all of the States and all of the people of the United States are vulnerable in the war against terrorism, and there ought to be some minimum amount for our first responders at each State level.

The two amendments we are going to vote on, therefore, I oppose, because they would alter the formula in the bill. Under the Feinstein amendment, 34 States lose homeland security funding as compared to the formula in the bill. I repeat, we understand there are, based on subjective risk assessments, visible targets that appear particularly in larger States that one might say were probably more likely to be targets of terrorists. We acknowledge that. Our formulas give most of the money to these areas.

I repeat a number that struck me. In this fiscal year, 42 percent of the homeland security grant funding goes to 5 States: California, Texas, New York, Florida, and Illinois. It should go to these states. But I do not think, insofar as the first two amendments that are sponsored by colleagues from California and Illinois, they should want more of the money, and take it from 34 States—in the case of the first amendment by Senator FEINSTEIN from California; that they should take from the other States which have needs as well.

This is a balanced formula in the underlying bill that gives the overwhelming amount of money out to the States based on risk, but says each State deserves some minimum because of the nature of the threat we face.

The first amendment will be the one offered by the Senator from California. I urge my colleagues to oppose that amendment.

May I ask the Chair, has all time been used up except for the time of the Senator from Illinois?

The PRESIDING OFFICER. The Senator is correct.

Mr. LIEBERMAN. I understand through the staff of the Senator from Illinois that he is prepared to yield back his time.

Mr. President, I think, consistent with the spirit, if not the exact letter, of the unanimous consent we agreed to, there should be a minute given to the Senator from California in support of the amendment, and perhaps a minute to my ranking member in opposition.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, the point of this amendment is to produce a bill that, as nearly as possible, mirrors the recommendations of the 9/11 Commission. Those recommendations were clear and distinct. Money should go to communities based on risk, threat, and vulnerability. This should not be a revenue-sharing program. Yes, the big States have more infrastructure, more highrises, more tunnels, more subways—the kinds of things that are attractive to terrorists. If that is in fact the case, as judged not by us but by the experts, then that money should be able to go where there is risk, threat, and vulnerability.

That is all this amendment does. We did not pull our figures out of the clear blue that concluded that 35 States are benefitted. These are the products of the Congressional Research Service analysis. We sent them the facts, and what they say is, assuming a $913 million authorization for the State Homeland Security Grant Program and the Law Enforcement Terrorist Program, this would be the result.

You cannot say whether someone is going to get a grant, but these are their nearest computations of who would benefit on that list. Yes, some States do lose; there is no question.

Please vote ''yes'' on this amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment is virtually identical to a proposal we voted on last July during the Homeland Security appropriations bill. In fact, we have repeatedly voted on this formula issue. We need to bring all States up to a certain baseline level of preparedness. That does not mean we do not figure in the risk; we do. Indeed, under our bill 95 percent of the State Homeland Security Grant Program funds and 100 percent of the Urban Area Security Initiative funding will be allocated based on risk.

The Senator's analysis does not look at the impact she would have on all four of the programs included in our bill, yet her amendment does affect all four, and that is the reason our analysis is different.

We cannot assume a precise calculation of risk. A Federal building in Oklahoma City was not an obvious target for a terrorist bombing, and yet we know the tragic attack that occurred in that city.

Rural flight schools were not obvious training grounds for terrorists, and yet we know that terrorists trained in Norman, OK.

Portland, ME, was not an obvious departure point for the terrorist pilots as they began their journey of death and destruction on September 11, and that is exactly what occurred.

My point is that terrorists can and do shelter, train, recruit, plan, prepare, and attack in unlikely places. That is one reason our bill puts so much emphasis on prevention, an emphasis that would be lost in the Senator's amendment.

I urge opposition to the amendment.

The PRESIDING OFFICER. All time is expired.

The question is on agreeing to the Feinstein amendment No. 335.

Mr. LIEBERMAN. Mr. President, I move to table the Feinstein amendment No. 335 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—56

Akaka	Dodd	Murkowski
Alexander	Domenici	Nelson (NE)
Baucus	Dorgan	Pryor
Bayh	Ensign	Reed
Bennett	Enzi	Roberts
Biden	Feingold	Rockefeller
Bingaman	Grassley	Salazar
Bond	Hagel	Sanders
Brownback	Harkin	Sessions
Bunning	Hatch	Shelby
Byrd	Inouye	Snowe
Carper	Klobuchar	Stevens
Cochran	Kohl	Sununu
Coleman	Leahy	Tester
Collins	Lieberman	Thomas
Conrad	Lincoln	Thune
Corker	Lott	Whitehouse
Craig	Lugar	Wyden
Crapo	McConnell	

NAYS—43

Allard	Clinton	Gregg
Boxer	Coburn	Hutchison
Brown	Cornyn	Inhofe
Burr	DeMint	Isakson
Cantwell	Dole	Kennedy
Cardin	Durbin	Kerry
Casey	Feinstein	Kyl
Chambliss	Graham	Landrieu

Lautenberg	Murray	Stabenow
Levin	Nelson (FL)	Vitter
Martinez	Obama	Voinovich
McCain	Reid	Warner
McCaskill	Schumer	Webb
Menendez	Smith	
Mikulski	Specter	

NOT VOTING—1

Johnson

The motion was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote.

Mr. LEAHY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 338

The PRESIDING OFFICER. Without objection, there will now be 2 minutes of debate equally divided on Obama amendment No. 338.

The Senator from Illinois is recognized.

Mr. OBAMA. Mr. President, this amendment aims at moving us closer to a risk-based allocation of resources. It takes us a step closer to the 9/11 Commission report. I want to let everyone know that 34 States actually potentially do better under this amendment. Six States are held harmless, and there are some States that would get less money. But keep in mind the whole goal of this particular program is to ensure that money is allocated on the basis of risk. It would still be .25 percent of the money allocated to every State. It would still be a minimum, and there would still be money through other programs that would ensure that money is allocated to States for all-hazard purposes.

So I strongly urge all in this Chamber to take a look at this bill and look at the chart that we passed out. There have been arguments from my good friend, the Senator from Connecticut, as well as the Senator from Maine, suggesting that somehow States get less money. That is only the baseline; it does not include the money that would be allocated on the basis of risk.

I urge a ''no'' vote on this motion to table.

Mr. LIEBERMAN. Mr. President, I rise to oppose the amendment by the Senator from Illinois, and in that sense to support the very balanced formula in our underlying bill which gives most of the money in homeland security grant funding based on risk but acknowledges that every State faces the threat of terrorism and therefore deserves some minimum amount of funding. This amendment essentially raises the same points that the amendment offered by the Senator from California did, which my colleagues were just good enough to table. The amendment of the Senator from Illinois would leave 32 of our States with less guaranteed funding than the underlying bill, S. 4.

I urge my colleagues to support the committee bill and oppose this amendment.

Mr. President, I ask unanimous consent that the next two votes be 10-minute votes as opposed to 15.

The PRESIDING OFFICER (Mr. MENENDEZ). Is there objection? Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I now move to table the amendment offered by the Senator from Illinois and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 62 Leg.]

YEAS—59

Akaka	DeMint	McConnell
Alexander	Dodd	Murkowski
Allard	Dole	Nelson (NE)
Baucus	Ensign	Pryor
Bayh	Enzi	Reed
Bennett	Graham	Reid
Biden	Grassley	Roberts
Bond	Hagel	Salazar
Brownback	Harkin	Sanders
Bunning	Hatch	Sessions
Byrd	Inhofe	Shelby
Carper	Inouye	Snowe
Chambliss	Isakson	Stevens
Coburn	Klobuchar	Sununu
Cochran	Kohl	Tester
Coleman	Leahy	Thomas
Collins	Lieberman	Thune
Corker	Lincoln	Whitehouse
Craig	Lott	Wyden
Crapo	Lugar	

NAYS—40

Bingaman	Feinstein	Murray
Boxer	Gregg	Nelson (FL)
Brown	Hutchison	Obama
Burr	Kennedy	Rockefeller
Cantwell	Kerry	Schumer
Cardin	Kyl	Smith
Casey	Landrieu	Specter
Clinton	Lautenberg	Stabenow
Conrad	Levin	Vitter
Cornyn	Martinez	Voinovich
Domenici	McCain	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	
Feingold	Mikulski	

NOT VOTING—1

Johnson

The motion was agreed to.

Mr. LIEBERMAN. I move to reconsider the vote.

Ms. COLLINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 333

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided on the Leahy amendment No. 333. The Senator from Vermont.

Mr. LEAHY. Mr. President, this is the Leahy-Thomas amendment. The Senate has rejected the last two amendments. This is the amendment that protects small and medium States. The Leahy-Thomas amendment would protect Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

I am not suggesting people should vote from a parochial interest, but I want my colleagues to know the vast majority of States—small and medium—in this country would be protected by the Leahy-Thomas amendment.

The PRESIDING OFFICER. Who yields time?

Mr. THOMAS. Mr. President, I think this is a very equitable and timely distribution of these funds. I urge my colleagues to support this amendment.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 333. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—49

Akaka	Feingold	Reid
Baucus	Grassley	Roberts
Bayh	Hagel	Rockefeller
Bennett	Harkin	Salazar
Biden	Hatch	Sanders
Bingaman	Inouye	Sessions
Brownback	Klobuchar	Shelby
Byrd	Kohl	Smith
Carper	Leahy	Specter
Cochran	Lincoln	Stevens
Coleman	Lott	Tester
Conrad	Lugar	Thomas
Craig	McConnell	Thune
Crapo	Murkowski	Whitehouse
Dodd	Nelson (NE)	Wyden
Dorgan	Pryor	
Enzi	Reed	

NAYS—50

Alexander	Dole	Martinez
Allard	Domenici	McCain
Bond	Durbin	McCaskill
Boxer	Ensign	Menendez
Brown	Feinstein	Mikulski
Bunning	Graham	Murray
Burr	Gregg	Nelson (FL)
Cantwell	Hutchison	Obama
Cardin	Inhofe	Schumer
Casey	Isakson	Snowe
Chambliss	Kennedy	Stabenow
Clinton	Kerry	Sununu
Coburn	Kyl	Vitter
Collins	Landrieu	Voinovich
Corker	Lautenberg	Warner
Cornyn	Levin	Webb
DeMint	Lieberman	

NOT VOTING—1

Johnson

The amendment (No. 333) was rejected.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, that was the last vote for tonight. I have been in contact with the two managers of the bill and the distinguished Republican leader, and we are trying to work out some votes in the morning prior to King Abdullah. What we would like to do is have a vote on McCaskill and Collins, and then we also have some nongermane amendments we have been given by the minority that they would like to dispose of, and we have a couple of nongermane amendments on this side we would like to dispose of. The staff, during that hour or two, will work to see if we can come up with some kind of agreement toward completion of this bill.

I want all Senators to know, as I announced at the Democratic caucus today, that I am going to file cloture tomorrow on this bill. I hope we can have a good, full day of trying to complete this bill, and I also hope we can work something out where we may not have to have a cloture vote on Friday. If we do, we have to finish this bill this week. We could have some votes late into Friday. Everyone should be put on notice now that it may be necessary to have some Friday votes.

Mr. COBURN. Mr. President, I ask unanimous consent that I be recognized, following the Senator from Arizona for 3 minutes and the Senator from Connecticut for 5 minutes, for such time as I might consume on an amendment on this bill.

The PRESIDING OFFICER. Is there objection?

Mr. AKAKA. Mr. President, I will not object, but I would like to receive the President's assurance that this matter will continue to be debated tomorrow.

Mr. COBURN. I have no problem agreeing to debate this again tomorrow.

Mr. AKAKA. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 357, AS MODIFIED

Mr. KYL. Mr. President, first I have a modification of my amendment No. 357 I would like to send to the desk. That amendment has already been offered.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

At page 174, strike line 1 and all that follows through page 175, line 18, and insert the following:

''(1) DATA-MINING.—The term ''data-mining'' means a query or search or other analysis of one or more electronic databases, where—

(A) a department or agency of the Federal Government is conducting the query or search or other analysis to find a pattern indicating terrorist or other criminal activity on the part of any individual or individuals;

(B) the search does not use personal identifiers of a specific individual or does not utilize inputs that appear on their face to identify or be associated with a specified individual to acquire information, to retrieve information from the database or databases; and

(C) at least one of the databases was obtained from or remains under the control of a non-Federal entity, or the information was acquired initially by another department or agency of the Federal Government for purposes other than intelligence or law enforcement.

(2) DATABASE.—The term ''database'' does not include telephone directories, news reporting, information publicly available via the Internet or available by any other means to any member of the public, any databases maintained, operated, or controlled by a State, local, or tribal government (such as a State motor vehicle database), or databases of judicial and administrative opinions.

(c) REPORTS ON DATA MINING ACTIVITIES BY FEDERAL AGENCIES.—

(1) REQUIREMENT FOR REPORT.—The head of each department or agency of the Federal Government that is engaged in any activity to use or develop data mining shall submit a report to Congress on all such activities of the department or agency under the jurisdiction of that official. The report shall be made available to the public, except for a classified annex described paragraph (2)(H).

(2) CONTENT OF REPORT.—Each report submitted under paragraph (1) shall include, for each activity to use or develop data mining, the following information:

(A) A thorough description of the data mining activity, its goals, and, where appropriate, the target dates for the deployment of the data mining activity.

(B) A thorough description, without revealing existing patents, proprietary business processes, trade secrets, and intelligence sources and methods, of the data mining technology that is being used or will be used, including the basis for determining whether a particular pattern or anomaly is indicative of terrorist or criminal activity.''

AMENDMENT NO. 317

Mr. KYL. Mr. President, at this point I wish to briefly address another amendment, amendment No. 317, which is already pending. This is an amendment which would prohibit rewarding families of suicide bombers for such attacks and stiffen penalties for other terrorist crimes. This is one we can hopefully adopt on a bipartisan basis. It would create the new offense of aiding the family or associates of a terrorist with the intent to encourage terrorist acts. It is targeted at those individuals who give money to the families of suicide bombers after such bombings. The amendment would make it a Federal offense to do so if the act can be connected to the United States and if the defendant acted with the intent to facilitate, reward, or encourage international acts of terrorism.

Let me offer an example of why this amendment is necessary. In August of 2001, a Palestinian suicide bomber attacked a Sbarro pizza parlor in Jerusalem. Among those killed was an American citizen, Shoshana Greenbaum, who was a schoolteacher and who was pregnant at the time. Shortly after this bombing took place, the family of the suicide bomber was told to go to the Arab Bank. The bomber's family began receiving monthly payments through an account at that bank and later received a lump payment of $6,000.

According to press accounts, this is not the only time Arab Bank has funneled money to the families of suicide bombers. One news account describes a branch of the bank in the Palestinian territories whose walls are covered with posters eulogizing suicide bombers.

According to other news accounts, these suicide bombers in the Palestinian territories are recruited with the promises that their families will be taken care of financially after the attack. Saudi charities, the Palestinian Authority, and even Saddam Hussein have rewarded suicide bombers' families for their acts. According to one account, Saddam Hussein paid $35 million to terrorists' families during his time. Obviously, his actions are no longer of concern, but we should all be deeply concerned about other wealthy individuals and financial institutions that continue to pay out these rewards. It is undoubtedly the case that in some instances, these payments make the difference in whether an individual will commit a suicide bombing.

My amendment will make it a Federal crime, with extraterritorial jurisdiction in cases that can be linked to U.S. interests, to pay the families of suicide bombers and other terrorists with the intent to facilitate terrorist acts. My amendment also makes other improvements to the antiterrorism laws, primarily by increasing the maximum penalties for various aspects of the material support offenses, which already exist in law.

I hope, as I said, my colleagues will view this as an amendment which we can adopt on a bipartisan basis. It is an important amendment to ensure that another avenue of terrorism can be shut off. I ask for my colleagues' affirmative consideration of this amendment No. 317, and I thank the Senator from Oklahoma for his courtesies extended to me.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, let me also address my thanks to our colleague from Oklahoma. Before I discuss the Banking Committee's contribution to this important bill, I would like to take a moment to provide some thoughts on the overall bill—especially the initiatives pertaining to our Nation's homeland security. Over 5 years after the tragic events of 9/11 and almost 20 months since the tragic events of Hurricanes Katrina and Rita, we continue to hear from Governors, county executives, mayors, first responders, health professionals, and emergency preparedness officials that our country as a whole remains unprepared for another manmade or natural disaster. We have heard the argument, which I support, that Congress needs to do more to support regional and local efforts to protect Americans.

Overall, I believe this bill takes a critical step forward in protecting Americans at home from manmade and natural disasters. It codifies several recommendations made by the 9/11 Commission—seminal recommendations that, nearly 3 years after being

issued, have still not been implemented by this White House or the Congress.

I support the measures in this bill designed to allocate critical resources based on concrete risk and effectiveness analysis. I also support the measure in this bill that establishes a minimum base of funding for all States. We all know how important initiatives like the State Homeland Security Grant Program and the Law Enforcement Terrorism Prevention Program are to our States and localities. While I believe those areas with higher degrees of risk from manmade and natural disasters should receive adequate resources proportionate to that risk, I also believe that all areas of our country should receive a base amount of funding that guarantees the protection of all Americans.

I am going to jump to the section of the legislation over which the Senate Banking, Housing, and Urban Affairs Committee has specific jurisdiction. The Presiding Officer is a distinguished member of the committee. He will recall just a few weeks ago we marked up the transit security bill which is now a part of this legislation.

I thank Senator RICHARD SHELBY, my ranking member on the committee, former chairman of the committee, for his cooperation, and I thank all members of the committee. We marked up this piece of the bill now before the Senate, unanimously. It is very much a reflection of what the committee did previously in the 109th Congress to deal with transportation security, and we thought it was an important matter to raise at the outset.

My compliments to the chairman of the committee for the underlying legislation, who is responsible for the homeland security issues, and his colleague from Maine, for the tremendous work they have done on this bill, and for others who have been involved in it.

I would be remiss if I also didn't commend the distinguished chairman of the Commerce Committee, Senator INOUYE, and his ranking member, Senator STEVENS, for their work, as well as Senator REID, the majority leader, for bringing this all together in one package.

It is also important we recognize how important transit security is. The Presiding Officer and others will recall we had a hearing on this subject matter and heard from some very interesting witnesses. It is not all that common that we invite witnesses who are not U.S. citizens to come and participate in congressional hearings. But given the tragedies in Madrid and London, we thought it might be worthwhile to hear from those who manage the transit operations in those two cities to come and share with us information about those two experiences. I think their testimony was very helpful in galvanizing the importance of this issue and the attention of the committee and, we hope, our colleagues as well.

We learned in those hearings, of course, that transit attacks have unfortunately been the major source of some of the terrorist activities over the last number of years. It is no secret that worldwide terrorists have favored public transit as a target. Transit has been the single most frequent target of terrorism.

In the decade leading up to 2000, 42 percent of terrorist attacks worldwide targeted rail systems or buses, according to a study done by the Brookings Institution. In 2005 they attacked, as I mentioned, London's rail and bus system killing 52 riders and injuring almost 700 more in what has been called London's bloodiest peacetime attack. In 2004 they attacked Madrid's metro system killing 192 people and leaving 1,500 people injured.

The Banking Committee heard testimony from the leaders of these two transit systems, as I mentioned. Transit is frequently targeted because it is tremendously important to any nation's economy. Securing our transit systems and our transportation networks generally is a difficult challenge under any circumstances. Every act to increase security generally potentially limits the specific security needs of a transit agency. The bill includes grants for security equipment, evacuation drills, and, most importantly—what we heard from the witnesses, particularly from Madrid and London—worker training. Indeed, the bill requires worker training for all systems that receive security grants. The importance of worker training can be scarcely overstated. Transit workers are the first line of defense against an attack and the first to respond to an event of an attack.

Mr. O'Toole, the director of London's transit system said:

> You have to invest in your staff and rely on them. You have to invest in technology, but don't rely on it.

Finally, the bill authorizes funds for the research of new and existing security technologies and fully authorizes the funding of the Information Sharing Analysis Center, a valuable tool that provides transit agencies timely information on active threats against their systems.

Over the years we have invested heavily in aviation security. In fact, we have invested about $7.50 per aviation passenger per trip. About 1.8 million people travel using the aviation system daily in this country. 14 million people use mass transit systems every workday. We have invested about $380 million in the security of mass transit systems. That is about one penny per passenger per trip.

I am not suggesting, nor do we require, that there be an equilibrium between the security systems of both aviation and mass transit systems. But our bill does provide an authorization of $3.5 billion to increase exactly the kind of operations I have described briefly, including the training issues which are critically important.

We believe with this additional authorization, and we hope an appropriate appropriation from the responsible committees, that we will be able to provide some additional security for this critically important system of our economy.

Again, I am grateful to the members of the committee, as well as my colleagues here, for their indication of support of this effort. It is going to be very important to all of us across this country. This is not limited, obviously, to the east coast or west coast. In fact, now some of the most urbanized States in the country are Western States with mass transit systems. It is going to be very important we provide the kind of support that this provision of the bill does.

Again, my thanks to Senator SHELBY, to all members of the committee who played a very constructive role in crafting this legislation, as they did in the 109th Congress and, again, to my colleague from Connecticut and my colleague from Maine for their fine work on this issue, making this a part of this bill. I urge the adoption of this section when the full bill is considered.

Again, my thanks to my colleague from Oklahoma for providing some time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. The Kyl amendment is the pending amendment.

AMENDMENT NO. 345

Mr. COBURN. I ask unanimous consent that pending amendment be set aside in consideration of an amendment that has already been called up, my amendment, No. 345.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. This is a pretty straightforward amendment.

I also ask unanimous consent Senator MCCAIN be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. One of the first things we found out after 9/11 was a lot of our emergency workers could not talk to each other. That was one of the most glaring, obvious defects in our response to emergencies—that emergency personnel had difficulty, from one group to another, talking to one another. As a matter of fact, it limited their ability to save lives.

From the beginning of the 9/11 Commission and from the start, in 2002, that has been addressed in multiple ways. The purpose of this amendment is to describe what is obviously something that is not good for us as a nation.

We presently have occurring with the Deficit Reduction Act of 2005 an electromagnetic spectrum which was sold off and $1 billion reserved under a program called the Public Safety Interoperability Public Service Grant Program. That $1 billion was carved off and that is where we are going to spend it. I don't disagree with that at all.

What this bill has is another $3.4 billion for interoperable grants addressing the same problem in a different way than what the other grant program was. One of our problems as a nation is we have too many programs that are doing the same thing. They duplicate one another. One is better and the other is not. Yet we continue sending money down both holes, not making adjustments as to which gives us the best value for our money.

What has happened with this money from the Commerce Department, through a memorandum of understanding, is the administration of this grant program has been transferred to the Department of Homeland Security with a little fiat that the Department of Commerce kept $12 million for themselves.

This memorandum of understanding was dated just a few weeks ago, February 16, and what it did is it gave the administration near complete administrative control of this grant program, the one from Commerce, the one from 2005, to the Department of Homeland Security. This grant program has yet, to date, to receive any applications for any grants to be administered under the program. This is 2005; 2006 we did this. Now we are into March of 2007, and we have not received the first application.

S. 4, being considered on the Senate floor now, as I said, creates yet another interoperable grant program, the Emergency Communications and Interoperability Grant Program. This program is also going to be administered by the Department of Homeland Security. The purpose of this grant program is to make grants to States for purchasing interoperable equipment and training personnel, testing on how and when to use it—similar to the PSIC grant which was mainly for equipment. This program authorizes $3.3 billion to be authorized in grants over the first 5 years of the program and indefinite amounts, ''such sums as are necessary,'' after that.

A question comes to mind: How much money would it take for every first responder in this country to have interoperable communications? We don't address that in this bill. We just keep sending the money for it, after we send the first $3.3 billion and then whatever it takes after that, rather than looking and reassessing what our need is.

If S. 4 passes in its current form, Congress will have authorized the creation of two nearly identical interoperability grant programs. Again, interoperability is this concept that first responders can talk to one another: if there is a fire going on in Tulsa, and there is a need that Oklahoma City firefighters will be there, that they can talk to them; that if there is something going on in Arkansas and Oklahoma first responders need to be there, there is the ability for them to talk to one another over their communications gear.

One of these grant programs is housed at Commerce but run by DHS. The other is going to be housed at DHS. The differences between these two programs in their details are minimal. Both provide for funding of equipment, both provide for funding for training, and both will exist side by side until 2010, when PSIC expires.

The purpose of this amendment would be to combine the two duplicative grant programs for interoperability. It does it by repealing the PSIC Grant Program at Commerce and it redirects the funding set aside for the PSIC Grant Program at Commerce to funding the Emergency Communications and Interoperability Grant Program at DHS. This will not decrease the amount of money. We are going to still spend $4.3 billion. But we are going to do it through one grant program rather than two.

There are not going to be two sets of signals out there for the States that want to go after this money or the communities that need to go after this money. There is going to be one.

There are a couple of technical changes with this that are required, which is repealing the Call Home Act of 2006, which sets a deadline of September 30, 2007. We haven't had the first grant application right now, so that gives us less than 6 months to get grants in and advised and granted on the PSIC Grant Program.

Finally, I think a very important part of this amendment requires that DHS study and report to Congress on the feasibility of engaging the private sector in developing a national interoperable emergency communications network. Neither of these grant programs address the national focus that would be needed. One of the problems in Katrina was all the people who went down there, the 9/11 responders and emergency responders, couldn't communicate with the emergency responders in Louisiana.

What this says is, aren't there some brains out there in the private sector who could tell us what we need to do and then we could have our grant programs actually go to buy the equipment, the training, so the program is already figured out so we don't have duplication so the people in Oklahoma can talk to the people in Kansas and Nebraska and in New York—all across the country. There is no national security reason why we need two interoperable communication grant programs for the States.

The second point: The administration—this is another area of this bill that they strongly oppose, setting up two identical or very similar grant programs.

No. 3, the Department of Commerce has essentially contracted this grant program out to DHS. It rightfully should be.

No. 4, the 9/11 economic report explicitly stated that Congress should not use grant programs as porkbarrel. If we have two grant programs running side by side and one isn't talking to another and a State has gotten one and they don't know the State is applying for the same thing at the other, how much stewardship have we practiced with the American taxpayers' money? We have not.

One of the prime recommendations of the 9/11 Commission was to reorganize the grant programs to eliminate confusion. That is exactly what this amendment does. It reorganizes the grant programs into one grant program, one place where you go to get it, one source of planning, one source of administration for it.

I will not go into the reasons why we have two programs, but needless to say it is because Members of Congress are not talking to each other. We have two interoperability grant programs that are not interoperable because we have a Congress that is not interoperable in communications with one another in terms of committee to committee or Member to Member.

The Department of Homeland Security has been cleared as the lead Federal agency for interoperability emergency communications. That is where these grants ought to be. That is who we are going to hold accountable. By not having them both in the same department, then we are not going to be able to hold them accountable when we do oversight.

The other thing is the average American cannot afford to purchase two of anything. Many times with these two programs, we are going to see the same thing paid for twice because the right hand is not going to know what the left hand is doing. There is no good policy reason for the Federal Government to have these two programs.

The other thing I think is fairly easy to recognize is if you have two grant programs, it is hard for the American public to realize how much money we are spending on the grant programs because you have got to find one and then the other. The total, which is going to be $4.3 billion, is not recognized now.

The final reason is our first responder organizations write grants. They are already required, in terms of all of the things we have done in terms of emergency preparedness, to provide multiple proposals annually right now to get Federal funding. Why would we not want them to have one application for interoperability? It is a waste of their time and the State's time.

The arguments you are going to hear tomorrow—we are going to debate this amendment again tomorrow afternoon with my colleagues from Hawaii and Alaska. They are going to say the PSIC Grant Program is only authorized until 2010, so after that there would not be a problem anymore for two grant programs. That is not a good reason to have two grant programs.

The public safety interoperability program requires the department to coordinate its efforts with the Secretary of Homeland Security. Yes, they did. They signed a memorandum of understanding that says they are going to run it all.

Finally, the Commerce Department has the authority and expertise over emergency communication grant programs. Although the PSIC Program was placed in Commerce, all of the operational authority for that grant program was essentially transferred to the Department of Homeland Security.

The Department of Homeland Security essentially treats the PSIC as part of its own budget, showing that Commerce has no real role in administering this program.

Another argument would be the programs are not identical but focus on different aspects of communications interoperability; it would hurt the emergency response community to get rid of either one of the programs.

Well, the one that is in this bill does it all. The one that is in the Commerce bill that we have already allocated $1 billion for is mainly about equipment, it is not as much about training.

We ought to know, if we are going to spend $4.3 billion that emergency responders anywhere ought to be able to talk to one another. We do not know that with this money. There is no string on this money that says that is the end goal. That is why a study coming out of the Department of Homeland Security that says go look at the outside and ask the private sector to tell us how do we take this spectrum that has been set aside, two different sections of spectrum for this, and how do we create a plan so that throughout the whole country, no matter what the need is, one group of emergency responders can talk to another?

That is what we ought to be getting for our $4.3 billion. That is not in either one of those programs. So what we are going to do is we are going to spend $4.3 billion on these grant programs, with no assurances that we are going to accomplish the very thing we seek to accomplish.

I believe there could not be a more wasteful attempt at our spending when we do not know what we are going to do for an endpoint on the spending.

A few comments about the overall bill. There has to come a point in time in this country where we recognize that we do not have enough money to do everything we need to do to protect us. That is true today. Where we ought to be putting our money is where we think the highest risks are. I agree with the Presiding Officer. Areas such as New Jersey are at much greater risk and ought to get much greater funding. They have a greater risk and a greater need.

Does that mean I am pleased if that means soft targets in Oklahoma are going to be exposed? No, but there has to be a dispensing of the money based on what the most likely risks are. So when we finish all of this, we will have gotten what we wanted.

Earlier today, I offered an amendment to sunset this bill in 5 years. We will look at it again and see what have we accomplished. What is left to accomplish? Where is the greatest area of risk? What do we still need to do? We have not done that in this bill. That is how we are going to make good policy—making sure that the dollars we spend to protect America are spent on the areas that will get us the most in this bill that we are debating today. We refuse to do that. It authorizes this bill to continue forever.

There is no sunset to it. There is no stop to say that we need to relook at this. There is nothing for the Congress to come back and look at as we did in the PATRIOT Act, where we required that we had to come back and look at it. We sunsetted it. And even though we passed the PATRIOT Act last year, we took sections of it that we said we know we are going to want to look at again, so we sunsetted it.

If we are going to be good stewards with the American taxpayer's money, we ought to sunset this bill. We ought to sunset these two interoperability programs so that we know whether we have accomplished what we desire and know what the problems are so that we can predict them. By not sunsetting, by not combining the programs, by not efficiently spending and wisely planning the spending of the American taxpayer dollars is getting us on down the road where we do not want to be, which is more and more of what we are spending today being paid for more and more by our grandchildren and children of tomorrow.

I thank you for the time. I look forward to debating this bill tomorrow with Senator STEVENS and Senator INOUYE. My hope is that Senator MCCAIN, who is a member of the Commerce Committee, will be here to aid in this. There is no reason for us to have two programs making States apply for two different grant programs that essentially do the same thing.

We would not do that ourselves in our homes. We would not set up two parallel requirements to accomplish the same goal. We should not be doing it in this bill.

Mr. AKAKA. Mr. President, I rise today in support of the grant funding formula in the underlying bill, S .4, as well as Senator REID's amendment in the nature of a substitute. I also wish to underscore the comments made previously by the chairman and ranking member of the Homeland Security Committee on which I serve. As Senators LIEBERMAN and COLLINS have articulated so well, I do not question the need for heavily populated States such as New Jersey and Texas to receive appropriate sums of homeland security grant funding to address their homeland security needs, nor do I question the need to protect chemical plants or to protect nuclear power plants. All of this is beyond question.

The point of this debate is protecting America against many risks, both natural and manmade. The State of Hawaii is subject to many natural disasters including hurricanes, floods, earthquakes, volcanoes, tsunamis, wildfires, droughts, and tropical storms. In addition, Hawaii is unique in that it is 2500 miles from the U.S. mainland. If disaster strikes Hawaii, natural or otherwise, it does not have neighboring States to rely on for assistance. It therefore must have numerous safety and security systems in place and be relatively self-reliant. Hawaii is also the gateway to the Pacific and, as such, provides support to American Samoa, Guam, and the Northern Mariana Islands through the U.S. Pacific Command, PACOM, in the event of a disaster. Hawaii also provided assistance and support to Thailand in the aftermath of the December 26, 2004, tsunami.

It is critical to remember that, although the Federal Emergency Management Agency, FEMA, was folded into the Department of Homeland Security, DHS, its mandate as the principal Federal agency charged with addressing preparation, mitigation, and response to all disasters, both natural and manmade, remains.

On January 18, 2007, DHS Secretary Chertoff announced his plan to reorganize DHS. That plan calls for FEMA to assume control of the Grants and Training program, including the State Homeland Security Grant Program, SHSGP, and other grant programs—grant programs that fund not only activities to prepare for, mitigate, and respond to terrorist attacks but also activities to prepare for, mitigate, and respond to natural disasters. Securing our homeland does not only mean protecting it from terrorists but also from the effects of mother nature, a force capable of directing a Katrina-sized hurricane to our soil.

In his recently released book, ''The Edge of Disaster,'' Dr. Stephen Flynn, a senior fellow with the National Security Studies Program at the Council on Foreign Relations, argues that 90 percent of Americans reside in an area that will experience a moderate to major natural disaster at any given time. This is not just about urban areas; this is about nearly every American being faced with a significant natural disaster with a far higher likelihood than any terrorist attack. As Dr. Flynn observes, we need ''an all-hazards approach'' in ''constructing safer communities and reducing the overall fragility of the nation.''

Hurricane Katrina illustrated that the United States has limited surge capacity at the State and local levels to respond to a large-scale natural or manmade event. Aging infrastructure, including faulty power grids, shortages in medical personnel and supplies make the United States vulnerable and exacerbate the impact of any attack or natural disaster. If we have a weak infrastructure, faulty and eroding levees, hopelessly outdated communications systems, then we are vulnerable and no amount of radiation portal monitors, RPMs, will protect us from the catastrophic impact of a terrorist attack or natural disaster.

I strongly support the homeland security grant formula contained in S .4

and Senator REID's amendment in the nature of a substitute. I oppose any efforts to lower guaranteed funding levels for all States.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there be a period of morning business with Senators allowed to speak therein for a period of up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SPORTSMANSHIP DAY

Mr. REED. Mr. President, I would like to acknowledge that today, March 6th, 2007, we celebrate the 17th annual National Sportsmanship Day. Created by the Institute for International Sport at the University of Rhode Island in 1991, this initiative seeks to promote and develop the highest ideals of sportsmanship and fair play among not only America's youth but also the international community. Over its 17 years, more than 13,500 schools and 80 million individuals across all 50 States and many countries around the world have participated in National Sportsmanship Day activities. On this day, in elementary schools, middle schools, high schools, and colleges, students, teachers, coaches, and parents will discuss issues regarding sportsmanship and fair play.

This year, National Sportsmanship Day will focus on the themes ''Don't Punch Back, Play Harder'' and ''Defeat Gamesmanship.'' These themes will prompt participants to explore the practical values of ''competitive self-restraint'' and playing within the intended spirit of the rules. It is important for both our society and our culture that we instill these values in our youth. Additionally, the celebration will include the 14th annual USA Today National Sportsmanship Day Essay Contest.

I am pleased to say that Rhode Island is home to the Institute for International Sport and National Sportsmanship Day. For 17 years, the institute and this initiative have enhanced the nature and health of competition among our Nation's youth. The efforts of Senator Claiborne Pell and his able staff member Barry Sklar, Senator John Chafee, founder Dan Doyle, and many others have contributed to the success of this endeavor. I know that this year's National Sportsmanship Day celebration will continue to promote fair play and in so doing ensure a sound foundation of sportsmanship for today and for the future.

VANDALISM OF AHAVAS TORAH SYNAGOGUE

Mr. SMITH. Mr. President, it is with great sorrow that I bring to the attention of the Senate the recent vandalism and desecration of Eugene, OR's only conservative synagogue, Ahavas Torah Synagogue, on February 22, 2007. The targets of this vile act were two sacred Torah scrolls and accompanying prayer books. Police officers responding to neighbors' calls found the building ransacked and a locked wooden chest containing the Torah scrolls pried open; the scrolls themselves were torn and damaged.

This event comes as a shock to the dozen families who make up Eugene's small Orthodox community, but unfortunately is not an isolated event. In 2002, Temple Beth Israel Synagogue was vandalized during a Shabbat service; in 2001 the congregation received hundreds of hate-filled letters; and in 1994 the synagogue was fired upon with armor-piercing rifle rounds.

I am compelled to speak out against this deplorable act of vandalism at the Ahavas Torah Synagogue, which proves that hate crimes still pose a serious threat to our Nation's security and values. All forms of hatred and intolerance should be combated with every available tool and America's leaders need to send a clear message that acts of violence targeted at individuals of any group will not be tolerated. For this reason, I have been a cosponsor and strong supporter of hate crimes prevention legislation.

The Talmud teaches us that he ''who can protest an injustice, but does not, is an accomplice to the act.'' Even though the existence of hatred is foretold in the Torah, acts of anti-Semitism and hate must be stopped before anyone can truly worship safely and freely.

ADDITIONAL STATEMENTS

HONORING RITA A. ALMON

• Ms. COLLINS. Mr. President, I wish to honor Ms. Rita A. Almon, who has served as program director for the U.S. Senate Youth Program for 29 years. She will retire after this year's 45th anniversary program, which is currently being held March 3 to 10, 2007, in Washington, DC.

During her tenure Ms. Almon has overseen the education and safety of thousands of high school student delegates who come annually to the Nation's Capital for this unique educational program about government, leadership and public service. She has worked closely with Senators and their staffs as well as with senior officials from each branch of Government to secure an opportunity for these young men and women to see their Government up close and to meet the individuals who make it work.

The mission of the U.S. Senate Youth Program, as set out in S. Res. 324 in 1962, states that ''the continued vitality of our Republic depends, in part, on the intelligent understanding of our political processes and the functions of our National Government by the citizens of the United States; and the durability of a constitutional democracy is dependent upon alert, talented, vigorous competition for political leadership.''

Rita A. Almon has achieved the mission of the U.S. Senate Youth Program by adhering to the highest standards of ethics and integrity, setting a shining example for the young men and women who participate. I join my colleagues in commending her and wish her well in her future endeavors.•

TRIBUTE TO MARVIN VAN HAAFTEN

• Mr. HARKIN. Mr. President, one of the joys of my job as a Senator is working closely with talented, dedicated Iowans from all walks of life. One of the exceptional people is Marvin Van Haaften, director of the Iowa Governor's Office of Drug Control Policy. With his retirement in January, he will conclude an extraordinary career in public service spanning over three decades.

Marvin Van Haaften has lived in Marion County most of his life, but his law enforcement experience and expertise has been felt throughout the State of Iowa. Before being named by Governor Tom Vilsack to be Iowa's drug policy coordinator in December 2002, he served as Marion County sheriff for 18 years. He is a graduate of the FBI National Academy, certified as a peace officer by the Iowa Law Enforcement Academy, served in the National Guard, and was a licensed medical examiner investigator.

One key to his success is that he speaks with the authority of a seasoned veteran of decades on the front line fighting crime and improving public safety. Marvin was named Sheriff of the Year in 1991 by the Iowa State Sheriffs' and Deputies' Association and served as its president in 1996. With more than 32 years of law enforcement experience, he has taught extensively in the field of rural law enforcement, particularly death investigation and domestic violence crimes. He has provided local and national leadership on the role of law enforcement in strategic victim safety and offender apprehension, and served on the board of directors of the National Center for Rural Law Enforcement. Marvin also served on many local and State committees such as the Iowa Criminal and Juvenile Justice Planning Advisory Council, the board of the Mid-Iowa Narcotics Enforcement Task Force, the board of the 18-county South Central Iowa Clandestine Laboratory Task Force, and was third vice president on

the board of directors of the Iowa Association of Counties.

As a law enforcement officer, Marvin has seen firsthand the ravages that domestic violence inflicts on innocent women and children. For that reason, he has been a committed advocate for combating domestic abuse. During the nineties he served on the President's National Advisory Council on Domestic Violence, chaired by the Attorney General and Secretary of Health and Human Services, setting policy and developing domestic abuse and sexual assault training for the Nation. He was also a member of Iowa's Domestic Violence Death Review Team, the Lieutenant Governor's STOP Violence Against Women Coordinating Council, and the National Sheriffs Association's Domestic Violence Committee.

The commitment that Marvin brought to domestic violence, he also brought to his role as Iowa's drug policy coordinator and director of the Office of Drug Control Policy. As a law enforcement officer, he saw the destruction that drug abuse wreaks on families—the broken homes and ruined lives. He worked very hard at both the State and national level to ensure that the voices and needs of local law enforcement were heard. He will leave very big shoes to fill. I personally am very grateful for the excellence, professionalism, and long hours that he brought to this job.

Marvin also realizes the importance of a healthy, supportive family in a person's life: Marvin has been married to his wife Joyce for 42 years and has 5 grown children and 11 grandchildren. I am sure they will enjoy his retirement, but my staff and I will miss his counsel and his can-do attitude. I have turned to him again and again over the years, and he has never let me down. It has meant so much to be able to rely on someone of his caliber for authoritative answers and prompt answers.●

IN MEMORY OF JOHN F. BASS

● Mrs. McCASKILL. Mr. President, today, I honor John Bass, a much loved member of the St. Louis community, who died last month at the age of 80. John Bass was soft-spoken and low-key but he was also a fighter. As a young man, he served his country in the U.S. Navy. When he returned from service, he found himself living in a racially divided, socially and economically troubled city. Determined to bring change to his community, John literally fought his way through a college education. As a champion boxer, he won a boxing scholarship to Lincoln University. But John's true fight for St. Louis came long after he hung up his gloves.

As an educator in Beaumont High School, John was a calming presence in a school bitterly divided by racial tension. There, at Beaumont, and probably for the first time in his life, John was sent to the principal's office the hard way. After he began his new job as principal of Beaumont High, he provided the calm, wise leadership that was necessary to soothe wounds that years of inequality inflicted on our Nation's educational system.

John was already a distinguished member of the St. Louis community when he rolled up his sleeves and delved into politics to bring positive change to the city of St. Louis by shaping its policies. He did not come from a family of politicians, and he did not inherit a political power base. He came to politics as a thoughtful, practical, and hard-working man who wanted to make his community a better place to live. With these attributes, John Bass won the trust and respect of St. Louis.

John served as an alderman, State senator, and cabinet official, but is best known for becoming the first African American to win the office of comptroller in St. Louis history. When he ran for that office in 1973, the mayor told him that the prevailing racial tensions in St. Louis would prevent his election. Undeterred, John ignored that prediction, won his seat, crashed his way into the city's most important financial post, and left his mark on the city of St. Louis. Regarded highly by his contemporaries as well as older and younger politicians, John helped pilot the city of St. Louis through some of its most turbulent years.

With John's passing, we have lost a prolific public servant, a trusted friend, and a quiet but powerful leader.●

TRIBUTE TO AHMET ERTEGUN

● Mr. VOINOVICH. Mr. President, I wish to honor a celebrated American pioneer, a legendary entrepreneur, a devotee, an integral cultivator of uniquely American music, and a great benefactor both to my home State of Ohio and my hometown of Cleveland, the late music executive Ahmet Ertegun.

The son of a Turkish Ambassador to the United States, Ertegun arrived in this county in 1935 as a young boy destined for diplomatic service. Yet at an early age he developed a profound love for music, especially jazz and blues, that blossomed into a lifelong, remarkable career.

At the age of 24, he cofounded the independent Atlantic Records label, mounting a historic and formidable challenge to contemporary industry giants by his keen ability to scout and develop talent. In other words, he knew a winner when he met one. John Coltrane, Ray Charles, and the Rolling Stones are among those in his repertoire.

An exemplary immigrant, Ahmet was well known for his ''culturally triangular'' relationships: He was a Turkish Muslim; many of his fellow executives were Jewish, and many of the artists they produced were African-American Christians.

David Geffen, the acclaimed entertainment mogul whom Ertegun introduced to the record business, noted that fewer people have had a greater impact on the music industry and that no one loved music more than he did.

Ahmet's deep appreciation and respect for musical roots and history prompted him to establish a Rock and Roll Hall of Fame.

The Hall of Fame Foundation was created in 1983, and soon after, its board of trustees began searching for a suitable home for the museum. At that time, about the midpoint of my decade as mayor of Cleveland, a regional renaissance was in full bloom, and Cleveland was making a comeback. The city had a clear vision of our new destiny and knew where we were headed.

The great people of my city had a dream: to land that Hall of Fame at home, in the heart of rock 'n' roll, right where it belonged.

Moved by the undaunted initiative of Greater Cleveland civic and business leaders, I joined their determined effort, boarded on a plane to New York, and pitched the idea to Ahmet and his board of trustees.

Our team's stunning case suddenly made Cleveland a top contender. The news of our heavy impression galvanized the city and evoked a flood of public spirit and support that greeted Ahmet and his board upon their subsequent visit to scout the town.

Well, Ahmet never lost his ability to recognize a winner, and when he stepped off the plane in Cleveland, he met one. I had the honor of presenting him with a key to our city and leading him on a local tour, showcasing what we had to offer.

A few months later, Ahmet and his board reached a decision, and in their good judgment, they selected Cleveland, where the term ''rock 'n' roll'' had been coined. We in Cleveland were both proud and humbled.

I am pleased to report, for more than a decade, the Rock and Roll Hall of Fame in Cleveland has been a popular global destination and a success for my hometown, for the State of Ohio, and for America.

I am fortunate that for a time, my duties in public services dovetailed with Ahmet's vision for the future of the Rock and Roll Hall of Fame.

He has been recognized many times throughout his life. In 1987, he was inducted into the Rock and Roll Hall of Fame. In 2000, our own U.S. Library of Congress honored him as a living legend. And today, just a few weeks after his death, I recognize him for his indelible contribution to the fabric of our great Nation.●

MESSAGE FROM THE HOUSE

At 11:40 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 122. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire

regional recycling project and in the Cucamonga Valley Water District recycling project.

H.R. 247. An act to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives.

H.R. 276. An act to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes.

H.R. 299. An act to adjust the boundary of Lowell National Historical Park, and for other purposes.

H.R. 376. An act to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System, and for other purposes.

H.R. 467. An act to authorize early repayment of obligations to the Bureau of Reclamation within the A&B Irrigation District in the State of Idaho.

H.R. 497. An act to authorize the Marion Park Project, a committee of the Palmetto Conservation Foundation, to establish a commemorative work on Federal land in the District of Columbia, and its environs to honor Brigadier General Francis Marion.

H.R. 807. An act to direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System.

H.R. 903. An act to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes.

H.R. 995. An act to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

H.R. 1047. An act to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 122. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional recycling project and in the Cucamonga Valley Water District recycling project; to the Committee on Energy and Natural Resources.

H.R. 247. An act to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives; to the Committee on Energy and Natural Resources.

H.R. 276. An act to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 299. An act to adjust the boundary of Lowell National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 376. An act to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 467. An act to authorize early repayment of obligations to the Bureau of Reclamation within the A & B Irrigation District in the State of Idaho; to the Committee on Energy and Natural Resources.

H.R. 497. An act to authorize the Marion Park Project, a committee of the Palmetto Conservation Foundation, to establish a commemorative work on Federal land in the District of Columbia, and its environs to honor Brigadier General Francis Marion; to the Committee on Energy and Natural Resources.

H.R. 807. An act to direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 903. An act to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 995. An act to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; to the Committee on Energy and Natural Resources.

H.R. 1047. An act to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 761. A bill to invest in innovation and education to improve the competitiveness of the United States in the global economy.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BIDEN for the Committee on Foreign Relations.

*Stanley Davis Phillips, of North Carolina, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Estonia.

HIGH POINT, NC,
December 27, 2006.

DEAR SENATORS. I would like to update my family information concerning political donations. The original form was requested in August and completed in September. Since that time, my family has made contributions to the following:

2006

S. Dave Phillips, Mitt Romney, South Carolina Pac, $3,500.

Katherine A. Phillips, Mitt Romney, Commonwealth Pac, 5,000.

Katherine A. Phillips, Mitt Romney, South Carolina Pac, 3,500.

Lillian J. Phillips, Mitt Romney, South Carolina Pac, 3,500.

Lillian J. Phillips, Mitt Romney, Commonwealth Pac, 5,000.

Katherine J. Phillips, Mitt Romney, South Carolina Pac, 3,500.

Katherine J. Phillips, Mitt Romney, Commonwealth Pac, 5,000.

Boyd A. Phillips, Mitt Romney, South Carolina Pac, 3,500.

Boyd A. Phillips, Mitt Romney, Commonwealth Pac, 5,000.

Lucy D. Phillips, Mitt Romney, South Carolina Pac, 3,000.

Lucy D. Phillips, Mitt Romney, Commonwealth Pac, 5,000.

Also, I would like to list the contribution that my family made to the President Inauguration in 2005. We were listed as an underwriter and the amount was $250,000. We understand that it is not necessary to list this item because it is not political, but we feel that it is appropriate.

STANLEY DAVIS PHILLIPS.

Nominee: Stanley Davis Phillips (Dave).

Post: Ambassador to Estonia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self, see attached.

2. Spouse, see attached.

3. Children and Spouses: Lillian J. Phillips, Katherine J. Phillips, Boyd A. Phillips, Lucy D. Phillips.

4. Parents: Lillian Jordan Philips—deceased; Earl N. Phillips—deceased.

5. Grandparents: deceased.

6. Brothers and Spouses: Earl N. Phillips, Jr.; Sallie B. Phillips (estranged & divorcing). See attached.

7. Sisters and Spouses: No sisters.

FEDERAL CAMPAIGN CONTRIBUTIONS

1. Stanley Davis Phillips (Dave).

Amount, Date, and Donee: $25,000, 01/06, Joint Candidate Committee; $10,000, 02/06, Tribute Victory Fund; $25,000, 09/06, Republican National Committee; $5,000, 09/06, Mitt Romney Campaign Committee; $5,000, 04/05, Leadership Circle PAC; $25,000, 05/05, Republican National Committee; $4,200, 05/05, Elizabeth Dole for Senate Committee; $25,000, 03/04, Republican National Committee; $1,000, 05/04, Richard Burr for Senate Committee; $5,000, 06/04, Leadership Circle PAC; $2,000, 05/04, Bush-Cheney '04; $2,500, 07/04, 2004 Joint State Victory Committee; $27,500, 10/04, 2004 Joint Candidate Committee; $2,000, 06/03, Bob Etheridge for Congress; $2,000, 09/03, Broyhill for Congress; $25,000, 09/03, Republican National Committee; $100, 09/03, Virginia Fox for Congress; $2,000, 10/03, Richard Burr for Senate Committee; $1,000, 09/02, Bob Etheridge For Congress; $5,000, 10/02, Dole North Carolina Victory Commitee.

Spouse—Katherine A. Phillips (Kay)

Amount, Date, and Donee: $25,000, 01/06, Joint Candidate Committee; $10,000, 02/06, Tribute Victory Fund; $25,000, 09/06, Republican National Committee; $5,000, 04/05, Leadership Circle PAC; $800, 05/05, Elizabeth Dole

for Senate Committee; $25,000, 05/05, Republican National Committee; $2,000, 06/04, Virginia Johnson for Congress; $5,000, 06/04, Leadership Circle PAC; $29,500, 07/04, 2004 Joint Candidate Committee; $2,500, 07/04, 2004 Joint State Victory Committee; $2,000, 06/03, Bush-Cheney '04; $25,000, 09/03, Republican National Committee.

Lillian J. Phillips.

Amount, Date, Donee: $25,000, 04/04, Republican National Committee; $35,500, 07/04, 2004 Joint Candidate Committee; $32,500, 07/04, Joint State Victory Committee; $2,000, 07/04, Bush-Cheney '04.

Katherine J. Phillips.

Amount, Date, and Donee: $25,000, 04/04, Republican National Committee; $35,500, 07/04, 2004 Joint Candidate Committee; $32,500, 07/04, Joint State Victory Committee; $2,000, 07/04, Bush-Cheney '04.

Boyd A. Phillips.

Amount, Date, and Donee: $25,000, 04/04, Republican National Committee; $35,500, 07/04, 2004 Joint Candidate Committee; $32,500, 07/04, Joint State Victory Committee; $2,000, 07/04, Bush-Cheney '04.

Lucy D. Phillips.

Amount, Date, and Donee: $25,000, 04/04, Republican National Committee; $35,500, 07/04, 2004 Joint Candidate Committee; $32,500, 07/04, Joint State Victory Committee; $2,000, 07/04, Bush-Cheney '04.

Brother—Earl N. Phillips, Jr.

Amount, Date, and Donee: $1,000, 04/05, Sharp Pencil PAC; $2,000, 03/04, Republican Party of Florida; $500, 05/04, Virginia Johnson for Congress; $4,000, 06/04, Richard Burr for Senate; $2,000, 07/04, Coble for Congress; $25,000, 10/04, Republican National Committee; $5,000, 10/04, 2004 Joint State Victory Committee; $28,500, 10/04, 2004 Joint Candidate Committee II; $2,000, 10/04, Bush-Cheney Compliance Committee; $25,000, 09/03, Republican National Committee.

Spouse—Sallie B. Phillips Industries

Amount, Date, and Donee: $25,000, 10/04, Republican National Committee; $7,500, 10/04, 2004 Joint State Victory Committee; $2,000, 10/04, Coble for Congress; $2,000, 10/04, Bush-Cheney Compliance Committee; $35,500, 10/04, 2004 Joint Candidate Committee II; $25,000, 10/03, Republican National Committee.

*William B. Wood, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Afghanistan.

Nominee: William B. Wood.

Post: Ambassador to Afghanistan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self, 0.
2. Spouse, N/A.
3. Children and Spouses, N/A.
4. Parents, N/A.
5. Grandparents, N/A.
6. Brothers and Spouses, Peter R. Wood, 0.
7. Sisters and Spouses, N/A.

*Ryan C. Crocker, of Washington, a Career Member of the Senior Foreign Service with the rank Personal Rank of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq.

Nominee: Ryan C. Crocker.

Post: Ambassador to the Republic of Iraq.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self, none.
2. Spouse, none.
3. Children and Spouses, none.
4. Parents: Mother: Carol Crocker, none. Father: Howard Crocker, deceased.
5. Grandparents: Deceased since 1923.
6. Brothers and Spouses, none.
7. Sisters and Spouses, none.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BURR (for himself and Mr. BINGAMAN):

S. 765. A bill to establish a grant program to improve high school graduation rates and prepare students for college and work; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself, Mr. KENNEDY, Mr. HARKIN, Mrs. BOXER, Ms. CANTWELL, Mr. DODD, Mr. FEINGOLD, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, and Mr. SCHUMER):

S. 766. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies of victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. OBAMA (for himself, Mr. LUGAR, Mr. BIDEN, Mr. SMITH, Mr. BINGAMAN, Mr. COLEMAN, and Mr. SPECTER):

S. 767. A bill to increase fuel economy standards for automobiles and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. OBAMA (for himself, Mr. LUGAR, Mr. BIDEN, Mr. SMITH, Mr. BINGAMAN, Mr. COLEMAN, and Mr. SPECTER):

S. 768. A bill to increase fuel economy standards for automobiles and for other purposes; to the Committee on Finance.

By Mr. SALAZAR (for himself, Mr. CHAMBLISS, Ms. COLLINS, and Mr. ALLARD):

S. 769. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that participants in the Troops to Teachers program may teach at a range of eligible schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself and Mr. HATCH):

S. 770. A bill to amend the Food Stamp Act of 1977 to permit participating households to use food stamp benefits to purchase nutritional supplements providing vitamins or minerals, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HARKIN (for himself, Ms. MURKOWSKI, Mr. DURBIN, Mr. VOINOVICH, Mr. MENENDEZ, Ms. CANTWELL, Mr. LIEBERMAN, Mr. CARPER, and Mr. SCHUMER):

S. 771. A bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of ''food of minimal nutritional value'' to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KOHL (for himself, Mr. COLEMAN, Mr. FEINGOLD, Mr. VITTER, and Mr. ROCKEFELLER):

S. 772. A bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. ROCKEFELLER, Ms. SNOWE, Ms. COLLINS, Mr. LOTT, and Mr. SUNUNU):

S. 773. A bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. HAGEL, Mr. LUGAR, Mr. KENNEDY, Mr. CRAIG, Mr. LEAHY, Mr. MCCAIN, Mr. LIEBERMAN, Mr. CRAPO, Mr. OBAMA, and Mr. FEINGOLD):

S. 774. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. VOINOVICH, Mrs. CLINTON, and Mr. COLEMAN):

S. 775. A bill to establish a National Commission on the Infrastructure of the United States; to the Committee on Environment and Public Works.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 776. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to include certain former nuclear weapons program workers in the Special Exposure Cohort under the energy employees occupational illness compensation program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAIG:

S. 777. A bill to repeal the imposition of withholding on certain payments made to vendors by government entities; to the Committee on Finance.

By Mr. KENNEDY (for himself, Mr. BURR, Mr. KERRY, and Mr. SANDERS):

S. 778. A bill to amend title IV of the Elementary and Secondary Education Act of 1965 in order to authorize the Secretary of Education to award competitive grants to eligible entities to recruit, select, train, and support Expanded Learning and After-School Fellows that will strengthen expanded learning initiatives, 21st century community learning center programs, and after-school programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAIG:

S. 779. A bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Energy and Natural Resources.

By Mr. PRYOR:

S. 780. A bill to amend the Communications Act of 1934 to prohibit the unlawful acquisition and use of confidential customer proprietary network information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PRYOR:

S. 781. A bill to extend the authority of the Federal Trade Commission to collect Do-Not-Call Registry fees to fiscal years after fiscal year 2007; to the Committee on Commerce, Science, and Transportation.

By Mr. LOTT:

S. 782. A bill to designate the United States courthouse to be constructed in Jackson, Mississippi, as the ''Thad Cochran United States Courthouse''; to the Committee on Environment and Public Works.

By Ms. LANDRIEU:

S. 783. A bill to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REID (for himself, Mr. ENSIGN, and Mr. BENNETT):

S. 784. A bill to amend the Nuclear Waste Policy Act of 1982 to require commercial nuclear power plant operators to transfer spent nuclear fuel from the spent nuclear fuel pools of the operators into spent nuclear fuel dry casks at independent spent fuel storage installations of the operators that are licensed by the Nuclear Regulatory Commission, to convey to the Secretary of Energy title to all such transferred spent nuclear fuel, to provide for the transfer to the Secretary of the independent spent fuel storage installation operating responsibility of each plant together with the license granted by the Commission for the installation, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 785. A bill to amend title 4 of the United States Code to limit the extent to which States may tax the compensation earned by nonresident telecommuters; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. FEINGOLD):

S. 786. A bill to amend the Agricultural Marketing Act of 1946 to foster efficient markets and increase competition and transparency among packers that purchased livestock from producers; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. ALLARD, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. CRAIG, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mr. LOTT, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. NELSON of Florida, Mr. OBAMA, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SCHUMER, Mr. SMITH, Ms. SNOWE, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. THOMAS, Mr. VOINOVICH, Mr. WARNER, Mr. WHITEHOUSE, and Mr. WYDEN):

S. Res. 95. A resolution designating March 25, 2006, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''; to the Committee on the Judiciary.

By Mrs. McCASKILL (for herself, Mr. BOND, Mrs. CLINTON, Mrs. BOXER, Ms. STABENOW, Ms. CANTWELL, Ms. MIKULSKI, Mrs. FEINSTEIN, Mrs. MURRAY, Mrs. LINCOLN, Ms. KLOBUCHAR, Mr. BINGAMAN, Mr. LEVIN, Mr. DODD, Mr. OBAMA, and Mr. HARKIN):

S. Res. 96. A resolution expressing the sense of the Senate that Harriett Woods will be remembered as a pioneer in women's politics; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. McCONNELL, Mrs. McCASKILL, Mr. BOND, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. McCAIN, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, and Mr. WYDEN):

S. Res. 97. A resolution relative to the death of Thomas F. Eagleton, former United States Senator for the State of Missouri; considered and agreed to.

By Mrs. FEINSTEIN:

S. Res. 98. A resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to.

ADDITIONAL COSPONSORS

S. 329

At the request of Mr. CRAPO, the name of the Senator from Vermont (Mr. SANDERS) 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. 453

At the request of Mr. OBAMA, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 453, a bill to prohibit deceptive practices in Federal elections.

S. 507

At the request of Mr. CONRAD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 507, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 513

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 513, a bill to amend title 10, United States Code, to revive previous authority on the use of the Armed Forces and the militia to address interference with State or Federal law, and for other purposes.

S. 527

At the request of Mr. FEINGOLD, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 527, a bill to make amendments to the Iran, North Korea, and Syria Nonproliferation Act.

S. 535

At the request of Mr. DODD, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 535, a bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes.

S. 573

At the request of Ms. STABENOW, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 578

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 578, a bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes.

S. 613

At the request of Mr. LUGAR, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 613, a bill to enhance the overseas stabilization and reconstruction capabilities of the United States Government, and for other purposes.

S. 623

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 623, a bill to amend the Public Health Service Act to provide for the licensing of comparable and interchangeable biological products, and for other purposes.

S. 624

At the request of Ms. MIKULSKI, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Connecticut

(Mr. DODD) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 624, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 625

At the request of Mr. KENNEDY, the names of the Senator from Indiana (Mr. BAYH) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 625, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 634

At the request of Mr. DODD, the name of the Senator from New York (Mrs. CLINTON) 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. 637

At the request of Mr. SESSIONS, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 637, a bill to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Corridor in Alabama and Georgia, and for other purposes.

S. 661

At the request of Mrs. CLINTON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 667

At the request of Mr. BOND, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 667, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 675

At the request of Mr. HARKIN, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 675, a bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 676

At the request of Mr. BIDEN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 676, a bill to provide that the Executive Director of the Inter-American Development Bank or the Alternate Executive Director of the Inter-American Development Bank may serve on the Board of Directors of the Inter-American Foundation.

S. 691

At the request of Mr. CONRAD, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of 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.

S. 694

At the request of Mrs. CLINTON, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of 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.

S. 713

At the request of Mr. OBAMA, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 713, a bill to ensure dignity in care for members of the Armed Forces recovering from injuries.

S. 746

At the request of Mr. ALLARD, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 746, a bill to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 756

At the request of Mr. DODD, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 756, a bill to authorize appropriations for the Department of Defense to address the equipment reset and other equipment needs of the National Guard, and for other purposes.

S. 761

At the request of Mr. REID, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 761, a bill to invest in innovation and education to improve the competitiveness of the United States in the global economy.

S.J. RES. 5

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S.J. Res. 5, a joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

S. RES. 92

At the request of Mrs. CLINTON, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. Res. 92, a resolution calling for the immediate and unconditional release of soldiers of Israel held captive by Hamas and Hezbollah.

AMENDMENT NO. 286

At the request of Mr. OBAMA, his name was added as a cosponsor of amendment No. 286 proposed to S. 4, a bill 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.

AMENDMENT NO. 305

At the request of Mr. SESSIONS, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 305 proposed to S. 4, a bill 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.

AMENDMENT NO. 314

At the request of Mr. DEMINT, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Idaho (Mr. CRAIG), the Senator from Kansas (Mr. ROBERTS), the Senator from Kentucky (Mr. BUNNING), the Senator from Wyoming (Mr. ENZI), the Senator from Utah (Mr. HATCH) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of amendment No. 314 proposed to S. 4, a bill 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.

AMENDMENT NO. 317

At the request of Mr. KYL, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 317 proposed to S. 4, a bill 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.

AMENDMENT NO. 333

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of amendment No. 333 proposed to S. 4, a bill 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.

AMENDMENT NO. 335

At the request of Mr. MARTINEZ, his name was added as a cosponsor of amendment No. 335 proposed to S. 4, a bill 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.

AMENDMENT NO. 339

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of

amendment No. 339 intended to be proposed to S. 4, a bill 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.

AMENDMENT NO. 342

At the request of Ms. COLLINS, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of amendment No. 342 proposed to S. 4, a bill 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.

AMENDMENT NO. 343

At the request of Ms. CANTWELL, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of amendment No. 343 intended to be proposed to S. 4, a bill 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.

AMENDMENT NO. 345

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 345 proposed to S. 4, a bill 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.

AMENDMENT NO. 348

At the request of Mr. WYDEN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 348 intended to be proposed to S. 4, a bill 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BURR (for himself and Mr. BINGAMAN):

S. 765. A bill to establish a grant program to improve high school graduation rates and prepare students for college and work; to the Committee on Health, Education, Labor, and Pensions.

Mr. BURR. Mr. President, I wish to talk about education, something many in this body take very seriously. I rise today to address the Nation's dropout crisis. Each day that our schools are open, approximately 7,000 students drop out of high school. That is 1.2 million students annually who do not complete their high school education. Almost a third of American students who enter high school in the ninth grade drop out of school and never receive their high school diploma.

I know our students, our schools, our communities can do better. To ensure that these young people have a better future and that America maintains its competitiveness in a global economy, I suggest to all my colleagues that we must do better.

According to a Manhattan Institute study, the high school graduation rate for the class of 2003 nationwide was only 70 percent. Thirty percent of our students in this country do not cross the goal line of graduation. Even more alarming, however, is that high school graduation rates for subgroups of students in 2003 were for White students, 78 percent; African Americans, 55 percent; Hispanics, 53 percent.

Graduating from high school is a 50–50 proposition in 930 of our high schools in our country. Fifty percent of the students in 930 schools do not get their high school diplomas. In 2,000 high schools, it is a 60–40 proposition. Sixty percent are going to get their diploma, 40 percent will not get their diploma.

Just last week, my home State of North Carolina released its most current data on our State's dropout crisis. Our statistics, likewise, point to an urgent need to pay attention to our public high schools and these students.

North Carolina's statewide graduation rate was 68 percent. Yet for Black students, that rate falls to 60 percent; for low-income students, 55 percent; and for Hispanic students, 52 percent. Nearly 80 percent of the Nation's high schools that produce the highest number of dropouts are in 15 States, and I am embarrassed at the fact that North Carolina is one of them.

To retain our competitive edge in the world economy, America's youths must be prepared for the jobs of today and the jobs of the future, jobs which increasingly require a postsecondary education. Unfortunately, in 2003, 3.5 million Americans ages 16 to 25 did not have a high school diploma and were not enrolled in school.

Individuals without a high school diploma experience higher rates of unemployment, incarceration, and are more likely to live in poverty and receive public assistance than individuals with at least a high school diploma.

We know the statistics, but they are worth repeating. Mr. President, 4 out of every 10 people ages 16 to 24 without a high school diploma receive some type of government assistance. A high school dropout is eight times more likely to be incarcerated than a person with a high school diploma.

I am fortunate to represent a State with a rich history in its commitment to higher education. The State of North Carolina is the home of the Nation's first State university, the University of North Carolina at Chapel Hill, which welcomed students for the first time to its campus on January 15, 1795. All total, North Carolina has 127 degree-granting institutions of higher education—75 public and 52 private. However, North Carolina and the rest of the country cannot rest on their laurels with their higher education systems. We should be and are proud of our high college-going rate in North Carolina. Yet while 64 percent of recent North Carolina high school graduates go on to college, that number is far too low.

There is no silver bullet that will fix our educational system, including high school reform which many have talked about. I hope more and better research will give us a better direction and maybe better answers, but until then, there are a number of things that we can and we should be doing to improve what is a problem that must be addressed.

In particular, we know the three Rs to making our public high schools work better for today's students are rigor, relevance, and relationships. Today, Senator JEFF BINGAMAN from New Mexico and I are introducing bipartisan legislation, the Graduate for a Better Future Act. This is to help turn the tide of our Nation's dropout crisis.

Senator BINGAMAN has been a stalwart leader in the Senate on issues relating to dropout prevention. I am proud to join him in an effort to lower high school dropout rates and to raise high school graduation and college-going rates.

This legislation will create a competitive grant program targeted at school districts and high schools with the lowest graduation rates, focused on those three Rs of high school reform: rigor, relevance, and relationships.

Funds under this act would be used for models of excellence for academically challenging high schools to prepare all students for college and for work; to offer academic catchup programs for those students who enter high school and do not meet proficient levels in mathematics, reading, language arts, or science that enable such students to meet proficient levels and remain on track to graduate from high school with a regular high school degree; to implement early warning systems to quickly identify students at risk of dropping out, especially systems that track student absenteeism, one of the greatest predictors that a student may drop out of high school; to implement comprehensive college guidance programs that ensure all students and their parents are regularly notified of high school graduation requirements, college requirements for entry, and provide guidance and assistance to students in applying for postsecondary education and in applying for Federal financial assistance and other State, local, and private financial aid and scholarships; to implement a program that offers all students opportunities for work-based and experiential learning experiences, such as job shadowing, internships, and community service so that students make the connection between what they are learning in school and how that applies to the workplace that we want them to be in; and to implement a student advisement program

in which all students are assigned to and have regular meetings with an academic teacher adviser.

A recent survey of high school dropouts by Civic Enterprises presents a picture of the American high school dropout that is surprising to many. I know it surprised me. Eighty-eight percent of those students who dropped out of high school had passing grades when they dropped out. Let me say that again. Eighty-eight percent of the students who dropped out of high school had passing grades which would have enabled them to complete their high school diploma. But they dropped out. Fifty-eight percent dropped out with 2 or fewer years to complete high school; 66 percent said they would have worked harder if expectations had been higher; 81 percent recognized that a high school diploma was absolutely vital to their success in life; and 74 percent said they would have stayed in school if they had it to do all over again.

Mr. President, this is the point where we get a redo. We get an opportunity to make sure students get an opportunity in the next generation so they don't make the same mistakes the last ones did.

Over the past 25 years, the difference in earnings between workers with lower and higher levels of education has grown. As my home State of North Carolina has experienced, gone are the days when an individual with only a high school diploma or GED can find a high-paying job in industries such as manufacturing, textiles, or furniture.

The global economy has changed the marketplace, and the competition is no longer the person who sits next to us. It is the person who graduates from the school we will never hear about or have an opportunity to visit.

We know more education pays off. Over his or her lifetime, an individual without a high school diploma will earn approximately $1.1 million less than an individual with a bachelor's degree, $1.5 million less than an individual with a master's degree, and $2.4 million less than an individual with a doctoral degree.

What is the message to our children and our grandchildren? Is it that the future is more competitive than the past, that to be competitive in the job market means we have to raise our educational skills, and as parents and grandparents, we have to make it happen? The answer is yes.

The Senate can no longer sit by and accept rates of 30 percent of our students who don't cross the goal line of high school and accept that without a fight. We can do better, and we should do better.

I look forward to working with my colleagues on the Health, Education, Labor, and Pensions Committee, and with my cosponsor, Senator BINGAMAN, to face our Nation's dropout crisis head on. This is a first start. This is the ability to educate parents and students about not only how we engage them in the proficiencies they need to be competitive but, more importantly, how we teach them that our expectations are greater than what they felt in the past.

It is time that the Senate lead by example to begin to pass legislation that has a real impact on the high school graduation rates in this country; that we can look back and say it was this legislation that started the process, and it was quickly followed up with additional legislation that helps our youth compete, regardless of where that job is and regardless of who their competition is.

As this legislation comes before the committee and comes to this floor, I urge my colleagues to pay particular attention to the impact it has on our children and our grandchildren but, more importantly, on our competitiveness in the future.

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. 765

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Graduate for a Better Future Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Purposes.
Sec. 4. Definitions.
Sec. 5. Program authorized.
Sec. 6. Reporting and accountability.
Sec. 7. Evaluation and report.
Sec. 8. Authorization of appropriations.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The high school graduation rate for the class of 2003 was only 70 percent nationwide. Thus, almost ⅓ of American students who enter high school in 9th grade drop out of school and never receive a high school diploma.

(2) Large disparities exist in the high school graduation rates among various subgroups of students. Although the high school graduation rate for white students was 78 percent in 2003, the rate for African American students was only 55 percent, and the rate for Hispanic students was only 53 percent.

(3) For students in approximately 2,000 high schools across the United States, the chance of graduating from high school is less than 60 percent.

(4) In 2003, 3,500,000 Americans ages 16 to 25 did not have a high school diploma and were not enrolled in school.

(5) To retain its competitive edge in the world economy, it is essential that America's youth be prepared for the jobs of today and for the jobs of the future. Such jobs increasingly require a post-secondary education.

(6) Individuals without a high school diploma experience higher rates of unemployment, incarceration, living in poverty, and receiving public assistance than individuals with at least a high school diploma.

(7) Over his or her lifetime, an individual without a high school diploma will earn approximately $1,100,000 less than an individual with a bachelor's degree, $1,500,000 less than an individual with a master's degree, and $2,400,000 less than an individual with a doctoral degree.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to create models of excellence for academically rigorous high schools, including early college high schools, in order to prepare all students for college and work;

(2) to raise high school graduation rates and college-going rates;

(3) to reduce college remediation rates;

(4) to create a seamless curriculum between high school and college;

(5) to improve teaching and curricula to make high school more rigorous and relevant;

(6) to improve instruction and access to supports for struggling high school students;

(7) to improve communication between parents, students, and schools; and

(8) to create, implement, and utilize early warning systems to help identify students at risk of dropping out of high school, especially systems that monitor student absenteeism.

SEC. 4. DEFINITIONS.

(1) ADVANCED PLACEMENT OR INTERNATIONAL BACCALAUREATE COURSE.—The term ''Advanced Placement or International Baccalaureate course'' means a course of college-level instruction provided to middle school or secondary school students, terminating in an examination administered by the College Board or the International Baccalaureate Organization.

(2) COLLEGE-GOING RATE.—The term ''college-going rate'' means the percentage of high school graduates who enroll at an institution of higher education in the school year immediately following graduation from high school.

(3) DUAL CREDIT COURSES.—The term ''dual credit course'' means a college course that—

(A) may be taken at a high school or at an institution of higher education;

(B) is taught by—

(i) college faculty; or

(ii) high school faculty with credentials that the eligible entity determines are appropriate; and

(C) the successful completion of which can earn high school academic credit as well as college academic credit.

(4) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State educational agency;

(B) a national, regional, or statewide nonprofit organization with expertise and experience in working with local educational agencies and high schools to raise high school academic achievement, high school graduation rates, and college-going rates; or

(C) a partnership consisting of a State educational agency and an entity described in subparagraph (B).

(5) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—The term ''eligible local educational agency'' means a local educational agency with a high school graduation rate of 60 percent or less—

(A) in the aggregate; or

(B) applicable to 2 or more of the following subgroups of high school students served by the local educational agency:

(i) Economically disadvantaged students.

(ii) Students from major racial or ethnic groups.

(6) HIGH SCHOOL.—The term ''high school'' means a nonprofit institutional day or residential school, including a public charter high school, that provides high school education, as determined under State law.

(7) HIGH SCHOOL GRADUATION RATE.—The term ''high school graduation rate'' means the percentage of students who graduate from high school with a regular diploma in the standard number of years as measured by

a valid and reliable measure of high school graduation rates, such as the averaged freshman graduation rate.

(8) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(10) PARENT.—The term ''parent'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

(11) RIGOROUS SECONDARY SCHOOL PROGRAM OF STUDY.—The term ''rigorous secondary school program of study'' means a rigorous secondary school program of study recognized as such by the Secretary for purposes of subparagraph (A)(i) or (B)(i) of section 401A(c)(3) of the Higher Education Act of 1965 (20 U.S.C. 1070a–1(c)(3)).

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(13) STATE EDUCATIONAL AGENCY.—The term ''State educational agency'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

(14) STUDENT WITH A DISABILITY.—The term ''student with a disability'' means a child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

SEC. 5. PROGRAM AUTHORIZED.

(a) IN GENERAL.—From amounts appropriated under section 8 for a fiscal year, the Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable eligible entities to award subgrants to eligible local educational agencies for the authorized activities described in subsection (d).

(b) DURATION.—

(1) GRANTS.—The Secretary may award grants under this Act (other than a planning grant under subsection (c)(3)) for a period of not more than 6 years.

(2) SUBGRANTS.—An eligible entity may award subgrants under this Act for a period of not more than 5 years.

(c) ELIGIBLE ENTITY AUTHORIZED ACTIVITIES.—

(1) DISTRIBUTION.—An eligible entity that receives a grant under this Act—

(A) shall reserve not more than 15 percent of the grant funds to carry out the activities described in paragraphs (2) through (5); and

(B) shall use not less than 85 percent of the grant funds to award subgrants, on a competitive basis, to eligible local educational agencies to enable the eligible local educational agencies to carry out the authorized activities described in subsection (d).

(2) STATE LEVEL PLANNING AND ADMINISTRATION.—An eligible entity that receives a grant under this Act may use the grant funds reserved under paragraph (1)(A) for planning and administration, including—

(A) evaluating applications from eligible local educational agencies;

(B) administering the distribution of subgrants to eligible local educational agencies; and

(C) assessing and evaluating, on a regular basis, eligible local educational agency activities carried out under this Act, including regularly evaluating the academic rigor of courses at high schools in the State that receive funding under this Act.

(3) LOCAL EDUCATIONAL AGENCY PLANNING GRANTS.—

(A) IN GENERAL.—From amounts reserved under paragraph (1)(A), an eligible entity may award a planning grant to an eligible local educational agency.

(B) AMOUNT.—An eligible entity shall award each planning grant under this paragraph in the amount of $10,000.

(C) DURATION AND USE OF PLANNING GRANT FUNDS.—Each planning grant shall be—

(i) awarded for a period of 1 year;

(ii) nonrenewable; and

(iii) used to plan and apply for a subgrant awarded under paragraph (1)(B).

(4) TECHNICAL ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES.—An eligible entity that receives a grant under this Act may use the grant funds reserved under paragraph (1)(A) for technical assistance, including—

(A) assisting eligible local educational agencies in accomplishing the tasks required to implement a program under this Act;

(B) implementing a program of professional development for teachers and administrators, in high schools that receive funding under this Act, that prepares teachers and administrators to implement the authorized activities described in subsection (d); and

(C) assisting eligible local educational agencies in designing a program to be assisted under this Act.

(5) REPORTING.—An eligible entity that receives a grant under this Act may use the grant funds reserved under paragraph (1)(A) for annually providing the Secretary with a report on the implementation of this section as required under section 6.

(d) ELIGIBLE LOCAL EDUCATIONAL AGENCY AUTHORIZED ACTIVITIES.—Each eligible local educational agency receiving a subgrant under this Act, shall use the subgrant funds to carry out each of the following activities:

(1) To implement a college-preparatory curriculum for all students in a high school served by the eligible local educational agency under this Act (and for students with disabilities in accordance with the individualized education program of the student) that is, at a minimum, aligned with a rigorous secondary school program of study.

(2) To implement accelerated academic catch-up programs, for students who enter high school not meeting proficient levels of academic achievement in mathematics, reading or language arts, or science, that enable such students to meet the proficient levels of achievement and remain on track to graduate from high school on time with a regular high school diploma.

(3) To implement an early warning system to quickly identify students at risk of dropping out of high school, including systems that track student absenteeism.

(4) To implement a system of student and classroom progress monitoring, which may include the adoption and use of diagnostic or formative assessments that—

(A) measure student academic progress in the core academic areas; and

(B) may identify areas in which students need additional academic assistance and support.

(5) To implement a comprehensive college guidance program that—

(A) will ensure that all students in a high school served by the eligible local educational agency under this Act, and their parents, are regularly notified throughout the students' time in high school, of high school graduation requirements and college entrance requirements; and

(B) provides guidance and assistance to students in applying to an institution of higher education and in applying for Federal financial aid assistance and other State, local, and private financial aid assistance and scholarships.

(6) To implement a program that offers, all students in a high school served by the eligible local educational agency under this Act, opportunities for work-based and experiential learning experiences, such as job-shadowing, internships, and community service.

(7) To implement a program that ensures that all students in a high school served by the eligible local educational agency under this Act, have access to and enroll in courses in which the students may earn college credit for courses taken while in high school, such as a dual credit course, or an Advanced Placement or International Baccalaureate course.

(8) To implement a program of student advisement in which all students in a high school served by the eligible local educational agency under this Act are assigned and have regular meetings with an academic teacher advisor.

(9) To implement a program of teacher professional development and institutional leadership that includes use of diagnostic and formative assessments to identify student and teacher needs, to assess classroom practice, and to improve classroom instruction.

(e) APPLICATIONS.—

(1) ELIGIBLE ENTITY.—Each eligible entity desiring a grant under this Act shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Each application shall—

(A) include a description of how subgrants made by the eligible entity under this Act will meet the requirements described in subsection (d);

(B) include a description of the peer review process the eligible entity shall use to evaluate applications from eligible local educational agencies;

(C) contain an assurance that the eligible entity, and any eligible local educational agencies receiving a subgrant from that eligible entity, will, if requested, participate in the independent evaluation under section 7(1);

(D) describe how the eligible entity will use grant funds received under this section;

(E) describe how the eligible entity will assist eligible local educational agencies that receive planning grant funds or subgrant funds under this Act in securing any necessary waivers from the State educational agency that may be required to carry out the requirements of this Act, such as waivers with respect to budgeting, school structure, staffing, and flexible use of resources and time; and

(F) describe how the eligible entity will assess and evaluate, on a regular basis, eligible local educational agency activities carried out under this Act, including regularly evaluating the academic rigor of courses at high schools in the State that receive funding under this Act.

(2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—Each eligible local educational agency desiring a subgrant under this section shall submit an application to the eligible entity at such time and in such manner as the eligible entity may require. Each application shall—

(A) include a description of each high school that will receive funding from the eligible local educational agency under this Act, including such high school graduation, academic achievement, demographic, and socioeconomic data as the eligible entity may request;

(B) contain an assurance that academic merit tests will not be used to determine student enrollment in each such high school;

(C) contain a description of specific outreach and recruitment efforts at each such high school that will be undertaken for student populations historically underrepresented at institutions of higher education;

(D) contain an assurance that a college-preparatory curriculum will be offered to all students at each such high school (and to students with disabilities in accordance with the individualized education program of the

student), that is, at a minimum, aligned with a rigorous secondary school program of study;

(E) include a comprehensive description of how curriculum at each such high school will be developed, structured, and delivered;

(F) include clearly delineated benchmarks for improved student academic achievement, high school graduation rates, and college-going rates at each such high school;

(G) include a description of assessments that will be used at each such high school, including assessments for school accountability purposes and student progress monitoring purposes;

(H) contain a comprehensive plan for professional development at each such high school that includes intended changes in teaching practices that will result in improved student academic achievement, high school graduation rates, and college-going rates;

(I) include a detailed description of work-based and experiential learning experiences that will be offered for all students at each such high school, such as job shadowing, internships, and community service;

(J) contain an assurance that all students at each such high school will be assigned and have regular access to an academic teacher advisor;

(K) contain an assurance that the eligible local educational agency will grant each such high school any necessary waivers from local educational agency policies and rules that may be required to carry out the requirements of this Act, such as waivers with respect to budgeting, school structure, staffing, and flexible use of resources and time;

(L) include a plan that details how programs assisted under this Act will be sustained after the end of subgrant funding under this Act;

(M) in the case of dual credit courses and early college high schools, contain formal agreements between the eligible local educational agency and institutions of higher education that detail shared responsibility for each such high school and students at the high school;

(N) include a description of school staffing considerations and how teachers will be selected for each such high school;

(O) include a detailed plan of the college awareness program at each such high school that addresses applying for admission to an institution of higher education and applying for financial aid; and

(P) contain an assurance that the eligible local educational agency will report to the eligible entity all data necessary for the eligible entity's report under section 6.

(f) MATCHING REQUIREMENT.—

(1) IN GENERAL.—Subject to paragraph (2), each eligible entity that receives a grant under this section shall provide, toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant.

(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement to such eligible entity would result in serious hardship or an inability to carry out the authorized activities described in subsection (c).

(3) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this Act shall be used to supplement, not supplant, other Federal and State funds available to carry out the activities described in subsection (d).

SEC. 6. REPORTING AND ACCOUNTABILITY.

(a) COLLECTION OF DATA.—Each eligible entity receiving a grant under this Act shall collect and report annually to the Secretary such information on the results of the activities assisted under the grant as the Secretary may reasonably require, including information on—

(1) the number and percentage of students in the State who are assisted under this Act and graduate from high school on time with a regular high school diploma;

(2) the number and percentage of students, at each grade level, in the State who are assisted under this Act and meet or exceed State reading or language arts, mathematics, or science standards, as measured by State academic assessments required under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3));

(3) the number and percentage of students, at each grade level, in the State who are assisted under this Act and are on track to graduate from high school on time and with a regular high school diploma;

(4) the number and percentage of students in the State who are assisted under this Act and participate in work-based and experiential learning experiences, such as job shadowing, internships, community service, and descriptive information on the types of experiences in which such students participated;

(5) the number and percentage of students, in grades 11 and 12, in the State who are assisted under this Act and enrolled in not less than 2 of the following:

(A) a dual credit course; or

(B) an Advanced Placement or International Baccalaureate course;

(6) the number and percentage of students in the State who are assisted under this Act and receive a passing grade or higher for a dual credit course, or an Advanced Placement or International Baccalaureate course;

(7) the number and percentage of students in the State who are assisted under this Act and apply to an institution of higher education while still in high school;

(8) the number and percentage of students in the State who are assisted under this Act and are accepted to an institution of higher education while still in high school;

(9) the number and percentage of students in the State who are assisted under this Act and enroll in an institution of higher education in the school year immediately following the students' high school graduation;

(10) the number and percentage of students in the State who are assisted under this Act and enrolled in remedial mathematics or English courses during their freshman year at an institution of higher education;

(11) the number and percentage of students, in grade 10, in the State who are assisted under this Act and take the PSAT; and

(12) the number and percentage of students, in grades 11 and 12, in the State who are assisted under this Act and take the SAT or ACT, and the students' mean scores on such assessments.

(b) REPORTING OF DATA.—Each eligible entity receiving a grant under this section shall report the information required under subsection (a) disaggregated in the same manner as information is disaggregated under section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 1111(b)(1)(C)(i)).

SEC. 7. EVALUATION AND REPORT.

From the amount appropriated for any fiscal year under section 8, the Secretary shall reserve such sums as may be necessary—

(1) to conduct an independent evaluation, by grant or by contract, of the program carried out under this Act, which shall include an assessment of the impact of the program on high school graduation rates, college-going rates, and student academic achievement; and

(2) to prepare and submit a report on the results of the evaluation described in paragraph (1) to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act $500,000,000 for fiscal year 2008 and such sums as may be necessary for each of the 5 succeeding fiscal years.

By Mrs. CLINTON (for herself, Mr. KENNEDY, Mr. HARKIN, Mrs. BOXER, Ms. CANTWELL, Mr. DODD, Mr. FEINGOLD, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, and Mr. SCHUMER):

S. 766. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies of victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, I rise today to reintroduce the Paycheck Fairness Act in recognition of Women's History Month. I'd like to thank my colleagues Senators KENNEDY, HARKIN, BOXER, CANTWELL, DODD, FEINGOLD, KLOBUCHAR, LEAHY, MENENDEZ, MIKULSKI, MURRAY, REED, REID and SCHUMER for joining me in reintroducing this legislation to prevent, regulate and reduce pay discrimination for women across the country. I also want to acknowledge Congresswoman DELAURO for being the champion of this legislation in the House of Representatives.

As America celebrates Women's History Month, it's important that we not only take pride in how far women have come in our lifetime, but also recognize the work we must continue to achieve true pay equity in this country. Over the past four decades, we have made tremendous strides in closing the wage gap between women and men. But research still shows us that pay discrimination continues to result in women earning less than men for performing the same job.

Today, women working full time, year-round, still make only 77 cents for every dollar that a man makes—meaning that for every $100 she earns, a typical woman has $23 less to spend on groceries, housing, child care, or other expenses. Women of color fare even worse: African-American women earn only 67¢, and Latinas only 56¢, for every $1.00 earned by white men.

Just two weeks ago, the Wall Street Journal published an article entitled ''Women Post Job Gains, Data Show.'' The article showcased proof of progress over the past decade. From the year 2000 through 2005, women posted a net increase of 1.7 million jobs paying above the median salary, while men gained a net increase of just over 220,000 of such positions, according to the Bureau of Labor Statistics. The issue of the wage gap, however, continues to affect women workers. In 2005, the median weekly pay for women

was $486, or 73 percent of that for men—$663.

While we often associate the pay wage with low-paying jobs, this inequity is not exclusive to the lower class. The New York Times recently reported that Wimbledon has finally agreed to pay its women tennis champions the same amount of prize money as their male counterparts. Last year's men's champion received $1.170 million, while the tournament's women's winner got $1.117 million.

That is why I am pleased to be introducing the Paycheck Fairness Act—a bill that will build on the promise of the Equal Pay Act and help close the pay gap.

The Paycheck Fairness Act has three main components.

First, it prevents pay discrimination before it starts. By helping women strengthen their negotiation skills and providing outreach and technical assistance to employers to ensure they fairly evaluate and pay their employees, the Paycheck Fairness Act gives employers the tools they need to level the playing field between men and women.

Second, the Paycheck Fairness Act creates strong penalties to punish those who do violate the act. By strengthening the penalties for employers who violate the Equal Pay Act, this bill sends a strong message—Equal Pay is a matter to be taken seriously.

And finally, the Paycheck Fairness Act ensures that the Federal Government, which should be a model employer when it comes to enforcing Federal employment laws, uses every tool in its toolbox to ensure that women are paid the same amount as men for doing the same jobs.

There is no question that we have come a long way since the Equal Pay Act became law 44 years ago. But we still have a lot of work to do.

According to the National Committee on Pay Equity, working women stand to lose $250,000 over the course of their career because of unequal pay practices—a difference in pay that cannot be fully explained by experience, education, or other qualifications. And the pay gap follows women into retirement: unmarried women in the workforce today will receive, on average, about $8,000 per year less in retirement income than their male counterparts. As a result, millions of American families lose out because equal pay is still not a reality.

It is my hope that many more of my colleagues will join me in recognizing this is more than a women's issue—it is a family issue. It is in all of our interests to allow women to support their families and to live with the dignity and respect accorded to fully engaged members of the workforce.

Mr. KENNEDY. Mr. President, one of the most profound economic shifts of the past century has been the entry of women into the workforce in tremendous numbers. In 1900, women made up only 18.4 percent of the working population. Today, more than 46 percent of the workers who claim a paycheck each week are women.

Unfortunately, while America's women are working harder than ever, they are not being fairly compensated for their contributions to our economy.

Discrimination against women continues to be prevalent in the workplace. Women earn about 77 cents for each dollar earned by men, and the gap is even greater for women of color. In 2004, African-American women earned only 67 percent of the earnings of White men, and Hispanic women earned only 56 percent.

Unfortunately, the problem is not getting better. The current wage gap of 23 cents is the same gap that existed in 2002. Since 1963, when the Equal Pay Act was passed, the wage gap has narrowed by less than half of a penny a year.

While many argue that this persistent pay gap is a consequence of women's choosing to take time out of the workforce, the evidence shows that other factors, including discrimination, are a significant cause. In 2004, the Census Bureau concluded that the substantial gap in earnings between men and women could not completely be explained by differences in education, tenure in the workforce, or occupation. Similarly, a recent General Accounting Office report concluded that the difference in men and women's working patterns does not explain the entire disparity in their wages. Discrimination plays a significant role as well.

It is appalling and unacceptable that such discrimination still exists in America, and we need to combat it with Federal legislation. The issue is simple fairness, and Congress needs to act.

I am proud to join with Senator CLINTON and Senator HARKIN in introducing the Paycheck Fairness Act today. This important legislation will give America's working women the tools they need to fight for fair pay. It will make sure our fair pay laws apply to everyone, and it will strengthen the penalties for employers that are not playing by the rules.

These important reforms are long overdue. I urge my colleagues to stand up for working women and end wage discrimination by passing the Paycheck Fairness Act.

By Mr. OBAMA (for himself, Mr. LUGAR, Mr. BIDEN, Mr. SMITH, Mr. BINGAMAN, Mr. COLEMAN, and Mr. SPECTER):

S. 767. A bill to increase fuel economy standards for automobiles and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. OBAMA (for himself, Mr. LUGAR, Mr. BIDEN, Mr. SMITH, Mr. BINGAMAN, Mr. COLEMAN, and Mr. SPECTER):

S. 768. A bill to increase fuel economy standards for automobiles and for other purposes; to the Committee on Finance.

Mr. OBAMA. Mr. President, 33 years ago, this Nation faced a crisis that touched every American. In 1973, in the shadow of a war against Israel, the Arab nations of OPEC decided to embargo shipments of crude oil to the West.

The economic effects were devastating. For American drivers, the price at the gas pump rose from a national average of 38.5 cents per gallon in May 1973 to 55.1 cents per gallon in June 1974. The stock market fell, and countries across the world faced terrible cycles of inflation and recession that lasted well into the 1980s.

Lawmakers in Washington reacted by calling for a nationwide daylight savings time and a national speed limit. They established a new Department of Energy that eventually created a strategic petroleum reserve. Perhaps most important, Congress enacted the Corporate Average Fuel Economy standards, or CAFE, the first-ever requirements for automakers to improve gas mileage on the vehicles we drive.

At the time, auto executives protested, saying there was no way to increase fuel economy without making cars smaller. One company predicted that Americans would all be driving sub-compacts as a result of CAFE. But CAFE did work, and under the direction of Congress, the National Highway Traffic Safety Administration, NHSTA, nearly doubled the average gas mileage of cars from 14 miles per gallon in 1976 to 27.5 mpg for cars in 1985. Today, CAFE standards save us about 3 million barrels of oil per day, making it the most successful energy-saving measure ever adopted.

Now 30 years later, Americans again are feeling the pain at the pump. The price of oil has reached up to $78 a barrel, and Americans have paid more than $3.00 a gallon for gas. America's 20–million-barrel-a-day habit costs our economy $800 million a day, or $300 billion annually. Because we import 60 percent of our oil, much of it from the Middle East, our dependence on oil is also a national security issue as well. Al-Qaida knows that oil is America's Achilles heel. Osama bin Laden has urged his supporters to ''Focus your operations on oil, especially in Iraq and the gulf area, since this will cause them to die off.''

At a time when the energy and security stakes couldn't be higher, CAFE standards have been stagnant. In fact, because of a long-standing deadlock in Washington, CAFE standards that initially increased so quickly have remained stagnant for the last 20 years.

Since 1985, efforts to raise the CAFE standard have been stymied by opponents who have argued that Congress does not possess the expertise to set specific benchmarks and that an inflexible congressional mandate would result in the production of less safe cars and a loss of American jobs. This has been a bureaucratic logjam that

has ignored technological innovations in the auto industry and crippled our ability to increase fuel efficiency.

To attempt to break this two-decade-long deadlock and start the U.S. on the path towards energy independence, I have joined with Senators LUGAR, BIDEN, SMITH, BINGAMAN, COLEMAN, and SPECTER to introduce the Fuel Economy Reform Act of 2007. This bill would set a new course by establishing regular, continual, and incremental progress in miles per gallon, targeting 4 percent annually, but preserving NHTSA expertise and flexibility on how to meet those targets.

Over the past 20 years, NHTSA's efforts to improve fuel economy have been encumbered with loopholes and resistance. With this bill, CAFE standards would increase by 4 percent every year unless NHTSA can justify a deviation in that rate by proving that the increase is technologically unachievable, does not materially reduce the safety of automobiles manufactured or sold in the U.S., or can prove it is not cost-effective when comparing with the economic and geopolitical value of a gallon of gasoline saved. We specifically define the grounds upon which NHTSA can determine cost-effectiveness. By flipping the presumption that has served as a barrier to action, we replace the status quo of continued stagnation with steady, measured progress.

Under this system, if the 4 percent annualized improvement occurs over ten years, this bill would save 1.3 million barrels of oil per day—or 20 billion gallons of gasoline per year. If gasoline is just $2.50 per gallon, consumers will save $50 billion at the pump in 2018. By 2018, we would be cutting global warming pollution by 220 million metric tons of carbon dioxide equivalent gases.

The Fuel Economy Reform Act also would provide fairness and flexibility to domestic automakers by establishing different standards for different types of cars. Currently, manufacturers have to meet broad standards over their whole fleet of cars. This disadvantages companies like Ford and General Motors that produce full lines of small and large cars and trucks rather than manufacturers that only sell small cars.

In order to enable domestic manufacturers to develop advanced-technology vehicles, this legislation provides tax incentives to retool parts and assembly plants. This will strengthen the U.S. auto industry by allowing it to compete with foreign hybrid and other fuel efficient vehicles. It is our expectation that NHTSA will use its enhanced authority to bring greater market-based flexibility into CAFE compliance by allowing the banking and trading of credits among certain vehicle types and between manufacturers.

Finally, the bill also would expand the tax incentives that encourage consumers to buy advanced technology vehicles. The bill would lift the current 60,000-per-manufacturer cap on buyer tax credits to allow more Americans to buy ultra-efficient vehicles like hybrids.

By ending a 20-year stalemate on CAFE, the Fuel Economy Reform Act will recapture the innovation that Congress and the auto industry launched in response to the OPEC crisis. In the process, we will safeguard our national security, protect our economy, reduce consumer pain at the pump, and protect our climate, environment, and public health. I urge my colleagues to join our bipartisan coalition and support the Fuel Economy Reform Act.

I ask unanimous consent that the text of these two bills be printed in the RECORD.

There being no objection, the text of the bills were ordered to be printed in the RECORD, as follows:

S. 767

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 ''Fuel Economy Reform Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) United States dependence on oil imports imposes tremendous burdens on the economy, foreign policy, and military of the United States.

(2) According to the Energy Information Administration, 60 percent of the crude oil and petroleum products consumed in the United States between April 2005 and March 2006 (12,400,000 barrels per day) were imported. At a cost of $75 per barrel of oil, people in the United States remit more than $600,000 per minute to other countries for petroleum.

(3) A significant percentage of these petroleum imports originate in countries controlled by regimes that are unstable or openly hostile to the interests of the United States. Dependence on production from these countries contributes to the volatility of domestic and global markets and the ''risk premium'' paid by consumers in the United States.

(4) The Energy Information Administration projects that the total petroleum demand in the United States will increase by 23 percent between 2006 and 2026, while domestic crude production is expected to decrease by 11 percent, resulting in an anticipated 28 percent increase in petroleum imports. Absent significant action, the United States will become more vulnerable to oil price increases, more dependent upon foreign oil, and less able to pursue national interests.

(5) Two-thirds of all domestic oil use occurs in the transportation sector, which is 97 percent reliant upon petroleum-based fuels. Passenger vehicles, including light trucks under 10,000 pounds gross vehicle weight, represent over 60 percent of the oil used in the transportation sector.

(6) Corporate average fuel economy of all cars and trucks improved by 70 percent between 1975 and 1987. Between 1987 and 2006, fuel economy improvements have stagnated and the fuel economy of the United States is lower than many developed countries and some developing countries.

(7) Significant improvements in engine technology occurred between 1986 and 2006. These advances have been used to make vehicles larger and more powerful, and have not focused solely on increasing fuel economy.

(8) According to a 2002 fuel economy report by the National Academies of Science, fuel economy can be increased without negatively impacting the safety of cars and trucks in the United States. Some new technologies can increase both safety and fuel economy (such as high strength materials, unibody design, lower bumpers). Design changes related to fuel economy also present opportunities to reduce the incompatibility of tall, stiff, heavy vehicles with the majority of vehicles on the road.

(9) Significant change must occur to strengthen the economic competitiveness of the domestic auto industry. According to a recent study by the University of Michigan, a sustained gasoline price of $2.86 per gallon would lead Detroit's Big 3 automakers' profits to shrink by $7,000,000,000 as they absorb 75 percent of the lost vehicle sales. This would put nearly 300,000 people in the United States out of work.

(10) Opportunities exist to strengthen the domestic vehicle industry while improving fuel economy. A 2004 study performed by the University of Michigan concludes that providing $1,500,000,000 in tax incentives over a 10-year period to encourage domestic manufacturers and parts facilities to produce clean cars will lead to a gain of nearly 60,000 domestic jobs and pay for itself through the resulting increase in domestic tax receipts.

SEC. 3. DEFINITION OF AUTOMOBILE AND PASSENGER AUTOMOBILE.

(a) DEFINITION OF AUTOMOBILE.—

(1) IN GENERAL.—Paragraph (3) of section 32901(a) of title 49, United States Code, is amended by striking ''rated at—'' and all that follows through the period at the end and inserting ''rated at not more than 10,000 pounds gross vehicle weight.''.

(2) FUEL ECONOMY INFORMATION.—Section 32908(a) of such title is amended, by striking ''section—'' and all that follows through ''(2)'' and inserting ''section, the term''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply to model year 2010 and each subsequent model year.

(b) DEFINITION OF PASSENGER AUTOMOBILE.—

(1) IN GENERAL.—Paragraph (16) of section 32901(a) of such title is amended by striking '', but does not include'' and all that follows through the end and inserting a period.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to model year 2012 and each subsequent model year.

SEC. 4. AVERAGE FUEL ECONOMY STANDARDS.

(a) STANDARDS.—Section 32902 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the heading, by inserting ''MANUFACTURED BEFORE MODEL YEAR 2013'' after ''NON-PASSENGER AUTOMOBILES''; and

(B) by adding at the end the following: ''This subsection shall not apply to automobiles manufactured after model year 2012.'';

(2) in subsection (b)—

(A) in the heading, by inserting ''MANUFACTURED BEFORE MODEL YEAR 2013'' after ''PASSENGER AUTOMOBILES'';

(B) by inserting ''and before model year 2010'' after ''1984''; and

(C) by adding at the end the following: ''Such standard shall be increased by 4 percent per year for model years 2010 through 2012 (rounded to the nearest 1/10 mile per gallon)'';

(3) by amending subsection (c) to read as follows:

''(c) AUTOMOBILES MANUFACTURED AFTER MODEL YEAR 2012.—(1)(A) Not later than 18 months before the beginning of each model year after model year 2012, the Secretary of Transportation shall prescribe, by regulation—

''(i) an average fuel economy standard for automobiles manufactured by a manufacturer in that model year; or

''(ii) based on 1 or more vehicle attributes that relate to fuel economy—

''(I) separate average fuel economy standards for different classes of automobiles; or

''(II) average fuel economy standards expressed in the form of a mathematical function.

''(B)(i) Except as provided under paragraphs (3) and (4) and subsection (d), average fuel economy standards under subparagraph (A) shall attain a projected aggregate level of average fuel economy of 27.5 miles per gallon for all automobiles manufactured by all manufacturers for model year 2013.

''(ii) The projected aggregate level of average fuel economy for model year 2014 and each model year thereafter shall be increased by 4 percent over the level of the prior model year (rounded to the nearest 1/10 mile per gallon).

''(2) In addition to the average fuel economy standards under paragraph (1), each manufacturer of passenger automobiles shall be subject to an average fuel economy standard for passenger automobiles manufactured by a manufacturer in a model year that shall be equal to 92 percent of the average fuel economy projected by the Secretary for all passenger automobiles manufactured by all manufacturers in that model year. An average fuel economy standard under this subparagraph for a model year shall be promulgated at the same time as the standard under paragraph (1) for such model year.

''(3) If the actual aggregate level of average fuel economy achieved by manufacturers for each of 3 consecutive model years is 5 percent or more less than the projected aggregate level of average fuel economy for such model year, the Secretary may make appropriate adjustments to the standards prescribed under this subsection.

''(4)(A) Notwithstanding paragraphs (1) through (3) and subsection (b), the Secretary of Transportation may prescribe a lower average fuel economy standard for 1 or more model years if the Secretary of Transportation, in consultation with the Secretary of Energy, finds, by clear and convincing evidence, that the minimum standards prescribed under paragraph (1)(B) or (3) or subsection (b) for each model year—

''(i) are technologically not achievable;

''(ii) cannot be achieved without materially reducing the overall safety of automobiles manufactured or sold in the United States and no offsetting safety improvements can be practicably implemented for that model year; or

''(iii) is shown not to be cost effective.

''(B) If a lower standard is prescribed for a model year under subparagraph (A), such standard shall be the maximum standard that—

''(i) is technologically achievable;

''(ii) can be achieved without materially reducing the overall safety of automobiles manufactured or sold in the United States; and

''(iii) is cost effective.

''(5) In determining cost effectiveness under paragraph (4)(A)(iii), the Secretary of Transportation shall take into account the total value to the United States of reduced petroleum use, including the value of reducing external costs of petroleum use, using a value for such costs equal to 50 percent of the value of a gallon of gasoline saved or the amount determined in an analysis of the external costs of petroleum use that considers—

''(A) value to consumers;

''(B) economic security;

''(C) national security;

''(D) foreign policy;

''(E) the impact of oil use—

''(i) on sustained cartel rents paid to foreign suppliers;

''(ii) on long-run potential gross domestic product due to higher normal-market oil price levels, including inflationary impacts;

''(iii) on import costs, wealth transfers, and potential gross domestic product due to increased trade imbalances;

''(iv) on import costs and wealth transfers during oil shocks;

''(v) on macroeconomic dislocation and adjustment costs during oil shocks;

''(vi) on the cost of existing energy security policies, including the management of the Strategic Petroleum Reserve;

''(vii) on the timing and severity of the oil peaking problem;

''(viii) on the risk, probability, size, and duration of oil supply disruptions;

''(ix) on OPEC strategic behavior and long-run oil pricing;

''(x) on the short term elasticity of energy demand and the magnitude of price increases resulting from a supply shock;

''(xi) on oil imports, military costs, and related security costs, including intelligence, homeland security, sea lane security and infrastructure, and other military activities;

''(xii) on oil imports, diplomatic and foreign policy flexibility, and connections to geopolitical strife, terrorism, and international development activities;

''(xiii) on all relevant environmental hazards under the jurisdiction of the Environmental Protection Agency; and

''(xiv) on well-to-wheels urban and local air emissions of 'pollutants' and their uninternalized costs;

''(F) the impact of the oil or energy intensity of the United States economy on the sensitivity of the economy to oil price changes, including the magnitude of gross domestic product losses in response to short term price shocks or long term price increases;

''(G) the impact of United States payments for oil imports on political, economic, and military developments in unstable or unfriendly oil exporting countries;

''(H) the uninternalized costs of pipeline and storage oil seepage, and for risk of oil spills from production, handling, and transport, and related landscape damage; and

''(I) additional relevant factors, as determined by the Secretary.

''(6) When considering the value to consumers of a gallon of gasoline saved, the Secretary of Transportation may not use a value that is less than the greatest of—

''(A) the average national cost of a gallon of gasoline sold in the United States during the 12-month period ending on the date on which the new fuel economy standard is proposed;

''(B) the most recent weekly estimate by the Energy Information Administration of the Department of Energy of the average national cost of a gallon of gasoline (all grades) sold in the United States; or

''(C) the gasoline prices projected by the Energy Information Administration for the 20-year period beginning in the year following the year in which the standards are established.

''(7) In prescribing standards under this subsection, the Secretary may prescribe standards for 1 or more model years.

''(8)(A) Not later than December 31, 2016, the Secretary of Transportation, the Secretary of Energy, and the Administrator of the Environmental Protection Agency shall submit a joint report to Congress on the state of global automotive efficiency technology development, and on the accuracy of tests used to measure fuel economy of automobiles under section 32904(c), utilizing the study and assessment of the National Academy of Sciences referred to in subparagraph (B).

''(B) The Secretary of Transportation shall enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study of the technological opportunities to enhance fuel economy and an analysis and assessment of the accuracy of fuel economy tests used by the Administrator of the Environmental Protection Agency to measure fuel economy for each model under section 32904(c). Such analysis and assessment shall identify any additional factors or methods that should be included in tests to measure fuel economy for each model to more accurately reflect actual fuel economy of automobiles. The Secretary of Transportation and the Administrator of the Environmental Protection Agency shall furnish, at the request of the Academy, any information that the Academy determines to be necessary to conduct the study, analysis, and assessment under this subparagraph.

''(C) The report submitted under subparagraph (A) shall include—

''(i) the study of the National Academy of Sciences referred to in subparagraph (B); and

''(ii) an assessment by the Secretary of Transportation of technological opportunities to enhance fuel economy and opportunities to increase overall fleet safety.

''(D) The report submitted under subparagraph (A) shall identify and examine additional opportunities to reform the regulatory structure under this chapter, including approaches that seek to merge vehicle and fuel requirements into a single system that achieves equal or greater reduction in petroleum use and environmental benefits than the amount of petroleum use and environmental benefits that have been achieved as of the date of the enactment of this Act.

''(E) The report submitted under subparagraph (A) shall—

''(i) include conclusions reached by the Administrator of the Environmental Protection Agency, as a result of detailed analysis and public comment, on the accuracy of fuel economy tests as in use during the period beginning on the date that is 5 years before the completion of the report and ends on the date of such completion;

''(ii) identify any additional factors that the Administrator determines should be included in tests to measure fuel economy for each model to more accurately reflect actual fuel economy of automobiles; and

''(iii) include a description of options, formulated by the Secretary of Transportation and the Administrator, to incorporate such additional factors in fuel economy tests in a manner that will not effectively increase or decrease average fuel economy for any automobile manufacturer.''; and

(4) in subsection (g)(2), by striking ''(and submit the amendment to Congress when required under subsection (c)(2) of this section)''.

(b) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Chapter 329 of title 49, United States Code, is amended—

(A) in section 32903—

(i) by striking ''passenger'' each place it appears;

(ii) by striking ''section 32902(b)–(d) of this title'' each place it appears and inserting ''subsection (c) or (d) of section 32902'';

(iii) by striking subsection (e); and

(iv) by redesignating subsection (f) as subsection (e); and

(B) in section 32904—

(i) in subsection (a)—

(I) by striking ''passenger'' each place it appears; and

(II) in paragraph (1), by striking ''subject to'' and all that follows through ''section 32902(b)–(d) of this title'' and inserting ''subject to subsection (c) or (d) of section 32902''; and

(ii) in subsection (b)(1)(B), by striking ''under this chapter'' and inserting ''under section 32902(c)(2)''.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply to automobiles manufactured after model year 2012.

SEC. 5. CREDIT TRADING, COMPLIANCE, AND JUDICIAL REVIEW.

(a) CREDIT TRADING.—Section 32903(a) of title 49, United States Code, is amended—

(1) by inserting ''Credits earned by a manufacturer under this section may be sold to any other manufacturer and used as if earned by that manufacturer, except that credits earned by a manufacturer described in clause (i) of section 32904(b)(1)(A) may only be sold to a manufacturer described such clause (i) and credits earned by a manufacturer described in clause (ii) of such section may only be sold to a manufacturer described in such clause (ii).'' after ''earns credits.'';

(2) by striking ''3 consecutive model years immediately'' each place it appears and inserting ''model years''; and

(3) effective for model years after 2012, the sentence added by paragraph (1) of this subsection is amended by inserting ''for purposes of compliance with section 32902(c)(2)'' after ''except that''.

(b) MULTI-YEAR COMPLIANCE PERIOD.—Section 32904(c) of such title is amended—

(1) by inserting ''(1)'' before ''The Administrator''; and

(2) by adding at the end the following:

''(2) The Secretary, by rule, may allow a manufacturer to elect a multi-year compliance period of not more than 4 consecutive model years in lieu of the single model year compliance period otherwise applicable under this chapter.''.

(c) JUDICIAL REVIEW OF REGULATIONS.—Section 32909(a)(1) of such title is amended by striking out ''adversely affected by'' and inserting ''aggrieved or adversely affected by, or suffering a legal wrong because of,''.

S. 768

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 ''Fuel Economy Reform Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) United States dependence on oil imports imposes tremendous burdens on the economy, foreign policy, and military of the United States.

(2) According to the Energy Information Administration, 60 percent of the crude oil and petroleum products consumed in the United States between April 2005 and March 2006 (12,400,000 barrels per day) were imported. At a cost of $75 per barrel of oil, people in the United States remit more than $600,000 per minute to other countries for petroleum.

(3) A significant percentage of these petroleum imports originate in countries controlled by regimes that are unstable or openly hostile to the interests of the United States. Dependence on production from these countries contributes to the volatility of domestic and global markets and the ''risk premium'' paid by consumers in the United States.

(4) The Energy Information Administration projects that the total petroleum demand in the United States will increase by 23 percent between 2006 and 2026, while domestic crude production is expected to decrease by 11 percent, resulting in an anticipated 28 percent increase in petroleum imports. Absent significant action, the United States will become more vulnerable to oil price increases, more dependent upon foreign oil, and less able to pursue national interests.

(5) Two-thirds of all domestic oil use occurs in the transportation sector, which is 97 percent reliant upon petroleum-based fuels. Passenger vehicles, including light trucks under 10,000 pounds gross vehicle weight, represent over 60 percent of the oil used in the transportation sector.

(6) Corporate average fuel economy of all cars and trucks improved by 70 percent between 1975 and 1987. Between 1987 and 2006, fuel economy improvements have stagnated and the fuel economy of the United States is lower than many developed countries and some developing countries.

(7) Significant improvements in engine technology occurred between 1986 and 2006. These advances have been used to make vehicles larger and more powerful, and have not focused solely on increasing fuel economy.

(8) According to a 2002 fuel economy report by the National Academies of Science, fuel economy can be increased without negatively impacting the safety of cars and trucks in the United States. Some new technologies can increase both safety and fuel economy (such as high strength materials, unibody design, lower bumpers). Design changes related to fuel economy also present opportunities to reduce the incompatibility of tall, stiff, heavy vehicles with the majority of vehicles on the road.

(9) Significant change must occur to strengthen the economic competitiveness of the domestic auto industry. According to a recent study by the University of Michigan, a sustained gasoline price of $2.86 per gallon would lead Detroit's Big 3 automakers' profits to shrink by $7,000,000,000 as they absorb 75 percent of the lost vehicle sales. This would put nearly 300,000 people in the United States out of work.

(10) Opportunities exist to strengthen the domestic vehicle industry while improving fuel economy. A 2004 study performed by the University of Michigan concludes that providing $1,500,000,000 in tax incentives over a 10-year period to encourage domestic manufacturers and parts facilities to produce clean cars will lead to a gain of nearly 60,000 domestic jobs and pay for itself through the resulting increase in domestic tax receipts.

SEC. 3. DEFINITION OF AUTOMOBILE AND PASSENGER AUTOMOBILE.

(a) DEFINITION OF AUTOMOBILE.—

(1) IN GENERAL.—Paragraph (3) of section 32901(a) of title 49, United States Code, is amended by striking ''rated at—'' and all that follows through the period at the end and inserting ''rated at not more than 10,000 pounds gross vehicle weight.''.

(2) FUEL ECONOMY INFORMATION.—Section 32908(a) of such title is amended, by striking ''section—'' and all that follows through ''(2)'' and inserting ''section, the term''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply to model year 2010 and each subsequent model year.

(b) DEFINITION OF PASSENGER AUTOMOBILE.—

(1) IN GENERAL.—Paragraph (16) of section 32901(a) of such title is amended by striking '', but does not include'' and all that follows through the end and inserting a period.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to model year 2012 and each subsequent model year.

SEC. 4. AVERAGE FUEL ECONOMY STANDARDS.

(a) STANDARDS.—Section 32902 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the heading, by inserting ''MANUFACTURED BEFORE MODEL YEAR 2013'' after ''NON-PASSENGER AUTOMOBILES''; and

(B) by adding at the end the following: ''This subsection shall not apply to automobiles manufactured after model year 2012.'';

(2) in subsection (b)—

(A) in the heading, by inserting ''MANUFACTURED BEFORE MODEL YEAR 2013'' after ''PASSENGER AUTOMOBILES'';

(B) by inserting ''and before model year 2010'' after ''1984''; and

(C) by adding at the end the following: ''Such standard shall be increased by 4 percent per year for model years 2010 through 2012 (rounded to the nearest 1/10 mile per gallon)'';

(3) by amending subsection (c) to read as follows:

''(c) AUTOMOBILES MANUFACTURED AFTER MODEL YEAR 2012.—(1)(A) Not later than 18 months before the beginning of each model year after model year 2012, the Secretary of Transportation shall prescribe, by regulation—

''(i) an average fuel economy standard for automobiles manufactured by a manufacturer in that model year; or

''(ii) based on 1 or more vehicle attributes that relate to fuel economy—

''(I) separate average fuel economy standards for different classes of automobiles; or

''(II) average fuel economy standards expressed in the form of a mathematical function.

''(B)(i) Except as provided under paragraphs (3) and (4) and subsection (d), average fuel economy standards under subparagraph (A) shall attain a projected aggregate level of average fuel economy of 27.5 miles per gallon for all automobiles manufactured by all manufacturers for model year 2013.

''(ii) The projected aggregate level of average fuel economy for model year 2014 and each model year thereafter shall be increased by 4 percent over the level of the prior model year (rounded to the nearest 1/10 mile per gallon).

''(2) In addition to the average fuel economy standards under paragraph (1), each manufacturer of passenger automobiles shall be subject to an average fuel economy standard for passenger automobiles manufactured by a manufacturer in a model year that shall be equal to 92 percent of the average fuel economy projected by the Secretary for all passenger automobiles manufactured by all manufacturers in that model year. An average fuel economy standard under this subparagraph for a model year shall be promulgated at the same time as the standard under paragraph (1) for such model year.

''(3) If the actual aggregate level of average fuel economy achieved by manufacturers for each of 3 consecutive model years is 5 percent or more less than the projected aggregate level of average fuel economy for such model year, the Secretary may make appropriate adjustments to the standards prescribed under this subsection.

''(4)(A) Notwithstanding paragraphs (1) through (3) and subsection (b), the Secretary of Transportation may prescribe a lower average fuel economy standard for 1 or more model years if the Secretary of Transportation, in consultation with the Secretary of Energy, finds, by clear and convincing evidence, that the minimum standards prescribed under paragraph (1)(B) or (3) or subsection (b) for each model year—

''(i) are technologically not achievable;

''(ii) cannot be achieved without materially reducing the overall safety of automobiles manufactured or sold in the United States and no offsetting safety improvements can be practicably implemented for that model year; or

''(iii) is shown not to be cost effective.

''(B) If a lower standard is prescribed for a model year under subparagraph (A), such standard shall be the maximum standard that—

''(i) is technologically achievable;

''(ii) can be achieved without materially reducing the overall safety of automobiles manufactured or sold in the United States; and

''(iii) is cost effective.

''(5) In determining cost effectiveness under paragraph (4)(A)(iii), the Secretary of Transportation shall take into account the total value to the United States of reduced petroleum use, including the value of reducing external costs of petroleum use, using a value for such costs equal to 50 percent of the value of a gallon of gasoline saved or the amount determined in an analysis of the external costs of petroleum use that considers—

''(A) value to consumers;

''(B) economic security;

''(C) national security;

''(D) foreign policy;

''(E) the impact of oil use—

''(i) on sustained cartel rents paid to foreign suppliers;

''(ii) on long-run potential gross domestic product due to higher normal-market oil price levels, including inflationary impacts;

''(iii) on import costs, wealth transfers, and potential gross domestic product due to increased trade imbalances;

''(iv) on import costs and wealth transfers during oil shocks;

''(v) on macroeconomic dislocation and adjustment costs during oil shocks;

''(vi) on the cost of existing energy security policies, including the management of the Strategic Petroleum Reserve;

''(vii) on the timing and severity of the oil peaking problem;

''(viii) on the risk, probability, size, and duration of oil supply disruptions;

''(ix) on OPEC strategic behavior and long-run oil pricing;

''(x) on the short term elasticity of energy demand and the magnitude of price increases resulting from a supply shock;

''(xi) on oil imports, military costs, and related security costs, including intelligence, homeland security, sea lane security and infrastructure, and other military activities;

''(xii) on oil imports, diplomatic and foreign policy flexibility, and connections to geopolitical strife, terrorism, and international development activities;

''(xiii) on all relevant environmental hazards under the jurisdiction of the Environmental Protection Agency; and

''(xiv) on well-to-wheels urban and local air emissions of 'pollutants' and their uninternalized costs;

''(F) the impact of the oil or energy intensity of the United States economy on the sensitivity of the economy to oil price changes, including the magnitude of gross domestic product losses in response to short term price shocks or long term price increases;

''(G) the impact of United States payments for oil imports on political, economic, and military developments in unstable or unfriendly oil exporting countries;

''(H) the uninternalized costs of pipeline and storage oil seepage, and for risk of oil spills from production, handling, and transport, and related landscape damage; and

''(I) additional relevant factors, as determined by the Secretary.

''(6) When considering the value to consumers of a gallon of gasoline saved, the Secretary of Transportation may not use a value that is less than the greatest of—

''(A) the average national cost of a gallon of gasoline sold in the United States during the 12-month period ending on the date on which the new fuel economy standard is proposed;

''(B) the most recent weekly estimate by the Energy Information Administration of the Department of Energy of the average national cost of a gallon of gasoline (all grades) sold in the United States; or

''(C) the gasoline prices projected by the Energy Information Administration for the 20-year period beginning in the year following the year in which the standards are established.

''(7) In prescribing standards under this subsection, the Secretary may prescribe standards for 1 or more model years.

''(8)(A) Not later than December 31, 2016, the Secretary of Transportation, the Secretary of Energy, and the Administrator of the Environmental Protection Agency shall submit a joint report to Congress on the state of global automotive efficiency technology development, and on the accuracy of tests used to measure fuel economy of automobiles under section 32904(c), utilizing the study and assessment of the National Academy of Sciences referred to in subparagraph (B).

''(B) The Secretary of Transportation shall enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study of the technological opportunities to enhance fuel economy and an analysis and assessment of the accuracy of fuel economy tests used by the Administrator of the Environmental Protection Agency to measure fuel economy for each model under section 32904(c). Such analysis and assessment shall identify any additional factors or methods that should be included in tests to measure fuel economy for each model to more accurately reflect actual fuel economy of automobiles. The Secretary of Transportation and the Administrator of the Environmental Protection Agency shall furnish, at the request of the Academy, any information that the Academy determines to be necessary to conduct the study, analysis, and assessment under this subparagraph.

''(C) The report submitted under subparagraph (A) shall include—

''(i) the study of the National Academy of Sciences referred to in subparagraph (B); and

''(ii) an assessment by the Secretary of Transportation of technological opportunities to enhance fuel economy and opportunities to increase overall fleet safety.

''(D) The report submitted under subparagraph (A) shall identify and examine additional opportunities to reform the regulatory structure under this chapter, including approaches that seek to merge vehicle and fuel requirements into a single system that achieves equal or greater reduction in petroleum use and environmental benefits than the amount of petroleum use and environmental benefits that have been achieved as of the date of the enactment of this Act.

''(E) The report submitted under subparagraph (A) shall—

''(i) include conclusions reached by the Administrator of the Environmental Protection Agency, as a result of detailed analysis and public comment, on the accuracy of fuel economy tests as in use during the period beginning on the date that is 5 years before the completion of the report and ends on the date of such completion;

''(ii) identify any additional factors that the Administrator determines should be included in tests to measure fuel economy for each model to more accurately reflect actual fuel economy of automobiles; and

''(iii) include a description of options, formulated by the Secretary of Transportation and the Administrator, to incorporate such additional factors in fuel economy tests in a manner that will not effectively increase or decrease average fuel economy for any automobile manufacturer.''; and

(4) in subsection (g)(2), by striking ''(and submit the amendment to Congress when required under subsection (c)(2) of this section)''.

(b) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Chapter 329 of title 49, United States Code, is amended—

(A) in section 32903—

(i) by striking ''passenger'' each place it appears;

(ii) by striking ''section 32902(b)–(d) of this title'' each place it appears and inserting ''subsection (c) or (d) of section 32902'';

(iii) by striking subsection (e); and

(iv) by redesignating subsection (f) as subsection (e); and

(B) in section 32904—

(i) in subsection (a)—

(I) by striking ''passenger'' each place it appears; and

(II) in paragraph (1), by striking ''subject to'' and all that follows through ''section 32902(b)–(d) of this title'' and inserting ''subject to subsection (c) or (d) of section 32902''; and

(ii) in subsection (b)(1)(B), by striking ''under this chapter'' and inserting ''under section 32902(c)(2)''.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply to automobiles manufactured after model year 2012.

SEC. 5. CREDIT TRADING, COMPLIANCE, AND JUDICIAL REVIEW.

(a) CREDIT TRADING.—Section 32903(a) of title 49, United States Code, is amended—

(1) by inserting ''Credits earned by a manufacturer under this section may be sold to any other manufacturer and used as if earned by that manufacturer, except that credits earned by a manufacturer described in clause (i) of section 32904(b)(1)(A) may only be sold to a manufacturer described such clause (i) and credits earned by a manufacturer described in clause (ii) of such section may only be sold to a manufacturer described in such clause (ii).'' after ''earns credits.'';

(2) by striking ''3 consecutive model years immediately'' each place it appears and inserting ''model years''; and

(3) effective for model years after 2012, the sentence added by paragraph (1) of this subsection is amended by inserting ''for purposes of compliance with section 32902(c)(2)'' after ''except that''.

(b) MULTI-YEAR COMPLIANCE PERIOD.—Section 32904(c) of such title is amended—

(1) by inserting ''(1)'' before ''The Administrator''; and

(2) by adding at the end the following:

''(2) The Secretary, by rule, may allow a manufacturer to elect a multi-year compliance period of not more than 4 consecutive model years in lieu of the single model year compliance period otherwise applicable under this chapter.''.

(c) JUDICIAL REVIEW OF REGULATIONS.—Section 32909(a)(1) of such title is amended by striking out ''adversely affected by'' and inserting ''aggrieved or adversely affected by, or suffering a legal wrong because of,''.

SEC. 6. CONSUMER TAX CREDIT.

(a) ELIMINATION ON NUMBER OF NEW QUALIFIED HYBRID AND ADVANCED LEAN BURN TECHNOLOGY VEHICLES ELIGIBLE FOR ALTERNATIVE MOTOR VEHICLE CREDIT.—

(1) IN GENERAL.—Section 30B of the Internal Revenue Code of 1986 is amended—

(A) by striking subsection (f); and

(B) by redesignating subsections (g) through (j) as subsections (f) through (i), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Paragraphs (4) and (6) of section 30B(h) of such Code are each amended by striking ''(determined without regard to subsection (g))'' and inserting ''determined without regard to subsection (f))''.

(B) Section 38(b)(25) of such Code is amended by striking ''section 30B(g)(1)'' and inserting ''section 30B(f)(1)''.

(C) Section 55(c)(2) of such Code is amended by striking ''section 30B(g)(2)'' and inserting ''section 30B(f)(2)''.

(D) Section 1016(a)(36) of such Code is amended by striking ''section 30B(h)(4)'' and inserting ''section 30B(g)(4)''.

(E) Section 6501(m) of such Code is amended by striking ''section 30B(h)(9)'' and inserting ''section 30B(g)(9)''.

(b) EXTENSION OF ALTERNATIVE VEHICLE CREDIT FOR NEW QUALIFIED HYBRID MOTOR VEHICLES.—Paragraph (3) of section 30B(i) of such Code (as redesignated by subsection (a)) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(c) COMPUTATION OF CREDIT.—Section 30B of such Code is amended by striking ''city'' each place it appears and inserting ''combined''.

(d) EFFECTIVE DATES.—The amendments made by subsections (a) and (b) of this section shall apply to property placed in service after December 31, 2007, in taxable years ending after such date. The amendments made by subsection (c) shall apply to vehicles acquired after the date of the enactment of this Act.

SEC. 7. ADVANCED TECHNOLOGY MOTOR VEHICLES MANUFACTURING CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to foreign tax credit, etc.) is amended by adding at the end the following new section:

''SEC. 30D. ADVANCED TECHNOLOGY MOTOR VEHICLES MANUFACTURING CREDIT.

''(a) CREDIT ALLOWED.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 35 percent of the qualified investment of an eligible taxpayer for such taxable year.

''(b) QUALIFIED INVESTMENT.—For purposes of this section—

''(1) IN GENERAL.—The qualified investment for any taxable year is equal to the incremental costs incurred during such taxable year—

''(A) to re-equip, expand, or establish any manufacturing facility in the United States of the eligible taxpayer to produce advanced technology motor vehicles or to produce eligible components,

''(B) for engineering integration performed in the United States of such vehicles and components as described in subsection (d),

''(C) for research and development performed in the United States related to advanced technology motor vehicles and eligible components, and

''(D) for employee retraining with respect to the manufacturing of such vehicles or components (determined without regard to wages or salaries of such retrained employees).

''(2) ATTRIBUTION RULES.—In the event a facility of the eligible taxpayer produces both advanced technology motor vehicles and conventional motor vehicles, or eligible and non-eligible components, only the qualified investment attributable to production of advanced technology motor vehicles and eligible components shall be taken into account.

''(c) DEFINITIONS.—In this section:

''(1) ADVANCED TECHNOLOGY MOTOR VEHICLE.—The term 'advanced technology motor vehicle' means—

''(A) any qualified electric vehicle (as defined in section 30(c)(1)),

''(B) any new qualified fuel cell motor vehicle (as defined in section 30B(b)(3)),

''(C) any new advanced lean burn technology motor vehicle (as defined in section 30B(c)(3)),

''(D) any new qualified hybrid motor vehicle (as defined in section 30B(d)(2)(A) and determined without regard to any gross vehicle weight rating),

''(E) any new qualified alternative fuel motor vehicle (as defined in section 30B(e)(4), including any mixed-fuel vehicle (as defined in section 30B(e)(5)(B)), and

''(F) any other motor vehicle using electric drive transportation technology (as defined in paragraph (3)).

''(2) ELECTRIC DRIVE TRANSPORTATION TECHNOLOGY.—The term 'electric drive transportation technology' means technology used by vehicles that use an electric motor for all or part of their motive power and that may or may not use off-board electricity, such as battery electric vehicles, fuel cell vehicles, engine dominant hybrid electric vehicles, plug-in hybrid electric vehicles, and plug-in hybrid fuel cell vehicles.

''(3) ELIGIBLE COMPONENTS.—The term 'eligible component' means any component inherent to any advanced technology motor vehicle, including—

''(A) with respect to any gasoline or diesel-electric new qualified hybrid motor vehicle—

''(i) electric motor or generator;

''(ii) power split device;

''(iii) power control unit;

''(iv) power controls;

''(v) integrated starter generator; or

''(vi) battery;

''(B) with respect to any hydraulic new qualified hybrid motor vehicle—

''(i) accumulator or other energy storage device;

''(ii) hydraulic pump;

''(iii) hydraulic pump-motor assembly;

''(iv) power control unit; and

''(v) power controls;

''(C) with respect to any new advanced lean burn technology motor vehicle—

''(i) diesel engine;

''(ii) turbo charger;

''(iii) fuel injection system; or

''(iv) after-treatment system, such as a particle filter or NOx absorber; and

''(D) with respect to any advanced technology motor vehicle, any other component submitted for approval by the Secretary.

''(4) ELIGIBLE TAXPAYER.—The term 'eligible taxpayer' means any taxpayer if more than 20 percent of the taxpayer's gross receipts for the taxable year is derived from the manufacture of motor vehicles or any component parts of such vehicles.

''(d) ENGINEERING INTEGRATION COSTS.—For purposes of subsection (b)(1)(B), costs for engineering integration are costs incurred prior to the market introduction of advanced technology vehicles for engineering tasks related to—

''(1) establishing functional, structural, and performance requirements for component and subsystems to meet overall vehicle objectives for a specific application,

''(2) designing interfaces for components and subsystems with mating systems within a specific vehicle application,

''(3) designing cost effective, efficient, and reliable manufacturing processes to produce components and subsystems for a specific vehicle application, and

''(4) validating functionality and performance of components and subsystems for a specific vehicle application.

''(e) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for the taxable year shall not exceed the excess of—

''(1) the sum of—

''(A) the regular tax liability (as defined in section 26(b)) for such taxable year, plus

''(B) the tax imposed by section 55 for such taxable year and any prior taxable year beginning after 1986 and not taken into account under section 53 for any prior taxable year, over

''(2) the sum of the credits allowable under subpart A and sections 27, 30, and 30B for the taxable year.

''(f) REDUCTION IN BASIS.—For purposes of this subtitle, if a credit is allowed under this section for any expenditure with respect to any property, the increase in the basis of such property which would (but for this paragraph) result from such expenditure shall be reduced by the amount of the credit so allowed.

''(g) NO DOUBLE BENEFIT.—

''(1) COORDINATION WITH OTHER DEDUCTIONS AND CREDITS.—Except as provided in paragraph (2), the amount of any deduction or other credit allowable under this chapter for any cost taken into account in determining the amount of the credit under subsection (a) shall be reduced by the amount of such credit attributable to such cost.

''(2) RESEARCH AND DEVELOPMENT COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), any amount described in subsection (b)(1)(C) taken into account in determining the amount of the credit under subsection (a) for any taxable year shall not be taken into account for purposes of determining the credit under section 41 for such taxable year.

''(B) COSTS TAKEN INTO ACCOUNT IN DETERMINING BASE PERIOD RESEARCH EXPENSES.—Any amounts described in subsection (b)(1)(C) taken into account in determining the amount of the credit under subsection (a) for any taxable year which are qualified research expenses (within the meaning of section 41(b)) shall be taken into account in determining base period research expenses for purposes of applying section 41 to subsequent taxable years.

''(h) BUSINESS CARRYOVERS ALLOWED.—If the credit allowable under subsection (a) for a taxable year exceeds the limitation under subsection (e) for such taxable year, such excess (to the extent of the credit allowable with respect to property subject to the allowance for depreciation) shall be allowed as a credit carryback to each of the 15 taxable years immediately preceding the unused credit year and as a carryforward to each of the 20 taxable years immediately following the unused credit year.

''(i) SPECIAL RULES.—For purposes of this section, rules similar to the rules of section 179A(e)(4) and paragraphs (1) and (2) of section 41(f) shall apply.

''(j) ALLOCATION OF CREDIT TO PURCHASERS.—

''(1) ELECTION TO ALLOCATE.—

''(A) IN GENERAL.—In the case of an eligible taxpayer, any portion of the credit determined under subsection (a) for the taxable year may, at the election of such taxpayer, be apportioned among purchasers of qualifying vehicles from the taxpayer in the taxable year (or in any year in which the credit may be carried over).

''(B) QUALIFYING VEHICLES.—For purposes of this subsection, the term 'qualifying vehicle' means an advanced technology vehicle manufactured at a facility described in subsection (b)(1)(A).

''(C) FORM AND EFFECT OF ELECTION.—An election under subparagraph (A) for any taxable year shall be made on a timely filed return for such year. Such election, once made, shall be irrevocable for such taxable year.

''(2) TREATMENT OF TAXPAYER AND PURCHASERS.—The amount of the credit apportioned to any purchaser under paragraph (1)—

''(A) shall not be included in the amount determined under subsection (a) with respect to the eligible taxpayer for the taxable year; and

''(B) shall be treated as an amount determined under subsection (a) for the taxable year of the purchaser which ends in the calendar year of purchase.

''(3) SPECIAL RULES FOR DECREASE IN CREDITS FOR TAXABLE YEAR.—If the amount of the

credit of an eligible taxpayer determined under subsection (a) for a taxable year is less than the amount of such credit shown on the return of the taxpayer for such year, an amount equal to the excess of—

''(A) such reduction, over

''(B) the amount not apportioned to such purchasers under paragraph (1) for the taxable year,

shall be treated as an increase in tax imposed by this chapter on the eligible taxpayer.

''(4) WRITTEN NOTICE TO PURCHASERS.—If any portion of the credit available under subsection (a) is allocated to purchasers under paragraph (1), the eligible taxpayer shall provide any purchaser receiving an allocation written notice of the amount of the allocation. Such notice may be provided either at the time of purchase or at any time not later than 60 days after the close of the calendar year in which the vehicle is purchased.''

''(k) ELECTION NOT TO TAKE CREDIT.—No credit shall be allowed under subsection (a) for any property if the taxpayer elects not to have this section apply to such property.

''(l) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out the provisions of this section.

''(m) TERMINATION.—This section shall not apply to any qualified investment after December 31, 2011.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1016(a) of the Internal Revenue Code of 1986 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) to the extent provided in section 30D(g).''.

(2) Section 6501(m) of such Code is amended by inserting ''30D(k),'' after ''30C(e)(5),''.

(3) The table of sections for subpart B of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 30C the following new item:

''Sec. 30D. Advanced technology motor vehicles manufacturing credit.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts incurred in taxable years beginning after December 31, 1999.

By Mr. SALAZAR (for himself, Mr. CHAMBLISS, Ms. COLLINS, and Mr. ALLARD):

S. 769. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that participants in the Troops to Teachers program may teach at a range of eligible schools; to the Committee on Health, Education, Labor, and Pensions.

Mr. SALAZAR. Mr. President, today I am introducing the Troops to Teachers Improvement Act of 2007, which will help more of our veterans and service members find second careers in our classrooms. This bill will expand the accessibility of this program, so that more military personnel will be able to enroll, receive $5,000 toward their teaching certification, and teach in a school near their home. I am proud to be joined by Senator CHAMBLISS, Senator COLLINS, and Senator ALLARD in introducing this legislation. On the House side, Congressman PETRI and Congresswoman MATSUI have introduced a companion to this bill.

Since it was created in 1994, the Troops to Teachers program has helped place over 10,000 new teachers in classrooms around the country. The program provides guidance, teacher certification assistance, and bonuses for military personnel who give at least three years of service in the classroom.

When Congress established the Troops to Teachers program, it created two levels of bonuses for military personnel and veterans who participate. An individual was eligible for a $5,000 stipend so long as he or she taught in any school in a district that received Title I funding under the Elementary and Secondary Education Act. This meant that an individual could teach three years in any of a vast majority of schools in the country and still be eligible for the $5,000 bonus.

Congress allowed a person to receive an additional $5,000 if he or she taught three years in a school that served a high percentage of disadvantaged students. The total bonus of $10,000 was meant to draw these talented new teachers into schools that needed them most.

For over a decade, this bonus structure was highly successful. In Colorado alone, the program has provided around 80 new hires a year to schools where new teachers are desperately needed.

But in 2005, the Department of Education limited the number of schools that were eligible to participate and therefore made it more difficult for individuals to receive the baseline $5,000 bonus. The Department of Education was able to do this because when the Troops to Teachers program was reauthorized under the No Child Left Behind Act, there was a mistake in the reauthorization language that created confusion about which schools an individual may teach in order to be eligible for the $5,000 bonus. As I pointed out a moment ago, when Congress created the Troops to Teachers program, it said that an individual could receive the bonus if he or she taught in a ''high-need'' school, that is, in any school in a district that received Title 1 funding. In Colorado, that meant that around 98 percent of school districts qualified. But, because Troops to Teachers was mistakenly placed in a section of NCLB with a different definition of ''high need,'' an individual can now only receive the $5,000 bonus if he or she teaches in a school that has more than 10,000 students or has more than 20 percent of its students from families below the poverty line.

As a result of this change, enrollments in the Troops to Teachers program have dwindled over the past two years. Western and rural States, in particular, have been negatively impacted. In Colorado, new hires out of Troops to Teachers have dropped from 79 for the 2003–2004 school year to 43 for the 2006–2007 school year.

This drop-off in new hires from Troops to Teachers is problematic for several reasons. First, we should be finding ways of attracting new teachers to our classrooms, not devising bureaucratic barriers that keep them out. Experts predict that we will need approximately 2 million new teachers in the next decade, and we need teachers who will give more than a year or two of service. Today, half of newcomers to the teaching profession last less than five years. The good news is that Troops to Teachers has an 83 percent retention rate for its teachers. A full 223 of the 343 original participants are still teaching today, more than a decade after the program's creation.

Troops to Teachers also helps fill a need for diversity in the classroom—83 percent of program participants are male, compared to 18 percent of teachers nationally, and 37 percent are ethnic minorities, compared to 15 percent of teachers nationally.

The second problem with the new eligibility criteria is that it disproportionately hurts rural veterans and rural school districts. It's hard to find a school district in western Colorado or on the eastern plains that has 10,000 students. Are we expecting a Troops to Teacher participant living in Yuma County, population 9,789 to drive to Denver to teach in an eligible school there so they can receive the $5,000 stipend?

The third problem with the new criteria is that it hurts retiring service members who want to pursue a second career in education. This country has a long history of providing educational benefits to our men and women in uniform through the 1944 GI Bill and successive legislation. Troops to Teachers furthers this great cause by helping our men and women in uniform extend their education and earn a teaching certificate. With over 1.3 million veterans from Iraq and Afghanistan, many of whom are currently transitioning back to civilian life, we have an opportunity to bring the best and the brightest who are now serving in the military straight into the classrooms, where they can continue to extend their service to their country.

The bill I'm introducing today provides a simple fix to the problems that arose for the Troops to Teachers program under the No Child Left Behind Act. The bill simply says that if there is no school within 50 miles of the home of a Troops to Teachers participant, the individual may teach in any school in a district that receives Title 1 funding and receive the initial $5,000 bonus. This bill will allow thousands of retiring service members in rural communities to take advantage of the Troops to Teachers incentives and transition to a second career in the classroom. I also want to point out that this bill still prioritizes schools that fit the current definition of ''high need''—that is, schools with over 10,000 students or with 20 percent of its students from families below the poverty line—but it also provides an outlet if there are no schools in the area that fit those criteria. This bill does not affect the additional bonus that Troops to Teachers participants have always

been able to receive if they teach in a school with a high percentage of disadvantaged students.

I am hopeful that when we reauthorize the No Child Left Behind Act, we take another look at Troops to Teachers to help make it more accessible to veterans from Iraq and Afghanistan, National Guard members, and reservists. Troops to Teachers is a good program that should be strengthened and supported when it is reauthorized. Yet, we shouldn't wait until then to fix this needless problem that is hampering the program's effectiveness today. I urge my colleagues to support this problem, today, by supporting the quick, straightforward solution that this bill provides.

I ask unanimous consent that the text of this 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. 769

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 ''Troops to Teachers Improvement Act of 2007''.

SEC. 2. PARTICIPATION AGREEMENT AND FINANCIAL ASSISTANCE UNDER TROOPS TO TEACHERS PROGRAM.

Section 2304 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6674) is amended in subsection (a)(1)(B) by striking ''for not less than 3 school years'' and all that follows through the period at the end and inserting the following: ''for not less than 3 school years, to begin the school year after obtaining that certification or licensing, with a high-need local educational agency or public charter school, as such terms are defined in section 2101 or, if there is no high-need local educational agency or public charter school for which the member is qualified to teach within a 50-mile radius of the member's residence, then under circumstances covered by section 2302(b)(2).''.

By Mr. HARKIN (for himself, Ms. MURKOWSKI, Mr. DURBIN, Mr. VOINOVICH, Mr. MENENDEZ, Ms. CANTWELL, Mr. LIEBERMAN, Mr. CARPER, and Mr. SCHUMER):

S. 771. A bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of ''food of minimal nutritional value'' to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HARKIN. Mr. President, our Nation faces a public health crisis of the first order. Poor diet and physical inactivity are contributing to growing rates of chronic disease in the U.S. These problems do not just affect adults, but increasingly affect the health of our children as well. Research suggests that one-third of American children born today will develop type II diabetes at some point. For some minority children, the numbers are even more shocking, as high as 50 percent. At the same time, since 1963, rates of obesity have quadrupled among children ages 6 to 11 and tripled among children ages 12 to 19. Even our youngest children are not immune. Since 1971, among children ages 2 to 5, obesity rates have tripled.

There are many reasons for this public health crisis, and accordingly, addressing the crisis will require multiple solutions as well. One place where we can start is with our schools, which have been inundated with foods and drinks having little or no positive nutritional value. A recent study from the Government Accountability office found that 99 percent of high schools, 97 percent of middle schools, and 83 percent of elementary schools sell foods from vending machines, school stores, or a-la-carte lines in the cafeteria. And it is not fresh fruits and vegetables and other healthy foods that are being sold. No, the vast majority of the foods being sold in our schools outside of Federal meal programs are foods that contribute nothing to the health and development of our children and are actually detrimental to them.

Not only does the overconsumption of these foods take a toll on the health of our children, but they also have a negative impact of the investment of taxpayer dollars in the health of our kids. Every year the Federal Government spends nearly $10 billion to reimburse schools for the provision of meals through the National School Lunch Program and School Breakfast Program. In order to receive reimbursement, these meals must meet nutrition standards based upon the Dietary Guidelines for All Americans, the official dietary advice of the U.S. government. However, sales of food elsewhere in our schools do not fall under these guidelines. Therefore, as children consume more and more of the foods typically sold through school vending machines and snack bars, it undermines the nearly $10 billion in federal reimbursements that we spend on nutritionally balanced school meals.

Finally, the heavy selling of candy, soft drinks and other junk food in our schools undermines the guidance, and even the instruction and authority of parents who want to help their children consume sound and balanced diets. The American public agrees. A Robert Wood Johnson Foundation poll from several years ago found that 90 percent of parents would like to see schools remove the typical junk food from vending machines and replace it with healthier alternatives. My bill seeks to restore the role and authority of parents by ensuring that schools provide the healthy, balanced nutrition that contributes to health and development.

What really hurts children and undermines parents is the junk food free-for-all that currently exists in so many of our schools. How does it help kids if the school sells them a 20-ounce soda and a candy bar for lunch when their parents have sent them to school with the expectation that they will have balanced meals from the school lunch program?

Today, along with my colleague Senator MURKOWSKI of Alaska, I will introduce bipartisan legislation to address this problem—and to do what is right for the health of our kids. This bill has broad support in both the education and the public health communities and is supported by the National PTA, the National Education Association, the American Federation of Teachers, the American Medical Association, the Center for Science in the Public Interest, the School Nutrition Association, the Food Research and Action Center, the American Heart Association, the American Dietetic Association, the American Diabetes Association, and the American Academy of Pediatrics, among others.

The Child Nutrition Promotion and School Lunch Protection Act of 2007 does two very simple but important things:

First, it requires the Secretary of Agriculture to initiate a rulemaking process to update nutritional standards for foods sold in schools. Currently, USDA relies upon a very narrow nutritional standard that is nearly 30 years old. Since that definition was formulated, children's diets and dietary risk have changed dramatically. In that time, we have also learned a great deal about the relationship between poor diet and chronic disease. It is time for public policy to catch up with the science.

Second, the bill requires the Secretary of Agriculture to apply the updated definition everywhere on school grounds and throughout the school day. Currently, the Secretary can only issue rules limiting a very narrow class of foods, and then only stop their sales in the actual school cafeteria during the meal period. As a result, a child only needs to walk into the hall outside the cafeteria to buy a lunch consisting of soda, a bag of chips and a candy bar. This is a loophole that is big enough to drive a soft drink delivery truck through—literally. It is time to close it.

The bill is supported in the Senate by a bipartisan group of Senators. Joining me in introducing the bill are Senator MURKOWSKI of Alaska, Senator DURBIN of Illinois, Senator VOINOVICH of Ohio, Senator MENENDEZ of New Jersey, Senator LIEBERMAN of Connecticut, Senator SCHUMER of New York, Senator CANTWELL of Washington, and Senator CARPER of Delaware. The diverse group of supporters of this bill cuts across ideological lines and shows that when the health of our children is at stake, we can put aside our differences in the interest of our children.

This bill, by itself, will not solve the problem of poor diet and rising rates of chronic disease among our children and adults. But it is a start. Scientists predict that—because of obesity and preventable chronic diseases—the current

generation of children could very well be the first in American history to live shorter lives than their parents. If this isn't a wake up call, I don't know what is.

Our children are at risk. The time to act is now. And that's why I am pleased to introduce the Child Nutrition Promotion and School Lunch Protection Act of 2007.

By Mr. KOHL (for himself, Mr. COLEMAN, Mr. FEINGOLD, Mr. VITTER, and Mr. ROCKEFELLER):

S. 772. A bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, as Chairman of the Senate Antitrust Subcommittee, I believe it is my role to investigate and help end—monopolistic practices that exploit American consumers. In that spirit, I rise today to introduce along with my colleagues, Senators COLEMAN, FEINGOLD, VITTER and ROCKEFELLER, the Railroad Antitrust Enforcement Act of 2007. This legislation will eliminate obsolete antitrust exemptions that protect freight railroads from competition.

Consolidation in the railroad industry, allowed under the exemptions my legislation would repeal, has resulted in only four Class I railroads providing over 90 percent of the nation's freight rail transportation. The lack of competition was recently documented in a Government Accountability Office October 2006 report. That report found that, ''concerns about competition and captivity, in the rail industry, remain as traffic is concentrated in fewer railroads.'' The report also stated that the Surface Transportation Board, the entity charged with ensuring that the industry remains competitive, has failed to do so. In August 2006, the Attorneys General of 17 states and the District sent a letter to Congress citing problems due to a lack of competition and asked that the antitrust exemptions be removed.

The ill-effects of this consolidation are exemplified in the case of ''captive shippers''—industries served by only one railroad. Over the past several years, these captive shippers faced spiking rail rates. They are the victims of the monopolistic practices and price gouging by the single railroad that serves them, price increases which they are forced to pass along into the price of their products, and ultimately, to consumers. And in many cases, the ordinary protections of antitrust law are unavailable to these captive shippers—instead, the railroads are protected by a series of exemptions from the normal rules of antitrust law to which all other industries must abide.

These exemptions have put the American consumer at risk, and in Wisconsin, victims of a lack of railroad competition abound. A coalition has formed, consisting of about 40 affected organizations—Badger CURE. From Dairyland Power Cooperative in La Crosse to Wolf River Lumber in New London, companies in my State are feeling the crunch of years of railroad consolidation. To help offset a 93 percent increase in shipping rates in 2006, Dairyland Power Cooperative had to raise electricity rates by 20 percent. The reliability, efficiency, and affordability of freight rail have all declined, and Wisconsin consumers feel the pinch.

And similar stories exist across the country. That is why I'm joining with my colleagues to introduce the Railroad Antitrust Enforcement Act of 2007. This legislation will force railroads to play by the rules of free competition like all other businesses.

The current antitrust exemptions protect a wide range of railroad industry conduct from scrutiny by governmental antirust enforcers. Railroad mergers and acquisitions are exempt from antitrust law and are reviewed solely by the Surface Transportation Board. Railroads that engage in collective ratemaking are also exempt from antitrust law. Railroads subject to the regulation of the Surface Transportation Board are also exempt from private antitrust lawsuits seeking the termination of anti-competitive practices via injunctive relief. Our bill will eliminate these exemptions.

No good reason exists for them. While railroad legislation in recent decades—including most notably the Staggers Rail Act of 1980—deregulated much railroad rate setting from the oversight of the Surface Transportation Board, these obsolete antitrust exemptions remained in place, insulating a consolidating industry from obeying the rules of fair competition.

Our bill will bring railroad mergers and acquisitions under the purview of the Clayton Act, allowing the Federal Government, State attorneys general and private parties to file suit to enjoin anti-competitive mergers and acquisitions. It will restore the review of these mergers to the agencies where they belong—the Justice Department's Antitrust Division and the Federal Trade Commission. It will eliminate the exemption that prevents FTC's scrutiny of railroad common carriers. It will eliminate the antitrust exemption for railroad collective ratemaking. It will allow State attorneys general and other private parties to sue railroads for treble damages and injunctive relief for violations of the antitrust laws, including collusion that leads to excessive and unreasonable rates.

In sum, by clearing out this thicket of outmoded antitrust exemptions, railroads will be subject to the same laws as the rest of the economy. Government antitrust enforcers will finally have the tools to prevent anti-competitive transactions and practices by railroads. Likewise, private parties will be able to utilize the antitrust laws to deter anti-competitive conduct and to seek redress for their injuries.

It is time to put an end to the abusive practices of the Nation's freight railroads. On the Antitrust Subcommittee, we have seen that in industry after industry, vigorous application of our Nation's antitrust laws is the best way to eliminate barriers to competition, to end monopolistic behavior, to keep prices low and quality of service high. The railroad industry is no different. All those who rely on railroads to ship their products—whether it is an electric utility for its coal, a farmer to ship grain, or a factory to acquire its raw materials or ship out its finished product—deserve the full application of the antitrust laws to end the anti-competitive abuses all too prevalent in this industry today. I urge my colleagues to support the Railroad Antitrust Enforcement Act of 2007.

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. 772

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 ''Railroad Antitrust Enforcement Act of 2007''.

SEC. 2. INJUNCTIONS AGAINST RAILROAD COMMON CARRIERS.

The proviso in section 16 of the Clayton Act (15 U.S.C. 26) ending with ''Code.'' is amended to read as follows: ''*Provided*, That nothing herein contained shall be construed to entitle any person, firm, corporation, or association, except the United States, to bring suit for injunctive relief against any common carrier that is not a railroad subject to the jurisdiction of the Surface Transportation Board under subtitle IV of title 49, United States Code.''.

SEC. 3. MERGERS AND ACQUISITIONS OF RAILROADS.

The sixth undesignated paragraph of section 7 of the Clayton Act (15 U.S.C. 18) is amended to read as follows:

''Nothing contained in this section shall apply to transactions duly consummated pursuant to authority given by the Secretary of Transportation, Federal Power Commission, Surface Transportation Board (except for agreements described in section 10706 of title 49, United States Code, and transactions described in section 11321 of that title), the Securities and Exchange Commission in the exercise of its jurisdiction under section 10 (of the Public Utility Holding Company Act of 1935), the United States Maritime Commission, or the Secretary of Agriculture under any statutory provision vesting such power in the Commission, Board, or Secretary.''.

SEC. 4. LIMITATION OF PRIMARY JURISDICTION.

The Clayton Act is amended by adding at the end thereof the following:

''SEC. 29. In any civil action against a common carrier railroad under section 4, 4C, 15, or 16 of this Act, the district court shall not be required to defer to the primary jurisdiction of the Surface Transportation Board.''.

SEC. 5. FEDERAL TRADE COMMISSION ENFORCEMENT.

(a) CLAYTON ACT.—Section 11(a) of the Clayton Act (15 U.S.C. 21(a)) is amended by striking ''subject to jurisdiction'' and all that follows through the first semicolon and inserting ''subject to jurisdiction under subtitle IV of title 49, United States Code (except for agreements described in section

10706 of that title and transactions described in section 11321 of that title);''.

(b) FTC ACT.—Section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 44(a)(1)) is amended by striking ''common carriers subject'' and inserting ''common carriers, except for railroads, subject''.

SEC. 6. EXPANSION OF TREBLE DAMAGES TO RAIL COMMON CARRIERS.

Section 4 of the Clayton Act (15 U.S.C. 15) is amended by—

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

(2) inserting after subsection (a) the following:

''(b) Subsection (a) shall apply to common carriers by rail subject to the jurisdiction of the Surface Transportation Board under subtitle IV of title 49, United States Code, without regard to whether such railroads have filed rates or whether a complaint challenging a rate has been filed.''.

SEC. 7. TERMINATION OF EXEMPTIONS IN TITLE 49.

(a) IN GENERAL.—Section 10706 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking '', and the Sherman Act (15 U.S.C. 1 et seq.),'' and all that follows through ''or carrying out the agreement'' in the third sentence;

(B) in paragraph (4)—

(i) by striking the second sentence; and

(ii) by striking ''However, the'' in the third sentence and inserting ''The''; and

(C) in paragraph (5)(A), by striking '', and the antitrust laws set forth in paragraph (2) of this subsection do not apply to parties and other persons with respect to making or carrying out the agreement''; and

(2) by striking subsection (e) and inserting the following:

''(e) APPLICATION OF ANTITRUST LAWS.—

''(1) IN GENERAL.—Nothing in this section exempts a proposed agreement described in subsection (a) from the application of the Sherman Act (15 U.S.C. 1 et seq.), the Clayton Act (15 U.S.C. 12, 14 et seq.), the Federal Trade Commission Act (15 U.S.C. 41 et seq.), section 73 or 74 of the Wilson Tariff Act (15 U.S.C. 8 and 9), or the Act of June 19, 1936 (15 U.S.C. 13, 13a, 13b, 21a).

''(2) ANTITRUST ANALYSIS TO CONSIDER IMPACT.—In reviewing any such proposed agreement for the purpose of any provision of law described in paragraph (1), the Board and any other reviewing agency shall take into account, among any other considerations, the impact of the proposed agreement on shippers, on consumers, and on affected communities.''.

(b) COMBINATIONS.—Section 11321 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''The authority'' in the first sentence and inserting ''Except as provided in sections 4 (15 U.S.C. 15), 4C (15 U.S.C. 15c), section 15 (15 U.S.C. 25), and section 16 (15 U.S.C. 26) of the Clayton Act (15 U.S.C. 21(a)), the authority''; and

(B) by striking ''is exempt from the antitrust laws and from all other law,'' in the third sentence and inserting ''is exempt from all other law (except the antitrust laws referred to in subsection (c)),''; and

(2) by adding at the end the following:

''(c) APPLICATION OF ANTITRUST LAWS.—

''(1) IN GENERAL.—Nothing in this section exempts a transaction described in subsection (a) from the application of the Sherman Act (15 U.S.C. 1 et seq.), the Clayton Act (15 U.S.C. 12, 14 et seq.), the Federal Trade Commission Act (15 U.S.C. 41 et seq.), section 73 or 74 of the Wilson Tariff Act (15 U.S.C. 8–9), or the Act of June 19, 1936 (15 U.S.C. 13, 13a, 13b, 21a).

''(2) ANTITRUST ANALYSIS TO CONSIDER IMPACT.—In reviewing any such transaction for the purpose of any provision of law described in paragraph (1), the Board and any other reviewing agency shall take into account, among any other considerations, the impact of the transaction on shippers and on affected communities.''.

(c) CONFORMING AMENDMENTS.—

(1) The heading for section 10706 of title 49, United States Code, is amended to read as follows: ''**RATE AGREEMENTS**''.

(2) The item relating to such section in the chapter analysis at the beginning of chapter 107 of such title is amended to read as follows:

''10706. Rate agreements.''.

SEC. 8. EFFECTIVE DATE.

(a) IN GENERAL.—Subject to the provisions of subsection (b), this Act shall take effect on the date of enactment of this Act.

(b) CONDITIONS.—

(1) PREVIOUS CONDUCT.—A civil action under section 4, 15, or 16 of the Clayton Act (15 U.S.C. 15, 25, 26) or complaint under section 5 of the Federal Trade Commission Act (15 U.S.C. 45) may not be filed with respect to any conduct or activity that occurred prior to the date of enactment of this Act that was previously exempted from the antitrust laws as defined in section 1 of the Clayton Act (15 U.S.C. 12) by orders of the Interstate Commerce Commission or the Surface Transportation Board issued pursuant to law.

(2) GRACE PERIOD.—A civil action or complaint described in paragraph (1) may not be filed earlier than 180 days after the date of enactment of this Act with respect to any previously exempted conduct or activity or previously exempted agreement that is continued subsequent to the date of enactment of this Act.

Mr. ROCKEFELLER. Mr. President, I am proud today to join with my colleagues, Senator Kohl, Senator Coleman, Senator Feingold, and Senator Vitter, to introduce the Railroad Antitrust Enforcement Act of 2007. If enacted, this bill would close an incomprehensible legal loophole that has allowed our Nation's freight railroads the unfettered ability to act in anticompetitive ways for too many years. Since before I came to the United States Senate I have been quite stunned at the ability of railroad companies, by virtue of an exemption from our antitrust laws, to ignore the legitimate complaints of their customers, to sidestep the appropriate concerns of elected officials and leaders in the private sector alike, and to consolidate operations and power to the detriment of the consumer.

The Railroad Antitrust Enforcement Act would benefit businesses, employees, and consumers by providing meaningful government oversight where none exists currently. It will give our Nation's shippers—long captive to monopoly abuses courts were powerless to check, the Surface Transportation Board was unwilling to acknowledge—remedies that will make for a more open and competitive freight rail marketplace.

In my home State of West Virginia and in towns all across the country, companies and consumers are negatively impacted by lack of competitive rail transportation options—a phenomenon often referred as a shipper being ''captive'' to one railroad. Because the antitrust exemptions in place allowed railroads to ignore the rules by which virtually all other American corporations are required to operate, railroads have refused to negotiate in good faith with their customers over the costs of shipping important rail-dependent commodities such as coal, bulk chemicals, and grains and other agricultural products. Manufacturers have been left at the mercy of the railroads and are forced to pay exorbitant transportation rates to ship their goods. Many manufacturers struggle to be competitive with competitors here and abroad because they simply do not have real transportation choices. The bottom line, which should come as no surprise to my colleagues, is that if industrial inputs and the fuel used to produce half of our electricity are artificially high in price, consumers are left paying higher prices for just about everything they buy. This continues to have an overwhelmingly negative affect on West Virginia's economy, as industries served by only one carrier face pressures to cut production in the state, or to leave it altogether.

How has this been allowed to come to pass? It will probably come as a shock to members of the Senate, but the railroad industry is exempt from the Nation's antitrust laws related to mergers, acquisitions, and pooling arrangements approved by the Surface Transportation Board (STB). They are also exempt from antitrust laws that would otherwise influence ratemaking. Under the current exemptions, private parties cannot file antitrust suits against railroad companies to halt what in would be for every other industry illegal practices. Under current law, railroads are allowed to continue a wide range of anti-competitive practices that severely inhibit the ability of our Nation's businesses from shipping their goods at reasonable rates. What this Nation has experienced in the more than 25 years since the Staggers Act partially deregulated the freight rail market are not efforts by railroads to modernize their systems, improve efficiency, and upgrade service. Rather, rail carriers have manipulated the system to charge their so-called ''captive'' customers as much as they chose to charge, not what the market would normally bear.

Specifically, the Railroad Antitrust Enforcement Act will alter exemptions in current law to allow for the following: Permit the Justice Department and the Federal Trade Commission (FTC) to review mergers under the Clayton and Sherman Acts, and allow them to bring legal action to block anti-anticompetitive railroad mergers. Remove antitrust exemptions that have allowed railroads to merge, acquire new properties, set rates collectively, and otherwise coordinate policies across the entire freight rail market. Allow State Attorneys-General and other private parties to sue for treble damages for violations of antitrust laws, including for collusive activity leading to excessive and unreasonable

rates. Allow State Attorneys General and private parties to sue for court orders to halt anticompetitive conduct. Expand the jurisdiction of the FTC to allow it to enforce antitrust law in the railroad industry.

By granting consumers and shippers long-denied access to the protections of our antitrust laws with regard to the freight rail industry, the Railroad Antitrust Enforcement Act may make strides toward creating the competitive freight rail marketplace envisioned by Congress when it passed the Staggers Act in 1980. I hope so. However, because I believe rail customers and retail consumers need greater protection still, along with some of my cosponsors today and others, later this month I will be introducing additional, broader rail policy legislation to declare the rights shippers were meant to have, and the responsibilities railroads were meant to have, when Congress passed the Staggers Act.

For the system to work, there must be a meaningful way to seek redress of grievances and punish wrongdoing. The Railroad Antitrust Enforcement Act will go a long way toward correcting some of the glaring problems those of us who pay attention to the rail marketplace have known about for a long time. It will not fix all the problems in the system, but perhaps its provisions will encourage railroads to negotiate with their customers in good faith. The lack of fairness in the current system is devastating to businesses in my state of West Virginia, and to companies and consumers in every part of the country.

I again express my support for the Railroad Antitrust Enforcement Act of 2007, and I urge my colleagues to do the same. This is a problem that affects rural America and urban America, the Grain Belt and the Coalfields, and all points on the compass. Indeed, no American consumer is unaffected by this problem, and all American consumers should take heart: If we enact this bill, help will be on the way.

By Mr. WARNER (for himself, Mr. ROCKEFELLER, Ms. SNOWE, Ms. COLLINS, Mr. LOTT, and Mr. SUNUNU):

S. 773. A bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums; to the Committee on Finance.

Mr. WARNER. Mr. President, I rise today to introduce legislation to provide some relief for our Nation's retired Federal employees from the severe increases in Federal Employee Health Benefit program (FEHBP) premiums. This measure extends premium conversion to Federal and military retirees, allowing them to pay their health insurance premiums with pretax dollars.

Access to affordable health care is a critical issue for everyone. While Federal employees enjoy the ability to choose among a wide variety of health plans to best suit their needs, substantial increases in FEHBP premiums threaten to make health insurance coverage cost prohibitive for many Federal employees, their dependents, and Federal retirees.

In response to these cost increases, a Presidential directive issued in 2000 extended premium conversion to current Federal employees who participate in the Federal Employees Health Benefits Program. Premium conversion allows individuals to pay their health insurance premiums with pre-tax dollars. It is a benefit already available to many private sector employees and State and local government employees. While premium conversion does not directly affect the amount of the FEHBP premium, it helps to offset some of the cost by reducing an individual's Federal tax liability. Regrettably, our retired civil servants, who pay the same premiums as Federal employees, do not have this same opportunity.

Extending this benefit to Federal retirees requires a change in the tax law, specifically Section 125 of the Internal Revenue Code. This legislation makes the necessary change in the tax code.

Under the legislation, the benefit is concurrently afforded to our Nation's military retirees to assist them with increasing health care costs.

A number of organizations representing Federal and military retirees, including the National Association of Retired Federal Employees and the Military Coalition, have come out strongly in support of this bill.

My support for this legislation spans four Congresses. In the 109th Congress, my premium conversion bill received considerable bipartisan support with 64 cosponsors. It is my sincere hope that this legislation will be passed by Congress this session. I encourage my colleagues to join me in supporting this critical legislation and to show their support for our Nation's dedicated Federal civilian and military retirees. 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. 773

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

SECTION 1. PRETAX PAYMENT OF HEALTH INSURANCE PREMIUMS BY FEDERAL CIVILIAN AND MILITARY RETIREES.

(a) IN GENERAL.—Subsection (g) of section 125 of the Internal Revenue Code of 1986 (relating to cafeteria plans) is amended by adding at the end the following new paragraph:

''(5) HEALTH INSURANCE PREMIUMS OF FEDERAL CIVILIAN AND MILITARY RETIREES.—

''(A) FEHBP PREMIUMS.—Nothing in this section shall prevent the benefits of this section from being allowed to an annuitant, as defined in paragraph (3) of section 8901, title 5, United States Code, with respect to a choice between the annuity or compensation referred to in such paragraph and benefits under the health benefits program established by chapter 89 of such title 5.

''(B) TRICARE PREMIUMS.—Nothing in this section shall prevent the benefits of this section from being allowed to an individual receiving retired or retainer pay by reason of being a member or former member of the uniformed services of the United States with respect to a choice between such pay and benefits under the health benefits programs established by chapter 55 of title 10, United States Code.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 2. DEDUCTION FOR TRICARE SUPPLEMENTAL PREMIUMS.

(a) IN GENERAL.—Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to additional itemized deductions for individuals) is amended by redesignating section 224 as section 225 and by inserting after section 223 the following new section:

''SEC. 224. TRICARE SUPPLEMENTAL PREMIUMS OR ENROLLMENT FEES.

''(a) ALLOWANCE OF DEDUCTION.—In the case of an individual, there shall be allowed as a deduction the amounts paid during the taxable year by the taxpayer for insurance purchased as supplemental coverage to the health benefits programs established by chapter 55 of title 10, United States Code, for the taxpayer and the taxpayer's spouse and dependents.

''(b) COORDINATION WITH MEDICAL DEDUCTION.—Any amount allowed as a deduction under subsection (a) shall not be taken into account in computing the amount allowable to the taxpayer as a deduction under section 213(a).''.

(b) DEDUCTION ALLOWED WHETHER OR NOT INDIVIDUAL ITEMIZES OTHER DEDUCTIONS.—Subsection (a) of section 62 of the Internal Revenue Code of 1986 (defining adjusted gross income) is amended by redesignating paragraph (19) (as added by section 703(a) of the American Jobs Creation Act of 2004) as paragraph (20) and by inserting after paragraph (20) (as so redesignated) the following new paragraph:

''(21) TRICARE SUPPLEMENTAL PREMIUMS OR ENROLLMENT FEES.—The deduction allowed by section 224.''.

(c) CLERICAL AMENDMENT.—The table of sections for part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by striking the last item and inserting the following new items:

''Sec. 224. TRICARE supplemental premiums or enrollment fees.
''Sec. 225. Cross reference.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 3. IMPLEMENTATION.

(a) FEHBP PREMIUM CONVERSION OPTION FOR FEDERAL CIVILIAN RETIREES.—The Director of the Office of Personnel Management shall take such actions as the Director considers necessary so that the option made possible by section 125(g)(5)(A) of the Internal Revenue Code of 1986 shall be offered beginning with the first open enrollment period, afforded under section 8905(g)(1) of title 5, United States Code, which begins not less than 90 days after the date of the enactment of this Act.

(b) TRICARE PREMIUM CONVERSION OPTION FOR MILITARY RETIREES.—The Secretary of Defense, after consulting with the other administering Secretaries (as specified in section 1073 of title 10, United States Code), shall take such actions as the Secretary considers necessary so that the option made possible by section 125(g)(5)(B) of the Internal Revenue Code of 1986 shall be offered beginning with the first open enrollment period

afforded under health benefits programs established under chapter 55 of such title, which begins not less than 90 days after the date of the enactment of this Act.

By Mr. DURBIN (for himself, Mr. HAGEL, Mr. LUGAR, Mr. KENNEDY, Mr. CRAIG, Mr. LEAHY, Mr. MCCAIN, Mr. LIEBERMAN, Mr. CRAPO, Mr. OBAMA, and Mr. FEINGOLD):

S. 774. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. 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. 774

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 ''Development, Relief, and Education for Alien Minors Act of 2007'' or the ''DREAM Act of 2007''.

SEC. 2. DEFINITIONS.

In this Act:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given that term in section 101(a) of title 10, United States Code.

SEC. 3. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.

(a) IN GENERAL.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(b) EFFECTIVE DATE.—The repeal under subsection (a) shall take effect as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–546).

SEC. 4. CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS OF CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) SPECIAL RULE FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.—

(1) IN GENERAL.—Notwithstanding any other provision of law and except as otherwise provided in this Act, the Secretary of Homeland Security may cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence, subject to the conditional basis described in section 5, an alien who is inadmissible or deportable from the United States, if the alien demonstrates that—

(A) the alien has been physically present in the United States for a continuous period of not less than 5 years immediately preceding the date of enactment of this Act, and had not yet reached the age of 16 years at the time of initial entry;

(B) the alien has been a person of good moral character since the time of application;

(C) the alien—

(i) is not inadmissible under paragraph (2), (3), (6)(E), or (10)(C) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)); and

(ii) is not deportable under paragraph (1)(E), (2), or (4) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a));

(D) the alien, at the time of application, has been admitted to an institution of higher education in the United States, or has earned a high school diploma or obtained a general education development certificate in the United States; and

(E) the alien has never been under a final administrative or judicial order of exclusion, deportation, or removal, unless the alien—

(i) has remained in the United States under color of law after such order was issued; or

(ii) received the order before attaining the age of 16 years.

(2) WAIVER.—Notwithstanding paragraph (1), the Secretary of Homeland Security may waive the ground of ineligibility under section 212(a)(6)(E) of the Immigration and Nationality Act and the ground of deportability under paragraph (1)(E) of section 237(a) of that Act for humanitarian purposes or family unity or when it is otherwise in the public interest.

(3) PROCEDURES.—The Secretary of Homeland Security shall provide a procedure by regulation allowing eligible individuals to apply affirmatively for the relief available under this subsection without being placed in removal proceedings.

(b) TERMINATION OF CONTINUOUS PERIOD.—For purposes of this section, any period of continuous residence or continuous physical presence in the United States of an alien who applies for cancellation of removal under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(c) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(1) IN GENERAL.—An alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (a) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.

(2) EXTENSIONS FOR EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Homeland Security may extend the time periods described in paragraph (1) if the alien demonstrates that the failure to timely return to the United States was due to exceptional circumstances. The exceptional circumstances determined sufficient to justify an extension should be no less compelling than serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child.

(d) EXEMPTION FROM NUMERICAL LIMITATIONS.—Nothing in this section may be construed to apply a numerical limitation on the number of aliens who may be eligible for cancellation of removal or adjustment of status under this section.

(e) REGULATIONS.—

(1) PROPOSED REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall publish proposed regulations implementing this section. Such regulations shall be effective immediately on an interim basis, but are subject to change and revision after public notice and opportunity for a period for public comment.

(2) INTERIM, FINAL REGULATIONS.—Within a reasonable time after publication of the interim regulations in accordance with paragraph (1), the Secretary of Homeland Security shall publish final regulations implementing this section.

(f) REMOVAL OF ALIEN.—The Secretary of Homeland Security may not remove any alien who has a pending application for conditional status under this Act.

SEC. 5. CONDITIONAL PERMANENT RESIDENT STATUS.

(a) IN GENERAL.—

(1) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of law, and except as provided in section 6, an alien whose status has been adjusted under section 4 to that of an alien lawfully admitted for permanent residence shall be considered to have obtained such status on a conditional basis subject to the provisions of this section. Such conditional permanent resident status shall be valid for a period of 6 years, subject to termination under subsection (b).

(2) NOTICE OF REQUIREMENTS.—

(A) AT TIME OF OBTAINING PERMANENT RESIDENCE.—At the time an alien obtains permanent resident status on a conditional basis under paragraph (1), the Secretary of Homeland Security shall provide for notice to the alien regarding the provisions of this section and the requirements of subsection (c) to have the conditional basis of such status removed.

(B) EFFECT OF FAILURE TO PROVIDE NOTICE.—The failure of the Secretary of Homeland Security to provide a notice under this paragraph—

(i) shall not affect the enforcement of the provisions of this Act with respect to the alien; and

(ii) shall not give rise to any private right of action by the alien.

(b) TERMINATION OF STATUS.—

(1) IN GENERAL.—The Secretary of Homeland Security shall terminate the conditional permanent resident status of any alien who obtained such status under this Act, if the Secretary determines that the alien—

(A) ceases to meet the requirements of subparagraph (B) or (C) of section 4(a)(1);

(B) has become a public charge; or

(C) has received a dishonorable or other than honorable discharge from the uniformed services.

(2) RETURN TO PREVIOUS IMMIGRATION STATUS.—Any alien whose conditional permanent resident status is terminated under paragraph (1) shall return to the immigration status the alien had immediately prior to receiving conditional permanent resident status under this Act.

(c) REQUIREMENTS OF TIMELY PETITION FOR REMOVAL OF CONDITION.—

(1) IN GENERAL.—In order for the conditional basis of permanent resident status obtained by an alien under subsection (a) to be removed, the alien must file with the Secretary of Homeland Security, in accordance with paragraph (3), a petition which requests the removal of such conditional basis and which provides, under penalty of perjury, the facts and information so that the Secretary may make the determination described in paragraph (2)(A).

(2) ADJUDICATION OF PETITION TO REMOVE CONDITION.—

(A) IN GENERAL.—If a petition is filed in accordance with paragraph (1) for an alien, the Secretary of Homeland Security shall make a determination as to whether the alien meets the requirements set out in subparagraphs (A) through (E) of subsection (d)(1).

(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION.—If the Secretary determines that the alien meets such requirements, the Secretary shall notify the alien of such determination and immediately remove the conditional basis of the status of the alien.

(C) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary determines that the alien does not meet such requirements, the Secretary shall notify the alien of such determination and terminate the conditional permanent resident status of the alien as of the date of the determination.

(3) TIME TO FILE PETITION.—An alien may petition to remove the conditional basis to lawful resident status during the period beginning 180 days before and ending 2 years after either the date that is 6 years after the date of the granting of conditional permanent resident status or any other expiration date of the conditional permanent resident status as extended by the Secretary of Homeland Security in accordance with this Act. The alien shall be deemed in conditional permanent resident status in the United States during the period in which the petition is pending.

(d) DETAILS OF PETITION.—

(1) CONTENTS OF PETITION.—Each petition for an alien under subsection (c)(1) shall contain information to permit the Secretary of Homeland Security to determine whether each of the following requirements is met:

(A) The alien has demonstrated good moral character during the entire period the alien has been a conditional permanent resident.

(B) The alien is in compliance with section 4(a)(1)(C).

(C) The alien has not abandoned the alien's residence in the United States. The Secretary shall presume that the alien has abandoned such residence if the alien is absent from the United States for more than 365 days, in the aggregate, during the period of conditional residence, unless the alien demonstrates that alien has not abandoned the alien's residence. An alien who is absent from the United States due to active service in the uniformed services has not abandoned the alien's residence in the United States during the period of such service.

(D) The alien has completed at least 1 of the following:

(i) The alien has acquired a degree from an institution of higher education in the United States or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States.

(ii) The alien has served in the uniformed services for at least 2 years and, if discharged, has received an honorable discharge.

(E) The alien has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States.

(2) HARDSHIP EXCEPTION.—

(A) IN GENERAL.—The Secretary of Homeland Security may, in the Secretary's discretion, remove the conditional status of an alien if the alien—

(i) satisfies the requirements of subparagraphs (A), (B), and (C) of paragraph (1);

(ii) demonstrates compelling circumstances for the inability to complete the requirements described in paragraph (1)(D); and

(iii) demonstrates that the alien's removal from the United States would result in exceptional and extremely unusual hardship to the alien or the alien's spouse, parent, or child who is a citizen or a lawful permanent resident of the United States.

(B) EXTENSION.—Upon a showing of good cause, the Secretary of Homeland Security may extend the period of conditional resident status for the purpose of completing the requirements described in paragraph (1)(D).

(e) TREATMENT OF PERIOD FOR PURPOSES OF NATURALIZATION.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), in the case of an alien who is in the United States as a lawful permanent resident on a conditional basis under this section, the alien shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence. However, the conditional basis must be removed before the alien may apply for naturalization.

SEC. 6. RETROACTIVE BENEFITS UNDER THIS ACT.

If, on the date of enactment of this Act, an alien has satisfied all the requirements of subparagraphs (A) through (E) of section 4(a)(1) and section 5(d)(1)(D), the Secretary of Homeland Security may adjust the status of the alien to that of a conditional resident in accordance with section 4. The alien may petition for removal of such condition at the end of the conditional residence period in accordance with section 5(c) if the alien has met the requirements of subparagraphs (A), (B), and (C) of section 5(d)(1) during the entire period of conditional residence.

SEC. 7. EXCLUSIVE JURISDICTION.

(a) IN GENERAL.—The Secretary of Homeland Security shall have exclusive jurisdiction to determine eligibility for relief under this Act, except where the alien has been placed into deportation, exclusion, or removal proceedings either prior to or after filing an application for relief under this Act, in which case the Attorney General shall have exclusive jurisdiction and shall assume all the powers and duties of the Secretary until proceedings are terminated, or if a final order of deportation, exclusion, or removal is entered the Secretary shall resume all powers and duties delegated to the Secretary under this Act.

(b) STAY OF REMOVAL OF CERTAIN ALIENS ENROLLED IN PRIMARY OR SECONDARY SCHOOL.—The Attorney General shall stay the removal proceedings of any alien who—

(1) meets all the requirements of subparagraphs (A), (B), (C), and (E) of section 4(a)(1);

(2) is at least 12 years of age; and

(3) is enrolled full time in a primary or secondary school.

(c) EMPLOYMENT.—An alien whose removal is stayed pursuant to subsection (b) may be engaged in employment in the United States consistent with the Fair Labor Standards Act (29 U.S.C. 201 et seq.) and State and local laws governing minimum age for employment.

(d) LIFT OF STAY.—The Attorney General shall lift the stay granted pursuant to subsection (b) if the alien—

(1) is no longer enrolled in a primary or secondary school; or

(2) ceases to meet the requirements of subsection (b)(1).

SEC. 8. PENALTIES FOR FALSE STATEMENTS IN APPLICATION.

Whoever files an application for relief under this Act and willfully and knowingly falsifies, misrepresents, or conceals a material fact or makes any false or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any false or fraudulent statement or entry, shall be fined in accordance with title 18, United States Code, or imprisoned not more than 5 years, or both.

SEC. 9. CONFIDENTIALITY OF INFORMATION.

(a) PROHIBITION.—Except as provided in subsection (b), no officer or employee of the United States may—

(1) use the information furnished by the applicant pursuant to an application filed under this Act to initiate removal proceedings against any persons identified in the application;

(2) make any publication whereby the information furnished by any particular individual pursuant to an application under this Act can be identified; or

(3) permit anyone other than an officer or employee of the United States Government or, in the case of applications filed under this Act with a designated entity, that designated entity, to examine applications filed under this Act.

(b) REQUIRED DISCLOSURE.—The Attorney General or the Secretary of Homeland Security shall provide the information furnished under this section, and any other information derived from such furnished information, to—

(1) a duly recognized law enforcement entity in connection with an investigation or prosecution of an offense described in paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), when such information is requested in writing by such entity; or

(2) an official coroner for purposes of affirmatively identifying a deceased individual (whether or not such individual is deceased as a result of a crime).

(c) PENALTY.—Whoever knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. 10. EXPEDITED PROCESSING OF APPLICATIONS; PROHIBITION ON FEES.

Regulations promulgated under this Act shall provide that applications under this Act will be considered on an expedited basis and without a requirement for the payment by the applicant of any additional fee for such expedited processing.

SEC. 11. HIGHER EDUCATION ASSISTANCE.

Notwithstanding any provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), with respect to assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), an alien who adjusts status to that of a lawful permanent resident under this Act shall be eligible only for the following assistance under such title:

(1) Student loans under parts B, D, and E of such title IV (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.), subject to the requirements of such parts.

(2) Federal work-study programs under part C of such title IV (42 U.S.C. 2751 et seq.), subject to the requirements of such part.

(3) Services under such title IV (20 U.S.C. 1070 et seq.), subject to the requirements for such services.

SEC. 12. GAO REPORT.

Not later than seven years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives setting forth—

(1) the number of aliens who were eligible for cancellation of removal and adjustment of status under section 4(a);

(2) the number of aliens who applied for adjustment of status under section 4(a);

(3) the number of aliens who were granted adjustment of status under section 4(a); and

(4) the number of aliens whose conditional permanent resident status was removed under section 5.

By Mr. CARPER (for himself, Mr. VOINOVICH, Mrs. CLINTON, and Mr. COLEMAN):

S. 775. A bill to establish a National Commission on the Infrastructure of the United States; to the Committee on Environment and Public Works.

Mr. CARPER. Mr. President, today I join my good friend, Sen. GEORGE VOINOVICH, in introducing a bill to study the current state and future needs of our national infrastructure, including rail, airports, wastewater

treatment facilities, waterways and levees.

The American Society of Civil Engineers estimates that $1.6 trillion is needed over a five-year period to bring the Nation's infrastructure to a good condition. Clearly, we need to look at our needs and find a better way to maintain the infrastructure we have, while meeting new demand—all in a way that is fiscally sustainable.

Last Congress, during the debate about the surface transportation reauthorization, we discussed the problems facing our roadways. Poor road conditions cost U.S. motorists $54 billion per year in repairs and operating costs and 3.5 billion hours a year in traffic. Over 27 percent of the Nation's bridges are structurally deficient or functionally obsolete. While transit use increased faster than any other mode of transportation—up 21 percent—between 1993 and 2002, the Federal Transit Administration estimates $14.8 billion is needed annually to maintain conditions.

In Delaware, while population growth grew a robust 23 percent from 1990 to 2003, vehicle travel on our highways increased 38 percent. And driving on roads in need of repair cost Delaware motorists $160 million a year in extra vehicle repairs and operating costs. To take a look at what must be done to maintain our highways and transit as well as address future needs, and ways to pay for all of that, Congress created a commission to study these issues in SAFETEA–LU and report back to Congress with recommendations.

But there are more types of infrastructure in need of attention than just highways and transit. Air travel has reportedly surpassed pre-September 11, 2001, levels and is projected to grow 4.3 percent annually through 2015. Aging wastewater management systems discharge billions of gallons of untreated sewage into U.S. surface waters each year. And the EPA estimates that $390 billion over the next 20 years will be needed to replace existing systems and build new ones to meet increasing demands.

Further, limited rail capacity has created significant chokepoints and delays, as freight rail tonnage is expected to increase at least 50 percent by 2020 and intercity passenger rail ridership has increased to approximately 25 million a year. To accommodate both freight and passenger rail demand, $12–13 billion a year in investments will be needed.

After Hurricane Katrina led to the failure of floodwalls in New Orleans, Congress asked the Corps of Engineers to inspect other flood control structures to identify other repair needs. The Corps found that 146 levees in 28 States, Puerto Rico and the District of Columbia are in danger of failing.

In Delaware, vehicle travel on our highways has increased 38 percent from 1990 to 2003, costing Delaware motorists $160 million a year in extra vehicle repairs and operating costs—$273 per motorist. Delaware also has $304 million in drinking water infrastructure needs over the next 20 years and $288 million in wastewater infrastructure needs.

Understanding the problem and plotting a plan of attack are essential for attracting and maintaining business and investment in our economy and communities. The legislation we are proposing today would give the National Commission on the Infrastructure of the United States until February 15, 2009, to complete a study of the Nation's infrastructure, in consultation with the appropriate Federal, State and local agencies as well as private sector stakeholders. The Commission would study the age and condition of public infrastructure, the capacity to sustain current and anticipated economic development, the methods used to finance public infrastructure, and the return to the economy from public works investment.

Many times, when we debate infrastructure needs, people simply call for additional funds. Unfortunately, the taxpayer is losing confidence in the way we invest their tax dollars. Failures, like the floodwalls in New Orleans, harm confidence in the government's ability to protect communities from natural disasters. The fact that we've made no changes to the Corps' flood control program in the wake of that catastrophic failure has further damaged government credibility.

Increasing traffic in spite of the investment of billions of dollars every year in highways and bridges reduces confidence in government's ability to address traffic congestion. Failure to invest in rail while both freight usage and passenger ridership is at all time highs makes the taxpayer doubt that government is spending their tax dollars according to the needs of the people.

Part of the solution is, likely, greater funding. But the American people need to be confident in the products we provide before they are going to sign a check for more funding. That is why the Commission will study innovative financing, such as tax-credit bonds and private investment. But also, the Commission will study the impact of State and local governments' land use and economic development decisions on Federal infrastructure costs, and provide Congress with some insight as to how the various levels of government can better coordinate to gain greater efficiencies from our infrastructure investment.

Stronger coordination, greater investment and creativity are the keys to maintaining our infrastructure and investing in future needs—as well as a healthy and robust economy. I look forward to guidance from this Commission as to how Congress can better do just that.

By Mr. CRAIG:

S. 777. A bill to repeal the imposition of withholding on certain payments made to vendors by government entities; to the Committee on Finance.

Mr. CRAIG. Mr. President, today I am reintroducing the Withholding Tax Relief Act of 2007, which would repeal Section 511 of the Tax Increase Prevention and Reconciliation Act of 2005.

Last year, Congress answered Americans' calls for tax relief when it passed the Tax Increase Prevention and Reconciliation Act of 2005. The lower taxes on capital gains and dividends—and the higher alternative minimum tax exemption amounts—contained in the legislation assisted small businesses, encouraged the kind of investment that creates jobs and makes our economy grow, and ensured fairer tax treatment for middle-income families who would otherwise be left picking up the bill for a tax intended for the wealthy.

Alongside these essential tax relief provisions, however, conferees quietly inserted Section 511, a last-minute $7 billion tax penalty on government contractors, into the bill. Thus, the bill, whose aim was ''tax increase prevention,'' actually raised taxes. On the same day the President signed the Tax Increase Prevention and Reconciliation Act into law, I introduced the Withholding Tax Relief Act of 2006 and made good on my promise to work to repeal Section 511. Today, I am renewing that promise.

Section 511—the largest revenue-raiser by far in the Tax Increase Prevention and Reconciliation Act—imposes a sweeping new 3 percent tax withholding on all government payments for products and services made by the Federal Government, State governments, and local governments with expenditures of $100 million or more. It affects payments for goods and services under government contracts and payments to any person for a service or product provided to a government entity—for example, Medicare and certain grants—beginning in 2011.

Section 511 will not close the tax gap—or the difference between what American taxpayers owe and what they actually pay—as proponents of the provision argue. Section 511 is estimated to ''increase'' revenue by $7 billion from 2011 to 2015, but raises $6 billion of that amount due solely to accelerated tax receipts and not an actual revenue increase from tax compliance. It generates only $215 million in 2012 and increases slightly in each of the three years thereafter hardly the $290 billion annual tax gap the IRS estimates. Further, Section 511 is based on revenues from government payments with no relationship to a company's taxable income or tax liability. Section 511 hurts honest taxpaying businesses without providing any additional enforcement mechanisms for tax delinquents.

Section 511's costs to businesses are substantial. Although proponents of Section 511 call the 3 percent withholding rate ''low'' and ''conservative,'' in most cases, businesses make substantially less than 3 percent profit on their contracts and sometimes, turn no profit at all. Section 511 will effectively withhold entire paychecks—interest free—thereby impeding the cash

flow of small businesses, eliminating funds that can be used for reinvestment in the business, and forcing companies to pass on the added costs to customers or finance the additional amount.

Section 511 will also impose significant administrative costs on the Federal, State, and local governments—costs so high, in fact, that the Congressional Budget Office (CBO) said the provision constitutes an unfunded mandate on the state and local governments. The projected costs of Section 511, says CBO, will far exceed the allowable $50 million annual threshold.

More than the costs to government, though, Section 511 stands to negatively impact nearly every sector of the economy—from health care and technology to building and transportation—and there is already talk of expanding the provision's reach and accelerating its effective date. What there wasn't talk of, though—at the inception of Section 511—was the provision itself. Congress never debated the merits of an expanded withholding requirement—as a revenue-raiser or as a way to narrow the tax gap—in a committee or on either chamber's floor. If it had, Congress would have realized that it does neither of these things well. Section 511 is the start of years of bad tax policy. We can do better than this, and I urge my colleagues to join me in working to repeal this unfair tax penalty.

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. 777

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 ''Withholding Tax Relief Act of 2007''.

SEC. 2. REPEAL OF IMPOSITION OF WITHHOLDING ON CERTAIN PAYMENTS MADE TO VENDORS BY GOVERNMENT ENTITIES.

The amendment made by section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 is repealed and the Internal Revenue Code of 1986 shall be applied as if such amendment had never been enacted.

By Mr. KENNEDY (for himself, Mr. BURR, Mr. KERRY, and Mr. SANDERS):

S. 778. A bill to amend title IV of the Elementary and Secondary Education Act of 1965 in order to authorize the Secretary of Education to award competitive grants to eligible entities to recruit, select, train, and support Expanded Learning and After-School Fellows that will strengthen expanded learning initiatives, 21st century community learning center programs, and after-school programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, today I am introducing the Teaching Fellows for Expanded Learning and After-School Act to tap the idealism, energy, and talent of 2-year and 4-year college graduates to serve as teaching fellows in our Nation's highest need schools.

The Act will establish a new cadre of talented leaders to establish, expand or improve expanded learning initiatives, 21st century community learning center programs and after-school programs. These programs will build essential academic and youth development skills for all students in targeted grade levels in expanded-day programs. They will also assist teachers during the school day in linking the school curriculum more closely with after school programming.

As we know most Olympic athletes train harder when a gold medal is in sight. Employees work overtime when a business launches a breakthrough product. Communities rally to provide material relief and comfort when natural disasters strike. When success matters most, increased effort is essential for achieving a worthy goal, and that fundamental principle can work in education too.

The time has come for the Nation to go the extra mile to meet our education goals and ensure that all children develop the skills they need to participate fully in our economy and in the civic life of their communities. If students are to learn more—the core premise of the No Child Left Behind Act—they must have more time to meet these expectations.

Teaching Fellows recruited under this bill will receive intensive training by experienced high-quality after-school programs and will serve for two years. The Act will also enable Teaching Fellows to pursue a bachelor's or graduate degree in education, in order to give communities a pipeline of leaders ready for future involvement in education and youth development.

For the most part, reform efforts to date have equated education reform with school reform. As a result our attention has been focused on the 1,000 hours a year children are in school, while largely overlooking the 4,000 hours a year when children are awake and out of school.

Teachers must, of course, remain at the heart of our strategy to improve education. But they need help. We need to expand learning time, involve caring adults in the lives of children, and make learning more relevant and engaging, especially for students who are struggling.

The school calendar today is largely a relic of the agrarian age. It fails to respond to the realities that students must develop new skills for modem needs, and that in most families, parents are working during many of the after-school hours. Fourteen million children come back to empty homes after school. Voters across party lines, demographic groups, and geographic areas have said for 5 consecutive years that they overwhelmingly support after-school programs for all. Police chiefs, sheriffs and prosecutors overwhelmingly agree that investing in after-school programs is more effective in reducing youth violence and crime than hiring more police officers or stiff penalties. Diverting less than one percent of at-risk youth from a life of crime would save society several times the cost of the after-school programs. It is time for a new learning day to dawn in our country. Our communities and our citizens need to waken to clear call for involvement and investment in this aspect of public education.

The Teaching Fellows for Expanded Learning and After-School Act draws on the impressive experience of after-school programs and schools that have developed, and tested these ideas and shown they can work. The Act is inspired by the Teaching Fellowship Program created by Citizen Schools, a national network of after-school programs with a track record of significant impact on academic achievement. A rigorous, long-term evaluation has shown that such students outperform their peers on six out of seven measures of school success.

The Act also draws on the superb work of LA's BEST and After-School All-Stars, as well as the experience and innovations of other schools and programs across the country.

Under the Act, the Department of Education will make grants to partnerships between local education agencies and strong community organizations, institutions of higher education, and community learning centers. These partnerships will recruit and place Teaching Fellows to work full-time in high-need schools that serve low-income students. Grants from the Department of Education will be at least $15,000 per Fellow annually, so that recipients can recruit, select, train, and support the Fellows. Fellows will also be able to earn a national service education award for each term of service. Partnerships will be required to obtain non-federal matching funds to leverage the federal government's investment and to involve the private sector in expanding these educational opportunities.

Expanded learning time and after-school programs are the new frontier of education reform in America. Teaching Fellows recruited under the Act will complement the outstanding efforts of classroom teachers and infuse new energy, talent, and idealism in the after-school sector. They will also be an essential resource for the nation's parents, encouraging students to understand their potential and helping them to see the true promise of the American Dream.

This bill is supported by thirty-seven groups representing education and after-school communities. I ask unanimous consent that their letters of support be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL COLLABORATION FOR YOUTH,
February 16, 2007.

Hon. EDWARD M. KENNEDY,
Hon. RICHARD BURR,
Washington, DC.

DEAR CHAIRMAN KENNEDY AND SENATOR BURR: The National Collaboration for Youth is writing to express its support of the Teaching Fellow for Expanded Learning and After-School (T–FELAS) Act.

T–FELAS will establish a new service teacher corps and expands learning and enrichment opportunities targeted towards the hours after the school day ends. As a group that focuses on youth, and particularly at-risk youth, we know the need for expanded learning and positive youth development experiences in the hours after school. We also know the importance of developing the next generation of youth workers, skilled in youth development practices and viewing public service and youth work as a career, and this bill will strive to do just that.

We applaud the inclusion of youth development language, especially the training in youth development for the Fellows, and acknowledgment of the education youth workers receive through both two- and four-year institutions of higher education that provide accredited coursework in youth development. Furthermore, as part of the evaluation of T-FELAS programs, implementing the interagency reach of the Federal Youth Development Council as a place to disseminate best practices will continue to move the field forward.

We look forward to working with your office and the staff of the Health, Education, Labor and Pensions Committee as this bill progresses towards enactment. Please do not hesitate to contact us if we can be of any assistance.

Thank you for your leadership, and public service.

Sincerely,

America's Promise—The Alliance for Youth, Marguerite Kondracke, President and CEO, American Humanics Inc., Kala M. Stroup Ph.D, President, Big Brothers Big Sisters of America, Judy Vredenburgh, President and CEO, Camp Fire USA, Jill Pasewalk, President and CEO, Communities In Schools, Inc., Daniel Cardinali, President, First Focus, Bruce Lesley, President, Leadership & Renewal Outfitters, Janet R. Wakefield, President and CEO, MENTOR/National Mentoring Partnership, Gail Manza, Executive Director, National 4–H Council, Donald T. Floyd, Jr., President and CEO, National Collaboration for Youth, Irv Katz, President and CEO, National Network For Youth, Victoria Wagner, President and CEO, Search Institute, Peter M. Benson, Ph.D President and CEO, Youth Service America, Steven A. Culbertson, President and CEO.

NATIONAL AFTERSCHOOL ASSOCIATION,
March 5, 2007.

Hon. EDWARD M. KENNEDY,
Chairman, Senate Committee on Health, Education, Labor and Pensions,
Hon. RICHARD BURR,
U.S. Senate,
Washington, DC.

DEAR CHAIRMAN KENNEDY AND SENATOR BURR: On behalf of the National AfterSchool Association, I am pleased to offer our support for the Teaching Fellows for Expanded Learning and After-School (T-FELAS) Act of 2007. We appreciate your attention to, and support for, the need for quality afterschool programs and for attracting young professionals to the field.

By creating a cadre of talented young people to serve as Fellows in expanded-day and afterschool programs, the T–FELAS Act will help ensure that such programs are infused with well-educated front-line staff who can support students in activities that will enhance their development and success in school. The Fellowships and opportunities to pursue additional education should help attract graduates interested in afterschool work, but who might not be able to enter the field without such supports.

Research shows that more highly-educated and well-trained staff who understand how children develop are the key to high quality afterschool programs. As the leading voice of the afterschool profession, representing over 9,000 afterschool practitioners, administrators, and policymakers, we at the National AfterSchool Association applaud this creative approach to bringing talented new workers into the field. We look forward to working with you both on this initiative and on approaches to address the larger issues of overall compensation and training levels in the field that make long-term retention of staff difficult for afterschool programs.

Thank you again for your leadership in ensuring that well-trained and supportive adults are available to enhance the lives of our young people.

Sincerely yours,

JUDITH N. NEE,
President and CEO.

VOICES FOR NATIONAL SERVICE,
February 23, 2007.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: On behalf of Voices for National Service, we are writing to thank you for sponsoring the Teaching Fellows for Expanded Learning and After School Act of 2007. This legislation addresses a critical need in communities across our country and offers an exciting opportunity to expand national service.

The T–FELAS Act will recruit outstanding college graduates to become Teaching Fellows and to serve in schools and after-school programs that serve low-income students. Through their service, Teaching Fellows will take their first steps along a pathway of service and educational leadership. These dynamic, aspiring educators will earn Segal AmeriCorps Education Awards which will support them as they go on to careers as classroom teachers and after-school leaders. Their experience in linking in-school and after-school learning will play a critical role in advancing academic achievement and expanding educational opportunity.

Voices for National Service is a coalition of national service organizations and state commissions from across the country that provide direct services to communities in need, matching the talents of committed citizens with service opportunities in schools, community centers, senior homes, health clinics, and national parks and recreation areas. Collectively, we reach thousands of Americans in need every day. We are excited to support this important initiative and look forward to contributing to its success. The T–FELAS Act will strengthen public education, create a powerful pipeline of future educational leaders, and move students in schools across the country toward the American Dream of college and career opportunity.

Sincerely,

Karen Baker, Executive Director, California Volunteers; Michael Brown, CEO, City Year, Nelda Brown, Executive Director, National Service-Learning Partnership; Kyle Caldwell, President & CEO, ConnectMichigan Alliance; AnnMaura Connolly, Senior Vice President, City Year; Calvin George, National Director, National Association of Community Health Centers; Jacqueline Johnson, Executive Director, Connecticut Commission for Volunteer Services; Marsha Meeks Kelly, Executive Director, Mississippi Commission for Volunteer Service; Marguerite Kondracke, President & CEO, America's Promise; Michelle Nunn, CEO, Hands On Network; Sally Prouty, President, The Corps Network, Eric Schwarz, President, Citizen Schools; Dorothy Stoneman, President, YouthBuild USA; Marty Weinstein, Chairperson, California AmeriCorps Alliance.

ILLINOIS CENTER FOR VIOLENCE PREVENTION,
February 15, 2007.

Hon. EDWARD M. KENNEDY,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR KENNEDY: We are writing to express its support of the Teaching Fellow for Expanded Learning and After-School (T-FELAS) Act, which will establish a new service teacher corps and expands learning and enrichment opportunities targeted towards the hours after the school day ends.

The Illinois Center for Violence Prevention (ICVP) is a leader on the issue of out-of-school time programs in the state of Illinois. We have long supported strategies to enhance the quality of out-of-school time services, since high quality programs are able to provide extended learning opportunities and positive youth development experiences for our youth. ICVP coordinates the Illinois After-school Partnership, co-chaired by our state's Department of Human Services and our State Board of Education. The Partnership is working on policy and program enhancements to increase the quality and availability of out-of-school-time opportunities. The Partnership has been examining the professional development needs of the current and future workforce for this field, and is participating in a state-wide effort to increase career pathways for youth workers.

The T-FELAS Act will be a valuable and needed tool that will help develop the next generation of youth workers, versed in essential youth development skills, and who view public service and youth work as a career. We applaud the inclusion of youth development language, especially the training in youth development for the Fellows, and acknowledgment of the education youth workers receive through both two- and four-year institutions of higher education that provide accredited coursework in youth development.

Thank you for your public service and leadership on this issue. Please do not hesitate to contact us if we can be of any assistance.

Sincerely,

DEBBIE BRETAG,
Executive Director.

AFTERSCHOOL ALLIANCE,
February 16, 2007.

Hon. EDWARD M. KENNEDY,
Chairman, Senate Committee on Health, Education, Labor and Pensions, U.S. Senate, Washington, DC.
Hon. RICHARD BURR,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN KENNEDY AND SENATOR BURR: The Afterschool Alliance is very pleased to have the opportunity to express our support for the Teaching Fellows for Expanded Learning and After-School Act of 2007 (T-FELAS). This legislation will expand the federal government's interest in and support for afterschool programs that keep kids safe, improve academic achievement, and

support working families by investing in quality initiatives. On behalf of the advocates, afterschool providers, researchers and parents that make up the Alliance network, thank you for your longstanding support for our goal of Afterschool for All.

Just as having a highly qualified teacher in the classroom leads to student success, having well trained, skilled leadership in afterschool programs ensures that the programs provided contribute to children's academic and social development and give young people the opportunities that will assure their college and workplace readiness in the future. The T-FELAS program will provide partnerships that offer afterschool programs, including the 21st Century Community Learning Centers, the chance to expand the quality and capacity of services offered in targeted communities. It will give individuals the financial support they need to pursue careers in the afterschool field and to put their training and talents to use serving children and families that need their help most.

The Alliance endorses this legislation and looks forward to working with you in the future to translate our common vision of high quality afterschool and expanded learning opportunities for all into reality.

Sincerely,

JODI GRANT,
Executive Director.

FIRST FOCUS,
February 16, 2007.

Hon. EDWARD KENNEDY,
Chairman, Senate Committee on Health, Education, Labor and Pensions, Dirksen Senate Office Building, Washington, DC.
Hon. RICHARD BURR,
Russell Senate Office Building,
Washington, DC.

DEAR CHAIRMAN KENNEDY AND SENATOR BURR: First Focus is pleased to endorse the Teaching Fellows for Expanded Learning and After-School Act of 2007 (T-FELAS).

Quality after-school programs are critical for the nation's young people. After-school programs keep children safe and productive while their parents are at work; however, less than half of parents of 6- to 17-year-olds say there are enough affordable afterschool programs according to a recent study conducted for America's Promise—The Alliance for Youth.

T-FELAS will help to not only expand after-school opportunities for young people, but it will also help to ensure that new and existing after-school opportunities are of high quality. We appreciate the emphasis placed on positive youth development in your legislation, as well as your inclusion of an independent evaluation and the dissemination of best practices through the Federal Youth Development Council. These measures will strengthen outcomes for children and help to ensure that after-school programs throughout the country benefit from the lessons learned by the Expanded Learning and After-School Fellows.

First Focus is a new bipartisan advocacy organization that seeks to make children and their families the first focus of federal budget and policy decisions. T-FELAS is an important way to do so. We are pleased to support your efforts and look forward to working with you.

Sincerely,

BRUCE LESLEY,
President.

NEXT GENERATION YOUTH WORK COALITION,
February 16, 2007.

Hon. EDWARD M. KENNEDY,
Russell Senate Office Building,
Washington, DC.
Hon. RICHARD BURR,
Russell Senate Office Building,
Washington, DC.

DEAR CHAIRMAN KENNEDY AND SENATOR BURR: The Next Generation Youth Work Coalition is writing to express its support of the Teaching Fellow for Expanded Learning and After-School (T–FELAS) Act

T–FELAS will establish a new service teacher corps and expand learning and enrichment opportunities targeted towards the hours after the school day ends. Both of these are much needed improvements that will help ensure that children and youth have the supports they need to succeed.

The Next Generation Youth Work Coalition is a group of individuals and organizations dedicated to developing a strong, diverse after-school and youth development workforce that is stable, prepared, supported and committed to the well-being and empowerment of children and youth, and particularly at-risk youth. We know the need for expanded learning and positive youth development experiences in the hours after school. We know the importance of developing the next generation of youth workers, skilled in youth development practices and viewing public service and youth work as a career. Our research shows that those who chose to work come from varied backgrounds but share a common belief—that they can make a difference.

We applaud the inclusion of youth development language, especially the training in youth development for the Fellows, and acknowledgment of the education youth workers receive through both two- and four-year institutions of higher education that provide accredited coursework in youth development. Furthermore, as part of the evaluation of T–FELAS programs, implementing the interagency reach of the Federal Youth Development Council as a place to disseminate best practices will continue to move the field forward.

We look forward to supporting your office and the staff of the Health, Education, Labor and Pensions Committee as this bill progresses towards enactment. Please do not hesitate to contact Pam Garza if we can be of any assistance: pam@nassembly.org or (202) 347–2080 x15.

Thank you for your leadership on behalf of the youth in our nation.

Sincerely,

KAREN PITTMAN,
Co-Chair.
PAM GARZA,
Co-Chair.
DEB CRAI,
Co-Chair.

FEBRUARY 19, 2007.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.
Hon. RICHARD BURR,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY AND SENATOR BURR: On behalf of the board and staff of the Johns Hopkins University Center for Summer Learning, it is my pleasure to express our support for the Teaching Fellows for Expanded Learning and After-School (T–FELAS) bill.

This important legislation would enhance out-of-school time learning opportunities for young people, and provide a new mechanism for recruiting and retaining teachers and staff for such programs. By offering fellowships to recent college graduates who work in after-school and summer programs serving Title I students, the bill would dramatically enhance the quality and amount of learning opportunities available for disadvantaged students. The program would result in a 25–30% increase in the time students spend engaged in learning and improve a wide range of developmental outcomes for youth.

In addition, the legislation would create a talented new group of educators who specialize in motivating young people to learn outside the traditional classroom. The fellows who participate in the program will provide critical linkages between the school day and after-school programs and become dynamic future leaders in the field of education and youth development.

Thank you so much for supporting this legislation and please feel free to contact me directly at (410) 516–6221 if we can provide any assistance to this effort.

Sincerely,

RON FAIRCHILD,
Executive Director,
Center for Summer Learning.

FEBRUARY 15, 2007.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: I am writing in support of the Teaching Fellows for Expanded Learning and After School Act of 2007. The T–FELAS Act addresses a critical need for schools, communities, and working families.

It will dramatically strengthen after-school and expanded learning time programs and make them full partners in restoring the promise of educational opportunity for all children.

Teachers in our schools are doing their best, but America's traditional 6–hour school day is obsolete. Our students need more learning time, more caring adults involved in their learning, and more relevant, hands-on learning activities that inspire and motivate them.

At Citizen Schools, we have seen firsthand the impact that Teaching Fellows can make. Citizen Schools operates a national network of after-school programs that advance student achievement and mobilize adult volunteers to teach hands-on apprenticeship courses. Our programs blend real-world learning projects with rigorous academic and leadership development activities, preparing students in the middle grades for success in high school, college, the workforce, and civic life. Citizen Schools currently serves 3,000 students and engages 2,400 volunteers in California, Massachusetts, New Jersey, North Carolina and Texas. In Massachusetts our programs operate in Boston, Lowell, Malden, New Bedford, Worcester, and Springfield.

Citizen Schools works intensively with low-income students, most of whom are struggling academically. A rigorous independent evaluation has reported that Citizen Schools' students significantly out-performed a matched comparison group on key metrics of school success and advancement, including grades and standardized test scores.

The Teaching Fellowship program that Citizen Schools has piloted attracts dynamic, aspiring educators and community builders to careers in education. In the morning our Fellows support classroom teachers and in the afternoon they serve as front-line teachers and team leaders at our after-school programs. Teaching Fellows also have the opportunity to earn a Master's Degree in Education, preparing them for careers as teachers and educational leaders.

Teaching Fellows have been the crucial factor in delivering powerful results for our students.

The T–FELAS Act will advance the achievement of our neediest students and open new horizons of opportunity to them. Thank you so much for your leadership in introducing the T–FELAS Act.

Sincerely,

ERIC SCHWARZ,
President and CEO.

SAVE THE CHILDREN,
Washington, DC, February 13, 2007.

Hon. EDWARD M. KENNEDY,
Russell Senate Office Building,
Washington, DC.

Hon. RICHARD BURR,
Russell Senate Office Building,
Washington, DC.

DEAR CHAIRMAN KENNEDY AND SENATOR BURR: I am writing to express Save the Children's support of the Teaching Fellow for Expanded Learning and AfterSchool (T-FELAS) Act, which will expand learning opportunities outside of the school day and establish a new service teacher corps.

Save the Children provides literacy and obesity prevention programs after school and during the summer to children living in poor, often isolated, rural areas. We know the difference these activities make in their lives. Students in our programs are not only safe during the critical hours from 3 to 6 p.m.; they are also doing better in school. Evaluation results from the past three school years found that our literacy program is improving the reading levels of regular participants. Fifty-four percent of the children participating made gains in reading proficiency greater than would be expected if they were just attending school.

We also know first-hand the difficulties of recruiting and retaining trained, dynamic staff. The T-FELAS Act will assist the caring individuals working with high-need children in rural communities improve their qualifications by enabling them to pursue an undergraduate or graduate level degree in education, expanding their opportunities to in public education and youth development programs.

We look forward to working with you and the staff of the Health, Education, Labor and Pensions Committee as this bill progresses towards enactment. Please do not hesitate to contact us if we can be of any assistance.

Sincerely,

MARK K. SHRIVER,
Vice President and Managing Director.

FEBRUARY 15, 2007.

DEAR BRENDA WRIGHT: I am writing in support of the T-Felas bill that Senators Kennedy and Burr are sponsoring. As a provider of high quality after school enrichment I would love to see more awareness of the opportunity for extended learning time and the strides that organizations such as ours have made in the field. We have an incredible opportunity to truly make a positive impact on the lives of these students both academically and behaviorally.

Thank you for your support of this bill.

JERRI FATTICCI,
North Carolina State Director,
Citizen Schools.

WELLESLEY CENTERS FOR WOMEN,
Wellesley, MA, Feb. 16, 2007.

Hon. EDWARD M. KENNEDY,
Russell Senate Office Building,
Washington, DC.

Hon. RICHARD BURR,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR KENNEDY AND SENATOR BURR: The National Institute on Out-of-School Time is writing to express its support of the Teaching Fellow for Expanded Learning and After-School (T–FELAS) Act.

T–FELAS will help ease the difficulty of recruiting and paying new educators and leaders for high need schools and afterschool programs. NIOST is actively involved in developing increased educational opportunities for people who choose afterschool as their profession and is excited about how T–FELAS will also increase the viability of afterschool as a professional career. Talented front-line educators are needed to serve in expanded learning and after-school environments to help students meet the ever-increasing challenges of the real world.

T–FELAS will encourage and enable qualified people interested in teaching and afterschool to spend time learning in the field while completing their own education. The funding of dynamic Teaching Fellows to administer and improve expanded-day programs and to also assist teachers during the school day is a great plan. Research indicates that relationships between school and afterschool staff can contribute to positive academic and developmental outcomes for youth. The Teaching Fellows have the potential of playing an important role in supporting those relationships.

The National Institute on Out-of-School Time looks forward to watching this bill as it progresses towards enactment. Please do not hesitate to contact us if we can be of any assistance.

Sincerely,

ELLEN GANNETT,
Director, The National Institute on Out-of-School Time.

SEARCH INSTITUTE,
February 14, 2007.

Senator EDWARD KENNEDY,
317 Russell Building,
Washington, DC.

DEAR CHAIRMAN KENNEDY: I am writing to express my strong support for the Teaching Fellows for Expanded Learning and After-School Act. This bill, fondly known as T-FELAS, is an exciting proposal that will recruit, train and place Fellows in expanded learning and after-school environments.

I am particularly gratified to see that the bill ensures that each Fellow will be provided with training on the power of positive relationships and the value of developmental assets. This is so important! Research has consistently shown that increased developmental assets promote academic success, divert youth from risky behavior and give young people the strengths they need to make positive choices in life.

I assure you that providing the Fellows with training in positive youth development and the 40 Developmental Assets will have a dramatic and profound impact on their ability to serve the youth under their care. When Fellows develop sustained, strength-based relationships with children and adolescents, these after-school and summer hours will produce all the positive outcomes we hope to see from our students.

Again, thank you for your service and your efforts to ensure that all youth have an opportunity to thrive!

Best regards,

PETER BENSON, PH.D.,
President.

POLICY STUDIES ASSOCIATES, INC.,
Washington, DC, February 15, 2007.

Senator EDWARD M. KENNEDY,
Chairman, HELP Committee, Hart Senate Building, Washington, DC.

DEAR SENATOR KENNEDY: I am writing in support of your bill to amend ESEA Title II to create the Expanded Learning and After-School Fellows program.

I direct evaluations of large-scale after-school programs in many locations, including Boston, New York City, statewide in New Jersey, and rural America (as sponsored by Save the Children). Our studies have consistently shown the value to youth of staffing these programs with well-educated individuals who have four-year college degrees. Such individuals bring an understanding of the learning process plus an enriched store of background knowledge. Because they have completed a college education, they understand its value and can communicate high standards and the value of hard work to the youth with whom they work.

In one example, from a 2004 multi-year evaluation of programs in New York City sponsored by The After-School Corporation (TASC), I wrote: In sites where at least 25 percent of project staff had a four-year college degree, participants had more positive changes in test scores than in TASC sites with a lower proportion of staff members with such degrees (effect size of 0.14 in math and 0.13 in reading). Staff with college degrees may be better able to see and to exploit the varied learning opportunities embedded within themes and topics adopted by after-school projects.

You or your staff should call on me at any time if I can be helpful with regard to this bill. I can be reached at (202) 939–5323 and at ereisner@policystudies.com.

Sincerely,

ELIZABETH R. REISNER,
Principal.

THE FORUM FOR YOUTH INVESTMENT,
February 19, 2007.

Hon. EDWARD M. KENNEDY,
317 Russell Senate Office Building
Washington, DC.

DEAR SENATOR KENNEDY: The Forum for Youth Investment is writing to express its support of the Teaching Fellows for Expanded Learning and After-School (T–FELAS) Act.

T–FELAS will establish a new service teacher corps and expand learning and enrichment opportunities targeted towards the hours after the school day ends. Both of these are much needed improvements that will help ensure that children and youth have the supports they need to succeed.

The Forum for Youth Investment is committed to ensuring all young people are Ready by 21™—ready for college, work and life. We know the need for expanded learning and positive youth development experiences in the hours after school. We know the importance of developing the next generation of youth workers, skilled in youth development practices and viewing public service and youth work as a career. Our research shows that those who chose to work come from varied backgrounds but share a common belief—that they can make a difference.

We applaud the inclusion of youth development language, especially the training in youth development for the Fellows, and acknowledgment of the education youth workers receive through both two- and four-year institutions of higher education that provide accredited coursework in youth development. Furthermore, as part of the evaluation of T–FELAS programs, implementing the interagency reach of the Federal Youth Development Council as a place to disseminate best practices will continue to move the field forward.

We look forward to supporting your office and the staff of the Health, Education, Labor and Pensions Committee as this bill progresses towards enactment. Please do not hesitate to contact Nicole Yohalem if we can be of any assistance—at nicole@forumfyi.org or (202) 207–3341.

Thank you for your leadership on behalf of the youth in our nation.

Sincerely,

KAREN PITTMAN,
Executive Director,
Forum for Youth Investment.

By Mr. CRAIG:

S. 779. A bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce a one year only reauthorization of the Secure Rural Schools and Community Self-Determination Act.

For the last six years, this Act has provided critical funding to our rural schools and counties and has built collaboration on the ground through the accomplishments of the Resource Advisory Committees.

Unfortunately Congress has not been able to reauthorize P.L. 106–393 and I do not feel the schools and counties should become victims while we in Congress negotiate a path forward.

Thus, I am introducing this bill today and will work to include it in any legislation that is being considered by the Senate.

The Act has been an enormous success in achieving and even surpassing the goals of Congress. This Act has restored programs for students in rural schools and prevented the closure of numerous isolated rural schools. It has been a primary funding mechanism to provide rural school students with educational opportunities comparable to suburban and urban students. Over 4,400 rural schools receive funds because of this Act.

Next, the Act has allowed rural county road districts and county road departments to address the severe maintenance backlog. Snow removal has been restored for citizens, tourists, and school buses. Bridges have been upgraded and replaced and culverts that are hazardous to fish passage have been upgraded and replaced.

In addition, over 70 Resource Advisory Committees, or RACs have been formed. These RAC's cover our largest 150 forest counties. Nationally these 15-person diverse RAC stakeholder committees have studied and approved over 2,500 projects on Federal forestlands and adjacent public and private lands. These projects have addressed a wide variety of improvements drastically needed on our National Forests. Projects have included fuels reduction, habitat improvement, watershed restoration, road maintenance and rehabilitation, reforestation, campground and trail improvement, and noxious weed eradication.

The accomplishments of this Act over the last few years are positive and substantial. This law should be extended so it can continue to benefit the forest counties, their schools, and continue to contribute to improving the health of our National Forests.

If we do not work to reauthorize this Act, all of the progress of the last six years will be lost. Schools in timber dependant communities will lose a substantial part of their funding. These school districts will have to start making tough budget decisions such as keeping or canceling after school programs, sports programs, music programs, and trying to determine what is the basic educational needs of our children. Next, counties will have to reprioritize road maintenance so that only the essential services of the county are met because that is all they will be able to afford.

By Ms. LANDRIEU:

S. 783. A bill to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. LANDRIEU. Mr. President, I come before the Senate today to re-introduce—with some changes—a bill that I first introduced on April 6, 2004, in the 108th Congress and which I reintroduced in the 109th Congress. This bill will transfer 3,083 acres of Federal land to the Barataria Preserve Unit of the Jean Lafitte National Historical Park, and authorize the Park to purchase up to 821 acres of neighboring private lands from willing sellers. The lands in question contain important freshwater wetlands, and would allow the park boundary to conform to existing waterways and levee corridors.

As of today, the Senate has twice passed—once in the 108th Congress and once in the 109th Congress—a form of this bill by unanimous consent. I trust that few will find anything too objectionable about these provisions in the 110th Congress either. After all, it simply places lands that are already under Federal control under the management authority of the National Park Service, which already manages neighboring lands and helps protect their environmental, cultural and historic integrity.

The first major tract in question is the Bayou aux Carpes wetlands, which were acquired by the Justice Department in 1996 as a result of the settlement of a lawsuit. Although the National Park Service has constructive possession of the deeds, it lacks legal management authority. The area has exemplary natural resource values and has been designated by the Environmental Protection Agency as a wetland of significant value. Most importantly, because of the hydrologic connection between the two areas, the environmental health of the Jean Lafitte Park's Barataria Preserve is dependent on the continued health of the Bayou aux Carpes.

The second major tract is the Bayou Segnette wetlands, which are presently managed by the Army Corps of Engineers. The inclusion of this area in the Barataria Unit will allow for better control over water entering the park from outside sources.

My bill also authorizes the acquisition, from willing sellers, of approximately 821 acres of privately owned lands which are adjacent to the park. Approximately half of this area is designated as jurisdictional wetlands, with limited access and no potential for development. All of this land has been included within the boundary at the request of the owners. This provision was also included in the earlier versions of this bill that were passed in the 108th and 109th Congresses.

Lastly, allow me to explain what is new about this bill: this bill also authorizes the Jean Lafitte National Historic Park and Preserve to acquire the Fleming-Berthoud Plantation—previously known as the Mavis Grove Plantation. This plantation is one of the southernmost early sugar plantations and surrounds a prehistoric Indian mound and historic cemetery on the edge of the bayou, which is one of the most scenic and most photographed cemeteries around New Orleans. Recently, it was highlighted in the recent Cabildo exhibition and book on historic cemeteries of New Orleans.

The original plantation contained more than 10,000 acres and was a large sugar plantation. After floods destroyed area sugar plantations in the 19th century, this was turned into one of the larger cypress tree lumbering plantations. The Berthoud family bought it in the late 19th century and the Fleming family bought it in the early 20th century.

The 1,000-year-old prehistoric Indian mound and historic above-ground tombstone cemetery are relatively well preserved and have been twice declared eligible for the National Register of Historic Places by state officials; though no action has yet been taken on that designation.

Currently, many of the historic plantation structures are unrestored, vacant and in poor condition. But the main plantation house remains in good condition. I have been told that it was photographed for the cover of National Geographic Magazine in the 1930s and has been the setting for close to 10 Hollywood movies.

The other buildings include a 75-foot, 175-year-old brick sugar refining chimney, in relatively good condition; an overseer's Creole style cottage from the mid 1800s cited by historians as a fine early example of island architecture; a 19th Century annex building connected to the original plantation house, now in poor condition; a 1920s house built on the original sugar refinery foundations; an early blacksmith shop and several other barns and buildings, most in poor condition.

My bill will authorize the National Park Service to acquire this land from the family, who I am told support the transaction and the restoration of the land and buildings. I am also told that historic preservation organizations may step forward to provide private funding in support of the National Park Service's acquisition of the land.

In all, I think that this bill marks an important day for Louisiana. We are authorizing the management and preservation of several ecological, cultural and historic gems. I hope that my colleagues will fully support this endeavor as they have in the past.

I 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. 783

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 ''Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act of 2007''.

SEC. 2. JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—Section 901 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230) is amended in the second sentence by striking ''of approximately twenty thousand acres generally depicted on the map entitled 'Barataria Marsh Unit-Jean Lafitte National Historical Park and Preserve' numbered 90,000B and dated April 1978,'' and inserting ''generally depicted on the map entitled 'Boundary Map, Barataria Preserve Unit, Jean Lafitte National Historical Park and Preserve', numbered _____, and dated _____,''.

(b) ACQUISITION OF LAND.—Section 902 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230a) is amended—

(1) in subsection (a)—

(A) by striking ''(a) Within the'' and all that follows through the first sentence and inserting the following:

''(a) IN GENERAL.—

''(1) BARATARIA PRESERVE UNIT.—

''(A) IN GENERAL.—The Secretary may acquire any land, water, and interests in land and water within the area, as depicted on the map described in section 901, by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

''(B) LIMITATIONS.—

''(i) IN GENERAL.—Any private land located in the area, as depicted on the map described in section 901, may be acquired by the Secretary only with the consent of the owner of the land.

''(ii) BOUNDARY ADJUSTMENT.—On the date on which the Secretary, under subparagraph (A), completes the acquisition of a parcel of private land located in the area, as depicted on the map described in section 901, the boundary of the historical park and preserve shall be adjusted to reflect the acquisition.

''(iii) JURISDICTION OF NATIONAL PARK SERVICE.—Any Federal land acquired in the areas shall be transferred without consideration to the administrative jurisdiction of the National Park Service.

''(iv) EASEMENTS.—To ensure adequate hurricane protection of the communities located in the area, any land in the area identified on the map that is acquired or transferred shall be subject to any easements that have been agreed to by the Secretary and the Secretary of the Army.'';

(B) in the second sentence, by striking ''The Secretary may also'' and inserting the following:

''(2) FRENCH QUARTER.—The Secretary may'';

(C) in the third sentence, by striking ''Lands, waters, and interests therein'' and inserting the following:

''(3) ACQUISITION OF STATE LAND.—Land, water, and interests in land and water''; and

(D) in the fourth sentence, by striking ''In acquiring'' and inserting the following:

''(4) ACQUISITION OF OIL AND GAS RIGHTS.—In acquiring'';

(2) by striking subsections (b) through (f) and inserting the following:

''(b) RESOURCE PROTECTION.—With respect to the land, water, and interests in land and water of the Barataria Preserve Unit, the Secretary shall preserve and protect—

''(1) fresh water drainage patterns;

''(2) vegetative cover;

''(3) the integrity of ecological and biological systems; and

''(4) water and air quality.''; and

(3) by redesignating subsection (g) as subsection (c).

(c) HUNTING, FISHING, AND TRAPPING.—Section 905 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230d) is amended in the first sentence by striking '', except that within the core area and on those lands acquired by the Secretary pursuant to section 902(c) of this title, he'' and inserting ''on land, and interests in land and water managed by the Secretary, except that the Secretary''.

(d) ADMINISTRATION.—Section 906 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230e) is amended—

(1) by striking the first sentence; and

(2) in the second sentence, by striking ''Pending such establishment and thereafter the'' and inserting ''The''.

SEC. 3. REFERENCES IN LAW.

(a) IN GENERAL.—Any reference in a law (including regulations), map, document, paper, or other record of the United States—

(1) to the Barataria Marsh Unit shall be considered to be a reference to the Barataria Preserve Unit; or

(2) to the Jean Lafitte National Historical Park shall be considered to be a reference to the Jean Lafitte National Historical Park and Preserve.

(b) CONFORMING AMENDMENTS.—Title IX of the National Parks and Recreation Act of 1978 (16 U.S.C. 230 et seq.) is amended—

(1) by striking ''Barataria Marsh Unit'' each place it appears and inserting ''Barataria Preserve Unit''; and

(2) by striking ''Jean Lafitte National Historical Park'' each place it appears and inserting ''Jean Lafitte National Historical Park and Preserve''.

By Mr. REID (for himself, Mr. ENSIGN, and Mr. BENNETT):

S. 784. A bill to amend the Nuclear Waste Policy Act of 1982 to require commercial nuclear power plant operators to transfer spent nuclear fuel from the nuclear fuel pools of the operators into spent nuclear fuel dry casks at independent spent fuel storage installations of the operators that are licensed by the Nuclear Regulatory Commission, to convey to the Secretary of Energy title to all such transferred spent nuclear fuel, to provide for the transfer to the Secretary of the independent spent fuel storage installation operating responsibility of each plant together with the license granted by the Commission for the installation, and for other purposes; to the Committee on Environment and Public Works.

Mr. REID. 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. 784

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 ''Federal Accountability for Nuclear Waste Storage Act of 2007''.

SEC. 2. DRY CASK STORAGE OF SPENT NUCLEAR FUEL.

(a) IN GENERAL.—Title I of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10121 et seq.) is amended by adding at the end the following:

"Subtitle I—Dry Cask Storage of Spent Nuclear Fuel

"SEC. 185. DRY CASK STORAGE OF SPENT NUCLEAR FUEL.

''(a) DEFINITIONS.—In this section:

''(1) CONTRACTOR.—The term 'contractor' means a person that holds a contract under section 302(a) and is licensed by the Commission to possess spent nuclear power reactor fuel.

''(2) SPENT NUCLEAR FUEL DRY CASK.—The term 'spent nuclear fuel dry cask' means the container (and all the components and systems associated with the container)—

''(A) in which spent nuclear fuel is stored and naturally cooled at an independent spent fuel storage installation that is licensed by the Commission and located at the power reactor site; and

''(B) with a design that is approved by the Commission by license or rule.

''(3) SPENT NUCLEAR FUEL POOL.—The term 'spent nuclear fuel pool' means a water-filled container on a nuclear power reactor site in which spent nuclear fuel rods are stored.

''(b) TRANSFER OF SPENT NUCLEAR FUEL.—

''(1) IN GENERAL.—A contractor shall transfer spent nuclear fuel from spent nuclear fuel pools to spent nuclear fuel dry casks at an independent spent fuel storage installation that is licensed by the Commission and located at the power reactor site in accordance with this section.

''(2) SPENT NUCLEAR FUEL STORED AS OF DATE OF ENACTMENT.—Not later than 6 years after the date of enactment of this section, a contractor shall complete the transfer of all spent nuclear fuel that is stored in spent nuclear fuel pools as of the date of enactment of this section.

''(3) SPENT NUCLEAR FUEL STORED AFTER DATE OF ENACTMENT.—Not later than 6 years after the date on which spent nuclear fuel is discharged from a reactor, a contractor shall complete the transfer of any spent nuclear fuel that is stored in a spent nuclear fuel pool after the date of enactment of this section.

''(4) INADEQUATE FUNDS OR AVAILABILITY.—If funds are not available to complete a transfer under paragraph (2) or (3), or if spent nuclear fuel dry casks suitable for the particular fuel are not available on reasonable terms and conditions, the contractor may apply to the Commission to extend the deadline for the transfer to be completed.

''(5) COMMISSION LICENSING.—

''(A) IN GENERAL.—The transfer under paragraph (2) or (3) shall be to spent nuclear fuel dry casks generally licensed by the Commission.

''(B) GENERALLY LICENSED SPENT NUCLEAR FUEL DRY CASKS UNAVAILABLE.—If generally licensed spent nuclear fuel dry casks described in subparagraph (A) are not available, the deadlines established in paragraphs (2) and (3) may be met by the good faith filing of an application to the Commission for a specific independent spent fuel storage installation license.

''(C) EXPEDITED REVIEW.—The Commission shall expedite the review and decision of the Commission on an application received

under subparagraph (B) in a manner that is consistent with public health and safety, common defense and security, and the right of an interested person to a hearing under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

''(c) FUNDING.—The Secretary shall make grants to compensate a contractor for expenses incurred in carrying out subsection (b), including costs associated with—

''(1) licensing and construction of an independent spent fuel storage installation located at the power reactor site;

''(2) fabrication and delivery of spent nuclear fuel dry casks;

''(3) transfers of spent nuclear fuel;

''(4) documentation relating to the transfers;

''(5) security; and

''(6) hardening and other safety or security improvements.

''(d) CONVEYANCE OF TITLE.—

''(1) CERTIFICATION AND CONVEYANCE OF TITLE.—

''(A) CERTIFICATION.—The Commission shall certify to the Secretary when safe and secure transfer of spent nuclear fuel has been carried out under paragraph (2) or (3) of subsection (b).

''(B) ACCEPTANCE OF TITLE.—On receipt of the certification, the Secretary shall accept the conveyance of title to the spent nuclear fuel dry cask (including the contents of the spent nuclear fuel dry cask) from the contractor.

''(2) RESPONSIBILITY.—

''(A) IN GENERAL.—A conveyance of title under paragraph (1)(B) shall confer on the Secretary full responsibility (including safety, security, and financial responsibility) for the subsequent possession, stewardship, maintenance, monitoring, and ultimate disposition of all spent nuclear fuel transferred to the Secretary.

''(B) LICENSES.—On conveyance of title—

''(i) the general or specific Commission license held by the contractor for the spent nuclear fuel dry cask shall be terminated; and

''(ii) a general license for the spent nuclear fuel dry cask under sections 53 and 81 of the Atomic Energy Act of 1954 (42 U.S.C. 2073, 2111) shall be issued to the Secretary.

''(C) REGULATIONS.—Not later than 5 years after the date of enactment of this section, the Commission shall promulgate regulations that establish the terms and conditions for licenses described in subparagraph (B)(ii).

''(e) ADMINISTRATION.—

''(1) IN GENERAL.—Not later than 5 years after the date of enactment of this section, the Secretary shall establish the capability to carry out subsection (d)(2) in a manner that protects the public health and safety and common defense and security, and complies with all applicable laws.

''(2) CONTRACTS WITH LICENSEES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may contract with a holder of the operating license issued by the Commission for 1 or more of the power reactors located on or adjacent to the spent nuclear fuel dry cask for the performance of all or part of the tasks required to carry out subsection (d)(2).

''(B) EFFECT OF CONTRACT.—A contract described in subparagraph (A) shall not relieve the Secretary of the ultimate responsibility of the Secretary under subsection (d)(2) and as a licensee of the Commission.''.

(b) USE OF WASTE FUND.—Section 302(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(d)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) the costs incurred in carrying out subsections (c) and (e) of section 185.''.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 785. A bill to amend title 4 of the United States Code to limit the extent to which States may tax the compensation earned by nonresident telecommuters; to the Committee on Finance.

Mr. DODD. Mr. President, I rise today, together with my colleague Senator LIEBERMAN, to introduce the Telecommuter Tax Fairness Act of 2007.

The Telecommuter Tax Fairness Act of 2007 will end an outdated legal doctrine that unfairly penalizes thousands of workers in Connecticut and across the country whose only offense is that they sometimes work from home.

Technology continues to transform the way business is conducted in America and all over the world. Telecommunications advances such as cell phones, email, the Internet, and mobile networking have not only made Americans more productive, they have also given people greater flexibility in where they can work without compromising productivity. As a result, more Americans now have the freedom to work from home or other alternative offices when their physical presence is not required at their primary place of work.

This option to telecommute offers tremendous benefits for businesses, families, and communities. It helps employers lower costs and raise worker productivity, and individuals better manage the demands of work and family. It also reduces congestion on our roads and rails, and in so doing, lowers pollution.

Despite the many benefits of telecommuting, some states continue to maintain and enforce outdated laws that unfairly penalize people who choose to work from home. New York, in particular, has been among the most aggressive.

Under its so-called ''convenience of the employer'' rule, New York requires out-of-State residents who work for an employer in New York to pay New York taxes on income earned outside the State, even if the State in which the employee is physically present also applies tax to the same income. New York only allows exceptions for cases of ''necessity,'' as opposed to ''convenience,'' and the State has determined that telecommuting falls into the latter, taxable category. While there are several States that have ''convenience of the employer'' rules, no other State applies it with the same rigor as New York.

Under this rule, if a Connecticut resident who normally works in New York—as thousands of Connecticut residents do—chooses to work from home some days, New York forces her to pay taxes for income earned on those days not only to Connecticut, the state in which she is physically present, but also to New York. This rule unfairly subjects the many workers who telecommute from their homes or other sites outside of New York to a double tax on the part of their income earned from home.

According to Connecticut's attorney general, thousands of Connecticut residents alone are affected by this unfair double taxation. However, it isn't only Connecticut residents who are at risk.

Thomas Huckaby is a Tennessee-based computer programmer that telecommuted for a firm in Queens, New York. In 1994 and 1995, Mr. Huckaby spent 75 percent of his time working in Tennessee and the remaining 25 percent working in the Queens office and attempted to apportion his income accordingly. New York, however, sought to tax 100 percent of his income and was successful due to its ''convenience of employer'' rule. On March 29, 2005, the New York Court of Appeals upheld New York's rule in a 4 to 3 decision. The Supreme Court declined to hear his appeal.

A similar story involves Arthur Gray, a New Hampshire resident who worked for the New York office of Cowen & Co. as an investment counselor from 1976 through 1996 and paid New York state income taxes during that time. In 1997, Arthur Gray, per his employer's request, opened and managed an office from his home in New Hampshire. Several times during the year, Mr. Gray worked in New York, but most of his days were spent in New Hampshire. When paying his taxes during this time, he paid New York state income taxes for the days he was in New York, but not for the days he worked in New Hampshire. New York, however, sought to tax 100 percent of his income and was successful due to its ''convenience of the employer'' rule.

These are only two examples of the far-reaching consequences of this ''convenience of employer'' rule. There are thousands of individuals across the country who are adversely impacted by this rule. Most, however, lack the time, money, or energy to take their case to court.

This potential for double taxation is not only unfair, it also discourages people from telecommuting when we should be doing the opposite.

Legislation is needed to protect these honest workers who deserve fair and equitable treatment under the law. The Telecommuter Tax Fairness Act of 2005 accomplishes this by specifically preventing a State from engaging in the current fiction of deeming a nonresident to be in the taxing state when the nonresident is actually working in another state. In doing so, it will eliminate the possibility that citizens will be double-taxed when telecommuting.

Establishing a ''physical presence'' test—as this legislation does—is the most logical basis for determining tax status. If a worker is in a State, and taking advantage of that State's infrastructure, the worker should pay taxes in that State.

Some suggest that the double-taxation quandary can easily be fixed by

having other States provide a tax credit to those telecommuters. However, why should Connecticut, or any other State, be required to allow a credit on income actually earned in the State? If a worker is working in Connecticut, he or she is benefiting from a range of services paid for and maintained by Connecticut, including roads, water, police, fire protection, and communications services. It's only fair that Connecticut ask that worker to help support the services that he or she uses.

This is not just an issue that deals with a small group of citizens from one small state.

Rather, this is an issue that affects workers all over the country. It will only grow more pressing as people and businesses continue to seek to take advantage of new technologies that influence the way we live and work.

I hope our colleagues will favorably consider this 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. 785

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 ''Telecommuter Tax Fairness Act of 2007''.

SEC. 2. LIMITATION ON STATE TAXATION OF COMPENSATION EARNED BY NONRESIDENT TELECOMMUTERS.

(a) IN GENERAL.—Chapter 4 of title 4, United States Code, is amended by adding at the end the following new section:

''§ 127. Limitation on State taxation of compensation earned by nonresident telecommuters

''(a) IN GENERAL.—In applying its income tax laws to the compensation of a nonresident individual, a State may deem such nonresident individual to be present in or working in such State for any period of time only if such nonresident individual is physically present in such State for such period and such State may not impose nonresident income taxes on such compensation with respect to any period of time when such nonresident individual is physically present in another State.

''(b) DETERMINATION OF PHYSICAL PRESENCE.—For purposes of determining physical presence, no State may deem a nonresident individual to be present in or working in such State on the grounds that—

''(1) such nonresident individual is present at or working at home for convenience, or

''(2) such nonresident individual's work at home or office at home fails any convenience of the employer test or any similar test.

''(c) DETERMINATION OF PERIODS OF TIME WITH RESPECT TO WHICH COMPENSATION IS PAID.—For purposes of determining the periods of time with respect to which compensation is paid, no State may deem a period of time during which a nonresident individual is physically present in another State and performing certain tasks in such other State to be—

''(1) time that is not normal work time unless such individual's employer deems such period to be time that is not normal work time,

''(2) nonworking time unless such individual's employer deems such period to be nonworking time, or

''(3) time with respect to which no compensation is paid unless such individual's employer deems such period to be time with respect to which no compensation is paid.

''(d) DEFINITIONS.—As used in this section—

''(1) STATE.—The term 'State' means each of the several States (or any subdivision thereof), the District of Columbia, and any territory or possession of the United States.

''(2) INCOME TAX.—The term 'income tax' has the meaning given such term by section 110(c).

''(3) INCOME TAX LAWS.—The term 'income tax laws' includes any statutes, regulations, administrative practices, administrative interpretations, and judicial decisions.

''(4) NONRESIDENT INDIVIDUAL.—The term 'nonresident individual' means an individual who is not a resident of the State applying its income tax laws to such individual.

''(5) EMPLOYEE.—The term 'employee' means an employee as defined by the State in which the nonresident individual is physically present and performing personal services for compensation.

''(6) EMPLOYER.—The term 'employer' means the person having control of the payment of an individual's compensation.

''(7) COMPENSATION.—The term 'compensation' means the salary, wages, or other remuneration earned by an individual for personal services performed as an employee or as an independent contractor.

''(e) NO INFERENCE.—Nothing in this section shall be construed as bearing on—

''(1) any tax laws other than income tax laws,

''(2) the taxation of corporations, partnerships, trusts, estates, limited liability companies, or other entities, organizations, or persons other than nonresident individuals in their capacities as employees or independent contractors,

''(3) the taxation of individuals in their capacities as shareholders, partners, trust and estate beneficiaries, members or managers of limited liability companies, or in any similar capacities, and

''(4) the income taxation of dividends, interest, annuities, rents, royalties, or other forms of unearned income.''.

(b) CLERICAL AMENDMENT.—The table of sections of such chapter 4 is amended by adding at the end the following new item:

''127. Limitation on State taxation of compensation earned by nonresident telecommuters.''.

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

By Mr. GRASSLEY (for himself and Mr. FEINGOLD):

S. 786. A bill to amend the Agricultural Marketing Act of 1946 to foster efficient markets and increase competition and transparency among packers that purchased livestock from producers; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. GRASSLEY. Mr. President, Senator FEINGOLD and I have in the past sponsored the Transparency for Independent Livestock Producers Act, or what we have generally referred to as the ''Transparency Act.'' Today we are once again working together in a bipartisan fashion to reintroduce this important legislation.

My sponsorship of the packer ban this Congress is based on the belief that independent producers should have the opportunity to receive a fair price for their livestock. Over the years we have seen widespread consolidation and concentration in the packing industry. Add on the trend toward vertical integration among packers and there is no question why independent producers are losing the opportunity to market their own livestock during profitable cycles in the live meat markets.

The past CEO of a major packer in 1994 explained that the reason packers own livestock is that when the price is high the packers use their own livestock for the lines and when the price is low the packers buy livestock. This means that independent producers are most likely being limited from participating in the most profitable ranges of the live market. This is not good for the survival of the independent producer.

This bipartisan legislation would guarantee that independent producers have a share in the marketplace while assisting the Mandatory Price Reporting system. The proposal would require that 25 percent of a packer's daily kill comes from the spot market.

By requiring a 25 percent spot market purchase daily, the mandatory price reporting system, which has been criticized due to reporting and accuracy problems, would have consistent, reliable numbers being purchased from the spot market, improving the accuracy and transparency of daily prices. In addition, independent livestock producers would be guaranteed a competitive position due to the packers need to fill the daily 25 percent spot/cash market requirement.

The packers required to comply would be the same packers required to report under the Mandatory Price Reporting system. Those are packs that kill either 125,000 head of cattle, 100,000 head of hogs, or 75,000 lambs annually, over a 5 year average.

Packers are arguing that this will hurt their ability to offer contracts to producers, but the fact of the matter is that the majority of livestock contracts pay out on a calculation incorporating Mandatory Price Reporting data. If the Mandatory Price Reporting data is not accurate, or open to possible manipulation because of low numbers on the spot market, contracts are not beneficial tools for producers to manage their risk. This legislative proposal will hopefully give confidence to independent livestock producers by improving the accuracy and viability of the Mandatory Price reporting system and secure fair prices for contracts based on that data.

It's just common sense, when there aren't a lot of cattle and pigs being purchased on the cash market, it's easier for the Mandatory Price reporting data to be inaccurate or manipulated. The majority of livestock production contracts are based on that data, so if that information is wrong, the contract producers suffer.

This legislation will guarantee independent livestock producers market access and a fair price. It will accomplish these goals by making it more

difficult for the Mandatory Price Reporting System to be manipulated because of low numbers being reported by the packs. The Transparency Act is crucial legislation to guarantee livestock producers receive a fair shake at the farm gate and I am looking forward to working on this legislation in a bipartisan fashion.

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. 786

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

SECTION 1. SPOT MARKET PURCHASES OF LIVESTOCK BY PACKERS.

Chapter 5 of subtitle B of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636 et seq.) is amended by adding at the end the following:

"SEC. 260. SPOT MARKET PURCHASES OF LIVESTOCK BY PACKERS.

''(a) DEFINITIONS.—In this section:

''(1) COVERED PACKER.—

''(A) IN GENERAL.—The term 'covered packer' means a packer that is required under this subtitle to report to the Secretary each reporting day information on the price and quantity of livestock purchased by the packer.

''(B) EXCLUSION.—The term 'covered packer' does not include a packer that owns only 1 livestock processing plant.

''(2) NONAFFILIATED PRODUCER.—The term 'nonaffiliated producer' means a producer of livestock—

''(A) that sells livestock to a packer;

''(B) that has less than 1 percent equity interest in the packer, which packer has less than 1 percent equity interest in the producer;

''(C) that has no officers, directors, employees, or owners that are officers, directors, employees, or owners of the packer;

''(D) that has no fiduciary responsibility to the packer; and

''(E) in which the packer has no equity interest.

''(3) SPOT MARKET SALE.—

''(A) IN GENERAL.—The term 'spot market sale' means a purchase and sale of livestock by a packer from a producer—

''(i) under an agreement that specifies a firm base price that may be equated with a fixed dollar amount on the date the agreement is entered into;

''(ii) under which the livestock are slaughtered not more than 7 days after the date on which the agreement is entered into; and

''(iii) under circumstances in which a reasonable competitive bidding opportunity exists on the date on which the agreement is entered into.

''(B) REASONABLE COMPETITIVE BIDDING OPPORTUNITY.—For the purposes of subparagraph (A)(iii), circumstances in which a reasonable competitive bidding opportunity shall be considered to exist if—

''(i) no written or oral agreement precludes the producer from soliciting or receiving bids from other packers; and

''(ii) no circumstance, custom, or practice exists that—

''(I) establishes the existence of an implied contract (as determined in accordance with the Uniform Commercial Code); and

''(II) precludes the producer from soliciting or receiving bids from other packers.

''(b) GENERAL RULE.—Of the quantity of livestock that is slaughtered by a covered packer during each reporting day in each plant, the covered packer shall slaughter not less than the applicable percentage specified in subsection (c) of the quantity through spot market sales from nonaffiliated producers.

''(c) APPLICABLE PERCENTAGES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the applicable percentage shall be 25 percent.

''(2) EXCEPTIONS.—In the case of a covered packer that reported to the Secretary in the 2006 annual report that more than 75 percent of the livestock of the covered packer were captive supply livestock, the applicable percentage shall be the greater of—

''(A) the difference between the percentage of captive supply so reported and 100 percent; and

''(B)(i) during each of calendar years 2008 and 2009, 10 percent;

''(ii) during each of calendar years 20010 and 2011, 15 percent; and

''(iii) during calendar year 2012 and each calendar year thereafter, 25 percent.

''(d) NONPREEMPTION.—Notwithstanding section 259, this section does not preempt any requirement of a State or political subdivision of a State that requires a covered packer to purchase on the spot market a greater percentage of the livestock purchased by the covered packer than is required under this section.

''(e) RELATIONSHIP TO OTHER PROVISIONS.—Nothing in this section affects the interpretation of any other provision of this Act, including section 202.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 95—DESIGNATING MARCH 25, 2006, AS ''GREEK INDEPENDENCE DAY: A NATIONAL DAY OF CELEBRATION OF GREEK AND AMERICAN DEMOCRACY''

Mr. SPECTER (for himself, Mr. ALLARD, Mr. BAYH, Mr. BENNETT, MR. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. CRAIG, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG,, Mr. LEVIN, Mr. LIEBERMAN, Mr. LOTT, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. NELSON of Florida, Mr. OBAMA, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SCHUMER, Mr. SMITH, Ms. SNOWE, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. THOMAS, Mr. VOINOVICH, Mr. WARNER, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 95

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the Founding Fathers of the United States drew heavily on the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas Greek Commander in Chief Petros Mavromichalis, a founder of the modern Greek state, said to the citizens of the United States in 1821 that ''it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you'';

Whereas Greece played a major role in the World War II struggle to protect freedom and democracy through such bravery as was shown in the historic Battle of Crete, which provided the Axis land war with its first major setback, setting off a chain of events that significantly affected the outcome of World War II;

Whereas the price for Greece in holding our common values in their region was high, as hundreds of thousands of civilians were killed in Greece during World War II;

Whereas, throughout the 20th century, Greece was 1 of only 3 countries in the world, beyond the former British Empire, that allied with the United States in every major international conflict;

Whereas President George W. Bush, in recognizing Greek Independence Day, said, ''Greece and America have been firm allies in the great struggles for liberty. Americans will always remember Greek heroism and Greek sacrifice for the sake of freedom . . . [and] as the 21st Century dawns, Greece and America once again stand united; this time in the fight against terrorism. The United States deeply appreciates the role Greece is playing in the war against terror. . . . America and Greece are strong allies, and we're strategic partners.'';

Whereas President Bush stated that Greece's successful ''law enforcement operations against a terrorist organization [November 17] responsible for three decades of terrorist attacks underscore the important contributions Greece is making to the global war on terrorism'';

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested over $10,000,000,000 in the region;

Whereas Greece was extraordinarily responsive to requests by the United States during the war in Iraq, as Greece immediately granted unlimited access to its airspace and the base in Souda Bay, and many ships of the United States that delivered troops, cargo, and supplies to Iraq were refueled in Greece;

Whereas, in August 2004, the Olympic games came home to Athens, Greece, the land of their ancient birthplace 2,500 years ago and the city of their modern revival in 1896;

Whereas Greece received world-wide praise for its extraordinary handling during the 2004 Olympics of over 14,000 athletes from 202 countries and over 2,000,000 spectators and journalists, which it did so efficiently, securely, and with its famous Greek hospitality;

Whereas the unprecedented security effort in Greece for the first Olympics after the attacks on the United States on September 11, 2001, included a record-setting expenditure of over $1,390,000,000 and assignment of over 70,000 security personnel, as well as the utilization of an 8-country Olympic Security Advisory Group that included the United States;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim nations and Israel;

Whereas the Government of Greece has had extraordinary success in recent years in furthering cross-cultural understanding and reducing tensions between Greece and Turkey;

Whereas Greece and the United States are at the forefront of the effort for freedom, democracy, peace, stability, and human rights;

Whereas those and other ideals have forged a close bond between these 2 nations and their peoples;

Whereas March 25, 2006, marks the 185th anniversary of the beginning of the revolution that freed the Greek people from the Ottoman Empire; and

Whereas it is proper and desirable to celebrate this anniversary with the Greek people and to reaffirm the democratic principles from which these 2 great nations were born: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 25, 2006, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 96—EXPRESSING THE SENSE OF THE SENATE THAT HARRIETT WOODS WILL BE REMEMBERED AS A PIONEER IN WOMEN'S POLITICS

Mrs. MCCASKILL (for herself, Mr. BOND, Mrs. CLINTON, Mrs. BOXER, Ms. STABENOW, Ms. CANTWELL, Ms. MIKULSKI, Mrs. FEINSTEIN, Mrs. MURRAY, Mrs. LINCOLN, Ms. KLOBUCHAR, Mr. BINGAMAN, Mr. LEVIN, Mr. DODD Mr. OBAMA, and Mr. HARKIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 96

Whereas Harriett Woods, a native of Cleveland, Ohio, launched a 50-year political career with a neighborhood crusade against rattling potholes;

Whereas Harriett Woods, who died of leukemia at the age of 79 on February 8, 2007, had many firsts, including being the first female editor for her college newspaper at the University of Michigan, the first woman on the Missouri Transportation Commission, and the first woman to win statewide office in the State of Missouri as Lieutenant Governor;

Whereas, from 1991 to 1995, Harriett Woods served as president of the National Women's Political Caucus, a bipartisan grassroots organization whose mission is to increase women's participation in the political process at all levels of government; and

Whereas Harriett Woods was integral to the electoral successes of what became known as the Year of the Woman, when in 1992, female candidates won 19 seats in the House of Representatives and 3 seats in the Senate: Now, therefore, be it

Resolved, That it is the sense of the Senate that Harriett Woods will be remembered as a pioneer in women's politics, whose actions and leadership inspired hundreds of women nationwide to participate in the political process and to break gender barriers at every level of government.

Mrs. MCCASKILL. Mr. President, today I am proud to submit as my first piece of legislation as a United States Senator, a resolution to honor the memory of a great woman and a great leader—Harriett Woods.

It is also a privilege to submit this resolution with Senators BOND, MIKULSKI, CLINTON, CANTWELL, MURRAY, STABENOW, LINCOLN, BOXER, FEINSTEIN, KLOBUCHAR, BINGAMAN, LEVIN, OBAMA, HARKIN, and DODD.

Harriett, who died last month at the age of 79 from leukemia, had many firsts in her rich life: she was the first female editor of her college newspaper at the University of Michigan. She was the first woman on the Missouri Transportation Commission and she was the first woman to win statewide office in the State of Missouri when she was elected Lieutenant Governor.

But Harriett's career in public service only tells part of the story. Harriett was a born leader and she used it to inspire hundreds of women across the country to get involved at all levels of government. For 5 years, she served as president of the National Women's Political Caucus, a bipartisan grassroots organization whose mission is to increase women's participation in the political process.

Her struggle to win a U.S. Senate seat in 1982 against Senator John Danforth was the inspiration to the founders of Emily's List, which is dedicated to recruiting and funding viable women candidates. Many thought that Harriett could have won that race, which she lost by a scant 27,247 votes, had she not run out of money.

Harriett was also integral to what became known as the Year of the Woman, when in 1992, female candidates won nineteen seats in the United States House of Representatives and three seats in the United States Senate.

Harriett realized 25 years ago, before most women even considered the notion, that there was only one way women were going to take their seat at the table of political power in our great Nation: by daring to fail, by embracing breathtaking risk, and by standing up to the bouncer at the door of the back room filled with the good old boys who ran for office. When that bouncer told Harriett that she could not come in, she said, just watch me.

And when that same bouncer tried to kick her out of the room, she said just try it. And after she was comfortable in that room, she didn't sit down. She went out and found other women and led them to that room by pure unadulterated leadership.

Harriett wrote a wonderful book about her life as a national political leader. She closed the book with the following:

Somewhere, at this very moment, in some neighborhood in America, a woman very like my younger self is confronting a problem that affects her life, and family. Perhaps it's the need for a playground for her children; maybe it's a threat to clean water from rural animal waste. She has spoken up, but no one is willing to take action. She's never been a public person, and famous woman senators seem a world away. Still, she cares deeply about finding a solution. After agonizing thought, she makes a crucial decision. She will step up to power, and another woman leader will be born.

Many of the women who hold or have held public office, including myself, have Harriett Woods to thank for leading the way. So thank you, Harriett. Thank you on behalf of all the women who will follow you, all the women who will stand on your shoulders.

SENATE RESOLUTION 97—RELATIVE TO THE DEATH OF THOMAS F. EAGLETON, FORMER UNITED STATES SENATOR FOR THE STATE OF MISSOURI

Mr. REID (for himself, Mr. MCCONNELL, Mrs. MCCASKILL, Mr. BOND, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 97

Whereas Thomas F. Eagleton spent his 30-year career in elected office dedicating himself to his country and his home state, representing Missouri in the United States Senate for 18 years;

Whereas Thomas F. Eagleton served in the United States Navy from 1948 until 1949;

Whereas Thomas F. Eagleton, a graduate of Amherst College and Harvard University Law School, launched his political career with his election as St. Louis Circuit Attorney in 1956 and was elected Missouri Attorney General in 1960 and Missouri Lieutenant Governor in 1964;

Whereas Thomas F. Eagleton was elected to the United States Senate in 1968, ultimately serving three terms and leaving an imprint on United States history by coauthoring legislation creating the Pell Grant program to provide youth with higher education assistance, helping to create the National Institute on Aging, and leading the charge to designate 8 federally protected wilderness areas in southern Missouri;

Whereas Thomas F. Eagleton continued to contribute to his community, state, and nation following his 1986 retirement by practicing law, teaching college courses, writing political commentaries, and encouraging civility in politics;

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable

Thomas F. Eagleton, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate stands adjourned today, it stand adjourned as a further mark of respect to the memory of the Honorable Thomas F. Eagleton.

SENATE RESOLUTION 98—PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mrs. FEINSTEIN submitted the following resolution; which was considered and agreed to:

S. RES. 98

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mrs. Feinstein, Mr. Inouye, Mrs. Murray, Mr. Bennett, and Mr. Chambliss.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mrs. Feinstein, Mr. Dodd, Mr. Schumer, Mr. Bennett, and Mr. Stevens.

AMENDMENTS SUBMITTED AND PROPOSED

SA 349. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, MR. LIEBERMAN, and MS. COLLINS) 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 350. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 351. Mr. INOUYE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 352. Mr. MENENDEZ proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra.

SA 353. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 354. Mr. LIEBERMAN (for Mr. MENENDEZ) proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra.

SA 355. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 356. Ms. SNOWE (for herself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 357. Mr. KYL proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S . 4, supra.

SA 358. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4, supra; which was ordered to lie on the table.

SA 359. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 360. Mr. GRAHAM (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 361. Mr. LIEBERMAN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 362. Mr. KOHL (for himself, Mr. SPECTER, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 363. Mr. ENSIGN proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra.

SA 364. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 365. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 366. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 367. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 368. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 369. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 370. Mr. BOND submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 371. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 372. Mr. FEINGOLD (for himself, Mr. CRAIG, Ms. MURKOWSKI, Mr. SPECTER, Mr. SALAZAR, Mr. DURBIN, Mr. SUNUNU, Mr. LEAHY, and Mr. HAGEL) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA. 349. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 be on the table; as follows:

On page 237, strike line 16 and all that follows through page 239, line 4, and insert the following:

(c) NATIONAL INTELLIGENCE PROGRAM DEFINED.—In this section, the term ''National Intelligence Program'' has the meaning given that term in section 3(6) of the National Security Act of 1947 (50 U.S.C. 401a(6)).

SA. 350. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 be on the table; as follows:

On page 239, line 15, insert ''(1)'' after ''REQUESTS OF COMMITTEES.—''.

On page 239, line 19, strike ''15 days'' and insert ''30 days''.

On page 239, beginning on line 22, strike ''the Permanent'' and all that follows through ''information relates'' on page 240, line 1, and insert ''or the Permanent Select Committee on Intelligence of the House of Representatives''.

On page 240, between lines 3 and 4, insert the following:

''(2) A committee making a request under paragraph (1) may specify a greater number of days for submittal to such committee of information in response to such request than is otherwise provided for under that paragraph.

SA. 351. Mr. INOUYE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 be on the table; as follows:

On page 4, strike the item relating to section 1366 and insert the following:

Sec. 1366. In-line baggage system deployment.

On page 5, after the item relating to section 1376, insert the following:

Sec. 1377. Model ports-of-entry.

Sec. 1378. Law enforcement biometric credential.

Sec. 1379. International registered traveler program.

Sec. 1380. Employee retention internship program.

On page 5, strike the items relating to sections 1381 through 1384 and insert the following:

Sec. 1391. Interoperable emergency communications.
Sec. 1392. Rule of construction.
Sec. 1393. Cross border interoperability reports.
Sec. 1394. Extension of short quorum.

On page 330, beginning in line 7, strike ''paragraph (2);'' and insert ''subsection (g);''.

On page 332, strike lines 21 and 22 and insert the following:

SEC. 1366. IN-LINE BAGGAGE SYSTEM DEPLOYMENT.

On page 337, line 5, strike ''fully implement'' and insert ''begin full implementation of''.

On page 342, line 9, strike ''47135(m));'' and insert ''47134(m));''

On page 342, line 21, strike ''47135(m)).'' and insert ''47134(m)).''

On page 343, beginning in line 9, strike ''to the Transportation Security Administration before entering United States airspace; and'' and insert ''at the same time as, and in conjunction with, advance notification requirements for Customs and Border Protection before entering United States airspace; and''.

On page 344, beginning with line 14, strike through line 12 on page 345 and insert the following:

SEC. 1376. NATIONAL EXPLOSIVES DETECTION CANINE TEAM TRAINING CENTER.

(a) IN GENERAL.—

(1) INCREASED TRAINING CAPACITY.—Within 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall begin to increase the capacity of the Department of Homeland Security's National Explosives Detection Canine Team Program at Lackland Air Force Base to accommodate the training of up to 200 canine teams annually by the end of calendar year 2008.

(2) EXPANSION DETAILED REQUIREMENTS.—The expansion shall include upgrading existing facilities, procurement of additional canines, and increasing staffing and oversight commensurate with the increased training and deployment capabilities required by paragraph (1).

(3) ULTIMATE EXPANSION.—The Secretary shall continue to increase the training capacity and all other necessary program expansions so that by December 31, 2009, the number of canine teams sufficient to meet the Secretary's homeland security mission, as determined by the Secretary on an annual basis, may be trained at this facility.

(b) ALTERNATIVE TRAINING CENTERS.—Based on feasibility and to meet the ongoing demand for quality explosives detection canines teams, the Secretary shall explore the options of creating the following:

(1) A standardized Transportation Security Administration approved canine program that private sector entities could use to provide training for additional explosives detection canine teams. For any such program, the Secretary—

(A) may coordinate with key stakeholders, including international, Federal, State, local, private sector and academic entities, to develop best practice guidelines for such a standardized program;

(B) shall require specific training criteria to which private sector entities must adhere as a condition of participating in the program; and

(C) shall review the status of these private sector programs on at least an annual basis.

(2) Expansion of explosives detection canine team training to at least 2 additional national training centers, to be modeled after the Center of Excellence established at Lackland Air Force Base.

(c) DEPLOYMENT.—The Secretary—

(1) shall use the additional explosives detection canine teams as part of the Department's layers of enhanced mobile security across the Nation's transportation network and to support other homeland security programs, as deemed appropriate by the Secretary; and

(2) may make available explosives detection canine teams to all modes of transportation, for areas of high risk or to address specific threats, on an as-needed basis and as otherwise deemed appropriate by the Secretary.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Homeland Security such sums as may be necessary to carry out this section.

SEC. 1377. MODEL PORTS-OF-ENTRY.

(a) IN GENERAL.—The Secretary of Homeland Security shall—

(1) establish a model ports-of-entry program for the purpose of providing a more efficient and courteous international visitor screening process in order to facilitate and promote travel to the United States; and

(2) implement the program initially at the 12 United States international airports with the greatest average annual number of arriving foreign visitors.

(b) PROGRAM ELEMENTS.—The program shall include—

(1) enhanced queue management in the Federal Inspection Services area leading up to primary inspection;

(2) customer service training for Customs and Border Protection officers (including training in greeting arriving visitors) developed in consultation with the Department of Commerce and the United States Travel and Tourism Advisory Board, customer service ratings for such officers' periodic or annual reviews, and a requirement that officers provide a self-addressed, postpaid customer comment form; and

(3) instructional videos, in English and such other languages as the Secretary determines appropriate, in the Federal Inspection Services area that explain the United States inspection process and feature national, regional, or local welcome videos.

(c) ADDITIONAL CUSTOMS AND BORDER PATROL OFFICERS FOR HIGH VOLUME PORTS.—Before the end of fiscal year 2008, the Secretary of Homeland Security shall employ an additional 200 Customs and Border Protection officers to address staff shortages at the 12 busiest international gateway airports in the United States.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Homeland Security such sums as may be necessary to carry out this section.

SEC. 1378. LAW ENFORCEMENT BIOMETRIC CREDENTIAL.

(a) IN GENERAL.—Paragraph (6) of section 44903(h) of title 49, United States Code, is amended to read as follows:

''(6) USE OF BIOMETRIC TECHNOLOGY FOR ARMED LAW ENFORCEMENT TRAVEL.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Improving America's Security Act of 2007, the Secretary of Homeland Security shall—

''(i) consult with the Attorney General concerning implementation of this paragraph;

''(ii) issue any necessary rulemaking to implement this paragraph; and

''(iii) establishing a national registered armed law enforcement program for law enforcement officers needing to be armed when traveling by air.

''(B) PROGRAM REQUIREMENTS.—The program shall—

''(i) establish a credential or a system that incorporates biometric technology and other applicable technologies;

''(ii) provide a flexible solution for law enforcement officers who need to be armed when traveling by air on a regular basis and for those who need to be armed during temporary travel assignments;

''(iii) be coordinated with other uniform credentialing initiatives including the Homeland Security Presidential Directive 12;

''(iv) be applicable for all Federal, State, local, tribal and territorial government law enforcement agencies; and

''(v) establish a process by which the travel credential or system may be used to verify the identity, using biometric technology, of a Federal, State, local, tribal, or territorial law enforcement officer seeking to carry a weapon on board an aircraft, without unnecessarily disclosing to the public that the individual is a law enforcement officer.

''(C) PROCEDURES.—In establishing the program, the Secretary shall develop procedures—

''(i) to ensure that only Federal, State, local, tribal, and territorial government law enforcement officers with a specific need to be armed when traveling by air are issued a law enforcement travel credential;

''(II) to preserve the anonymity of the armed law enforcement officer without calling undue attention to the individual's identity;

''(iii) to resolve failures to enroll, false matches, and false non-matches relating to use of the law enforcement travel credential or system; and

''(iv) to invalidate any law enforcement travel credential or system that is lost, stolen, or no longer authorized for use.

''(D) FUNDING.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this paragraph.''.

(b) REPORT.—Within 180 days after implementing the national registered armed law enforcement program required by section 44903(h)(6) of title 49, United States Code, the Secretary of Homeland Security shall transmit a report to the Senate Committee on Commerce, Science, and Transportation. If the Secretary has not implemented the program within 180 days after the date of enactment of this Act, the Secretary shall issue a report to the Committee within 180 days explaining the reasons for the failure to implement the program within the time required by that section, and a further report within each successive 180-day period until the program is implemented explaining the reasons for such further delays in implementation until the program is implemented. The Secretary shall submit each report required by this subsection in classified format.

SEC. 1379. INTERNATIONAL REGISTERED TRAVELER PROGRAM.

(a) IN GENERAL.—Section 7208(k)(3) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b(k)(3)) is amended to read as follows:

''(3) INTERNATIONAL REGISTERED TRAVELER PROGRAM.—

''(A) IN GENERAL.—The Secretary of Homeland Security shall establish an international registered traveler program that incorporates available technologies, such as biometrics and e-passports,and security threat assessments to expedite the screening and processing of international travelers, including United States Citizens and residents, who enter and exit the United States. The program shall be coordinated with the US VISIT program, other pre-screening initiatives, and the visa waiver program within the Department of Homeland Security.

''(B) FEES.—The Secretary may impose a fee for the program and may modify the fee from time to time. The fee may not exceed

the aggregate costs associated with the program and shall be credited to the Department of Homeland Security for purposes of carrying out the program. Amounts so credited shall remain available until expended.

''(C) RULEMAKING.—Within 180 days after the date of enactment of the Improving America's Security Act of 2007, the Secretary shall initiate a rulemaking to establish the program, criteria for participation, and the fee for the program.

''(D) IMPLEMENTATION.—Not later than 1 year after the date of enactment of the Improving America's Security Act of 2007, the Secretary shall establish a phased-implementation of a biometric-based international registered traveler program in conjunction with the US VISIT entry and exit system, other pre-screening initiatives, and the visa waiver program within the Department of Homeland Security at United States airports with the highest volume of international travelers.

''(E) PARTICIPATION.—The Secretary shall ensure that the international registered traveler program includes as many participants as practicable by—

''(i) establishing a reasonable cost of enrollment;

''(ii) making program enrollment convenient and easily accessible; and

''(iii) providing applicants with clear and consistent eligibility guidelines.

''(F) TECHNOLOGIES.—The Secretary shall coordinate with the Secretary of State to define a schedule for their respective departments for the deployment of appropriate technologies to begin capturing applicable and sufficient biometrics from visa applicants and individuals seeking admission to the United States, if such visa applicant or individual has not previously provided such information, at each consular location and port of entry. The Secretary of Homeland Security shall also coordinate with the Secretary of State regarding the feasibility of allowing visa applicants or individuals to enroll in the International Registered Traveler program at consular offices.''.

SEC. 1380. EMPLOYEE RETENTION INTERNSHIP PROGRAM.

The Assistant Secretary of Homeland Security (Transportation Security Administration), shall establish a pilot program at a small hub airport, a medium hub airport, and a large hub airport (as those terms are defined in paragraphs (42), (31), and (29), respectively, of section 40102 of title 49, United States Code) for training students to perform screening of passengers and property under section 44901 of title 49, United States Code. The program shall be an internship for pre-employment training of final-year students from public and private secondary schools located in nearby communities. Under the program, participants shall be—

(1) compensated for training and services time while participating in the program: and

(2) required to agree, as a condition of participation in the program, to accept employment as a screener upon successful completion of the internship and upon graduation from the secondary school.

On page 345, strike lines 15 and 16, and insert the following:

SEC. 1391. INTEROPERABLE EMERGENCY COMMUNICATIONS.

On page 358, strike line 19 and insert the following:

SEC. 1392. RULE OF CONSTRUCTION.

On page 359, strike line 7 and insert the following:

SEC. 1393. CROSS BORDER INTEROPERABILITY REPORTS.

On page 361, strike line 14 and insert the following:

SEC. 1394. EXTENSION OF SHORT QUORUM.

SA 352. Mr. MENENDEZ proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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; as follows:

On page 219, between lines 7 and 8, insert the following:

SEC. 804. PLAN FOR 100 PERCENT SCANNING OF CARGO CONTAINERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop an initial plan to scan 100 percent of the cargo containers destined for the United States before such containers arrive in the United States.

(b) PLAN CONTENTS.—The plan developed under this section shall include—

(1) specific annual benchmarks for—

(A) the percentage of cargo containers destined for the United States that are scanned at a foreign port; and

(B) the percentage of cargo containers originating in the United States and destined for a foreign port that are scanned in a port in the United States before leaving the United States;

(2) annual increases in the benchmarks described in paragraph (1) until 100 percent of the cargo containers destined for the United States are scanned before arriving in the United States;

(3) the use of existing programs, including the Container Security Initiative established by section 205 of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 945) and the Customs–Trade Partnership Against Terrorism established by subtitle B of title II of such Act (6 U.S.C. 961 et seq.), to reach the benchmarks described in paragraph (1); and

(4) the use of scanning equipment, personnel, and technology to reach the goal of 100 percent scanning of cargo containers.

SA 353. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 be on the table; as follows:

On page 150, line 10, after ''section 1016'' insert ''and information use, collection, storage, and disclosure''.

SA 354. Mr. LIEBERMAN (for Mr. MENENDEZ) proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 be on the table; as follows:

On page 219, between lines 7 and 8, insert the following:

SEC. 804. PLAN FOR 100 PERCENT SCANNING OF CARGO CONTAINERS.

Section 232(c) of the Security and Accountability For Every Port Act (6 U.S.C. 982(c)) is amended—

(1) by striking ''Not later'' and inserting the following:

''(1) IN GENERAL.—Not later''; and

(2) by inserting at the end the following new paragraph:

''(2) PLAN FOR 100 PERCENT SCANNING OF CARGO CONTAINERS.—

''(A) IN GENERAL.—The first report under paragraph (1) shall include an initial plan to scan 100 percent of the cargo containers destined for the United States before such containers arrive in the United States.

''(B) PLAN CONTENTS.—The plan under paragraph (A) shall include—

''(i) specific annual benchmarks for the percentage of cargo containers destined for the United States that are scanned at a foreign port;

''(ii) annual increases in the benchmarks described in clause (i) until 100 percent of the cargo containers destined for the United States are scanned before arriving in the United States;

''(iii) the use of existing programs, including the Container Security Initiative established by section 205 and the Customs–Trade Partnership Against Terrorism established by subtitle B, to reach the benchmarks described in clause (i); and

''(iv) the use of scanning equipment, personnel, and technology to reach the goal of 100 percent scanning of cargo containers.

''(C) SUBSEQUENT REPORTS.—Each report under paragraph (1) after the intial report shall include an assessment of the progress toward implementing the plan under subparagraph (A).''.

SA 355. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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:

On page 111, line 10, before the semicolon insert ''regarding equipment and software''.

On page 113, between lines 23 and 24, insert the following:

''(G) the extent to which a grant would minimize the need for local government agencies to replace communications equipment;

On page 122, between lines 20 and 21, insert the following:

(d) SAFECOM.—Not later than 6 months after the date of enactment of this Act, the Secretary shall revise the recommended grant guidance for emergency response communications and interoperability grants under the SAFECOM Program of the Department to ensure that it—

(1) is technology neutral;

(2) supports a system-of-systems approach; and

(3) is representative of open-standards based software and equipment.

(e) EVALUATION OF DEPARTMENT OF DEFENSE COMMUNICATIONS SYSTEMS.—Section 1803(d) of the Homeland Security Act of 2002 (6 U.S.C. 573(d)) is amended by striking paragraph (4) and inserting the following:

''(4) a list of best practices relating to the ability to continue to communicate and to

provide and maintain interoperable emergency communications in the event of natural disasters, acts of terrorism, or other man-made disasters, including—

''(A) an evaluation, in consultation with the Secretary of Defense, of technological approaches used by the Armed Forces of the United States to achieve interoperable communications and the applicability of such approaches to addressing the interoperable emergency communications needs of Federal agencies and State, local, and tribal governments; and

''(B) an evaluation of the feasibility and desirability of the Department developing, on its own or in conjunction with the Department of Defense, a mobile communications capability, modeled on the Army Signal Corps, that could be deployed to support emergency communications at the site of natural disasters, acts of terrorism, or other man-made disasters.''.

On page 124, line 7, after ''equipment'' insert ''and software''.

On page 124, line 8, after ''identity'' insert ''equipment and software''.

On page 124, line 14, after ''training'' insert '', software,''.

On page 124, line 18, after ''equipment'' insert ''and software''.

SA 356. Ms. SNOWE (for herself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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. ___. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) ESTABLISHMENT.—(1) Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by inserting after section 103G the following new section:

''INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

''SEC. 103H. (a) OFFICE OF INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—There is within the Office of the Director of National Intelligence an Office of the Inspector General of the Intelligence Community.

''(b) PURPOSE.—The purpose of the Office of the Inspector General of the Intelligence Community is to—

''(1) create an objective and effective office, appropriately accountable to Congress, to initiate and conduct independently investigations, inspections, and audits relating to—

''(A) the programs and operations of the intelligence community;

''(B) the elements of the intelligence community within the National Intelligence Program; and

''(C) the relationships between the elements of the intelligence community within the National Intelligence Program and the other elements of the intelligence community;

''(2) recommend policies designed—

''(A) to promote economy, efficiency, and effectiveness in the administration and implementation of such programs and operations, and in such relationships; and

''(B) to prevent and detect fraud and abuse in such programs, operations, and relationships;

''(3) provide a means for keeping the Director of National Intelligence fully and currently informed about—

''(A) problems and deficiencies relating to the administration and implementation of such programs and operations, and to such relationships; and

''(B) the necessity for, and the progress of, corrective actions; and

''(4) in the manner prescribed by this section, ensure that the congressional intelligence committees are kept similarly informed of—

''(A) significant problems and deficiencies relating to the administration and implementation of such programs and operations, and to such relationships; and

''(B) the necessity for, and the progress of, corrective actions.

''(c) INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—(1) There is an Inspector General of the Intelligence Community, who shall be the head of the Office of the Inspector General of the Intelligence Community, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) The nomination of an individual for appointment as Inspector General shall be made—

''(A) without regard to political affiliation;

''(B) solely on the basis of integrity, compliance with the security standards of the intelligence community, and prior experience in the field of intelligence or national security; and

''(C) on the basis of demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or auditing.

''(3) The Inspector General shall report directly to and be under the general supervision of the Director of National Intelligence.

''(4) The Inspector General may be removed from office only by the President. The President shall immediately communicate in writing to the congressional intelligence committees the reasons for the removal of any individual from the position of Inspector General.

''(d) DUTIES AND RESPONSIBILITIES.—Subject to subsections (g) and (h), it shall be the duty and responsibility of the Inspector General of the Intelligence Community—

''(1) to provide policy direction for, and to plan, conduct, supervise, and coordinate independently, the investigations, inspections, and audits relating to the programs and operations of the intelligence community, the elements of the intelligence community within the National Intelligence Program, and the relationships between the elements of the intelligence community within the National Intelligence Program and the other elements of the intelligence community to ensure they are conducted efficiently and in accordance with applicable law and regulations;

''(2) to keep the Director of National Intelligence fully and currently informed concerning violations of law and regulations, violations of civil liberties and privacy, and fraud and other serious problems, abuses, and deficiencies that may occur in such programs and operations, and in such relationships, and to report the progress made in implementing corrective action;

''(3) to take due regard for the protection of intelligence sources and methods in the preparation of all reports issued by the Inspector General, and, to the extent consistent with the purpose and objective of such reports, take such measures as may be appropriate to minimize the disclosure of intelligence sources and methods described in such reports; and

''(4) in the execution of the duties and responsibilities under this section, to comply with generally accepted government auditing standards.

''(e) LIMITATIONS ON ACTIVITIES.—(1) The Director of National Intelligence may prohibit the Inspector General of the Intelligence Community from initiating, carrying out, or completing any investigation, inspection, or audit if the Director determines that such prohibition is necessary to protect vital national security interests of the United States.

''(2) If the Director exercises the authority under paragraph (1), the Director shall submit an appropriately classified statement of the reasons for the exercise of such authority within seven days to the congressional intelligence committees.

''(3) The Director shall advise the Inspector General at the time a report under paragraph (2) is submitted, and, to the extent consistent with the protection of intelligence sources and methods, provide the Inspector General with a copy of such report.

''(4) The Inspector General may submit to the congressional intelligence committees any comments on a report of which the Inspector General has notice under paragraph (3) that the Inspector General considers appropriate.

''(f) AUTHORITIES.—(1) The Inspector General of the Intelligence Community shall have direct and prompt access to the Director of National Intelligence when necessary for any purpose pertaining to the performance of the duties of the Inspector General.

''(2)(A) The Inspector General shall have access to any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

''(B) The Inspector General shall have direct access to all records, reports, audits, reviews, documents, papers, recommendations, or other material which relate to the programs and operations with respect to which the Inspector General has responsibilities under this section.

''(C) The level of classification or compartmentation of information shall not, in and of itself, provide a sufficient rationale for denying the Inspector General access to any materials under subparagraph (B).

''(D) Failure on the part of any employee, or any employee of a contractor, of any element of the intelligence community to cooperate with the Inspector General shall be grounds for appropriate administrative actions by the Director or, on the recommendation of the Director, other appropriate officials of the intelligence community, including loss of employment or the termination of an existing contractual relationship.

''(3) The Inspector General is authorized to receive and investigate complaints or information from any person concerning the existence of an activity constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety. Once such complaint or information has been received from an employee of the Federal Government—

''(A) the Inspector General shall not disclose the identity of the employee without the consent of the employee, unless the Inspector General determines that such disclosure is unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; and

''(B) no action constituting a reprisal, or threat of reprisal, for making such complaint may be taken by any employee in a position to take such actions, unless the

complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

''(4) The Inspector General shall have authority to administer to or take from any person an oath, affirmation, or affidavit, whenever necessary in the performance of the duties of the Inspector General, which oath, affirmation, or affidavit when administered or taken by or before an employee of the Office of the Inspector General of the Intelligence Community designated by the Inspector General shall have the same force and effect as if administered or taken by or before an officer having a seal.

''(5)(A) Except as provided in subparagraph (B), the Inspector General is authorized to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of the duties and responsibilities of the Inspector General.

''(B) In the case of departments, agencies, and other elements of the United States Government, the Inspector General shall obtain information, documents, reports, answers, records, accounts, papers, and other data and evidence for the purpose specified in subparagraph (A) using procedures other than by subpoenas.

''(C) The Inspector General may not issue a subpoena for or on behalf of any other element of the intelligence community, including the Office of the Director of National Intelligence.

''(D) In the case of contumacy or refusal to obey a subpoena issued under this paragraph, the subpoena shall be enforceable by order of any appropriate district court of the United States.

''(g) COORDINATION AMONG INSPECTORS GENERAL OF INTELLIGENCE COMMUNITY.—(1) In the event of a matter within the jurisdiction of the Inspector General of the Intelligence Community that may be subject to an investigation, inspection, or audit by both the Inspector General of the Intelligence Community and an Inspector General, whether statutory or administrative, with oversight responsibility for an element or elements of the intelligence community, the Inspector General of the Intelligence Community and such other Inspector or Inspectors General shall expeditiously resolve which Inspector General shall conduct such investigation, inspection, or audit.

''(2) The Inspector General conducting an investigation, inspection, or audit covered by paragraph (1) shall submit the results of such investigation, inspection, or audit to any other Inspector General, including the Inspector General of the Intelligence Community, with jurisdiction to conduct such investigation, inspection, or audit who did not conduct such investigation, inspection, or audit.

''(3)(A) If an investigation, inspection, or audit covered by paragraph (1) is conducted by an Inspector General other than the Inspector General of the Intelligence Community, the Inspector General of the Intelligence Community may, upon completion of such investigation, inspection, or audit by such other Inspector General, conduct under this section a separate investigation, inspection, or audit of the matter concerned if the Inspector General of the Intelligence Community determines that such initial investigation, inspection, or audit was deficient in some manner or that further investigation, inspection, or audit is required.

''(B) This paragraph shall not apply to the Inspector General of the Department of Defense or to any other Inspector General within the Department of Defense.

''(h) STAFF AND OTHER SUPPORT.—(1) The Inspector General of the Intelligence Community shall be provided with appropriate and adequate office space at central and field office locations, together with such equipment, office supplies, maintenance services, and communications facilities and services as may be necessary for the operation of such offices.

''(2)(A) Subject to applicable law and the policies of the Director of National Intelligence, the Inspector General shall select, appoint, and employ such officers and employees as may be necessary to carry out the functions of the Inspector General. The Inspector General shall ensure that any officer or employee so selected, appointed, or employed has security clearances appropriate for the assigned duties of such officer or employee.

''(B) In making selections under subparagraph (A), the Inspector General shall ensure that such officers and employees have the requisite training and experience to enable the Inspector General to carry out the duties of the Inspector General effectively.

''(C) In meeting the requirements of this paragraph, the Inspector General shall create within the Office of the Inspector General of the Intelligence Community a career cadre of sufficient size to provide appropriate continuity and objectivity needed for the effective performance of the duties of the Inspector General.

''(3)(A) Subject to the concurrence of the Director, the Inspector General may request such information or assistance as may be necessary for carrying out the duties and responsibilities of the Inspector General from any department, agency, or other element of the United States Government.

''(B) Upon request of the Inspector General for information or assistance under subparagraph (A), the head of the department, agency, or element concerned shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the department, agency, or element, furnish to the Inspector General, or to an authorized designee, such information or assistance.

''(C) The Inspector General of the Intelligence Community may, upon reasonable notice to the head of any element of the intelligence community, conduct, as authorized by this section, an investigation, inspection, or audit of such element and may enter into any place occupied by such element for purposes of the performance of the duties of the Inspector General.

''(i) REPORTS.—(1)(A) The Inspector General of the Intelligence Community shall, not later than January 31 and July 31 of each year, prepare and submit to the Director of National Intelligence a classified, and, as appropriate, unclassified semiannual report summarizing the activities of the Office of the Inspector General of the Intelligence Community during the immediately preceding 6-month periods ending December 31 (of the preceding year) and June 30, respectively.

''(B) Each report under this paragraph shall include, at a minimum, the following:

''(i) A list of the title or subject of each investigation, inspection, or audit conducted during the period covered by such report, including a summary of the progress of each particular investigation, inspection, or audit since the preceding report of the Inspector General under this paragraph.

''(ii) A description of significant problems, abuses, and deficiencies relating to the administration and implementation of programs and operations of the intelligence community, and in the relationships between elements of the intelligence community, identified by the Inspector General during the period covered by such report.

''(iii) A description of the recommendations for corrective or disciplinary action made by the Inspector General during the period covered by such report with respect to significant problems, abuses, or deficiencies identified in clause (ii).

''(iv) A statement whether or not corrective or disciplinary action has been completed on each significant recommendation described in previous semiannual reports, and, in a case where corrective action has been completed, a description of such corrective action.

''(v) A certification whether or not the Inspector General has had full and direct access to all information relevant to the performance of the functions of the Inspector General.

''(vi) A description of the exercise of the subpoena authority under subsection (f)(5) by the Inspector General during the period covered by such report.

''(vii) Such recommendations as the Inspector General considers appropriate for legislation to promote economy, efficiency, and effectiveness in the administration and implementation of programs and operations undertaken by the intelligence community, and in the relationships between elements of the intelligence community, and to detect and eliminate fraud and abuse in such programs and operations and in such relationships.

''(C) Not later than the 30 days after the date of receipt of a report under subparagraph (A), the Director shall transmit the report to the congressional intelligence committees together with any comments the Director considers appropriate.

''(2)(A) The Inspector General shall report immediately to the Director whenever the Inspector General becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration and implementation of programs or operations of the intelligence community or in the relationships between elements of the intelligence community.

''(B) The Director shall transmit to the congressional intelligence committees each report under subparagraph (A) within seven calendar days of receipt of such report, together with such comments as the Director considers appropriate.

''(3) In the event that—

''(A) the Inspector General is unable to resolve any differences with the Director affecting the execution of the duties or responsibilities of the Inspector General;

''(B) an investigation, inspection, or audit carried out by the Inspector General focuses on any current or former intelligence community official who—

''(i) holds or held a position in an element of the intelligence community that is subject to appointment by the President, whether or not by and with the advice and consent of the Senate, including such a position held on an acting basis;

''(ii) holds or held a position in an element of the intelligence community, including a position held on an acting basis, that is appointed by the Director of National Intelligence; or

''(iii) holds or held a position as head of an element of the intelligence community or a position covered by subsection (b) or (c) of section 106;

''(C) a matter requires a report by the Inspector General to the Department of Justice on possible criminal conduct by a current or former official described in subparagraph (B);

''(D) the Inspector General receives notice from the Department of Justice declining or approving prosecution of possible criminal conduct of any current or former official described in subparagraph (B); or

''(E) the Inspector General, after exhausting all possible alternatives, is unable to obtain significant documentary information in the course of an investigation, inspection, or audit,

the Inspector General shall immediately notify and submit a report on such matter to the congressional intelligence committees.

''(4) Pursuant to title V, the Director shall submit to the congressional intelligence committees any report or findings and recommendations of an investigation, inspection, or audit conducted by the Office of the Inspector General which has been requested by the Chairman or Vice Chairman or Ranking Minority Member of either committee.

''(5)(A) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General.

''(B) Not later than the end of the 14-calendar day period beginning on the date of receipt from an employee of a complaint or information under subparagraph (A), the Inspector General shall determine whether the complaint or information appears credible. Upon making such a determination, the Inspector General shall transmit to the Director a notice of that determination, together with the complaint or information.

''(C) Upon receipt of a transmittal from the Inspector General under subparagraph (B), the Director shall, within seven calendar days of such receipt, forward such transmittal to the congressional intelligence committees, together with any comments the Director considers appropriate.

''(D)(i) If the Inspector General does not find credible under subparagraph (B) a complaint or information submitted under subparagraph (A), or does not transmit the complaint or information to the Director in accurate form under subparagraph (B), the employee (subject to clause (ii)) may submit the complaint or information to Congress by contacting either or both of the congressional intelligence committees directly.

''(ii) An employee may contact the congressional intelligence committees directly as described in clause (i) only if the employee—

''(I) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact the congressional intelligence committees directly; and

''(II) obtains and follows from the Director, through the Inspector General, direction on how to contact the congressional intelligence committees in accordance with appropriate security practices.

''(iii) A member or employee of one of the congressional intelligence committees who receives a complaint or information under clause (i) does so in that member or employee's official capacity as a member or employee of such committee.

''(E) The Inspector General shall notify an employee who reports a complaint or information to the Inspector General under this paragraph of each action taken under this paragraph with respect to the complaint or information. Such notice shall be provided not later than 3 days after any such action is taken.

''(F) An action taken by the Director or the Inspector General under this paragraph shall not be subject to judicial review.

''(G) In this paragraph, the term 'urgent concern' means any of the following:

''(i) A serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity involving classified information, but does not include differences of opinions concerning public policy matters.

''(ii) A false statement to Congress, or a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

''(iii) An action, including a personnel action described in section 2302(a)(2)(A) of title 5, United States Code, constituting reprisal or threat of reprisal prohibited under subsection (f)(3)(B) in response to an employee's reporting an urgent concern in accordance with this paragraph.

''(H) In support of this paragraph, Congress makes the findings set forth in paragraphs (1) through (6) of section 701(b) of the Intelligence Community Whistleblower Protection Act of 1998 (title VII of Public Law 105–272; 5 U.S.C. App. 8H note).

''(6) In accordance with section 535 of title 28, United States Code, the Inspector General shall report to the Attorney General any information, allegation, or complaint received by the Inspector General relating to violations of Federal criminal law that involves a program or operation of an element of the intelligence community, or in the relationships between the elements of the intelligence community, consistent with such guidelines as may be issued by the Attorney General pursuant to subsection (b)(2) of such section. A copy of each such report shall be furnished to the Director.

''(j) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall, in accordance with procedures to be issued by the Director in consultation with the congressional intelligence committees, include in the National Intelligence Program budget a separate account for the Office of Inspector General of the Intelligence Community.

''(k) CONSTRUCTION OF DUTIES REGARDING ELEMENTS OF INTELLIGENCE COMMUNITY.—Except as resolved pursuant to subsection (g), the performance by the Inspector General of the Intelligence Community of any duty, responsibility, or function regarding an element of the intelligence community shall not be construed to modify or effect the duties and responsibilities of any other Inspector General, whether statutory or administrative, having duties and responsibilities relating to such element.''.

(2) The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 103G the following new item:

''Sec. 103H. Inspector General of the Intelligence Community.''.

(b) REPEAL OF SUPERSEDED AUTHORITY TO ESTABLISH POSITION.—Section 8K of the Inspector General Act of 1978 (5 U.S.C. App.) is repealed.

(c) EXECUTIVE SCHEDULE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by adding at the end the following new item:

''Inspector General of the Intelligence Community.''.

SA 357. Mr. KYL proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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; as follows:

At page 174, strike line 1 and all that follows through page 175, line 18, and insert the following:

The terms ''data-mining'' and ''database'' have the same meaning as in 126(b) of Public Law 109–177.

(c) REPORTS ON DATA MINING ACTIVITIES BY FEDERAL AGENCIES.—

(1) REQUIREMENT FOR REPORT.—The head of each department or agency of the Federal Government that is engaged in any activity to use or develop data mining shall submit a report to Congress on all such activities of the department or agency under the jurisdiction of that official. The report shall be made available to the public, except for a classified annex described in paragraph (2)(H).

(2) CONTENT OF REPORT.—Each report submitted under paragraph (1) shall include, for each activity to use or develop data mining, the following information:

(A) A thorough description of the data mining activity, its goals, and, where appropriate, the target dates for the deployment of the data mining activity.

(B) A thorough description, consistent with the protection of existing patents, proprietary business processes, trade secrets, and intelligence sources and methods, of the data mining technology that is being used or will be used, including the basis for determining whether a particular pattern or anomaly is indicative of terrorist or criminal activity.

SA 358. Mrs. MURRAY 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. ____. PILOT PROJECT TO REDUCE THE NUMBER OF TRANSPORTATION SECURITY OFFICERS AT AIRPORT EXIT LANES.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration (referred to in this section as the ''Administrator'') shall conduct a pilot program to identify technological solutions for reducing the number of Transportation Security Administration employees at airport exit lanes.

(b) PROGRAM COMPONENTS.—In conducting the pilot program under this section, the Administrator shall—

(1) utilize different technologies that protect the integrity of the airport exit lanes from unauthorized entry; and

(2) work with airport officials to deploy such technologies in multiple configurations at selected airports at which at least 75 percent of the exits are not co-located with a screening checkpoint.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 90 days after the enactment of this Act, the Administrator shall submit a report to the congressional committees set forth in paragraph (3) that describes—

(A) the airports selected to participate in the pilot program;

(B) the potential savings from implementing the technologies at selected airport exits; and

(C) the types of configurations expected to be deployed at such airports.

(2) FINAL REPORT.—Not later than 1 year after the technologies are deployed at the airports participating in the pilot program, the Administrator shall submit a final report to the congressional committees described in paragraph (3) that describes—

(A) the security measures deployed;

(B) the projected cost savings; and

(C) the efficacy of the program and its applicability to other airports in the United States.

(3) CONGRESSIONAL COMMITTEES.—The reports required under this subsection shall be submitted to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Homeland Security of the House of Representatives; and

(E) the Committee on Appropriations of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $6,000,000 for each of the fiscal years 2008 and 2009 to carry out this section.

SA 359. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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. ———. DHS INSPECTOR GENERAL REPORT ON HIGHWAY WATCH GRANT PROGRAM.

Within 90 days after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall submit a report to the Senate Committee on Commerce, Science, and Transportation on the Trucking Security Grant Program for fiscal years 2004 and 2005 that—

(1) addresses the grant announcement, application, receipt, review, award, monitoring, and closeout processes; and

(2) states the amount obligated or expended under the program for fiscal years 2004 and 2005 for—

(A) infrastructure protection;

(B) training;

(C) equipment;

(D) educational materials;

(E) program administration;

(E) marketing; and

(F) other functions.

SA 360. Mr. GRAHAM (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 be on the table; as follows:

At the end of title XV, add the following new section:

SEC. 1505. SENSE OF CONGRESS ON THE NUCLEAR PROGRAM OF IRAN.

(a) FINDINGS.—Congress makes the following findings:

(1) President of Iran Mahmoud Ahmadinejad refuses to abandon the uranium enrichment program of the Government of Iran, and continues to work towards advancing that program.

(2) The United Nations Security Council unanimously passed Security Council Resolution 1737 on December 23, 2006, which imposed sanctions on trade and expertise related to the nuclear infrastructure of Iran and the transfer to Iran of International Atomic Energy Agency technical aid.

(3) United Nations Security Council Resolution 1737 (2006) states that if Iran refuses to comply with the Resolution within 60 days, the Security Council ''shall adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with this resolution and the requirements of the IAEA, and underlines that further decisions will be required should such additional measures be necessary''.

(4) According to a report issued by the International Atomic Energy Agency on February 21, 2007, Iran failed to comply with United Nations Resolution 1737 within 60 days.

(5) The refusal of the Government of Iran to comply with International Atomic Energy Agency orders to prove the peaceful intent of its nuclear program and with United Nations Security Council Resolution 1737 (2006) indicates that the efforts of the Government of Iran toward uranium enrichment are not for peaceful means.

(6) The Government of Iran has contributed to instability in the Middle East and has shown itself unwilling to use its influence to support peaceful transformation in the region, including through the following actions:

(A) The Government of Iran has demonstrated its ability to strike United States military forces and allies in the Middle East with missiles.

(B) Weapons produced in Iran have moved into Iraq and other countries in the region in support of violent religious extremism, a practice which the Government of Iran is either incapable or unwilling to stop.

(C) President Ahmadinejad continues to assert that Israel will be ''wiped off the map'' and consistently denies the existence of the holocaust, as evidenced through hosting an ''International Conference to Review the Global Vision of the Holocaust'' on December 11, 2006.

(7) John Michael McConnell, Director of National Intelligence, indicated in a hearing of the Committee on Armed Services of the Senate on February 27, 2007, that economic sanctions on Iran uniformly applied by the international community could have a major effect on the economy of Iran.

(8) The placement and implementation of sanctions on countries such as North Korea and Libya have made progress in bringing about change.

(9) Despite the release of an internal European Union document dated February 7, 2007, which indicated that European Union officials believe that preventing Iran from developing a nuclear weapon is not likely, on February 12, 2007 the European Union agreed, in compliance with United Nations Security Council Resolution 1737 (2006), to impose limited sanctions on Iran in order to prevent the sale of materials and technology that could be used in Iran's nuclear program.

(10) Full economic sanctions on the part of the entire international community have not been applied to Iran.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the nuclear program of the Government of Iran continues to be of grave concern and should be considered a serious threat to the United States and its military forces and personnel in the Middle East, and to United States allies and interests in Europe, the Middle East, and Asia;

(2) as a result of the failure of Iran to comply with United Nations Security Resolution 1737 (2006), the United Nations Security Council should implement additional sanctions in order to persuade Iran to comply with requirements imposed by the International Atomic Energy Agency;

(3) full economic sanctions, uniformly imposed by the entire international community, including Russia and China, offer the best opportunity to bring about significant change in Iran to prevent the development of a nuclear weapon in Iran; and

(4) the elimination of the threat of a nuclear Iran is in the long term interest of the people of Iran, the region, and the world.

SA 361. Mr. LIEBERMAN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 end, add the following new title:

TITLE XVI—ADVANCEMENT OF DEMOCRATIC VALUES

SECTION 1601. SHORT TITLE.

This title may be cited as the ''Advance Democratic Values, Address Non-democratic Countries, and Enhance Democracy Act of 2007'' or the ''ADVANCE Democracy Act of 2007''.

SEC. 1602. FINDINGS.

Congress finds that in order to support the expansion of freedom and democracy in the world, the foreign policy of the United States should be organized in support of transformational diplomacy that seeks to work through partnerships to build and sustain democratic, well-governed states that will respect human rights and respond to the needs of their people and conduct themselves responsibly in the international system.

SEC. 1603. STATEMENT OF POLICY.

It should be the policy of the United States—

(1) to promote freedom and democracy in foreign countries as a fundamental component of the foreign policy of the United States;

(2) to affirm internationally recognized human rights standards and norms and to condemn offenses against those rights;

(3) to use instruments of United States influence to support, promote, and strengthen democratic principles, practices, and values, including the right to free, fair, and open elections, secret balloting, and universal suffrage;

(4) to protect and promote fundamental freedoms and rights, including the freedom of association, of expression, of the press, and of religion, and the right to own private property;

(5) to protect and promote respect for and adherence to the rule of law;

(6) to provide appropriate support to nongovernmental organizations working to promote freedom and democracy;

(7) to provide political, economic, and other support to countries that are willingly undertaking a transition to democracy;

(8) to commit to the long-term challenge of promoting universal democracy; and

(9) to strengthen alliances and relationships with other democratic countries in

order to better promote and defend shared values and ideals.

SEC. 1604. DEFINITIONS.

In this title:

(1) ANNUAL REPORT ON ADVANCING FREEDOM AND DEMOCRACY.—The term ''Annual Report on Advancing Freedom and Democracy'' refers to the annual report submitted to Congress by the Department of State pursuant to section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2151n note), in which the Department reports on actions taken by the United States Government to encourage respect for human rights and democracy.

(2) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of State for Democracy, Human Rights, and Labor.

(3) COMMUNITY OF DEMOCRACIES AND COMMUNITY.—The terms ''Community of Democracies'' and ''Community'' mean the association of democratic countries committed to the global promotion of democratic principles, practices, and values, which held its First Ministerial Conference in Warsaw, Poland, in June 2000.

(4) DEPARTMENT.—The term ''Department'' means the Department of State.

(5) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of State for Democracy and Global Affairs.

Subtitle A—Liaison Officers and Fellowship Program to Enhance the Promotion of Democracy

SEC. 1611. DEMOCRACY LIAISON OFFICERS.

(a) IN GENERAL.—The Secretary of State shall establish and staff Democracy Liaison Officer positions, under the supervision of the Assistant Secretary, who may be assigned to the following posts:

(1) United States missions to, or liaison with, regional and multilateral organizations, including the United States missions to the European Union, African Union, Organization of American States and any other appropriate regional organization, Organization for Security and Cooperation in Europe, the United Nations and its relevant specialized agencies, and the North Atlantic Treaty Organization.

(2) Regional public diplomacy centers of the Department.

(3) United States combatant commands.

(4) Other posts as designated by the Secretary of State.

(b) RESPONSIBILITIES.—Each Democracy Liaison Officer should—

(1) provide expertise on effective approaches to promote and build democracy;

(2) assist in formulating and implementing strategies for transitions to democracy; and

(3) carry out other responsibilities as the Secretary of State and the Assistant Secretary may assign.

(c) NEW POSITIONS.—The Democracy Liaison Officer positions established under subsection (a) should be new positions that are in addition to existing officer positions with responsibility for other human rights and democracy related issues and programs.

(d) RELATIONSHIP TO OTHER AUTHORITIES.—Nothing in this section may be construed as removing any authority or responsibility of a chief of mission or other employee of a diplomatic mission of the United States provided under any other provision of law, including any authority or responsibility for the development or implementation of strategies to promote democracy.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State such sums as may be necessary to carry out the responsibilities described in subsection (b), including hiring additional staff to carry out such responsibilities.

SEC. 1612. DEMOCRACY FELLOWSHIP PROGRAM.

(a) REQUIREMENT FOR PROGRAM.—The Secretary of State shall establish a Democracy Fellowship Program to enable Department officers to gain an additional perspective on democracy promotion abroad by working on democracy issues in congressional committees with oversight over the subject matter of this title, including the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives, and in nongovernmental organizations involved in democracy promotion.

(b) SELECTION AND PLACEMENT.—The Assistant Secretary shall play a central role in the selection of Democracy Fellows and facilitate their placement in appropriate congressional offices and nongovernmental organizations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State such sums as may be necessary to carry out the responsibilities under subsection (a), including hiring additional staff to carry out such responsibilities.

Subtitle B—Annual Report on Advancing Freedom and Democracy

SEC. 1621. ANNUAL REPORT.

(a) REPORT TITLE.—Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2151n note) is amended in the first sentence by inserting ''entitled the Advancing Freedom and Democracy Report'' before the period at the end.

(b) SCHEDULE FOR SUBMISSION.—If a report entitled the Advancing Freedom and Democracy Report pursuant to section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003, as amended by subsection (a), is submitted under such section, such report shall be submitted not later than 90 days after the date of submission of the report required by section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)).

(c) CONFORMING AMENDMENT.—Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 2151n note) is amended by striking ''30 days'' and inserting ''90 days''.

SEC. 1622. SENSE OF CONGRESS ON TRANSLATION OF HUMAN RIGHTS REPORTS.

It is the sense of Congress that the Secretary of State should continue to ensure and expand the timely translation of Human Rights and International Religious Freedom reports and the Annual Report on Advancing Freedom and Democracy prepared by personnel of the Department of State into the principal languages of as many countries as possible. Translations are welcomed because information on United States support for universal enjoyment of freedoms and rights serves to encourage individuals around the globe seeking to advance the cause of freedom in their countries.

Subtitle C—Advisory Committee on Democracy Promotion and the Internet Website of the Department of State

SEC. 1631. ADVISORY COMMITTEE ON DEMOCRACY PROMOTION.

(a) SENSE OF CONGRESS.—Congress commends the Secretary of State for creating an Advisory Committee on Democracy Promotion, and it is the sense of Congress that the Committee should play a significant role in the Department's transformational diplomacy by advising the Secretary of State regarding United States efforts to promote democracy and democratic transition in connection with the formulation and implementation of United States foreign policy and foreign assistance.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State for the purpose of implementing the Advisory Committee on Democracy Promotion $1,000,000 for each of fiscal years 2008, 2009, and 2010.

SEC. 1632. SENSE OF CONGRESS ON THE INTERNET WEBSITE OF THE DEPARTMENT OF STATE.

It is the sense of Congress that—

(1) the Secretary of State should continue and further expand the Secretary's existing efforts to inform the public in foreign countries of the efforts of the United States to promote democracy and defend human rights through the Internet website of the Department of State;

(2) the Secretary of State should continue to enhance the democracy promotion materials and resources on that Internet website, as such enhancement can benefit and encourage those around the world who seek freedom; and

(3) such enhancement should include where possible and practical, translated reports on democracy and human rights prepared by personnel of the Department, narratives and histories highlighting successful nonviolent democratic movements, and other relevant material.

Subtitle D—Training in Democracy and Human Rights; Promotions

SEC. 1641. SENSE OF CONGRESS ON TRAINING IN DEMOCRACY AND HUMAN RIGHTS.

It is the sense of Congress that—

(1) the Secretary of State should continue to enhance and expand the training provided to foreign service officers and civil service employees on how to strengthen and promote democracy and human rights; and

(2) the Secretary of State should continue the effective and successful use of case studies and practical workshops addressing potential challenges, and work with non-state actors, including nongovernmental organizations that support democratic principles, practices, and values.

SEC. 1642. ADVANCE DEMOCRACY AWARD.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of State should further strengthen the capacity of the Department to carry out result-based democracy promotion efforts through the establishment of awards and other employee incentives, including the establishment of an annual award known as Outstanding Achievements in Advancing Democracy, or the ADVANCE Democracy Award, that would be awarded to officers or employees of the Department; and

(2) the Secretary of State should establish the procedures for selecting recipients of such award, including any financial terms, associated with such award.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State such sums as may be necessary to fund the award described in subsection (a), including costs associated with travel of the recipient to Washington, DC.

SEC. 1643. PROMOTIONS.

The precepts for selection boards responsible for recommending promotions of foreign service officers, including members of the senior foreign service, should include consideration of a candidate's experience or service in promotion of human rights and democracy.

SEC. 1644. PROGRAMS BY UNITED STATES MISSIONS IN FOREIGN COUNTRIES AND ACTIVITIES OF CHIEFS OF MISSION.

It is the sense of Congress that each chief of mission should provide input on the actions described in the Advancing Freedom and Democracy Report submitted under section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law

107–228; 22 U.S.C. 2151n note), as amended by section 1621, and should intensify democracy and human rights promotion activities.

Subtitle E—Alliances With Democratic Countries

SEC. 1651. ALLIANCES WITH DEMOCRATIC COUNTRIES.

(a) ESTABLISHMENT OF AN OFFICE FOR THE COMMUNITY OF DEMOCRACIES.—

(1) IN GENERAL.—The Secretary of State should, and is authorized to, establish an Office for the Community of Democracies with the mission to further develop and strengthen the institutional structure of the Community of Democracies, develop interministerial projects, enhance the United Nations Democracy Caucus, manage policy development of the United Nations Democracy Fund, and enhance coordination with other regional and multilateral bodies with jurisdiction over democracy issues.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State such sums as may be necessary for establishing and maintaining the Office of the Community of Democracies.

(b) INTERNATIONAL CENTER FOR DEMOCRATIC TRANSITION.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the International Center for Democratic Transition, an initiative of the Government of Hungary, serves to promote practical projects and the sharing of best practices in the area of democracy promotion and should be supported by, in particular, other European countries with experiences in democratic transitions, the United States, and private individuals.

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated for a grant to the International Center for Democratic Transition $1,000,000 for each of fiscal years 2008, 2009, and 2010.

(B) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization of appropriations in this paragraph shall remain available until expended.

Subtitle F—Funding for Promotion of Democracy

SEC. 1661. SENSE OF CONGRESS ON THE UNITED NATIONS DEMOCRACY FUND.

It is the sense of Congress that the United States should work with other countries to enhance the goals and work of the United Nations Democracy Fund, an essential tool to promote democracy, and in particular support civil society in their efforts to help consolidate democracy and bring about transformational change.

SEC. 1662. THE HUMAN RIGHTS AND DEMOCRACY FUND.

(a) PURPOSE.—The purpose of the Human Rights and Democracy Fund should be to support innovative programming, media, and materials designed to uphold democratic principles, support and strengthen democratic institutions, promote human rights and the rule of law, and build civil societies in countries around the world.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Human Rights and Democracy Fund to carry out the purposes of this section $100,000,000 for fiscal year 2008 and $150,000,000 for fiscal year 2009.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization of appropriation in this subsection shall remain available until expended.

SA 362. Mr. KOHL (for himself, Mr. SPECTER, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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:

On page 389, after line 13, add the following:

TITLE ____.—CIGARETTE TRAFFICKING

SEC. ____01. SHORT TITLE; FINDINGS; PURPOSE.

(a) SHORT TITLE.—This title may be cited as the ''Prevent All Cigarette Trafficking Act of 2007'' or ''PACT Act''.

(b) FINDINGS.—Congress finds that—

(1) the sale of illegal cigarettes and smokeless tobacco products significantly reduces Federal, State, and local government revenues, with Internet sales alone accounting for billions of dollars of lost Federal, State, and local tobacco tax revenue each year;

(2) Hezbollah, Hamas, al Qaeda, and other terrorist organizations have profited from trafficking in illegal cigarettes or counterfeit cigarette tax stamps;

(3) terrorist involvement in illicit cigarette trafficking will continue to grow because of the large profits such organizations can earn;

(4) the sale of illegal cigarettes and smokeless tobacco over the Internet, and through mail, fax, or phone orders, make it cheaper and easier for children to obtain tobacco products;

(5) the majority of Internet and other remote sales of cigarettes and smokeless tobacco are being made without adequate precautions to protect against sales to children, without the payment of applicable taxes, and without complying with the nominal registration and reporting requirements in existing Federal law;

(6) unfair competition from illegal sales of cigarettes and smokeless tobacco is taking billions of dollars of sales away from law-abiding retailers throughout the United States;

(7) with rising State and local tobacco tax rates, the incentives for the illegal sale of cigarettes and smokeless tobacco have increased;

(8) the number of active tobacco investigations being conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives rose to 452 in 2005;

(9) the number of Internet vendors in the United States and in foreign countries that sell cigarettes and smokeless tobacco to buyers in the United States has increased from only about 40 in 2000 to more than 500 in 2005; and

(10) the intrastate sale of illegal cigarettes and smokeless tobacco over the Internet has a substantial effect on interstate commerce.

(c) PURPOSES.—It is the purpose of this title to—

(1) require Internet and other remote sellers of cigarettes and smokeless tobacco to comply with the same laws that apply to law-abiding tobacco retailers;

(2) create strong disincentives to illegal smuggling of tobacco products;

(3) provide government enforcement officials with more effective enforcement tools to combat tobacco smuggling;

(4) make it more difficult for cigarette and smokeless tobacco traffickers to engage in and profit from their illegal activities;

(5) increase collections of Federal, State, and local excise taxes on cigarettes and smokeless tobacco; and

(6) prevent and reduce youth access to inexpensive cigarettes and smokeless tobacco through illegal Internet or contraband sales.

SEC. ____02. COLLECTION OF STATE CIGARETTE AND SMOKELESS TOBACCO TAXES.

(a) DEFINITIONS.—The Act of October 19, 1949 (15 U.S.C. 375 et seq.; commonly referred to as the ''Jenkins Act'') (referred to in this title as the ''Jenkins Act''), is amended by striking the first section and inserting the following:

''SECTION 1. DEFINITIONS.

''As used in this Act, the following definitions apply:

''(1) ATTORNEY GENERAL.—The term 'attorney general', with respect to a State, means the attorney general or other chief law enforcement officer of the State, or the designee of that officer.

''(2) CIGARETTE.—

''(A) IN GENERAL.—For purposes of this Act, the term 'cigarette' shall—

''(i) have the same meaning given that term in section 2341 of title 18, United States Code; and

''(ii) include 'roll-your-own tobacco' (as that term is defined in section 5702 of the Internal Revenue Code of 1986).

''(B) EXCEPTION.—For purposes of this Act, the term 'cigarette' does not include a 'cigar,' as that term is defined in section 5702 of the Internal Revenue Code of 1986.

''(3) COMMON CARRIER.—The term 'common carrier' means any person (other than a local messenger service or the United States Postal Service) that holds itself out to the general public as a provider for hire of the transportation by water, land, or air of merchandise, whether or not the person actually operates the vessel, vehicle, or aircraft by which the transportation is provided, between a port or place and a port or place in the United States.

''(4) CONSUMER.—The term 'consumer' means any person that purchases cigarettes or smokeless tobacco, but does not include any person lawfully operating as a manufacturer, distributor, wholesaler, or retailer of cigarettes or smokeless tobacco.

''(5) DELIVERY SALE.—The term 'delivery sale' means any sale of cigarettes or smokeless tobacco to a consumer if—

''(A) the consumer submits the order for such sale by means of a telephone or other method of voice transmission, the mails, or the Internet or other online service, or the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made; or

''(B) the cigarettes or smokeless tobacco are delivered by use of a common carrier, private delivery service, or the mails, or the seller is not in the physical presence of the buyer when the buyer obtains possession of the cigarettes or smokeless tobacco.

''(6) DELIVERY SELLER.—The term 'delivery seller' means a person who makes a delivery sale.

''(7) INDIAN COUNTRY.—The term 'Indian country' has the meaning given that term in section 1151 of title 18, United States Code, except that within the State of Alaska that term applies only to the Metlakatla Indian Community, Annette Island Reserve.

''(8) INDIAN TRIBE.—The term 'Indian tribe', 'tribe', or 'tribal' refers to an Indian tribe as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)) or as listed pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a–1).

''(9) INTERSTATE COMMERCE.—The term 'interstate commerce' means commerce between a State and any place outside the State, commerce between a State and any Indian country in the State, or commerce between points in the same State but through any place outside the State or through any Indian country.

''(10) PERSON.—The term 'person' means an individual, corporation, company, association, firm, partnership, society, State government, local government, Indian tribal government, governmental organization of such government, or joint stock company.

''(11) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

''(12) SMOKELESS TOBACCO.—The term 'smokeless tobacco' means any finely cut, ground, powdered, or leaf tobacco, or other product containing tobacco, that is intended to be placed in the oral or nasal cavity or otherwise consumed without being combusted.

''(13) TOBACCO TAX ADMINISTRATOR.—The term 'tobacco tax administrator' means the State, local, or tribal official duly authorized to collect the tobacco tax or administer the tax law of a State, locality, or tribe, respectively.

''(14) USE.—The term 'use', in addition to its ordinary meaning, means the consumption, storage, handling, or disposal of cigarettes or smokeless tobacco.''.

(b) REPORTS TO STATE TOBACCO TAX ADMINISTRATORS.—Section 2 of the Jenkins Act (15 U.S.C. 376) is amended—

(1) by striking ''cigarettes'' each place it appears and inserting ''cigarettes or smokeless tobacco'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''CONTENTS.—''after ''(a)''

(ii) by striking ''or transfers'' and inserting '', transfers, or ships'';

(iii) by inserting '', locality, or Indian country of an Indian tribe'' after ''a State'';

(iv) by striking ''to other than a distributor licensed by or located in such State,''; and

(v) by striking ''or transfer and shipment'' and inserting '', transfer, or shipment'';

(B) in paragraph (1)—

(i) by striking ''with the tobacco tax administrator of the State'' and inserting ''with the Attorney General of the United States and with the tobacco tax administrators of the State and place''; and

(ii) by striking ''; and'' and inserting the following: '', as well as telephone numbers for each place of business, a principal electronic mail address, any website addresses, and the name, address, and telephone number of an agent in the State authorized to accept service on behalf of such person;'';

(C) in paragraph (2), by striking ''and the quantity thereof.'' and inserting ''the quantity thereof, and the name, address, and phone number of the person delivering the shipment to the recipient on behalf of the delivery seller, with all invoice or memoranda information relating to specific customers to be organized by city or town and by zip code; and''; and

(D) by adding at the end the following:

''(3) with respect to each memorandum or invoice filed with a State under paragraph (2), also file copies of such memorandum or invoice with the tobacco tax administrators and chief law enforcement officers of the local governments and Indian tribes operating within the borders of the State that apply their own local or tribal taxes on cigarettes or smokeless tobacco.'';

(3) in subsection (b)—

(A) by inserting ''PRESUMPTIVE EVIDENCE.—'' after ''(b)'';

(B) by striking ''(1) that'' and inserting ''that''; and

(C) by striking '', and (2)'' and all that follows and inserting a period; and

(4) by adding at the end the following:

''(c) USE OF INFORMATION.—A tobacco tax administrator or chief law enforcement officer who receives a memorandum or invoice under paragraph (2) or (3) of subsection (a) shall use such memorandum or invoice solely for the purposes of the enforcement of this Act and the collection of any taxes owed on related sales of cigarettes and smokeless tobacco, and shall keep confidential any personal information in such memorandum or invoice not otherwise required for such purposes.''.

(c) REQUIREMENTS FOR DELIVERY SALES.—The Jenkins Act is amended by inserting after section 2 the following:

''SEC. 2A. DELIVERY SALES.

''(a) IN GENERAL.—With respect to delivery sales into a specific State and place, each delivery seller shall comply with—

''(1) the shipping requirements set forth in subsection (b);

''(2) the recordkeeping requirements set forth in subsection (c);

''(3) all State, local, tribal, and other laws generally applicable to sales of cigarettes or smokeless tobacco as if such delivery sales occurred entirely within the specific State and place, including laws imposing—

''(A) excise taxes;

''(B) licensing and tax-stamping requirements;

''(C) restrictions on sales to minors; and

''(D) other payment obligations or legal requirements relating to the sale, distribution, or delivery of cigarettes or smokeless tobacco; and

''(4) the tax collection requirements set forth in subsection (d).

''(b) SHIPPING AND PACKAGING.—

''(1) REQUIRED STATEMENT.—For any shipping package containing cigarettes or smokeless tobacco, the delivery seller shall include on the bill of lading, if any, and on the outside of the shipping package, on the same surface as the delivery address, a clear and conspicuous statement providing as follows: 'CIGARETTES/SMOKELESS TOBACCO: FEDERAL LAW REQUIRES THE PAYMENT OF ALL APPLICABLE EXCISE TAXES, AND COMPLIANCE WITH APPLICABLE LICENSING AND TAX-STAMPING OBLIGATIONS'.

''(2) FAILURE TO LABEL.—Any shipping package described in paragraph (1) that is not labeled in accordance with that paragraph shall be treated as nondeliverable matter by a common carrier or other delivery service, if the common carrier or other delivery service knows or should know the package contains cigarettes or smokeless tobacco. If a common carrier or other delivery service believes a package is being submitted for delivery in violation of paragraph (1), it may require the person submitting the package for delivery to establish that it is not being sent in violation of paragraph (1) before accepting the package for delivery. Nothing in this paragraph shall require the common carrier or other delivery service to open any package to determine its contents.

''(3) WEIGHT RESTRICTION.—A delivery seller shall not sell, offer for sale, deliver, or cause to be delivered in any single sale or single delivery any cigarettes or smokeless tobacco weighing more than 10 pounds.

''(4) AGE VERIFICATION.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a delivery seller who mails or ships tobacco products—

''(i) shall not sell, deliver, or cause to be delivered any tobacco products to a person under the minimum age required for the legal sale or purchase of tobacco products, as determined by the applicable law at the place of delivery;

''(ii) shall use a method of mailing or shipping that requires—

''(I) the purchaser placing the delivery sale order, or an adult who is at least the minimum age required for the legal sale or purchase of tobacco products, as determined by the applicable law at the place of delivery, to sign to accept delivery of the shipping container at the delivery address; and

''(II) the person who signs to accept delivery of the shipping container to provide proof, in the form of a valid, government-issued identification bearing a photograph of the individual, that the person is at least the minimum age required for the legal sale or purchase of tobacco products, as determined by the applicable law at the place of delivery; and

''(iii) shall not accept a delivery sale order from a person without—

''(I) obtaining the full name, birth date, and residential address of that person; and

''(II) verifying the information provided in subclause (I), through the use of a commercially available database or aggregate of databases, consisting primarily of data from government sources, that are regularly used by government and businesses for the purpose of age and identity verification and authentication, to ensure that the purchaser is at least the minimum age required for the legal sale or purchase of tobacco products, as determined by the applicable law at the place of delivery.

''(B) LIMITATION.—No database being used for age and identity verification under subparagraph (A)(iii) shall be in the possession or under the control of the delivery seller, or be subject to any changes or supplementation by the delivery seller.

''(c) RECORDS.—

''(1) IN GENERAL.—Each delivery seller shall keep a record of any delivery sale, including all of the information described in section 2(a)(2), organized by the State, and within such State, by the city or town and by zip code, into which such delivery sale is so made.

''(2) RECORD RETENTION.—Records of a delivery sale shall be kept as described in paragraph (1) in the year in which the delivery sale is made and for the next 4 years.

''(3) ACCESS FOR OFFICIALS.—Records kept under paragraph (1) shall be made available to tobacco tax administrators of the States, to local governments and Indian tribes that apply their own local or tribal taxes on cigarettes or smokeless tobacco, to the attorneys general of the States, to the chief law enforcement officers of such local governments and Indian tribes, and to the Attorney General of the United States in order to ensure the compliance of persons making delivery sales with the requirements of this Act.

''(d) DELIVERY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no delivery seller may sell or deliver to any consumer, or tender to any common carrier or other delivery service, any cigarettes or smokeless tobacco pursuant to a delivery sale unless, in advance of the sale, delivery, or tender—

''(A) any cigarette or smokeless tobacco excise tax that is imposed by the State in which the cigarettes or smokeless tobacco are to be delivered has been paid to the State;

''(B) any cigarette or smokeless tobacco excise tax that is imposed by the local government of the place in which the cigarettes or smokeless tobacco are to be delivered has been paid to the local government; and

''(C) any required stamps or other indicia that such excise tax has been paid are properly affixed or applied to the cigarettes or smokeless tobacco.

''(2) EXCEPTION.—Paragraph (1) does not apply to a delivery sale of smokeless tobacco if the law of the State or local government of the place where the smokeless tobacco is to be delivered requires or otherwise provides that delivery sellers collect the excise tax

from the consumer and remit the excise tax to the State or local government, and the delivery seller complies with the requirement.

''(e) LIST OF UNREGISTERED OR NONCOMPLIANT DELIVERY SELLERS.—

''(1) IN GENERAL.—

''(A) INITIAL LIST.—Not later than 90 days after this subsection goes into effect under the Prevent All Cigarette Trafficking Act of 2007, the Attorney General of the United States shall compile a list of delivery sellers of cigarettes or smokeless tobacco that have not registered with the Attorney General, pursuant to section 2(a) or that are otherwise not in compliance with this Act, and—

''(i) distribute the list to—

''(I) the attorney general and tax administrator of every State;

''(II) common carriers and other persons that deliver small packages to consumers in interstate commerce, including the United States Postal Service; and

''(III) at the discretion of the Attorney General of the United States, to any other persons; and

''(ii) publicize and make the list available to any other person engaged in the business of interstate deliveries or who delivers cigarettes or smokeless tobacco in or into any State.

''(B) LIST CONTENTS.—To the extent known, the Attorney General of the United States shall include, for each delivery seller on the list described in subparagraph (A)—

''(i) all names the delivery seller uses in the transaction of its business or on packages delivered to customers;

''(ii) all addresses from which the delivery seller does business or ships cigarettes or smokeless tobacco;

''(iii) the website addresses, primary e-mail address, and phone number of the delivery seller; and

''(iv) any other information that the Attorney General determines would facilitate compliance with this subsection by recipients of the list.

''(C) UPDATING.—The Attorney General of the United States shall update and distribute the list at least once every 4 months, and may distribute the list and any updates by regular mail, electronic mail, or any other reasonable means, or by providing recipients with access to the list through a nonpublic website that the Attorney General of the United States regularly updates.

''(D) STATE, LOCAL, OR TRIBAL ADDITIONS.—The Attorney General of the United States shall include in the list under subparagraph (A) any noncomplying delivery sellers identified by any State, local, or tribal government under paragraph (5), and shall distribute the list to the attorney general or chief law enforcement official and the tax administrator of any government submitting any such information and to any common carriers or other persons who deliver small packages to consumers identified by any government pursuant to paragraph (5).

''(E) CONFIDENTIALITY.—The list distributed pursuant to subparagraph (A) shall be confidential, and any person receiving the list shall maintain the confidentiality of the list but may deliver the list, for enforcement purposes, to any government official or to any common carrier or other person that delivers tobacco products or small packages to consumers. Nothing in this section shall prohibit a common carrier, the United States Postal Service, or any other person receiving the list from discussing with the listed delivery sellers the delivery sellers' inclusion on the list and the resulting effects on any services requested by such listed delivery seller.

''(2) PROHIBITION ON DELIVERY.—

''(A) IN GENERAL.—Commencing on the date that is 60 days after the date of the initial distribution or availability of the list under paragraph (1)(A), no person who receives the list under paragraph (1), and no person who delivers cigarettes or smokeless tobacco to consumers, shall knowingly complete, cause to be completed, or complete its portion of a delivery of any package for any person whose name and address are on the list, unless—

''(i) the person making the delivery knows or believes in good faith that the item does not include cigarettes or smokeless tobacco;

''(ii) the delivery is made to a person lawfully engaged in the business of manufacturing, distributing, or selling cigarettes or smokeless tobacco; or

''(iii) the package being delivered weighs more than 100 pounds and the person making the delivery does not know or have reasonable cause to believe that the package contains cigarettes or smokeless tobacco.

''(B) IMPLEMENTATION OF UPDATES.—Commencing on the date that is 30 days after the date of the distribution or availability of any updates or corrections to the list under paragraph (1), all recipients and all common carriers or other persons that deliver cigarettes or smokeless tobacco to consumers shall be subject to subparagraph (A) in regard to such corrections or updates.

''(3) SHIPMENTS FROM PERSONS ON LIST.—

''(A) IN GENERAL.—In the event that a common carrier or other delivery service delays or interrupts the delivery of a package it has in its possession because it determines or has reason to believe that the person ordering the delivery is on a list distributed under paragraph (1)—

''(i) the person ordering the delivery shall be obligated to pay—

''(I) the common carrier or other delivery service as if the delivery of the package had been timely completed; and

''(II) if the package is not deliverable, any reasonable additional fee or charge levied by the common carrier or other delivery service to cover its extra costs and inconvenience and to serve as a disincentive against such noncomplying delivery orders; and

''(ii) if the package is determined not to be deliverable, the common carrier or other delivery service shall, in its discretion, either provide the package and its contents to a Federal, State, or local law enforcement agency or destroy the package and its contents.

''(B) RECORDS.—A common carrier or other delivery service shall maintain, for a period of 5 years, any records kept in the ordinary course of business relating to any deliveries interrupted pursuant to this paragraph and provide that information, upon request, to the Attorney General of the United States or to the attorney general or chief law enforcement official or tax administrator of any State, local, or tribal government.

''(C) CONFIDENTIALITY.—Any person receiving records under subparagraph (B) shall use such records solely for the purposes of the enforcement of this Act and the collection of any taxes owed on related sales of cigarettes and smokeless tobacco, and the person receiving records under subparagraph (B) shall keep confidential any personal information in such records not otherwise required for such purposes.

''(4) PREEMPTION.—

''(A) IN GENERAL.—No State, local, or tribal government, nor any political authority of 2 or more State, local, or tribal governments, may enact or enforce any law or regulation relating to delivery sales that restricts deliveries of cigarettes or smokeless tobacco to consumers by common carriers or other delivery services on behalf of delivery sellers by—

''(i) requiring that the common carrier or other delivery service verify the age or identity of the consumer accepting the delivery by requiring the person who signs to accept delivery of the shipping container to provide proof, in the form of a valid, government-issued identification bearing a photograph of the individual, that such person is at least the minimum age required for the legal sale or purchase of tobacco products, as determined by either State or local law at the place of delivery;

''(ii) requiring that the common carrier or other delivery service obtain a signature from the consumer accepting the delivery;

''(iii) requiring that the common carrier or other delivery service verify that all applicable taxes have been paid;

''(iv) requiring that packages delivered by the common carrier or other delivery service contain any particular labels, notice, or markings; or

''(v) prohibiting common carriers or other delivery services from making deliveries on the basis of whether the delivery seller is or is not identified on any list of delivery sellers maintained and distributed by any entity other than the Federal Government.

''(B) RELATIONSHIP TO OTHER LAWS.—Nothing in this paragraph shall be construed to prohibit, expand, restrict, or otherwise amend or modify—

''(i) section 14501(c)(1) or 41713(b)(4) of title 49, United States Code;

''(ii) any other restrictions in Federal law on the ability of State, local, or tribal governments to regulate common carriers; or

''(iii) any provision of State, local, or tribal law regulating common carriers that falls within the provisions of chapter 49 of the United States Code, sections 14501(c)(2) or 41713(b)(4)(B).

''(C) STATE LAWS PROHIBITING DELIVERY SALES.—Nothing in the Prevent All Cigarette Trafficking Act of 2007, or the amendments made by that Act, may be construed to preempt or supersede State laws prohibiting the delivery sale, or the shipment or delivery pursuant to a delivery sale, of cigarettes or smokeless tobacco to individual consumers.

''(5) STATE, LOCAL, AND TRIBAL ADDITIONS.—

''(A) IN GENERAL.—Any State, local, or tribal government shall provide the Attorney General of the United States with—

''(i) all known names, addresses, website addresses, and other primary contact information of any delivery seller that offers for sale or makes sales of cigarettes or smokeless tobacco in or into the State, locality, or tribal land but has failed to register with or make reports to the respective tax administrator, as required by this Act, or that has been found in a legal proceeding to have otherwise failed to comply with this Act; and

''(ii) a list of common carriers and other persons who make deliveries of cigarettes or smokeless tobacco in or into the State, locality, or tribal lands.

''(B) UPDATES.—Any government providing a list to the Attorney General of the United States under subparagraph (A) shall also provide updates and corrections every 4 months until such time as such government notifies the Attorney General of the United States in writing that such government no longer desires to submit such information to supplement the list maintained and distributed by the Attorney General of the United States under paragraph (1).

''(C) REMOVAL AFTER WITHDRAWAL.—Upon receiving written notice that a government no longer desires to submit information under subparagraph (A), the Attorney General of the United States shall remove from the list under paragraph (1) any persons that are on the list solely because of such government's prior submissions of its list of noncomplying delivery sellers of cigarettes or smokeless tobacco or its subsequent updates and corrections.

''(6) DEADLINE TO INCORPORATE ADDITIONS.—The Attorney General of the United States shall—

''(A) include any delivery seller identified and submitted by a State, local, or tribal government under paragraph (5) in any list or update that is distributed or made available under paragraph (1) on or after the date that is 30 days after the date on which the information is received by the Attorney General of the United States; and

''(B) distribute any such list or update to any common carrier or other person who makes deliveries of cigarettes or smokeless tobacco that has been identified and submitted by another government, pursuant to paragraph (5).

''(7) NOTICE TO DELIVERY SELLERS.—Not later than 14 days prior to including any delivery seller on the initial list distributed or made available under paragraph (1), or on any subsequent list or update for the first time, the Attorney General of the United States shall make a reasonable attempt to send notice to the delivery seller by letter, electronic mail, or other means that the delivery seller is being placed on such list or update, with that notice citing the relevant provisions of this Act.

''(8) LIMITATIONS.—

''(A) IN GENERAL.—Any common carrier or other person making a delivery subject to this subsection shall not be required or otherwise obligated to—

''(i) determine whether any list distributed or made available under paragraph (1) is complete, accurate, or up-to-date;

''(ii) determine whether a person ordering a delivery is in compliance with this Act; or

''(iii) open or inspect, pursuant to this Act, any package being delivered to determine its contents.

''(B) ALTERNATE NAMES.—Any common carrier or other person making a delivery subject to this subsection shall not be required or otherwise obligated to make any inquiries or otherwise determine whether a person ordering a delivery is a delivery seller on the list under paragraph (1) who is using a different name or address in order to evade the related delivery restrictions, but shall not knowingly deliver any packages to consumers for any such delivery seller who the common carrier or other delivery service knows is a delivery seller who is on the list under paragraph (1) but is using a different name or address to evade the delivery restrictions of paragraph (2).

''(C) PENALTIES.—Any common carrier or person in the business of delivering packages on behalf of other persons shall not be subject to any penalty under section 14101(a) of title 49, United States Code, or any other provision of law for—

''(i) not making any specific delivery, or any deliveries at all, on behalf of any person on the list under paragraph (1);

''(ii) not, as a matter of regular practice and procedure, making any deliveries, or any deliveries in certain States, of any cigarettes or smokeless tobacco for any person or for any person not in the business of manufacturing, distributing, or selling cigarettes or smokeless tobacco; or

''(iii) delaying or not making a delivery for any person because of reasonable efforts to comply with this Act.

''(D) OTHER LIMITS.—Section 2 and subsections (a), (b), (c), and (d) of this section shall not be interpreted to impose any responsibilities, requirements, or liability on common carriers.

''(f) PRESUMPTION.—For purposes of this Act, a delivery sale shall be deemed to have occurred in the State and place where the buyer obtains personal possession of the cigarettes or smokeless tobacco, and a delivery pursuant to a delivery sale is deemed to have been initiated or ordered by the delivery seller.''.

(d) PENALTIES.—The Jenkins Act is amended by striking section 3 and inserting the following:

''SEC. 3. PENALTIES.

''(a) CRIMINAL PENALTIES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), whoever violates any provision of this Act shall be guilty of a felony and shall be imprisoned not more than 3 years, fined under title 18, United States Code, or both.

''(2) EXCEPTIONS.—

''(A) GOVERNMENTS.—Paragraph (1) shall not apply to a State, local, or tribal government.

''(B) DELIVERY VIOLATIONS.—A common carrier or independent delivery service, or employee of a common carrier or independent delivery service, shall be subject to criminal penalties under paragraph (1) for a violation of section 2A(e) only if the violation is committed intentionally—

''(i) as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value; or

''(ii) for the purpose of assisting a delivery seller to violate, or otherwise evading compliance with, section 2A.

''(b) CIVIL PENALTIES.—

''(1) IN GENERAL.—Except as provided in paragraph (3), whoever violates any provision of this Act shall be subject to a civil penalty in an amount not to exceed—

''(A) in the case of a delivery seller, the greater of—

''(i) $5,000 in the case of the first violation, or $10,000 for any other violation; or

''(ii) for any violation, 2 percent of the gross sales of cigarettes or smokeless tobacco of such person during the 1-year period ending on the date of the violation.

''(B) in the case of a common carrier or other delivery service, $2,500 in the case of a first violation, or $5,000 for any violation within 1 year of a prior violation.

''(2) RELATION TO OTHER PENALTIES.—A civil penalty under paragraph (1) for a violation of this Act shall be imposed in addition to any criminal penalty under subsection (a) and any other damages, equitable relief, or injunctive relief awarded by the court, including the payment of any unpaid taxes to the appropriate Federal, State, local, or tribal governments.

''(3) EXCEPTIONS.—

''(A) DELIVERY VIOLATIONS.—An employee of a common carrier or independent delivery service shall be subject to civil penalties under paragraph (1) for a violation of section 2A(e) only if the violation is committed intentionally—

''(i) as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value; or

''(ii) for the purpose of assisting a delivery seller to violate, or otherwise evading compliance with, section 2A.

''(B) OTHER LIMITATIONS.—No common carrier or independent delivery service shall be subject to civil penalties under paragraph (1) for a violation of section 2A(e) if—

''(i) the common carrier or independent delivery service has implemented and enforces effective policies and practices for complying with that section; or

''(ii) an employee of the common carrier or independent delivery service who physically receives and processes orders, picks up packages, processes packages, or makes deliveries, takes actions that are outside the scope of employment of the employee in the course of the violation, or that violate the implemented and enforced policies of the common carrier or independent delivery service described in clause (i).''.

(e) ENFORCEMENT.—The Jenkins Act is amended by striking section 4 and inserting the following:

''SEC. 4. ENFORCEMENT.

''(a) IN GENERAL.—The United States district courts shall have jurisdiction to prevent and restrain violations of this Act and to provide other appropriate injunctive or equitable relief, including money damages, for such violations.

''(b) AUTHORITY OF THE ATTORNEY GENERAL.—The Attorney General of the United States shall administer and enforce the provisions of this Act.

''(c) STATE, LOCAL, AND TRIBAL ENFORCEMENT.—

''(1) IN GENERAL.—

''(A) STANDING.—A State, through its attorney general (or a designee thereof), or a local government or Indian tribe that levies a tax subject to section 2A(a)(3), through its chief law enforcement officer (or a designee thereof), may bring an action in a United States district court to prevent and restrain violations of this Act by any person (or by any person controlling such person) or to obtain any other appropriate relief from any person (or from any person controlling such person) for violations of this Act, including civil penalties, money damages, and injunctive or other equitable relief.

''(B) SOVEREIGN IMMUNITY.—Nothing in this Act shall be deemed to abrogate or constitute a waiver of any sovereign immunity of a State or local government or Indian tribe against any unconsented lawsuit under this Act, or otherwise to restrict, expand, or modify any sovereign immunity of a State or local government or Indian tribe.

''(2) PROVISION OF INFORMATION.—A State, through its attorney general, or a local government or Indian tribe that levies a tax subject to section 2A(a)(3), through its chief law enforcement officer (or a designee thereof), may provide evidence of a violation of this Act by any person not subject to State, local, or tribal government enforcement actions for violations of this Act to the Attorney General of the United States or a United States attorney, who shall take appropriate actions to enforce the provisions of this Act.

''(3) USE OF PENALTIES COLLECTED.—

''(A) IN GENERAL.—There is established a separate account in the Treasury known as the 'PACT Anti-Trafficking Fund'. Notwithstanding any other provision of law and subject to subparagraph (B), an amount equal to 50 percent of any criminal and civil penalties collected by the United States Government in enforcing the provisions of this Act shall be transferred into the PACT Anti-Trafficking Fund and shall be available to the Attorney General of the United States for purposes of enforcing the provisions of this Act and other laws relating to contraband tobacco products.

''(B) ALLOCATION OF FUNDS.—Of the amount available to the Attorney General under subparagraph (A), not less than 50 percent shall be made available only to the agencies and offices within the Department of Justice that were responsible for the enforcement actions in which the penalties concerned were imposed or for any underlying investigations.

''(4) NONEXCLUSIVITY OF REMEDY.—

''(A) IN GENERAL.—The remedies available under this section and section 3 are in addition to any other remedies available under Federal, State, local, tribal, or other law.

''(B) STATE COURT PROCEEDINGS.—Nothing in this Act shall be construed to expand, restrict, or otherwise modify any right of an authorized State official to proceed in State court, or take other enforcement actions, on the basis of an alleged violation of State or other law.

''(C) TRIBAL COURT PROCEEDINGS.—Nothing in this Act shall be construed to expand, restrict, or otherwise modify any right of an authorized Indian tribal government official to proceed in tribal court, or take other enforcement actions, on the basis of an alleged violation of tribal law.

''(D) LOCAL GOVERNMENT ENFORCEMENT.—Nothing in this Act shall be construed to expand, restrict, or otherwise modify any right of an authorized local government official to proceed in State court, or take other enforcement actions, on the basis of an alleged violation of local or other law.

''(d) PERSONS DEALING IN TOBACCO PRODUCTS.—Any person who holds a permit under section 5712 of the Internal Revenue Code of 1986 (regarding permitting of manufacturers and importers of tobacco products and export warehouse proprietors) may bring an action in a United States district court to prevent and restrain violations of this Act by any person (or by any person controlling such person) other than a State, local, or tribal government.

''(e) NOTICE.—

''(1) PERSONS DEALING IN TOBACCO PRODUCTS.—Any person who commences a civil action under subsection (d) shall inform the Attorney General of the United States of the action.

''(2) STATE, LOCAL, AND TRIBAL ACTIONS.—It is the sense of Congress that the attorney general of any State, or chief law enforcement officer of any locality or tribe, that commences a civil action under this section should inform the Attorney General of the United States of the action.

''(f) PUBLIC NOTICE.—

''(1) IN GENERAL.—The Attorney General of the United States shall make available to the public, by posting such information on the Internet and by other appropriate means, information regarding all enforcement actions undertaken by the Attorney General or United States attorneys, or reported to the Attorney General, under this section, including information regarding the resolution of such actions and how the Attorney General and the United States attorney have responded to referrals of evidence of violations pursuant to subsection (c)(2).

''(2) REPORTS TO CONGRESS.—The Attorney General shall submit to Congress each year a report containing the information described in paragraph (1).''.

SEC. ___03. TREATMENT OF CIGARETTES AND SMOKELESS TOBACCO AS NONMAILABLE MATTER.

Section 1716 of title 18, United States Code, is amended—

(1) by redesignating subsections (j) and (k) as subsections (k) and (l), respectively; and

(2) by inserting after subsection (i) the following:

''(j) TOBACCO PRODUCTS.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—Except as provided in subparagraphs (C) and (C), all cigarettes (as that term is defined in section 1(2) of the Act of October 19, 1949 (15 U.S.C. 375; commonly referred to as the 'Jenkins Act')) and smokeless tobacco (as that term is defined in section 1(12) of that Act), are nonmailable and shall not be deposited in or carried through the mails. The United States Postal Service shall not accept for delivery or transmit through the mails any package that it knows or has reasonable cause to believe contains any cigarettes or smokeless tobacco made nonmailable by this subsection.

''(B) REASONABLE CAUSE TO BELIEVE.—For purposes of this section, notification to the United States Postal Service by the Attorney General, a United States attorney, or a State Attorney General that an individual or entity is primarily engaged in the business of transmitting cigarettes or smokeless tobacco made nonmailable by this section shall constitute reasonable cause to believe that any packages presented to the United States Postal Service by such individual or entity contain nonmailable cigarettes or smokeless tobacco.

''(C) CIGARS.—Subparagraph (A) shall not apply to cigars (as that term is defined in section 5702(a) of the Internal Revenue Code of 1986).

''(D) GEOGRAPHIC EXCEPTION.—Subparagraph (A) shall not apply to mailings within or into any State that is not contiguous with at least 1 other State of the United States. For purposes of this paragraph, 'State' means any of the 50 States or the District of Columbia.

''(2) PACKAGING EXCEPTIONS INAPPLICABLE.—Subsection (b) shall not apply to any tobacco product made nonmailable by this subsection.

''(3) SEIZURE AND FORFEITURE.—Any cigarettes or smokeless tobacco made nonmailable by this subsection that are deposited in the mails shall be subject to seizure and forfeiture, and any tobacco products so seized and forfeited shall either be destroyed or retained by Government officials for the detection or prosecution of crimes or related investigations and then destroyed.

''(4) ADDITIONAL PENALTIES.—In addition to any other fines and penalties imposed by this chapter for violations of this section, any person violating this subsection shall be subject to an additional penalty in the amount of 10 times the retail value of the nonmailable cigarettes or smokeless tobacco, including all Federal, State, and local taxes.

''(5) USE OF PENALTIES.—There is established a separate account in the Treasury known as the 'PACT Postal Service Fund'. Notwithstanding any other provision of law, an amount equal to 50 percent of any criminal and civil fines or monetary penalties collected by the United States Government in enforcing the provisions of this subsection shall be transferred into the PACT Postal Service Fund and shall be available to the Postmaster General for the purpose of enforcing the provisions of this subsection.''.

SEC. ___04. COMPLIANCE WITH MODEL STATUTE OR QUALIFYING STATUTE.

(a) IN GENERAL.—A Tobacco Product Manufacturer or importer may not sell in, deliver to, or place for delivery sale, or cause to be sold in, delivered to, or placed for delivery sale in a State that is a party to the Master Settlement Agreement, any cigarette manufactured by a Tobacco Product Manufacturer that is not in full compliance with the terms of the Model Statute or Qualifying Statute enacted by such State requiring funds to be placed into a qualified escrow account under specified conditions, or any regulations promulgated pursuant to such statute.

(b) JURISDICTION TO PREVENT AND RESTRAIN VIOLATIONS.—

(1) IN GENERAL.—The United States district courts shall have jurisdiction to prevent and restrain violations of subsection (a) in accordance with this subsection.

(2) INITIATION OF ACTION.—A State, through its attorney general, may bring an action in the United States district courts to prevent and restrain violations of subsection (a) by any person (or by any person controlling such person).

(3) ATTORNEY FEES.—In any action under paragraph (2), a State, through its attorney general, shall be entitled to reasonable attorney fees from a person found to have willfully and knowingly violated subsection (a).

(4) NONEXCLUSIVITY OF REMEDIES.—The remedy available under paragraph (2) is in addition to any other remedies available under Federal, State, or other law. No provision of this title or any other Federal law shall be held or construed to prohibit or preempt the Master Settlement Agreement, the Model Statute (as defined in the Master Settlement Agreement), any legislation amending or complementary to the Model Statute in effect as of June 1, 2006, or any legislation substantially similar to such existing, amending, or complementary legislation hereinafter enacted.

(5) OTHER ENFORCEMENT ACTIONS.—Nothing in this subsection shall be construed to prohibit an authorized State official from proceeding in State court or taking other enforcement actions on the basis of an alleged violation of State or other law.

(6) AUTHORITY OF THE ATTORNEY GENERAL.—The Attorney General of the United States may administer and enforce subsection (a).

(c) DEFINITIONS.—In this section the following definitions apply:

(1) DELIVERY SALE.—The term ''delivery sale'' means any sale of cigarettes or smokeless tobacco to a consumer if—

(A) the consumer submits the order for such sale by means of a telephone or other method of voice transmission, the mails, or the Internet or other online service, or the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made; or

(B) the cigarettes or smokeless tobacco are delivered by use of a common carrier, private delivery service, or the mails, or the seller is not in the physical presence of the buyer when the buyer obtains possession of the cigarettes or smokeless tobacco.

(2) IMPORTER.—The term ''importer'' means each of the following:

(A) SHIPPING OR CONSIGNING.—Any person in the United States to whom nontaxpaid tobacco products manufactured in a foreign country, Puerto Rico, the Virgin Islands, or a possession of the United States are shipped or consigned.

(B) MANUFACTURING WAREHOUSES.—Any person who removes cigars or cigarettes for sale or consumption in the United States from a customs-bonded manufacturing warehouse.

(C) UNLAWFUL IMPORTING.—Any person who smuggles or otherwise unlawfully brings tobacco products into the United States.

(3) MASTER SETTLEMENT AGREEMENT.—The term ''Master Settlement Agreement'' means the agreement executed November 23, 1998, between the attorneys general of 46 States, the District of Columbia, the Commonwealth of Puerto Rico, and 4 territories of the United States and certain tobacco manufacturers.

(4) MODEL STATUTE; QUALIFYING STATUTE.—The terms ''Model Statute'' and ''Qualifying Statute'' means a statute as defined in section IX(d)(2)(e) of the Master Settlement Agreement.

(5) TOBACCO PRODUCT MANUFACTURER.—The term ''Tobacco Product Manufacturer'' has the meaning given that term in section II(uu) of the Master Settlement Agreement.

SEC. ___05. INSPECTION BY BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES OF RECORDS OF CERTAIN CIGARETTE AND SMOKELESS TOBACCO SELLERS.

(a) IN GENERAL.—Any officer of the Bureau of Alcohol, Tobacco, Firearms and Explosives may, during normal business hours, enter the premises of any person described in subsection (b) for the purposes of inspecting—

(1) any records or information required to be maintained by such person under the provisions of law referred to in subsection (d); or

(2) any cigarettes or smokeless tobacco kept or stored by such person at such premises.

(b) COVERED PERSONS.—Subsection (a) applies to any person who engages in a delivery

sale, and who ships, sells, distributes, or receives any quantity in excess of 10,000 cigarettes, or any quantity in excess of 500 single-unit consumer-sized cans or packages of smokeless tobacco, within a single month.

(c) RELIEF.—

(1) IN GENERAL.—The district courts of the United States shall have the authority in a civil action under this subsection to compel inspections authorized by subsection (a).

(2) VIOLATIONS.—Whoever violates subsection (a) or an order issued pursuant to paragraph (1) shall be subject to a civil penalty in an amount not to exceed $10,000 for each violation.

(d) COVERED PROVISIONS OF LAW.—The provisions of law referred to in this subsection are—

(1) the Act of October 19, 1949 (15 U.S.C. 375; commonly referred to as the ''Jenkins Act'');

(2) chapter 114 of title 18, United States Code; and

(3) this title.

(e) DELIVERY SALE DEFINED.—In this section, the term ''delivery sale'' has the meaning given that term in 2343(e) of title 18, United States Code, as amended by this title.

SEC. ___06. EXCLUSIONS REGARDING INDIAN TRIBES AND TRIBAL MATTERS.

(a) IN GENERAL.—Nothing in this title or the amendments made by this title is intended nor shall be construed to affect, amend, or modify—

(1) any agreements, compacts, or other intergovernmental arrangements between any State or local government and any government of an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)) relating to the collection of taxes on cigarettes or smokeless tobacco sold in Indian country (as that term is defined in section 1151 of title 18, United States Code);

(2) any State laws that authorize or otherwise pertain to any such intergovernmental arrangements or create special rules or procedures for the collection of State, local, or tribal taxes on cigarettes or smokeless tobacco sold in Indian country;

(3) any limitations under existing Federal law, including Federal common law and treaties, on State, local, and tribal tax and regulatory authority with respect to the sale, use, or distribution of cigarettes and smokeless tobacco by or to Indian tribes or tribal members or in Indian country;

(4) any existing Federal law, including Federal common law and treaties, regarding State jurisdiction, or lack thereof, over any tribe, tribal members, or tribal reservations; and

(5) any existing State or local government authority to bring enforcement actions against persons located in Indian country.

(b) COORDINATION OF LAW ENFORCEMENT.—Nothing in this title or the amendments made by this title shall be construed to inhibit or otherwise affect any coordinated law enforcement effort by 1 or more States or other jurisdictions, including Indian tribes, through interstate compact or otherwise, that—

(1) provides for the administration of tobacco product laws or laws pertaining to interstate sales or other sales of tobacco products;

(2) provides for the seizure of tobacco products or other property related to a violation of such laws; or

(3) establishes cooperative programs for the administration of such laws.

(c) TREATMENT OF STATE AND LOCAL GOVERNMENTS.—Nothing in this title or the amendments made by this title is intended, and shall not be construed to, authorize, deputize, or commission States or local governments as instrumentalities of the United States.

(d) ENFORCEMENT WITHIN INDIAN COUNTRY.—Nothing in this title or the amendments made by this title is intended to prohibit, limit, or restrict enforcement by the Attorney General of the United States of the provisions herein within Indian country.

(e) AMBIGUITY.—Any ambiguity between the language of this section or its application and any other provision of this title shall be resolved in favor of this section.

SEC. ___07. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title shall take effect on the date that is 90 days after the date of enactment of this Act.

(b) BATFE AUTHORITY.—Section ___05 shall take effect on the date of enactment of this Act.

SEC. ___08. SEVERABILITY.

If any provision of this title, or an amendment made by this title, or the application thereof to any person or circumstance is held invalid, the remainder of the title and the application of it to any other person or circumstance shall not be affected thereby.

SA 363. Mr. ENSIGN proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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; as follows:

On page 389, after line 13, add the following:

SEC. 15___. LAW ENFORCEMENT ASSISTANCE FORCE.

(a) ESTABLISHMENT.—The Secretary shall establish a Law Enforcement Assistance Force to facilitate the contributions of retired law enforcement officers and agents during major disasters.

(b) ELIGIBLE PARTICIPANTS.—An individual may participate in the Law Enforcement Assistance Force if that individual—

(1) has experience working as an officer or agent for a public law enforcement agency and left that agency in good standing;

(2) holds current certifications for firearms, first aid, and such other skills determined necessary by the Secretary;

(3) submits to the Secretary an application, at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, that authorizes the Secretary to review the law enforcement service record of that individual; and

(4) meets such other qualifications as the Secretary may require.

(c) LIABILITY; SUPERVISION.—Each eligible participant shall—

(1) be protected from civil liability to the same extent as employees of the Department; and

(2) upon acceptance of an assignment under this section—

(A) be detailed to a Federal, State, or local government law enforcement agency;

(B) work under the direct supervision of an officer or agent of that agency; and

(C) notwithstanding any State or local law requiring specific qualifications for law enforcement officers, be deputized to perform the duties of a law enforcement officer.

(d) MOBILIZATION.—

(1) IN GENERAL.—In the event of a major disaster, the Secretary, after consultation with appropriate Federal, State, and local government law enforcement agencies, may request eligible participants to volunteer to assist the efforts of those agencies responding to such emergency and assign each willing participant to a specific law enforcement agency.

(2) ACCEPTANCE.—If the eligible participant accepts an assignment under this subsection, that eligible participant shall agree to remain in such assignment for a period equal to not less than the shorter of—

(A) the period during which the law enforcement agency needs the services of such participant; or

(B) 30 days; or

(C) such other period of time agreed to between the Secretary and the eligible participant.

(3) REFUSAL.—An eligible participant may refuse an assignment under this subsection without any adverse consequences.

(e) EXPENSES.—

(1) IN GENERAL.—Each eligible participant shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while carrying out an assignment under subsection (d).

(2) SOURCE OF FUNDS.—Expenses incurred under paragraph (1) shall be paid from amounts appropriated to the Federal Emergency Management Agency.

(f) TERMINATION OF ASSISTANCE.—The availability of eligible participants of the Law Enforcement Assistance Force shall continue for a period equal to the shorter of—

(1) the period of the major disaster; or

(2) 1 year.

(g) DEFINITIONS.—In this section—

(1) the term ''eligible participant'' means an individual participating in the Law Enforcement Assistance Force;

(2) the term ''Law Enforcement Assistance Force'' means the Law Enforcement Assistance Force established under subsection (a); and

(3) the term ''major disaster'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SA 364. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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:

On page 138, between lines 6 and 7, insert the following:

SEC. 401A. INCREASING THE DOMESTIC SUPPLY OF NURSES AND PHYSICAL THERAPISTS.

(a) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2008, the Secretary of Health and Human Services shall submit to Congress a report on the shortage of nurses and physical therapists educated in the United States.

(2) CONTENTS.—The report required by paragraph (1) shall—

(A) include information from the most recent 3 years for which data are available;

(B) provide separate data for each occupation and for each State;

(C) separately identify the nurses and physical therapists receiving initial licenses in each State and the nurses and physical therapists licensed by endorsement from other States;

(D) identify, from among the nurses and physical therapists receiving initial licenses in each year, the number of such nurses and physical therapists who received professional educations in the United States and the number of such nurses and physical therapists who received professional educations outside the United States;

(E) to the extent possible, identify, by State of residence and the country in which each nurse or physical therapist received a professional education, the number of nurses and physical therapists who received professional educations in any of the 5 countries from which the highest number of nurses and physical therapists emigrated to the United States;

(F) identify the barriers to increasing the supply of nursing faculty in the United States, domestically trained nurses, and domestically trained physical therapists;

(G) recommend strategies for Federal and State governments to reduce such barriers, including strategies that address barriers that prevent health care workers, such as home health aides and nurse's assistants, from advancing to become registered nurses;

(H) recommend amendments to Federal law to reduce the barriers identified in subparagraph (F);

(I) recommend Federal grants, loans, and other incentives that would increase the supply of nursing faculty and training facilities for nurses in the United States, and recommend other steps to increase the number of nurses and physical therapists who receive professional educations in the United States;

(J) identify the effects of emigration by nurses on the health care systems in the countries of origin of such nurses;

(K) recommend amendments to Federal law to minimize the effects of shortages of nurses in the countries of origin of nurses who immigrate to the United States; and

(L) report on the level of Federal investment determined under subsection (b)(1) to be necessary to eliminate the shortage of nurses and physical therapists in the United States.

(b) CONSULTATION.—The Secretary of Health and Human Services shall—

(1) enter into a contract with the Institute of Medicine of the National Academies to determine the level of Federal investment under titles VII and VIII of the Public Health Service Act (42 U.S.C. 292 et seq.) that would be necessary to eliminate the shortage of nurses and physical therapists in the United States by January 1, 2015; and

(2) consult with other agencies in working with ministers of health or other appropriate officials of the 5 countries from which the highest number of nurses and physical therapists emigrated, as reported under subsection (a)(2)(E), to—

(A) address shortages of nurses and physical therapists in such countries caused by emigration; and

(B) provide the technical assistance needed to reduce further shortages of nurses and physical therapists in such countries.

(c) RECAPTURE OF UNUSED EMPLOYMENT-BASED IMMIGRANT VISAS.—Section 106(d) of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106–313; 8 U.S.C. 1153 note) is amended—

(1) in paragraph (1)—

(A) by inserting ''1996, 1997,'' after ''available in fiscal year''; and

(B) by inserting ''group I,'' after ''schedule A,'';

(2) in paragraph (2)(A), by inserting ''1996, 1997, and'' after ''available in fiscal years''; and

(3) by adding at the end the following:

''(4) PETITIONS.—The Secretary of Homeland Security shall provide a process for reviewing and acting upon petitions with respect to immigrants described in schedule A not later than 30 days after the date on which a completed petition has been filed.''.

SA 365. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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:

On page 148, between lines 7 and 8, insert the following:

SEC. 406. IMPLEMENTATION OF THE WESTERN HEMISPHERE TRAVEL INITIATIVE.

(a) IMPLEMENTATION OF THE WESTERN HEMISPHERE TRAVEL INITIATIVE AFTER JUNE 1, 2009.—Section 7209(b)(1)(A) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended—

(1) by striking ''not later than three months'' and inserting ''not earlier than 6 months'';

(2) by striking ''subsection (B)'' and inserting ''subparagraph (B)''; and

(3) by striking ''whichever is earlier'' and inserting ''whichever is later''.

(b) ISO STANDARDS FOR CARD READERS.—Section 7209(b)(1)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended—

(1) in clause (vi), by striking ''and'';

(2) in clause (vii), by striking the period and inserting ''; and''; and

(3) by inserting after clause (vii) the following new clause:

''(viii) the National Institute of Standards and Technology certifies that the Departments of Homeland Security and State have selected card readers that meet or exceed such security standards as the International Organization for Standardization may establish.''.

(c) APPLICATION OF THE WESTERN HEMISPHERE TRAVEL INITIATIVE TO CHILDREN.—Section 7209(b)(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended—

(1) by striking ''The plan'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the plan''; and

(2) by inserting after subparagraph (A), as redesignated, the following new subparagraph:

''(B) APPLICATION TO CHILDREN.—The plan developed under paragraph (1) shall allow a citizen of the United States or Canada to travel from Canada into the United States without carrying or producing the documents described in paragraph (1) if such citizen—

''(i) carries and produces a certified copy of such citizen's birth certificate; and

''(ii) either—

''(I) has not attained age 16 and is traveling with the consent of such citizen's parent or guardian; or

''(II) has attained age 16, but has not attained age 19, and is traveling—

''(aa) with the consent of such citizen's parent or guardian;

''(bb) with a group of other such citizens who have attained age 16, but have not attained age 19, including a public or private school group, a religious group, a social or cultural organization, or a youth athletics organization; and

''(cc) under the supervision of an adult carrying the documents described in paragraph (1) for such adult.''.

(d) IMPROVING REGISTERED TRAVELER PROGRAM.—

(1) CREATION OF REMOTE ENROLLMENT CENTERS.—The Secretary of Homeland Security, in consultation with appropriate representatives of the Government of Canada, shall create a minimum of 6 remote enrollment centers for the registered traveler program authorized under section 286(q) of the Immigration and Nationality Act (8 U.S.C. 1356(q)), commonly referred to as the NEXUS program.

(2) CREATION OF MOBILE ENROLLMENT CENTERS.—The Secretary of Homeland Security, in consultation with appropriate representatives of the Government of Canada, shall create a minimum of 4 mobile enrollment centers for the program described in paragraph (1). Such mobile enrollment centers shall be used to accept and process applications in areas currently underserved by such programs. The Secretary shall work with State and local authorities in determining the locations of such mobile enrollment centers.

(3) ONLINE APPLICATION PROCESS.—The Secretary of Homeland Security shall design an online application process for the program described in paragraph (1). Such process shall permit individuals to securely submit their applications online and schedule a security interview at the nearest enrollment center.

(4) PROMOTING ENROLLMENT.—

(A) CREATING INCENTIVES FOR ENROLLMENT.—In order to encourage applications for the program described in paragraph (1), the Secretary of Homeland Security shall develop a plan to charge participants a fee that is as low as practicable for each card issued. The fee for the first renewal application for participation in such program shall be waived. The Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that explains the reasons for the fee that is established.

(B) PUBLICITY CAMPAIGN.—The Secretary shall carry out a program to educate the public regarding the benefits of the program described in paragraph (1).

(5) TRAVEL DOCUMENT FOR TRAVEL INTO UNITED STATES.—For purposes of the plan required under section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note), an identification card issued to a participant in the program described in paragraph (1) shall be considered a document sufficient on its own when produced to denote identity and citizenship for travel into the United States by United States citizens and by categories of individuals for whom documentation requirements have previously been waived under section 212(d)(4)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(4)(B)).

SA 366. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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. ____. MEDICAL ISOTOPE PRODUCTION.

Section 134 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2160d(b)) is amended—

(1) in paragraph (1), by striking subparagraph (D);

(2) by striking paragraph (2);

(3) in paragraph (3), by striking ''paragraph (2)'' and inserting ''this section'';

(4) in paragraph (4)—

(A) in subparagraph (A)(iv), by striking ''cost differential in medical isotope production in the reactors and target processing facilities if the products'' and inserting ''cost differential of radiopharmaceuticals to patients if the radiopharmaceuticals''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) FEASIBILITY.—For the purpose of this subsection, the use of low enriched uranium to produce medical isotopes shall be determined to be feasible if it could be accomplished without a large percentage increase in the cost of radiopharmaceuticals to patients.'';

(5) in paragraph (5), by striking ''(4)(B)(iii)'' and inserting ''(4)(B)'';

(6) in paragraph (6), by striking ''(4)(B)(iii)'' and inserting ''(4)(B)''; and

(7) in paragraph (7), by striking ''subsection'' and inserting ''section for highly enriched uranium for medical isotope production''.

SA 367. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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:

On page 303, strike line 12 and all that follows through page 305, line 18, and insert the following:

of Transportation, shall develop a program to facilitate the tracking of motor carrier shipments of high hazard materials, as defined in this title, and to equip vehicles used in such shipments with technology that provides—

(A) frequent or continuous communications;

(B) vehicle position location and tracking capabilities;

(C) a feature that allows a driver of such vehicles to broadcast an emergency message; and

(D) a feature that can be concealed and installed by a motor carrier on a commercial motor vehicle and can be activated by a law enforcement authority to disable the vehicle and alert emergency response resources to locate and recover high hazard materials in the event of loss or theft of such materials.

(2) CONSIDERATIONS.—In developing the program required by paragraph (1), the Secretary shall—

(A) consult with the Secretary of Transportation to coordinate the program with any ongoing or planned efforts for motor carrier or high hazardous materials tracking at the Department of Transportation;

(B) take into consideration the recommendations and findings of the report on the Hazardous Material Safety and Security Operation Field Test released by the Federal Motor Carrier Safety Administration on November 11, 2004; and

(C) evaluate—

(i) any new information related to the cost and benefits of deploying and utilizing tracking technology for motor carriers transporting high hazard materials not included in the Hazardous Material Safety and Security Operation Field Test Report released by the Federal Motor Carrier Safety Administration on November 11, 2004;

(ii) the ability of tracking technology to resist tampering and disabling;

(iii) the capability of tracking technology to collect, display, and store information regarding the movement of shipments of high hazard materials by commercial motor vehicles; and

(iv) the appropriate range of contact intervals between the tracking technology and a commercial motor vehicle transporting high hazard materials.

(b) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Secretary, through the Transportation Security Administration, shall promulgate regulations to carry out the provisions of subsection (a).

(c) FUNDING.—There are authorized to be appropriated to the Secretary to carry out this section, $7,000,000 for each of fiscal years 2008, 2009, and 2010, of which—

(1) $3,000,000 per year may be used for equipment; and

(2) $1,000,000 per year may be used for operations.

SA 368. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 end of title XI, add the following:

SEC. 1104. AVAILABILITY OF FUNDS FOR THE PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 21067 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289; 120 Stat. 1311), as amended by Public Law 109–369 (120 Stat. 2642), Public Law 109–383 (120 Stat. 2678), and Public Law 110–5, is amended by adding at the end the following new subsection:

''(c) From the amount provided by this section, the National Archives and Records Administration may obligate monies necessary to carry out the activities of the Public Interest Declassification Board.''.

SA 369. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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:

TITLE ___—PROTECTION OF FIREFIGHTERS

SEC. __01. SHORT TITLE.

This title may be cited as the ''Volunteer Firefighter and EMS Personnel Job Protection Act''.

SEC. __02. DEFINITIONS.

In this title:

(1) EMERGENCY.—The term ''emergency'' has the meaning given such term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(2) MAJOR DISASTER.—The term ''major disaster'' has the meanings given such term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(3) QUALIFIED VOLUNTEER FIRE DEPARTMENT.—The term ''qualified volunteer fire department'' has the meaning given such term in section 150(e) of the Internal Revenue Code of 1986.

(4) VOLUNTEER EMERGENCY MEDICAL SERVICES.—The term ''volunteer emergency medical services'' means emergency medical services performed on a voluntary basis for a fire department or other emergency organization.

(5) VOLUNTEER FIREFIGHTER.—The term ''volunteer firefighter'' means an individual who is a member in good standing of a qualified volunteer fire department.

SEC. __03. TERMINATION OF EMPLOYMENT OF VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL PERSONNEL PROHIBITED.

(a) TERMINATION PROHIBITED.—No employee may be terminated, demoted, or in any other manner discriminated against in the terms and conditions of employment because such employee is absent from or late to the employee's employment for the purpose of serving as a volunteer firefighter or providing volunteer emergency medical services as part of a response to an emergency or major disaster.

(b) DEPLOYMENT.—The prohibition in subsection (a) shall apply to an employee serving as a volunteer firefighter or providing volunteer emergency medical services if such employee—

(1) is specifically deployed to respond to the emergency or major disaster in accordance with a coordinated national deployment system such as the Emergency Management Assistance Compact or a pre-existing mutual aid agreement; or

(2) is a volunteer firefighter who—

(A) is a member of a qualified volunteer fire department that is located in the State in which the emergency or major disaster occurred;

(B) is not a member of a qualified fire department that has a mutual aid agreement with a community affected by such emergency or major disaster; and

(C) has been deployed by the emergency management agency of such State to respond to such emergency or major disaster.

(c) LIMITATIONS.—The prohibition in subsection (a) shall not apply to an employee who—

(1) is absent from the employee's employment for the purpose described in subsection (a) for more than 14 days per calendar year;

(2) responds on the emergency or major disaster without being officially deployed as described in subsection (b); or

(3) fails to provide the written verification described in subsection (e) within a reasonable period of time.

(d) WITHHOLDING OF PAY.—An employer may reduce an employee's regular pay for any time that the employee is absent from the employee's employment for the purpose described in subsection (a).

(e) VERIFICATION.—An employer may require an employee to provide a written verification from the official of the Federal Emergency Management Agency supervising the Federal response to the emergency or major disaster or a local or State official managing the local or State response to the emergency or major disaster that states—

(1) the employee responded to the emergency or major disaster in an official capacity; and

(2) the schedule and dates of the employee's participation in such response.

(f) REASONABLE NOTICE REQUIRED.—An employee who may be absent from or late to the

employee's employment for the purpose described in subsection (a) shall—

(1) make a reasonable effort to notify the employee's employer of such absence; and

(2) continue to provide reasonable notifications over the course of such absence.

SEC. __04. RIGHT OF ACTION.

(a) RIGHT OF ACTION.—An individual who has been terminated, demoted, or in any other manner discriminated against in the terms and conditions of employment in violation of the prohibition described in section __03 may bring, in a district court of the United States of appropriate jurisdiction, a civil action against individual's employer seeking—

(1) reinstatement of the individual's former employment;

(2) payment of back wages;

(3) reinstatement of fringe benefits; and

(4) if the employment granted seniority rights, reinstatement of seniority rights.

(b) LIMITATION.—The individual shall commence a civil action under this section not later than 1 year after the date of the violation of the prohibition described in section __03.

SEC. __05. STUDY AND REPORT.

(a) STUDY.—The Secretary of Labor shall conduct a study on the impact that this title could have on the employers of volunteer firefighters or individuals who provide volunteer emergency medical services and who may be called on to respond to an emergency or major disaster.

(b) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Labor shall submit to the appropriate congressional committees a report on the study conducted under subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the Committee on Health, Education, Labor, and Pensions and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Education and the Workforce and the Committee on Small Business of the House of Representatives.

SA. 370. Mr. BOND submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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. ___. SENSE OF THE SENATE REGARDING A REPORT ON THE 9/11 COMMISSION RECOMMENDATIONS WITH RESPECT TO INTELLIGENCE REFORM AND CONGRESSIONAL INTELLIGENCE OVERSIGHT REFORM.

(a) FINDINGS.—Congress makes the following findings:

(1) The National Commission on Terrorist Attacks Upon the United States (referred to in this section as the ''9/11 Commission'') conducted a lengthy review of the facts and circumstances relating to the terrorist attacks of September 11, 2001, including those relating to the intelligence community, law enforcement agencies, and the role of congressional oversight and resource allocation.

(2) In its final report, the 9/11 Commission found that—

(A) congressional oversight of the intelligence activities of the United States is dysfunctional;

(B) under the rules of the Senate and the House of Representatives in effect at the time the report was completed, the committees of Congress charged with oversight of the intelligence activities lacked the power, influence, and sustained capability to meet the daunting challenges faced by the intelligence community of the United States;

(C) as long as such oversight is governed by such rules of the Senate and the House of Representatives, the people of the United States will not get the security they want and need;

(D) a strong, stable, and capable congressional committee structure is needed to give the intelligence community of the United States appropriate oversight, support, and leadership; and

(E) the reforms recommended by the 9/11 Commission in its final report will not succeed if congressional oversight of the intelligence community in the United States is not changed.

(3) The 9/11 Commission recommended structural changes to Congress, including recommending that the committees of Congress that are charged with oversight of the intelligence community be provided with the authority to authorize and appropriate funds for intelligence activities.

(4) Congress has enacted some of the recommendations made by the 9/11 Commission and is considering implementing additional recommendations of the 9/11 Commission.

(5) The House of Representatives, under the leadership of the Speaker of the House, has implemented structural changes within that body with respect to oversight of intelligence.

(6) The Senate has not passed a resolution that expressly grants and carefully limits the authority of the Select Committee on Intelligence of the Senate to both authorize and appropriate funds for activities carried out by the intelligence community, as recommended by the 9/11 Commission.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate each should—

(1) undertake a review of the recommendations made in the final report of the 9/11 Commission with respect to intelligence reform and congressional intelligence oversight reform; and

(2) not later than December 21, 2007, submit to the Senate a report that includes the recommendations of the Committee, if any, for carrying out such reforms.

SA. 371. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 be on the table; as follows:

On page 91, between lines 15 and 16, insert the following:

''(f) EMERGENCY PLANNING FOR THE ELDERLY.—

''(1) DEFINITION.—In this subsection, the term 'emergency' has meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

''(2) PLANNING.—

''(A) IN GENERAL.—The Secretary shall ensure that any emergency planning program or activity that receives funds under a grant administered by the Department specifically takes into account the evacuation, transportation, health care needs, and other needs of the elderly in the event of an emergency or major disaster.

''(B) CONSIDERATIONS.—In carrying out subparagraph (A), the Secretary shall consider—

''(i) the input of geriatricians and other gerontology experts; and

''(ii) congressional hearing records on emergency planning for the elderly.

''(3) TRAINING.—The Secretary shall ensure that any program or activity to train emergency response providers (including law enforcement officers) regarding responding to an emergency or major disaster that receives funds under a grant administered by the Department includes specific training components on the needs of the elderly.

''(4) EXERCISES.—The Secretary shall ensure that each exercise designed to prepare for responding to an emergency or major disaster conducted with funds received under a grant administered by the Department includes, as a component of the exercise, responding to the needs of the elderly.

''(5) EDUCATION.—The Secretary shall—

''(A) develop consumer education materials specifically designed to assist the elderly in preparing themselves for any sort of emergency; and

''(B) develop and distribute templates to local governments (including emergency management agencies and community-based service providers) that can be tailored to each community.

SA. 372. Mr. FEINGOLD (for himself, Mr. CRAIG, Ms. MURKOWSKI, Mr. SPECTER, Mr. SALAZAR, Mr. DURBIN, Mr. SUNUNU, Mr. LEAHY, and Mr. HAGEL) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) 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 end of the bill, add the following:

TITLE _____—WARRANTS, ORDERS, AND NATIONAL SECURITY LETTERS

SEC. ___01. LIMITATION ON REASONABLE PERIOD FOR DELAY.

Section 3103a(b)(3) of title 18, United States Code, is amended by striking ''30 days'' and inserting ''7 days''.

SEC. ___02. JUDICIAL REVIEW OF FISA ORDERS AND NATIONAL SECURITY LETTERS.

(a) FISA.—Section 501(f)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (i)—

(i) by striking ''a production order'' the first place that term appears and inserting ''a production order or nondisclosure order''; and

(ii) by striking ''Not less than 1 year'' and all that follows through the end of the clause; and

(B) in clause (ii), by striking ''production order or nondisclosure''; and

(2) in subparagraph (C), by striking clause (ii) and redesignating clause (iii) as clause (ii).

(b) JUDICIAL REVIEW OF NATIONAL SECURITY LETTERS.—Section 3511(b) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''If, at the time of the petition,'' and all that follows through the end of the paragraph; and

(2) in paragraph (3), by striking ''If the recertification that disclosure may'' and all that follows through ''made in bad faith.''.

SEC. ___03. FACTUAL BASIS FOR REQUESTED ORDER.

Section 501(b)(2)(A) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(b)(2)(A)) is amended to read as follows:

''(A) a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) either—

''(I) pertain to a foreign power or an agent of a foreign power;

''(II) are relevant to the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) pertain to an individual in contact with, or known to, a suspected agent of a foreign power; and''.

SEC. ___04. NATIONAL SECURITY LETTER SUNSET.

Section 102 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177; 120 Stat. 194) is amended by adding at the end the following:

''(c) OTHER SUNSETS.—

''(1) IN GENERAL.—Effective December 31, 2009, the following provisions are amended so that they read as they read on February 27, 2006:

''(A) Section 2709 of title 18, United States Code.

''(B) Sections 626 and 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v).

''(C) Section 1114 of the Right to Financial Privacy Act (12 U.S.C. 3414).

''(D) Section 802 of the National Security Act of 1947 (50 U.S.C. 436).

''(2) EXCEPTION.—With respect to any particular foreign intelligence investigation that began before the date on which the provisions referred to in paragraph (1) cease to have effect, or with respect to any particular offense or potential offense that began or occurred before the date on which such provisions cease to have effect, such provisions shall continue in effect.''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, I would like to inform Members that the Committee will hold a hearing entitled ''Small Business Solutions for Combating Climate Change,'' on Thursday, March 8, 2007 at 10 a.m. in Russell 428A.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a hearing during the session of the Senate on Tuesday, March 6, 2007, at 9:30 a.m. in SH–216, Senate Hart Office Building. The subject of this committee hearing will be ''Child Nutrition and the School Setting.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 6, at 9:30 a.m., in open session to receive testimony on care, living conditions, and administration of outpatients at Walter Reed Army Medical Center.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Tuesday, March 6, 2007, at 10:30 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to review the Corporate Average Fuel Economy Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 6, 2007, at 2:15 p.m. to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LIEBERMAN. 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, March 6, 2007 at 10 a.m. in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Preserving Prosecutorial Independence: Is the Department of Justice Politicizing the Hiring and Firing of U.S. Attorneys?—Part II'' on Tuesday, March 6, 2007 at 10 a.m. in Dirksen Senate Office Building Room 226.

Witness List:

H.E. ''Bud'' Cummins, III, Former U.S. Attorney, Eastern District of Arkansas, Little Rock, AR.

David C. Iglesias, Former U.S. Attorney, District of New Mexico, Albuquerque, NM.

Carol Lam, Former U.S. Attorney, Southern District of California, San Diego, CA.

John McKay, Former U.S. Attorney, Western District of Washington, Seattle, WA.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, March 6, 2007 at 9:30 a.m. in the Cannon Caucus Room, to hear the legislative presentation of the Veterans of Foreign Wars.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 6, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the nomination of Ryan C. Crocker to be Ambassador to Iraq. This was reported out of the Foreign Relations Committee earlier today. I ask unanimous consent that the nomination be confirmed, a motion to reconsider be laid upon the table, that any statements be printed at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

Ryan C. Crocker, of Washington, a Career Member of the Senior Foreign Service with the Personal Rank of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

RELATIVE TO THE DEATH OF THOMAS F. EAGLETON

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 97 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 97) relative to the death of Thomas F. Eagleton, former United States Senator for the State of Missouri.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon table, and any statements be printed at the appropriate place in the RECORD as if given, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 97) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas Thomas F. Eagleton spent his 30–year career in elected office dedicating himself to his country and his home state, representing Missouri in the United States Senate for 18 years;

Whereas Thomas F. Eagleton served in the United States Navy from 1948 until 1949;

Whereas Thomas F. Eagleton, a graduate of Amherst College and Harvard University Law School, launched his political career with his election as St. Louis Circuit Attorney in 1956 and was elected Missouri Attorney General in 1960 and Missouri Lieutenant Governor in 1964;

Whereas Thomas F. Eagleton was elected to the United States Senate in 1968, ultimately serving three terms and leaving an imprint on United States history by co-authoring legislation creating the Pell Grant program to provide youth with higher education assistance, helping to create the National Institute on Aging, and leading the charge to designate 8 federally-protected wilderness areas in southern Missouri;

Whereas Thomas F. Eagleton continued to contribute to his community, state, and nation following his 1986 retirement by practicing law, teaching college courses, writing political commentaries, and encouraging civility in politics;

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Thomas F. Eagleton, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate stands adjourned today, it stand adjourned as a further mark of respect to the memory of the Honorable Thomas F. Eagleton.

MEMBERSHIP OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE ON THE LIBRARY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 98.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 98) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed too, the motion to reconsider be laid on the table, and that any statements relating thereto be printed at the appropriate place in the RECORD as if given, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 98) was agreed to, as follows:

S. RES. 98

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mrs. Feinstein, Mr. Inouye, Mrs. Murray, Mr. Bennett, and Mr. Chambliss.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mrs. Feinstein, Mr. Dodd, Mr. Schumer, Mr. Bennett, and Mr. Stevens.

ORDERS FOR WEDNESDAY, MARCH 7, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. Wednesday morning, March 7; that on Wednesday following the prayer and the pledge, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; that the Senate then return to S. 4 and the McCaskill amendment No. 316 and the Collins amendment No. 342 and debate them concurrently until 10 a.m., with the time equally divided and controlled between Senators MCCASKILL and COLLINS or their designees, and that no amendments be in order to either amendment prior to the vote; that at 10 a.m., without further intervening action or debate, the Senate proceed to vote in relation to the McCaskill amendment; that upon disposition of that amendment, the Senate vote in relation to the Collins amendment; that there be 2 minutes equally divided between the votes; and that following the second vote, the Senate proceed as a body to the House of Representatives for the joint meeting to hear an address by the King of Jordan; that the Senate then stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate today, and the Republican leader has no business to be brought before the Senate, I ask unanimous consent that the Senate stand adjourned under the provisions of S. Res. 97, as a further mark of respect to our late colleague, former Senator Thomas Eagleton.

There being no objection, the Senate, at 7:43 p.m., adjourned until Wednesday, March 7, 2007, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, March 6, 2007:

DEPARTMENT OF STATE

RYAN C. CROCKER, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE WITH THE RANK PERSONAL RANK OF CAREER AMBASSADOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF IRAQ.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

INTRODUCTORY VETERANS' BENEFITS PROTECTION ACT

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2007

Mr. LEWIS of Kentucky. Madam Speaker, in times of war and in times of peace we must always show our gratitude for those of us who have worn the uniform of the United States military.

In the closing hours of the 109th Congress, legislation was passed a comprehensive bill, the Veterans Benefits, Health Care, and Information Technology Act of 2006. Included in this good bill was a bad provision to make it easier for lawyers to be involved in the Veterans claims process at the Department of Veterans Affairs.

I have introduced the Veterans' Benefits Protection Act to correct this mistake. Bringing lawyers whose primary goal is their own financial gain into the system will only complicate the process and lead to inequities in a system that we count on to care for those who have served. A number of Veterans in my District have raised concerns that benefits may be slowed or diminished in value.

It is no secret that there are backlog problems that need to be fixed at the VA. Serious reforms should be considered. However, bringing more lawyers into the system will not be beneficial to a majority of Veterans who are patiently waiting for claims that are owed to them by the government.

A Veteran should be able to focus on paying for medicine and other daily necessities and never need to devote a portion of benefits that are owed to pay for legal fees. Turning to a lawyer for assistance should be an option of last resort for a Veteran with claims. There are numbers of resources: individuals, Veterans organizations, and Congressional offices that offer services to assist Veterans at no cost.

I urge my colleagues to consider supporting The Veterans' Benefits Protection Act, repealing a process that will likely lead to inequities in payments for those who have served.

RECOGNIZING STAN COTTRELL

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2007

Mr. LEWIS of Kentucky. Madam Speaker, today I introduced a resolution to recognize efforts taken by a Kentuckian to continue the dialogue between the United States and China.

Later this year Stan Cottrell, a distance runner born in Hart County, Kentucky will be involved in a "Friendship Run" across the Great Wall of China. Mr. Cottrell made his first run through China in 1984. Upon completion he will return to the United States to do a relay with three men from China across our beautiful country.

Madam Speaker, I urge the adoption of this measure recognizing Mr. Cottrell's unique efforts to extend the discourse between the U.S. and China.

PAYING TRIBUTE TO JUDY REICH

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my good friend Judy Reich for her efforts on behalf of the community.

For years, Judy has been working to educate and enrich the lives of the people of Southern Nevada. In her capacity as Program Director and Community Affairs Director of KVBC, Channel 3, Las Vegas; Judy has been instrumental in the production of programs such as "Action Seniors," "Youth!" and directed Channel 3's Back to School Fair. Judy also established and coordinated Channel 3's Christmas Angel Tree Program and produced a number of Public Service Announcements.

In addition to her work at Channel 3, Judy has been very active in a number of community outreach, and philanthropic programs. Judy has served on the Marketing Committee and the Board of Directors of the Las Vegas Natural History Museum as well as on the Board of Directors of the After School All Starts Program. In addition, the Kids to Kids program and Desert Pines Middle School have all had the benefit of her leadership.

Among her many passions is her work with a number of public health awareness programs. For several of years, Judy has worked with the Juvenile Diabetes Research Foundation, where she has served on the Board of Directors, the Government Relations Committee, and as a volunteer lobbyist. Judy has also advocated for public health and awareness through her work with the American Heart Association.

Madam Speaker, I am proud to honor my friend Judy Reich. Her efforts on behalf of the Southern Nevada community have enriched countless lives and should be applauded. I thank her for her dedication and commitment and wish her the best in her future endeavors.

COMFORT WOMEN

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. HONDA. Madam Speaker, I rise today in shock and disappointment at recent news from Japan, where it was reported that Prime Minister Shinzo Abe has denied the historical fact that the Japanese Imperial Army forced as many as 200,000 women into sex slavery during the Second World War, and publicly stated that Japan will not issue an apology, even if a resolution is passed in the United States House of Representatives.

On February 15, a hearing on this issue was held by the Subcommittee on Asia and the Pacific of this House's Committee on Foreign Affairs. This was truly a historic occasion, because it brought three survivors of the Comfort Women horrors to Washington to tell their very real, very personal stories. Not only did that hearing give us an opportunity to reflect on one of the darker episodes of human history, it provided us with a chance to make history by bringing that darkness and forgotten tragedy to light and justice.

Those three women, now advanced in years—Jan Ruff O'Herne, Yong Soo Lee, and Koon Ja Kim—traveled thousands of miles to bring their stories to us, stories which were for many decades kept only in their hearts for reasons best understood only by those who had to endure what these women—and some 200,000 others throughout Asia—had to endure.

Some might ask: Why, more than 60 years after the end of the Second World War, are we discussing the ordeals of the so-called Comfort Women? Shouldn't this be considered a mere footnote to history? Aren't there more important or more pressing issues at hand in the early years of the 21st century?

Those who ask such questions fail to comprehend the lasting relevance of the experience of these women during the war, and of the continuing, obstinate failure, in the face of overwhelming evidence and international scrutiny, of the Government of Japan to formally acknowledge, apologize and accept unequivocal responsibility for their suffering and torture.

The recent news from Tokyo and Prime Minister Abe's inexplicable denial adds greater resonance to our exploration of this topic. One Japanese Diet Member said, with no apparent irony, that the Comfort Women brothels were no different than a buffet lunchroom. Nariaki Nakayama said bluntly: "Some say it is useful to compare the brothels to college cafeterias run by private companies, who recruit their own staff, procure foodstuffs and set prices."

Madam Speaker, without objection, I wish to insert into the CONGRESSIONAL RECORD an article on this issue that appeared in the New York Times on Thursday, March 1, reporting Prime Minister Abe's remarks.

ABE REJECTS JAPAN'S FILES ON WAR SEX

(By Norimitsu Onishi)

TOKYO, March 1.—Prime Minister Shinzo Abe denied Thursday that Japan's military had forced foreign women into sexual slavery during World War II, contradicting the Japanese government's longtime official position.

Mr. Abe's statement was the clearest so far that the government was preparing to reject a 1993 government statement that acknowledged the military's role in setting up brothels and forcing, either directly or indirectly, women into sexual slavery. That declaration also offered an apology to the women, euphemistically called "comfort women."

"There is no evidence to prove there was coercion, nothing to support it," Mr. Abe

told reporters. ''So, in respect to this declaration, you have to keep in mind that things have changed greatly.''

The United States House of Representatives has begun debating a resolution that would call on Tokyo to ''apologize for and acknowledge'' the military's role in wartime sex slavery.

But at the same time, in keeping with a recent trend to revise Japan's wartime history, a group of conservatives in the governing Liberal Democratic Party is stepping up calls to rescind the 1993 declaration. Mr. Abe, whose approval ratings have been plummeting over a series of scandals and perceived weak leadership, seemed to side with this group. A nationalist who has led efforts to revise wartime history, Mr. Abe softened his tone after becoming prime minister last fall. In fact, he first said he recognized the validity of the declaration, angering his conservative base.

''Some say it is useful to compare the brothels to college cafeterias run by private companies, who recruit their own staff, procure foodstuffs and set prices,'' Nariaki Nakayama, the leader of 120 lawmakers who want to revise the declaration, said Thursday.

''Where there's demand, business crops up,'' Mr. Nakayama said, according to The Associated Press. ''But to say women were forced by the Japanese military into service is off the mark. This issue must be reconsidered, based on truth, for the sake of Japanese honor.''

Historians believe some 200,000 women—Koreans, Chinese, Taiwanese, Filipinos, as well as Japanese, Dutch and other European women—served in Japanese military brothels. For decades, Japan denied that its military had been involved, calling the brothels private enterprises and the women prostitutes.

But in 1992, a Japanese historian, Yoshiaki Yoshimi, outraged by government denials, went to the Self-Defense Agency's library and unearthed, after two days of searching, documents revealing military involvement in establishing brothels. One was titled ''Regarding the Recruitment of Women for Military Brothels.'' Faced with this evidence, the government acknowledged its role and issued the declaration.

But the response angered people across the political spectrum. The women and their supporters said that the government was not fully acknowledging its responsibility because the declaration was issued by Yohei Kono, then chief cabinet secretary, and not adopted by Parliament. It is known inside Japan simply as the ''Kono Statement.''

What is more, supporters accused the government of evading direct responsibility by establishing a private, nongovernment fund to compensate the women. Many former sex slaves have refused to accept compensation from this fund.

But conservatives said the declaration went too far in acknowledging the military's role in recruiting the women. While the documents showed that the military established the facilities, Mr. Yoshimi did not find documentation that the military had forcibly recruited the women. Conservatives have seized on this distinction to attack the declaration.

Supporters of the women say that the Japanese authorities famously burned incriminating documents or kept them hidden.

At the same time, many former sex slaves have stepped forward in recent years with their stories. Three testified in the United States Congress recently, saying that Japanese soldiers had kidnapped them and forced them to have sex with dozens of soldiers a day.

Given this recent news report, Madam Speaker, it becomes even clearer that the experience of the Comfort Women is not just an episode that belongs on the backburner of history. Instead, it is a vivid reminder that the human rights of women around the world are never fully secure. We know that rape, sexual abuse and sometimes murder of women and girls in war are still committed by armies and paramilitary forces in various countries. One thinks of Darfur, of Bosnia, of East Timor. I am sure that Members of this House and those listening to these proceedings can think of other examples.

Denial of the unimaginable atrocities committed by Imperial Japan's Armed Forces against the Comfort Women during World War II should not be tolerated. Neither are they to be forgotten nor swept under the rug by those who hope the subject will go away simply because the victims are growing old and will soon be gone. The fact that some political leaders in modern Japan hold onto the view that the Comfort Women issue is a ''historic fabrication'' is, in a word, appalling.

The Japan Times also recently interviewed Yasuji Kaneko, an 87 year old former foot soldier in the Japanese Imperial Army during World War II. He stated that he ''still remembers the screams of the countless women he raped in China as a foot soldier . . . They cried out, but it didn't matter to us whether the women lived or died . . . We were the Emperor's soldiers. Whether in military brothels or in the villages, we raped without reluctance.'' His statement was no historical fabrication.

It is our moral imperative to act and act courageously on this issue. I am a strong proponent of encouraging our friend and ally, the Government of Japan, to set the record straight on the Comfort Women tragedy and educate its future generations properly about what occurred. In doing so, Japan will take an important step in our collective aim to eliminate violence against women in war by making it unambiguously unacceptable.

It is unacceptable to view rape as merely endemic to war, or an incidental adjunct to armed conflict. Rape is a unique weapon focused on non-combatants and intended to instill terror in its victims and to demonstrate the power of the perpetrators. It is a truly uncivilized act, and defending Imperial Japan's widespread use of rape during its Asian conquests is beneath modern, democratic Japan's better values and aspirations.

Madam Speaker, on January 31, along with six of our colleagues, I introduced House Resolution 121, which addresses the issue of protecting the human rights of the Comfort Women. The denial by Prime Minister Abe of Japan that Comfort Women were forced into sexual slavery is unacceptable and stands to underscore why passage of H. Res. 121 is important. It is my hope that we will be able to have a full vote by the House of Representatives sooner rather than later.

I would also like to thank the Comfort Women survivors—Jan Ruff O'Herne, Yong-Soo Lee, and Koon-Ja Kim—for journeying so far last month to testify on behalf of their 200,000 sisters who suffered under Imperial Japan. Their courage and the dignity with which they have lived their lives deserve our admiration and utmost respect.

ACKNOWLEDGING THE ACHIEVEMENTS OF WILLIAM TELL, IN CELEBRATION OF BLACK HISTORY MONTH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. RANGEL. Madam Speaker, I rise today in recognition of Black History Month and to spotlight the success of William Tell, Chairman and CEO of 1 Source Consulting Inc. a strategic consulting firm, which provides business strategy and IT solutions. Tell recently made history by acquiring a seven-year contract from the Department of Energy. Tell, whose larger clients include Homeland Security Department, Bureau of Alcohol, Tobacco, Firearms & Explosives, Justice Department and the U.S. Securities and Exchange Commission's Office of Information Technology, partnered with RS Information Systems Inc to secure the $1.4 billion government contract, the largest contract awarded to a small business.

Beyond a commitment to excellence in the business world Tell maintains a commitment to the community to enriching the lives of others, particularly African Americans. In September 2006, 1 Source Consulting Inc. partnered with San Diego Charger Shawne Merriman, to donate $10,000 to the Frederick Douglass High School Football Program. The company has also assisted in Hurricane Katrina relief efforts and partnered with Goodwill.

William Tell is a living testament to the ingenuity and acumen of black business leaders everywhere. His accomplishments should be celebrated in the spirit of remembering the rich legacy of African American leaders everywhere.

TRIBUTE TO UASA OF SONOMA COUNTY

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Ms. WOOLSEY. Madam Speaker, I rise today to honor United Against Sexual Assault—UASA—of Sonoma County on the occasion of its 33rd anniversary. Founded in 1974 as Women Against Rape, the agency consisted of a phone number to call for emotional support. Today that crisis line operates 24 hours a day, and the organization has an official board, paid staff, and volunteers who last year donated over 10,000 hours.

Over the past 33 years, UASA has greatly expanded the services offered to the people of Sonoma County. It provides extensive training on helping victims, including not only women and girls, but also men, children, and the families of victims. Staff and volunteers also accompany victims and their families for police reporting, court appearances, medical exams, or other personal situations.

Prevention programs include outreach to elementary through high school youths, reaching approximately 6,000 young people every year, as well as parents and school personnel. Other efforts include bilingual outreach to Hispanic teens, teen peer education training, anti-

racism curriculum which deals with violence against the lesbian/gay/bisexual/transgender community, and a unique men's program featuring men educating men. All services are offered at no cost.

UASA also plays a key role in the county's pioneering SART—sexual assault response team—which unites law enforcement, mental health, legal, and advocacy programs to support victims and families. This collaborative project makes services easily accessible and minimizes the stress felt by victims. The agency is also working with the District Attorney's office to establish a county-wide Family Justice Center.

Executive Director Gloria Young has provided visionary leadership in shepherding the agency through many of these transitions. In 2004, Gloria received the Outstanding Executive Director Award from the California Coalition Against Sexual Assault. She has post poned her scheduled retirement this year in order to remain at the helm during a time when some services are threatened by the closing of a major hospital.

Madam Speaker, UASA's long-term mission is to eliminate all forms of sexual assault. I know that with its inspired leadership, dedicated staff, and committed volunteers United Against Sexual Assault of Sonoma County has brought our community a long way towards achieving this goal and will not be satisfied until they have reached it. I salute UASA on their anniversary and look forward to the day when their services are no longer needed.

PAYING TRIBUTE TO JOHN JAMES

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my friend John James, a former Nevada State Climatologist who passed away on Monday, January 15, 2007.

John moved to Nevada in 1969 to help found the Sierra Nevada College at Incline Village. Soon thereafter, in 1971, John began work as a research associate for the Forest Institute for Ocean and Mountain Studies in Carson City. Following his work as a research associate, John taught at the University of Nevada, Reno where he was an associate professor of geography and served as chair of the University's Institutional Athletic Board.

John, whose interest in weather and climate patterns was sparked while serving as a military cartographer in Korea during the Korean war, was the State's climatologist for 23 years. In this capacity, John was able to study, maintain, and document the State's weather records through a network of volunteers. Under Governor Richard Bryan, John was appointed chairman of the Governor's Drought Committee when Nevada suffered during an extended drought period.

Madam Speaker, I am proud to honor the life and legacy of my good friend John James. His record of dedicated service to the State of Nevada is admirable. He will be profoundly missed.

INTRODUCTION OF THE STUDENT PRIVACY PROTECTION ACT

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. HONDA. Madam Speaker, I rise today to announce the introduction of my bill, the Student Privacy Protection Act.

The Student Privacy Protection Act is legislation that will restore the privacy rights of children and families that were taken away by a little-known provision of the Elementary and Secondary Education Act, the so-called No Child Left Behind Act.

Under No Child Left Behind, high schools are required to turn over lists of student contact information to the Department of Defense, which adds this information to an extensive database of children. The Department of Defense claims to need the names, addresses, and phone numbers of high school students for recruiting purposes, because it enables recruiters to contact children directly in their homes and at school, which is often done without the knowledge or consent of their parents.

As a former high school teacher and principal, I am concerned that the fundamental right of privacy has been taken away from both parents and children. U.S. Supreme Court Justice Louis Brandeis defined privacy as "the right to be left alone." Families are not being left alone, and their personal, private information is being divulged without their knowledge. Any database of personal information is subject to abuse. A government that was established for the pursuit of life, liberty, and happiness has no business collecting extensive personal data about Americans.

I have the greatest respect for Americans who choose to enter the military, as well as for those in the Armed Forces who engage in the recruiting process. Those efforts, however, should respect the privacy rights of children and their families.

No Child Left Behind requires schools to give military recruiters the names, addresses, and telephone numbers of students, unless their parents "opt-out" of the list. Schools are only required to provide one notice of the military recruiting list, so it can be easily overlooked by parents, or perhaps never received. Moreover, language and cultural barriers can prevent understanding of the opt-out process, especially in immigrant communities that are subject to aggressive military recruiting. If parents do not respond, and do not explicitly object to having their child's personal information released to recruiters, it is assumed that they have no objections. Under current law, they must "opt-out" in order to protect their rights.

The privacy rights of all Americans should be respected. One should not have to ask for these rights.

Today, I am reintroducing the Student Privacy Protection Act, which I introduced in the 109th Congress. This legislation will restore the privacy rights of parents and children. The Student Privacy Protection Act will change the military recruitment provision of No Child Left Behind from an "opt-out" system to "opt-in." Under my bill, families may still choose to "opt-in" to the recruiting database, but privacy will be respected by default.

I urge my colleagues to join me in supporting the rights of students and the rights of families, by supporting the Student Privacy Protection Act.

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

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2007

Mr. RANGEL. Mr. Speaker, I rise today in recognition of the life of Dorothy Ann Willis Richards, and in full support of H.R. 42—legislation recognizing the extraordinary contributions Ann Richards made to the great state of Texas and American public life.

Ann Richards had a zest for life that was evident and infectious. She was a wonderful public speaker and found ways to intimately connect with real people by tackling difficult issues that affected their everyday lives. Ann was tremendously tenacious but possessed a quick wit. She was well known for her zingy-one-liners and warm sense of humor.

Committed to issues of equity and inclusion, Ann spent much of her life championing causes related to the marginalization of women and minorities in particular. She dedicated herself to increasing the role of women in politics. Ann organized training sessions throughout Texas designed to empower women in politics and succeeded in improving the visibility of women in the National Democratic Party. Aim became the Governor of Texas in 1991 and continued to champion the inclusion of all people in the political process.

While in office, Ann oversaw a program of economic revitalization that grew the state's economy. As governor, Ann appointed Zan W. Holmes Jr., the first African-American appointed to the University of Texas Board of Regents; she redirected revenue from the state lottery to a school fund to support public education; and launched the Robin Hood plan, an attempt to equalize funding across school districts. Through these measures, Ann was successful in changing the ways that both Texas and our country thought about and treated women, ethnic minorities, people with disabilities, and members of the Gay, Lesbian, Transgender, and Bisexual communities. Ann once remarked that she entered politics to help those who were often ignored by the Texas' male dominated establishment.

It is with great pride that I rise in support of H.R. 42 and recognize, before all, the contributions of a wonderful woman, committed leader and champion for all.

NATIONAL PEACE CORPS WEEK

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Ms. WOOLSEY. Madam Speaker, I rise today, during National Peace Corps week, to commemorate the service of the current 7,749 Peace Corp volunteers making long-lasting contributions to communities in 73 countries around the world.

Forty-six years ago, President John F. Kennedy created the Peace Corps with the aim of enabling ordinary men and women to combat the debilitating effects of poverty, disease, and war in developing countries. More than 187,000 volunteers have served in 139 countries, and it is clear that the Peace Corps' impact has been truly extraordinary.

The leadership embodied in the Peace Corps Volunteers have helped farmers find new efficient methods for crop production, developed new business plans for economically depressed communities, and inspired countless children by acting as mentors and teachers. Their compassion and commitment to service have led to significant achievements in fostering improved understanding and strengthening the bonds of friendship.

Peace Corps Volunteers remain committed to addressing some of the world's most pressing problems today. These men and women have offered crucial assistance to communities struggling to halt the spread of HIV/AIDS, to regions devastated by Hurricane Katrina, and to countries rebuilding after deadly tsunamis. For their brave service and dedication, these Volunteers deserve to be commended.

To date, the 6th District of California has produced almost 400 Peace Corps Volunteers, including the following 28 current volunteers: Troy A. Agron, who is working in Azerbaijan; Caron L. Alarab, Guinea; Carol A. Batz, Tonga; Libby A. Bersot, Botswana; Jennifer M. Busick, Bolivia; Eldon L. Christenson, Guinea; Rustin P. Crandall, Guyana; Joseph P. Deschenes, Albania; Tameron A. Eaton, Eastern Caribbean; Amil A. Gehrke, Georgia; Robyn M. Grahn, Honduras; Donald F. Hesse, Jordan; Jessica D. Holloway, Armenia; Connor J. Kamada, Senegal; Anna F. Kuhn, Tanzania; Abigail M. Lafrenz, Bulgaria; Bridget M. Leddy, Kyrgyzstan; Ana Alecia Lyman, Mozambique; Sydney F. McCall, Bolivia; Morgan C. Montgomery, Honduras; Laura M. Norton, Madagascar; Jordan M. Reeves, Panama; Uriah S. Reisman, Panama; Jacob E. Rich, Peru; Emily C. Ryan, China; Elicia F. Smith, Kenya; Katherine L. Theiss-Nyland, Malawi; Kyla H. Wall-Polin, Bulgaria.

Madam Speaker, I ask my colleagues to join me today to honor the 46th anniversary of the establishment of the Peace Corps and to celebrate the achievements of these passionate men and women who have succeeded in making our world more peaceful.

PAYING TRIBUTE TO CHRIS MEYER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Chris Meyer, the Vice President of Convention Center Sales for the Las Vegas Convention & Visitors Authority.

In his role with the Las Vegas Convention & Visitors Authority, Chris has effectively promoted and implemented important programs which have marketed Las Vegas as a trade show destination. As a result of his efforts through Trade Show Trade Mission, the Las Vegas Convention & Visitors Authority has marketed Las Vegas as a destination for trade shows for organizations such as the Consumer Electronics Show, the National Association of Broadcasters, Magic, and ConAg/ConExpo.

By helping to redefine Las Vegas as a trade show destination, Chris and the Las Vegas Convention & Visitors Authority have increased Las Vegas tourism and revenue. As a result of Chris's Trade Mission, international tourism has increased as well. According to estimations, as a result of the Trade Missions to Brazil and China, an additional 3,000 Brazilian and Chinese tourists have visited the Las Vegas area. This alone has led to approximately $4,515,000 of revenue for the Las Vegas area.

Madam Speaker, I am proud to honor Chris Meyer and his many achievements. His dedication to the Las Vegas community is commendable and I wish him continued success in his future endeavors.

NEIGHBORHOOD CENTERS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. GENE GREEN of Texas. Madam Speaker, the promise of America means different things to different people. To some, it may represent better economic opportunities. To others, it is having access to a better education, better healthcare, or a better job. To still others, it is simply the chance for a better life.

But regardless of how we define the "promise of America," there is little doubt that Neighborhood Centers Inc.—Houston's largest and fastest-growing human services agency—is making that promise a reality for thousands of people in Southeast Texas. And the scope of that accomplishment is being underscored this month, as Neighborhood Centers celebrates its 100th anniversary of providing education, resources, and connections to the area's most vulnerable communities. Our Congressional District is served very well by Neighborhood Centers Inc.'s facilities and programs.

Founded in 1907 by Alice Graham Baker—the grandmother of former Secretary of State James Baker III—Neighborhood Centers Inc. stands as a shining example of how innovative strategies and consistency of purpose, animated by a heart as big as Texas, can produce truly transformational change.

From its inception, Neighborhood Centers has focused on helping underserved communities to achieve their full potential. The organization pursues this mission not by concentrating on the weaknesses of a neighborhood and its residents, but by building on the unique skills, strengths, resources, and capabilities that already exist. It then works to nurture these assets in order to create self-sufficiency, individual empowerment, and long-term economic and social development.

The result is a unique approach for connecting people with what they need to fully realize the promise of America: child and family care, education, job skills, entrepreneurial incubators, leadership development, legal assistance, after-school programs, citizenship services, teacher training, and activities for seniors that encourage aging in place.

The ability and willingness to provide these services have brought Neighborhood Centers face to face with numerous challenges over the years. But challenges are not uncommon to the agency. It has traditionally been Houston's go-to organization when it comes to dealing with the region's most complex issues. As Angela Blanchard, president and CEO, once said: "The harder it is, the better we like it."

Neighborhood Centers' response to Hurricane Katrina demonstrates clearly that those are not mere words.

When the storm forced hundreds of thousands of New Orleans residents to flee to Houston, Neighborhood Centers created a special program called Stay Connected. It provided evacuees assistance in finding jobs, healthcare, homes, and other essential human needs. It worked to restore a sense of community for those who decided to make Houston their home. It helped rebuild lives, renew hope, and revitalize opportunity. To date, Stay Connected—which is largely staffed by Katrina victims—has served more than 4,000 families.

That brings me to my final point about Neighborhood Centers: This is an organization defined by compassion, concern, and commitment.

The agency and everyone involved with its mission—including corporate partners such as JPMorganChase, Shell, Chevron, and Aramark—share an unbounded faith in human potential.

They truly believe that people, when treated with respect and dignity and given a chance to grow and to build self-esteem, can have a profoundly positive impact on families, communities, and the entire social and economic fabric not only of Houston but of America as well. Potential is not just an abstract concept to Neighborhood Centers. It is a concrete foundation for touching lives, lifting hearts, and fulfilling promise.

Over the past 100 years, Neighborhood Centers has never sidestepped an opportunity—or avoided an obligation—to keep that potential alive. In doing so, it has not simply made the American Dream a reality. It has kept the Human Dream alive. I cannot think of a more significant contribution to this country to those who make it great.

RECOGNIZING THE LIFE OF ESTHER RENTERÍA

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Ms. SOLIS. Madam Speaker, I rise today to honor my good friend and fellow Californian, Esther Rentería, who passed away January 8, 2007, at her Montebello, California home at the age of 67. Esther was a skilled journalist who was committed to increasing the presence of Latinos in broadcast media.

For decades, Esther advocated to increase the numbers of Latinos in the news and other television programs. She understood the importance of Latino children watching people on television who looked like them and could relate to them. Esther's endless advocacy and enthusiasm helped increase and positively modify the presence of Latinos in the media.

In 1969, Esther was the first Latina to appear in a nightly newscast with the premiere of "Ahora!" on KCET–TV, and in 1970 she

worked as an associate producer on ''The Siesta Is Over,'' a series based on issues relevant to the daily lives of Latinos in the U.S. In 1986, she cofounded the National Hispanic Media Coalition, an organization that monitors Federal Communications Commission regulations on broadcast media. The organization successfully petitioned the FCC to revoke broadcast licenses of those television stations who neglected to hire a sufficient number of Latinos.

Esther's work did not end with her behind-the-scenes efforts to make Latinos more visible on national TV. She also founded the Hispanic Americans for Fairness in Media to award scholarships to young students who aspire to future careers in media. Esther's advocacy on behalf of the Latino community has been instrumental to the changes that have taken effect since. Esther is survived by her husband, Martin Rentería, former chief of police for the Montebello Unified District's police department, four sons, and a sister.

I extend my sympathy to Esther's husband, children, and family. She will be missed dearly.

PERSONAL EXPLANATION

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, on Wednesday, Feb. 28, 2007, I was unavoidably detained and thus I missed rollcall vote No. 110. Had I been present, I would have voted ''aye'' on H.R. 556, the National Security Foreign Investment Reform and Strengthened Transparency Act.

PAYING TRIBUTE TO MR. TIM SNOW

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my good friend Tim Snow for his long and distinguished career at Thomas & Mack Development Group.

Tim began his work with the Thomas & Mack Development Group in California during the mid-1980s and soon after moved to Las Vegas where he was instrumental in implementing extensive land development projects. Tim is responsible for developing a 100-acre area of land near McCarren International Airport into the McCarren Center. Today, the McCarren Center is comprised of 30 buildings and nearly 2 million square feet of office and light industrial space.

During his tenure at Thomas & Mack Development, Mr. Snow also developed a 20-acre ranch which today stands as the headquarters for Harrah's Entertainment. While with the Thomas & Mack Development Group, Mr. Snow oversaw the development of the Blue Diamond Ranches, the Eastgate Plaza, and the Nevada Financial Center. Mr. Snow also shares an ownership position in the important 100-acre Northern Beltway Industrial Center. Throughout his long and illustrious career with the Thomas & Mack Development Group, Tim has guided the expansion of the Las Vegas Valley and his vision has led to the development of a mature business and thriving community.

Madam Speaker, I am proud to honor my good friend Tim Snow. His dedication to the Las Vegas community is commendable and I applaud his distinguished record of success. I wish him the best in his retirement.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. GRAVES. Madam Speaker, I would like to state for the record my position on the following votes I missed due to reasons beyond my control.

On Monday, March 5, 2007, I had to tend to some family matters and thus missed rollcall votes 119 and 120. Had I been present, I would have voted ''yea'' on all votes.

RECOGNIZING THE ACHIEVEMENTS AND MILESTONES OF ODESSA BROWN

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Ms. WATSON. Madam Speaker. it is an honor and privilege that I rise today to recognize Odessa Juanita Brown for her achievements and milestones as she celebrated her 85th birthday on March 1, 2007. I have known Odessa for most of my life. She and her husband Frank, and their children lived on Cimarron Street, in Los Angeles, and my family lived around the corner—that date's back to the late-1950s. Our families have remained in contact since then.

Odessa Brown has remained a committed community servant, participant in civic and fraternal groups, and an active church member over that 50-year period. She has been a member of Trinity Baptist Church for 61 years; a member of Alpha Kappa Alpha Sorority, Chapter Alpha Gamma Omega of Los Angeles, California, the same Chapter of which I am a member, for 25 years; and a volunteer at the election polls for the last 20 years. Odessa has been Worthy Matron of Skylight Chapter 51 of the Eastern Star and was a member of the NAACP . Today she is taking computer technology classes at Santa Monica Emeritus College. Not enough of a role model, yet? Well, Odessa has maintained an exercise routine of walking a mile almost every day for more than two decades—including hills, by the way.

Odessa Brown's leadership skills, her commitment to service, and her creative talents have been a true lifetime blessing to her family and community. She served as a Brownie and Girl Scout leader of her daughters' troops. She used her artistry to design and sew her daughters' beautiful handmade dresses when they were small. Everyone knew the three Brown girls because of their uniquely crafted dresses.

Odessa's culinary talents are also memorable, and family, friends, visitors have craved her cooking from coast to coast. She has creatively hosted small and large family dinners and barbeques, and cooked for neighborhood block parties and festivals. Her ''monkey bread,'' oh, yes, that monkey bread—is the most desired food at all family gatherings.

Odessa is a dedicated and devout Christian, and her church continues to be important part of her life. She and her husband, Frank, joined Trinity Baptist Church in 1946, the year they were married. She has been an active member since. Their five children—Marion, Gwen, Kathleen, Frank, and Reginald—grew up in Trinity. Her grandson, James, attends Trinity, and her other grandchildren, who live outside Los Angeles—Cameron, Brian, Rachel, Charesse, Kahlil, Imani, and Camara—have visited. Odessa's great grandchildren, Cameron and Ciera, are expected to one day be the fourth generation to worship at Trinity. Odessa is a Deaconess and is a longtime member of the Gospel Choir, which was directed by the late Inez Caston. Odessa regularly and lovingly still participates in church projects.

Odessa was born in Lewisville, Arkansas, on March 1, 1922, and Frank was born in Stamps, Arkansas. They joined the church not long after they had moved to Los Angeles. They were part of the great war-era migration of African Americans from the south to the north and west.

Odessa was the fifth child of Annie and Joe Brown. She had three brothers—Joseph, Clarence (deceased), and Cleant, and three sisters, Mary (deceased), Bernice (deceased), and Margie. The church was an important part of their community and Odessa was baptized at Galilee Baptist Church in Lewisville at 11 years of age.

From a young child, Odessa was extremely creative, artistic, and talented, whether she was in the kitchen helping her mother bake or designing and sewing outfits for her dolls. She started cooking at the age of seven and her teacher was her sister, Mary. When her parents attended church, they would return to a fantastic meal. Her parents were surprised to find out that she was the genius behind the great family meals. Her mother taught her how to sew and she quickly picked up the skill. She always helped her Mom around the house.

Odessa's parents were extremely resourceful. The Brown family understood the value of land ownership. Annie Brown's family was considered middle class, and they owned land. She inherited river land from her parents, which is still owned by the Brown Family, and she and her husband, Joe, purchased land together, as well. Joe was a hard working, proud farmer who raised his seven kids with the proceeds from the land. He grew corn, cotton, truck patches (watermelon), and raised animals (chickens, hogs and cows). He marketed his own products and sold direct to consumers. He also showcased his animals at conventions and fairs.

He was a chef and cooked at clubhouses, and was known for another unique skill—making ice cream. He sold his produce and ice cream at church conventions, and his fondness for making ice cream was passed down to Odessa, who developed homemade ice cream as a specialty. Annie also was an entrepreneur and learned how to use a pressure

cooker to process vegetables and fruit. This, of course, was a rarity in that period. With this unique talent, the community could have food stored during the winter months. Annie became the expert who trained others in the community on the benefits of using the pressure cooker to preserve foods.

In 1942, many things changed in the lives of the Brown family, as it did for most families in the country. The three Brown brothers, Joseph, Clarence, and Cleant joined the Army to serve their country during World War II. Joe Brown, now had a challenge. He too desired to serve his country and left for California to work in the Navy Shipyard in northern California. Odessa and her sister left Lewisville for California. For a short time, Odessa worked at a Ford Plant in northern California. Frank, having finished his tour of duty in the U.S. Army, decided to settle in Los Angeles. Odessa and Frank married, and began building a family. They soon settled as one of the first African American families in Leimert Park.

Years later, after her eldest children left home for college, Odessa decided it was time to pursue her dream. She registered for college and earned her bachelors of arts degree from California State University at Dominquez Hills. Odessa then taught as a substitute teacher in the Los Angeles Unified School System.

Her quest to learn continues, as she has mastered the newest technologies. She now uses the computer and sends e-mail messages to her family. She continues to exercise her creative design skills by knitting and crocheting, and shares knitted scarves and crocheted blankets with family and friends.

Madam Speaker, please join me in recognizing Odessa Juanita Brown as she celebrates her 85th birthday. She is truly an inspiration and a community treasure. I wish her many more years of health and prosperity.

RECOGNIZING THE 95TH BIRTHDAY OF THE GIRL SCOUTS OF THE USA

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. ALTMIRE. Madam Speaker, I rise today to recognize the 95th birthday of the Girl Scouts of the USA. I wish to recognize the incredible contributions Girl Scouts have made to the United States over the past 95 years.

Since their inception in 1912, the Girl Scouts have used different skill-building exercises and instruction to inspire over 50 million young women of this country to reach their full potential as members of their communities and as citizens of the United States. With the acceptance of the Girl Scout Promise, young women around the world make a commitment to respect themselves and others, to help people at all times, and to be honest and caring in all that they do. Today, over 3.5 million Girl Scouts are working with each other and their communities to help build a brighter future for all of us.

This Saturday, young women from over 200 Girl Scout troops in my district will gather for a Girl Scouts of the USA birthday party. I am honored to have the privilege of joining them for this special celebration and I look forward to proudly thanking them for all of their hard work. These young women are truly an inspiration to me, to the Fourth Congressional District of Pennsylvania, and to all American citizens.

PAYING TRIBUTE TO KATHLEEN BOUTIN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Kathleen Boutin for her leadership as director of Nevada Partnership for Homeless Youth.

For the past 7 years, the Nevada Partnership for Homeless Youth has provided a safe and secure environment for abused and neglected children. At their facility, the Partnership provides a nurturing environment that teaches these children life skills and provides them with new opportunities for success.

Under Kathleen's leadership and direction, the Nevada Partnership for Homeless Youth operates two Safe Place programs, two drop-in centers and two additional centers are being constructed. In 2005, Nevada Partnership was responsible for Clark County's first count of homeless youth. This past year, they have assisted over 1,500 homeless youths. The Partnership also provides Nevada's homeless youth with medical care, emergency shelter services, long-term residential programs and the opportunity to transform their lives.

Madam Speaker, I am proud to honor Kathleen Boutin for her leadership of the Nevada Partnership for Homeless Youth. The service that she and her organization provide for the area's homeless youth is laudable. I applaud Kathleen for her leadership and wish her continued success in their efforts to improve the lives of our cities' youth.

EMPLOYEE FREE CHOICE ACT

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes:

Mrs. MALONEY of New York. Madam Chairman, I regret that I was unable to vote on H.R. 800, the Employee Free Choice Act, because of previously scheduled family matters. Had I been present, I would have enthusiastically cast my vote in support of this very important bill. In addition, I would have voted against each of the three anti-worker amendments and the Republican motion to recommit.

As a strong supporter of the rights of workers to organize and bargain collectively, I have been an original cosponsor of the Employee Free Choice Act in each session of Congress that it has been introduced.

I believe it is critical that workers be able to make their own decision—freely and fairly—about whether or not to form a union. Although we have had several years of economic growth and high corporate profits, middle-class families in America continue to feel the squeeze of stagnating incomes coupled with rising health care, education, and housing costs. By passing the H.R. 800 today, we can take an important step towards easing the middle class squeeze by giving workers a free choice to join together to bargain for better wages, benefits and working conditions.

Some have said that this bill would abolish the secret ballot election. It would not. It simply gives employees a choice. Employees can still petition for an election, but if a majority of workers sign cards saying they want a union now, they get a union, and the employer must respect that choice.

This is about fixing the current system for forming unions and bargaining, which is badly broken. But above all, it is about respect and fairness for middle-class America, ensuring that workers have a choice—and a voice—at work.

EMPLOYEE FREE CHOICE ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes:

Ms. McCOLLUM of Minnesota. Madam Chairman, I rise today in strong support of H.R. 800, the Employee Free Choice Act, and I applaud Chairman MILLER and the Education and Labor Committee for making working families and the rights of organized labor a national priority.

Every employee's right to organize must be protected. Too often, this is not the case, and I saw it first hand when I worked in the retail industry. While many companies respect the rights of their employees, others put up hurdles and even break the law to keep workers from effectively coming together to fight for improved working conditions. This must be stopped.

H.R. 800 ensures that American workers have a voice in the workplace. It allows workers to decide whether they want to form a union if the majority of workers sign authorization cards in support of the union, and it strengthens penalties for employers that discriminate against union supporters.

This legislation is about strengthening America's working families. Union workers earn almost 30 percent more, on average, than nonunion workers and approximately 44 percent more when you take into account wages and benefits.

In my home State of Minnesota and throughout the country, families struggle every day to make ends meet. The Employee Free Choice Act protects employees' right to organize, allowing workers to bargain for the higher wages and the better benefits that American families rely on and that they deserve.

On behalf of the working men and women of Minnesota, I am proud to support this legislation.

BLUE DOG COALITION

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. LINCOLN DAVIS of Tennessee. Madam Speaker, one of the benefits in being a Member of Congress is the privilege of working in our Nation's Capitol. The United States Capitol, in my mind, is among the greatest museums in the world—filled with fine art, intricate architecture, and amazing statues of our country's most important historical figures.

Obviously, the Capitol is a place of great historical significance. One of the most important votes ever taken in this House was the declaration of war against Japan on December 8, 1941. This was followed 3 days later with declarations against the Axis, Germany and Italy. This in turn was followed in 1942 by declarations against Hungary, Bulgaria, and Romania. My friends, this was the last time Congress formally declared war against any nation.

For me, and I know for many of my friends in the Blue Dog Coalition, the opportunity to serve in this body is an honor bestowed on us by our constituents. Quite frankly, a great responsibility comes with this honor—a responsibility to represent the views of all our constituents, rather than the views of partisans on the left and right. This is why the Blue Dog Coalition advocates for a middle-ground in our policies, and I think the American people agree, the middle is the best place to govern. Madam Speaker, we have to be bipartisan, we have to be sensible, and we have to try and work together in a harmonious way to find solutions to the difficulties facing our Nation.

When I first came to Congress a Member asked me what I wanted to change about America. I thought about this real hard, and I was surprised at how quickly I came to my answer. My answer was that I did not want to change America. No country in the world cares for its citizens and provides them with the amount of support as the government of these United States of America. While I do not want to change America, our country does have problems, and I think we can address these best by working together. So, I want to challenge my colleagues on both sides of the aisle, let us start being a little more civil and little more cooperative with each other.

Two weeks ago the House debated a resolution honoring our soldiers and disagreeing with the President's proposal to send an additional 21,500 troops to Iraq. Sadly, many of my friends on the other side of the aisle allowed the debate to disintegrate into questions about the patriotism of Members of Congress, as though you are only patriotic if we blindly follow the President's every decision lock step. How shameful. I wonder what our Founding Fathers would think of the idea that the President's policies shouldn't be question or criticized. Seems to me if that was the Founder's goal they wouldn't have created the Congress, a bicameral co-equal branch of government. Instead they would have suggested we create a new kingdom out of America, or perhaps advocated for a government very similar to the one we overthrew in Iraq. Thankfully, in their infinite wisdom the Founders understood the necessity of debate, of questioning the administrations' policies, of a representative Republic. How ironic that members of the Republican Party came down to the floor and questioned the patriotism of Members of Congress for doing exactly what the Founders intended—debate policies so you can arrive at the best decision for the American people.

Now, one of the biggest challenges facing America, and something Congress debates every year around this time is our budget situation and our deficit. In 1980 I was elected to the State House in Tennessee. I remember one day traveling to Nashville from my home in Byrdstown when I heard on the radio that we had just increased our national debt to $1 trillion. That frightened me. A trillion dollars is a lot of money, but it was a particularly high amount in the 1980s. Back then it was a struggle to raise our debt limit by $15 to $20 billion. Now we raise our debt ceiling every year by hundreds of billions of dollars without even batting an eye. Many times we do it without having an up-or-down vote on that particular debt increase.

After I heard that report on the radio back in 1981 I began to pay closer attention to our national debt. Over the next 12 years I watched as our debt by grew by almost $3 trillion. I kept thinking to myself, how is this possible? It took almost 200 years for the debt to reach $1 trillion, and yet, over a short period of time in the 80s and early 90s the debt tripled. Then in the 1990's we put in place pay-as-you-go budget rules that forced Congress and the administration to budget like every American family—meaning that the Federal Government could only spend what it took in. The result was a return to budget surpluses that helped us actually pay down a little bit of our national debt. Now, I know it was only a projection, but by the time President Clinton left office we were looking at having a 10-year surplus over $5 trillion. Unfortunately, the next administration and Republican-led Congress allowed PAYGO to expire and the results were predictable, and $8 trillion reverse of fortunes. So now we find ourselves in a situation where our annual deficits, excluding the Social Security surplus, exceed $400 billion and our national debt is currently $8.8 trillion, which amounts to $29,000 for every man, woman, and child in this country. Where is the fiscal responsibility in that? What happened to the Republican Party? The so-called party of smaller government just couldn't resist dipping into the Treasury's cookie jar to feed their spending frizzy. Sadly, the big losers of this policy are my grandchildren and the soldiers returning home from war. They will be the ones taxed with paying down our debt. That, my friends, is immoral and shameful.

You know, my chief of staff recently had a baby they nicknamed Willis. The first thing Willis did when he came into this world was cry. Now I know why he was crying. He had just been born and he inherited his share of the national debt—$29,000. By the time he is old enough to have a job his share of the debt limit will be more than five times the cost of the first house I bought for my family in the late 1960s. We have got to do better than this. We have a moral responsibility to do better than this. This Congress has taken the first steps by reinstating PAYGO rules in the House. Now we must go one step further and make them part of the statute.

Now, I would like to go back and talk about Iraq a little more. Too often I hear folks in this Chamber saying the Democratic policy is ''cut and run'' and the White House policy is ''stay the course.'' Both of these are wrong. We can't stay the course, and we can't cut and run.

Last week I saw that Vice President CHENEY was in Japan thanking our troops, and I remembered that we still have troops in Japan following World War II. We also have military bases still operating in Germany from that war. Additionally, we have thousands of troops in South Korea even though the Korean War ended long ago. We still have soldiers in Kosovo and Bosnia and Serbia and the Balkans from our involvement there in the 1990s. You know, it is worth noting that our friends on the other side of the aisle criticized President Clinton in the 1990s for our involvement in that conflict, saying it was not our duty to ''Nation build,'' and they wanted to set up a timetable for withdrawal. I believe our current President even lobbed those criticisms when he was a candidate. Sometimes I feel like hypocrisy is the currency of Washington.

Continuing to look around the world you will notice we have a military presence in Turkey, the United Arab Emirates, Kuwait, and Saudi Arabia. Of course some of them are there for our current war, but many were there beforehand as a result of the Persian Gulf war. The Persian Gulf war was U.N.-sanctioned, and it is my understanding that we overwhelmed Saddam Hussein with our troop numbers, and then we used no-fly-zone in the south and north to essential block him in his own country. But we had to keep our military in the area to protect the vast oil reserves in the Middle East region of the world.

In my opinion, from looking at history, we will always have a military presence in the Middle East. The question is how will we stay in the Middle East?

Quite frankly, we must stay in the Middle East in a manner that will help ensure the security and peace of the area. Of course we want the Iraqis to win the peace and control their own country, so the key issue is how do we help them in this endeavor? Since we destroyed the Iraqi army, one that was able to resist a larger Iranian army for 10 years, we must act as their army until we have trained enough of their new army to the point where they can take over. In the meantime, I believe we need to pull our troops out of the kill zone in Baghdad and move them to the border with Syria and Iran to cut off any support for the insurgency that may be coming from those countries. At the same time the Iraqi police forces and new military must engage and control the fight within the country. It is their country; they have to win the peace. However, we can and should support them in eliminating any terrorist cells that pop up in Iraq. I believe we can do this with quick-strike forces and our advanced weaponry with minimal American casualties.

Twelve million Iraqis voted in December of 2005. This sent me the signal that they want their own country—not an American occupied country. They have established a constitution and set up their government with elected officials and various departments. Now they also have to fight those within their country who threaten their democracy. We can assist, but the will has to be theirs.

PAYING TRIBUTE TO DR. SUSAN LINDQUIST

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Dr. Susan Lindquist for receiving DRI's Nevada Medal for 2007.

Dr. Lindquist has spent decades researching the causes and possible treatments for neurological diseases such as Parkinson's disease, Creutzfeld-Jacob Disease, and Mad-Cow disease. Through the course of her research, Dr. Lindquist has made significant contributions to biological research methodology and clinical treatment. Like many great scientists, Dr. Lindquist has also had to find new strategies and revolutionary tactics, such as transforming the practice of Drosophila genetics, thereby producing the first precise method of inserting and deleting genes in a higher organism.

Over the course of her long and illustrious career, Dr. Lindquist has served as a professor in the Department of Molecular Biology at the University of Chicago and as the Albert D. Lasker Professor of Medical Science from 1999–2001. Dr. Lindquist is also a member, and former director, of the Whitehead Institute, a professor of biology at the Massachusetts Institute of Technology, and a Howard Hughes Medical Institute investigator. Among her many accolades, Dr. Lindquist was named one of Discover magazine's top 50 woman scientists in 2002, and Scientific American's top 50.

Madam Speaker, I am proud to honor Dr. Susan Lindquist and her achievements. Her contributions to medical science and biological research are truly extraordinary. I applaud her efforts and wish her the best in her future endeavors.

INTRODUCTION OF A BILL TO AMEND THE NATIONAL TRAILS SYSTEM ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. BLUMENAUER. Madam Speaker, today I am introducing a bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes.

This legislation shall authorize the Secretary of the Interior to study certain routes of the Oregon Trail to determine the suitability of becoming part of the Oregon National Historic Trail. Additionally, a 20-mile southern alternative route of the Pony Express trail shall be considered along with portions of Missouri Valley and central and western routes of the California trail to be designated as the Pony Express National Historic Trail and the Californian National Historic Trail respectively. Lastly, the Secretary shall undertake the study of certain routes for the consideration of the Mormon Pioneer National Historic Trail.

The recognition and maintenance of these trails provide our citizens with an opportunity to retrace the journeys of our ancestors, and engage in living history.

PERSONAL EXPLANATION

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. BARTON of Texas. Madam Speaker, on Monday, March 5, 2007, I was unable to fly to Washington, DC. As a result, I missed votes on this day. I ask that my statement be placed in the appropriate part of the RECORD to reflect how I would have voted on the following roll-call votes, had I been present.

Monday, March 5, 2007: "Yea" on motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 390–0 (Roll No. 119). H.R. 995: To amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

"Yea" on motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 390–0 (Roll No. 120). H.R. 497: To authorize the Marion Park Project, a committee of the Palmetto Conservation Foundation, to establish a commemorative work on Federal land in the District of Columbia, and its environs to honor Brigadier General Francis Marion.

CONGRATULATING WILLIAM KETTER UPON HIS INDUCTION INTO THE NEW ENGLAND PRESS ASSOCIATION'S HALL OF FAME

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. MEEHAN. Madam Speaker, I rise today to congratulate, William Ketter, upon his induction into the New England Press Association's Hall of Fame. For over 40 years, Mr. Ketter has worked in the newspaper business as a reporter, editor, and vice president, making innumerable contributions to journalism in Massachusetts and New England.

Mr. Ketter spent the first 16 years of his career with United Press International working as a political reporter, editor, and vice president. He would spend the next 20 years as editor and vice president of the Patriot Ledger in Quincy, Massachusetts, leaving only to become a vice president at the Boston Globe and chairman of Boston University's Journalism school.

In 2002, Mr. Ketter joined the Eagle Tribune, a daily newspaper in my district, as editor in chief and vice president of news. In 2005, when Community Newspaper Holdings Inc. of Birmingham, Alabama purchased the Eagle Tribune Publishing Company, Mr. Ketter became vice president of news. He now supervises editorial operations at several newspapers throughout Massachusetts, including the Eagle Tribune in Lawrence, MA, The Salem News, the Gloucester Daily Times and the Daily News of Newburyport, as well the rest of CNHI's 95 daily and 50 nondaily newspapers and publications throughout the country.

Mr. Ketter has also served on the Pulitzer Prize Board, is a former president of the American Society of Newspaper Editors, and in 1994, served as chairman of the first World Editors Forum.

Mr. Ketter currently serves as the New England Academy of Journalists, and is a recipient of the Academy's "Yankee Quill Award" for outstanding contributions to journalism in New England.

In addition to this work, Mr. Ketter has focused his energy on bridging the gap between print media to the Internet, overseeing programs using both means to connect with readers.

Mr. Ketter has also become a leading voice on issues facing the people of Massachusetts, the United States and the world. I recently offered into the CONGRESSIONAL RECORD, a series of articles from the Eagle Tribune on the problem of gambling addiction, and its effect on society, and individual families. I commend Mr. Ketter for his hard work and attention to this serious issue.

Mr. Ketter has also been a strong advocate defending the right to free press and has traveled the world to advocate for the free press in developing nations.

I commend William Ketter for his work as a journalist in Massachusetts and as an advocate for the issues near and dear to his heart, and I congratulate him for induction into the New England Press Association's Hall of Fame.

PAYING TRIBUTE TO KATHLEEN McDONOUGH WARD

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life and legacy of Kathleen McDonough Ward and in recognition of a new elementary school being named in her honor.

Kathleen began teaching in Peoria, Illinois, in 1969. In 1973, she moved to Las Vegas where she started making an impact as a substitute teacher for the Clark County School District. Three years later she taught full time at Paul Culley, Rex Bell, and Helen Her Elementary Schools. It was at Helen Her Elementary where she became very committed to a multi-age teaching concept that impacted students lives.

In addition to her significant achievements as an educator, Kathleen has also been very active in the civic community. She was an active member in the Junior Mesquite Women's Club and served as chairwoman for the Community Improvement Project for the Nevada Federation of Women's Clubs. Kathleen helped to organize the Readers/Writers group which has been in existence for over 10 years. Kathleen also organized projects to bring substantial contributions to the Candle Lighters to assist children with cancer. In 1993, after receiving her master's degree from the University of Las Vegas, she was diagnosed with breast cancer and subsequently retired in 1999. Sadly, in 2002, Kathleen lost her battle with cancer.

Madam Speaker, I am proud to honor the life and legacy of Kathleen McDonough Ward.

Her dedication to education and commitment to her fellow citizens was commendable.

SALUTE TO SERGEANT TOMMASO POPOLIZIO—FALLEN HERO

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. PAYNE. Madam Speaker, I rise today to honor the life and achievements of a fallen Newark police officer whose tragic loss in the line of duty is mourned by his family, friends, fellow law enforcement officers, and our entire community. Sergeant Tommaso Popolizio died in the early morning hours of Saturday, March 3, 2007, at the age of 33, while working to keep our streets safe. He leaves behind his wife, four children, father and five siblings.

Sergeant Popolizio, born and raised in Newark, dedicated his life to the city where he and his family put down roots. His parents, Nicola and Sarah, immigrated to the United States in the late 1960s from Italy and settled in the North Ward of Newark, New Jersey, my home city. The youngest of seven children, Sergeant Popolizio attended my alma mater, Barringer High School and went on to study at Rutgers University, Newark. He joined the Newark police force in 1995, the first of three brothers to do so.

Sergeant Popolizio once said, ''I try to do as much as I can every day that I go out there.'' Committed to bettering our city, Sergeant Popolizio, the consummate police officer, always rose to the occasion whether on or off duty. Noted for his bravery and dedication, Sergeant Popolizio protected our city streets and saved a number of lives. Upon first joining the police force, he was fired upon during a chase to apprehend dangerous suspects. In 1999, Sergeant Popolizio and another officer rushed into a burning building and rescued three children. Chalking up such instances of bravery to ''all in a day's work,'' Popolizio never sought recognition, never shrank from duty, and always gave one-hundred percent to his job. It is therefore no surprise that someone with such heart and tenacity as Sergeant Popolizio was bestowed with honors and rose up the ranks of the Newark Police Department. As an East District supervisor, Sergeant Popolizio was known for his positive influence in leading by example.

Madam Speaker, I ask my colleagues here in the U.S. House of Representatives to join me in honoring Sergeant Tommaso Popolizio, who died as he lived his life—selflessly and with integrity. I am honored to have had him represent my home city and I know my colleagues join me in extending our deepest sympathy to the family of one of Newark's fallen heroes.

INTRODUCTION OF THE GREAT LAKES COLLABORATION IMPLEMENTATION ACT

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. EHLERS. Madam Speaker, the Great Lakes provide drinking water for 40 million people, and 56 billion gallons of water per day are used for municipal, agricultural, and industrial use. The Great Lakes contain 5,500 cubic miles of freshwater—that's 6 quadrillion gallons of water, equal to 90 percent of U.S. supply and 20 percent of world supply. In fact, if you emptied the Great Lakes onto the continental U.S., everything would be under 9½ feet of water. The Great Lakes shoreline stretches for 10,210 miles. That's a lot of sand for summer Saturdays at the beach. The Great Lakes contain over 250 species of fish, and they sustain a $4 billion sports fishery industry and millions more in commercial fishing.

Is it any wonder that we call them great? The lakes are the foundation of our region's quality of life, and they are a national treasure.

The Great Lakes are so vast, so majestic, and so plentiful that we might think they can withstand any contamination. We take them for granted. But the Great Lakes have suffered from years of industrial pollution, stormwater and agricultural runoff, the introduction of invasive species, and wetlands and coastal habitat loss. The size and shape of the Lakes only contribute to the problem. The retention rate for Lake Superior is 191 years. Lake Michigan is 99 years. It takes the Lakes that period of time to cycle through water and get rid of pollutants. The Lakes are nearing a tipping point of environmental pollution from which they might not be able to recover. Closed beaches, fish consumption restrictions, loss of wildlife habitat, and depleted fish stocks are harbingers of problems that will only worsen over time.

Thankfully, we largely know what needs to be done to clean up and protect the Lakes. In December 2005, the Great Lakes Regional Collaboration, initiated through an executive order by President Bush, produced a strategic action plan for protecting and restoring the Great Lakes. The Regional Collaboration—a partnership of Federal program managers, State governors, mayors, scientists, industry leaders, anglers, hunters, environmentalists, and other interested private stakeholders—focused their attention on addressing the most critical threats to the Lakes. The diverse group of 1,500 participants developed recommendations for addressing aquatic invasive species, habitat protection, coastal health, Areas of Concern and contaminated sediment, nonpoint source pollution, toxic pollutants, scientific research and monitoring, and sustainable development.

Today I am introducing comprehensive legislation to address these threats. As its name implies, my bill—the Great Lakes Collaboration Implementation Act—makes many of the necessary legislative changes to implement many of the policy recommendations contained in the Strategy. This bill prevents further biological contamination from aquatic invasive species introductions. It also helps clean up contaminated sediments in rivers and harbors and restores beneficial uses of those waters. Provisions in the legislation will restore wetlands and other fish and wildlife habitat, and help communities improve their wastewater infrastructure and prevent sewer overflows. Finally, the bill strengthens scientific research and monitoring activities in the Lakes, so that we can monitor our progress and make good decisions on what steps to take next in clean up and restoration efforts.

The solutions are practical and manageable. The sooner we pass this bill and provide the necessary funding levels for these programs, the less costly the solutions will be in the long run. I urge my colleagues to support this critical legislation.

AN IMPORTANT HEALTH AND SAFETY ISSUE FOR BERGEN COUNTY WOMEN AND CHILDREN

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to bring to this body's attention a serious health issue affecting women and unborn children in Bergen County, New Jersey.

The Bergen Record reported last Wednesday, February 28 that the Metropolitan Medical Associates Clinic in Englewood, New Jersey had been closed down following a complaint filed by Newark Beth Israel Medical Center when it treated a woman for complications from an abortion performed at the Metropolitan Clinic. The Clinic, which performs more than 10,000 abortions a year, including about 1500 partial birth abortions, was closed for posing ''immediate and serious risk of harm to patients.'' This very same clinic was barred from performing abortions in 1993 for its failure to protect the health and safety of its patients.

As the Record reported, ''An order to halt medical services is extremely rare. This is only the second time in the last five years the [Department of Health and Senior Services] has closed one of the State's 619 ambulatory-care facilities for 'deficient care.'" Ironically, the Clinic is redirecting its patients to another local clinic owned by the same company that offers sub-par services at the Metropolitan Clinic.

Perhaps, more ironic, however, is that the State has stepped in to protect the women seeking abortions from the physical hazards posed by the Clinic's substandard care. It has not sought to address the emotional damage that these women may suffer from the trauma of an abortion. And, it certainly has not sought to address the fatal tragedy that befalls the more than 10,000 children whose mothers come to the Clinic each year.

PERSONAL EXPLANATION

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. JEFFERSON. Madam Speaker, due to a prior commitment being held in my district on Thursday, March 1, 2007, I missed the H.R. 800 ''Employee Free Choice Act'' vote. If I had been here, I would have voted ''yes'' on this bill.

TRIBUTE TO KAREN FANT: CONSERVATIONIST AND DEFENDER OF OUR WILD LANDS

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. INSLEE. Madam Speaker, I rise today to pay tribute to Ms. Karen Fant, who devoted

her life to preserving wilderness and wildlife in Alaska and the Pacific Northwest. We mourn the loss of such a treasured conservationist and pioneer in the Washington state environmental movement. She spent four decades organizing for conservation, working for groups including the Alaska Coalition, Sierra Club, Olympic Park Associates, Wild Sky Working Group, Washington Wilderness Coalition, and Save Our Wild Salmon Coalition. Her activism spanned many years, crossed state lines, and extended as far as Chongqing, China, where she dedicated herself to developing a strategy to address environmental degradation in Asia as a board member of the Seattle-Chongquing Sister City Association.

Born in Altadena, California, Karen grew to cherish wilderness at an early age, spending her childhood hiking the Sierra Nevada Mountains with her family. She continued this passion, earning a degree in geology at the University of California, Santa Cruz. Formally beginning her long legacy of protecting our wild forests, Karen first went to work for the Sierra Club in the 1970s, fighting for roadless forest preservation. In 1979, she cofounded the Washington Wilderness Coalition, an organization dedicated to empowering Washington state citizens to preserve and restore wilderness areas through grassroots advocacy and public education.

Karen once said, ''We will continue to work on these issues as long as there is wild land left in the country.'' Friends have described her as selfless, caring, inspirational, effective, dedicated, wise, humble and relentless in organizing and empowering people to speak up for the wild places in America and around the world. Karen was the epitome of the dedicated and effective activist. She touched the lives of countless individuals throughout the Northwest. She had a knack for recognizing everyone's ability to make a difference, and encouraged people to stand up and speak out for what they believe in. She was never the loudest person in the room, but often the most effective voice at bringing people and ideas together to advance the protection of wilderness and the wild creatures that depend on it. She delighted in walking in wild, unspoiled places and bringing others out to experience the serenity, joy, and splendor of wilderness. Because of her work, the conservation community in Washington has been left with an immense knowledge of what is at stake as we fight to protect the wilderness areas that remain in the United States.

Karen was instrumental in passing the 1984 Washington State Wilderness Act, which sets aside over one million acres of new wilderness. She also initiated the efforts to preserve Wild Sky. She organized to protect the Owyhees Canyonlands in Idaho and the Arctic National Wildlife Refuge in Alaska. Finally, she organized in support of a bill that is close to my heart, The National Forest Roadless Area Conservation Act. Passage of this bill is vital to protect areas in the national forest deemed as roadless and ensure that they remain free from development or devastation. As the original sponsor of this bill, I encourage you to support the protection of our national forests.

This spring, Karen's ashes will be spread among some of her favorite wilderness areas in the North Cascades and Sierras Nevadas, areas that continue to need protection to this day. Here in the U.S. Congress, I cannot imagine a better way to honor Karen's conservation legacy than for my colleagues to join me in supporting H.R. 866, the Wild Sky Wilderness Act of 2007, which will be marked up in the Natural Resources Committee this week. This bill would serve to protect and expand the federal wilderness of the Skykomish River Valley in Washington State and ensure that ecosystems and stunning vistas in this area are enjoyed by people and wild creatures for generations to come. Passage of this legislation would be the perfect tribute to Karen's legacy.

If Congress could merely echo the unwavering efforts of this woman, we would no doubt be doing a great service to our children and grandchildren in ensuring there are wild lands for them to enjoy far into the future.

INTRODUCTION OF THE ''TORTURE OUTSOURCING PREVENTION ACT''

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. MARKEY. Madam Speaker, I rise today to introduce, for the third time, legislation to prohibit the outsourcing of torture by the United States government. I am hopeful that this Congress the House will finally take up legislation on this matter.

I know that policy battles can drag on for seemingly endless lengths of time. I remember that Senator Proxmire spent nearly 20 years arguing that the United States needed to ratify the Convention Against Genocide before finally succeeding to rally the Senate to action. But I know too that we cannot delay any longer in addressing the Administration's practice of transferring detainees for interrogation or other purposes to countries where there are substantial grounds for believing that the transferred individuals could face torture. I feel a rising optimism that we can end this repugnant and counterproductive practice of so-called extraordinary rendition soon, and certainly within the timeframe of this Congress.

There is no doubt that the United States is greatly challenged by violent extremists, and the terrible attacks of September 11 were not so much attacks upon our country as upon the values of liberalism, openness and democracy that we champion throughout the world. But there is a right way and a wrong way to conduct ourselves as we defend the United States from murderous criminals and terrorists.

The wrong way is to lower our standards of conduct further and further for the sake of expediency. The wrong way is to compromise our core values of human rights and dignity for all people in the face of an enemy who disdains such ideals. The wrong way is to undermine and destroy international treaties guaranteeing all people security from cruel, inhumane, or degrading treatment; especially when these treaties are the last line of defense for our soldiers and personnel overseas unfortunate enough to be captured on the battlefield.

The right way is to proudly and publicly hold the United States to the highest standards and prove again that our nation is founded upon the rule of law.

The practice of extraordinary rendition is a travesty, and it is illegal under any reasonable reading of U.S. and international law. The Convention Against Torture, ratified by the Senate in 1986, provides that the United States may not ''expel, return, or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.'' And in 1998, this Congress passed the Foreign Affairs Reform and Restructuring Act (FARRA), which states that ''it shall be the policy of the United States not to expel, extradite, or otherwise affect the involuntary return of any person to a country in which there are substantial grounds for believing the person would be in danger of being subjected to torture, regardless of whether the person is physically present in the United States.''

Both the Convention Against Torture and FARRA prohibit the transfer of an individual to a state where there are ''substantial grounds for believing'' that the individual will face torture. How has the Administration gotten around this prohibition when sending detainees to countries like Syria, Jordan, Uzbekistan, and Egypt; countries which our own State Department reports are habitual abusers of human rights? The Administration has received, and accepted, so-called ''diplomatic assurances'' from these torturing countries that they will not abuse transferred detainees. It is shocking that the Bush Administration has repeatedly and cynically accepted the word of known torturers without any mechanism to ensure that these promises were not broken.

The Torture Outsourcing Prevention Act will require that the Secretary of State compile an annual list of all countries in the world known to use torture; it will be illegal to transfer individuals to the countries on this list, regardless of the citizenship or physical location of the individuals. Furthermore, the Torture Outsourcing Prevention Act will close the loophole of ''diplomatic assurances'' which the Administration has exploited to outsource the torture of prisoners to countries such as Syria.

The Torture Outsourcing Prevention Act provides waiver authority over the prohibition to the Secretary of State when it is certified to the appropriate Congressional committees that the country in question no longer practices torture and there is a verifiable mechanism in place to assure that the person transferred will not face torture.

The Torture Outsourcing Prevention Act does not inhibit treaty-based extraditions in any way. In those cases, current law already provides that an individual facing extradition may challenge the extradition in the courts with an assertion of their rights under the Convention Against Torture.

Madam Speaker, it is past time for the Congress to end the practice of extraordinary rendition. I urge adoption of this important legislation.

RECOGNIZING DR. JAMES C. METTS, JR. UPON HIS RECEIPT OF THE AMERICAN CENTER OF POLISH CULTURE AWARD

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Ms. KAPTUR. Madam Speaker, the American Center of Polish Culture today presented

Dr. James C. Metts, Jr. an award to recognize his research on the fate of General Casimir Pulaski's remains. Dr. Metts, coroner of Chatham County, Georgia, served as the chairman of a 10-year investigaton to positively identify General Pulaski's remains. Mr. KINGSTON and I want to congratulate Dr. Metts upon receiving this award.

The birthday of Brigadier General Casimir Pulaski in George Washington's Continental Army was marked for the first time on Capitol Hill on Tuesday, March 6, 2007, the 262nd anniversary of his birth in Warsaw, Poland.

To celebrate the occasion, the National Polish Center (also known as the American Center of Polish Culture of Washington, DC) sponsored a birthday breakfast at the Rayburn House Office Building. Among those who came were sponsors of the resolutions to make Pulaski an honorary U.S. citizen and other notables from Congress and the Polish-American community. The featured speaker, Dr. Thaddeus Radzilowski, was president of the Piast Institute in Detroit, Michigan, and former president of St. Mary's College in Orchard Lake, Michigan.

Dr. Metts was recognized for his leadership and report on General Pulaski, whose remains were found September 1996. They had been buried in a crypt under the Pulaski Monument in Savannah, Georgia, since 1853, though Pulaski had been widely rumored to have been buried at sea.

Edward Pinkowski, internationally known authority on General Pulaski, was the chief sponsor of the Pulaski identification project.

Pulaski's remains were examined by forensic specialists in Savannah since 1996. Dr. Metts said the remains are ''consistent in remarkable detail with the physical appearance, life history, and cavalry lifestyle of Casmir Pulaski.''

Pulaski's remains were re-interred in October 2005 in front of the monument in Savannah's Monterey Square.

At the Washington event, a wreath was laid at the heroic-size marble bust of Pulaski located in the Capitol Building. The bust was carved by Henry Dmochowski (1810–1863) from Carrara marble and moved to Capitol Hill in 1882.

According to Jack Pinkowski, Ph.D., vice chairman of the National Polish Center, ''this first birthday celebration at the Capitol is important because it identifies Pulaski's correct birth date as March 6, 1745. It also gives us an opportunity to recognize the 10 years of work of Dr. Metts and his team in Poland and in the United States.

Casimir Pulaski was born and raised in Warsaw, the son of Count Joseph Pulaski, a member of the Polish parliament (Sejm). The young Pulaski won his reputation as a guerilla fighter in Poland's struggle for independence.

Political intrigue forced him to leave Poland in 1772, and he spent time in Turkey, Germany, and France. He went to America in 1777 with a letter of recommendation from Benjamin Franklin, who was solicited by Pulaski's friends. Pulaski was commissioned by the Continental Congress as a brigadier general to command four cavalry regiments and later formed the Pulaski Legions.

Among his exploits in the American fight for freedom were saving George Washington's life and the successful defense of Charleston in May 1778. He was wounded at the Siege of Savannah on October 9, 1779, and died on board the ship *Wasp*. He was secretly buried on Greenwich Plantation next to Thunderbolt Bluffs on the banks of the Wilmington River next to the plantation where the *Wasp* was tied up to a finger wharf and where Samuel Bullfinch, captain of the *Wasp,* wrote a letter that notified General Benjamin Lincoln of Pulaski's death. He said that Pulaski died on board his ship on October 15.

Pulaski remains a symbol of Polish courage, Polish initiative, and Polish friendship for the United States.

We thank Dr. James C. Metts, Jr. for his efforts to remind us of this American Revolutionary War hero, and congratulate him on his receipt of the American Center of Polish Culture award.

INTRODUCTION OF LEGISLATION TO IMPROVE FEDERAL NUTRITION ASSISTANCE

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Ms. HERSETH. Madam Speaker, I rise today to introduce legislation comprised of three sections to improve federal nutrition assistance.

The National School Lunch and Breakfast Programs are two of the Nation's most successful and popular programs. Each day almost 30 million children participate in the lunch program and 9 million in the breakfast programs. Yet, there are children who are eligible for the programs who cannot participate.

Children from families with incomes between 130 percent and 185 percent of the poverty line are eligible for reduced price meals. A reduced price breakfast costs 30 cents per meal per child and a lunch is 40 cents per meal per child. While it may be hard to imagine, this modest fee appears to be a barrier to low income working households.

In 2004, the Child Nutrition and WIC Reauthorization Act (P.L. 108–265) authorized a pilot program to determine for sure whether it was the reduced price fee that was keeping children from the program or whether there might be other reasons for the lack of participation. I believe the time has come to finally fund this pilot and I propose that the Congress take this action as a part of the farm bill.

USDA has suggested that a valid pilot could be implemented for approximately $23 million, $10 million per year for two years, plus the cost of evaluation. This amount would not allow for a five state, state-wide pilot as was authorized but it would provide for a valid test of whether the fee is the barrier that is keeping the children from the program.

Evidence has clearly proven that hungry children cannot learn. Therefore, if we are going to educate our children in America to compete effectively in a world market, we must provide for sound nutritious school meals. As the Congress restructures our farm programs, and reauthorizes the food stamp program, we should also fund this small but important school meal pilot.

Most of the school boards in South Dakota have endorsed funding for this pilot, as has the South Dakota Farmers Union and the Argus Leader, our largest newspaper. Nationally, the pilot also enjoys wide support. The School Nutrition Association, the Military Impacted School Association, National Farmers Union, the National Association of Elementary School Principals all support funding the pilot. The National School Boards Association has gone further and supports gradually eliminating the reduced price category, expanding the free meal category to the WIC income guideline. In short, if a family qualified for free WIC benefits, the family would also qualify for free school meals. Many state and local school boards agree with this policy.

Additionally, I'd like to acknowledge the administering State agencies and school districts that work so hard to ensure that every school meal these children receive meets the nutrition standards set forth in the Dietary Guidelines for Americans as required by law. To allow the USDA to better support school food professionals in their efforts, this legislation provides for a survey of foods purchased by school food authorities to be conducted once every 5 years. This data would also help the USDA to better manage the commodities that the Department purchases on behalf of schools, and also assess the economic impact of school food purchases on different commodity sectors. The most recent data on school food purchases is over a decade old and I believe this worthwhile investment is overdue.

Finally, this legislation would increase the minimum spent for food program administration in the Food Distribution Program on Indian Reservations (FDPIR). FDPIR provides commodity foods and education to low-income households that reside on Indian reservations so that they can maintain a nutritionally balanced diet with foods they might not otherwise have access to where they reside. There are approximately 257 tribes that receive commodity foods through FDPIR and an increase in the distribution of administrative funds is in order to better reflect the actual participation rates in this critical program.

I encourage my colleagues to support this beneficial and important legislation. It sets forth modest proposals that could make a world of difference to children and families most at risk of severe hunger.

TRIBUTE TO MR. DANIEL HACKMEIER

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. STUPAK. Madam Speaker, I rise today to salute a late American hero from my district. Mr. Daniel Hackmeier served our Nation with honorable distinction during World War II. Mr. Hackmeier passed in July of last year. This week, the City of Houghton, local military organizations, and community groups in the Houghton area will come together to honor Mr. Hackmeier and pay tribute to his service to our country.

Mr. Hackmeier enlisted in the United States Air Corps (which later became the Air Force) in April of 1939. He was first stationed at Selfridge Field in Mt. Clemens before being deployed to Nichols Air Force Base in the Philipines. While stationed at Clark Field, Mr. Hackmeier was promoted to Staff Sergeant Major for the 24th Pursuit Group.

When hostilities with the Japanese began, Mr. Hackmeier became part of the 71st Provisional Infantry. On April 9, 1942, when Bataan

fell to Japanese forces, Mr. Hackmeier was taken prisoner by the Japanese. In the custody of the Japanese, Mr. Hackmeier was forced to partake in the infamous Bataan Death March, one of the darkest episodes of the war in the Pacific. It has been estimated that 600–650 American and 5,000–10,000 Filipino prisoners of war died during this horrific ordeal. After surviving the Bataan Death March, Mr. Hackmeier endured as a prisoner of war for three and a half years at the Cabanatuan Prison Camp in the Philipines and later in Niigata, Japan.

According to those who knew him well, while captive, Mr. Hackmeier and his fellow prisoners kept up their spirits by singing the American folk song ''San Antonio Rose.'' Upon his release from captivity in 1945, Mr. Hackmeier was transported back to the United States by the Air Corps. When asked what airbase he would like to be transported to, Mr. Hackmeier replied, ''San Antonio.''

Upon arriving in San Antonio, Mr. Hackmeier met his own ''San Antonio Rose,'' his future wife, Betty. Betty and Daniel were married in September of 1948. Over the course of their lives, Betty and Daniel would have five children, nine grandchildren and four great-grandchildren.

Mr. Hackmeier remained with the U.S. Air Force after World War II and he received numerous military decorations. He was awarded the Bronze Star for his heroism in the Battle of Bataan. He also received the Combat Infantryman's Badge as well as the Presidential Unit Citation with two oak clusters and commendation ribbons. In addition, he was given several theater and campaign ribbons. In 1960, he received the prestigious Airman of the Year Award.

Mr. Hackmeier became acquainted with Michigan's Upper Peninsula (U.P.) while he was in the Air Force as he was assigned to teach ROTC at Michigan Technological University (MTU) in Houghton, Michigan. There, Mr. Hackmeier came to know and love Houghton and the U.P.

In 1961, Mr. Hackmeier was promoted to Chief Master Sergeant while serving at Maxwell Air Force Base in Texas. He retired later that year, having spent thirty years serving our Nation.

Upon retirement from the Air Force, Mr. Hackmeier returned to the Houghton area that he had become so fond of while teaching ROTC. Becoming an active member of the community, he joined Copper Country Ford dealership, a position he held for twenty-five years. His wife, Betty, also became active in the Houghton community, spending twenty-five years as a Food Supervisor at Michigan Technological University.

Madam Speaker, like most heroes, Mr. Hackmeier did not seek recognition for his valor. When those around him in the community referred to him as a hero, this humble man was known to simply respond, ''The real heroes are the men that died there.''

Madam Speaker, inscribed on the monument to the Pacific War Dead, in Corregidor, Philippines are the words:

Sleep my Sons, Your Duty Done . . .
For Freedom's Light Has Come.
Sleep in the Silent Depths of the Sea
Or in Your Bed of Hallowed Sod.
Until You Hear at Dawn
The Clear Reveille of God

While Mr. Hackmeier's final resting place may be Houghton and not the Pacific, like his comrades who did not survive Bataan, his duty truly has been done. As the people of Houghton, Michigan come together to recognize this hero, I would ask the entire U.S. House of Representatives to join me in saluting Mr. Hackmeier for his lifetime of service and in offering our thoughts and prayers to his wife, Betty, and his entire family.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. COLE of Oklahoma. Madam Speaker, the CONGRESSIONAL RECORD lists me as not voting on rollcall vote 115, Ms. FOXX's amendment to H.R. 800.

I had intended to vote ''aye.''

EXTENDING AUTHORIZATION FOR THE AMERICAN VETERANS DISABLED FOR LIFE MEMORIAL

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2007

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to strongly support H.R. 995, to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

Mr. Speaker, it is my distinct honor to stand here today to support a bill that will honor the service of veterans who have become disabled while serving in the Armed Forces. These veterans have given great contributions and made incredible personal sacrifices so that all of us in this country might live in a safe and secure nation and world. Establishing a memorial in the District of Columbia for these valiant warriors is only a small step towards repaying the insurmountable debt that all of us owe to all veterans. For, what is the price of freedom?

As President Kennedy once said, ''The price of freedom is high, but Americans have always paid it.'' And no one has paid a higher price than the brave men and women through the years who gave the last full measure of devotion to their country. Whether it is the ultimate sacrifice of life or the loss of limb or the loss of time with family and friends, we owe our veterans an enormous outstanding debt of gratitude.

From Bunker Hill to Yorktown, from Washington, DC to the Battle of New Orleans, from Bull Run to Gettysburg and Antietam to Appamattox, brave Americans gave their lives so that the nation might live. And from Alsace Lorain to Verdun, and Normandy to Berlin and Pearl Harbor to Okinawa, from Inchon and Correigador to Vietnam, Lebanon, Grenada, Kuwait, Afghanistan, and Iraq, Americans have nobly sacrificed their lives so that the world may live in freedom.

The debt of gratitude we owe to the soldiers, sailors, marines, and airmen who answered their nation's call and made supreme sacrifices can never be repaid. But the nation can follow President Lincoln's admonition to ''care for him who has borne the battle, and for his [family].'' Indeed, it is the least we can do.

It is out of my profound respect and gratitude for all who wear and have worn the uniform of the United States that I continue to work so hard to pass legislation that will ensure that veterans receive the health care, job opportunities, housing assistance, and educational benefits they deserve.

Because I realize that our veterans deserve our very best, I have recently introduced H.R. 1240, the Vision Impairment Specialist Training Act (VISTA). VISTA is a means to help our nation's blind and low-vision veterans by establishing a scholarship program for students seeking training in blind rehabilitation. There are 160,000 legally blind veterans in the United States, but only 35,000 are currently enrolled in the Veterans' Health Administration. Members of the Armed Forces are important to our Nation and we show them our appreciation by taking care of them when they no longer can serve.

Caring for our veterans also means giving them our time. I have had the honor of visiting with some of our wounded soldiers at Walter Reed Army Hospital in Washington, DC. Many of these soldiers were recovering from some of the most horrific wounds imaginable. But what made the most indelible impression on me was that to a man and woman, there was no self-pity or anger at their fate. Instead of anger or sorrow there was only concern for their fellow soldiers and pride in the certain knowledge that they had fought valiantly on behalf of a country they loved. There is no reason that any of our veterans should not receive the highest care from all of us in this country. I hope all Americans take the time to visit their local VA hospital and thank the wounded for their service to our country. We must do everything possible to let our veterans know how much we value their service.

Mr. Speaker, I strongly urge my colleagues to support H.R. 995.

COLUMBIA SPACE SHUTTLE MEMORIAL STUDY ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2007

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 807, the ''Columbia Space Shuttle Memorial Study Act,'' which directs the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle *Columbia* in the State of Texas and for its inclusion as a unit of the National Park System.

Mr. Speaker, I support this bill because the seven astronauts whose lives were lost aboard Space Shuttle *Columbia* were extraordinary people. To the world those astronauts were valiant heroes; to us in Texas they were also friends, neighbors, and family.

They made the ultimate sacrifice on a mission that benefited all of humanity. They deserve the highest level of honor, and their sacrifice and dedication must be commemorated

in a way that will serve to inspire the next generation of explorers. We can never forget this magnificent seven, those heroes who explored the heavens: Rick D. Husband; Michael P. Anderson; Laurel Clark; David M. Brown; William C. McCool; Kapana Chawla; and Ilan Ramon.

They were individuals of the highest caliber, always striving for excellence, and exemplifying the most noble of human traits. They were skilled professionals, scientists, clinicians, adventurers, and family men and women. The crew represented the diversity of our nation—black and white, men and women, immigrant and native-born, and included a comrade from Israel embodying the international goals of peace and cooperation.

The *Columbia* crew was deeply committed to the NASA mission. NASA provides insights into the origins, destiny, and wonder of the universe and is a source of dreams for young and old alike. These seven courageous explorers paid the ultimate price to advance our understanding of the universe, to advance our medical and engineering sciences, and to make the nation safer and more secure. Before the *Columbia* started its tragic descent, the shuttle crew completed some 80 scientific experiments. Much of their research data had already been relayed to Houston where it has added to the pool of scientific knowledge.

In the two previous Congresses, I introduced legislation authorizing the issuance of Congressional Gold Medals to the crew of Space Shuttle *Columbia*. In fact, 318 joined me in co-sponsoring that legislation but the bill was never brought to the floor for a vote.

I have reintroduced the bill in the 110th Congress (H.R. 266) authorizing the coinage of a Gold Medal to pay proper tribute to our astronauts. One of the main reasons that the medal is bestowed is to make the highest expression of national appreciation for distinguished achievements and contributions.

Mr. Speaker, very shortly I will be introducing legislation authorizing the Secretary of the Treasury to mint a coin commemorating the 50th Anniversary of NASA and the Jet Propulsion Laboratory. For a half century, NASA and the JPL have been involved in many defining events occurred which have shaped the course of human history and demonstrated to the world the character of the people of the United States.

Mr. Speaker, I support H.R. 807 and urge my colleagues to do likewise. I also invite all members to join me in bringing to a vote on the floor H.R. 266 to award Congressional Gold Medals to the crew of Space Shuttle *Columbia* and in supporting legislation to authorize the Secretary of the Treasury to mint a coin in commemoration of the 50th Anniversary of NASA and the Jet Propulsion Laboratory.

TRIBUTE TO HERMAN BRUBAKER AND DONALD H. SCHRIVER

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. BOEHNER. Madam Speaker, I rise today to recognize a couple of buckeyes who have played an instrumental role in the growth and development of the dairy industry.

During my years in Congress, I have had the good fortune of representing, Herman Brubaker. Herman is a dairy farmer in the Preble County town of West Alexandria and he is a leader in the dairy industry.

While serving as chairman of the Board of Dairy Farmers of America, Inc. (DFA), the Nation's largest dairy marketing cooperative, Herman played an instrumental role in unifying the Nation's dairy producers' efforts to work together and promote dairy consumption. For those of you unfamiliar with DFA, it is a farmer owned cooperative with 24,000 dairy farmer members in 49 states.

Herman was the President of the Board of Directors of the Strongsville, Ohio—based Milk Marketing Inc. dairy cooperative in 1998 and played an instrumental role in that cooperative joining together with cooperatives throughout the country to form DFA. His efforts were so impressive that he was chosen as the first chairman of DFA's board of directors. He held this position until he retired in 2002. Herman has also served on the National Milk Producers Federation's board of directors.

Although Herman and I have not always agreed on the details of dairy policy, I have always been impressed with his work on behalf of dairy farmers. We have had some spirited discussions and I can honestly say it has been a pleasure to serve as his Member of Congress.

I also stand to recognize Donald Schriver, who recently retired as the executive vice president of DFA is an Ohio native and a 1969 graduate of the Ohio State University. Donald Schriver grew up on a dairy farm in Lorraine County, Ohio, and has spent a lifetime within agribusiness and the cooperative business world. Like Herman, Donald was an official with Milk Marketing, Inc. when it joined with other cooperatives to form DFA. Since DFA formed in 1998, Donald has played a vital role in the cooperative's growth and development.

I thank these men for their continued support of the dairy industry. I wish them well as they enjoy their retirements.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2649–S2742

Measures Introduced: Twenty-one bills and four resolutions were introduced, as follows: S. 765–785, and S. Res. 95–98. **Pages S2693–94**

Measures Passed:

Congressional Gold Medal: Committee on Rules and Administration was discharged from further consideration of S. Con. Res. 15, authorizing the Rotunda of the Capitol to be used on March 29, 2007, for a ceremony to award the Congressional Gold Medal to the Tuskegee Airmen, and the resolution was then agreed to. **Page S2662**

Honoring Former Senator Thomas F. Eagleton: Senate agreed to S. Res. 97, relative to the death of Thomas F. Eagleton, former United States Senator for the State of Missouri. **Pages S2741–42**

Joint Committee on Printing and Joint Committee on Library: Senate agreed to S. Res. 98, providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library. **Page S2742**

Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act: Senate continued 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, withdrawing the committee amendment in the nature of a substitute, taking action on the following amendments proposed thereto: **Pages S2653–90**

Rejected:

DeMint Amendment No. 314 (to Amendment No. 275), to strike the provision that revises the personnel management practices of the Transportation Security Administration. (By 51 yeas to 46 nays (Vote No. 60), Senate tabled the amendment). **Pages S2657–58, S2659–61**

Feinstein Amendment No. 335 (to Amendment No. 275), to improve the allocation of grants through the Department of Homeland Security. (By 56 yeas to 43 nays (Vote No. 61), Senate tabled the amendment.) **Pages S2678–83, S2684–85**

Obama Amendment No. 338 (to Amendment No. 275), to require consideration of high-risk qualifying criteria in allocating funds under the State Homeland Security Grant Program. (By 59 yeas to 40 nays (Vote No. 62), Senate tabled the amendment.) **Pages S2663–69, S2673–75, S2685**

By 49 yeas to 50 nays (Vote No. 63), Leahy Amendment No. 333 (to Amendment No. 275), to increase the minimum allocation for States under the State Homeland Security Grant Program. **Pages S2653–56, S2685**

Withdrawn:

Menendez Amendment No. 352 (to Amendment No. 275), to improve the security of cargo containers destined for the United States. **Pages S2657, S2661–62**

Pending:

Reid Amendment No. 275, in the nature of a substitute. **Page S2653**

Sununu Amendment No. 291 (to Amendment No. 275), to ensure that the emergency communications and interoperability communications grant program does not exclude Internet Protocol-based interoperable solutions. **Page S2653**

Salazar/Lieberman Modified Amendment No. 290 (to Amendment No. 275), to require a quadrennial homeland security review. **Page S2653**

Lieberman Amendment No. 315 (to Amendment No. 275), to provide appeal rights and employee engagement mechanisms for passenger and property screeners. **Page S2653**

McCaskill Amendment No. 316 (to Amendment No. 315), to provide appeal rights and employee engagement mechanisms for passenger and property screeners. **Page S2653**

Dorgan/Conrad Amendment No. 313 (to Amendment No. 275), to require a report to Congress on the hunt for Osama Bin Laden, Ayman al-Zawahiri, and the leadership of al Qaeda. **Page S2653**

Landrieu Amendment No. 321 (to Amendment No. 275), to require the Secretary of Homeland Security to include levees in the list of critical infrastructure sectors. **Page S2653**

Landrieu Amendment No. 296 (to Amendment No. 275), to permit the cancellation of certain loans

under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. **Page S2653**

Landrieu Amendment No. 295 (to Amendment No. 275), to provide adequate funding for local governments harmed by Hurricane Katrina of 2005 or Hurricane Rita of 2005. **Page S2657**

Allard Amendment No. 272 (to Amendment No. 275), to prevent the fraudulent use of social security account numbers by allowing the sharing of social security data among agencies of the United States for identity theft prevention and immigration enforcement purposes. **Page S2653**

McConnell (for Sessions) Amendment No. 305 (to Amendment No. 275), to clarify the voluntary inherent authority of States to assist in the enforcement of the immigration laws of the United States and to require the Secretary of Homeland Security to provide information related to aliens found to have violated certain immigration laws to the National Crime Information Center. **Page S2653**

McConnell (for Cornyn) Amendment No. 310 (to Amendment No. 275), to strengthen the Federal Government's ability to detain dangerous criminal aliens, including murderers, rapists, and child molesters, until they can be removed from the United States. **Page S2653**

McConnell (for Cornyn) Amendment No. 311 (to Amendment No. 275), to provide for immigration injunction reform. **Page S2653**

McConnell (for Cornyn) Amendment No. 312 (to Amendment No. 275), to prohibit the recruitment of persons to participate in terrorism. **Page S2653**

McConnell (for Kyl) Modified Amendment No. 317 (to Amendment No. 275), to prohibit the rewarding of suicide bombings and allow adequate punishments for terrorist murders, kidnappings, and sexual assaults. **Pages S2653, S2669–70**

McConnell (for Kyl) Amendment No. 318 (to Amendment No. 275), to protect classified information. **Page S2653**

McConnell (for Kyl) Amendment No. 319 (to Amendment No. 275), to provide for relief from (a)(3)(B) immigration bars from the Hmong and other groups who do not pose a threat to the United States, to designate the Taliban as a terrorist organization for immigration purposes. **Page S2653**

McConnell (for Kyl) Amendment No. 320 (to Amendment No. 275), to improve the Classified Information Procedures Act. **Page S2653**

McConnell (for Grassley) Amendment No. 300 (to Amendment No. 275), to clarify the revocation of an alien's visa or other documentation is not subject to judicial review. **Page S2653**

McConnell (for Grassley) Amendment No. 309 (to Amendment No. 275), to improve the prohibitions on money laundering. **Page S2653**

Thune Amendment No. 308 (to Amendment No. 275), to expand and improve the Proliferation Security Initiative while protecting the national security interests of the United States. **Page S2653**

Cardin Amendment No. 326 (to Amendment No. 275), to provide for a study of modification of area of jurisdiction of Office of National Capital Region Coordination. **Page S2653**

Cardin Amendment No. 327 (to Amendment No. 275), to reform mutual aid agreements for the National Capital Region. **Page S2653**

Cardin Modified Amendment No. 328 (to Amendment No. 275), to require Amtrak contracts and leases involving the State of Maryland to be governed by the laws of the District of Columbia. **Page S2653**

Schumer/Clinton Amendment No. 336 (to Amendment No. 275), to prohibit the use of the peer review process in determining the allocation of funds among metropolitan areas applying for grants under the Urban Area Security Initiative. **Page S2653**

Schumer/Clinton Amendment No. 337 (to Amendment No. 275), to provide for the use of funds in any grant under the Homeland Security Grant Program for personnel costs. **Page S 2653**

Collins Amendment No. 342 (to Amendment No. 275), to provide certain employment rights and an employee engagement mechanism for passenger and property screeners. **Page S2653**

Coburn Amendment No. 325 (to Amendment No. 275), to ensure the fiscal integrity of grants awarded by the Department of Homeland Security. **Page S2653**

Sessions Amendment No. 347 (to Amendment No. 275), to express the sense of the Congress regarding the funding of Senate approved construction of fencing and vehicle barriers along the southwest border of the United States. **Page S2653**

Coburn Amendment No. 345 (to Amendment No. 275), to authorize funding for the Emergency Communications and Interoperability Grants program, to require the Secretary to examine the possibility of allowing commercial entities to develop public safety communications networks. **Pages S2656, S2687–90**

Coburn Amendment No. 301 (to Amendment No. 275), to prohibit grant recipients under grant programs administered by the Department from expending funds until the Secretary has reported to Congress that risk assessments of all programs and activities have been performed and completed, improper payments have been estimated, and corrective action plans have been developed and reported as required under the Improper Payments Act of 2002 (31 U.S.C. 3321 note). **Pages S2656–57**

Coburn Amendment No. 294 (to Amendment No. 275), to provide that the provisions of the Act shall cease to have any force or effect on and after December 31, 2012, to ensure congressional review and oversight of the Act. **Pages S2658–59, S2675–77**

Lieberman (for Menendez) Amendment No. 354 (to Amendment No. 275), to improve the security of cargo containers destined for the United States. **Pages S2662–63**

Specter Amendment No. 286 (to Amendment No. 275), to restore habeas corpus for those detained by the United States. **Page S2663**

Kyl Modified Amendment No. 357 (to Amendment No. 275), to amend the data-mining technology reporting requirement to avoid revealing existing patents, trade secrets, and confidential business processes, and to adopt a narrower definition of data-mining in order to exclude routine computer searches. **Pages S2670–73, S2686–87**

Ensign Amendment No. 363 (to Amendment No. 275), to establish a Law Enforcement Assistance Force in the Department of Homeland Security to facilitate the contributions of retired law enforcement officers during major disasters. **Pages S2683–84**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Wednesday, March 7, 2007; provided that Senate then resume consideration of McCaskill Amendment No. 315 and Collins Amendment No. 342 (both listed above), and debate concurrently until 10 a.m., with the time equally divided and controlled between Senators McCaskill and Collins, or their designees; that no amendments be in order to either amendment prior to the vote; that at 10 a.m., Senate vote on, or in relation to, McCaskill Amendment No. 315, that upon disposition of that amendment, Senate then vote on, or in relation to Collins Amendment No. 342; that there be 2 minutes equally divided between the votes; and that following the second vote, Senate proceed as a body to the House of Representatives for the joint meeting to hear an address by the King of Jordan; that Senate then stand in recess subject to the call of the chair. **Page S2742**

Nomination Confirmed: Senate confirmed the following nomination:

Ryan C. Crocker, of Washington, to be Ambassador to the Republic of Iraq. **Pages S2741, S2742**

Messages from the House: **Pages S2691–92**

Messages Referred: **Page S2692**

Measures Placed on the Calendar: **Pages S2649, S2692**

Executive Reports of Committees: **Pages S2692–93**

Additional Cosponsors: **Pages S2694–96**

Statements on Introduced Bills/Resolutions: **Pages S2696–S2724**

Additional Statements: **Pages S2690–91**

Amendments Submitted: **Pages S2724–41**

Notices of Hearings/Meetings: **Page S2741**

Authorities for Committees to Meet: **Page S2741**

Record Votes: Four record votes were taken today. (Total—63) **Pages S2661, S2684–85**

Adjournment: Senate convened at 10 a.m., and as a further mark of respect to the memory of the late Honorable Thomas F. Eagleton, United States Senator from the State of Missouri, in accordance with S. Res. 97, adjourned at 7:43 p.m., until 9:30 a.m., on Wednesday, March 7, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2742.)

Committee Meetings

(Committees not listed did not meet)

CHILD NUTRITION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine child nutrition and the school setting, focusing on nutrition standards, and breakfast commodities, after receiving testimony from Janey Thornton, Hardin County School District, Elizabethtown, Kentucky, on behalf of the School Nutrition Association; Teresa Nece, Des Moines Public Schools, Des Moines, Iowa; Susan K. Neely, American Beverage Association, Washington, D.C.; Mary Lou Hennrich, Community Health Partnership, Portland, Oregon; and Kelly D. Brownell, Yale University Rudd Center for Food Policy and Obesity, New Haven, Connecticut.

WALTER REED ARMY MEDICAL CENTER

Committee on Armed Services: Committee concluded a hearing to examine the care, living conditions, and administration of outpatients at the Walter Reed Army Medical Center, after receiving testimony from David S.C. Chu, Under Secretary for Personnel and Readiness, and William Winkenwerder, Jr., Assistant Secretary for Health Affairs, both of the Department of Defense; and General Peter J. Schoomaker, USA, Chief of Staff, and Lieutenant General Kevin C. Kiley, USA, Surgeon General, both of the United States Army.

CAFE

Committee on Commerce, Science, and Transportation: Committee concluded an oversight hearing to examine the Corporate Average Fuel Economy (CAFE) Program, which includes mile per gallon standards for light trucks and cars that manufacturers must

meet for vehicles sold in the United States, after receiving testimony from Nicole R. Nason, Administrator, National Highway Traffic Safety Administration, Department of Transportation; Katherine Siggerud, Director, Physical Infrastructure, Government Accountability Office; David L. Greene, Corporate Fellow, Oak Ridge National Laboratory, National Transportation Research Center, Department of Energy; and David Friedman, Union of Concerned Scientists, Elizabeth A. Lowery, General Motors, Alan Reuther, International Union, United Automobile Aerospace and Agricultural Implement Workers of America, and Tom Stricker, Toyota Motor North America, all of Washington, D.C.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 377, to establish a United States-Poland parliamentary youth exchange program;

S. 494, to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO;

S. 676, to provide that the Executive Director of the Inter-American Development Bank or the Alternate Executive Director of the Inter-American Development Bank may serve on the Board of Directors of the Inter-American Foundation; and

The nominations of Ryan C. Crocker, of Washington, to be Ambassador to the Republic of Iraq, William B. Wood, of New York, to be Ambassador to the Islamic Republic of Afghanistan, and Stanley Davis Phillips, of North Carolina, to be Ambassador to the Republic of Estonia.

Also, Committee adopted its rules of procedure for the 110th Congress.

NO CHILD LEFT BEHIND REAUTHORIZATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine strategies for attracting, supporting, and retaining high quality educators relating to No Child Left Behind Reauthorization, after receiving testimony from Pamela Burtnett, Lake County Education Association, Leesburg, Florida; Linda Darling-Hammond, Stanford University, Stanford, California; Kati Haycock, Education Trust, Washington, D.C.; Barbara Maguire, Park Elementary School, Casper, Wyoming; William L. Sanders, SAS Institute, Inc., Cary, North Carolina; Jon Schnur, New Leaders for New Schools, New York, New York; Jesse Solomon, Boston Public Schools, Boston, Massachusetts; Wanda J. Watkins, Richardson Independent School District, Dallas, Texas; and Beverly Young, California State University System, Long Beach.

UNITED STATES ATTORNEYS

Committee on the Judiciary: Committee concluded a hearing to examine if the Department of Justice is politicizing the hiring and firing of United States attorneys, including S. 214, to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys, after receiving testimony from Carol C. Lam, Southern District of California, San Diego, David C. Iglesias, District of New Mexico, Albuquerque, John McKay, Western District of Washington, Seattle, and H.E. Bud Cummins, III, Eastern District of Arkansas, Little Rock, each a former United States Attorney.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 37 public bills, H.R. 1327–1363; 1 private bill, H.R. 1364; and 5 resolutions, H. Con. Res. 81–83; and H. Res. 216–217 were introduced. **Pages H2241–43**

Additional Cosponsors: **Page H2243**

Reports Filed:

A report was filed on January 2, 2007 as follows:

Report on the Activities of the Committee on House Administration During the 109th Congress (H. Rept. 109–752).

Reports were filed today as follows:

H. Res. 214, providing for consideration of H.R. 569, to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants (H. Rept. 110–31);

H. Res. 215, providing for consideration of H.R. 700, to amend the Federal Water Pollution Control

Act to extend the pilot program for alternative water source projects (H. Rept. 110–32); and

H.R. 799, to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965, with an amendment H. Rept. 110–33. **Page H2241**

Speaker: Read a letter from the Speaker wherein she appointed Representative Giffords to act as Speaker Pro Tempore for today. **Page H2167**

Recess: The House recessed at 10:43 a.m. and reconvened at 12 noon. **Page H2168**

Chaplain: The prayer was offered by the guest Chaplain, Rev. Stan Gruneich, National Chaplain, The American Legion. **Page H2168**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring the life and achievements of the late Dr. John Garang de Mabior: H. Res. 98, amended, honoring the life and achievements of the late Dr. John Garang de Mabior and reaffirming the continued commitment of the House of Representatives to a just and lasting peace in the Republic of the Sudan, by a ⅔ yea-and-nay vote of 410 yeas to 1 nay, Roll No. 121; **Pages H2172–74, H2208**

NATO Freedom Consolidation Act of 2007: H.R. 987, to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO; **Pages H2174–78**

Supporting the goals of International Women's Day: H. Res. 149, to support the goals of International Women's Day, by a ⅔ yea-and-nay vote of 403 yeas with none voting "nay", Roll No.122; **Pages H2178–82, H2208–09**

Lyndon Baines Johnson Federal Building Designation Act: H.R. 584, amended, to designate the headquarters building of the Department of Education in Washington, DC, as the Lyndon Baines Johnson Federal Building; **Pages H2182–90**

Agreed to amend the title so as to read: "To designate the Federal building located at 400 Maryland Avenue Southwest in the District of Columbia as the 'Lyndon Baines Johnson Department of Education Building'.". **Page H2189**

R. Jess Brown United States Courthouse Designation Act: H.R. 399, to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse"; **Pages H2190–91**

Santiago E. Campos United States Courthouse Designation Act: H.R. 544, to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse"; **Pages H2191–92**

Commending and congratulating Virginia State University on the occasion of its 125th anniversary: H. Res. 182, amended, to commend and congratulate Virginia State University on the occasion of its 125th anniversary; **Pages H2197–98**

Authorizing the Rotunda of the Capitol to be used on March 29, 2007, for a ceremony to award the Congressional Gold Medal to the Tuskegee Airmen: S. Con. Res. 15, to authorize the Rotunda of the Capitol to be used on March 29, 2007, for a ceremony to award the Congressional Gold Medal to the Tuskegee Airmen; **Pages H2198–H2200**

Recognizing the contributions of the Negro Baseball Leagues and their players: H. Res. 162, amended, to recognize the contributions of the Negro Baseball Leagues and their players; **Pages H2200–02**

Supporting the goals and ideals of a National Children and Families Day: H. Con. Res. 62, to support 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; and **Pages H2202–03**

Honoring the life and achievements of Leo T. McCarthy and expressing profound sorrow on his death: H. Res. 180, to honor the life and achievements of Leo T. McCarthy and expressing profound sorrow on his death. **Pages H2203–07**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed until Wednesday, March 7th:

Living Kidney Organ Donation Clarification Act: H.R. 710, amended, to amend the National Organ Transplant Act to clarify that kidney paired donation does not involve the transfer of a human organ for valuable consideration. **Pages H2192–97**

Moment of Silence: The House observed a moment of silence in honor of former Senator Thomas Eagleton. **Page H2208**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today and messages received from the Senate today appear on pages H2197 and H2233.

Senate Referrals: S. 743 was referred to the Committee on the Judiciary and S. Con. Res. 16 was referred to the Committee on Foreign Affairs. **Page H2240**

Amendments: Amendments ordered printed pursuant to the rules appear on page H2244.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H2208 and H2208–09. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 9:50 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Natural Resources and Conservation Service. Testimony was heard from the following officials of the USDA: Mark E. Rey, Under Secretary, Natural Resources and Environment; Arlen Lancaster, Chief; and Steven A. Probst, Director, Budget Planning and Analysis Division, both with the National Resources Conservation Service; and W. Scott Steele, Budget Officer.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on Department of Commerce Overview. Testimony was heard from public witnesses.

The Subcommittee also held a hearing on the Secretary of Commerce. Testimony was heard from Carlos M. Gutierrez, Secretary of Commerce.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on the Secretary of Energy. Testimony was heard from Samuel W. Bodman, Secretary of Energy.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on Issues in the Federal Workforce. Testimony was heard from Linda M. Springer, Director, OPM; Neil A.G. McPhie, Chairman, U.S. Merit Systems Protection Board, J. Christopher Mihm, Managing Director, Strategic Issues, GAO; and public witnesses.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held an oversight hearing on Container Security Challenges and Goals. Testimony was heard from the following officials of the Department of Homeland Security: Jayson Ahern, Customs and Border Patrol; and Vayl Oxford, Director, Domestic Nuclear Detection Office.

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 NIH Director with National Cancer Institute/National Heart, Lung and Blood Institute/National Institute of Allergy and Infectious Disease/National Institute of Child Health and Human Development/National Center on Minority Health and Health Disparities. Testimony was heard from the following officials of NIH, Department of Health and Human Services: Elias Zerhouni, M.D., Director, NIH; John Niederhuber, M.D., Director, National Cancer Institute; Elizabeth Nabel, M.D., Director, National Heart, Lung and Blood Institute; Anthony Fauci, M.D., Director, National Institute of Allergy and Infectious Disease; Duane Alexander, M.D., Director, National Institute of Child Health and Human Development; and John Ruffin, Director, National Center on Minority Health and Health Disparities.

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs and Related Agencies held a hearing on VA Medical Care. Testimony was heard from public witnesses.

The Subcommittee also held a hearing and on Department of Veterans Affairs Panel. Testimony was heard from Michael J. Kussman, Acting Under Secretary, Health, Department of Veterans Affairs.

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations and Related Programs held a hearing on Iraq Political and Reconstruction Strategy, Alternative Perspectives. Testimony was heard from Ambassador Peter Galbraith, Department of State; LTC Christopher W. Stockel, USAR; COL Lawrence Wilkerson, USA (ret.), USA; and a public witness.

TRANSPORTATION, AND HUD, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, and Housing and Urban Development and Related Agencies held a hearing on the Department of Transportation Inspector General Management Challenges and GAO High Risk Series. Testimony

was heard from Calvin Scovel, Inspector General, Department of Transportation; and Patricia Dalton, Director, Physical Infrastructure, GAO.

NATIONAL SECURITY PERSONNEL SYSTEM—IS IT WORKING?

Committee on Armed Services: Subcommittee on Readiness held a hearing on the National Security Personnel System—Is it Working? Testimony was heard from Michael Luis Dominguez, Principal Deputy Under Secretary, Personnel and Readiness, Department of Defense; and public witnesses.

DEPARTMENT OF DEFENSE FY 2008 BUDGET

Committee on the Budget: Held a hearing on the Department of Defense and the Fiscal Year 2008 Budget. Testimony was heard from Gordon England, Deputy Secretary, Department of Defense.

RETIREMENT SECURITY AND 401(k)s

Committee on Education and Labor: Held a hearing on Are Hidden 401(k) Fees Undermining Retirement Security? Testimony was heard from Barbara Bovbjerg, Director, Education, Workforce and Income Security Issues, GAO; and public witnesses.

CARBON CAPTURE AND SEQUESTRATION

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled ''Carbon Capture and Sequestration: An Overview.'' Testimony was heard from Thomas D. Shope, Principal Deputy Assistant Secretary, Fossil Energy, Department of Energy; the following officials of the EPA: William Wehrum, Acting Assistant Administrator, Office of Air and Radiation; and Ben Grumbles, Assistant Administrator, Water; S. Julio Friedman, Carbon Management Program, Lawrence Livermore National Laboratory; and public witnesses.

MEDICARE PHYSICIAN PAYMENT SYSTEM

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Exploring Options for Improving the Medicare Physician Payment System.'' Testimony was heard from Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; A. Bruce Steinwald, Director, Health Care, GAO; and public witnesses.

GULF COAST HURRICANE HOUSING RECOVERY ACT OF 2007

Committee on Financial Services: Began markup of H.R. 1227, Gulf Coast Hurricane Housing Recovery Act of 2007.

Will continue tomorrow.

THE IRANIAN CHALLENGE

Committee on Foreign Affairs: Held a hearing on The Iranian Challenge. Testimony was heard from R. Nicholas Burns, Under Secretary, Political Affairs, Department of State.

GLOBAL OPINION OF AMERICAN POLICIES

Committee on Foreign Affairs: Subcommittee on International Organizations, Human Rights, and Oversight held a hearing on Global Polling Data on Opinion of American Policies, Values and People. Testimony was heard from a public witness.

RAIL AND PUBLIC TRANSPORTATION SECURITY ACT OF 2007

Committee on Homeland Security: Held a hearing on a measure entitled ''Rail and Public Transportation Security Act of 2007.'' Testimony was heard from Kip Hawley, Administrator, Transportation Security Agency, Department of Homeland Secretary; Terri Rosapep, Deputy Associate Administrator, Program Management, Department of Transportation; Richard Fairfax, Director, Enforcement Programs, OSHA, Department of Labor; Richard Falkenrath, Deputy Commissioner, Counterterrorism, Police Department, New York City; Fred Weiderhold, Inspector General, National Railroad Passenger Corporation (AMTRAK); and public witnesses.

U.S. ATTORNEY FIRINGS; ISSUANCE OF SUBPOENAS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 580, to amend chapter 35 of title 28, United States Code, to provide for a 120-day limit to the term of a United States Attorney appointed on an interim basis by the Attorney General. Testimony was heard from Representative Issa; Will Moschella, Principal Associate Deputy Attorney General, Department of Justice; former Representative Asa Hutchinson of Arkansas; the following former U.S. Attorneys: Daniel Bogden, District of Nevada; Bud Cummins, Eastern District of Arkansas; David C. Iglesias, District of New Mexico; John McKay, District of Western Washington; Carol Lam, Southern District of California; and Paul K. Charlton, District of Arizona.

Prior to the hearing, the Subcommittee met and approved the issuance of subpoenas to former U.S. Attorneys Daniel Bogden, District of Nevada and Paul K. Carlton, District of Arizona in conjunction with the hearing on H.R. 580.

CORAL REEF CONSERVATION REAUTHORIZATION ACT OF 2007

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife and Oceans held a hearing on the

Coral Reef Conservation Reauthorization Act of 2007. Testimony was heard from Tim Keeney, Deputy Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; David B. Cohen, Deputy Assistant Secretary, Insular Affairs, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Subcommittee on Information Policy, Census and National Archives approved for full Committee action the following bills: H.R. 1309, To promote openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act); and H.R. 1255, To amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

WATER QUALITY INVESTMENT ACT OF 2007

Committee on Rules: Granted, by voice vote, an open rule with a preprinting requirement. The rule provides 1 hour of general debate on H.R. 569, Water Qaulity Investment Act of 2007, equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of Rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure 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 as read.

The rule 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 without instructions. Testimony was heard from Chairman Oberstar and Representatives Mica and Baker.

HEALTHY COMMUNITIES WATER SUPPLY ACT OF 2007

Committee on Rules: Granted, by voice vote, an open rule with a preprinting requirement. The rule provides 1 hour of general debate on H.R. 700, Healthy Communities Water Supply Act of 2007, equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of Rule XXI. The rule provides that the bill shall be considered as read.

The rule makes in order only those amendments to the bill 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 without instructions. Testimony was heard from Chairman Oberstar and Representatives Mica and Baker.

MEDICARE PAYMENT ADVISORY COMMISSION'S REPORT—SUSTAINABLE GROWTH RATE

Committee on Ways and Means: Subcommittee on Health held a hearing on the Medicare Payment Advisory Commission's report on the Sustainable Growth Rate. Testimony was heard from Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; and public witnesses.

LOW-INCOME FAMILY ASSISTANCE

Committee on Ways and Means: Subcommittee on Income Security and Family Support held a hearing on Recent Changes to Programs Assisting Low-Income Families. Testimony was heard from Sidonie Squier, Director, Office of Family Assistance, Department of Health and Human Services; Robin Arnold-Williams, Secretary, Department of Social and Health Services, State of Washington; David A. Hansell, Acting Commissioner, Department of Temporary Disability Assistance, State of New York; Nancy K. Ford, Director, Division of Welfare and Supportive Services, State of Nevada; Mary Dean Harvey, Director, Department of Human Resources, Division of Family and Children, State of Georgia; and a public witness.

DIRECTOR OF NATIONAL INTELLIGENCE AND NATIONAL INTELLIGENCE PROGRAM BUDGET ROLL-OUT

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Director of National Intelligence (DNI) and National Intelligence Program (NIP) Budget Roll-out. Testimony was heard from Mike McConnell, Director of National Intelligence.

Joint Meetings

VETERANS OF FOREIGN WARS LEGISLATIVE PROPOSAL

Committee on Veterans' Affairs: Committee concluded joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars, after receiving testimony from Gary Kurpius, Robert Wallace, William Bradshaw, Robert Crfat, and Dennis Cullinan, all of Veterans of Foreign Wars of the United States, Washington, D.C.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 7, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine investing in our nation's future through agricultural research, 9:30 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine Department of Defense medical programs, 10 a.m., SD–192.

Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2008 for the Department of Energy, 2 p.m., SD–138.

Committee on Commerce, Science, and Transportation: Subcommittee on Interstate Commerce, Trade, and Tourism, to hold hearings to examine policy implications of pharmaceutical importation for U.S. consumers, 9:30 a.m., SR–253.

Subcommittee on Space, Aeronautics, and Related Agencies, to hold hearings to examine national imperatives for Earth Science research, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold an oversight hearing to examine market constraints on large investments in advanced energy technologies and investigate ways to stimulate additional private-sector investment in the deployment of these technologies, 9:30 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the President's proposed budget request for fiscal year 2008 for the Environmental Protection Agency, 3 p.m., SD–406.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine strengthening American competitiveness for the 21st Century, 9:30 a.m., SH–216.

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine fees, interests rates and grace periods relating to credit card practices, focusing on high fees charged for late payments, over-the-limit charges, including how those fees are assessed, how they add to interest costs, and how they contribute to consumer debt, and 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, 10 a.m., SD–342.

Committee on the Judiciary: to hold hearings to examine the McCarran-Ferguson Act and Antitrust Immunity, 9:30 a.m., SD–226.

Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold an oversight hearing to examine the enforcement of the antitrust laws, 2:15 p.m., SD–226.

Committee on Veterans' Affairs: to hold an oversight hearing to examine the Veterans Administration adjudication process, 9:30 a.m., SR–418.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Energy, and Research, hearing to review the financial structure of renewable energy resources, 1 p.m., 1302 Longworth.

Committee on Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies, on Economic and Statistics Administration/Census/Bureau of Economic Analysis, 10 a.m., and on Economic Development Administration/Minority Business Development Agency, 2 p.m., H–309 Capitol.

Subcommittee on Defense, on Walter Reed Infrastructure, 1:30 p.m., 2359 Rayburn.

Subcommittee on Financial Services, and General Government, on Ensuring the Integrity of Elections, 10 a.m., 2220 Rayburn.

Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, on Pacific Command, 2 p.m., H–143 Capitol.

Committee on Armed Services, hearing on the Fiscal Year 2008 National Defense Authorization Budget Request from the U.S. Pacific Command and U.S. Forces Korea, 8:30 a.m., 2118 Rayburn.

Subcommittee on Air and Land Forces, hearing on Air Force and Army airlift and aerial refueling fixed-wing aircraft programs, 3 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled "Climate Change: Are Greenhouse Gas Emissions from Human Activities Contributing to a Warming of the Planet?" 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing entitled "Digital Future of the United States: Part II—The Future of Radio," 2:30 p.m., 2123 Rayburn.

Committee on Financial Services, to continue markup of H.R. 1227, Gulf Coast Hurricane Housing Recovery Act of 2007, 10 a.m., 2128 Rayburn.

Subcommittee on Domestic and International Policy, Trade, and Technology, hearing entitled "The Role of Remittances in Leveraging Sustainable Development in Latin America and the Caribbean," 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and South Asia, hearing on A Regional Overview of South Asia, 2:30 p.m., 2172 Rayburn.

Committee on the Judiciary, hearing on "Protecting the Right to Vote: Election Deception and Irregularities in Recent Federal Elections," 3 p.m., 2141 Rayburn.

Committee on Natural Resources, to mark up the following bills: H.R. 162, Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act of 2007; H.R. 249, To restore the prohibition on the commercial sale and slaughter of wild free-roaming horses and burros; H.R. 285, Steel Industry National Historic Site Act; H.R. 309, To direct the Secretary of the Interior to establish a demonstration program to facilitate landscape restoration programs within certain units of the National Park System established by law to preserve and interpret resources associated with American history; H.R. 319, Journey Through Hallowed Ground National Heritage Area Act; H.R. 505, Native Hawaiian Government Reorganization Act of 2007; H.R. 865, Copper Valley Native Allotment Resolution Act of 2007; and H.R. 886, Wild Sky Wilderness Act of 2007, 1:30 p.m., 1324 Longworth.

Committee on Rules, to consider H. Res. 202, Providing for the expenses of certain committees of the House of Representatives in the One Hundred Tenth Congress, 2 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on the Department of Energy Fiscal Year 2008 Research and Development Budget Proposal, 9:30 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Advancing the Innovation Agenda: The Perspective of the Technology and Telecommunications Industry,'' 9 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit and the Subcommittee on Railroads, Pipelines, and Hazardous Materials, joint hearing on Transit and Rail Security, 9 a.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, hearing on the impact of Aquatic Invasive Species on the Great Lakes, 2 p.m., 2167 Rayburn.

Committee on Veterans Affairs, Subcommittee on Economic Opportunity, hearing Performance Review of Services, 2 p.m., 340 Cannon.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on the Alternative Minimum Tax, 2 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, briefing on Hot Spots, 8:45 a.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 7

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 4, Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act, and after a period of debate, vote on, or in relation to McCaskill Amendment No. 316 (to Amendment No. 315), and Collins Amendment No. 342 (to Amendment No. 275).

(At 11 a.m., Senate will meet with the House of Representatives in the House Chamber to receive a message from His Majesty King Abdullah II Ibn Al Hussein, King of the Hashemite Kingdom of Jordan.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 7

House Chamber

Program for Wednesday: Joint Meeting with the Senate to receive His Majesty King Abdullah II bin Al Hussein, King of the Hashemite Kingdom of Jordan, followed by consideration of H.R. 569—Water Quality Investment Act of 2007.

Extensions of Remarks as inserted in this issue

HOUSE

Altmire, Jason, Pa., E470
Barton, Joe, Tex., E472
Blumenauer, Earl, Ore., E472
Boehner, John A., Ohio, E477
Cole, Tom, Okla., E476
Davis, Lincoln, Tenn., E471
Diaz-Balart, Mario, Fla., E469
Ehlers, Vernon J., Mich., E473
Garrett, Scott, N.J., E473
Graves, Sam, Mo., E469
Green, Gene, Tex., E468
Herseth, Stephanie, S.D., E475
Honda, Michael M., Calif., E465, E467
Inslee, Jay, Wash., E473
Jackson-Lee, Sheila, Tex., E476, E476
Jefferson, William J., La., E473
Kaptur, Marcy, Ohio, E474
Lewis, Ron, Ky., E465, E465
McCollum, Betty, Minn., E470
Maloney, Carolyn B., N.Y., E470
Markey, Edward J., Mass., E474
Meehan, Martin T., Mass., E472
Payne, Donald M., N.J., E473
Porter, Jon C., Nev., E465, E467, E468, E469, E470, E472, E472
Rangel, Charles B., N.Y., E466, E467
Solis, Hilda L., Calif., E468
Stupak, Bart, Mich., E475
Watson, Diane E., Calif., E469
Woolsey, Lynn C., Calif., E466, E467

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record,* U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.