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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 13, 2007.

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

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

IRAQ

Mr. PENCE. Thank you, Mr. Speaker.

By the end of 2006, most Americans could see that our strategy in Iraq was not working. In January of this year, President Bush outlined his plan to win the war in Iraq. And just last week, Speaker PELOSI and the Democrat majority announced their plan to end the war in Iraq. The only problem with that, Mr. Speaker, is that, as George Orwell wrote, the quickest way to end the war is to lose it, and I believe that the Democratic plan to micromanage our war in Iraq with benchmarks and deadlines for withdrawal is a prescription for retreat and defeat.

Common sense and the Constitution teach us that Congress can declare war. Congress can fund or choose not to fund war. But Congress must not ever attempt to conduct war. I urge my colleagues on both sides of the aisle to heed the call of the Constitution and common sense and reject the Pelosi plan for retreat and defeat in Iraq.

It turns out, Mr. Speaker, that I am actually not alone in my concern about the constitutionality and the commonsense value of the current plan for withdrawal from Iraq being propounded by the majority. The newspaper of record in the home State of Speaker PELOSI, the Los Angeles Times, wrote an editorial yesterday under the title ''Do We Really Need a General Pelosi?'' adding ''Congress can cut funding for Iraq, but it shouldn't micromanage the war.'' Allow me to quote further from yesterday's lead editorial in the Los Angeles Times:

''After weeks of internal strife, House Democrats have brought forth their proposal for forcing President Bush to withdraw U.S. troops from Iraq by 2008. The plan is an unruly mess: bad public policy, bad precedent and bad politics. If the legislation passes, Bush says he'll veto it, as well he should.''

The Los Angeles Times editorial board went on:

''It was one thing for the house to pass a nonbinding vote of disapproval. It's quite another for it to set out a detailed timetable with specific benchmarks and conditions for the continuation of the conflict.''

The L.A. Times asked, ''Imagine if Dwight Eisenhower had been forced to adhere to a congressional war plan in scheduling the Normandy landings or if, in 1863, President Lincoln had been forced by Congress to conclude the Civil War by the following year.''

They conclude, ''This is the worst kind of congressional meddling in military strategy,'' adding, ''By interfering with the discretion of the Commander in Chief and military leaders in order to fulfill domestic political needs, Congress undermines whatever prospects remain of a successful outcome.''

And even in today's Washington Post, another lion of the liberal media in America, under the lead editorial headline, The Pelosi Plan for Iraq, they write:

''In short, the Democrat proposal to be taken up this week is an attempt to impose detailed management on a war without regard to the war itself.''

The Washington Post adds: ''Congress should rigorously monitor the Iraqi government's progress on those benchmarks. By Mr. Bush's own account, the purpose of the troop surge in Iraq is to enable political process. If progress does not occur, the military strategy should be reconsidered.''

But here is the key line in the Washington Post lead editorial today: ''But aggressive oversight is quite different from mandating military steps according to an inflexible timetable conforming to the need to capture votes in Congress or at the 2008 polls.''

It is truly extraordinary how politics and common sense and the Constitution can make such strange bedfellows. I scarcely think, Mr. Speaker, that I have ever come to the floor of this House and quoted at any length the lead editorial in either the Washington Post or the Los Angeles Times. Those two newspapers tend to bookend the country from a liberal perspective in the media. But in both cases, both newspapers have identified what I asserted in the beginning, that my colleagues should heed the call of the Constitution and common sense and reject the Pelosi plan for retreat and defeat in Iraq.

It is the purview of the Congress to declare war. It is the purview of this Congress to vote up or down on whether we should continue to fund military

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operations. And I would never question that right. But it is not the purview of the Congress, according to our history and Constitution and tradition, to interpose our will, our decisions, our timetables, on military commanders in the field.

I will close, Mr. Speaker, by simply saying that we do have but one choice in Iraq and that is victory. It is my hope and prayer that after much political debate here in Congress, we will give our soldiers the resources they need to achieve victory in Iraq and bring home a much-deserved freedom for those good people and another victory for freedom for the American people.

TIME TO REFOCUS EFFORTS IN THE WAR AGAINST TERRORISM

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

Mr. PALLONE. Thank you, Mr. Speaker.

Mr. Speaker, my intention this morning was to come here and talk about the need to refocus our efforts in the war against terrorism out of Iraq and towards Afghanistan, because, after all, when we were attacked on 9/11, those who attacked us came from Afghanistan, not from Iraq. And President Bush in the very beginning and even now continues to confuse the American people by suggesting that the Iraq war had something to do with 9/11, which it did not.

However, I just listened to my colleague on the Republican side and I have to respond to him somewhat before I move on to the issue of Afghanistan. I want to commend the Speaker and commend the Democratic leadership for the supplemental appropriation bill that they are putting together and that will likely come to the floor next week. It was clear in the November election that the American people want a new direction in Iraq. They realize that the war in Iraq was begun for the wrong reasons, that it was not a response to 9/11, that a lot of the information that was provided to this Congress when the vote was taken to authorize the war was misleading and inaccurate. The fact of the matter is that Congress does have the power to declare war and Congress also has the decision as to whether to fund the war. And this is a supplemental appropriations bill that is going to fund the war and provide the funding for the troops. But at the same time Congress needs to point out that this war needs to move in a new direction and that it is not acceptable to simply give the President a blank check and say, okay, you can move ahead with your surge and essentially escalate the war.

We had a majority in this Congress, including a significant number of Republicans, who just a couple of weeks ago voted on a resolution that said that the escalation and the surge was a mistake, that we are opposed to that. And so there has to be some effort in this spending bill, which is our prerogative, to indicate why the war has gone in the wrong direction and what needs to be done to end it and ultimately get our troops out of there. That is what we are doing as Democrats and I believe we will have a consensus to achieve that and I think that it will lead in a very short period of time to us getting out of Iraq and leaving the Iraqis to decide their own fate. It is time for that at this time. We shouldn't be sending the resources and we shouldn't be sending our soldiers into a situation where they no longer belong.

My intention today was to come to the floor and talk about, rather than sending our soldiers to Iraq and all the resources we are sending to Iraq, that we should be focusing more on Afghanistan, because that's where the Taliban were and they continue to be. That is where al Qaeda began and continues to exist, including those who were in charge of al Qaeda. And we are not doing enough in Afghanistan. There is a new offensive now on the part of the Taliban which began last month in February and we are trying to counteract that. But we're not focusing on that because we're spending too much time focusing on Iraq in terms of our resources and our troops.

Now, the President finally came to the realization a few weeks ago that this was the case and he started to talk more about what we needed to do in Afghanistan. He sent Vice President CHENEY there. Vice President CHENEY made the point. He also went to Pakistan because Pakistan has this border area where we believe al Qaeda and the Taliban are headquartered and where they simply hide out and regroup before they begin their attacks from Pakistan into Afghanistan. Vice President CHENEY went to Pakistan as well and made the point to President Musharraf that this is unacceptable, you cannot continue to harbor these terrorists, you have to do something to make sure that they are driven out of Pakistan and that they are not being supported by those local authorities or those within the intelligence service in Afghanistan that seem to be providing support to al Qaeda and to the Taliban.

But we need to focus on the issue of Afghanistan in terms of our resources, not only in terms of our troops but also in terms of reconstruction efforts. The Taliban are essentially being financed by increased production of opium and ultimately, of course, heroin. That's how they are financed. We need to deal with local reconstruction projects that will allow the Afghanis and particularly the farmers to do things that are not related to the opium trade so they can grow crops other than opium and sustain themselves. This is a major effort that we have to concentrate on and not enough is happening.

I would point out that in the supplemental appropriations bill, we do provide more money for this effort, because the Democratic leadership, as Speaker PELOSI realized, that we are neglecting the war in Afghanistan where the terrorists began. Let's refocus on that. But this supplemental bill is the answer to the problem and it brings us in a new direction.

ENERGY SECURITY

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. Mr. Speaker, on September 19, 2002, in a Wall Street Journal editorial, former CIA Director James Woolsey described the central challenge we face in the global war on terrorism as the United States' dependence on imported oil. My colleagues, this dependence is providing our enemy with so much leverage that defeating terrorism has become significantly harder.

Let me quote from Mr. Woolsey: ''We are at war. We should start by asking what we can do as soon as possible to undercut our enemies' power. Other considerations should now follow, not lead. If we do not act now, we will leave major levers over our fate in the hands of regimes that have attacked us or have fallen under the sway of fanatics who spread hatred of the United States and, indeed, of freedom itself. For all of them, their power derives from their oil. It is time to break their sword.''

In order for the United States to effectively fight global terrorism and win in Iraq, we must first reduce our dangerous dependence on imported oil. Energy is the lifeblood of the United States and global economy. U.S. economic prosperity is closely tied to the availability of reliable and affordable supplies of energy. Since 1973, U.S. energy production has grown only 13 percent, while U.S. energy consumption has increased 30 percent. Even when significant increases in efficiency are taken into account, significant increases in demand are projected.

According to the Energy Information Agency, the United States, by 2025, is expected to need 44 percent more petroleum, 38 percent more natural gas, 43 percent more coal and 54 percent more electricity. The Department of Energy predicts by the year 2025, U.S. oil and natural gas demand will rise by 46 percent, with energy demand increasing 1 percent for every 2 percent increase in GDP.

Perhaps the most critical of all energy sources is oil. Just as President Bush said in his 2006 State of the Union speech, America is addicted to oil. A look at the numbers supports his claim. Currently, the United States imports about 60 percent of its oil. The Department of Energy projects this number will increase to 73 percent by

the year 2025. Furthermore, world oil demand is expected to grow significantly over the next three decades, from 80 million barrels per day in 2003 to 98 million barrels per day in 2015 and then to 118 million barrels per day by the year 2030, according to the Energy Information Administration. This will place further strains on our quest for energy independence. To make matters worse, much of this imported oil is imported from unstable, anti-American countries, such as Venezuela, Algeria, and even Saudi Arabia. Furthermore, 26.5 percent of the United States' total supplied product comes from OPEC countries, accounting for 42 percent of the total amount imported. Thus, over a quarter of the United States oil product is controlled by an unaccountable cartel of unstable, oil-producing dictatorships.

Alarmingly, according to the Heritage Foundation, three-quarters of the world's supply of oil is controlled by unstable or hostile regimes, most of which are unsympathetic to investor and property rights. Fifty-seven percent of world oil reserves are in the Middle East, 11 percent in Russia and Venezuela and 6 percent in Africa. The People's Republic of China just erected its first oil rigs in Cuba territorial waters in the Gulf of Mexico, barely 45 miles off the Florida coast of Miami.

The national security implications of having such a large amount of oil controlled by OPEC are great and serious. For example, in order to force changes in U.S. policy, OPEC countries could cut production, thereby raising the price of oil. The resulting political and economic pressure could force us to alter our policies in order to better suit the needs of these OPEC nations. U.S. dependence on imported sources of oil and gas has far-reaching economic and national security ramifications.

Some are willing to use oil as a tool to threaten United States national security objectives. Proclamations by al Qaeda and other terrorist groups that U.S. and western economies and their oil lifelines are legitimate targets make it clear that the oil and gas infrastructure is in peril. As James Woolsey said, we are aiding our enemies at the same time we are fighting them.

TOWARD A MORE ENERGY EFFICIENT FUTURE WITHOUT BEING PRICE-GOUGED ON WAY THERE

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

Mr. DEFAZIO. I thank the Chair.

I am going to continue the discussion the previous Member started with perhaps a little different orientation and, that is, our dependence upon oil. I would agree with the gentleman that we need to break our dependence upon imported oil. We need to look toward a more energy-efficient future. That is going to mean new sources of energy, new technologies. I am on a number of bills to make those investments. But more immediately, I want to talk about the situation we are in today. On the path to that more energy-efficient future, we don't need to be fleeced by the oil cartels, which is what is going on now. I am not just talking about OPEC but I'll get to them in a moment, but I'm getting to the big oil companies—ExxonMobil, record profits last year, $3.2 billion a month, $40 billion for the year, $109 million a day, $4.6 million an hour of profits for one corporation. Throughout the industry, it was repeated.

Now, the President, an oil man, a failed oil man, and the Vice President from Halliburton, another oil man, say there's nothing they can do about it, nothing the government can do about it. This is just market forces. Market forces.

Hmm. Let's see. You make gasoline out of crude oil so if the price of crude oil goes up, the price of gasoline goes up. Yeah, I understand that. That's good. The price of crude oil is up a whopping 3 percent over last year. That is about inflation. That's not too bad. That's today on the market. Unfortunately, the price of gasoline on the west coast is up 20 percent. Now, where did the rest of that market force come into play?

No, what we have here, plain and simple, is price gouging, market manipulation and collusion. A number of years ago there was a famous memo in the industry that said, you know, the refineries are not particularly profitable, but if the industry were to engage in mergers, buy out the independent refiners, close them down and decrease the refinery capacity in America, that could become a very profitable sector. It is. In fact, profits in the refining sector because of collusion by Big Oil are up 250 percent. It isn't the guy at the corner gas station who's making the money. It's the corporate execs in a vertically integrated industry which they're manipulating. The same way that Enron manipulated the energy markets in California to drive up the price, Big Oil is doing it and they're doing it in the western United States right today and across America. They're building up toward that orgy of price gouging that happens every year around Memorial Day and during the summer driving season. And they say, ''Oh, these are just market forces.'' These are not market forces and this government needs to address this in a number of ways.

We need to file a complaint against OPEC. The gentleman before me mentioned them. They get together, they collude, they decide to constrain the price and drive up the price of crude oil. That's where this all starts. Well, it just happens that a number of the major OPEC producers are in the World Trade Organization. Our President, a big free trader, wants rules-based trade. Well, guess what, the rules don't allow OPEC to do that. But will this President file a complaint against OPEC? No. I have written to him a number of times and said, President Bush, they're violating the World Trade Organization. File a complaint. People complain about the United States there all the time. Why don't we use that tool to benefit our consumers. No, the President refuses to do that. My bill would force the President to file legitimate complaints and break up the OPEC cartel. That would help. But then we have got to go after the big oil companies themselves. Impose a windfall profits tax on these companies, unless they are investing in expanding refinery capacity—which they cut in order to increase the profitability—exploration or alternative fuels. Make our vehicles more efficient. Give incentives to consumers to buy more efficient vehicles. Mandate new fleet fuel economy standards. Put a ban on more mergers by the oil industry. In fact, my bill would name a commission to investigate the market power of Big Oil and maybe we have to think about breaking them up and turning this back into a somewhat competitive industry.

Yes, we need to move toward a more energy-efficient future, but we don't need to be price-gouged on the way to that goal. And that's what is happening today.

So I am introducing a package of bills oriented toward market manipulation, price gouging by Big Oil and OPEC, and also bills that would give consumers an incentive and actually help consumers to purchase more efficient vehicles in the interim and also push Detroit and other manufacturers toward making more efficient vehicles. They won't go there until we push them. We had a big fight over fleet fuel economy standards. I am very sympathetic to American workers. I remember the guys in from Ford, and they said, You don't understand. The execs told us, if you make them make more efficient vehicles, they'll lay us off. Guess what: They all got laid off because Ford didn't make more efficient vehicles.

It's time for some action on the part of this Congress and this government to defend American consumers and lead us toward a more energy-efficient future without being price-gouged on the way there.

RECESS

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

Accordingly (at 10 o'clock and 55 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. CASTOR) at noon.

PRAYER

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

Lord God, You see all things as they truly are. You understand each of us with our human limitations and unique perspectives. In You is reality. For us all is relativity.

Not to be able to sing is one thing; but not to be able to speak or know the common language is something else.

Not to be able to run a marathon is one thing; but not to be able to stand up or walk is something else.

Not to be able to memorize a passage of Scripture or a speech is one thing; but not to be able to remember yesterday is quite another.

Lord God, help each of us accept our limitations and use whatever our capabilities are to do good and bring joy to others. By honestly admitting our own frailties, empower us to accept the differences of others and reach out to them with greater understanding.

Make us a nation who cares for its wounded, who welcomes the immigrant and who looks out for those with disabilities in every possible way both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BISHOP 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.

LET'S END THE WAR IN IRAQ

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

Mr. KUCINICH. A very simple proposition is facing this House; do we keep the war in Iraq going or do we end it? Do we use the money to bring the troops home or do we use the money to keep them in Iraq?

The lives of our troops are on the line. The war cannot be won militarily. Why do we stay? Why do we tell our troops to keep fighting? Who is going to explain to the families of the troops the consequences of Congress' decision? And why isn't our Democratic Party taking the leadership to immediately end the war? We can do it. We don't have to give the administration another $120 billion to keep the war going. We don't have to let more troops die and have more civilian casualties.

My bill, H.R. 1234, provides a path to bringing our troops home, ending the occupation, closing our bases and stops the occupation of Iraq. We do not have to keep funding this war. The money is in the pipeline to bring the troops home. Let's end the war, bring the troops home, and bring in international peacekeepers to stabilize Iraq. We can do it once we end the occupation.

CHILD KILLER

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

Mr. POE. Mr. Speaker, today is judgment day. A quiet voice is crying from the grave for justice; it is the voice of a 9-year-old girl named Jessica Lunsford.

Jessica was kidnapped in the middle of the night from her home by a professional child molester; his name is John Couey. The criminal abused Jessica for several days and then buried her alive in his backyard. When found, Jessica had poked her tiny fingers through the plastic bag seeking air. Last week, a jury convicted the child killer of capital murder and the punishment hearing begins today in Florida. The State is seeking the death penalty.

Mr. Speaker, evil doesn't get much worse than stealing, abusing and murdering little girls. Society cannot allow this type of conduct to occur. Society can only eliminate it. The punishment assessed on this criminal will set a price for this dastardly act. Hopefully the good people of Florida will, by their verdict, say to all child killers, leave our children alone or face an early meeting with your maker.

And that's just the way it is.

CONGRESSIONAL OVERSIGHT IS BACK IN THE HOUSE

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

Mr. WALZ of Minnesota. Mr. Speaker, it is a fundamental part of human nature that people will do high-quality work when somebody is keeping an eye on their performance. Businesses need accountants, schools need principals and school boards. Appropriate management and a vigilant watchdog can prevent serious problems and keep things running effectively and efficiently.

Well, for 6 years our Federal Government has gone without congressional oversight. This administration has had free rein to do what it pleased, no matter what the consequences. The results simply speak for themselves, Walter Reed, Hurricane Katrina, Iraq.

This is all beginning to change. Under Democratic control, the Congress has finally once again assumed its oversight responsibility. Already, in just 3 months we have had 91 full committee hearings, with 73 more planned. In addition, this week the House will consider a series of measures to ensure the Federal Government is open and accountable to the people of America.

Mr. Speaker, this congressional oversight is exactly what the people of southern Minnesota asked for, transparent and accountable government for the people. As I campaigned across the First District, I promised to do everything with my colleagues to make this happen, and this week it continues on.

THE PELOSI PLAN FOR IRAQ

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

Mr. WILSON of South Carolina. Mr. Speaker, the Washington Post has usually been associated with the Democratic Party. Today's lead editorial is especially courageous in criticizing the Democratic plan for Iraq.

I would like to draw to your attention the following: ''In short, the Democratic proposal being taken up this week is an attempt to impose detailed management on a war without regard for the war itself. Will Iraq collapse into unrestrained civil conflict with massive civilian casualties, as the U.S. intelligence community predicts, in the event of rapid withdrawal? Will al Qaeda establish a powerful new base for launching attacks on the United States and its allies? Ms. PELOSI's strategy leads not toward a responsible withdrawal from Iraq, but to a constitutional struggle with Mr. Bush, who has already said he will veto the legislation.''

Members of both parties should acknowledge the point of this editorial. Al Qaeda spokesman for Osama bin Laden, al-Zawahiri, has clearly identified that Iraq and Afghanistan are the central fronts in the global war on terrorism. To undermine Iraq as clearly part of a global war puts American families at risk.

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

ACCOUNTABILITY AND OVERSIGHT DEMOCRATS DELIVER WITH LEGISLATION THIS WEEK

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

Mr. WILSON of Ohio. Mr. Speaker, last year Democrats pledged to make Congress an open and accountable process to the American people. This week the House will consider a series of reform measures that deliver on that promise.

This week we will vote on legislation reforming the Freedom of Information Act, requiring a more timely disclosure of government documents, and another bill that nullifies the 2001 Presidential executive order so that the access to Presidential records is finally restored. Both of these important bills open up government to the American people so that they can hold their government accountable.

Finally, the House will debate a bill providing real oversight of government contracts by limiting how long Federal no-bid contracts can last and requiring agencies to minimize the use of no-bid contracts.

Real oversight will return to Washington, and this week we will pass important legislation that brings real accountability along with it.

NINTH CIRCUIT—JUDICIAL ACTIVISM

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

Mr. PITTS. Mr. Speaker, for years the Federal courts have drifted towards judicial activism, and nowhere is this dangerous trend more fully embraced than the Ninth Circuit Court of Appeals. Based in San Francisco and covering nine western States, the Ninth Circuit has given us some of the more outrageous decisions in recent memory. These are the folks who say the words ''under God'' are unconstitutional in our pledge. Fortunately for our Nation and our Constitution this mostly Democrat-appointed court isn't the last defense against judicial activism. The U.S. Supreme Court regularly reviews the Ninth Circuit's rulings, and not surprisingly, the high court often overturns them. In fact, in this term the Supreme Court has overturned every Ninth Circuit ruling it has taken up. If you break it out by the votes of the individual Justices, the score is 67 votes to overturn and just five votes to uphold. These are definitely second-string back benchers. It is time they begin interpreting the Constitution, not rewriting it.

IRAQ

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I want to express my deepest concern for the situation that is worsening in Iraq.

March 19 of this year will mark the fifth year of war, and still Vice President CHENEY states that the Democratic strategy toward Iraq validates al Qaeda's agenda. This comment really means that anyone that disagrees with him gets accused of this issue.

Terrorists instill fear in their enemies, and it is this fear that generates self-defeating behavior. It is this fear that led the American people to believe that war was a validated solution, and still try to link it to September 11. It is this fear that has cost the United States billions of dollars on Iraq reconstruction plans, while neglecting our own system.

OPPOSING THE DEMOCRATIC SUPPLEMENTAL ACT

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

Mr. BISHOP of Utah. Mr. Speaker, it is said that politicians live in the past and statesmen vote for the future. Indeed, the options that we have today, both militarily and diplomatic, are based on votes that were taken by Congress 10 or 15 years ago.

The supplemental act recently unveiled by the Democratic majority appears to have been written by politicians, not statesmen. It includes the postponement of the acquisition of two F–35 fighter aircraft, which by itself does not seem too significant, but it bespeaks an attitude to be feared. For when we postpone the acquisition of technologically advanced military equipment, we place the future air superiority, something we have had since the Korean War and take for granted, in jeopardy. When we divert dollars from one branch of the military to support another branch of the military, we place all of the military in jeopardy. All four branches of the military deserve to be fully and adequately funded, and that is something this supplemental does not do.

This supplemental simply starts us down the road to a place where a future Congress will look back and criticize us for our failure to be statesmen.

SUPPORTING THE DEMOCRATIC SUPPLEMENTAL ACT

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

Mr. KAGEN. Mr. Speaker, last fall the American people went to the polls and they voted for positive change and new direction, not only in the way we do business here in Washington, but also in Iraq. The 110th Congress is fulfilling the mandate the American people provided by putting forward a supplemental bill that will guarantee three things: First, support for our troops before, during and after being in harm's way; second, accountability and responsibility, not only from our own administration, but from the newly elected Iraqi government as well; and, third, a positive change away from Iraq and back towards al Qaeda by guaranteeing an end to our involvement in the civil war in Iraq.

The American people will no longer write blank checks to this administration, and neither will this Congress; nor will we continue to send our sons and daughters to the sands of Iraq in an open-ended commitment. The time has come for this administration to listen to the will of the people.

The American people demanded new leadership, positive change and a new direction, and that is exactly what this Congress is delivering.

□ 1215

BALANCE THE BUDGET WITHOUT RAISING TAXES

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, simply chasing higher spending with higher taxes, as the Democrats want, will fail to address the unsustainable growth of government spending. We must balance the budget without tax increases.

Part of the Republican plan is to make permanent the tax relief that continues to support our Nation's economic prosperity. Our pro-growth policies have worked to support our economy's solid sustained growth and have created more than 7.4 million new jobs. This growth has also fueled double-digit growth in Federal revenues and put us on a path to balancing the budget.

The Democrat plan would simply reverse this progress with job-killing automatic tax increases.

The Republican plan also includes reforms to unsustainable entitlement programs so they can meet the mounting challenges and obligations of the future.

Mr. Speaker, the American people elected us to find solutions, not create more problems. I urge my colleagues to work with the Republicans to implement these real and workable solutions for a more fiscally responsible tomorrow.

WALTER REED AND NEED TO TAKE CARE OF OUR WOUNDED SOLDIERS

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

Mr. RODRIGUEZ. Mr. Speaker, since The Washington Post broke the story on Building 18 at Walter Reed, we have heard similar stories of unacceptably bad conditions at other facilities around the country. While The Post should be commended for bringing the information to this Nation, it should never have gotten to this point. Last week, we also learned that some Republican colleagues knew of these conditions and basically did nothing. This response of doing nothing is not acceptable.

Rather than inquiring about such bad conditions and deciding to do something, they choose to brush it off and basically bring it under the table. And rather than finding out who was responsible for the housing of our troops that had mold, that had mice and cockroaches, the administration chose to look the other way.

Doing nothing is not acceptable. Last week, the House Veterans' Affairs Committee, which I sit on, held hearings, and will continue to hold hearings, on the treatment of our wounded soldiers throughout this country. We want to see the widespread problems that exist corrected, and we recognize the seriousness. It is time for us to do the right thing for our soldiers.

CONGRESS SHOULD REJECT DEMOCRATIC PLAN ON IRAQ

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

Mr. PENCE. Mr. Speaker, in January, President Bush described his plan to win the war in Iraq, and last week Speaker PELOSI described her plan to end the war in Iraq. The only problem with that, Mr. Speaker, is, as George Orwell said, the quickest way to end a war is to lose it; and I believe the Democrat plan to micromanage our war in Iraq with benchmarks and deadlines for withdrawal is just that, a prescription for retreat and defeat.

But common sense and the Constitution teach us that Congress can declare war, we can fund or choose not to fund a war, but Congress should never attempt to conduct war. In fact, this is a broadly held view by some of the leading arteries of America's traditionally liberal media. The L.A. Times yesterday said: ''Congress can cut funding for Iraq, but it shouldn't micromanage the war.'' In The Washington Post today, the lead editorial entitled ''The Pelosi Plan For Iraq'' said: ''In short, the Democrat proposal is an attempt to impose detailed management on a war without regard to the war itself.''

I commend these American newspapers for their sensible reasoning. Common sense and the Constitution demand Congress should reject the Pelosi plan.

CBO SAYS PRESIDENT'S BUDGET WILL NOT REACH BALANCE IN 2012

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

Mr. SIRES. Mr. Speaker, 2 weeks ago the nonpartisan Congressional Budget Office released a primary analysis of the President's fiscal 2008 budget and found that the administration would fall short of its claim of balancing the Federal budget by 2012 without raising taxes. This contradicts comments made by the President when he unveiled the budget last month and claimed that his budget will be balanced by 2012 without raising taxes.

According to the CBO report, the President's budget will run a $9 billion deficit just 5 years from now. That report also concludes that the President's budget will lead to higher taxes for millions of middle-class Americans. First, his budget only includes a 1-year tax fix for the alternative minimum tax, which will lead to a $247 billion tax increase on middle-class families over the next 5 years. Then the President's health care plan will result in a tax increase of $500 billion over the next 10 years on middle-class families. This is unacceptable.

Mr. Speaker, it is time that the President levels with the American people about the budget that he proposed a month ago.

CONGRESSIONAL REPUBLICANS STILL WILLING TO PROVIDE PRESIDENT BUSH RUBBER STAMP ON WAR

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

Mr. YARMUTH. Mr. Speaker, at a time when the American people are demanding a change of direction in Iraq, congressional Republicans are more than willing to provide the President another blank check to continue the status quo.

After 4 years of incompetent planning and bad projections, it is time that Congress hold both the Iraqi Government and the Bush administration accountable. And yet Republican leaders continue to say we should just give the President what he wants, no questions asked. That is what the old Republican-controlled Congress did six times.

Later this month, the House is going to have a choice: give the President another blank check to move ahead with the status quo in Iraq, or take the war in a new direction. The U.S. Troop Readiness, Veterans Health and Accountability Act is that new direction. Far from being micromanagement, as many Republicans call it, this legislation sets policy for equipping our troops, policy for refocusing the war on terror, and policy for a responsible redeployment.

I urge all of my colleagues to seriously consider this change in direction.

CONGRESS CANNOT AFFORD TO GIVE THE PRESIDENT ANOTHER BLANK CHECK ON IRAQ

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

Mr. ARCURI. Mr. Speaker, after 4 years, billions of dollars and thousands of lives lost, we simply cannot reward failure with a blank check in the war in Iraq. I refuse to rubber-stamp more failed policies.

In the weeks ahead, we have the opportunity as representatives of the people to change the direction in Iraq without jeopardizing the safety and well-being of our troops. We must finally require Iraqis to take control of their own country and their own destiny.

The President has threatened to veto legislation that contains his own benchmarks for success in Iraq; provides our troops with the training and equipment they need; and ensures that when our brave soldiers return home, they get the kind of care that they deserve. Our legislation also commits additional funds to fight the forgotten war in Afghanistan and against al Qaeda, strengthening our national security.

Mr. Speaker, the people of New York's 24th District sent me here to address the war in Iraq and to start this country on a long overdue new direction for America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DAVIS of Alabama). 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.

REAUTHORIZING UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

Ms. WATSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1003) to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy.

The Clerk read as follows:

H.R. 1003

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

SECTION 1. REAUTHORIZATION OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking ''October 1, 2006'' and inserting ''October 1, 2009''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentleman from Arkansas (Mr. BOOZMAN) 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 and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this bill and urge my colleagues to do so as well.

This legislation extends the mandate of an important bipartisan panel created by Congress, appointed by the President and working on behalf of the American people. This group keeps a watchful eye on major efforts by the private sector and the U.S. Government to inform and to influence opinions overseas and to improve America's understanding of other lands.

Since September 11, 2001, such efforts, known collectively as ''public diplomacy,'' have been recognized as an integral part of our country's work to foster better relations with people abroad. Congress created the predecessor of this panel more than half a century ago. Now it is called the United States Advisory Commission on

Public Diplomacy, and it deserves our sustained and enthusiastic support.

The commission regularly delivers its findings and makes recommendations to the President, the Congress, the Secretary of State and the general public with easily accessible reports. These reports also include assessments of the scholarly integrity and political neutrality of the cultural and educational exchange programs of the Department of State.

Mr. Speaker, the United States Advisory Commission on Public Diplomacy does good and important work. Its mandate should be extended not merely annually, but for nearly 3 years more, as our legislation ensures. I am proud to be the author of this legislation, and I strongly urge my colleagues to support this short, but important, bill.

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

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

Mr. Speaker, we appreciate the gentlelady's work on this bill. The legislation before us today reauthorizes the Advisory Commission on Public Diplomacy through fiscal year 2009. Unique among nations, the United States maintains a vast network of formal and informal contacts with the people of the world and conducts the world's only global foreign policy.

The purpose of public diplomacy is to provide this worldwide audience with information about the United States and to convey an accurate and positive image of our beloved country and our foreign policy objectives. To accomplish this mission, the United States Government has at its disposal a number of important tools, including education and cultural exchange programs, extensive and proactive public affairs programs centered in our embassies, and a network of radio and television services broadcasting accurate and objective programming to a world community.

With H.R. 1003, Congress is reauthorizing the advisory commission for another 2 years to continue its important work to study our public diplomacy programs and reach some useful conclusions about how our government can do a better job of creating a dialogue with foreign audiences.

I urge the commission during the next 2 years to step up its efforts to study in more detail our public diplomacy and broadcasting efforts and advise policymakers in the administration and in Congress on appropriate changes and reforms that will improve our outreach efforts to the people of the world.

Mr. Speaker, I would again emphasize the importance of my bill and urge all of my colleagues to vote in the affirmative.

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

Ms. WATSON. Mr. 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 gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the bill, H.R. 1003.

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.

□ 1230

CALLING FOR RELEASE OF ISRAELI SOLDIERS HELD CAPTIVE BY HAMAS AND HEZBOLLAH

Mr. ACKERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 107) calling for the immediate and unconditional release of Israeli soldiers held captive by Hamas and Hezbollah, and for other purposes, as amended.

The Clerk read as follows:

H. RES. 107

Whereas Israel completed its withdrawal from southern Lebanon on May 24, 2000;

Whereas Congress previously expressed its concern for Israeli soldiers missing in Lebanon and Syrian-controlled territory of Lebanon in Public Law 106–89 (113 Stat. 1305; November 8, 1999), which required the Secretary of State to raise the status of missing Israeli soldiers with appropriate government officials of Syria, Lebanon, the Palestinian Authority, and other governments in the region, and to submit to Congress reports on those efforts and any subsequent discovery of relevant information;

Whereas on June 18, 2000, the United Nations Security Council welcomed and endorsed United Nations Secretary-General Kofi Annan's report that Israel had withdrawn completely from Lebanon under the terms of United Nations Security Council Resolution 425 (1978);

Whereas Israel completed its withdrawal from Gaza on September 12, 2005;

Whereas on June 25, 2006, Hamas and allied terrorists crossed into Israel to attack a military post, killing two soldiers and wounding a third, Gilad Shalit, who was kidnapped;

Whereas on July 12, 2006, Hezbollah terrorists crossed into Israel to attack Israeli troops patrolling the Israeli side of the border with Lebanon, killing three, wounding two, and kidnapping Ehud Goldwasser and Eldad Regev;

Whereas Gilad Shalit has been held in captivity by Hamas for more than 7 months;

Whereas Ehud Goldwasser and Eldad Regev have been held in captivity by Hezbollah for more than 6 months;

Whereas Hamas and Hezbollah have withheld all information on the health and welfare of the men they have kidnapped; and

Whereas, contrary to the most basic standards of humanitarian conduct, Hamas and Hezbollah have prevented access to the Israeli captives by competent medical personnel and representatives of the International Committee of the Red Cross: Now, therefore, be it

Resolved, That the House of Representatives—

(1) demands that—

(A) Hamas immediately and unconditionally release Israeli soldier Gilad Shalit;

(B) Hezbollah accept the mandate of United Nations Security Council Resolution 1701 (2006) by immediately and unconditionally releasing Israeli soldiers Ehud Goldwasser and Eldad Regev; and

(C) Hezbollah and Hamas accede to the most basic standards of humanitarian conduct and allow prompt access to the Israeli captives by competent medical personnel and representatives of the International Committee of the Red Cross;

(2) expresses—

(A) its vigorous support and unwavering commitment to the welfare and survival of the State of Israel as a Jewish and democratic state with secure borders;

(B) its strong support and deep interest in achieving a resolution of the Israeli-Palestinian conflict through the creation of a viable and independent Palestinian state living in peace alongside of the State of Israel;

(C) its ongoing concern and sympathy for the families of Gilad Shalit, Ehud Goldwasser, and Eldad Regev and all other missing Israeli soldiers; and

(D) its full commitment to seek the immediate and unconditional release of the Israeli captives; and

(3) condemns—

(A) Hamas and Hezbollah for the cross border attacks and kidnappings which precipitated weeks of intensive armed conflict between Israel, Hezbollah, and armed Palestinian groups; and

(B) Iran and Syria, the primary state sponsors of global terrorism and the patrons of Hezbollah and Hamas, for their ongoing support for international terrorism.

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

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Mr. Speaker, I would like to first thank Chairman TOM LANTOS and ranking minority member ILEANA ROS-LEHTINEN, as well as the ranking minority member on the Subcommittee on the Middle East and South Asia, MIKE PENCE. These Members joined with me at the very outset of the Congress to introduce H. Res. 107. The resolution is an exercise in compassion and it expresses the sense of the House regarding the three Israeli soldiers who were kidnapped last summer.

As of today, Gilad Shalit has been a captive for 261 days, roughly 8½ months; Ehud Goldwasser and Eldad Regev have been captives for 244 days. That is a day more than 8 months. To date, there has been no access to these men by medical personnel or the Red Cross or Red Crescent.

They have not been permitted to send mail to their loved ones. We don't know if they are ill, we don't know if

they are wounded, we don't know for certain that they are still alive.

Mr. Speaker, their captors have sought to turn these three men into something they are not: Bargaining chips, pawns, a kind of political chattel, things that can be swapped for favors or sacrificed at whim. These three men are not things. They are human beings. They have names and families. They have rights as captured soldiers, and they have rights as individuals. And they also have rights under international law.

The organizations that have taken these men captive have shown their true character. Withholding doctors and medicine, withholding the Red Cross and Red Crescent visits, withholding basic communications with their families, even just the information that they are still alive, these choices and these acts show what kind of men run Hamas and Hezbollah: They are religious, but they are deeply immoral. They are self-righteous, but they are profoundly cruel. They are blustery and proud, but they are sneaky and manipulative. Decent human beings do not behave this way.

Mr. Speaker, decency doesn't depend on international law or multilateral agreements, nor does it depend on nationality. And I am not aware that withholding medical care or basic contact with the outside world is a requirement of either Shia or Sunni Islam, or any of the world's great religions.

This kind of brutality and malice is, unfortunately, typical of these organizations and their state sponsors, Syria and Iran. Syria is a thuggish dictatorship which believes its appetite for the Golan Heights legitimizes any crime or cruelty.

And Iran's repressive theocracy is both the world's leading sponsor of terrorism and its most dangerous proliferation threat. Viciousness is standard operating procedure for both regimes.

We cannot compel such parties to release Gilad, Ehud, and Eldad any more than we can force them to understand the difference between right and wrong. You cannot disgrace someone who is incapable of shame.

But we can and we must stand by our ally, the State of Israel. America has had painfully similar experiences at the hands of the same culprits.

Out of our own bitter experience, we can express our sympathy and our concern for the captives and for their families. We can let the perpetrators of this barbarism know that we have not forgotten what they have done, and what they are continuing to do. We can bear witness, and we can add our voices to all those who are saying, ''Enough, enough. Let these men go home.''

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

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

Mr. Speaker, last July Israel's sovereign border was violated by terrorists linked to Hamas who shot and killed two Israeli soldiers and kidnapped Corporal Gilad Shalit.

Days later, terrorists linked to Hezbollah crossed into Israel and killed three and wounded two, and kidnapped soldiers Ehud Goldwasser and Eldad Regev. All three have been held captive since without medical attention from humanitarian groups like the Red Cross. No information is known on the fate of these soldiers.

As proxies of the Iranian and Syrian regimes, Hezbollah and Hamas have continued to attack Israel despite Israel's withdrawal from southern Lebanon in 2000 and Gaza in 2005.

Rather than view Israel's withdrawal as an act of good faith to further the cause of peace, Hezbollah and Hamas viewed these measures as signs of weaknesses to exploit. Hamas and Hezbollah, which have representatives in the Palestinian and Lebanese cabinets, believe that terrorism, murder and kidnapping are appropriate means of achieving political objectives, and have proposed negotiations to exchange these hostages for convicted terrorists now serving time in Israeli jails.

I am proud to be a cosponsor of this resolution which declares that the House of Representatives stands with the State of Israel and its right to self-defense and against the barbarity perpetrated by Hezbollah, Hamas and other terrorist groups, and the rogue regimes that sponsor them.

This resolution demands that Hamas and Hezbollah immediately and unconditionally release Mr. Shalit, Mr. Goldwasser and Mr. Regev, and that they provide all three with access to medical attention.

The resolution also holds Iran and Syria accountable for making terrorist acts like these possible. We cannot afford to be complacent about those Islamist extremists who would seek to kill three people, violate borders with impunity and threaten the security of the Middle East and the world.

As Dr. Martin Luther King noted, ''Injustice anywhere is a threat to justice everywhere.''

I thank Chairman ACKERMAN for introducing this resolution, his leadership in this area, and doing so much to advance the cause of the kidnapped Israeli soldiers. This resolution is about seeking what is needed most: Justice for the innocent and accountability for the guilty. I strongly urge my colleagues to support this resolution.

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

Mr. ACKERMAN. Mr. Speaker, we have no further speakers. If the gentleman will yield back his time, we are prepared to do so.

Mr. BOOZMAN. Yes. Again, I reiterate how important to my colleagues it is that we pass this resolution and support it wholeheartedly, and I thank the gentleman for his leadership in this area.

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

Mr. ACKERMAN. Mr. Speaker, I thank the gentleman from Arkansas for his leadership and helping shepherd this on the floor today.

Mr. ISSA. Mr. Speaker, I rise today in strong support of H. Res. 107, which calls for the immediate and unconditional release of Israeli soldiers held captive by Hamas and Hezbollah.

On July 19, 2006, I and the three Members of Lebanese ancestry joined together to introduce H. Res. 926 in response to the unprovoked attack and kidnapping by Hezbollah. This resolution condemned Hamas and Hezbollah for engaging in the reprehensible terrorist act of taking hostages, affirmed Israel's right to conduct operations to secure the release of hostages, and urging the protection of innocent life and civilian infrastructure.

H. Res. 107 sends an important message that the terrorist leaders of Hamas and Hezbollah must recognize. The United States has not forgotten the kidnapped Israeli soldiers or those responsible for their kidnapping including the states who support the terrorist groups.

Mr. Speaker, I would like to note for the record that this resolution expresses ''strong support and deep interest in achieving a resolution of the Israeli-Palestinian conflict through the creation of a viable and independent Palestinian state living in peace alongside of the State of Israel,'' as well as ''vigorous support and unwavering commitment to the welfare and survival of the State of Israel as a Jewish and democratic state with secure borders.''

While I fully support the commitment to the welfare and survival of the State of Israel, I have some reservations about this body expressing its support for a nation embracing a specific religious character. My concern is that in some situations, such expression of an endorsement of a particular religion or ethnicity could be used to exclude others which is, of course, not the intention of this resolution.

Both Israeli and Palestinian leaders have expressed their preference for a viable two-state solution and, as such, I support this joint goal and the independent peaceful aspirations of both peoples because the parties have made these decisions on their own and not because I support the preeminence of any particular religion.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I rise today in strong support of the immediate and unconditional release of Israeli soldiers held captive by Hamas and Hezbollah. As a former soldier myself, my thoughts and prayers are with Gilad Shalit, Ehud Goldwasser and Eldad Regev and their families. Let them know that the strength and good wishes of this Congress and of our Nation are with them all.

I am proud to be a cosponsor of this resolution, which states in a clear, unequivocal voice that the United States stands with these brave soldiers and demands their immediate and unconditional release. The statement we make today is important not just for these three soldiers, but for the greater goal of achieving peace in the Middle East.

Mr. Speaker, this resolution makes it abundantly clear that neither the U.S., nor Israel, nor any of our allies will bow to the will of terrorist organizations. We will fight them at

every turn, we will never retreat, and we will prevail because the cause of freedom is just and righteous. As one of my heroes, President John F. Kennedy, once said, ''Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and the success of liberty.'' Today we renew this pledge.

This resolution also makes it clear that while we do not shrink from the fight against terrorism, we also recognize that this battle is one that cannot be won without diplomacy. While we declare that we will always support efforts to maintain Israel's identity as a Jewish state with secure borders, we also renew our commitment to achieving a resolution of the Israeli-Palestinian conflict through the creation of a viable and independent Palestinian state living in peace alongside of the State of Israel.

In conclusion, Mr. Speaker, we are here to speak in a united voice to support Gilad Shalit, Ehud Goldwasser and Eldad Regev. We pray for their safety and we hope that they will return home soon. As we do this, we realize that the stories of these three brave soldiers are a part of a larger conflict that has taken thousands of lives and has ravaged an entire region of the world for far too long. With this resolution, we take another small step toward a future that is free of this conflict, where both Israelis and Palestinians have a place to call home and where no more lives are lost to a needless cycle of violence.

Mr. BACA. Mr. Speaker, I ask for unanimous consent to revise and extend my remarks.

I rise today to voice my strong support for H. Res. 107. This bipartisan resolution calls for the immediate and unconditional release of Israeli soldiers held captive by Hamas and Hezbollah.

I want to thank my friend from New York, Congressman GARY ACKERMAN, for introducing this resolution.

More than 7 months have passed since July of 2006, when Hamas terrorists crossed into Israel to attack a military post, killing two soldiers and wounding and kidnapping a third, Gilad Shalit.

Less than 1 month later, Hezbollah terrorists crossed into Israel and ambushed Israeli troops patrolling the border with Lebanon, killing three soldiers and kidnapping two, Ehud Goldwasser and Eldad Regev.

These despicable acts occurred despite Israel's good faith efforts, which included its total withdrawal from southern Lebanon in May of 2000.

These two terrorist groups have withheld all information on the health and welfare of the men they have kidnapped. Defying the most basic standards of conduct, they have prevented medical personnel and members of the International Red Cross from having access to the kidnapped Israelis.

In spite of these terrorist attacks, the strength of the Israeli people has not wavered. In these difficult times, our support of Israel must not waver either.

The United States must stay committed to the welfare and survival of the State of Israel as a Jewish and democratic nation with secure borders.

Our Congress must stand in one voice and condemn Hamas and Hezbollah, and their primary sponsors, Iran and Syria, for these cross border attacks.

I ask my colleagues to join me in supporting Israel and condemning these heinous acts, and cast a vote in favor of H. Res. 107.

Mr. GARRETT of New Jersey. Mr. Speaker, it's been more than seven months now and many have forgotten about the three Israeli soldiers kidnapped by Hamas and Hezbollah: Ehud Goldwasser, Eldad Regev, and Gilad Shalit. Hezbollah seems to have forgotten that last year's hostilities ended only after there were promises regarding the return of the Israeli men. This just goes to reinforce the fact that terrorist organizations cannot be negotiated with.

In 2004, United Nations Security Council Resolution 1559 called for Hezbollah in Lebanon to disband. Despite a half-dozen statements from the Secretary-General, they continued to occupy the border region as UN observers looked on. We don't know for sure, but these very observers may have watched Hezbollah cross the border and kidnap Goldwasser and Regev.

Security Council Resolution 170, which ended the most recent conflict, again called for Hezbollah to disarm and return of the soldiers. They remain in Lebanon and Gaza and not even international organizations such as the Red Cross have been able to see them and be assured of their fair treatment.

Israel has demonstrated its commitment to the Resolution by ceasing hostilities and pulling back its soldiers, but yet again they are dealing with opponents who show disrespect to all and whose word cannot be trusted.

We stand together with Israel to call again for the unconditional release of these three men. We pray for their safe return and for peace between Israel and its neighbors. They will not be forgotten by their families, by their nation, or by this body.

Mr. SHAYS. Mr. Speaker, I strongly support H. Res. 107, a resolution calling for the immediate and unconditional release of Israeli soldiers Gilad Shalit, Ehud Goldwasser and Eldad Regev, who continue to be held by the terror organizations Hamas and Hezbollah more than 6 months after being captured. These soldiers were kidnapped on Israeli soil in two separate, but equally brazen attacks, which were acts of war.

During their time in captivity, Hamas and Hezbollah, both of whom desire to simultaneously maintain an armed wing and a political wing, have not reported on the soldiers' health and have not granted access to international organizations to check on their well-being.

In August of last year, shortly after the fighting between Israeli forces and Hezbollah stopped, I visited Lebanon and northern Israel. While in Israel, we met with the families of the kidnapped soldiers. I cannot tell you how difficult it is, especially for a parent, to know a loved one is in harm's way and there is nothing you can do to help him.

It is so important this resolution is on the floor of the House today because we want the soldiers to know, we want their families to know, and we want Hamas and Hezbollah and the state sponsors of their terrorist activities—Iran and Syria to know that America has not forgotten the kidnappings that took place last summer. We will not forget this injustice until the soldiers are returned home to their families safe and sound.

Mr. HASTINGS of Florida. Mr. Speaker I rise today as a proud original cosponsor of House Resolution 107, calling for the immediate and unconditional release of the Israeli soldiers held captive by Hamas and Hezbollah since last summer.

The critical bipartisan legislation being introduced today calls for the immediate and unconditional release of the three Israeli soldiers who were captured last summer. Ehud Goldwasser, 31, and Eldad Regev, 26, were kidnapped by Hezbollah on July 12, 2006. Gilad Shalit was kidnapped by Hamas on June 25, 2006.

Moreover, my cosponsorship of this legislation follows up on the July 29, 2006 letter I wrote to American Red Cross Interim President Jack McGuire urging the American Red Cross to apply pressure to the International Committee of the Red Cross (ICRC) to look into the well-being of the three Israeli soldiers. My colleague, Canadian Senator Jerry S. Grafstein, wrote a similar letter.

To date, Gilad is the only captive Israeli soldier to have been confirmed to be alive by his captors. Hezbollah has not given any indication as to whether the other two Israeli soldiers they captured are injured or even still alive. Contrary to the most basic standards of humanitarian conduct, Hamas and Hezbollah have prevented access to all of the Israeli captives by representatives of the International Committee of the Red Cross.

I and all in this country, resent terrorist groups who use human life as a strategic tool to further their radical agenda. In calling for the release of these Israeli prisoners, the United States stands with Israel and sends a united message to terrorists that their fanatic behavior will be unsuccessful in deterring a Middle East peace.

I support the efforts the Israeli government has thus far made in attempting to gain the captives' release. Foreign Minister Tzipi Livni and her fellow ministers, as well as Prime Minister Ehud Olmert, have continued to raise this issue at the highest levels in their diplomatic meetings.

These three brave soldiers have been held hostage without medical attention and without communication or access to their family for far too long. The United States Congress has not forgotten these men and will make every effort to secure their freedom. The Shalit, Goldwasser and Regev families should know that I and the United States stand by them and pray for the return of their sons.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the resolution, H. Res. 107, 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.

EXPRESSING SENSE OF THE HOUSE OF REPRESENTATIVES THAT BANGLADESH SHOULD DROP CHARGES AGAINST SALAH UDDIN SHOAIB CHOUDHURY

Mr. ACKERMAN. Mr. Speaker, I move to suspend the rules and agree to

the resolution (H. Res. 64) expressing the sense of the House of Representatives that the Government of Bangladesh should immediately drop all pending charges against Bangladeshi journalist Salah Uddin Shoaib Choudhury, as amended.

The Clerk read as follows:

H. RES. 64

Whereas Salah Uddin Shoaib Choudhury is a Bangladeshi journalist who, because of his beliefs in an interfaith dialogue between Jews and Muslims and criticism of Islamic extremism, is on trial for sedition, an offense punishable by death;

Whereas on November 29, 2003, Mr. Choudhury was arrested at Zia International Airport in Dhaka, Bangladesh, on his way to board a flight bound for Tel Aviv; Mr. Choudhury's passport was seized, along with considerable sums of money and several personal items; on that same day police raided Mr. Choudhury's home and newspaper offices, seizing files, computers, and other valuables;

Whereas Mr. Choudhury was detained in Dhaka Central Jail for a passport violation, then subsequently charged with sedition; Mr. Choudhury suffered harsh interrogation techniques and received no treatment for a debilitating case of glaucoma; Mr. Choudhury's incarceration lasted 17 months without legal recourse;

Whereas on April 30, 2005, after intervention by the United States Department of State and congressional offices, Mr. Choudhury was released on bail;

Whereas in the subsequent months, senior members of the Bangladeshi Government made continuous public promises that there was no substance to Mr. Choudhury's pending charges and that all charges would be dropped;

Whereas on September 29, 2005, Mr. Choudhury was awarded the ''Freedom to Write Award'' by PEN USA;

Whereas on May 5, 2006, Mr. Choudhury was awarded the American Jewish Committee's Moral Courage Award in absentia in Washington, D.C.; two days prior to Mr. Choudhury receiving the award, after returning Mr. Choudhury's passport and appearing to allow him to attend, senior Bangladeshi Government officials issued threats to prevent him from leaving the country;

Whereas on September 18, 2006, a judge with alleged ties to an Islamic extremist party ruled that Mr. Choudhury will stand trial for sedition; the judge made this ruling despite the Public Prosecutor's testimony in court days before that the government did not have evidence and would not object to the charges being dropped;

Whereas members of the United States Commission on International Religious Freedom visited with Mr. Choudhury on their trip to Bangladesh in February and March 2006;

Whereas on October 6, 2006, the United States Commission on International Religious Freedom wrote a letter to U.S. Assistant Secretary of State for South and Central Asian Affairs Richard A. Boucher calling on the United States Government to strengthen the ''voices of moderation'' in countries like Bangladesh where the rule of law, democratic institutions, and respect for human rights are under assault by violent extremists; the Commission identified Mr. Choudhury as one of those voices that should not be silenced;

Whereas, according to the Department of State's 2005 Country Report on Human Rights Practices in Bangladesh, ''Attacks on journalists and newspapers, and government efforts to intimidate them, political party activists, and others, occurred frequently.''; and

Whereas moderate voices in the Muslim world must be supported and protected to advance the security of the United States and its allies: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the Government of Bangladesh should immediately drop all pending charges against Bangladeshi journalist Salah Uddin Shoaib Choudhury;

(2) the Government of Bangladesh should immediately return all of Mr. Choudhury's confiscated possessions; and

(3) the Government of Bangladesh should cease harassment and intimidation of Mr. Choudhury and take steps to protect Mr. Choudhury.

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

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent that all Members 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 York?

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of this resolution, and yield myself such time as I may consume.

Mr. Speaker, I would first like to commend my friend and colleague MARK KIRK from Illinois as well as that of Mrs. LOWEY of New York for their leadership on this important human rights case.

With passage of this resolution, Congress will firmly indicate its view that the government of Bangladesh should immediately release a Bangladeshi journalist whose only apparent crime is to attempt to visit the democratic nation of Israel.

Mr. Speaker, Bangladesh has undergone great political turmoil in recent months, and the nation is now being ruled by a caretaker government. As Bangladesh moves towards a new round of elections, it is imperative that the rule of law and freedom of the press be preserved.

The current government has set out an agenda to reform Bangladesh's political system and to stem corruption. We have seen lately the arrest of many previously high-ranking government officials. It is my sincere wish that the standards of responsible governance survive under the caretaker government until free and fair elections take place, elections that I hope will happen in the near term.

In this time of great political turmoil in Bangladesh, it is truly inexplicable that the government would focus its scarce resources on prosecuting a journalist.

Mr. Choudhury believes in interfaith dialogue between Jews and Muslims as an alternative to religious extremism, and has been commended by the international community for such bravery of thought.

Gaining the respect and concern of organizations like the United States Commission on International Religious Freedom, Mr. Choudhury has shown immense resiliency after facing numerous political and physical threats.

Mr. Choudhury's actions are courageous, not criminal, and it is time for the government of Bangladesh to take decisive action and drop all pending charges. The political leadership of Bangladesh should focus on getting its own house in order instead of mindlessly prosecuting someone for trying to promote international peace and stability.

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

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

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

At the outset, I would like to express my appreciation for the outstanding leadership of Congressman KIRK in introducing this timely resolution. It has my wholehearted support.

Mr. Choudhury is a Bangladeshi journalist and the editor of the Weekly Blitz, the largest tabloid English-language weekly in Bangladesh. He is currently facing a sedition trial for daring to reach out to Jewish and Israeli writers, as well as for speaking openly about the threat radical Islam poses in Bangladesh.

Mr. Choudhury was arrested in November 2003 when he tried to attend a conference in Israel and then was subjected to brutal treatment while in prison. Although he was released last year, in large part due to the efforts of Congressman KIRK and others, the Bangladesh government refuses to drop the charges against Mr. Choudhury, apparently trying to intimidate him into silence.

Last May, the American Jewish Committee presented Mr. Choudhury with the Moral Courage Award recognizing his efforts to promote dialogue between Muslims and Jews and his courage in speaking out against Islamic extremism.

Unfortunately, however, the authorities in Dhaka refused to permit him to visit the U.S. to receive the honor.

Mr. Speaker, Bangladesh and the U.S. have been good friends for over 35 years. Despite many handicaps, Bangladesh has made good progress in some key areas of development, including agricultural production, improved literacy rates, basic social services, and empowering women through employment and education.

As the fourth most populous Muslim country in the world, a moderate and stable Bangladesh can play an important role in regional and world affairs.

Today, however, Bangladesh is at a crossroads. National elections are being postponed amidst electoral chaos; meanwhile, the military appears

to be playing an increasingly large role within the Bangladeshi interim government.

The prospect of holding free and fair elections during the first half of 2007 appears to be much in doubt. More broadly, endemic political polarization, corruption and related governance concerns, as well as the rise of violent extremists remains substantial challenges for the Bangladeshi society.

Mr. Speaker, in this context I urge the authorities in Dhaka to send a strong signal about the importance Bangladesh attaches to tolerance and the rule of law by dropping these politically motivated charges against Mr. Choudhury. I support the resolution and urge its adoption.

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

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

Mr. BOOZMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. KIRK), the author of this resolution.

Mr. KIRK. I thank the gentleman.

Mr. Speaker, I rise in strong support of this resolution which marks this family member and what has happened to him as a prisoner of conscience in Bangladesh.

When we see what happened to him after advocating the cause of religious reconciliation between Muslims and Jews, we see the condition of Salah Choudhury after a severe beating which he was subjected to.

□ 1245

This resolution urges the government of Bangladesh to drop all charges against Bangladeshi journalist Salah Uddin Shoaib Choudhury.

Mr. Choudhury now faces charges of sedition, treason and blasphemy. He faces these charges because of his belief in an interfaith dialogue between Jews and Muslims, and because of articles that he published critical of Islamic extremism. Under Bangladeshi law, sedition is a crime punishable by death.

Mr. Choudhury was detained in November 2003 at Zia International Airport in Dhaka, Bangladesh, on his way to board a flight for Tel Aviv simply to participate in the annual Hebrew Writers Conference. Mr. Choudhury's passport was seized, along with considerable sums of money and several personal items. On that same day, the police raided his home, his newspaper, and seized files, computers and other valuables.

Since Bangladeshi law currently prohibits travel to Israel, Choudhury was first cited for a minor passport violation, but he was subsequently charged with sedition and accused of espionage as an Israeli spy and incarcerated indefinitely. He was subjected to harsh interrogation techniques and received no treatment for a debilitating case of glaucoma.

After being denied due process, Choudhury languished in jail for 17 months until one tireless human rights champion, and my constituent, Dr. Richard Benkin, began a personal odyssey to free Shoaib Choudhury. Dr. Benkin met Mr. Choudhury through a pro-Israel Internet Web site, and Dr. Benkin brought this situation to my attention and now before the House. All together, we sought for his freedom, and shortly thereafter, we did succeed in getting Choudhury's release from jail, finally reuniting him with his wife and two children.

Following Shoaib's release, a senior Bangladesh government official made numerous public pledges that all pending legal action against Mr. Choudhury would be dropped. Nevertheless, the government pressed forward with formal sedition charges.

Mr. Choudhury has won the recognition of international human rights and freedom of expression organizations for his courage. He was honored by PEN U.S.A.'s Freedom to Write Award and was presented with the American Jewish Committee's prestigious Moral Courage Award in absentia in Washington, D.C. The United States Commission on International Religious Freedom intervened and wrote a letter to Assistant Secretary of State Richard Boucher calling on the U.S. Government to strengthen the voices of moderation in countries like Bangladesh where the rule of law, democratic institutions, and respect for human rights are under assault by violent extremists. The commission identified Mr. Choudhury as one of those voices.

But despite such international attention, the persecution of Choudhury has persisted. Mr. Choudhury's newspaper offices were bombed by Islamic extremists in July 2006, and he was attacked by a mob in his office on October 5, 2006, where this very picture was taken. A judge with alleged ties to Islamic extremist groups then ruled that Choudhury must stand trial for his life for sedition.

Bangladesh today is at a crossroads. Much-anticipated elections were postponed due to irregularities, and a state of emergency was declared. In a country with 150 million people packed into a land mass smaller than Iowa, 85 percent of whom are Muslim, it is critically important for Bangladesh to demonstrate its commitment to democratic institutions, to religious freedom, and to human rights. For his message of moderation and interfaith dialogue between Muslims and Jews, Mr. Choudhury is facing unjust criminal charges in an effort to silence him. The House of Representatives sends a clear message today that we will not allow an outspoken advocate for religious freedom to be quelled by intolerance.

Mr. Speaker, I urge my colleagues to join me in this resolution and would like to thank Chairman LANTOS for his friendship and support in bringing this up and for his tireless advocacy on behalf of human rights of all as co-chairman of the Human Rights Caucus. I also want to thank Ranking Member ILEANA ROS-LEHTINEN for her support on the Foreign Affairs Committee.

I would like also to thank our ambassador to Bangladesh, Patricia Butenis, for her outstanding work at Embassy Dhaka. Her team has been vigorously monitoring this case, attending Mr. Choudhury's legal proceedings, and making strong public statements on his behalf.

I also want to thank Dr. Richard Benkin, sitting in the gallery today, for his unrelenting pursuit of justice on behalf of Shoaib Choudhury. I am proud to join Dr. Benkin in this endeavor and look forward to one day when we may even host Shoaib Choudhury in our very own Mount Prospect, Illinois.

Lastly, I want to thank the best congressional human rights staffer that I have ever had: Jeff Phillips had worked tirelessly on behalf of an African prisoner of conscience for months until he finally won his release. Now he has seized on Shoaib's case and made it a cause in the United States, in Canada, in Europe, and the subcontinent. He, we, have all been inspired by Shoaib and Dr. Benkin, and we hope by this resolution this case and a potential death sentence against Shoaib can be lifted. Shoaib is not a criminal, and he should not become a martyr. He is a model for interfaith tolerance and discussion between all of those of different faiths in the world.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members of the House are reminded to refrain from bringing to the attention of the House occupants of the galleries.

Mr. ACKERMAN. Mr. Speaker, it is my pleasure to yield such time as she might consume to the gentlewoman from New York (Mrs. LOWEY), the distinguished Chair of the appropriations subcommittee on Foreign Operations and the cosponsor of this resolution before us.

Mrs. LOWEY. I thank my distinguished colleague from New York for yielding me time.

Mr. Speaker, I rise in strong support of H. Res. 64, a resolution expressing the sense of the House that the Government of Bangladesh should drop all charges against Bangladeshi journalist, Salah Uddin Shoaib Choudhury. I want to thank my colleague from Illinois (Mr. KIRK) for his leadership on this issue.

In May of 2006, the American Jewish Committee awarded Mr. Choudhury the Moral Courage Award. Unfortunately, he was not there to receive this honor because more than 2 years earlier he was arrested while attempting to board a flight from Bangladesh to Tel Aviv. Mr. Choudhury's passport was confiscated, his house and possessions were raided, and he was first cited for a passport violation because Bangladeshi law prohibits travel to Israel. Subsequently, he was charged with sedition, accused of espionage, and imprisoned for 17 months.

What is his crime? Mr. Choudhury spoke up for interfaith dialogue, he published articles critical of Islamic extremism, and he appealed for greater religious tolerance and freedom. For these ''crimes'' he is charged with sedition, an offense punishable by death.

Mr. Choudhury has already been harassed and subjected to harsh interrogation techniques in prison. His newspaper offices were bombed by Islamic extremists in July of 2006, and he was physically attacked in October of 2006.

This resolution calls on the Government of Bangladesh to immediately drop the charges against Mr. Choudhury, to return his confiscated property, to stop intimidation tactics against him, and to protect him from future harassment.

Mr. Choudhury advocates peace and tolerance. It is time that Congress sends a strong and clear message: we are watching, and we will not allow Mr. Choudhury and others like him to be silenced.

I hope you will join me in strongly supporting H. Res. 64.

Mr. BOOZMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. I thank the gentleman for yielding; and, Mr. Speaker, I want to especially thank the gentleman from Illinois (Mr. KIRK) and Mrs. NITA LOWEY for their hard work in bringing this thoughtful resolution to the House floor today.

I was in Bangladesh about 3 weeks ago where I had the opportunity to meet with the new caretaker government, that leadership, as well as the leaderships in the two main political parties that are vying for power and have held power the last several decades. In fact, I met with our ambassador and members in the business community.

But one of the highlights and I think the most significant thing that I had an opportunity to do was to meet with the gentleman, Shoaib Choudhury, who is a journalist, and we have heard much talk about his situation this morning. But I think the gravity of it is significant, and I think it is important that this House is taking this action today.

Mr. Choudhury is a journalist in Bangladesh, known for his viewpoints which are favorable to expanding dialogue between Muslims and Jews and Christians and for developing ties with Israel. As was indicated, he was actually arrested on his way to Israel at the airport, and he is also trying to have more equality relative to religion and especially his observance and opposition to Islamic extremism, which unfortunately is on the rise in Bangladesh and in a number of regions.

Just as Islamic extremism and fundamentalism have been a danger in other areas of the world, it is a real problem in Bangladesh, and he has had the courage to speak out on this important issue.

Unfortunately, in a place where journalists are not necessarily given broad freedom of speech as our media would have here in this country, Mr. Choudhury was arrested and charged with sedition and accused of espionage and unjustly incarcerated for 17 months during which he received less than adequate treatment for glaucoma and other conditions from which he suffers. He is now facing charges which could bring the death penalty under Bangladesh law.

Now, several government leaders indicated that they do not intend to pursue the death penalty in this particular case; but when one considers the actions for which Mr. Choudhury was charged, this is not a person that should be jailed in the first place. This is a person who should be honored, as he has been around the world. You have to admire his strength and his resilience.

I asked him how he was being treated and spoke with him about the prospects for his trial. His next trial appearance was supposed to be February 28. At the time of my visit, Mr. Choudhury was encouraged by recent government assurances that his charges might be dropped or that they did not intend to go forward with the death penalty; but as it turns out, a radical Islamist-affiliated judge recently signed an order forcing the trial and the court proceedings to proceed. He is being accused of a threat to the security of Bangladesh. So much for a fair trial and just treatment.

This is something that really should get the attention not only of this House but the world.

This bipartisan resolution on the floor today urges the Bangladeshi Government to drop all charges against Mr. Choudhury. The United States Congress should show Mr. Choudhury that he can count on our full support and that the success of fledgling democracies such as Bangladesh lies squarely on the very freedoms that Mr. Choudhury embodies.

I am glad to be a cosponsor of this important resolution. I thank the Speaker for recognizing this and urge my colleagues to support it.

Mr. ACKERMAN. Mr. Speaker, I reserve the balance of our time.

Mr. BOOZMAN. Mr. Speaker, again in closing, I want to thank the chairman of the Middle East Subcommittee, Mr. ACKERMAN, for bringing this forward. Certainly we want to thank Mr. KIRK for his hard work and then Mrs. LOWEY for making this a very bipartisan effort, and I would urge all of my colleagues to support this.

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

□ 1300

Mr. ACKERMAN. Mr. Speaker, I want to express my gratitude to Mr. BOOZMAN, the gentleman from Arkansas, for his expeditious handling of this on the floor. I want to thank both Mr. KIRK and Mrs. LOWEY for bringing this resolution to our attention and to also note the great spirit of nonpartisanship that we have on this matter and hope that that could splash over and spill over and overwhelm some prevailing attitudes on both sides so that we might bring this kind of approach and dedication to all of the legislation that we have before us this session.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the resolution, H. Res. 64, 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. KIRK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECOGNIZING THE 186TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING GREEK AND AMERICAN DEMOCRACY

Mr. WEXLER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 228) recognizing the 186th anniversary of the independence of Greece and celebrating Greek and American democracy.

The Clerk read as follows:

H. RES. 228

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 one of only three countries in the world, other than 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 billion 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 million 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 summer 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 eight-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 Greece and the United States and their peoples;

Whereas March 25, 2007, the National Day of Celebration of Greek and American Democracy, marks the 186th anniversary of the beginning of the revolution that freed the Greek people from the Ottoman Empire and celebrates the aspirations for democracy that the peoples of Greece and the United States share; and

Whereas it is proper and desirable for the United States to celebrate this anniversary with the Greek people and to reaffirm the democratic principles from which these two great nations were born: Now, therefore, be it

Resolved, That the House of Representatives—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 186th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 186 years ago.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. WEXLER) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

Mr. WEXLER. Mr. Speaker, it is an honor for me to pay tribute on Greek Independence Day to one of America's most important European allies, Greece, and one that holds immeasurable importance to millions of Americans.

I would also like to thank my good friend from Florida (Ms. ROS-LEHTINEN), who has been a leading supporter of U.S.-Greek relations in Congress.

Western civilization as we know it today is undeniably connected to Greece. For every American, Greece is known as the cradle of democracy. As a nation that still seeks to perfect its democracy in civic society, America looks to Greece and its universally known philosophers and leaders for political inspiration and wisdom. In fact, the very word ''democracy'' is a Greek word. The history of Greek independence is inspiring, especially given America's own history and drive for independence from tyranny and oppression. Greeks have been willing to fight for independence, sacrifice for the sake of freedom, and have stirred others to do the same.

As a Member of Congress with a large Greek-American community, I am especially pleased that we are passing this resolution today, which also highlights the extraordinary contributions of a community that has contributed greatly to the shared prosperity of our Nation. Today, the Greek-American community remains the bedrock in the unbreakable bond between the United States and our ally, Greece. As ambassadors of goodwill between the United States and Greece, Greek Americans have for decades shaped this longstanding friendship, creating a partnership based on freedom, democracy and peace.

Today, some 5 million Americans claim Greek ancestry, with understandable pride. Greece is one of less than a handful of nations that have stood shoulder-to-shoulder with the United States in every major war of the 20th century. Our close relations became even closer after World War II. The Truman Doctrine helped save Greece from communism, indeed helped save it for the Western world, and the Marshall Plan helped pave the way for economic success.

In 1952, Greece joined NATO, formalizing the deep mutual commitment of Greece and the rest of the western world to protecting freedom. Now, as an integral member of the EU for two decades, Greece has become increasingly prosperous, a democratic role model for the nations of the world.

Greece remains a critical strategic partner in today's post-Cold War world. We cooperate closely in promoting peace and stability in the Balkans. Athens has supported efforts to settle the Cyprus problem and to end the divide on the island. And I am especially supportive of Greece's critical efforts in recent years to resolve historic differences with its neighbor, Turkey, including supporting that country's membership in the EU.

Mr. Speaker, I congratulate the Greek people on the 186th anniversary of their independence and strongly support this resolution.

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

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

I want to encourage all of my colleagues to support H. Res. 228, recognizing the 186th anniversary of the independence of Greece, celebrating Greek and American democracy and recognizing Greece as a very staunch ally and friend of our United States.

Greece was the birthplace of the principles of democracy on which our Nation was founded. Our Founders studied Greek culture and Greek politics, and their influence is still with us today. Over the centuries, Greece has demonstrated its commitment to what it and our Nation prize among our highest ideals, and that word is ''liberty,'' ''eleftheria'' to the Greek people.

Indeed, many of our Nation's respective ideas are shared and, therefore, our relationship holds a special significance. Both the United States and Greece share much in common. Both are outward-looking trading nations that have enriched the world through commercial and cultural exchanges.

Over the decades the U.S.-Greek relationship has developed quite dynamically, bolstered by common ideas and cooperation. Moreover, the Greek people have strived to protect freedom and democracy, allying itself with the United States in every major conflict of the 20th century, notably sacrificing for and contributing to the victory of the Allied forces over the Axis powers during World War II.

Today, our common destinies are threatened by other enemies who scorn our commitment to freedom, eleftheria, and aggression from Islamic extremism looms large and threatens western civilization that was born in that country of Greece. We are grateful that the Greek people have stood against this aggression throughout the years.

Indeed, Greece should be praised for its contributions in the global war on terror. In the war in Iraq, Greece has been responsive to U.S. requests for access to its air space and in fueling U.S. ships that supply cargo ships headed to Iraq.

Mr. Speaker, I look forward to further cooperation between our two nations and expanding the friendship that exists between Greek and American people. I therefore ask my colleagues to join me in congratulating the nation of Greece on the 186th anniversary of its independence and to express their

acknowledgment of the great friendship that exists between our two countries.

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

Mr. WEXLER. Mr. Speaker, I would like to give Ms. JACKSON-LEE of Texas, a member of the Foreign Affairs Committee, 5½ minutes.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman and I thank my colleagues, my fellow member of the Foreign Affairs Committee, the chairman of the Foreign Affairs Committee, Mr. LANTOS, and the ranking member, Ms. ILEANA ROS-LEHTINEN. Certainly, I have indicated already to Chairman WEXLER thanks for his continued leadership.

Mr. Speaker, I rise, of course, to acknowledge and certainly support recognizing the 186th anniversary of the independence of Greece and celebrating Greek and American democracy. Greece has been a long-term model, if you will, for the principles of democracy. Any of us who have had the honor of learning the Greek philosophers throughout our academic training know that the principles they have enunciated have been strong and lasting.

With that in mind as I celebrate the 186th anniversary, I commend my friends in Greece for their continued deliberations dealing with the issue of divide between the Turks and Greece, and I look forward to an opportunity that resolutions will come about that would solve some of those problems.

Might I, Mr. WEXLER, also indicate my support for H. Res. 64, which speaks to the freedom of press and particularly expresses the sense of the House of Representatives that the government of Bangladesh should immediately drop all charges against Bangladeshi journalist Salah Uddin Shoaib Choudhury. I say that in recognition of the principles of freedom of press. Whenever we have had the opportunity to interact in bilaterals through Members of Congress or parliamentarians, one of the key issues that are discussed is the right of the voice of the opposition, or the voice of difference to be expressed. I hope that this particular legislation will pass with a firm statement by this Congress that we are, if you will, asking for his release.

Might I also support H. Res. 107. I am an original cosponsor of this legislation calling for the immediate and unconditional release of the Israeli soldiers held captive by Hamas and Hezbollah. Let me say this, I have met with one of the family members of one of the captive soldiers.

I think what is important in this statement, because we know that King Abdullah just a few days ago came to this Congress and said, we can make a difference in the Palestinian-Israeli issue. This happens to be soldiers that are in Lebanon, and, frankly, I think the point should be made that Israel has, in fact, done what they said they would do in pulling back.

Whenever you get agreements that are kept, promises that are kept, then it seems that in the course of international collegiality or international decorum or international protocol that you have the opportunity to receive your soldiers back home, your loved ones back home. These young men, who are still being held, Gilad Shalit, Eldad Regev and Ehud Goldwasser, remain in captivity, even though the United Nations has, through passing United Nations Security Council Resolution 1701, imposed a ceasefire on the Lebanon-Israel border. The resolution called for, and I quote, the unconditional release of the abducted Israeli soldiers. Even in the United Nations, which has a place for disparate voices and has a place for disagreement, we find that there is a call for their release.

So I would hope that this particular legislation is not taken as a negative, but it is taken in compliance with the United Nations' interests in countries, recognizing when agreements are made that we can move forward on the agreement, and the captivity of soldiers of another sovereign nation certainly argues against having a world forum that really works.

The United Nations has managed with all its difficulties to be a world forum. It has made a statement that they should be released. I would hope there would be enough resolve in Hezbollah and certainly in Hamas and others and in Lebanon, that whatever your viewpoint, you certainly should have the view to provide comfort to these families and have their loved ones returned.

So I ask again for support of the underlying bill; that is, H. Res. 228, and I add my support for H. Res. 64; and as a cosponsor of H. Res. 107, I add my support for that.

I conclude by simply saying that we have an opportunity to accept the challenge of King Abdullah in the way that we must know how to do it, and that is engagement and resolve for the best of all people in the Mideast. I hope that we will do so, and I would say to my friends in Lebanon, a good step and a good start would be the release, unconditional release of these soldiers.

Mr. Speaker, I rise today in strong support of H. Res. 107, which calls for the immediate and unconditional release of Israeli soldiers held captive by Hamas and Hezbollah and expresses the Congress's support for a two-state resolution to the Israeli-Palestinian conflict.

Mr. Speaker, while the fighting between Israel and Hamas and Hezbollah has subsided, one of the initial causes for the war, has not yet been addressed. Three young men, Gilad Shalit, Eldad Regev, and Ehud Goldwasser, remain in captivity.

The fighting last summer ended when the United Nations Security Council passed Resolution 1701, which imposed a ceasefire on the Israel-Lebanon border. That resolution unequivocally called for "the unconditional release of the abducted Israeli soldiers."

Therefore, their ongoing captivity is ignoring the will of the international community. Indeed, Hamas and Hezbollah have not even allowed access to the Israeli captives by competent medical personnel and representatives of the International Committee of the Red Cross.

Mr. Speaker, H. Res. 107 expresses this Congress's vision for "a resolution of the Israeli-Palestinian conflict through the creation of a viable and independent Palestinian state living in peace alongside of the State of Israel." But this vision cannot be achieved by continuing to hold these soldiers by Hamas and Hezbollah.

The United States cannot turn a blind eye when citizens of a fellow democracy fall prey to terrorists acts. Israeli soldiers must be released without delay and without preconditions, as the Security Council demands. That is also our demand. We will remain committed to the soldiers' freedom—for the sake of peace and to move toward a just resolution to these conflicts in the Mid East.

Mr. Speaker, I support the resolution sponsored by Mr. ACKERMAN, the chairman of the Middle East and South Asia Subcommittee. I urge all my colleagues to do so as well.

Mr. POE. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today to express my deep pride and respect to the Hellenic Republic as it prepares to celebrate the anniversary of Greek Independence Day, which took place on March 25, 1821.

I am almost certain that Thomas Jefferson cast an eye across the Atlantic towards Greece when he uttered these words in 1821, ''The flames kindled on the 4th of July, 1776, have not spread over much of the globe to be extinguished by the feeble engines of despotism . . . On the contrary, they will consume these engines and all who work them.''

It is God's handiwork that I am blessed to straddle two cultures that have been beacons of liberty for all of civilization. The place of my birth, the land of the free and the home of the brave, the United States of America, and the land of my ancestors, the birthplace of democracy, the Hellenic Republic, Greece. I honor those brave and resilient Greeks who refused to be assimilated or converted into the Ottoman Empire. They endured centuries of torture and persecution to hang on to their precious heritage and faith. Bishop Germanos of Patras raised the emblem of freedom for Hellenes, the flag bearing a white cross and nine blue and white stripes representing the nine letters, eleftheria, freedom.

This was an act of defiance against the Ottoman Empire, marking the beginning of Greece's war of independence on March 25, 1821.

□ 1315

Cries of Zito I Ellas, long live Greece; Eleftheria I Thanatos, live free or die, could be heard from the Ionian to the Aegean, from the Peloponeseus to the Dodocanese where my grandparents are from.

It took 8 hard-fought years, until 1829, for the Sultan Mahmud to capitulate and surrender. Greek independence

was guaranteed with the Treaty of Adrianople.

Greeks were the first Ottoman subjects to secure recognition as an independent and sovereign nation. It was a fierce fight that drew support from Philhellenes the world over. None other than the United States, England, Lord Byron was wonderful in this cause.

Undoubtedly, these Philhellenes were indebted to Greece, the world's first advanced civilization, for providing a cultural heritage that has influenced the world with firsts in philosophy, politics, mathematics, science, art and sport with the Olympics, just to name a few.

I honor my ancestors for their deep abiding conviction in all that is good and true about mankind. I celebrate their bravery and commitment to freedom and justice. I praise their perseverance and patience in the face of unspeakable hardships. I commend their sacrifices to posterity so that, should there ever be another who seeks to oppress freedom-loving people, we will be able to look upon history and summon up the same courage that those unyielding Hellenes exhibited nearly two centuries ago.

Just as our great Founding Fathers studied the model of democracy the ancient Greeks put forth, it is likely our revolution for independence in the late 18th century served as a blueprint for the early 19th-century Greeks to try their hand at freedom and sovereignty. It is a beautiful, symbolic symbiotic relationship that the United States and Greece have shared since, and it continues to enjoy.

As George Washington proclaimed at the onset of the American Revolution: ''Our cause is noble. It is the cause of mankind.'' So it was in 1776 America and in 1821 Greece, and so it will always remain.

Zito I Ellas, and God bless America.

Mr. WEXLER. Mr. Speaker, I yield 5 minutes to the gentlelady from New York (Mrs. MALONEY), who also is the cochair of the Hellenic Caucus.

Mrs. MALONEY of New York. Mr. Speaker, as an original cosponsor of this legislation, H. Res. 228, and cochair and cofounder of the Congressional Caucus on Hellenic Issues, I rise today to celebrate the 186th anniversary of Greece's independence from the Ottoman Empire.

Against incredibly difficult odds, the Greeks defeated one of the most powerful empires in history to gain their independence.

Following 400 years of Ottoman rule, in March 1821, Bishop Germanos of Patras raised the traditional Greek flag at the monastery of Agia Lavras, inciting his countrymen to rise up against the Ottoman Empire.

The bishop timed this act of revolution to coincide with the Greek Orthodox holiday celebrating the archangel Gabriel's announcement that the Virgin Mary was pregnant with the divine child.

Bishop Germanos' message to his people was clear, a new spirit was about to be born in Greece. The following year, the Treaty of Constantinople established full independence of Greece.

As we celebrate Greek Independence Day, we should reflect upon the strong ties between Greece and the United States and the strong commitment to democracy shared by our two countries.

The Greeks of 1821 fought for independence from the Ottoman Empire while drawing inspiration from the ideals and institutions of the United States.

During their war of independence, the Greeks also received support from many Americans, including Presidents James Madison and James Monroe and Representatives Daniel Webster and Henry Clay, each of whom gave speeches and made resolutions and other statements in Congress in support of the Greek revolutionaries.

Just as our defeat of the British Army was remarkable, so too was the Greek triumph over the Ottoman Army, a momentous achievement in world history.

New York City is home to the largest Hellenic population outside of Greece and Cyprus. Western Queens, which I have the honor of representing, is often called Little Athens because of the large Hellenic population in its neighborhoods.

New Yorkers celebrate Greek Independence Day with a parade on Fifth Avenue, along with many cultural events, private meetings and celebrations. These events, hosted by the Federation of Hellenic Societies and other Hellenic and Philhellenic organizations and friends, remind us of the Hellenic American community's many, many contributions to our Nation's history and culture.

Relations between the United States and Greece remain strong with a shared commitment to ensuring stability in southeastern Europe.

I hope permanent solutions can be found for ending the division of Cyprus and finding a mutually agreed upon name for the former Yugoslav Republic of Macedonia.

Additionally, I strongly support the inclusion of Greece in the Visa Waiver Program. Last month, along with Representatives SPACE and BILIRAKIS and 18 of our House colleagues, we sent letters to Secretary Rice and Secretary Chertoff urging them to extend the Visa Waiver Program to Greece. Greece is the only member of the original 15 European Union nations not to belong to the Visa Waiver Program.

Greece has met the criteria for the program, including a less than 3 percent refusal rate of U.S. nonimmigrant visa applicants and biometric passports. I hope that they will soon be included in the program, and I ask my colleagues and the Nation to join me in celebrating Greek's independence today.

Additionally, it is my sincere pleasure to pay tribute to the New York Hellenic American community for its many, many contributions to our city and Nation.

Mr. GARRETT of New Jersey. Mr. Speaker, as a member of the Congressional Caucus on Hellenic Affairs, I am proud to congratulate the nation of Greece on the 186th anniversy of independence. Though it began the cradle of Democracy and formed the foundation of Western thought, Greece was ruled over by various empires until 1821 when the people of Greece threw off Ottoman oppression and set about founding a government that would be ruled by Greeks and for Greeks.

The ancient Greek city-states provided young American with a strong foundation of government and philosophy to build our democracies. In both our nations, the Golden Age of Greece continues to be a guiding light.

During the last 50 years, the United States has been proud to stand with the Greek people as they confronted communist oppression, solidified their democracy, and became part of the vibrant European economy.

Independence, once achieved, is not guaranteed for all time. We know that at all times there must be those who are willing to sacrifice to retain liberty. Both of our nations have faced struggles for survival since the initial moment of independence. We must continue to support each other in the causes of freedom and democracy.

Again, I congratulate the Greek people on this historic day. It is a day to remember the sacrifices of the past, to take pride in your nation, and to look forward to a bright future.

Mr. POE. Mr. Speaker, I want to thank Chairman WEXLER, chairman of the Subcommittee on Europe, and also Ranking Member ILEANA ROS-LEHTINEN, for their work on this legislation.

We have no further speakers, so I yield back the balance of my time.

Mr. WEXLER. Mr. Speaker, I too want to thank Mr. POE. And we also do not have any more speakers, so we will yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. WEXLER) that the House suspend the rules and agree to the resolution, H. Res. 228.

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

The yeas and nays were ordered.

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

RECOGNIZING THE 50TH ANNIVERSARY OF THE TREATY OF ROME

Mr. WEXLER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 230) recognizing the 50th Anniversary of the Treaty of Rome signed on March 25, 1957, which was a key step in creating the European Union, and reaffirming the close

and mutually beneficial relationship between the United States and Europe.

The Clerk read as follows:

H. RES. 230

Whereas, after a half century marked by two world wars and at a time when Europe was divided and some nations were deprived of freedom, and as the continent faced the urgent need for economic and political recovery, major European statesmen such as Robert Schuman, Jean Monnet, Paul-Henri Spaak, Konrad Adenauer, Alcide de Gasperi, Sir Winston Churchill, and others joined together to lay the foundations of an ever closer union among their peoples;

Whereas on March 25, 1957, the Federal Republic of Germany, France, Italy, Belgium, the Netherlands, and Luxembourg signed the Treaty of Rome to establish a customs union, to create a framework to promote the free movement of people, services, and capital among the member states, to support agricultural growth, and to create a common transport policy, which gave new impetus to the pledge of unity in the European Coal and Steel Agreement of 1951;

Whereas to fulfill its purpose, the European Union has created a unique set of institutions: the directly-elected European Parliament, the Council consisting of representatives of the Member States, the Commission acting in the general interest of the Community, and the Court of Justice to enforce the rule of law;

Whereas on February 7, 1992, the leaders of the then 12 members of the European Community signed the Treaty of Maastricht establishing a common European currency, the Euro, to be overseen by a common financial institution, the European Central Bank, for the purpose of a freer movement of capital and common European economic policies;

Whereas the European Union was expanded with the addition of the United Kingdom, Denmark, and Ireland in 1973, Greece in 1981, Spain and Portugal in 1986, a unified Germany in 1990, Austria, Finland, and Sweden in 1995, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia in 2004, and Bulgaria and Romania in 2007, making the European Union a body of 27 countries with a population of over 450 million people;

Whereas the European Union has developed policies in the economic, security, diplomatic, and political areas: it has established a single market with broad common policies to organize that market and ensure prosperity and cohesion; it has built an economic and monetary union, including the Euro currency; and it has built an area of freedom, security, and justice, extending stability to its neighbors;

Whereas following the end of the Cold War and the disintegration of the Soviet Union, the European Union has played a critical role in the former Central European communist states in promoting free markets, democratic institutions and values, respect for human rights, and the resolve to fight against tyranny and for common national security objectives;

Whereas for the past 50 years the United States and the European Union have shared a unique partnership, mindful of their common heritage, shared values and mutual interests, have worked together to strengthen transatlantic security, to preserve and promote peace and freedom, to develop free and prosperous economies, and to advance human rights; and

Whereas the United States has supported the European integration process and has consistently supported the objective of European unity and the enlargement of the European Union as desirable developments which promote prosperity, peace, and democracy, and which contribute to the strengthening of the vital relationship between the United States and the nations of Europe: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the historic significance of the Treaty of Rome on the occasion of the 50th anniversary of its signing;

(2) commends the European Union and the member nations of the European Union for the positive role which the institution has played in the growth, development, and prosperity of contemporary Europe;

(3) recognizes the important role played by the European Union in fostering the independence, democracy, and economic development of the former Central European communist states following the end of the Cold War;

(4) acknowledges the vital role of the European Union in the development of the close and mutually beneficial relationship that exists between the United States and Europe;

(5) affirms that in order to strengthen the transatlantic partnership there must be a renewed commitment to regular and intensive consultations between the United States and the European Union; and

(6) joins with the European Parliament in agreeing to strengthen the transatlantic partnership by enhancing the dialogue and collaboration between the United States Congress and the European Parliament.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. WEXLER) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

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

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

There was no objection.

Mr. WEXLER. Mr. Speaker, I rise in strong support of H. Res. 230, and yield myself as much time as I may consume.

I first want to thank Chairman LANTOS for introducing this resolution with me. If there is anyone in Congress who fully understands the significance of this moment, it is Congressman LANTOS, who has been an unwavering supporter of the transatlantic alliance and the creation of the European Union.

In addition, I want to thank the ranking member of the Europe Subcommittee, Mr. GALLEGLY, for his efforts in bringing this resolution to the floor.

Mr. Speaker, on March 25, 1957, in an attempt to recover from destruction caused by two devastating world wars, six European nations, France, Italy, Belgium, The Netherlands, the Federal Republic of Germany, and Luxembourg, joined together in common interest to form the foundations of a new economic and political community. The resulting Treaty of Rome laid the framework to promote an ever closer union among the peoples of Europe.

At that time, the Treaty of Rome provided for the establishment of a common market, a customs union and common policies, expanding on the unity already established in the European Coal and Steel Community. The founding members, keen on ensuring the past was not to be repeated, were particularly interested in the idea of creating a community of peace and stability through economic ties.

The success of the European Economic Community inspired other countries to apply for membership, making it the first concrete step toward the creation of the European Union. The Treaty of Rome established the basic institutions and decision-making mechanisms still in place today. The European Union, now comprised of 27 countries and over 450 million people, is a unique and a historic example of nation-states transcending their former divisions, deciding to come together for the sake of freedom, peace and prosperity, and resolving their differences in the interest of the common good and rule of law.

The success of the EU over the past 50 years has also benefited greatly the United States. Today, the United States and Europe enjoy a mutually beneficial relationship that has a long and established history.

As the world's most important alliance, the U.S. and the EU are intimately intertwined, cooperating on regional conflicts, collaborating to address global challenges, and sharing strong trade and investment relations.

It is clear that the strongest possible relationship between the United States and Europe is a prerequisite for addressing the challenges of the 21st century. The U.S. and EU are working closely to promote reform and peace in the Middle East, rebuild and enhance security in Afghanistan, support the goals of democratization and prosperity in Eastern Europe, the Caucasus, Balkans and Central Asia, prevent genocide in Darfur and end the violence and terrorism in Lebanon.

The anniversary of the Rome Treaty is a reminder of the importance of the transatlantic alliance in an increasingly difficult global environment. However, the 50-year EU experiment is an example of the enduring possibilities of democratic transformation and a brighter future for millions.

It is my hope that the EU will continue to keep its doors open and remain a beacon of hope to the citizens of Europe who aspire to obtain the peace and prosperity that have blossomed over the past 50 years.

Mr. Speaker, I encourage my colleagues to join me in recognizing the 50th anniversary of the Treaty of Rome, and strongly urge the passage of H. Res. 230.

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

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

When Americans visit Europe today, it is hard to see how very damaged the

countries of that continent were when they emerged from the destruction of the Second World War. American assistance played a very important role in rebuilding Western Europe in the 1940s and the 1950s, and American arms played a crucial role in protecting the democracies of Europe from the advance of Soviet communism during the Cold War.

Ultimately, however, Europeans needed to do more on their own to build upon a foundation that the United States had first provided. The 1957 Treaty of Rome, signed by France, Germany, Italy, Belgium, The Netherlands, and Luxembourg was one of the first steps that Western Europe took to put the causes and the legacy of the Second World War behind them.

The treaty established a free-trade region known as the European Economic Community, the cornerstone of what we today know as the European Union.

□ 1330

A post-World War II economically ravaged Europe reasoned that if nations are linked economically, in this case by recalling the role that economic decline and hindered trade among nations had played in the years leading up to World War II, the creators of that free trade zone saw that the freedom of movement of goods, services, capital, and people might well prove to be a great deterrent to conflict between the states of Europe, large and small.

Over the subsequent decades through the entry of new members and expansions both geographically across Europe and functionally across issues, the European Community grew beyond the original core membership of the 1950s and assumed responsibilities going well beyond trade. Today, the European Union indeed counts among its member states countries that once were under Soviet domination. It has worked to transfer more powers from its individual member states to the overall organization centered on the road to creating a more unified European foreign and security policy and making the European Union an organization that the United States increasingly looks to for leadership on transatlantic issues, joining the NATO alliances that continue to bind us together in that common cause.

While the European Community continues to provide a framework within which to conduct international trade, such as multilateral trade negotiations with the United States, it has also advanced the cause of liberty, free markets, democratic institutions, and respect for human rights throughout the European continent. The Treaty of Rome was an important step in building on the foundation that the United States helped create after World War II for Europe.

Today, we look to a strong Europe as seen in the expanded NATO and expanded and strengthened European Union as a foundation on which we can work together to address new and ever growing challenges. Therefore, with enthusiasm, Mr. Speaker, it is that this House should commemorate the 50th anniversary of the signing of this Treaty of Rome.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to join with my colleagues in supporting H. Res. 230, a resolution recognizing the 50th anniversary of the Treaty of Rome, which was signed on March 25, 1957. The Treaty of Rome established a customs union—formally known as the European Economic Community—among six countries: Belgium, France, Italy, Luxemburg, the Netherlands, and the Federal Republic of Germany. Today, that customs union is known as the European Union, and now includes 27 countries spanning the length and breadth of Europe. Most importantly, it has grown into an institution that inspires countries to be their better selves.

If one travels to Europe today, it may be hard to remember that, 50 years ago, the continent was still recovering from the second of the two world wars it had unleashed in less than half a century. It may be hard today to recall or imagine the magnitude of devastation that still scarred farmland and cities alike. It may be difficult to conceive of the bitterness, anger and thirst for revenge that bled across the continent like the blood of those fallen in war. The fact that Germany, a country that had unleashed a war of aggression against its neighbors just a few years before, was included in this new "community" was really nothing short of a minor miracle.

Moreover, fifty years ago, Europe was still riven in two—no longer by a shooting war, but by a cold war. While a small group of nations was beginning the slow process of rebuilding their own countries and forging transnational relations based on cooperation, mutual trust, and mutual benefit, another part of the continent had fallen under the boot of communist dictatorship, where the Soviet Union exploited its neighbors, striping them of wealth, prosperity, and opportunity for generations. Just one year before the Treaty of Rome was signed, the Soviet Union underscored its opposition to any independent foreign or economic policy on the part of East European countries—a message unequivocally sent by its invasion of Hungary.

As the years passed, and the success of the European Economic Communities became ever more apparent, it is no surprise that more countries joined this union. Membership in Council of Europe, the European Union's sister organization and home of the European Court of Human Rights, helped pave the way for membership in the EU. Meanwhile, the NATO alliance created a zone of military security where the post-war citizens of Western Europe could build a zone of financial security.

Since the fall of communism, there is no doubt that the aspiration of joining the European Union, much like the goal of joining the NATO alliance, has helped focus the attention of many countries on overcoming their past differences for a larger, common good that also brings substantial benefits to their own citizens. Today, I commemorate the 50th anniversary of the signing of the Treaty of Rome, and the new vision it held for the European continent, one that has helped spread peace and prosperity to nearly 500 million people.

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

Mr. WEXLER. 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 Florida (Mr. WEXLER) that the House suspend the rules and agree to the resolution, H. Res. 230.

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.

EXPRESSING SUPPORT OF THE HOUSE FOR THE GOOD FRIDAY AGREEMENT

Mr. WEXLER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 222) expressing the support of the House of Representatives for the Good Friday Agreement, signed on April 10, 1998, as a blueprint for a lasting peace in Northern Ireland, and for other purposes.

The Clerk read as follows:

H. RES. 222

Whereas the Good Friday Agreement, signed on April 10, 1998, sets out a plan for the creation of the Northern Ireland Assembly, and a devolved government in Northern Ireland on a stable and inclusive basis;

Whereas the Northern Ireland Assembly and Executive have been suspended since 2002;

Whereas the St. Andrews Agreement of October 2006 established a timetable for the restoration of a power-sharing government in Northern Ireland;

Whereas the St. Andrews Agreement required that "support for policing and the rule of law should be extended to every part of the community";

Whereas on January 28, 2007, Sinn Fein held a party conference during which it declared its support for the Police Service of Northern Ireland and the criminal justice system, consistent with the terms of the St. Andrews Agreement;

Whereas British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern stated on January 30, 2007, that "We remain fixed in our determination to see shared government returned to the people of Northern Ireland.";

Whereas British Prime Minister Tony Blair called for elections in Northern Ireland to take place on March 7, 2007, in adherence to the timeline established in the St. Andrews Agreement; and

Whereas the St. Andrews Agreement set a deadline of March 26, 2007, for devolved government to be restored to Northern Ireland: Now, therefore, be it

Resolved, That—

(1) the House of Representatives—

(A) reiterates its support for the Good Friday Agreement, signed on April 10, 1998, in Belfast, as a blueprint for a lasting peace in Northern Ireland;

(B) declares its support for the St. Andrews Agreement of October 2006;

(C) commends British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern for their leadership and persistence in seeking a peaceful resolution in Northern Ireland; and

(D) commends all parties for abiding by the terms agreed to in the St. Andrews Agreement; and

(2) it is the sense of the House of Representatives that all political parties in Northern Ireland should—

(A) agree to share power with all parties according to the democratic mandate of the Good Friday Agreement;

(B) meet all deadlines established by the St. Andrews Agreement; and

(C) commit to work in good faith with all the institutions of the Good Friday Agreement, which established the Northern Ireland Assembly and an inclusive Executive, the North-South Ministerial Council, and the British-Irish Inter-Governmental Conference, for the benefit of all the people of Northern Ireland.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. WEXLER) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. WEXLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration, as well as H. Res. 228.

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

There was no objection.

Mr. WEXLER. Mr. Speaker, I rise in strong support of this resolution, and yield myself as much time as I may consume.

Mr. Speaker, I would first like to thank my good friend and colleague, Congresswoman CAROLYN MCCARTHY of New York, who has been a passionate and tireless advocate for peace and justice in Northern Ireland throughout her distinguished career in Congress.

Over the past several years, the peace process in Northern Ireland has taken many twists and turns. The Good Friday Agreement, designed to bring an end to the conflict in Northern Ireland, has been declared dead time and again. The Northern Ireland Assembly and the Executive established by the Good Friday Agreement have been suspended since 2002.

During the past few months, however, we have witnessed incredibly promising developments in our efforts to fully implement the Good Friday Agreement, which was signed almost 9 years ago on April 10, 1998.

The St. Andrews Agreement of October 2006 established a firm timetable for the restoration of the government in Northern Ireland. In the agreement itself and in subsequent declarations, both sides of the conflict committed themselves to the rule of law, effective policing, and a strong criminal justice system. Most importantly, the elections called for by the St. Andrews Agreement were carried out successfully just last week.

Now the hard work begins, Mr. Speaker. Over the next 2 weeks, Northern Ireland's political parties must agree to share power according to the democratic mandate of the Good Friday Agreement. A failure to reach a power sharing deal will lead to the dissolution of the Northern Ireland Assembly, a development which would be profoundly damaging to the long-term prospects for peace in Northern Ireland. With passage of this resolution, Congress urges Northern Ireland's political leaders to make the tough compromises necessary to bring about a power sharing arrangement. With such a deal, the great promise of the Good Friday Agreement and the St. Andrews Agreement can come to fruition.

The resolution before the House is designed to support the forward movement towards peace and to help pave the way to a time when the conflict in Northern Ireland is only a subject for the history books.

Mr. Speaker, I strongly support this timely resolution, and reserve the balance of my time.

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

Since 1969, over 3,200 people have died as a result of political violence in Northern Ireland. The 1998 Good Friday Agreement lessened the violence in Northern Ireland considerably, making it a safer place to live and allowing its beleaguered economy to prosper.

While these developments are positive steps forward, political differences between the opposing sides of this conflict led to a stalemate, which in 2002 persuaded the Blair government to suspend the Belfast Northern Ireland Assembly and shift power to direct rule from London. Events have now presented an opportunity to move forward.

Last week, a new Northern Ireland Assembly was elected, and at the end of this month, if an administration is formed, rule from Westminster will cease, with Northern Ireland assuming the reins of power for its own self-government.

British Prime Minister Tony Blair, in expressing his fondest hopes for the success of the Good Friday accords, has stated, ''Enemies would become not just partners in progress but sit together in government, and paramilitaries who used to murder each other as a matter of routine would talk to each other and learn to live with each other.''

Mr. Speaker, these are noble and lofty goals. While no one thought that they would be easy to achieve and many challenges have arisen, combat is now taking place in the political sphere rather than through violent means. Inch by inch, day by day, with focused determination, success is finally emerging.

Mr. Speaker, ours is a significant voice in the global community that must be raised in support of the progress that has already been achieved, and in calling for further efforts to achieve the goals of the Good Friday Agreement.

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

Mr. WEXLER. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. MCCARTHY), who is the sponsor of this resolution.

Mrs. MCCARTHY of New York. Mr. Speaker, I want to thank Subcommittee Chairman WEXLER and Ranking Member POE.

As the author of H.R. 222, I rise in support, as all of the members of the Friends of Ireland Caucus do.

This month, the peace process of Northern Ireland has an opportunity to make great strides. Several significant events are taking place this month. On March 7, new assembly elections were held. On March 14, new members for a power-sharing executive will be nominated. And, finally, on March 26, London will rescind direct rule and restore Northern Ireland's devolved government.

It has been a long road to get to this point, but restored progress has been made. Recently, Democratic Unionist Party leader Mr. Paisley, and Sinn Fein's Gerry Adams spoke directly across the floor on the Northern Ireland Assembly. Some people will say this was a small matter. For those of us that have been involved in this issue, it was a great stand.

This dialogue is a major achievement in the ongoing peace process. However, there is still much work to be done, and this month is critical to ensure a successful devolution on March 26.

President Bush's Special Envoy on Northern Ireland has recognized the importance of this month's events and the need for Congress to help galvanize the momentum to achieve the March 26 deadline.

Former U.S. Senator George Mitchell believes a power sharing deal in Northern Ireland is now possible, following the March 7 assembly elections, but believes the U.S. still has a huge role to play in stimulating the investment and the trade in Northern Ireland.

With that in mind, I have introduced the Good Friday Agreement. This resolution shows Congress' support for the Good Friday Agreement, commends the efforts of Prime Minister Blair and Irish Taoiseach Ahern and all the parties for abiding by the St. Andrews Agreement. H. Res. 222 further encourages the parties to work in good faith to meet the Good Friday Agreement.

Mr. Speaker, we have an opportunity to make a difference in Ireland by helping to make sure that we keep this momentum going. But I think, more important, when we see the troubles throughout the world today, Ireland has always been something that many of us here in Congress have been fighting for to bring both sides together. The people of Ireland want this peace process to go through. It is good for the whole nation. We here in Congress will be going as an envoy to Ireland during the Easter break, hopefully to be congratulating everybody and telling them we will do whatever we can to make sure the government stays up and running. But, more importantly, it is the people of Ireland that have overwhelmingly on both sides said, ''We want the peace process to go forward.''

I urge my colleagues to vote for peace in Northern Ireland and support H. Res. 222.

Mr. POE. Mr. Speaker, I want to thank Chairman WEXLER of the European Subcommittee for leading the discussion, and also Representative MCCARTHY from New York for sponsoring this legislation. We have no further speakers.

Mr. GARRETT of New Jersey. Mr. Speaker, nearly nine years ago, the people of Northern Ireland took a great step forward into building a lasting peace. The Good Friday Agreement, signed in 1998, set forth a plan for establishing a peaceful civil government for both Catholics and Protestants.

Today, we are close to ending an enmity that stretches back across centuries. With the establishment of an assembly there will be a substantial forum for the people of Northern Ireland to sort through their difference peacefully.

The years of calm since the signing of the agreement have seen developments that seemed nearly impossible decades ago. The acceptance of the Police Service of Northern Ireland by Sinn Fein in January of this year marked one ofthe last hurdles to the full implementation of the agreement. With one neutral force to fairly administer the law, the people of Northern Ireland can stop seeing the police as adversaries and instead see them as guardians of the peace, as it should be.

It is now critical that a final agreement be put in place so that the assembly can continue to meet and lead the people of Northern Ireland. Now that the IRA, as confirmed by third-party observers, has decommissioned its weapons, it is time for the Democratic Unionists to come together to rule in cooperation with Sinn Fein.

With so much progress made it would be a great shame to see the dissolution of a body freely elected by the people of Northern Ireland. This Congress supports blueprint for peace signed nearly a decade ago and wishes to see last democracy and tranquility in Ireland.

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

Mr. WEXLER. Mr. Speaker, I too want to thank Mr. POE. And we also do not have any more speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. WEXLER) that the House suspend the rules and agree to the resolution, H. Res. 222.

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. WEXLER. 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.

SCOTT REED FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. BOSWELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 478) to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the ''Scott Reed Federal Building and United States Courthouse''.

The Clerk read as follows:

H.R. 478

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 and United States courthouse located at 101 Barr Street in Lexington, Kentucky, shall be known and designated as the ''Scott Reed Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Scott Reed Federal Building and United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. BOSWELL) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. BOSWELL. Mr. 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. 478.

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

There was no objection.

Mr. BOSWELL. Mr. Speaker, I would yield myself such time as I may consume and will be yielding to the gentleman from Kentucky very shortly.

I would appreciate very much, if this has been designated, to be recognized, and would recognize the gentleman from Missouri.

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

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

Mr. Speaker, it is great that I got the opportunity today to work with the gentleman from Iowa. We have worked on several things, and I think this is a very fitting bill.

H.R. 478 designates the Federal building and the United States courthouse located at 101 Barr Street in Lexington, Kentucky as the Scott Reed Federal Building and United States Courthouse. The bill recognizes Judge Reed's service to the legal profession.

Judge Scott Reed graduated from the University of Kentucky College of Law where he received many honors. Judge Reed's career as a jurist began in 1964, when he became Fayette Circuit Court judge. Five years later, he was elected to the Kentucky Court of Appeals, where he sat for over 7 years. During the mid 1970s, Judge Reed played an instrumental role in the recognition of Kentucky's judicial system, which created the Kentucky Supreme Court. Judge Reed was elected to serve as the first Chief Justice of Kentucky in 1976. His opinions from the Supreme Court of Kentucky have received national acclaim for their content.

□ 1345

In 1979 he was named U.S. district judge for the Eastern District of Kentucky, and he served as U.S. district judge until he retired in 1990.

Mr. Speaker, I support this legislation, and I encourage my colleagues to do the same. This is a very fitting individual and a fitting tribute to him.

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

Mr. BOSWELL. Mr. Speaker, at this time I would like to yield such time as he may consume to the gentleman from Kentucky (Mr. CHANDLER).

Mr. CHANDLER. Mr. Speaker, I thank the gentleman from Iowa for his help on this legislation, something that is near and dear to my heart. I also thank the gentleman from Missouri for his nice words.

This courthouse and the naming of this courthouse is very special to many people in Kentucky because Scott Reed was a special man.

H.R. 478 is a bill to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky as the ''Scott Reed Federal Building and United States Courthouse.'' I can think of no other individual more deserving, no other public servant more worthy, and no other action more appropriate than naming the Federal courthouse in Lexington after the Honorable Scott Reed.

Prominent central Kentucky attorney, first Chief Justice of the Kentucky Supreme Court, and Federal judge, Scott Reed exemplifies the definition of honor and integrity.

Born in Lexington, Kentucky, on July 3, 1921, Scott Reed graduated with distinction from the University of Kentucky. While in college, he was editor-in-chief of the Kentucky Law Journal and awarded the order of the Coif, the highest academic award that can be given to a law graduate. He was also a member of the Phi Delta Phi Fraternity.

He achieved many honors at the University of Kentucky, culminating upon graduation as the recipient of the Algernon Sydney Sullivan Medallion, a prestigious award recognizing outstanding character and humanitarian service.

Prior to his time on the bench, Scott Reed was County Attorney. He was retained as counsel for the Fayette County School Board and distinguished himself as a trial lawyer of great integrity. He served from 1948 through 1956 as an associate professor at the University of Kentucky College of Law. From 1964 until 1969, he was judge of the First Division of the Fayette Circuit Court, the top trial court in Kentucky's second largest county. He then was elected to the Kentucky Court of Appeals, at that time the highest court in the Commonwealth.

As Chief Judge of the Kentucky Court of Appeals, Judge Reed oversaw the passage of a constitutional amendment that unified and modernized Kentucky's court system. As part of the modernization, the Court of Appeals became the Kentucky Supreme Court. Reed was elected by his fellow justices at that time to be the first Chief Justice of the Commonwealth of Kentucky. As Chief Justice, he oversaw the implementation of a constitutional amendment that led to Kentucky's having one of the most efficient court systems in the country. The Chief Justice of the Commonwealth holds equal rank with the Governor, the latter being the head of the Executive Branch and Chief Justice serving as the head of the Judiciary and its myriad of administrative offices throughout the State. Judge Reed was elected as a Fellow in the National College of the Judiciary in 1965 and was a voting member of the American Law Institute, a body of scholarly people who shape the laws of our Nation.

The opinions written by Scott Reed during his time on the Supreme Court of Kentucky have received national acclaim. Judge Reed was a frequent lecturer to the National College of Trial Judges and has achieved the highest honors that can be bestowed on a member of his profession.

In 1979 he was appointed by President Jimmy Carter to be U.S. district judge for the Eastern District of Kentucky. He served as a U.S. district judge until he retired in 1990, rounding out his judicial career having served on the local, State, and Federal benches. Scott Reed was named to the University of Kentucky College of Law Hall of Distinguished Alumni on April 11, 1980.

Judge Reed passed away on February 17, 1994, but his legacy will always be a part of Kentucky's rich history. He richly deserves this honor, one that is indeed long overdue.

Mr. Speaker, I thank my colleague Mr. ROGERS of Kentucky for being a cosponsor of this legislation. Again, I thank my colleagues from Iowa and Missouri for their help on bringing this to the floor, and I urge its passage.

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

Mr. BOSWELL. Mr. Speaker, I would associate myself with the remarks Mr. CHANDLER made. I appreciate that. Judge Reed was truly an outstanding individual in many respects and served with great distinction.

Mr. Speaker, I support H.R. 478 and urge its passage.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 478, a bill to designate the Federal building located at 101 Barr Street in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse". The bill was introduced by the gentleman from Kentucky (Mr. CHANDLER) and his colleague from Kentucky (Mr. ROGERS).

Scott Reed was born in Lexington, Kentucky, in 1921. He attended local schools and graduated from the University of Kentucky College of Law in 1945. While at the University, Reed received many awards and honors, including the Algernon Sydney Sullivan Medallion for excellence.

The first years of Judge Reed's career were spent in private practice during which he distinguished himself as a trial lawyer of great integrity. During this time, he also taught at the University of Kentucky College of Law.

From 1964 to 1969, Judge Reed was judge of the First Division of the Fayette Circuit Court. From 1969 until 1976, he served on the Court of Appeals, 5th Appellate District. In 1976, Judge Reed became the Chief Justice of the Commonwealth of Kentucky, a position which holds equal rank with the Governor. His opinions from the Supreme Court of Kentucky have received national attention for their scholarly content and careful judicial reasoning.

In August, 1979, Judge Reed was nominated by President Carter to the federal bench. He was confirmed later that year and served until his death in 1994. During his confirmation hearing, Judge Reed was characterized as possessing a great sense of fairness and objectivity, practical legal experience, and great respect for the law and its responsibility to our Nation's citizens. Both Senator Huddleston and Senator Ford participated in Judge Reed's confirmation hearing.

Judge Reed enjoyed a rich and rewarding career. His contributions to the American judicial system are exceptional. It is fitting that the United States Courthouse located in Lexington, Kentucky, bear his name to honor his distinguished career and enduring legacy.

I support H.R. 478 and urge its passage.

Mr. BOSWELL. 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 Iowa (Mr. BOSWELL) that the House suspend the rules and pass the bill, H.R. 478.

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.

HUGH L. CAREY UNITED STATES COURTHOUSE

Mr. BOSWELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 429) to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Hugh L. Carey United States Courthouse".

The Clerk read as follows:

H.R. 429

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 located at 225 Cadman Plaza East, Brooklyn, New York, shall be known and designated as the "Hugh L. Carey 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 "Hugh L. Carey United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. BOSWELL) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. BOSWELL. Mr. 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. 429.

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

There was no objection.

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

Mr. Speaker, H.R. 429 is a bill to designate the new courthouse in Brooklyn at Cadman Plaza in honor of former Member and New York Governor Hugh Carey.

Hugh Carey began his distinguished public career in 1960 when he was elected to the House of Representatives. He served on the former Education and Labor Committee, the Interior Committee, and the Ways and Means Committee. During his seven terms, he became the deputy whip and helped pass several pieces of landmark legislation on education and the rights of the disabled.

As Governor, Carey signed the historic Willowbrook consent decree, which committed New York to sweeping reforms in the care of the developmentally disabled. He also dealt with Love Canal and pollution of the Hudson River. Along with Senator KENNEDY and former Speaker Tip O'Neill, he worked to end violence in Northern Ireland.

He is truly a son of New York, a great civic leader and esteemed public servant. For these and other reasons, it is both fitting and proper to honor Hugh Carey with this designation.

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

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

H.R. 429 does designate the United States courthouse which is located at 225 Cadman Plaza East in Brooklyn, New York as the "Hugh L. Carey United States Courthouse."

As the gentleman from Iowa pointed out, the Governor served in the United States Army during World War II and then received his law degree from St. John's University School of Law. In 1960 he was elected to represent the 12th Congressional District of New York in the 87th Congress and served until his resignation in 1974, when he was elected Governor of New York, and he served two terms as Governor.

I might also point out that in 1993, Governor Carey was appointed to the American Battle Monuments Commission to represent the United States at various ceremonies commemorating the 50th anniversary of the end of World War II. Governor Carey is currently practicing law in New York City, as I understand.

Mr. Speaker, I think this is a fitting tribute to Governor Carey's commitment to public service, and I wholeheartedly support this bill.

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

Mr. BOSWELL. Mr. Speaker, I thank Mr. GRAVES for those kind words and appreciate his support and work on this very appropriate naming.

I urge the acceptance of H.R. 429.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 429, a bill to designate the newly-constructed courthouse located at 225 Cadman Plaza in Brooklyn, New York, as the "Hugh L. Carey United States Courthouse".

Hugh Carey was born in 1919, in Brooklyn, where he attended local schools. He graduated from St. John's University and, in 1951, graduated from St. John's Law School. During World War II, he fought in Europe with the 104th Division. For his valor, he received the Bronze Star, Croix de Guerre, and Combat Infantry Award.

Hugh Carey served the people of New York for almost three decades, first as a Congressman representing Brooklyn and then as Governor of the State. Congressman Carey served seven terms in the U.S. House of Representatives, from 1960 until 1974. In 1974, he was elected as Governor of New York in a landslide victory. He served two full terms as Governor until being succeeded by his Lieutenant Governor, Mario Cuomo.

Carey's public career is highlighted by his handling of the city's economic crisis in the late 1970s. As part of this effort he spearheaded the construction of the Jacob Javits Center, Battery Park City, and South Street Seaport. He was a fierce opponent of the death penalty and, as Governor, prevented the reinstatement of the death penalty in the State of New York.

Carey was a master at forming coalitions between business and labor. This ability helped save the city from fiscal crisis in the late 1970s. During that time, he worked diligently to attract businesses to the State mainly by reducing State taxes.

Governor Carey, who will be 88 in April, still practices law in New York. This designation will honor the truly outstanding, civic career of one of New York's finest public servants.

I support H.R. 429 and urge my colleagues to join me in supporting this bill.

Mr. BOSWELL. 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 Iowa (Mr. BOSWELL) that the House suspend the rules and pass the bill, H.R. 429.

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.

CONRAD DUBERSTEIN UNITED STATES BANKRUPTCY COURTHOUSE

Mr. BOSWELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 430) to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the "Conrad Duberstein United States Bankruptcy Courthouse," as amended.

The Clerk read as follows:

H.R. 430

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 bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, shall be known and designated as the "Conrad B. Duberstein United States Bankruptcy Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States bankruptcy courthouse referred to in section 1 shall be deemed to be a reference to the "Conrad B. Duberstein United States Bankruptcy Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. BOSWELL) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. BOSWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 430.

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

There was no objection.

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

Mr. Speaker, a quote from Chief Justice John Marshall was recently used at St. John's Law School, Judge Duberstein's alma mater, to describe Judge Duberstein: "Once in a while a man mounts the bench with the salt of like, the spice of wisdom, and the sweetness of humor blended in him so subtly and yet so successfully that those who are quite unlearned in the law glimpse some of its beauties." This quote so aptly describes Judge Duberstein.

Judge Duberstein was a proud product of New York. He attended school in the Bronx, college in Brooklyn, and received his law degree from St. John's University Law School. His high school alma mater is also the alma mater of former Secretary of State Colin Powell.

The words wisdom, fairness, beloved mentor, humor, humility, and humanity are used not only to describe his life but also reflects the principles he brought to his law practice. He was a judge guided by a sense of fairness and perpetual desire for nothing but justice for all who were in his courts. His accomplishments were without bounds. Judge Duberstein practiced bankruptcy law for over six decades, and when he died in his 90s, he was the oldest surviving bankruptcy judge in the country.

Designating the courthouse in his honor is a most fitting tribute to the extraordinary life and work of Judge Conrad B. Duberstein.

I support H.R. 430 and urge its passage.

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

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

Mr. Speaker, in addition to what the gentleman from Iowa pointed out, Judge Duberstein's tremendous contributions in law, I might also add to that, Judge Duberstein served in the United States Army. We have actually named a few courthouses over the last couple of months after individuals who are World War II veterans, and they are all just outstanding individuals.

Judge Duberstein did serve in the Army during World War II, and he was awarded the Purple Heart, the Bronze Star, and the Combat Infantry Badge. After the war he engaged in the private practice of law, where, again, his prominence as a bankruptcy attorney grew large.

The gentleman from Iowa pointed out his many contributions to law and obviously to the State of New York. This is another bill, Mr. Speaker, where I think it is a fitting tribute, to say the least, and I wholeheartedly support this bill and urge my colleagues to do the same.

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

Mr. BOSWELL. Mr. Speaker, I urge the passage of H.R. 430 to a person very deserving.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 430, a bill introduced by the gentleman from Brooklyn, New York (Mr. TOWNS), to designate the United States Bankruptcy Courthouse located at 271 Cadman Plaza in Brooklyn, New York, as the "Conrad B. Duberstein United States Bankruptcy Courthouse".

This bill has the unanimous support of the judges of the United States Bankruptcy Court for the Eastern District of New York. At the time of his death, on November 18, 2005, at the age of 90, Judge Duberstein was the oldest serving Chief Bankruptcy Judge in the country.

Judge Duberstein is a native New Yorker, born in the Bronx in 1915. He was 17 years old when his father died. As a result, he dropped out of school to support his mother and two sisters. In 1934, he received his high school diploma from the Morris Evening High School. In 1938, he graduated from Brooklyn College and, in 1942, he received his law degree from St. John's University Law School. While a law student, he served on the St. John's University Law Review.

Judge Duberstein was admitted to the New York State Bar in 1942. In the same year, he took the oath for admission to practice before the United States District Court for the Eastern District in the very building which today we designate in his honor.

Judge Duberstein was drafted and served with distinction in World War II from 1943 until 1946. He was stationed in Northern Italy, where he was wounded. He was awarded the Purple Heart, the Bronze Star, and the Combat Infantry Badge. While in Italy, he had the honor of being granted an audience with Pope Pius XII.

In 1981, he was appointed to the Bankruptcy Court for the Eastern District in New York. In 1984, the Board of Judges appointed him as the Chief Judge. His work was noted for its thoroughness, extensive analysis, and scholarly approach. He was a person known by his humility and humanity. He worked tirelessly to enable persons of every faith, race, and origin to achieve a "fresh start," consistent with bankruptcy laws. He was beloved and revered by his colleagues. It is both fitting and proper that the bankruptcy courthouse in Brooklyn, New York, be designated in his honor.

I support the bill and urge its passage.

Mr. BOSWELL. 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 Iowa (Mr. BOSWELL) that the House suspend the rules and pass the bill, H.R. 430, 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 was amended so as to read: "A bill to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the 'Conrad B. Duberstein United States Bankruptcy Courthouse'.".

A motion to reconsider was laid on the table.

□ 1400

NEAL SMITH FEDERAL BUILDING

Mr. BOSWELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1045) to designate the Federal building located at 210 Walnut Street in Des Moines, Iowa, as the "Neal Smith Federal Building".

The Clerk read as follows:

H.R. 1045

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 210 Walnut Street in Des Moines, Iowa, shall be known and designated as the "Neal Smith Federal Building".

SEC. 2. REFERENCES.

Any reference in a 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 "Neal Smith Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. BOSWELL) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. BOSWELL. Mr. 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. 1045.

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

There was no objection.

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

Mr. Speaker, it is quite a privilege today for me to stand here and speak about someone who has been my mentor and that I have admired for many, many years of my life. Neal Smith, and in fact I should say his wife, Bea, have been exemplary in so many ways and have meant so much to the people of Iowa and in fact the people of this Nation.

I would recognize that Neal served with distinction and bravery in World War II. He was a bomber pilot and was highly decorated.

Those of you here in the Congress that served with Neal know that he was highly regarded, both in Washington and in his home State of Iowa. He was known for his skillful legislating and attention to his congressional district. Having served 36 years in Congress, Neal is the longest serving Iowan to serve in the House of Representatives. Naming the Federal building in Des Moines is an honor he deserves, and the time is correct.

As chairman of the Commerce, Justice, State appropriations subcommittee, Neal spent most of his time outside the spotlight tenaciously defending programs under his jurisdiction against budget assaults.

He was rooted in Depression-era Iowa. Neal was a man of liberal instincts, but he was considered fair and an honest broker as a subcommittee chairman and was known to keep debating until an agreement could be reached. He once said, "I don't try to get confrontational. I try to do whatever I need to do to pass the bill."

Outside of appropriations, Neal was a champion for tougher meat and poultry inspection laws and introduced and supported legislation that required food labels stating sodium content. Neal was also instrumental in creating the Commodity Futures Trading Commission to guard against grain trading abuses and in setting up strict Federal procedures for grain inspection.

Back in Iowa, other tributes have been given to his honor. We now have the Neal Smith National Wildlife Refuge, the Neal Smith Trail, and the Neal and Bea Smith Law School at Drake. It is now only fitting that the Federal building in Des Moines, a building I understand he helped get funded, be named the Neal Smith Federal Building.

Again, Mr. Chairman, I appreciate this moment and urge passage of this bill.

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

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

Mr. Speaker, I don't think I could really add much to Mr. SMITH's accomplishments and what he has done, other than what Mr. BOSWELL has pointed out.

He did mention he was a bomber pilot, and I looked up his service record. He was awarded the Purple Heart, nine Battle Stars and the Air Medal with four oak leaf clusters for his service, which is obviously a sign of a very outstanding individual. This obviously marks a long and very distinguished career. Obviously, he was one of us, a Member of Congress from Iowa; and I wholeheartedly support this.

Mr. Speaker, could I inquire of the gentleman from Iowa what Mr. SMITH flew during the war.

Mr. BOSWELL. Mr. Speaker, if the gentleman would yield, I would just share this. That is a very good question, Mr. GRAVES. It would be either a B–17 or B–29. It was one of the bombers at least. I know that. Neal was the kind of person, as others know from here, he never spoke about it. You had to kind of dig it out to know about that. But he truly was an American hero as well as a very much respected hero in Iowa, and I suspect that a lot of his influence reached over into Missouri.

Mr. GRAVES. Mr. Speaker, I do thank the gentleman from Iowa (Mr. BOSWELL) for the kind words that he said. Again, this gentleman was a pilot, and you can't get any better than that. I would wholeheartedly support this bill and urge my colleagues to do the same.

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

Mr. BOSWELL. Mr. Speaker, in closing, I would say this is a very special day for us in Iowa to name this building in Neal's honor. We also would say publicly and presently that we respect Bea so very much. They went to law school together at Drake and served together all these many, many years.

Mr. REGULA from Ohio was a colleague of Neal's and they served together, and he was very happy and ready to help sponsor the bill and so on. I would appreciate, Mr. GRAVES, if you will pass on to him our appreciation for his contribution and his greetings to Neal and Bea.

Mr. Speaker, I would urge my colleagues to support and pass this bill.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 1045, a bill to designate the Federal building at 210 Walnut Street in Des Moines, IA, as the "Neal Smith Federal Building."

Neal Smith was born on March 23, 1920, in his grandparents' home near Hedrick, Keokuk County, IA. He served in the United States House of Representatives from 1959 until 1995, and has the distinction of being the longest serving Member of the House of Representatives from Iowa. Congressman Smith is a World War II veteran, having served in the United States Army Air Force as a bomber pilot. His plane was shot down during combat and he received a Purple Heart, nine Battle Stars, and the Air Medal with four oak leaf clusters.

He received his undergraduate training at the University of Missouri and Syracuse University. In 1950, he received his law degree from Drake University.

Neal Smith is one of Iowa's most respected and distinguished elected officials. His interests while serving in Congress were varied,

but he especially focused on agriculture, small business, and the environment. He became a champion for those issue areas and authored legislation establishing the Commodity Futures Trading Commission, the Federal Meat, Poultry and Egg Inspection Acts, and Small Business Development Centers.

Congressman Smith also sponsored legislation to authorize construction of the Big Creek and Rathbun Dams. Further, he was instrumental in creating the Red Rock Watershed Conservation District and a National Wildlife Refuge that was named in his honor. In the 1980s, he was especially active in helping to jump start Iowa's stagnant economy. In 1996, Smith published his autobiography, Mr. Smith Goes to Washington: From Eisenhower to Clinton.

It is most fitting and proper to honor the long, distinguished civic career of Congressman Neal Smith with this designation.

I urge my colleagues to join me in supporting H.R. 1045.

Mr. BOSWELL. 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 Iowa (Mr. BOSWELL) that the House suspend the rules and pass the bill, H.R. 1045.

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.

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. 64, by the yeas and nays;

H. Res. 228, by the yeas and nays;

H. Res. 222, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

EXPRESSING SENSE OF THE HOUSE OF REPRESENTATIVES THAT BANGLADESH SHOULD DROP CHARGES AGAINST SALAH UDDIN SHOAIB CHOUDHURY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 64.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the resolution, H. Res. 64, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 1, answered ''present'' 4, not voting 19, as follows:

[Roll No. 139]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
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
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
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
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

ANSWERED ''PRESENT''—4

Conaway
Gohmert
Hill
Thornberry

NOT VOTING—19

Andrews
Baca
Baldwin
Brown (SC)
Carson
Cubin
Culberson
Davis, Jo Ann
Davis, Lincoln
Dreier
Granger
Kilpatrick
Lewis (GA)
McMorris Rodgers
Miller (FL)
Schmidt
Thompson (MS)
Weldon (FL)
Weller

□ 1432

Mr. GOHMERT changed his vote from ''yea'' to ''present.''

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.

RECOGNIZING THE 186TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING GREEK AND AMERICAN DEMOCRACY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 228.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. WEXLER) that the House suspend the rules and agree to the resolution, H. Res. 228, 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 413, nays 0, not voting 20, as follows:

[Roll No. 140]

YEAS—413

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
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)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
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 (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—20

Baca
Baldwin
Brown (SC)
Cubin
Culberson
Davis, Jo Ann
Davis, Lincoln
Gilchrest
Graves
Kilpatrick
King (NY)
Knollenberg
Miller (FL)
Schmidt
Sestak
Skelton
Walberg
Welch (VT)
Weldon (FL)
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining.

□ 1439

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.

Stated for:

Mr. SESTAK. Mr. Speaker, on rollcall No. 140, I whole-heartedly support recognizing the 186th anniversary of the independence of Greece celebrating Greek and American Democracy. Had I been present, I would have voted "yea."

EXPRESSING SUPPORT OF THE HOUSE FOR THE GOOD FRIDAY AGREEMENT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 222.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. WEXLER) that the House suspend the rules and agree to the resolution, H. Res. 222, 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 419, nays 1, not voting 13, as follows:

[Roll No. 141]

YEAS—419

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
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)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery

McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
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
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—13

Baca
Baldwin
Brown (SC)
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Kilpatrick
Miller (FL)
Schmidt
Skelton
Weldon (FL)
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1448

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

Ms. KILPATRICK. Mr. Speaker, due to official leave of absence, I was unable to vote on three bills considered today under suspension of the rules. Had I been present, I would have voted "yea" on final passage of H. Res. 64, Expressing the sense of the House of Representatives that the Government of Bangladesh should immediately drop all pending charges against Bangladeshi journalist Salah Uddin Shoaib Choudhury; "yea" on final passage of H. Res. 228, Recognizing the 186th anniversary of the independence of Greece and celebrating Greek and American democracy, and "yea" on final passage of H. Res 222, Expressing the support of the House of Representatives for the Good Friday Agreement, signed on April 10, 1998, as a blueprint for a lasting peace in Northern Ireland, and for other purposes.

PERSONAL EXPLANATION

Mr. BACA. Mr. Speaker, I respectfully request that I be excused from today's votes due to official business at Walter Reed Army Medical Center. I regret that I was not able to cast these votes; however, if I had been present I would have voted in the following way: "yea" on H. Res. 64; "yea" on H. Res. 228; "yea" on H. Res. 222.

PERSONAL EXPLANATION

Mrs. SCHMIDT. Mr. Speaker, on rollcall No. 139 on final passage of H. Res. 64, rollcall No. 140 on final passage of H. Res. 228, and rollcall No. 141 on final passage of H. Res. 222, I am not recorded because I was absent due to attendance at a family funeral. Had I been present, I would have voted "yea" on each of the rollcall votes.

COMMUNICATION FROM STAFF MEMBER OF HON. C.A. DUTCH RUPPERSBERGER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Melody McEntee, Director, Government, Business and Community Relations, Office of Hon. C.A. DUTCH RUPPERSBERGER, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 12, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with an administrative subpoena, issued by the United States Merit Systems Protection Board, for testimony and documents.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

MELODY MCENTEE,
Director, Government, Business and Community Relations.

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 North Carolina (Mr. JONES) is recognized for 5 minutes.

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

CONGRESSIONAL CONSTITUTION CAUCUS' WEEKLY ''CONSTITUTION HALF HOUR''

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. Mr. Speaker, I am here today to announce our support of the A-PLUS Act authored by my good friend from Michigan (Mr. HOEKSTRA). I stand here as the founder and chairman of the Congressional Constitution Caucus, and I urge my colleagues to cosponsor this legislation.

Normally, when I begin my weekly floor speeches, I quote the relevant portion of the Constitution that corresponds with the evening's topic. Yet today I have difficulty choosing a coinciding article and section from our founding document. You see, the Constitution does not contain the word ''school'' or even ''education.'' Contrary to common modern misconceptions, there is no constitutional right guaranteeing each citizen an education.

Now, this does not mean education is unimportant or that the Constitution is silent on the issue. The 10th amendment unambiguously states, ''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.''

Historically, in the United States, education has not fallen under the jurisdiction of the Federal Government. Parents, local schools and the States were responsible for children's academic training. It has only been in the last 50 years or so has the Federal Government begun overstepping its constitutional boundaries by parading the increasing bureaucracies of the Department of Education.

Mr. HOEKSTRA's bill seeks to correct many of the problems associated with a Federal bureaucracy by putting control over education money back into the hands of the taxpayers and, most importantly, the parents.

Under the current system, the Federal Government essentially bribes States into complying with the burdensome No Child Left Behind program. Yes, States can opt out of these regulations, but doing so would mean losing millions of dollars in aid every year.

Under its bill, first it will free States from following needless Federal regulations and mandates. Currently, the No Child Left Behind program restricts academic innovation and ignores the diversity present in each State, region and school district.

Secondly, A-PLUS Act will reduce the amount of time and money that school officials currently devote to complying with these mandates. Each

hour and dollar spent in administering No Child Left Behind could be funneled instead into improving our schools.

Thirdly, A-PLUS Act will ensure that parents, schools and the States are held accountable for the education process. Rather than allowing oversight to rest in some far-flung bureaucracies here in Washington, it will be right at home here in your local school district. But most importantly, giving States the freedom to keep their education dollars in oversight within their own State is exactly what our Founding Fathers originally intended.

James Madison, often considered the father of the Constitution, will be remembered this coming Friday, March 16, on the 250th anniversary of his birth.

In a way, Madison predicted this situation we now find ourselves in, when he wrote, ''In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.''

It is time for us to explain why we are not controlling ourselves. Our Founding Fathers deliberately wrote a Constitution of enumerated specific powers. While some countries have attempted to limit government by writing Constitutions that specify every single thing and every single line, our government Constitution does not do that. Therefore, in Article I, Section 8, the founders specifically listed congressional powers, and in the 10th amendment grants that all other legislative powers are in the hands of States or the people respectively.

So, in essence, it makes sense that Congress should perform duties only prescribed by the Constitution. When you think about it, the United States has thrived as a nation precisely because the freedom of the people has been protected by a limited government. The Constitution is the anchor that protects American citizens from the storms of a controlling central government.

James Madison wrote also in The Federalist No. 45, ''The powers delegated by the proposed Constitution to the Federal Government are few and defined.'' He would add, probably, that education is not one of them. So Mr. HOEKSTRA's common-sense legislation follows Madison's insights by ensuring that the States have the opportunity to retain control over their own education dollars. Doing so will not only improve the quality of the education system, but will help return our Nation to the principles of limited government, federalism, and the 10th amendment.

INTRODUCTION OF THE SHORT SEA SHIPPING PROMOTION ACT OF 2007

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

Mr. CUMMINGS. Mr. Speaker, when I assumed the chairmanship of the Subcommittee on Coast Guard and Maritime Transportation at the beginning of the 110th Congress, I promised that the subcommittee would balance oversight of the Coast Guard with our responsibility to strengthen maritime transportation.

On February 15, the subcommittee began to fulfill that promise by holding a hearing on short sea shipping, which is the waterborne transportation of goods and people from one domestic port in the United States to another port in the United States or between Canada and the U.S.

At the present time, trucks carry nearly 70 percent of the freight tonnage transported in the United States. By contrast, the most highly developed water freight transportation routes in the United States, those running on the Mississippi River, the Great Lakes and the Saint Lawrence Seaway carry just 13 percent of the freight tonnage within the United States.

Mr. Speaker, the impact of our continued reliance on trucks to move freight will be measured in increased traffic congestion, increases in polluting emissions and increases in accidents between trucks and cars.

However, the only way that we will shift freight transportation away from an increasing volume of trucks is by creating affordable reliable transportation alternatives. I believe that one of these alternatives must be short sea shipping.

During our February hearing, our subcommittee heard compelling testimony arguing that one of the challenges currently limiting the growth of short sea shipping is a requirement that with only a few exceptions cargo transported by water to a port in the United States must pay the harbor maintenance tax. This tax, assessed at the rate of $125 per $100,000 of cargo value adds to the costs associated with waterborne transportation and is one factor currently making such transportation less competitive than trucks and other modes.

Importantly, if the cargo originated in Europe and is off-loaded in New York, just to be reloaded on a ship bound for Jacksonville, Florida then the cargo owner must pay the harbor tax twice.

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Further, the tax is paid, not by the ship owner, but by the shipper of the goods. So imagine that a FedEx truck wants to get on a ferry in Windsor, Canada, and be off loaded just across the river in Detroit, Michigan. Each of the owners of the 500 packages that are in the truck must pay the harbor maintenance tax. There is simply no easy way to collect the tax from so many different packages, so the truck travels to the United States across the bridge.

In part, because it acts to limit the growth of short sea shipping, the harbor maintenance tax generates only about $2 million per year in revenue from short sea shipping voyages, but stands as a costly barrier to the expansion of short sea shipping options.

Today, therefore, I have introduced the Short Sea Shipping Promotion Act of 2007, which would exempt goods moved by water from one port in the United States to another port in the United States or between the United States and Canada from the harbor maintenance tax.

This exemption will not significantly reduce revenues into the harbor maintenance trust fund, which already has a significant fund balance, but could help open a significant new course for the movement of freight by water.

Our Nation urgently needs to take practical steps to address the significant challenges we face in maintaining the flow of freight on which our economy depends.

As chairman of the Coast Guard and Maritime Transportation Subcommittee, the measure I have introduced today is just the first step of a concerted and deliberate effort I will undertake to support the potential of maritime transportation, in general, and short sea shipping, in particular, to be a reliable, cost-effective mode in our national transportation network.

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

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

A-PLUS ACT (NO CHILD LEFT BEHIND REFORM)

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

Ms. FOXX. Mr. Speaker, I rise today to address important changes to the No Child Left Behind Act. I recently held a roundtable discussion on this issue with my constituents from all over the Fifth District held in Forsyth County, North Carolina. It was a great opportunity for me to hear from superintendents, board of education members, principals and teachers from across the district about their concerns with No Child Left Behind and their recommendations for program improvements.

As a member of the House Committee on Education and Labor, it was important for me to hear firsthand what educators believe is working and is not working in No Child Left Behind.

One of the main concerns brought to me during this roundtable was the role that special education students play in the Federal oversight process. Due to the wide-ranging needs and challenges faced by special needs students, it is becoming increasingly difficult for schools to meet Federal standards.

It is apparent that the subgroup of special needs students is not accounted for in the way No Child Left Behind enforces standards on a state-wide basis. In fact, the unique needs of special needs students is often the only reason many of North Carolina's excellent schools do not reach AYP, or average yearly progress.

Based on what North Carolina's educators are saying, the A-PLUS Act is a step in the right direction that responds to the needs of our teachers and students.

The A-PLUS Act preserves States rights while keeping essential funding for our schools intact.

Instead of cumbersome Federal mandates that take a cookie-cutter approach to education, the A-PLUS Act would give States the constitutional freedom to set their own education policies, based on the needs of their students, without burdensome Federal Government intrusion.

This bill reduces the burden that Federal financial support poses on education programs so that teachers can focus on educating instead of paperwork and bureaucratic mandates. We have many wonderful teachers out there doing their best every day to do their job, and they are distracted from doing their job by this paperwork.

By giving States back their full constitutional right to set education policy, this bill will encourage innovative solutions to the unique education issues faced by every State.

The A-PLUS Act provides States and their local communities with maximum freedom and flexibility to determine how to improve academic achievement and implement education reforms.

State and local governments should be in control of education policies, and the Federal Government's limits the responsibility should lie in providing incentives and accountability. Thus, A-PLUS allows States and local school systems the freedom to set up local accountability plans.

In conclusion, local accountability places the emphasis where it should be, on students, parents and teachers, instead of on an often unresponsive Federal bureaucracy.

And I want to support the comments made by my colleague from New Jersey, who reminds us that the Constitution doesn't have the word ''education'' anywhere in it. It is not the role of the Federal Government to provide for the education of our children. It is the role of the States, the localities and parents, and I applaud him for bringing that to our attention. We need to have that brought to our attention every time the Federal Government starts getting involved in an inappropriate way.

APPEAL FOR ENACTMENT OF THE EMPLOYEE FREE CHOICE ACT

The SPEAKER pro tempore (Mrs. TAUSCHER). Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Madam Speaker, I rise to express my continued support for the Employee Free Choice Act, a bill which the House passed 2 weeks ago which I hope the Senate will soon consider.

I was proud to support House passage of the Employee Free Choice Act because I believe that the current law places undue burdens on workers who are trying to exercise their rights to organize.

Under the current law, workers are often subject to intimidation, and employers receive a slap on the hand for illegal activities. One study recently conducted by the University of Illinois found that 30 percent of employers fire pro-union workers, 49 percent threaten to close a work site, and 51 percent coerce employees with bribes or favoritism.

Because of these acts, many workers are afraid to vote for a union against the wishes of their employer, even in private.

If those statistics are not compelling enough, I urge my colleagues to consider the fact that the United States is the only industrialized Nation to have a union avoidance industry of any size. This industry, on which corporations spend hundreds of millions of dollars a year, exists solely to help businesses resist unionization efforts and undermine union strength.

The Employee Free Choice Act would close the legal and illegal avenues to intimidation that some employers use, thereby strengthening employees' ability to choose.

It would discourage the firing of employees by increasing fines and penalties during the election process. It would guarantee that first contract negotiations don't drag out for years by requiring mediation and arbitration to end delays.

The Employee Free Choice Act would allow the use of card check procedures, in which a majority of workers, not just a majority of voters, sign cards authorizing a union.

Why is it so important to ensure access to unions? Inequality is rising in our country. Two years ago, Alan Greenspan said: ''A free market society is ill served by an economy in which the rewards are distributed in a way which too many of our population do not feel is appropriate.''

Whether or not you agree that increasing inequality in our country is tied to declining union membership, one thing is clear: unionized workers have better rates of health care coverage, better wages, and are five times more likely to have a pension.

Access to health care, better wages, secure pension: these are the things the House is trying to give back to the middle class in America. Making our economy work for everyone is a complicated, ongoing process. The Employee Free Choice Act is one important step we can take toward accomplishing that goal.

In many American workplaces, the process of forming a union is contentious. Yet, though they may differ over issues like wages, health care and pensions, employees, supervisors, and company owners are all striving for the same goal, to make their company work and for competitiveness in a global economy.

Finding a middle ground on questions of compensation, training and health care boosts American productivity, innovation, and competitiveness. When employers control the outcome, we not only cheat workers; we cheat our economic future.

As we approach 2020, our income distribution is trending toward that of 1920. Americans don't want to be left to the market-based whims of health savings accounts, privatized Social Security, or personal job retraining accounts. They want a government that ensures that individuals can provide for themselves and their families.

Senator Wagner wrote the National Labor Relations Act in 1934 to ensure that workers would have an unambiguous, unmitigated right to representation in the workplace. He said then that ''the denial or observance of this right means the difference between despotism and democracy.''

It is unfortunate that the Employee Free Choice Act faces obstacles in the Senate, but it is time to give Americans a fair shot at organizing again. Everyone deserves protection under the law.

I urge my colleagues in the Senate to support the Employee Free Choice Act.

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

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

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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 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.)

NO MILITARY SOLUTION TO IRAQ

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

Ms. WOOLSEY. Madam Speaker, one of the truest statements about the occupation of Iraq was uttered by one of our own generals.

The commander of U.S. troops in Iraq, General David Petraeus, said that there is no military solution in Iraq. In his own words, and I quote him, ''There is no military solution to a problem like that in Iraq, to the insurgency of Iraq.''

I ask all of us, Is this another case of the President not listening to his top brass? When is he going to learn that, despite the brave and courageous efforts of our men and women in uniform, we cannot bomb, we cannot shoot our way to peace in Iraq?

General Petraeus even said that we should be refocusing our diplomatic efforts in and around Iraq, saying that talks should include, and I quote him again, ''some of those who have felt the new Iraq did not have a place for them.''

I applaud him for his candor. He sees what is going on on the ground. He knows that the current approach is just not working.

The men and women under his command have given so much for this misguided occupation. They went in without armor they needed for their Humvees and even for their own bodily protection. They went in looking for weapons of mass destruction that did not work out too well. They went in to accomplish a mission that was not clearly defined, and there was no exit plan. How can we ask our troops to continue down this road?

The Bush administration, as we have seen in the reports about Walter Reed, has even failed our troops when they come home. Shame on the President. Shame on Veterans Affairs Secretary Nicholson. This is not the way to care for those who have given so very much.

The American people know what to do, even if lawmakers are slow to act. Overwhelming numbers in poll after poll say that we need to bring our troops home and end this disastrous foray into foreign policy. And we just don't need the polls to tell us that. Look at the calls, look at the letters, look at the e-mails that come into our offices. People are demanding that the White House wake up to reality and put an end to this mission, a mission that was not accomplished.

The best way to honor the legacy of those who have given their lives in this occupation is to bring our troops home and work with the international community to strengthen and promote security in Iraq. It is the mandate from the American people, and it is the Congress's moral obligation.

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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. Madam Speaker, I want to thank you for the opportunity, and I am pleased to have yielded to my good friend earlier and think that she brings into perspective some of the differences that we have in this Chamber that I would like to chat about for a little bit this afternoon.

It is a great privilege to come to the floor of the House and to present another edition of the Official Truth Squad. One of the goals that we have on our side of the aisle is to bring some light, bring some truth to the discussions that we have here on the floor of the House, so important if we are going to be making decisions, when we make decisions, on behalf of the American people.

I represent the Sixth District of Georgia, which is a wonderful district, all northern portion of suburban Atlanta. And from the very youngest to the very oldest, they give me great enthusiasm, and I am heartened by the opportunity to represent that district. It is one of the districts that has one of the greatest amounts of interest in and numbers of individuals who desire appointment to our Nation's military academies.

One of the privileges of being a Member of Congress is the opportunity to nominate individuals who avail themselves of the opportunity and have certain accomplishments at their young age to be able to be considered for appointments to military academies. Most of us get somewhere between four and eight individuals appointed to military academies each year; I was privileged last year to get over 25 people from my district appointed to the United States military academies.

When I was given the opportunity to call those folks who had been appointed, I asked my staff to put together the list, and I thought I would kind of be able to knock that out in about 1 to 1½ hours, calling those 25 or so folks who had reached an incredible accomplishment in their life. And I started down that list, and the first call was an extremely emotional call, very moving, because this individual had worked his entire life to be able to have the opportunity to serve his Nation.

And so by the end of that phone call, which lasted about 10 minutes, he was crying and I was crying; and we were all celebrating his wonderful accomplishment. And I moved on to the next call, and it was basically a repeat of that first one, and I realized that it was going to take a long time to be able to make those wonderfully exciting and accomplishment calls. And I recognized that there are young men and women across this Nation who recognize and appreciate the value of service and the importance of making certain that there are members all across our society who stand up to serve, who stand up and appreciate the beauty and the wonder and the awe that is the United States of America. And they are proud to serve; they are proud to be able to attend one of our military academies and make that kind of commitment.

At another end of the spectrum, I have also some advisory councils in my district, different members of our community who get together and assist me in making sure that I am formulating the kinds of proposals and policies that are consistent with that wonderful Sixth District of Georgia; and recently we met.

One of the groups I have is a military and veterans group that gets together and provides information to make certain that we are addressing the kinds of issues that are of concern to military and veterans, members in the Sixth District and across the Nation. These are true heroes. They are folks kind of at the other end of the spectrum from those young men and women who have volunteered to attend military academies. But these are men and women who have served and who recognize the commitment that it takes and recognize the importance of this Congress, of this Nation stating clearly, through both word and deed, that they respect and appreciate the kind of service of our military men and women.

And those folks told me recently, they said, Congressman PRICE, we are a little perplexed, we are a little concerned by what we hear coming out of Washington. Again, these are heroes of a past time for our United States, continued heroes, but they are concerned because they believe that the information that is being put forward and the policies that are being promoted by the new majority party here in Washington as it relates to our Nation's security are troubling to them and threaten truly our very existence as a Nation.

I would suggest, Madam Speaker, that the most recent proposal as it relates to our war on terror as a Nation, is a proposal that has been coined and termed ''slow bleed,'' slow bleed in terms of our efforts in Iraq. It kind of gives you just chills thinking about that term, doesn't it, Madam Speaker? The slow bleed policy that has been put forward by Members on the other side of the aisle, they are very troubled by this at home; and I am very troubled by it. And that is what the Official Truth Squad, part of our purpose is trying to bring light and truth to the debate as it goes on here in Washington.

We have some favorite sayings on the Official Truth Squad. This is one of them. It comes from Senator Patrick Moynihan, who was the United States Senator from the State of New York. He said, ''Everyone is entitled to their own opinion, but not their own facts.'' And, Madam Speaker, we would go a long way here in Washington if we heeded this statement and belief by Senator Moynihan: everyone is entitled to their own opinion, but not their own facts. We hear a lot of opinions here, and it would be wonderful if the majority of them were more supported by facts.

One of the facts, though, is that the majority party here has the power of the purse; and if they so desire to bleed our troops dry in their mission, which is the mission of all Americans, which is to preserve and protect and defend our Nation; if they desire to slow bleed our troops, then they have the power to do that. They have the power to do that. And that is why it is called the slow bleed policy, because it would bleed dry our troops in terms of the ability for them to defend our Nation.

I quote, Madam Speaker, from Representative JOHN MURTHA on February 15 of this year when he was asked about this strategy. And he said: ''They won't be able to continue,'' they, referring to the United States troops, our military. He said, Madam Speaker: ''They won't be able to continue. They won't be able to do the deployment. They won't have the equipment.''

What a sad commentary it is, Madam Speaker, when you have the chairman of the Appropriations Committee that has jurisdiction over our military talking about a mission that our military is on to defend freedom and to defend you and to defend me, and say proudly, proudly, ''They won't be able to continue. They won't be able to do the deployment. They won't have the equipment.'' Madam Speaker, that is a sad commentary on the level of discourse and the level of involvement and the level of support that this new majority party has for our military.

And then when asked just 2 weeks later, this same individual, same Member of Congress, was asked by a member of the press, Why not cut off the funding for the war? And at this point he said, ''Well, you can't. You can't go forth. The public doesn't want that. They don't want that to happen.'' They don't want that to happen. But then the Speaker of the House reaffirmed her support for Mr. MURTHA's policies.

The greatest amount of truth and light on this issue comes from an individual who stands tall and proud when he talks about the truth and talks about defending our Nation, Senator JOE LIEBERMAN from Connecticut. When the Speaker said, ''Democrats have proposed a different course of action; over and over again we have suggested a different plan,'' then Senator LIEBERMAN said, ''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.'' That is a little truth, Madam Speaker, on an issue that is so incredibly important to us as a Nation and to us as it relates to the stability in the Middle East, and, yes, to the world, to world stability and world peace.

I am so proud to be joined today by many of my colleagues to talk about the policies of the other side, to talk about the war on terror, to talk about defending our Nation and freedom and liberty. And the first individual to join us here on the Official Truth Squad is my good friend JOHN KLINE from Minnesota who knows of what he speaks. Colonel KLINE, we are so proud to have you join us today, and I look forward to your comments.

Mr. KLINE of Minnesota. I thank Dr. PRICE for yielding and for really exerting the leadership to take the floor week after week and shine the light of truth on a lot of the obfuscation which, unfortunately, takes place on this floor and in this House.

We had the opportunity to chat a little bit today about the Democrat Party's plan here in the upcoming weeks with the supplemental funding and, in general, their plans for the war against Islamist extremists, the war, if you will, which is being certainly heavily fought in Iraq. And they do kind of have a plan. Their plan is not a plan for victory, however, and that is what I think we need to keep in mind. Their plan simply says: get out; get out of Iraq. And that is not a plan for victory.

There is a very interesting headline; perhaps you had a chance to talk about it before I made it down to the floor. In the Los Angeles Times editorial, it starts with a little headline that says: ''Do we really need a General Pelosi?'' I will quote: ''Imagine if Dwight Eisenhower had been forced to adhere to a congressional war plan in scheduling the Normandy landing, or if, in 1863, President Lincoln had been forced by Congress to conclude the Civil War the following year. This is the worst kind of congressional meddling in military strategy.'' The Los Angeles Times, not the place I would normally go to find criticism of the Democrat majority.

Well, I think that you and I would certainly concur that we don't need a General PELOSI. But we do have a general. We have a new general on the ground in Iraq, General David Petraeus, named by the Commander in Chief to execute this new strategy in Iraq, and confirmed, by the way, with no dissenting votes in the United States Senate.

Let me just go through a few quotes that the new commander has shared with us in the last couple of months. This is General David Petraeus, the commander of multi-national forces in Iraq, senior commander on the ground. In looking at what would happen if we precipitously withdrew from Iraq, he said, a number of other potential outcomes, none of which are positive, could occur: ''Sectarian groups would obviously begin to stake out their turf, try to expand their turf. They would do that by greatly increased ethnic cleansing.''

On another occasion he said: ''The very real possibility of involvement of countries from elsewhere in the region around Iraq entering Iraq to take sides with one or the other groups.''

A new quote: ''The possibility of an international terrorist organization truly getting a grip on some substantial piece of Iraq.''

New quote: ''There is the possibility of problems in the global economy, should in fact this cause a disruption to the flow of oil,'' and so forth.

We have a general on the ground, I would say to my colleagues, and it is General David Petraeus, and it should not be either General PELOSI or, for that matter, anybody else in this body. We cannot, we cannot prosecute foreign policy at all and certainly a military operation with 535, or maybe it is 540 with the delegates voting, different Commanders in Chief. You cannot run an operation like this by committee. And I think it would behoove us, certainly as Members of this body, but as American people, to go with the Constitution, recognize that the Commander in Chief is in fact elected by the Nation to be that, and to abide by one of the fundamental principles of military operations, and that is unity of command. That is now being exercised by the Commander in Chief overall, and by General David Petraeus in Iraq.

Mr. PRICE of Georgia. And I appreciate, Congressman KLINE, your perspective in bringing light to one of the important fundamental principles of our Nation.

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And that is that the responsibility for controlling our military, waging war, rests with the Commander in Chief, with the executive branch. And as you know, our good friend Congressman BLUNT from Missouri, our minority whip, Republican whip, he is fond of saying, look, when the Nation began under the Articles of Confederation, there was no Commander in Chief. And the first thing that was easy to do once the Constitutional Convention organized to try to put together a Nation that would survive, one of the first things they were able to do, almost without dissent, was to provide that the executive branch would be the Commander in Chief because you can't fight a war with 535 generals.

And I yield to the gentleman.

Mr. KLINE of Minnesota. Yes. And I am smiling a little bit, but of course we learned a very tough and bitter lesson when we tried to use the Continental Congress to, in fact, command the Army of the soon-to-be the United States and it did not work well. We would be foolish to try to duplicate that now. And, in fact, the proposed

supplemental, which we can talk about in a little more detail perhaps a little later in this hour, is an attempt to dictate the tactics that are being involved. It is micromanaging the war. It is taking away the resources that our troops need.

I wonder if I could take just a minute of our time here. I know that I have been a big supporter and I am sure you have of a bill sponsored by our colleague, a real American hero, Congressman SAM JOHNSON from Texas, who, as my colleagues know, spent 7 years as a prisoner of war in Hanoi and understands the stakes here as well as I am sure anybody in America. He has a bill that this entire body ought to get behind. It cuts to the heart of the matter and reassures our troops, our allies, and our enemies that we are not going to undercut our troops. So if I could just read a little bit of that bill because I think that that is what we should be about. I will skip a couple of paragraphs, all of which are important, talking about previous acts and resolutions of Congress, but picking up on subparagraph (4), it says: ''Members of the United States Armed Forces have served honorably in their mission to fight terrorism and protect the greater security of the United States.

''These members of the Armed Forces and their families have made many sacrifices, in many cases the ultimate sacrifice, to protect the security of the United States and the freedom Americans hold dear.

''Congress and the American people are forever grateful to the members of the Armed Forces for the service they have provided to the United States.''

In that light it says: ''Faithful support of Congress—Congress will not cut off or restrict funding for units and members of the Armed Forces that the Commander in Chief has deployed in harm's way in support of Operation Iraqi Freedom and Operation Enduring Freedom.''

And that is the road that we ought to be going forward on. I would hope that more and more of our colleagues would sign onto this bill and that this really awful effort to take central funding away from our men and women who are, as we stand here now on this floor, engaged in protecting our freedoms and advancing the cause of liberty around the world, to keep that funding from being taken away from them.

I have talked to Sam many times. He and I are a part of an ever-dwindling group of Vietnam veterans in this body, and he and I and others have watched what happens when our young men and women go fight and give it their all and have the rug pulled out from under them by politicians in Washington, D.C.

We watched what happens when combat operations are run from Washington, D.C., and it doesn't matter whether it is being run from the White House situation room, as bombing targets were selected sort of famously by President Johnson, or whether it is dictating from the floor of this House. We should not let that happen. And since this is the Official Truth Squad, I think that our colleagues need to understand that that is at the core of what this very dangerous supplemental bill has added. It is a terrible micromanaging of the war, and it will be forcing, forcing, our defeat in Iraq. And, unfortunately, with that defeat the war doesn't just end. We are still in a war that is going to last a long time against radical Islam, against jihadists. Were we to suffer defeat in Iraq, the war becomes tougher for us, not easier.

And I see we are joined by some of our colleagues.

Mr. PRICE of Georgia. Maybe you could stick around and we can talk a little more about that supplemental and the slow-bleed policy.

I recall the comment that was made just a little earlier, Madam Speaker, by a friend on the other side of the aisle where she was quoting a general saying there was ''no military solution'' in Iraq. And, in fact, that is true. There is no isolated military solution. But that doesn't mean that the military doesn't have a role because it is a three-pronged strategy, which is military, economic, and political. And we are striving in all those areas to make certain that that area of the world is much more stable and much more secure so that we are much more stable and much more secure.

With that I am pleased to welcome my good friend VIRGINIA FOXX from North Carolina. I thank you for joining us today, and I look forward to your perspective and your conversation on this issue.

I yield to the gentlewoman.

Ms. FOXX. I want to thank you, Congressman PRICE, for continuing to make sure that the Official Truth Squad is represented here in Special Orders and that we continue to hold the majority accountable for telling the truth. They forget that a good part of the time; so I am very pleased to continue to be a member of the Official Truth Squad.

My colleague has shared some of the concerns that I have already with this legislation that we are talking about that nobody has actually seen, the supplemental war funding bill that we think that the Democrats are going to unveil this week. We believe that it is laden with a great deal of unnecessary pork which is being used to buy votes on behalf of the Democrats to try to get the legislation passed. It is also, I think, out there to try to make us look bad if we vote against it.

But the worst part about this bill is that it is a reckless attempt to curtail the President's power to wage a congressionally approved war.

My colleagues on the other side of the aisle simply need to understand that this misguided proposal will serve only to hamstring our generals as they work to bring peace and democracy to this tumultuous region. And again my colleague that has spoken before me, Congressman KLINE, I think has done a great job of talking about what the generals have said and what they need, and we know that the Democrats very selectively take quotes out of what General Petraeus has said.

And I agree with you, Congressman PRICE, we have both a military and a political war to win in the Middle East, and we are going to do that. I have every conviction that we are going to do that. But I think it is very interesting, as Congressman KLINE pointed out, that even the very liberal mainstream media understands that this slow-bleed strategy on the part of the Democrats is absolutely wrong. It is such a cynical thing that they are proposing to do. And I think that the L.A. Times editorial, ''Do we Really Need a General Pelosi?'' is so appropriate. These people promised so much to get elected last fall, and the kinds of things they are doing are so far away from what they promised to do. And getting involved in micromanaging the war is absolutely the opposite of what they should do.

I am going to quote some of what nobody else has quoted from the editorial. It went on to call the bill ''an unruly mess, bad public policy, bad precedent, and bad politics . . . It was one thing for the House to pass a nonbinding vote of disapproval. It's quite another for it to set out a detailed timetable with specific benchmarks and conditions for the continuation of the conflict.''

And we saw this morning a replay of a press conference where even the Democrats couldn't agree on what the timetables are that they are setting up. They talk about 2007, they talk about August, they talk about April. Even they are very, very confused about it. But the L.A. Times article goes on to say: ''This is the worst kind of congressional meddling in military strategy. If Congress accepts Bush's argument that there is still hope, then lawmakers have a duty to let the President try this''surge and leverage' strategy.

''By interfering with the discretion of the Commander in Chief and military leaders in order to fulfill domestic political needs, Congress undermines whatever prospects remain of a successful outcome. It's absurd for House Speaker Nancy Pelosi to try to micromanage the conflict, and the evolution of Iraqi society, with arbitrary timetables and benchmarks.''

I mean even when the liberal press comes out against you, you have got to know that something is wrong with what you are planning to do.

The Washington Post has described the Democrats' slow-bleed strategy as leading ''not toward a responsible withdrawal from Iraq but to a constitutional power struggle with Mr. Bush, who has already said he will veto the legislation. Such a struggle would serve the interests of neither the Democrats nor the country.''

I think these people are so detached, they are so focused on what they see as their power, one they think through an overwhelming majority, which was not an overwhelming majority in the fall, but they think that they now have all power. They don't want to just be Members of Congress. They want to be the President. And I think that it is ridiculous that they want to do that.

Like my colleagues on both sides of the aisle, I want to see America's troops come home as soon as possible. But the best way to do that is to achieve victory in Iraq.

Somebody pointed out in the last few days that we never hear the word ''victory'' out of the mouths of any Democrat, and I started listening for that and I think the American people need to listen for that. The Democrats want us to lose in Iraq. They want to be able to prove that this was not a good war. I think for their own political purposes they would like to see us lose. They never mention victory.

If we don't secure Iraq before we leave, we will be encouraging the terrorists and insurgents by convincing them that their war of attrition has been successful.

I want to emphasize again what has been said before. There are very good reasons why our founders set up congressional oversight and accountability for presidential war powers, but micromanaging legitimate wars on the basis of political considerations was never one of them. This Congress needs to focus on our constitutional duty to provide long-term oversight. Not enough of that has been done. We need to do more of that. But to set a precedent of micromanaging a war is shortsighted and extremely dangerous. We need to get back to doing what Congress should be doing and leaving the execution of this war to the President and the generals who are there to do it, and let us do our job. We don't do well enough as it is.

Mr. PRICE of Georgia. Madam Speaker, I thank the gentlewoman for her perspective and especially bringing to light the interesting articles that we are now seeing come out in the national press.

And the editorial that you and that Colonel KLINE brought to us today from the L.A. Times saying, ''Do we Really Need a General Pelosi?'' And the underheading of that was ''Congress can cut funding for Iraq, but it shouldn't micromanage the war.'' And, in fact, that is what we would suggest, that if the majority party believes so strongly that we ought to end our involvement in Iraq, then let us have that vote. Let us have that debate, and let us have that vote. And if that is what they believe we ought to do, then we should have that vote. I would be interested to see what the outcome would be. I suspect that we are not having that vote because the majority leadership is afraid of the outcome of that vote because it doesn't fit with what they have been telling people and with what they would like to see. So I think it is important that we do concentrate on what they are doing, and that is proposing to micromanage the war.

And if I am able to bring a few quotes from some other folks to talk about this slow-bleed micromanagement of the war plan, about a week ago it was quoted in one of the local newspapers that ''House Democratic leaders said the measure, expected to put conditions on the President's use of funds . . . '' And then quoting the Speaker on March 8, she said: ''The House Democratic plan for the Iraq funding bill could force a pullout of U.S. combat troops starting on July 1, with all American units out of the country by the end of 2007.''

And then another quote from the Associated Press on March 8: ''Speaker Nancy Pelosi . . . told reporters the measure would mark the first time the new Democratic-controlled Congress has established a 'date uncertain' . . . ''

□ 1545

That is micromanagement by anybody's definition. In fact, Representative Dan BOREN, a Democrat from Oklahoma, said, ''It is still micromanaging the war.'' Goodness knows that is the last place this Congress needs to be is micromanaging the war. Again, that is why we have the principles of the system in place that we have, that it is the executive branch's responsibility to conduct a war, to conduct the defense of our Nation.

Again, if we in Congress believe that it is appropriate to cut off funding for that, then let's have that vote. Let's have that vote, Madam Speaker. I would welcome the opportunity to defend the action of our military currently and would welcome the opportunity to oppose that kind of vote. But I suspect the majority leadership in this House is not interested in having that vote. That would be a truthful and honest debate about what this Nation ought to do; and, frankly, we haven't seen that to date on this issue. But I encourage them to bring that forward.

I am pleased to be joined by my good friend and fellow Georgian, Congressman Lynn WESTMORELAND. Georgia has a strong history of relationship with our military and with our Defense Department, and Congressman WESTMORELAND represents a number of those areas. We welcome you and appreciate you joining us today and look forward to your perspective.

I yield to the gentleman.

Mr. WESTMORELAND. Thank you, Congressman PRICE. Thank you for doing the Official Truth Squad. It is an honor to be here with Colonel Kline. Like he said, the number of our Vietnam veterans is declining every year, and we are fortunate enough to serve with some great heroes from that war in this body.

It is interesting that we have talked about micromanaging, we have talked about different people taking on the role of general. Today in the Committee on Government Reform when we were passing out a bill that I feel is unconstitutional to give the D.C. Delegate the ability to vote and also creating another seat in Utah, I was reading the Constitution and I came across the part where it called the President the Commander in Chief. This is something that our Founding Fathers I think had experienced through the Revolutionary War and through the different militias and the different bands of people, that they understood that we needed one Commander in Chief. So they gave that responsibility to the man who is ultimately responsible for what goes on in this country, the guy that, as Harry Truman put it, the buck stops here. They gave the President the responsibility to be the Commander in Chief.

Now, we have several people in this body who I think want to be the Commander in Chief. In fact, I think we have got probably over 200 people that think they need to be the Commander in Chief. But the truth of it is our Constitution only gives that to one person.

What the Constitution also does is give Congress the ability to put forth funds for this war. If that is what the President decides to do, it gives Congress the ability to do that. It also gives them the ability to declare war.

This House voted and the Senate voted to authorize President Bush to use the military force that he has used, and if they don't like that, then they need to do something to call that authority back or to reauthorize or not to reauthorize. But we need to quit micromanaging and interfering with the affairs of our military leaders. General David Petraeus was approved unanimously in the Senate. Then the very next week they are trying to tell him how to run the war.

The other interesting thing is, and I think Ms. FOXX spoke about all the pork that is in this supplemental bill to fund the war, which, by the way, I think the President asked for about 3 or 4 weeks ago, so we want to make sure we do have these funds for our troops and not just keep prolonging it. But it would be good to hurry and bring this bill to the floor, since they have called it an emergency spending bill. But as Ms. FOXX pointed out, there are several things in there that really aren't what I would consider emergency spending.

One of the other things that has been taken out of that is the Iran language. I don't know if you had seen that or Colonel Kline or any of you had seen that, but they have taken the Iran language out of it.

I wanted to quote something, Congressman, because I think this is kind of what we are seeing out of the majority party, is they will say one thing about one situation and something counter to that on something else.

Here is what was said about the Iran situation: ''I don't think it was a very

wise idea to take things off the table if you are trying to get people to modify their behavior and normalize it in a civilized way.''

That was a quote from Representative Gary ACKERMAN, talking about that if we tied the hands of the President, that it would take away any threat off the table that he might have to use against Iran to make them follow the U.N. resolution or some of the things that we have asked them to do. I think that is very unusual, or at least concerning to me, that on the one hand they are tying the President's hands on what he is doing in Iraq, but they don't want to tie his hands on what he is doing in Iran.

Hopefully one day we will see some decisive leadership come out of this Congress. I think that the Republicans gave 12 good years of leadership, and I hope that the American people will miss that one day, as bad as we were at times. I hope that they will miss that and want to put us back in that position where we can earn our way back into the leadership of this country.

But I certainly hope that in the next year and a half that we don't do things that will ruin our reputation with freedom-loving people all over this world, that the American people don't keep their word.

Colonel Kline, I can't help but just think about that picture of that last helicopter leaving South Vietnam and those people standing on the top of that government building with their hands reached out, knowing that after our troops pulled out because of political pressure that some of those people were probably murdered and massacred the next day, or at least within the next 30 days.

Mr. KLINE of Minnesota. If the gentleman will yield, we forget and time slips by that following that disastrous day, not some people were killed, but millions died. Again, we have forgotten the boats, the ships, with hundreds and thousands of Vietnamese scrambling to stay on board, leaky boats, rafts, as they tried to escape the horror that followed that day. A movie was made called ''The Killing Fields'' that depicted quite graphically the humanitarian disaster that followed that withdrawal.

I think that that scenario of a humanitarian disaster has been painted for us by a number of true experts in the field, even those who have been harshly critical of the administration's conduct of this war. The recognition that you could have that kind of bloodbath is widely seen, except perhaps by the House leadership, who has, as we said earlier, a plan for defeat in Iraq, which I am afraid would in fact lead to that kind of disaster.

Mr. WESTMORELAND. Madam Speaker, when we use the term ''slow bleed,'' let's think about what that means. If you are going to torture your enemy or want somebody to have the most painful death possible, you give them a slow bleed. You let them bleed out very slowly. You are a doctor and you know that can be the most painful death in the world.

That is what they are doing, is a slow bleed. It is going to be a painful death, not only for our military and for the victory we want to have in Iraq and Afghanistan, but for those people that the colonel is talking about. And those people have been our allies in this. Those are the people that believe with all their heart and mind and soul and every breath that they want to breathe freedom and liberty. Those are the people that believe in what we believe in, and they have pulled alongside of us to make this work. Those are the first ones that are going to be slaughtered.

So thanks for giving me the opportunity to come down and speak, and thanks for doing the Truth Squad. I just look forward to continuing this debate one day.

Mr. PRICE of Georgia. I appreciate the gentleman's comments and your perspective on it. It is chilling. Slow bleed is chilling, because it is not just slow bleed for our allies. It is slow bleed for our troops and our military. You talk about the consequences of failure. This is a list of the consequences of failure. This doesn't come from the national Republican Party or the House Republican Caucus. This comes from the National Intelligence Estimate.

What it says clearly crystallizes what would happen if the majority party here enacts the slow bleed policy that is promoted by their leadership. It says: ''Coalition capabilities, including force levels, resources and operations, remain an essential stabilizing element in Iraq. If we fail in Iraq, the Iraqi security forces would be subject to sectarian control, interference by neighboring countries in open conflict,'' which means Iran and others would pour into Iraq, ''massive civilian casualties and population displacement.''

That is what the colonel was talking about earlier happened after the conflict in Vietnam.

''Al Qaeda in Iraq would plan increased attacks inside and outside of Iraq and spiraling violence and political disarray, including Kurdish attempts at autonomy in Kirkuk.''

But the spiraling violence is again the important thing to concentrate on, because that is not our conference, that is not our caucus saying that. That is the National Intelligence.

Colonel, if you would like to comment and make a few words, then I know we have Congressman DAVIS here.

Mr. KLINE of Minnesota. I thank the gentleman for yielding. That is exactly the point.

You had a chart up earlier that said something about you are entitled to your own opinion, but not your own facts. We seem to be very selective. We have heard a lot of very selective fact-choosing recently.

I remember in the debate we had on the floor of this body a couple of weeks ago, there were people who said consistently that the President's troop surge was in violation of the recommendation of the Iraq Study Group. We know for a fact that is not true, that on page 73 the Iraq Study Group agreed that a surge would be appropriate if it was requested by the commander on the ground, and we have covered in this Special Order the fact that the commander on the ground, General David Petraeus, has in fact said that he needs those troops, and it will be for a temporary basis.

If I can take one more minute, because I know our colleagues have joined us and others want to speak on this critical issue, we do have some details of the Democrat supplemental so far that I have been looking at and trying to figure out. It is just a barrage of demands on the administration for reports and certifications which will make this unworkable for the Commander in Chief. It is in fact micromanagement.

There is by July 1, 2007, the President has to report on a whole series of things. By October 1, 2007, he has to have another report verifying the report from July 1. In either case, if that doesn't satisfy the majority in the Congress, we have to start withdrawing troops within 180 days. If none of that applies and nothing else pertains by March 1, that is less than a year away, we have to begin deployment and redeployment. We have to leave; we have to retreat from Iraq within 180 days. This indeed details a plan for defeat.

I don't know yet exactly all it is going to say, but one of the things that is in this bill would require that no Federal funds could be used to send any military unit to Iraq ''unless the chief of the military department concerned has certified in writing at least 15 days in advance as to the readiness of this unit.'' I don't know, but if you are in the 82nd Airborne, within 15 days you are already long since on the ground and in combat.

It is horrible micromanaging. As I said in my opening remarks joining you here on the floor, I agree with the L.A. Times, and I don't get to say that very often, so perhaps I should say it again: I agree with the L.A. Times that we don't need a General PELOSI or a General MURTHA, or for that matter a General PRICE or a General KLINE. We have a general on the ground, and we ought to be doing everything in our power to make sure that he and our young men and women have everything they need to succeed.

I know that all of us worry about our sons and daughters that we send over there, we as a body. I certainly worry. My son has been over and back and is planning to deploy again to Afghanistan. I worry about my son and about all sons and daughters. But I absolutely do not want to be part of sending our sons and daughters into conflict knowing that all we have is a plan for them to fail. That, in my mind, and I think in many of their minds, is a betrayal.

I had some of the $21 billion of extra spending here, but I know that we have other colleagues that are joining us, and for that I thank you again for your leadership and yield back.

Mr. PRICE of Georgia. I thank the gentleman from Minnesota again for his participation here and great perspective and for outlining truly what the majority party has done, and that is outlined their plan for failure. This is not a plan for victory. It is not even a plan for the defense of the United States. It is a plan for failure.

□ 1600

I think it is important that as we bring truth and light to this discussion and this debate that the American people appreciate that.

It is not by any grand fabrication that we come up with this Commander in Chief notion, it comes out of the Constitution of the United States. Article II, Section 2, for those who are interested in looking it up for themselves, says the President shall be the Commander in Chief of the Army and Navy of the United States and of the militia of several States when called into actual service of the United States.

It doesn't say as long as the Speaker of the House says it is okay. It says that the President shall be the Commander in Chief. So if the majority leadership in this House wants to have a debate about whether or not we ought to fund the military challenges that we have around the world, including in Iraq, let us have that debate and let's have that vote. But let's not go through a micromanagement and a slow-bleed process which would be the death knell of our military accomplishments in the Middle East and in Iraq.

With that, I am pleased to have join us the gentleman from Tennessee (Mr. DAVID DAVIS). I welcome you and look forward to your comments.

Mr. DAVID DAVIS of Tennessee. Thank you, Congressman PRICE, for giving me an opportunity to join you today. And, Mr. KLINE, thank you for your leadership in the Congress and in the military. I appreciate it so very much.

Congressman PRICE, as you well know, none of us want to be in war; I certainly don't want to be in a war. But the fact is, we are in a war on terror. As a matter of fact, I think back right after September 11, 2001, the first casualty in Afghanistan was Sergeant Davis from my district. A distant family member, the first casualty in the war on terror after we decided that we were going to join the battle. As you well know, that battle didn't start on September 11. This is not a war just limited to Iraq. This war has been going on a long time. It is a global war on terror. This war has been going on for a long time, and it was started by radical Islamic extremists.

This war didn't start on September 11. It has been going on for a long time. Many of you can remember the Iranian hostage crisis. In 1979, 52 Americans were held for 444 days until we had a President that finally came to office and said we are going to have a backbone and we are going to take on the terrorists, and those 52 Americans were set free.

Then we had the bombing of the Beirut barracks in 1983 where 241 Americans were killed.

Then we had the first bombing of the World Trade Center in 1993. So you are starting to see a trend here. This war really didn't start on September 11, and it is really not a war that is limited to Iraq.

Then we step forward in time to the year 2000, the bombing of the USS Cole. Seventeen sailors were killed.

Finally, September 11, 2001, almost 3,000 Americans were killed. How soon we forget.

I certainly haven't forgotten. I am sure that the family members of those 3,000 haven't forgotten, and I hope the American people and the Congress and the majority in the Congress never forget those 3,000 people that were killed.

We are going to be fighting this battle somewhere. We are in a war with a people that hate us; terrorists that hate us. They hate our freedoms; and, quite frankly, I think they hate our religion.

The extremists engaged us in battle. We owe it to our fellow citizens to see that we have nothing less than total victory. We can and we must win this war on terror. We simply cannot allow this Congress to move forward with a slow-bleed strategy. We must not cut off funding for our troops.

I spent several hours last week at Walter Reed Medical Center, and I had the opportunity to see men and women in uniform. Many of them had lost limbs. Many of them had internal injuries. We owe them nothing less than total victory. We asked them to go protect us. I can't imagine a Congress and a government of the United States not standing behind them to make sure that they also have victory.

America cannot afford to repeat the mistakes of the past by withdrawing from a direct confrontation of the radical Islamic extremists. They will stop at nothing to destroy America. They have proved that.

You know, I can remember when people said they have fought over there, they have been fighting over there for thousands of years, why are we over there? The reason we are over there is because they came over here. They brought the war to us, and they have been bringing the war to us for well over 30 years. This is not something we can turn our backs on.

I have spoken to the men and women in uniform as they have returned, and I can tell you to a person, every one of them said we are doing the right things. We need to stay there. We need to finish this job.

Can you imagine being a soldier over there and knowing that the Congress has the potential to pass a law that we could pull out in 18 months. Can you imagine being a soldier over there at 17 months, 3 weeks, 4 days, and you are on patrol and knowing you can lose your life or your limb, but in 3 days you are going to be pulled out and we are going to lose the war anyway. I can't imagine being a soldier that is being asked to do that. We need to have soldiers that understand that we are going to be there for them because they are there for us.

The consequences of failure in Iraq would be tragic for America and for the entire world. If we retreat, the enemy will follow. Our decisions now regarding how we handle this global war on terror will affect future generations. We have the duty to pursue nothing less than victory.

The good news is the surge is working. It is already taking place. For instance, Brian Williams, anchor of NBC News, hardly a news group that typically sides with Republicans, recently reported a dramatic change in Ramadi. The city is now safer, according to Mr. Williams.

It is already working. How can we be talking about cutting and running and failing on this critical issue?

We need to stop campaigning on the floor of the House, and we need to get about allowing the generals to be the military leaders.

As you pointed out just moments ago, there is one Commander in Chief, not 535. Congress should not micromanage this war, and we need to let our military leaders do just that, lead. That is what they are called to do.

General Petraeus just weeks ago received unanimous approval in the Senate, and a week later you have Senators and Congressmen and Congresswomen saying we don't want to listen to what he says. Actually what he is telling us to do is send in the troops.

It is almost like the cavalry. If you can remember growing up, the trumpet would sound, the bugle would alert, and you would bring in the troops to win the battle. We need to do that same thing.

What we have been doing over the last few years has actually worked again. The United States has been able to prevent further terrorist attacks on our homeland since 2001. We did it by taking the fight to them. They have proven they are going to fight us somewhere, it is either over there or over here. I would much rather keep them busy over there if they want to continue the fight.

My colleagues on the other side of the aisle may have the votes to defund the war, bring the troops home, and not use the word ''retreat.'' But if we leave before the job is finished, we have retreated. It is simple. We either win this war or we lose this war.

The good people of the First District of Tennessee and I support the efforts of our troops and we support winning this global war on terror. We can do no less.

Mr. PRICE of Georgia. I appreciate so much your comments and your perspective on this because you bring light to some important information.

One is visiting the men and women at Walter Reed, and how moving is that experience every time we take part in that, and thank those young men and women for the work they have done in defense of our liberty and of our freedom.

If anyone wants moving accounts, all they have to do is read or listen to conversations or e-mails sent back from our men and women who are in harm's way right now. I get chills every time somebody forwards to me an account by one of our brave military men and women as they describe what is going on on the ground, and the enthusiasm and the passion that they have for the wonderful work that they are doing to bring freedom and liberty to that land.

You bring light to who our enemy is. I think it is important that we appreciate exactly the magnitude of this. This is a battle, a war against an enemy who is more ferocious than any we have ever faced.

When I try to put that in perspective, I am reminded of the airline debacle that was stopped last August or so in Britain by good intelligence on the part of our British allies and Pakistanis and our own intelligence agents. What they did is identify a group of individuals whose whole goal was to bring down or destroy as many jumbo jet airlines flying from England or Europe to the United States at one time so they could kill more innocent civilians than were killed on 9/11. That is chilling enough. That is enough to get your attention.

But when you appreciate that two of the people who were involved in the planning of that and involved in what would have been the execution of that tragedy were two parents who were using their 8-month-old child and the baby food for that child as the vessel for the explosive that would bring down a plane, and they were going to be on that plane with their 8-month-old child, they were going to kill themselves and their 8-month-old child in order to kill innocent civilians, Madam Speaker, that is an enemy that carries with them the ferocity that we cannot even comprehend. It is an enemy that Musab al-Zarqawi crystalizes in his quote of January 2005 when he says, ''We have declared a fierce war on this evil principle of democracy and those who follow this wrong ideology.''

Madam Speaker, it is extremely important for us as a nation to appreciate the fundamental objection and the fundamental fight that we have is against people who oppose our own freedom and our own liberty and our own democracy.

Madam Speaker, it is imperative that this Congress appreciate the magnitude of the challenge that we face as a nation. It is imperative that in so appreciating that magnitude, that we recognize that facts and truth are important when we talk about this and we make certain that we as a Congress do not institute a policy that would result in tying the hands of the men, the brave men and women in our military who are defending our liberty and our freedom and our democracy.

It is a privilege for each and every one of us to be able to represent our districts in the United States House of Representatives. We should do nothing to thwart the activity of those who are defending our liberty and our freedom and our democracy.

BLUE DOG COALITION

The SPEAKER pro tempore (Ms. TAUSCHER). Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. SCOTT) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCOTT of Georgia. Thank you very much, Madam Speaker. Again, it is a great privilege to address this House in the Special Order for the Blue Dog Democratic Coalition, and we are delighted to do so.

This is a very critical time in the juncture of our Nation. We are faced with a ballooning debt. We have an overextended military. We are in the midst of a very controversial war. It is paramount that Congress not just weigh in, but weigh in heavily as due our constitutional obligations.

As we all know, the Constitution speaks very clearly on this matter. In Article I, Section 8, it speaks very clearly that it is exclusively Congress' responsibility when it comes to military action and foreign policy.

□ 1615

And that is this: it says that only Congress has the exclusive right to determine the purse strings. In other words, the exact verbiage in the Constitution is ''to raise and support the military.'' And then, secondly, to legislate. And quite naturally, it gave the executive branch comparative duties in a time of war.

You know, Madam Speaker, in preparation for this time on the floor, I went back into the Constitution because I wanted to examine how this came about. And if you go back in the Constitution around 1787, if I am not mistaken, there was a great debate on how to handle the question of war and foreign policy facing our Nation. And it was handled by two of our greatest Founding Fathers, one was Alexander Hamilton and the other was James Madison.

But you know, Madam Speaker, it was a peculiar circumstance that neither Hamilton nor Madison used their names. That struck me as very strange. Hamilton wrote under the name of Pacificus, and Madison wrote under the name of Helvidius. And I wondered about that. Why? But it was only on this profound question. Because it was so heavily debated, it was so heavily controversial that neither party wanted the public to know exactly who was saying what. But it was very important that they agree on the substance to leave this issue very flexible.

But the one important point that they made was it would be the Congress, and expressly the House of Representatives of the Congress, that would have the final say so on the money end and on the legislative end, and that is what we are here to do today. For the American people are looking to this Congress to indeed weigh in. And Hamilton and Madison will smile kindly on us today.

Leading off our discussion, Madam Speaker, is one of our distinguished Members, one of our cochairs for communications, one of my dear friends from the great State of Arkansas, Representative MIKE ROSS.

Mr. ROSS. I thank the gentleman from Georgia for leading this hour-long Special Order, this discussion on the debt, the deficit, but more importantly on accountability, in restoring common sense, accountability, fiscal discipline to our Nation's government.

Madam Speaker, I don't have to tell you that we have got the largest debt ever in our Nation's history; $8,835,629,777,913 and increasing some $40 million every hour. Our Nation is spending a half a billion dollars a day simply paying interest on a debt we've already got, and that is before we increase it by $1 billion a day. Half a billion dollars a day going to pay interest on the national debt. That is a half a billion dollars a day we do not have to properly equip our troops, to support our troops, to support our veterans, those returning from Iraq and Afghanistan, to educate our children, to build roads. The list of what should be America's priorities is endless, and yet our Nation is spending half a billion dollars a day simply paying interest on a debt we've already got.

It is time to restore fiscal discipline and common sense to our government, and one of the ways we do that is by requiring accountability in Iraq. That is why the Blue Dogs have written what has become known as H.R. 47, providing for Operation Iraqi Freedom Cost Accountability.

Let me just say this, that 9/11, September 11, 2001, is a day that I will never forget. From my office window in the Cannon House Office Building I could see the smoke rise from the Pentagon. A few hours later, after being evacuated, I would learn that a young Navy petty officer, Nehamon Lyons, IV, from Pine Bluff, Arkansas, was among those killed at the Pentagon on that dreadful day.

In the months that followed, I voted to give the President the authority to go to Afghanistan to hunt down Osama bin Laden. Remember him? To bring him to justice and to put an end to the Taliban, to put an end to terrorism. And then on September 26, 2002, I was called to the White House. I sat in the Cabinet Room, took notes, I still have

them, where the President and Andy Card and Condoleezza Rice and about 20 Members of Congress present proceeded to tell us that Saddam Hussein had weapons of mass destruction, that Saddam Hussein trains terrorists on weapons of mass destruction, and that if military force is used, in the President's word, it will be, quoting now, ''swift.'' September 26, 2002.

Fast forward to March 13, 2007. More than 3,000 brave men and women in uniform have died, have sacrificed with their lives in Iraq. Thousands more injured in ways that will forever change their lives. As long as we have men and women in uniform in harm's way, I am going to support them; members of the Blue Dog Coalition are going to support them.

This war has affected all of us. My brother-in-law is presently stationed in the United States Air Force in the Middle East. My first cousin was in Iraq when his wife gave birth to their first child. People that I grew up with and taught in Sunday school and duck hunt with have already served one tour through the Arkansas National Guard duty in Iraq and will likely be returning next year if the President gets his way with this so-called surge.

Madam Speaker, I believe that the American people spoke on November 7, and they told us they do not want more of the same. And simply adding 20,000 more troops to Iraq is, in my opinion, more of the same. The American people want a new direction in Iraq, not more of the same. In line with that, the American people want accountability for how their tax money is spent, not only in Iraq, but also here at home. And that is what we are trying to do with House Resolution 97.

Government investigations and media reports have detailed waste, fraud, and possible war profiteering by some of the very contractors that are being paid billions of dollars by the United States for their services in Iraq. Most recently, a report issued January 30 by the Special Inspector General for Iraq Reconstruction counts unsanitary conditions, potential health hazards, poor construction methods, and significant cost overruns among the examples of waste, fraud and abuse rampant in the government's funding of the Iraq war.

House Resolution 97, which has been written and endorsed by the 43-member strong fiscally conservative Democratic Blue Dog Coalition, puts forth tangible commonsense proposals that ensure future transparency and accountability in the funding of Operation Iraqi Freedom. House Resolution 97 is an important first step toward making sure that more resources get to our troops in the field.

House Resolution 97 focuses on four crucial points for demanding fiscal responsibility in Iraq: a call for transparency on how Iraq war funds are spent; the creation of a Truman Commission to investigate the awarding of contracts; a need to fund the Iraq war through the normal appropriations process and not through these so-called emergency supplementals; and, finally, using America's resources to approve Iraqi assumption of internal policing operations.

Funding requests for the Iraq war should come through the normal appropriations process so that Congress and the people have a clear understanding about what is being spent on the war in Iraq. With House Resolution 97, the fiscally conservative Democratic Blue Dog Coalition is calling for the Iraqi Government and its people to progress toward full responsibility for internally policing their country. Without such progress, it is wasteful to continue our investment in the lives, limbs, and taxpayer dollars in Iraq.

We must honor those who have sacrificed in Iraq, our brave men and women in uniform, and the thousands more that have come home injured in ways that will forever change their lives. It is very important that we honor them, we support them and their sacrifices through demanding accountability from the Iraqi people. It is time to tell the Iraqi people it is time to step up and accept more responsibility for your own country. If you are going to continue to shoot at one another and to shoot at us, if public opinion poll after public opinion poll coming out of Iraq says that 70 percent of them don't want us there and 60 percent of them think it is okay to kill a U.S. soldier there, then we should send a clear message to the Iraqi people that it is time for them to step up and assume responsibility. If they want us to continue to sacrifice our brave men and women in uniform and return many more thousands home injured, if they want us to continue to spend $12 million an hour of our tax money in Iraq, some $2.5 billion a week, then it is time for the Iraqi people to accept more responsibility and more accountability for their actions.

At the same time, Madam Speaker, it is very important that this administration understand that if we are going to support $12 million an hour, $2.5 billion a week of hard-earned taxpayer money going to Iraq, we want to know how it is being spent, we want it accounted for, and we want to know without a shadow of a doubt that it is going to support our brave men and women in uniform.

I yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. You hit upon a point here that the American people need to be aware of as to exactly why we need to pass our bill. I have before me what I would like to share with you, this report from today's Washington Post. It is a story by Ms. Ann Scott Tyson. It is a disheartening story, but it points right to the core of why we need to be doing something very urgent to bring accountability and the total lack of accountability that this administration has had. And this is about our veterans, those who are right off the battlefield.

And, Mr. ROSS, just like you, we both just came from Germany where we went into Landstuhl and we went into the military hospital near the Ramstein Air Base. And our hearts were broken as we saw 19- and 18- and 20-year-old kids, these are young kids, folks, who are out there at the point of the spear, sacrificing their lives in the middle of a civil war. And when they come back to get treated, here is the report. She says: ''Thousands of soldiers wounded in the wars in Iraq and Afghanistan have overwhelmed the Army system for evaluating their eligibility for disability benefits, leading to a near total failure to complete such reviews in a timely manner.''

And this is what the services Inspector General concluded in a report released yesterday. The report found this, Mr. ROSS, it found that medical hold facilities lack critical staff, formalized training for personnel caring for wounded soldiers, with more than half of unit commanders reporting inadequate, our commanders on the ground are reporting inadequate for our soldiers. This is no way to treat our warriors.

It also cited inadequate and unreliable databases for tracking the wounded, not even able to keep track of them. This is why we need our accountability act. This is why we need to have oversight and strong oversight on this administration. We are not talking about something here that doesn't exist. This is a serious problem that goes at the core and the soul of America, and that is our young men and women. Their lives are too precious, their blood is too precious to be sacrificed. Then when they do the sacrifice, they are not taken care of.

Just listen to this: some facilities lack wheelchair access, which is directly in violation of the Americans with Disabilities Act, is going on right now under this administration.

□ 1630

That meant that wounded soldiers even had difficulty reaching the restroom. This is the same administration, my friends, this is no wonder why we have this. If you recall, they were sent into war without body armor. Our soldiers, 2 years ago, were going through dung heaps and land mines out in the desert trying to find metal to protect themselves.

I said to you, and you and I both agreed when we were over there in Germany, we were going to do everything we could when we got back here to make sure we passed this bill and give the proper attention to our wounded and our veterans.

You know, the Lord moves in strange and mysterious ways, and I am convinced that is why the exposure of that terrible situation at Walter Reed was made real at this very time to show the Congress and the American people we need this accountability law.

Mr. ROSS. Let me just say there are those in this Congress that do not support sending $12 million an hour to

Iraq, then you are unpatriotic. I differ with that. I strongly differ with it. No one needs to question my patriotism, no one needs to question my support for our men and women in uniform.

If you ask me, giving them more of the same is not showing support for our men and women in uniform. They need a new direction. They need a new direction in Iraq, one that will allow them to do their job and come back home to their families. The President proposing a surge of some 21,000 troops is not a new direction, it is more of the same.

At the same time, Madam Speaker, let me tell you that the other thing that the American people want is they want responsibility. They want responsibility by the Iraqi government. They want them to buy into this.

The other thing the American people want is accountability within our own government, which is clearly why we are advocating the passage of the Iraqi War Accountability Act, H.R. 97. Why is it needed? Because auditors in one region found that contract managers could not account for $97 million disbursed from the development fund for Iraq. Under its no-bid contract to rebuild Iraq's oil infrastructure contract, Halliburton overcharged by over 600 percent for the delivery of fuel from Kuwait.

An audit of programs designed to train guards designed to protect Iraq's oil and electrical infrastructure concluded that U.S. agencies could not provide reasonable assurance that $147 million expended under these programs was used for its intended purpose.

In one case, the Special Inspector General for Iraq Reconstruction found that a company which was awarded a security management contract worth hundreds of millions of dollars could provide no assurance that it was providing the best possible safety for government and reconstruction personnel as required by the contract, and could not even show that its employees authorized to carry weapons were trained to use those weapons.

Finally, Halliburton tripled the cost of hand towels at taxpayer expense by insisting on having its own embroidered logo on each towel. You can't make this stuff up. Halliburton employees dumped 50,000 pounds of nails in the desert because they ordered the wrong size all at taxpayers' expense. This is not supporting our troops.

We want to fund our troops. We want to support our troops, and the way to do that is by requiring more accountability by this administration and the Pentagon. Quite frankly, for the last 6 years, Congress has not fulfilled its constitutionally given duty of providing oversight. It has been a rubber stamp for whatever this administration wants.

Those days are over, the new Congress has arrived, and we are going to begin to provide that oversight and accountability and demand responsibility, not only from this administration, but from the Iraqis through the passage of H.R. 97.

Mr. SCOTT of Georgia. You mentioned Halliburton, and there is no greater poster child for the abuse, for the very need for this legislation. Hundreds of millions of dollars have been wasted. The reports have been there, in the news. They have covered it left and right, and, meanwhile, our soldiers don't even have wheelchair access.

This administration has a day of atonement on this, and history is not going to smile kindly on the abuse that was heaped upon our military and the strain and the drain that it is causing. You mentioned earlier, Mr. ROSS, about Halliburton, and in just yesterday's news Halliburton's reward to us for all of the billions of dollars that they have gotten in taxpayers' money was to move their headquarters from the United States over into Dubai in the Middle East so that they could get out from under paying certain levels of taxes in this country.

No wonder the American people are crying out. No wonder the American people went to the polls in November and declared in a loud voice, enough of this, we want change, and they put Democrats in charge of this Congress. They, indeed, as I said earlier in my remarks, wanted Alexander Hamilton and James Madison to smile kindly, because finally we are standing up and performing the constitutional duties of oversight, of legislation and controlling the purse that they fought hard to put into the Constitution over two centuries ago.

Now I would like to yield time to my distinguished friend from Ohio, from Steubenville, Ohio, the home of one of my most favorite singers, Dean Martin, and I would like to present Representative CHARLIE WILSON.

Mr. WILSON of Ohio. I thank the gentleman from Georgia. I appreciate this opportunity.

Madam Speaker, when we sent cash over to Iraq on a pallet with no accountability, no understanding, and those hundreds of millions of dollars just disappeared into the desert air, we know that we need accountability. We need accountability in this war for the financial money that we have sent there. We also need accountability for the body armor and the proper rest for our soldiers, the proper training for our soldiers. We need to be able to show that we are showing accountability.

I am so proud to be a new Member of this Congress that is willing to stand up for our soldiers and for the right things to do for America. When more than $400 billion have been poured into Iraq with little oversight on how that money is spent, we have to ask ourselves, we can't wait any longer for the accountability that needs to be done.

I am proud to be a member of the Blue Dog Coalition to be able to stand up and say what the national debt is. If we could see the money that we spend every month, and month after month and year after year on the interest debt of our Nation, almost $9 trillion now, it is just hard to believe that we can continue down this lane of not making the proper decisions and not having accountability.

House Resolution 97 goes straight to the heart of the matter. It sets up the issue and the framework of how we are going to consider having the proper accountability so that we can know where we are going, where the money is going. These are hard-earned tax dollars, and many of these dollars are being spent that are not being spent on education and are not being spent on health care for our seniors.

These dollars are being funneled into foreign countries that were borrowing money to help pay this debt. It is not the right direction.

House Resolution 97 does call for regular reports to the Congress that outline how military and reconstruction funds are spent from now on. It also says the accounts for the terms and contracts that are awarded by our government, how long are the contracts? What is the accountability of them? Are they all no-bid contracts, and, if so, how long are they in place for?

We need to have that kind of accountability, and House Resolution 97 does that. It details how future taxpayer money will be spent. That is the kind of accountability that we need. The costs just keep climbing in Iraq, and we must get a true handle to know where these costs are.

The American taxpayer deserves to know the truth. They deserve to know what is going on, and this is what House Resolution 97 does. It shines the light of day on the process that is going on in Iraq. I am hopeful, if we can lean forward and move forward on this legislation, we will be able to have accountability that people will feel that we are doing the right things.

Our soldiers will know that they are having the right kind of support, and we, as Members of Congress, are providing the service and the change in direction to get America back on the right track.

Mr. SCOTT of Georgia. Will the gentleman yield for one moment, and don't you agree, there is such a thirst on the part of the American people for their confidence to be restored in this process, that was what was evident in last fall's election, that nobody is saying cut and run, nobody is saying that you will be unpatriotic if you speak to this. They want us to speak to this. They want us to do our job, and I think that is what you were pointing out in your remarks.

One of the two points I wanted to mention too that you alluded to in our House Resolution 97, that I would like for you to be able to expand upon, and that is that the American people need to know that in this bill we will require the inspector generals of the Defense Department, of the Pentagon, to come before this Congress quarterly, not once a year, every 90 days, quarterly, to make reports on how the money is being spent.

Never again, never again, will our veterans be suffering in the condition

that our veterans are suffering now. The American people are appalled at that. They want some transparency. They want some accountability.

You talked about earlier, we talked about Halliburton. We talked about the abuse, the contracting. In this bill, we have made sure that the Inspector General for the Iraqi Reconstruction Program comes before this Congress and gives quarterly reports on how that money is being spent, no more waste, no more fraud, no more war profiteering. The shame of the neglect of oversight is going to be rectified with this bill.

I yield back to the gentleman.

Mr. WILSON of Ohio. Thank you to the gentleman from Georgia. You could not be more right, and it is evident in what we have seen in the Walter Reed Hospital situation we have just seen recently. The conditions are deplorable, to think that our men and women and our soldiers go and put their life on the line, and just thousands and thousands have been injured and they have returned to substandard medical care, poor conditions and sometimes horror stories of people waiting 18 hours to be seen by a doctor.

This type of lack of accountability just cannot continue, and I am proud to be a Member of this Congress and this Democratic Caucus that are going to move forward toward doing the right thing for our soldiers, supporting them with the money that they need and moving forward to bring common sense to this entire situation.

Mr. SCOTT of Georgia. Thank you very much, Congressman WILSON. Your comments and your participation is so meaningful in helping us bring some light to this issue, especially in extrapolating and explaining to the American people the legislation that we are putting forward. I look forward to you staying with us as we perhaps get into a few more conversations on this issue.

But we are also joined with another Member, a distinguished member of our Blue Dog Coalition and a very good friend and who is a very, very significant voice in this Congress in bringing some truth and some transparency so that we can improve the position of our military and make sure that we are responsive to the American people, and that is Mr. John Salazar from Colorado, a very distinguished Member and a hard-working member of the Blue Dog Coalition and a great friend.

Madam Chairman, I yield to the gentleman from Colorado as much time as he may need.

Mr. SALAZAR. I thank the gentleman from Georgia (Mr. SCOTT).

Madam Speaker, I am proud to join my colleagues of the Blue Dog Coalition to demand more fiscal accountability in Iraq. You know, the Blue Dogs have a plan for fiscal accountability in Iraq. Our plan calls for four things, it calls for transparency on how the war funds are being spent.

Two, it creates an commission to investigate the awarding of contracts.

Three, it stops the use of supplemental supplementals to fund this war. Do you know that this is the first administration that has continually been using supplementals to fund a war? That is strange.

Number four, it uses American resources to improve Iraq's ability to police themselves.

Mr. SCOTT, I have been calling, on and on again, that it is important for us to turn the responsibilities over to the Iraqi people, let them be responsible for their own futures. Why should we be putting our soldiers lives on the line when over 60 percent of the Iraqis now claim that it is okay to shoot an American soldier?

But this is about accountability. This is about spending the American taxpayers' funds wisely. This is about the board of directors that America has selected and appointed to the U.S. Congress to do oversight on the taxpayers' funds that are being utilized to fund this war.

While the Blue Dog coalition legislation addresses the glaring lack of oversight and accountability in Iraq, we make sure that taxpayer dollars are accounted for. Government reports have documented waste, fraud and abuse in Iraq, time and time again.

□ 1645

I believe, Madam Speaker, that it is time now to stop that waste. Congressional oversight is desperately needed. The administration must be held accountable for how these reconstruction funds are being used.

And speaking about reconstruction funds, Mr. SCOTT, you mentioned just briefly about Halliburton. Well, I find it kind of strange that, you know, when they are needed most to help pay taxes so that we can actually fund this war, all of a sudden they decide to pull up stakes and move because they say their tax rates are too high. Well, to me, Mr. SCOTT, that is not being patriotic.

This Blue Dog bill is tangible. It is a commonsense proposal that ensures transparency and accountability. We have already spent $437 billion in Iraq, according to the Congressional Research Service. We will spend another $100 billion in Iraq in 2007 alone. I think that we must start showing improvement in Iraq, and accountability leads directly to success.

You brought up a real point. It is almost as if someone reaches into your chest and jerks out your heart. I make regularly scheduled visits out to Walter Reed to visit our returning troops, and I meet with them and talk to them.

Their message is quite simple. They are there to do their job. They are proud to be Americans. They are proud patriotic citizens and proud to have served their country. And they tell me, do not let our efforts go in vain.

Well, I can assure you, Mr. SCOTT, that the Blue Dogs are committed to making sure that we stand by them and make sure that they have the equipment they need by holding this administration accountable.

It is amazing when you see our soldiers returning without arms and without legs and yet so strong and patriotic and talking about how proud they are to be Americans.

Well, Mr. SCOTT, it is time for the U.S. Congress to also say that they are patriotic and that they are proud Americans, and that they will stand by their soldiers. I think that Iraq must be progressing toward full responsibility for policing their own country. I think without progress it is a waste to continue U.S. investment in troops and financial resources. We all support our troops. We will do everything in our power to get them the equipment they need.

I have been in Iraq twice. The first time I was there, soldiers were complaining because they were out in the scrap piles looking for metal to build shields under the Humvees. And in many cases, those became the very instruments that cost their lives.

Mr. SCOTT of Georgia. Would the gentleman yield just for one point because I think it is very important. You bring up this important point that we need to remind the people of America that when that came to our attention, it was Democrats, Democrats who provided the leadership with the amendment to put into the spending bill money for the body armor; that we could have known about the shortage if there was oversight, if that Congress, the Republican Congress, would not just automatically just bend over and rubber stamp. That is why this bill is so important, that we don't have that bypassing with this special emergency supplemental way of funding a war.

And I go back to the Constitution, the Founding Fathers, and that is why they gave it to us because the House of Representatives is the House that is closest to the people. We were more sensitive, just as you and I are now, to do everything we can to correct this matter. And we also put in there money to reimburse their parents. So many of our soldiers were writing home to mama and to daddy asking them for money for body armor. The shame of this country. Never again will that happen. And that is why we need this bill.

I yield back to the gentleman.

Mr. SALAZAR. I want to thank the gentleman. And he made some very important points. It is our responsibility here in Congress to look out for our troops and our soldiers. But we cannot continue writing these blank checks, Madam Speaker. We have been writing blank checks for the last several years because over the last 6 years there hasn't been any oversight. There has not been any accountability.

And I can assure you that since January, over the last 2 months, there has been oversight hearings on several issues in regard to the military readiness, in regard to where some of this funding is going.

And so I am very proud to be a Member of the Blue Dog Coalition that brings forward this important bill. I think that until our last troop has returned home that the American people deserve to know how their money is being spent. Accountability is not only patriotic, but it often determines success from failure.

The Blue Dog bill gives an opportunity to regain oversight and responsibility. This is the responsibility we have, to all our men and women in uniform, to their parents, to the American taxpayer who is footing the bill.

Madam Speaker, today I want to thank you. I want to thank Mr. SCOTT for his leadership, and I want to thank you for giving me the time to be able to speak out on behalf of the American taxpayer, the American people and our soldiers in uniform.

Mr. SCOTT of Georgia. Well, thank you, Mr. SALAZAR. You have done extraordinarily well in presenting the very crucible of our bill, which is bringing the accountability, bringing the needed transparency. No more, no place is it needed more so than in the care of our wounded soldiers.

And so much has fallen through the cracks. I read this report. I just want to, I will go back to it for a moment, Mr. SALAZAR, because it says this. It says that more than 25,000 service members have been wounded in the two wars, and nearly half seriously enough that they can not return to duty within 72 hours. The delays in the Army's rating of disability have been a source of deep frustration for many, with wounded soldiers waiting hours to be moved on, days, and sometimes months to be moved on with their lives outside the military. Many in the National Guard themselves have lost their jobs. We have yet to even come to the depths of the pain that our soldiers are faced with as a result of this.

So when the President says send 21,000 more in, send these in, he never again, this President will never again have to go before the voters. But you do and I do. And when we go back before them, they will know that we have done everything in our power to bring a right look on a wrong situation, and to correct this terrible, terrible imbalance for our veterans.

And so I thank you for your participation, and I thank you for highlighting that great need. I appreciate your passion for this. We are very, very, pleased for your presentation.

Madam Speaker, before I bring in another person, I want to make a point, because I think it is very important that we take a moment to address what the leadership of the Democratic Party in this House of Representatives is really talking about in our legislation. We had, prior to this, a truth squad, and you have people who are trying to make it this or make it that.

We realize, as Democrats, that we have an obligation to fulfill the desires and the wishes of the American people for a change in direction in Iraq, among other places, but definitely in Iraq. And it is not an easy thing to do. But it is, as I pointed out earlier, in our exclusive power to legislate and to appropriate and to provide the oversight. That is critical. And this is what we are proposing in our troop readiness, veterans, health, and Iraq accountability act. This is what the talk is about.

Let me just, point by point, go through the points so we understand. As the war in Iraq enters its fifth year, with no end in sight, that is fundamentally the most worrisome thing on the minds of the American people. This has gone on longer than World War II. There has never been the clear mission, beyond go and find if they have got weapons of mass destruction. When the soldiers went and they determined that they didn't, that should have ended it. There was no authorization to go in and remove a regime. There were no Iraqis that marched on the Capitol in Washington and said bring us a democracy. Democracy is hard. It requires people to want it in their gut. We are dealing with a society and a region in the Middle East where these civil wars have been going on, in some shape or form, since Abraham, Isaac, Jacob, Abraham and Sarah and Hagar, Ishmael, Esau, the prophet Mohammed and his son-in-law, which brought about the split of the Sunnis and the Shias. Thousands of years, that is what this is.

Our children have no business losing their lives in this war. The President has asked that money continue to be provided with no strings attached. The American people want some strings attached. The reason is because as we just got through doing, with what is happening at Walter Reed, with what is happening to our veterans, with the fact of no body armor. We are not going without being rested and properly equipped, well after the American people have called for a new direction. That set the stage for what we are going to offer in this bill.

And I want to come back to that, and I want to pause for a moment because we do have another one of our distinguished Members with us, and he has been working very hard as a member of the Blue Dogs and has also been working very hard in this area of bringing transparency and accountability to the situation in Iraq and responding to the needs of the American people. And I want to recognize for as much time as he may need, Congressman MAHONEY of Florida.

Mr. MAHONEY of Florida. I thank my friend, the distinguished gentleman, for yielding time to me this afternoon.

Madam Speaker, I rise today on behalf of Florida's 16th Congressional District in support of House Resolution 97, providing cost accountability for the Iraq war.

If we take a look at what has happened over these past 5 years, America has rid Iraq of a brutal dictator. America has given the Iraqi people a chance to create their own democracy, and we have invested over $400 billion and more than 3,000 American lives in securing their country.

Madam Speaker, it is time for the Iraqis to step up and to take control of their destiny and their own security. And it is imperative that any future American financial expenditures in the Iraq war be subject to accountability and transparency.

An estimated $9 billion of Iraqi reconstruction funds are missing. According to a January 2005 report by the Office of the Special Inspector General of Iraq Reconstruction, these $9 billion have gone missing because of inefficiencies and bad management.

□ 1700

For the past 4 years, Congress has not exercised the oversight and accountability necessary to ensure that our money is being used effectively to support our troops to achieve our objectives in Iraq. We have paid billions of dollars to private contractors for work in Iraq; at the same time, the reports have uncovered waste, fraud, abuse, and even possible war profiteering by some of these contractors.

In a war already lacking manpower, resources, and international support needed to maximize our chance of success, it is criminal that billions of dollars are unaccounted for. Congressional oversight is needed to make sure that our money is used to support our troops, not lost to profiteering and fraud.

House Resolution 97 would require that future Iraq spending is marked by transparency and accountability, instead of systemic waste, fraud, and abuse. The resolution calls for the creation of a Truman Commission to investigate how contracts are awarded, increases transparency so we know how Iraq war funds are spent, demands that fiscal requests for fiscal year 2008 and later go through the normal appropriations process instead of emergency supplementals, and calls for resources to be used to improve Iraqi assumption of policing operations.

Madam Speaker, these criteria are long overdue. I encourage my colleagues to support House Resolution 97 to ensure that transparency and accountability are the hallmarks of any future funding of the Iraq war.

Mr. SCOTT of Georgia. I thank Congressman MAHONEY. You brought some excellent points up about the need for us to make sure that this funding goes through the normal appropriations process. It might be useful for us to just share with our American people, when we say the normal, the regular appropriations process, is that this President has up to this point funded this war, which has lasted now longer than World War II, on emergency supplementals. And what that does is it foregoes oversight, it doesn't allow Congress to do the job that it has done. And this is why I believe in strong

measure this Congress has changed hands. The American people want to see us do our job and bring about the transparency. And that is what is involved in both House Resolution 97 as well as in our leadership bill on the supplemental, the full supplemental bill that we are working on as well. And I certainly thank the gentleman.

Mr. MAHONEY of Florida. I appreciate the gentleman yielding time. I couldn't agree more. And one of the things that the American people are starting to see is that this Democratic led Congress is about doing the people's business. November 7 was a mandate on fiscal responsibility reform. As a freshman Congressman, I ran on fiscal reform and responsibility, and I can tell you that this is a good step, another step, a necessary step to getting accountability back into this government. Thank you very much.

Mr. SCOTT of Georgia. We are very pleased to have you, and we certainly thank you for bringing those points and for adding to the discussion.

As I stated before, I wanted to just share as we go through this, as we talk about House Resolution 97 and our bill on the supplemental, it is important to understand so that we are not caught up in all of this rhetoric and misinformation about what the Democrats are doing, it is very important to understand our shared principles in this legislation and fully funding our national defense. This bill fully funds and supports our troops in both Iraq and Afghanistan, and we are upholding these points, requiring the President to simply honor the standards the Department of Defense has set for troop readiness, for training, for equipment. We have just seen that many of our troops have gone into harm's way without the body equipment that they need. What is wrong with making sure that our troops are protected, that they have the body armor? That is what the Democratic plan does. What is wrong with making sure that they are rested and that they are ready? That is what the Democratic plan does. We want to send our young men into harm's way? Make sure they are protected, make sure they are ready and that they are rested, and to make sure that they have been trained. And on each one of those counts, Madam Speaker, this administration has fallen short, and the American people know it, and that is the central core of the bill.

Secondly, we have got to hold the Iraqi government to the same standards for progress that the President outlined in announcing the escalation. The President made certain standards. All we are doing is reaffirming these in the legislation so that we have those standards. And then, providing urgently needed support to address the military medical care crisis for our veterans at Walter Reed and other hospitals. And that is why the American people are out in front of us and support wholeheartedly what the Democratic proposal is.

Let me continue, if I may, on what it is that we are doing so the American people can be clear.

On those three points, just simply requiring the President to honor the standards that the Defense Department sets for their military to be ready, that they have rest, that they have equipment. What can be more plain and commonsense than that? And then holding the Iraqis to the same standards that he put forward in support of the escalation he asked for. And then, thirdly, to provide the urgently needed support to address the military medical care and crisis at Walter Reed and other hospitals that I just got through alluding to and the excellent report in the Washington Post today.

The need for accountability on Iraq is clear. Holding the President to his own military readiness policies and performance standards is certainly a good way to start. The alternative is only the President's open-ended commitment in this war, and that is one thing we cannot continue. Our children's lives are too precious, our tax dollars are too precious to continue to be pouring in an open-ended policy. We have got to find a way to bring this matter to conclusion, not in any kind of way of, as the opponents would say, my friends on the other side of the aisle, cut and run. That is all they can say. We want to be there until victory.

Well, what is victory? What is victory if it is not what we set out what we were to do in the very beginning, finds weapons of mass destruction, which we did, and they are no longer there? Iraq did not attack this country. This country was attacked by al Qaeda. And al Qaeda is in Afghanistan on the Afghanistan-Pakistan border. Osama bin Ladin is there on the Pakistan side. I was there. I went over to Pakistan, I went over to Afghanistan. I talked with President Karzai. They know where they are. What are we doing in Iraq, and why did we go?

The Congress is working hard to achieve consensus around these shared principles. And let me just say, politics is no easy business. Making laws is sort of making sausage: It is not the prettiest thing in the world. But it is our system. It is give and it is take. It is trying to get 218 votes. It is pulling coalitions together. And that is why you see legislation with the variety of different components in it. But there are some standards here, and we hope that the President will join us in the effort to protect our troops in the field, require accountability from the Iraqi government, and fix the care crisis for our wounded soldiers and our veterans. And, finally, understand that he isn't the only one on the ball field. We all have a role to play. The Founding Fathers made our position clear, and that clarity is speaking on this floor today.

And now I want to recognize another one of the distinguished Members from New Hampshire (Ms. PORTER) who is doing just a wonderful job, and we thank you for coming on the floor and being a part of our debate and discussion.

I yield as much time as she may need to Ms. PORTER from New Hampshire.

Ms. SHEA-PORTER. I thank the gentleman, and Madam Speaker.

I just came out of an Armed Services hearing where we were discussing, once again, readiness, and we had the Army there telling us the great strains on their budget, the strains on their equipment, and, most importantly, the strains on their soldiers. And so I am standing here today in support of our soldiers, in support of our military, in support of our ability to respond to any crisis in the world. And Iraq is not the place that we need to put our soldiers and all of our resources.

Last weekend, I went to Iraq to look for myself what was going on. I saw a lot of contractors taking quite a bit of money, serving soldiers in jobs that soldiers could have done themselves. I saw the strains on the soldiers. I saw National Guard troops that were in for a third deployment. And I saw the difficulty that the Iraqis were experiencing. In flying over Baghdad, I saw a very sad city.

Now, what I would like to see happen is for us to take the money that we are pouring into Iraq and put it into Afghanistan where the original trouble started, where we actually had the terrorist training camps, where we still need to finish the business that we started in 2001. But we need money to do that, we need resources to do that. They have been diverted and put into Iraq.

There were no Iraqis on the planes that day on 9/11. We went into Iraq because we picked the wrong war, the wrong people, and we should have stayed in Afghanistan and supported the effort there. So I urge my colleagues and I urge the House to do the right thing by our soldiers and by the Iraqis as well, and to make sure that we tend to where the real problems are in Pakistan and also in Afghanistan.

I also would like to see some money in homeland security. The first thing we need to do is support our own borders. We need to protect our borders. And when you look at the money that we have put in homeland security, it is miniscule. We are still not checking all of the cargo that comes into the belly of a plane, we are not checking the cargo that comes from overseas. They say that we don't have the equipment. We certainly could have the equipment. Hong Kong checks every single container that comes from abroad. And that is the great worry, that a dirty bomb could come from abroad in a container. We need to use the money wisely. Of course we need defense. We have to invest in our country. But we need to take those dollars and make sure that we are protecting our borders first and foremost, and then also working in Afghanistan; and, making sure that we have enough money and enough resources and enough troops to respond to anywhere else in the world that trouble could brew. Thank you.

Mr. SCOTT of Georgia. Well stated. Eloquent and very well stated. And you touched on so many important issues. The strain on our military; and the young lady was so poignant in that. And American people need to understand that, how much more can our military take? Every person, even when the issue was put forward when General Casey and General Abizaid came over here, our Armed Services Committee, I think you may have been on that committee, asked them: Do you need more troops? No, we don't need any more troops. That was just in November. And something changed just in about 30 or 50 days, for all of a sudden now it came.

And I want to thank the young lady for your statement. It was very well stated and hit all of the points right on the head in terms of the direction we need to go. And the American people are definitely in step with us.

Madam Speaker, I thank you for the time. Please remember this is our Blue Dog hour, and we appreciate the opportunity to talk.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 106

Mr. MOORE of Kansas. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of House Resolution 106.

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

There was no objection.

EMBRYONIC STEM CELL RESEARCH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Madam Speaker, I come to the floor this evening to talk about embryonic stem cells. With all of the pressing issues of global importance that our country and the Congress is dealing with, you might ask, why are you going the talk about embryonic stem cells this evening; why are you not talking about the potential for global warming and what that might hold in store for our world.

□ 1715

We might be talking about the pending energy crisis and the concept of peak oil, and certainly we might be talking about the war in Iraq and the funding resolution that will shortly come before the House. Or we could be talking about a very interesting subject: the debt limit ceiling and why we have to increase the debt limit ceiling and what is that and how does it relate to the debt and the deficit and so forth?

We come to the floor this evening to talk about stem cells because a stem cell bill will very shortly come up in the Senate, perhaps even this week. Very probably if not this week, next week. But to put this in context, we have got to go back to last year when there were two embryonic stem cell bills that came before the House and the Senate. One of those started in the House and was known as the Castle-DeGette bill. This was a bill that would permit Federal funding for cells taken from embryos that were surplus in the fertility clinics across the country, and I understand there may be as many as 400,000 surplus embryos that are now frozen in these fertility clinics. This would result in the death of the embryo, and a meaningful percentage of our population does not believe that it is appropriate to destroy one life in the hopes that you might help another. So although this bill got a positive vote in the House last year, it was nowhere near enough to override a presidential veto.

There was a second bill that was introduced. I introduced that second bill along with my friend Dr. GINGREY, and that bill garnered 273 votes in the House. You might say that is enough to win, but it was brought up under suspension, which means we need two-thirds majority, and that day that would have been 286 votes; so we failed by 13 votes to get the necessary majority, the two-thirds majority, to pass it.

Both of those bills were our bills, the Senate 2754 and the House bill 5526. And along with the Castle-DeGette bill and the alternative bill, which would not result in the destruction of embryos, our bill got 100 percent of the Senators. That is, 100 Senators voting for the bill. It is interesting that there were 63 Senators that voted for both of these bills. They included Senator ARLEN SPECTER, who introduced both of these bills in the Senate; and it also included Senators REID, HARKIN, KENNEDY, CLINTON, OBAMA, and SCHUMER. Those Senators voted for all of these bills.

We have now passed, essentially, the Castle-DeGette bill again in the House with 253 ayes and 174 noes, and that is nowhere near close to the number that it would take to override a presidential veto. And in the last Congress, the President vetoed the Castle-DeGette bill, and he has promised to and certainly will veto it this time should it get to his desk. This is the bill that the Senate will be voting on next week. So that is why we are on the floor today talking about this bill. By the way, our bill is 322, and it has been cosponsored so far by 34, truly bipartisan support for which I am very pleased.

I thought to begin this discussion of embryonic stem cells we might go back to the basic physiology of what we are talking about here. And the first chart I have here shows half of the reproductive tract in a woman. There is another half to this on the other side, a mirror image of this. Most things in our body are mirror images. Things like the liver are not and the stomach. We have two arms and two eyes, and the lady has two ovaducts and two ovaries and so forth. And this shows the stages of development of the embryo. And, of course, what we will be talking about is not what happens in the body but what happens in a petri dish in the laboratory. But the embryo goes through the same stages of development in the petri dish in the laboratory as it does in the ovaduct of the prospective mother.

Here we have the ovary, and it contains a very large number of primary cells, which when they develop will become ova. And once a month typically, every 4 weeks, typically, one of the ova matures and the little follicle then ruptures and the ovum comes out. And it is interesting that the ovary is not connected to the rest of the reproductive tract of the female. But there is a funnel-like thing, and we see only a part of the funnel here. This part and this part goes clearly around it. And it is called the infundibulum, and this process is called ovulation. The egg now is released from the mature follicle, and it is usually picked up by the infundibulum and directed into the ovaduct. On occasion it may not be and it may escape out into the body cavity or the celium, which simply means the cavity. And these sperm, millions of which were released in the uterus and they make their way into the fallopian tubes, and some of those sperm actually get out into the body cavity. And this egg that is not picked up by the infundibulum may be out of the body cavity and it may be fertilized by the sperm that gets there, and this is called an ectopic pregnancy. And it is very bad news for the mother and the embryo, and it has to be terminated with surgery. But usually, most of the time, the ovum is picked up by the fallopian tube and it begins its way down the fallopian tube.

Notice that fertilization takes place, and that is when the clock starts running, called DZero. Fertilization takes place well up into the ovaduct. And there is a several-day journey. You see them here, one, two, three, four, five, six, seven, eight, nine, on down. And the fertilized egg now is called a zygote, and it begins to divide. And here you see it is at a two-cell stage, and a little later we will have some charts that show what can happen at this two-cell stage and even later. But frequently these two cells will simply separate until you have two cells that look like the original one you started with here, and that is what we called identical twins. Then they will make their way down the fallopian tube together and implant in an interesting way in the uterus as we will see later. And then the two cells divide and develop into four cells and then the four cells into eight cells. And we will come back and talk about this eight-cell stage because that is the time at which some procedures are done in the petri dish which promise that we can get true embryonic stem cells from embryos without harming the embryo.

Well, the cell then goes on to divide beyond the eight-cell stage. And you

now have a morula, a ball of cells which may be a fairly large number of cells, maybe 100 or fewer cells. And then it goes on to divide into a very large number of cells, and that is the gastrula stage. The morula and the blastula and then on to the gastrula down here. The gastrula stage develops into three germ layers.

The next chart shows a little more clearly what is happening. And here it started with a zygote and it skipped all of the stages that we talked about here, the two-cell, four-cell, eight-cell stage and so forth. And it goes directly now down to the blastocyst and then on down to the gastrula. And then the gastrula, we see the three germ layers developing.

And notice that most of what we have here is not going to end up as an embryo. What is going to end up as an embryo is this little bit of material here, and the rest of it is going to end up as supporting tissue, the amnion and the chorion and the fetal contribution to the placenta and so forth. But at this stage, just about the time the egg is implanting, as you saw, and by ''implanting'' we mean it connects itself to the uterus, this cell is implanting at about the time that the three germ layers are developed.

From these three germ layers will develop all of the tissues of the body. These three germ layers are called the outer germ layer, or the ectoderm; the middle germ layer, or the mesoderm; and the inner germ layer, or the entoderm.

From the ectoderm develops our skin, the integumen, which is defined as an organ. It is about the biggest organ in the body, actually, and a very complex and interesting one. And then the brain and spinal cord all of our nervous system develops from the ectoderm.

From the mesoderm develops most of the mass of our body, the muscles and the bones and the blood. Here you see the blood, which is a tissue that develops from the mesoderm. From the entoderm develops the lining of the gut and the lining of the lungs and so forth, although the mass of the entodermal tissue is nowhere near as large as the mesoderm and the ectoderm. In some organs they play a very essential role.

It is interesting that when you have a cancer and it metastasizes, it metastasizes usually only two tissues of common embryonic origin. What that means is that if you have a cancer on mesodermal tissue, when these cells break loose and float through the lymph system, it will metastasize only to tissues that develop from mesoderm. So it is very interesting that all through the life of the person, these tissues retain some of the original characteristics of these three germ layers. And the body cells, the T cells and so forth are programmed to know the difference between these body tissues.

I mentioned T cells. I shouldn't do that without explaining a little bit of what they are. Very early in our embryonic development, there are some unique cells that will end up in the blood. Some unique cells are developed, and they are now imprinted with who you are, and this is very early in development. And it is their role all through your life after that to keep track of who you are and identify any invader that is not you. So if a virus or a bacterium or something like that gets in, the T cells immediately detect that as being foreign and they now alert the leukocytes, which are the white blood cells, which have phagocytic, which means they can envelope and ingest. These organisms have phagocytic activity, alert them that that is an enemy and you need to take him out. And that is called our response system to infections and so forth. And, by the way, if you have a little pus pocket, that is the remains of thousands, maybe millions of these leukocytes that have come to do battle for you, and they have died in the process. But not to worry. Your bone marrow and lymph system are making a whole lot more lymphocytes.

Sometimes these T cells get confused, and it is not really clear to them what is you and what is not you. And sometimes they will falsely identify some of your tissues as being foreign to you, and then the leukocytes will come in and attack the other body defenses will come in and attack these tissues.

□ 1730

We refer to these diseases, and there are a whole long list of them, as being autoimmune diseases. I have one of those diseases, and many, many people have that. Some types of arthritis is an autoimmune disease. You have the arthritis because your T cells have inappropriately identified these joint tissues in your body as not being used, so they are now being attacked by the body defenses.

I want to look at just one more slide and then call on a colleague of mine, Dr. GINGREY, who has joined me in filing this bill.

This is a little illustration of what happens with monozygotic twins. Mono means one, and you saw what the zygote was. That is the fertilized ovum. Monozygotic twins, we call them identical twins. It begins with the fertilized egg, the zygote, the two-cell stage, then it may develop to two inner masses. Actually, the division can occur at the two-cell stage. The division, we have some reason to believe it can occur as the two inner cell mass stages. These will later develop into the three germ layers we talked about.

You can differentiate when that division occurred by how the babies present themselves at birth, whether they are in two amnions or in a common amnion. They, of course, should always be in a common chorion. The chorion is the big tough sac on the outside. The amnion is the thinner sac on the inside filled with the fluid called the amniotic fluid that protects the baby during its development.

I would like to note, by the way, that one of these two identical twins is a clone. I didn't think the sky was going to fall when we talked about cloning, because nature has been doing it for a very long time. But sometimes we should let nature do things and not mimic or interfere in what nature is doing, and I understand the concerns relative to cloning. But it is just of interest to note that nature has been doing this for a very long time.

Dr. GINGREY has joined us. Let me now yield to him.

Mr. GINGREY. Madam Speaker, I thank the gentleman for yielding. This is going to be like two discussions, one from the professor and the other one from maybe his first year master's program student. Although I have a M.D., Dr. BARTLETT, of course, is a Ph.D. physiologist, and as he explains this, it is compelling, the evidence that he gives.

Sometimes I get a little lost in the science myself, but I think the main thing to know about the bill that he has introduced, and introduced in the last Congress and introduced again in the 110th this year, H.R. 322 is an alternative way to obtain almost totally potential, totipotential embryonic, almost embryonic stem cells, without getting into this moral-ethical dilemma of the question of are you for life at its earliest and its most advanced stages, are you pro-life or pro-choice. This is a debate that will go on probably for long after we are all gone and other people have taken our places on both sides of the aisle.

But what I like about the Bartlett bill, H.R. 322, is it says, Mr. President, we don't have to divide the country over this issue. It has been divisive. The President made a very difficult decision back in I think August of 2001 when there was this call for Federal funding for stem cell research. Before that, there had been none, or none on embryonic stem cell, let me say. There had been some research on adults in bone marrow and cord blood and things like that, and I am sure Dr. BARTLETT has talked about that.

But the President has said, look, we will allow embryonic stem cell funding by the John Q. Public taxpayer on these existing stem cell lines that had been indeed obtained from a living human embryo, little life in their earliest forms, that were obtained from these fertility clinics that were considered extra or throwaway or whatever. So the President, I forget the hundreds of millions of dollars worth of research that the Federal Government has funded through the National Institutes of Health and other agencies, but it is substantial, but he did not want to fund any more research on new destruction of life.

So that is where we have been for these last few years, until Ms. DEGETTE and Mr. CASTLE in the House passed their bill that would allow the use of the little embryos from the fertility clinics.

So I want to commend Dr. BARTLETT, because what he says is that maybe it is true, maybe it is true that the embryonic stem cell in its earliest form has more potential than the adult stem cells. The adult stem cells are multipotent, but not pluripotent, and certainly not totipotent. So what Dr. BARTLETT has done in his bill is say, look, there are other ways.

Madam Speaker, there is a doctor at Wake Forest University and just recently he did some research and reported in a very respected medical journal of being able to obtain cells from amniotic fluid as early as 10 to 12 weeks of a pregnancy.

Now, that is not a true embryonic cell, but it is getting pretty darn close to it. It is getting darn close to it. I would be very interested in hearing what Dr. BARTLETT says about if you compare the potential of those cells in amniotic fluid that you can obtain when a woman, let's say for genetic diagnosis she is 10 to 12 weeks pregnant, she is over the age of 35, she has concerned about the increased risk of Down Syndrome, and she wants some assurance that that baby, her baby, doesn't have Down Syndrome. So that is why the amniotic fluid is obtained, to get some of those cells to know the exact genetic makeup of that child.

But there are lots of extra cells that could be then used with the patient's consent without harming anything, certainly without destruction of any living embryo.

So this is why I as kind of a practical-minded former OB–GYN physician, who has not researched, who never published a paper, who didn't work at one of the great medical centers in this country, but I did go to a wonderful medical school, the Medical College of Georgia in Augusta, and I did my residency there in obstetrics and gynecology, and then went out and practiced for 26 years and delivered a lot of babies, and I feel I know of what I speak.

But what I want to do, and the purpose of me being here tonight and sharing this time with Dr. BARTLETT, is to say we don't have to fight about this. We got lots of things we can fight about.

We are fighting about the conduct of the war right now. We have people in this body that say it was the wrong thing, and then other people say, no, no, it wasn't the wrong thing, but the thing is wrong, and they are arguing about how we have conducted that. We will have and are having a fair debate and difference of opinion.

But this is one that, because of what is in the Bartlett bill, H.R. 322, we don't really have to fight about it. We don't have to get ugly about it. And most importantly, we don't have to destroy any human life in getting these nearly totally potential, almost embryonic stem cells.

Of course, Dr. BARTLETT will want to discuss further, I think, that as part of his bill there are techniques that you actually can obtain an embryonic stem cell without destroying the embryo, by doing a biopsy technique.

So that is why I strongly support his bill. We all, everybody in this House and in the other Chamber, the other body, our heart goes out to the Michael J. Foxes of the world, the Christopher Reeves of the world and the folks that are not famous that may be members of our own family. I have heard my colleagues come down and speak in the well compellingly about members of their own family. Our esteemed colleague from Rhode Island, a wonderful Member of this body, who, as a paraplegic, when he talks, people listen, obviously, on both sides of the aisle.

So we want help. We want help ASAP. But I don't think we have to divide our country, we don't have to divide ourselves, we don't have to destroy any human life.

As I kind of sum up and close and turn it back over to the real expert, I just want to say, Madam Speaker, that it is suggested there are extra and there are so many, 400,000 or whatever, just sitting around waiting to be utilized for their embryonic cells and they are going to be thrown away. It is really not true, and we all know that.

We all know that many of the Snowflake Babies have been up here in Washington, in some instances twins that were adopted as embryos and implanted into a mom who couldn't have a baby before that, and in some instances had more than one and had two. I have held them in my arms. We call them the Snowflake Babies, but they are beautiful little toddlers for a lot of infertile couples. So there are no extra babies. There are no throwaways.

With that, I yield back to my colleague. I appreciate him giving me a little time to join him and say hoorah for the work he is doing on H.R. 322.

Mr. BARTLETT of Maryland. Thank you very much. I am very appreciative of the contribution that Dr. GINGREY is making. Being a physician and having delivered a very large number of babies, he obviously brings a level of authenticity and credibility to this discussion.

On this chart, we have another couple of sequences which shows—the previous one we looked at showed the development of identical twins—this one shows the production of paternal twins. The mother may slough two eggs. As a matter of fact, with the in vitro fertilization, since we aren't sure that any one of them is going to be potent to implant properly, frequently the doctor will place several in the uterus and more than one may implant. I have a good colleague here, DANA ROHRABACHER, whose wife had three babies. That is nice. That gets the bottle feeding and diaper changing all over pretty quickly, doesn't it?

But this is what happens when the mother sloughs more than one egg naturally. Both of these eggs will be fertilized, because there are millions of sperm there, and they start to divide, and this is what is going down that little C-shaped fallopian tube in the uterus that we saw before.

Then at the blastula stage, it gets down to the uterus, and usually they will be somewhat separated and they will implant some little distance from each other, so when they present at birth the doctor will know immediately they are fraternal twins, because they have separate amniotic sacs and separate placentas, just two different babies, one attached to one side of the uterus and the other perhaps attached to the other side of the uterus.

But sometimes if they implant very close together in the uterus, they will develop with a fused chorionic sac which may mimic the single chorionic sac that is produced with identical twins. Then, of course, you will know whether they are identical or not, whether they look alike or not; and if you aren't really certain of that, you can do DNA to determine if they are identical twins.

□ 1745

Madam Speaker, President Bush appointed a council on bioethics to look at this whole embryonic stem cell debate. When he came to office, of course, money was being spent on a number of embryonic stem cell lines, and all of those stem cell lines were produced by destroying embryos, and the President was faced with a dilemma, was it right to take one life because when you destroy an embryo you are taking a life, to hopefully help another. His own personal ethics would not permit him to do this, so he set up a council on bioethics to determine were there techniques where one could get embryonic stem cells without killing embryos or harming embryos.

This is from page 25 in this white paper. It said, ''Thus, apparently normal children have been born following removal of one or two blastomeres from the six to eight cell embryo. However, long-term studies to determine whether this procedure produces subtle or later developing injury in children born following PGD,'' preimplantation genetic diagnosis, ''have been recommended and are sorely needed.''

Well, maybe we need those studies, but I think nature through the years has conducted a very large number of studies for us. I want to show you this identical twin slide because in identical twins, half the cells of the embryo are taken away, and each half produces a perfectly normal child as far as we can tell, and it has been going on for roughly 8,000 years of recorded history. No one has ever suggested there is anything deficient in an identical twin.

As a matter of fact, when President Clinton appointed a commission to look at this, it was an identical twin who chaired the commission, and I asked him when he was on the Hill here if he felt less a person because he was only half the original embryo. Of course, that is a silly question because he certainly doesn't feel any less a person. But that is what many people

would have you believe. That somehow taking a cell or two from this early embryo, if you take two cells from an eight-cell embryo, the result will be three-fourths of a person because you took a fourth of his cells away. Well, no identical twin feels half a person because the other half of that original embryo produced his or her identical twin.

So one would be enormously surprised if this had any effect because, as I say, in 8,000 years of recorded history with millions and millions of identical twins produced, no one has ever hinted that there is any deficiency in an identical twin because they shared the cells from an original embryo with their mate.

It may be some time before stem cell lines can be reliably derived from single cells. These are the single cells that are taken out up here, extracted from early embryos, and in ways that do no harm to the embryo.

Now medicine has marched on, and as I will explain, we have the evidence that we can do this. The initial success of the Verlinksy group efforts raises the future possibility that pluripotent stem cells, which means the pluri is many. It is not totipotent. Totipotent is totally potent. That is the cell can produce anything and everything, including another embryo.

When I first started exploring this potential, I had the nagging concern that the single cell I took from that early embryo would be totipotent and what I was dealing with was just another embryo, in other words I was king of making identical twins. But I am very pleased that no one out there believes that the cells taken from the 8-cell stage are totipotent.

What this means is you shouldn't be able to get an identical twin from something beyond the 8-cell stage, and clearly you can, so there are some things going on here that we may not be totally familiar with. But there are a lot of things going on in the body that we can't explain.

As an example, if you remove part of your liver, and there are very few organs in the body that have this potential, but the liver will now regenerate what you have taken out. The question I have always asked myself, as long ago as 50 years ago when I first had these courses, no, 60 years ago now when I first had these courses, how did those cells in the liver know, millions of them, how did they know enough was enough, that the liver was now reconstituted to its original size so they could quit dividing. I have asked that question of current physiologists, and no one knows the answer to that.

And if you have a bone broken, in the healing process you have a callus developing on that bone. There is a thickening of the bone, and then gradually that is taken away and the bone is returned pretty much to its original shape. How do those cells know they have taken enough away? Or how do they know that they have developed enough of a callus to strengthen the bone until it is well calcified, until it is strong enough.

What we are going to be talking about is this and a number of other techniques that are included in the legislation that I talked about, H.R. 322, and the one that was passed in the last Congress.

The next slide shows some of the techniques that were reported by the President's Council on Bioethics as potentially offering the hope that we could get embryonic stem cells from an embryo without killing the embryo.

Our first depiction here is normal fertilization. The cells divide and grow in the mother. One of the last divisions is what we call a meiotic division. The usual division is a mitotic division. Before the mitotic division, the chromosomes divide so when the cells separate, each cell has the normal number of chromosomes called the diploid number, and the single unit of chromosomes is called the haploid number.

Well, obviously if you are going to have a human being who has the normal number of chromosomes, you have to end up with half as many of those chromosomes in the egg and half as many in the sperm, and that is accomplished by a process known as miosis. So in the egg and in the sperm cell, there are only the haploid number of chromosomes, only half the full complement of chromosomes, and they now join in the egg. There is quite a miraculous process that occurs there. There may be millions of sperms trying to fertilize the egg, but essentially instantaneously when one cell makes it into the egg, then the covering of the egg becomes absolutely impervious to any other sperm. If that wasn't true, you would end up with two sperm getting in, and then you would have triploid, or three, and that would be fatal for humans. Trisomy 21, for instance, is what happens to a human when just one of those chromosomes, mongolism, when only one of those chromosomes is three in nature, and sometimes that happens in the division of the cells, and that is called trisomy 21 or mongolism.

It is very interesting in plants that many replications of the chromosome, or polyploid, is a very beneficial effect. The flowers get bigger with better colors, and that is one of the things that plant breeders do is use a chemical to produce polyploid, bigger and better plants, and some that aren't any good but you can just discard them. That is how we have gotten many of miracle crops, by polyploid.

The second depiction here is of cloning. In cloning, you take an egg cell and you take the nucleus out of the egg cell so now you have an egg cell without a nucleus. And then you have a donor cell, and you can get the nucleus from this donor cell into the egg two different ways. One, you can fuse the two and the nucleus will then migrate to the egg; or you can simply take the nucleus out of the donor cell and put it in the egg.

Now all of the controlling material in the egg is not in the nucleus. There are a number of cytoplasmic factors that control what the genes, what the chromosomes and the nucleus does. So this goes on to what appears to be a fairly normal birth.

In parthenogenesis, that is an interesting one, in parthenogenesis, miosis does not occur and the egg retains its diploid number of chromosomes and the egg goes on and divides. And some animals, by the way, reproduce by parthenogenesis. That rarely happens in humans. Some animals reproduce almost exclusively by parthenogenesis.

The next slide is another depiction of some of these same techniques, and it goes just a little further. Here we have the classical development and embryonic stem cell derivation. What they do here is when you get to this blastocyst area, you have two choices. One, you either implant it or freeze it to keep it for implantation later; or you destroy it and get your embryonic stem cells. This is classic technique for getting embryonic stem cells. This was the technique that the President had ethical concerns about which is why he issued his executive order which said that Federal money could be used to support research using the embryonic stem cell lines in existence at that time, what, 60 or more, now down to 20 or 22, and we knew that they would eventually run out, and now we are faced with a crisis because what do we do, these stem cell lines are running out. There is a big hope in the medical community that we can get some fairly dramatic cures from embryonic stem cells.

Here are embryonic stem cells from a single blastomere. This is what we have been talking about. You take a single blastomere cell from the embryo, and you can implant what is remaining. They have done that more than 2,000 times. They have done what is called a PGD. It started in England. There are a number of those labs in our country, and the parents would like to know whether or not their baby is going to have a genetic defect.

So they take a single cell out and they do a genetic diagnosis. If there is no genetic defect, they implant the remaining cells in the mother, and more than 2,000 times now we have had what appears to be a perfectly normal baby. Indeed, the big surprise would be if it wasn't a perfectly normal baby because in nature in producing normal identical twins, half the cells are taken away and nobody argues that identical twins are not normal people.

Then the process of nuclear transfer, and one of the techniques that is suggested here is a modification of that, modification of that cloning, and this is altered nuclear transfer. This is the modification.

In this one they make sure that you are not going to have a clone because they deactivate one of the genes. CDX2 I think it is called there. They deactivate one of the genes so that it will

simply develop into a cell mass with no organization. You can now get from that cell mass the cells that you wish, but there is no organization and it is not an embryo. You can see some obvious objections to this. You are just producing a freak and why would you want to do that to a perfectly normal zygote that you started with.

The next chart shows this altered nuclear transfer in a little more detail. We have seen this one before. Altered nuclear transfer is where you knock out the gene for normal development so when you have taken the nucleus from the egg and replaced that with a nucleus from the donor cell, you now have knocked out the gene in this nucleus for normal development, so you are simply going to get a growth of cells. It is not going to be an embryo, and there obviously some ethical questions about this, but this is being debated.

This is an oocyte-assisted reprogramming. What this says is that in the oocyte, and I mentioned the factors that are out in the cytoplasm, and if you intensify those and let them work, they will assist in this and it increases the genes for embryonic stem cell growth without producing an organized embryo.

And this is the technique which I suggested, embryo biopsy. I went to NIH way before the President issued his executive order, and having had a course in advanced embryology nearly 50 years ago, and recognizing what identical twins were, it occurred to me you ought to be able to take a cell from the early embryo without hurting the embryo.

□ 1800

I asked the NIH researchers when they had an open house out there one day while the President was making up his mind, and they invited Members of Congress and staff to come out. I do not remember any other Members of Congress. There was a lot of staff there.

I asked them should this not be possible? They said, well, it certainly should be possible. In fact, you know, it is certainly easier just to take the embryo and disaggregate, they call it. That means stir it all up. Disaggregate it and take your embryonic stem cells from what grows from that.

There is another interesting proposal of how to get embryonic stem cells without killing embryos. If you deal with in vitro fertilization, you produce a number of embryos and you have eight of them that you have thawed out and you are going to look at them to see which ones look strong enough to be fertilized to place in the woman.

There are some of these embryos that will not make it. They appear to be alive, but they will not go on and divide. So, in just a little while, they are going to decompose and die, and the proponents of this technique argue that they are a bit like the brain-dead person, that is, an individual that is not going to make it but the parts. We take body parts from brain-dead people for transplant. So they argue you ought to be able to get good cells from an embryo that is not going to divide any further. I have several slides, and I did not bring all of them, which show the criteria which are fairly reproducible and verifiable that the embryo is, in fact, dead—because you would not want somebody to say, gee, I think that embryo is going to die so I am going to take it because I would like to get a embryonic stem cell line from that embryo.

The next slide slow shows a bit of an expansion on this. Embryonic stem cell assisted reprogramming, and the acronyms, particularly DOD and much of the other professional societies have lots of acronyms. I guess that is so they appear more erudite and you cannot figure out what they are saying.

Differentiation using cell proteins, this is the assisted development I mentioned because this cell suite, this is from the cytoplasm, and this contains factors that controls what happens in the nucleus. They turn on genes and turn off genes and so forth during the development of the embryo. You can modify that.

Differentiation, a new term, should not use these terms without describing what they are. When you start out with the cell mass and the developing embryo, so forth, those cells are undifferentiated, they are all the same. They then begin the differentiation process where you have an ectoderm, a mesoderm, and an intaderm. Then it goes on to differentiate from that. You can get bone from mesoderm. You can get muscle from mesoderm. You can get blood cells from mesoderm. So the differentiation goes on from that.

Then there are postnatal tissues, and these are the tissues from which we can get adult stem cells. It might be worth just a moment to mention the dialogue that is going on between the enthusiasts for adult stem cells and the proponents of embryonic stem cell research.

Most of the medical applications have been made from adult stem cells, and that is because we have been working with adult stem cells for more than 3 decades. It just takes a while for something to go from the laboratory to the hospital, and we have had that time for the adult stem cells. We have not had that time for embryonic stem cells because we have been working on them for only a few years.

Now, this permits some people who are very zealous for protection of the embryo to say, gee, we really should not be looking at embryonic stem cell research because all of the contributions so far have been from adult stem cells and so, therefore, why would you want to go this route because presumably all the applications in the future are also going to come from adult stem cells.

That may be true but I will tell you that there is nobody that I know of in the professional community who believes that that ought to be true. These embryonic stem cells may be like the rambunctious teenager. They can be somewhat uncontrollable, and in some of the early experiments, they have gone on to produce cancers and growths and so forth, and who knows what the ultimate will be.

But I will tell you, and you know from what you see in the papers and hear on television and so forth that there are a number of people who believe that diseases like Parkinson's disease and diabetes and spinal cord injuries and so forth could maybe be cured with the application of embryonic stem cell research and medical developments.

It is true that theoretically, philosophically, there ought to be more applications from embryonic stem cells just because of what they are. They are pluripotent cells. They can make any and every cell in the body. We have some adult stem cells, and we generally get them from the bone marrow, the blood, and there are stem cells with a variety of blood cells that are produced and you can sometimes trick them into believing they are not what they are so they can also make some other tissues.

The next slide shows the little schematic on the dead embryo, and what this shows is that you can tell—and these are reproducible and verifiable—you can tell that an embryo is probably—well, not probably—is not going to make it, and then the argument is that you ought to be able to take cells from that embryo ethically. Of course, the other argument would be if the embryo is about to die, why would I want a stem cell line from cells that are suspect.

Clearly, clearly, if we can make the altered nuclear transfer work, where you can take the donor cell which is a cell from the patient, if you can make embryonic stem cells from that, that is the route we want to go because then the organ you are making, whatever you are making for that person, is going to be them, and you can implant it in them. There is not going to be any rejection. If it comes from any other source, you are going to have a rejection phenomena, but we have developed clinical techniques for handling that. There are lots of people with organ transplants, and they lead productive, comfortable lives for quite a number of years.

When I first started this discussion, we conferenced with a lot of individuals, and one of those was a representative of the Conference of Catholic Bishops. Sometimes in life, you see something or somebody says something, you say to yourself, gee, why did I not think of that; it is so obvious and so right and so productive. That happened in this dialogue.

We were talking about taking cells from the early embryo that would not hurt the embryo, but then you get the idea that, gee, it might. You can make

the argument and certainly should not because you can take half the cells away in identical twins and obviously it has not hurt the embryo at all, so why should taking a cell out of the embryo make any, yeah, I know, but it just might. So you need to do some work with that to make sure it does not hurt the embryos. There is always an outside chance that the person lives to be 90 and they determine some defect that was as a result of taking the cell out earlier.

So the suggestion was made by Mr. Dortlinger that, gee, the first thing you do with that cell you take out is to make a repair kit. Wow, why did I not think about that? It is obviously such a right thing to do. What you do to that cell now is to make your replacement, which by the way is what parents are hoping to sort of do when they freeze umbilical cord blood. Now, those are not embryonic stem cells in umbilical cord blood. They are adult. So when the baby is born it is an adult. As a matter of fact, the day you are born is the day you start to die. Things start to go downhill from the day you are born. So these are adult stem cells, but they have characteristics that may be more amenable to alterations, to modifications than adult stem cells taken from a 50-year-old.

By the way, there has been a new technique which some heralded, now we do not need to think about embryonic stem cells because you can take amniotic fluid, and as the baby is growing from the earliest stages on, but it has to be in amnion before you can get these cells in the amniotic fluid. You can get some embryonic stem cells there, and so a big push was made, gee, let us stop talking about embryonic stem cell research because now we have got these stem cells from amniotic fluid.

But the person who discovered that made the observation that this was complementary to embryonic stem cells and should not be considered in place of embryonic stem cells. It is certainly a good place to get cells that are more easily reprogrammed to believe that they are not what they are at that stage of development, but he said that it should be considered complementary to embryonic stem cells and not in place of stem cells.

Well, the Senate is going to vote on this in a few days now; that is, they are going to vote on the Castle-DeGette bill. It will certainly pass, and I think they are voting on exactly the same bill. So it does not even need to go to conference. It will then go to the President, and the President will do what he did in the last Congress. He will veto the bill.

So here we will be with only a few embryonic stem cell lines running out. They are all contaminated with mouse feeder cells, and so they may or may not be amenable to actual therapy, but in any event, these stem cell lines do run out. With the enormous potential that many people believe embryonic stem cells have, we will be in a situation where there is only a few embryonic stem cell lines which are running out and a public out there which is demanding and they come to our office. One of those compelling things are these kids with this big thing in their body like a hockey puck which is pushing insulin because they have juvenile diabetes, and they are very brittle and they have to trickle that in little by little during the day to maintain the status quo.

So here we will be with embryonic stem cell lines running out, with a cry from the public and the professional part of the public that we need to move on with this. My hope is that when the President has vetoed this bill, the Castle-DeGette bill, he will, he did last time and he will again, that then they pass our bill which was passed 100–0 in the Senate last year, by 273 votes in this House. In fact, they got more votes than the one that is being sent on to the President from this House. So, hopefully, that bill will come up next and can move to the President's desk, and he will certainly sign that bill and we can get on with ethical embryonic stem cell research.

Mr. Speaker, I would hope that all of our listeners out there who have a Representative that they believe may not be supportive of this, would they please contact that Representative and urge them to support this bill. It will provide ethical embryonic stem cell research. Neither I nor any of the others know what the ultimate result of this will be, but I will tell you the potential for clinical cures and application because of embryonic stem cells being what they are has to be greater than adult stem cells.

Mr. Speaker, let us hope that we can move this clock very quickly because there are a lot of people out there that need this kind of help.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 985, WHISTLEBLOWER PROTECTION ENHANCEMENT ACT OF 2007

Mr. HASTINGS of Florida (during the Special Order of Mr. BARTLETT of Maryland) from the Committee on Rules, submitted a privileged report (Rept. No. 110–48) on the resolution (H. Res. 239) providing for consideration of the bill (H.R. 985) to amend title 5, United States Code, to clarify which disclosures of information are protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain disclosure protections, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK (at the request of Mr. HOYER) for today.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today on account of illness in the family.

Mrs. SCHMIDT (at the request of Mr. BOEHNER) for today on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ALLEN) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 342. An act to designate the United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the ''Rush Hudson Limbaugh, Sr. United States Courthouse''.

H.R. 544. An act to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the ''Santiago E. Campos United States Courthouse''.

H.R. 584. An act 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''.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 14, 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:

817. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — General Lending Maturity Limit and Other Financial Services (RIN: 3133-AD30) received March 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

818. A letter from the Senior Legal Advisor, OGC, FERC, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Preventing Undue Discrimination and Preference in Transmission Service [Docket Nos. RM05-17-000 and RM05-25-000; Order No. 890] received March 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

819. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS355E, F, F1, F2, and N Helicopters [Docket No. 2003-SW-10-AD; Amendment 39-14621; AD 2003-21-09 R1] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

820. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes [Docket No. FAA-2006-23936; Directorate Identifier 2005-NM-215-AD; Amendment 39-14590; AD 2006-10-06] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

821. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747SP Series Airplanes [Docket No. FAA-2006-23819; Directorate Identifier 2005-NM-223-AD; Amendment 39-14588; AD 2006-10-04] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

822. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada (PWC) PW535A Turboshaft Engines [Docket No. FAA-2006-24117; Directorate Identifier 2006-NE-07-AD; Amendment 39-14570; AD 2006-08-13] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

823. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Model AT-501 Airplanes [Docket No. FAA-2006-23647; Directorate Identifier 2006-CE-06-AD; Amendment 39-14564; AD 2002-11-05 R1] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

824. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 Airplanes and Model Avro 146-RJ Airplanes [Docket No. FAA-2005-23215; Directorate Identifier 2005-NM-212-AD; Amendment 39-14596; AD 2006-10-12] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

825. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BURKHART GROB LUFT-UND-RAUMFAHRT GmbH & Co. KG, Model G 103 C Twin III SL Sailplanes [Docket No. FAA-2005-20768; Directorate Identifier 2005-CE-16-AD; Amendment 39-14554; AD 2006-08-01] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

826. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Model S-92A Helicopters [Docket No. FAA-2006-24875; Directorate Identifier 2006-SW-03-AD; Amendment 39-14618; AD 2006-11-14] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

827. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Galaxy and Model Gulfstream 200 Airplanes [Docket No. FAA-2005-23478; Directorate Identifier 2005-NM-175-AD; Amendment 39-14602; AD 2006-10-18] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

828. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. T5311A, T5311B, T5313A, T5317A, T5317A-1, and T5317B Series Turboshaft Engines and Lycoming Former Military T53-L11B, T53-L-11D, T53-L-13B, T53-L-13B/D, and T53-L-703 Series Turboshaft Engines [Docket No. 98-ANE-72-AD; Amendment 39-14620; AD 2006-11-16] (RIN: 2120-AA64) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

829. A letter from the Attorney, Department of Transportation, transmitting the Department's final rule — Hazardous Materials Regulations: Transportation of Compressed Oxygen, Other Oxidizing Gases and Chemical Oxygen Generators on Aircraft [Docket No. RSPA-04-17664 (HM-224B)] (RIN: 2137-AD33) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

830. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of the Class B Airspace Area; Atlanta, GA [Docket No. FAA-2006-25831; Airspace Docket No. 06-AWA-1] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

831. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Re-Designation of VOR Federal Airway V-431; Alaska [Docket No. FAA-2006-25186; Airspace Docket No. 06-AAL-18] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

832. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Sheridan, WY [Docket No. FAA-2006-25038; Airspace Docket No. 06-ANM-4] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

833. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Change of Using Agency for Restricted Area R-2202, Big Delta, AK. [Docket No. FAA-2006-26133; Airspace Docket No. 06-AAL-33] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

834. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Change of Controlling Agency and Using Agency for Restricted Areas R-6608A, B, C; Quantico, VA. [Docket No. FAA-2006-26351; Airspace Docket No. 06-AS0-12] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

835. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kokhanok, AK [Docket No. FAA-2006-25180; Airspace Docket No. 06-AAL-19] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

836. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Iliamna, AK [Docket No. FAA-2006-25182; Airspace Docket No. 06-AAL-21] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

837. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Removal of Class E Airspace; Cedar Springs, GA [Docket No. FAA-2006-26155; Airspace Docket No. 06-ASO-15] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

838. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Hooper Bay, AK [Docket No. FAA-2006-24675; Airspace Docket No. 06-AAL-14] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

839. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Perryville, AK [Docket No. FAA-2006-24748; Airspace Docket No. 06-AAL-15] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

840. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Homer, AK [Docket No. FAA-2006-25762; Airspace Docket No. 06-AAL-25] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

841. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Kodiak, AK [Docket No. FAA-2006-25763; Airspace Docket No. 06-AAL-26] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

842. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; St. Michael, AK [Docket No. FAA-2006-25825; Airspace Docket No. 06-AAL-27] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

843. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Tok Junction, AK [Docket No. FAA-2006-25826; Airspace Docket No. 06-AAL-28] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

844. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Restricted Area 5601F; Fort Still, OK [Docket No. FAA-2005-22680; Airspace Docket No. 05-ASW-3] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

845. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Castle Airport, Atwater, CA [Docket FAA 2006-25671; Airspace Docket 06-AWP-15] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

846. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Alaskan High Altitude Reporting Points, AK [Docket No. FAA-2006-26244; Airspace Docket No. 06-AAL-36] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

847. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Eastman, GA; Correction [Docket No. FAA-2006-25270; Airspace Docket No. 06-ASO-9] (RIN: 2120-AA66) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS (FL): Committee on Rules. House Resolution 239. Resolution providing for consideration of the bill (H.R. 985) to amend title 5, United States Code, to clarify which disclosures of information are protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain disclosure protections, and for other purposes (Rept. 110–48). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[Omitted from the Record of March 12, 2007]

H.R. 1362. Referral to the Committee on Armed Services extended for a period ending not later than March 14, 2007.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MCKEON (for himself, Mr. BOEHNER, Mr. WILSON of South Carolina, Mr. EHLERS, Mr. SOUDER, Mr. WALBERG, Mr. MARCHANT, Mr. SAM JOHNSON of Texas, Mr. SHAYS, Mr. FORTUÑO, Mr. DAVID DAVIS of Tennessee, Mr. KLINE of Minnesota, and Ms. FOXX):

H.R. 1486. A bill to amend the Elementary and Seconday Education Act of 1965 to provide parental choice for those students that attend schools that are in need of improvement and have been identified for restructuring; to the Committee on Education and Labor.

By Mr. JOHNSON of Georgia:

H.R. 1487. A bill to amend title XXI of the Social Security Act to make available additional amounts to address funding shortfalls in the State Children's Health Insurance Program for fiscal year 2007; to the Committee on Energy and Commerce.

By Mr. KELLER (for himself, Mr. KIND, and Mr. WELLER):

H.R. 1488. A bill to amend the Internal Revenue Code of 1986 to expand the exclusion for employer-provided educational assistance to include educational assistance provided to dependents of employees; to the Committee on Ways and Means.

By Mr. BARROW (for himself, Mr. MARSHALL, Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, and Mr. SCOTT of Georgia):

H.R. 1489. A bill to amend title XXI of the Social Security Act to eliminate the remainder of the funding shortfalls in the State Children's Health Insurance Program (SCHIP) for fiscal year 2007; to the Committee on Energy and Commerce.

By Mr. DONNELLY (for himself and Mr. UPTON) (both by request):

H.R. 1490. A bill to provide for a presumption of service-connectedness for certain claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Alabama (for himself and Mr. RAMSTAD):

H.R. 1491. A bill to amend the Internal Revenue Code of 1986 to provide an incentive to preserve affordable housing in multifamily housing units which are sold or exchanged; to the Committee on Ways and Means.

By Mr. HONDA:

H.R. 1492. A bill to provide for the establishment at the National Science Foundation of a program to promote and assist the teaching of inventiveness and innovation; to the Committee on Science and Technology, 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. MICA (for himself, Mr. DUNCAN, Mr. SHUSTER, Mr. YOUNG of Alaska, Mr. PETRI, Mr. COBLE, Mr. EHLERS, Mr. LATOURETTE, Mr. GARY G. MILLER of California, Mr. HAYES, Mr. BROWN of South Carolina, Mr. PLATTS, Mr. MACK, Mr. KUHL of New York, Mr. WESTMORELAND, Mrs. SCHMIDT, Mr. BOUSTANY, Mrs. DRAKE, Ms. FALLIN, and Mr. BUCHANAN):

H.R. 1493. A bill to authorize the Secretary of Transportation to make grants to public transportation agencies, over-the-road bus operators, railroads, and other certain entities to improve security, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself and Mr. ROGERS of Michigan):

H.R. 1494. A bill to improve the process for the development of needed pediatric medical devices; to the Committee on Energy and Commerce.

By Mr. OBERSTAR (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1495. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BAIRD (for himself, Mrs. CUBIN, and Mr. MATHESON):

H.R. 1496. A bill to provide incentives for pharmaceutical companies, biotechnology companies, and medical device companies to invest in research and development with respect to antibiotic drugs, antivirals, diagnostic tests, and vaccines that may be used to identify, treat, or prevent serious and life-threatening infectious diseases; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, 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. BLUMENAUER (for himself, Mr. WEXLER, and Mr. WELLER):

H.R. 1497. A bill to amend the Lacey Act Amendments of 1981 to extend its protections to plants illegally harvested outside of the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. BLUMENAUER (for himself, Mrs. CAPPS, Mr. HINCHEY, Mr. MORAN of Virginia, Mr. MCGOVERN, Mr. SNYDER, Mr. RUPPERSBERGER, Mr. MCDERMOTT, Mr. FARR, and Mr. CAPUANO):

H.R. 1498. A bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters; to the Committee on Ways and Means.

By Mr. CUMMINGS:

H.R. 1499. A bill to amend the Internal Revenue Code of 1986 to exempt from the harbor maintenance tax certain commercial cargo loaded or unloaded at United States ports; to the Committee on Ways and Means.

By Mr. DEFAZIO:

H.R. 1500. A bill to provide for the stabilization of prices for gasoline, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, the Judiciary, Natural Resources, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH of Pennsylvania (for himself and Mr. GENE GREEN of Texas):

H.R. 1501. A bill to amend title XVIII of the Social Security Act to adjust the fee for collecting specimens for clinical diagnostic laboratory tests under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FALLIN (for herself and Mr. COLE of Oklahoma):

H.R. 1502. A bill to treat certain payments made by Edmond, Oklahoma, as satisfying its obligations under the water storage control for Lake Arcadia, Oklahoma, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRIJALVA:

H.R. 1503. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra/Black Wash Reclamation and Riparian Restoration Project; to the Committee on Natural Resources.

By Mr. LOBIONDO (for himself and Mr. MCINTYRE):

H.R. 1504. A bill to ensure the continuation and improvement of coastal restoration; to the Committee on Transportation and Infrastructure.

By Mr. LOEBSACK (for himself and Mr. BRALEY of Iowa):

H.R. 1505. A bill to designate the Federal building located at 131 East 4th Street in Davenport, Iowa, as the ''James A. Leach Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself, Mr. PLATTS, Mr. GEORGE MILLER of California, Mr. KIRK, Mr. RANGEL, Mrs. BONO, Mr. FRANK of Massachusetts, Mr. WOLF, Mr. LANTOS, Mr. YOUNG of Florida, Mr. LEWIS of Georgia, Mr. KING of New York, Ms. ESHOO, Mr. TOM DAVIS of Virginia, Mr. SESTAK,

Mr. GILCHREST, Ms. SOLIS, Mr. CASTLE, Ms. DEGETTE, Mr. GERLACH, Mr. OLVER, Mr. SHAYS, Mr. WYNN, Mr. RAMSTAD, Mrs. CAPPS, Mr. LOBIONDO, Mr. WEINER, Mr. REICHERT, Ms. HOOLEY, Mr. SAXTON, Mr. INSLEE, Mr. SMITH of New Jersey, Mr. BUTTERFIELD, Mr. LATOURETTE, Mr. HODES, Mr. BARTLETT of Maryland, Ms. SHEA-PORTER, Mr. KUHL of New York, Mr. PETRI, Mr. GRIJALVA, Mr. VAN HOLLEN, and Mr. PALLONE):

H.R. 1506. A bill to increase fuel economy standards for automobiles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself, Mr. PETRI, Mr. BLUMENAUER, Mr. SHAYS, Mr. GEORGE MILLER of California, Mr. WALSH of New York, Mr. PALLONE, Mr. RAMSTAD, Mr. HINCHEY, Mr. GILCHREST, Mr. MORAN of Virginia, Mrs. MCCARTHY of New York, Mr. WEINER, Mr. LIPINSKI, Mrs. NAPOLITANO, Mr. GRIJALVA, Mr. STARK, Mr. GONZALEZ, Mrs. TAUSCHER, Mr. HASTINGS of Florida, Mr. SCHIFF, Mr. BERMAN, Mr. KENNEDY, Mr. LEVIN, Mr. HONDA, Mr. BISHOP of New York, Mr. COSTELLO, Mr. TOWNS, Mr. DOGGETT, Ms. LORETTA SANCHEZ of California, Mr. COOPER, Ms. SCHAKOWSKY, and Mr. LYNCH):

H.R. 1507. A bill to ensure that proper information gathering and planning are undertaken to secure the preservation and recovery of the salmon and steelhead of the Columbia River Basin in a manner that protects and enhances local communities, ensures effective expenditure of Federal resources, and maintains reasonably priced, reliable power, to direct the Secretary of Commerce to seek scientific analysis of Federal efforts to restore salmon and steelhead listed under the Endangered Species Act of 1973, and for other purposes; to the Committee on Natural Resources.

By Mr. MEEKS of New York (for himself, Mr. FEENEY, Mr. WESTMORELAND, Mr. HENSARLING, Mrs. MILLER of Michigan, Mr. DUNCAN, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. KINGSTON, Mr. CARTER, Mr. GOODE, Mr. MANZULLO, Mr. BARRETT of South Carolina, Mrs. MYRICK, Mr. GOHMERT, Mr. LAMBORN, Mr. FLAKE, Mr. PITTS, Mr. NEUGEBAUER, Mr. AKIN, Mrs. MCMORRIS RODGERS, Mr. PUTNAM, Mr. MACK, Mr. ROYCE, Mr. SESSIONS, Mr. PAUL, and Mr. TOWNS):

H.R. 1508. A bill to reform certain provisions of section 404 of the Sarbanes-Oxley Act of 2002 to make compliance with that section more efficient, with the goal of maintaining United States capital market global competitiveness; to the Committee on Financial Services.

By Mr. NEAL of Massachusetts (for himself, Mr. CAMP of Michigan, Mr. CANTOR, Mr. CROWLEY, Mr. DAVIS of Alabama, Mr. ENGLISH of Pennsylvania, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. LARSON of Connecticut, Mr. LEWIS of Kentucky, Mr. MCDERMOTT, Mr. MILLER of Florida, Mr. POMEROY, Mr. RAMSTAD, Mrs. JONES of Ohio, and Mr. WELLER):

H.R. 1509. A bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. MORAN of Virginia, Mr. GRIJALVA, Mr. FATTAH, Mr. RYAN of Ohio, Mr. CONYERS, Ms. SCHWARTZ, Mr. ETHERIDGE, and Mr. UDALL of Colorado):

H.R. 1510. A bill to require enhanced disclosure to consumers regarding the consequences of making only minimum required payments in the repayment of credit card debt, and for other purposes; to the Committee on Financial Services.

By Mr. ROHRABACHER:

H.R. 1511. A bill to amend the Servicemembers Civil Relief Act to provide relief with respect to rent and mortgage payments for members of the reserve components who are called to active duty and to amend the Internal Revenue Code of 1986 to allow a refundable credit to lessors for payments foregone by reason of such relief; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mrs. MCCARTHY of New York, Mr. SCHIFF, Mr. GRIJALVA, Mr. BERMAN, Mrs. BONO, Mr. CARDOZA, Mr. LANTOS, Ms. HARMAN, Ms. WATSON, Mr. SHERMAN, Mrs. NAPOLITANO, Mr. BACA, Ms. WOOLSEY, Mrs. DAVIS of California, Ms. SOLIS, Mr. GEORGE MILLER of California, Mr. AL GREEN of Texas, Mrs. TAUSCHER, Ms. ZOE LOFGREN of California, Mr. MCDERMOTT, Ms. MATSUI, Mr. GUTIERREZ, Mr. FARR, Mr. HIGGINS, Mr. CROWLEY, and Mr. KAGEN):

H.R. 1512. A bill to amend the Immigration and Nationality Act to provide for compensation to States incarcerating undocumented aliens charged with a felony or two or more misdemeanors; to the Committee on the Judiciary.

By Mr. PASCRELL (for himself, Mr. PLATTS, Mr. BERMAN, Mr. BOSWELL, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CARNEY, Mr. CLAY, Mr. CUMMINGS, Mr. DAVID DAVIS of Tennessee, Mrs. DAVIS of California, Mr. DELAHUNT, Mr. DONNELLY, Mr. EMANUEL, Mr. FARR, Ms. HERSETH, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. JEFFERSON, Mr. KENNEDY, Mr. KILDEE, Mr. LOBIONDO, Mr. MARKEY, Mr. MCCOTTER, Mr. MCGOVERN, Mr. MCNULTY, Mr. MICHAUD, Mr. MILLER of Florida, Mr. MORAN of Virginia, Mr. NEAL of Massachusetts, Mr. PAYNE, Mr. PETRI, Mr. ROGERS of Alabama, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. SNYDER, Mr. STARK, Ms. SUTTON, Mr. TAYLOR, Mr. VAN HOLLEN, Mr. WAXMAN, and Mr. WELCH of Vermont):

H. Con. Res. 91. Concurrent resolution expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida (for himself, Mr. WEXLER, Ms. ROS-LEHTINEN, Mr. KIRK, Mr. BURTON of Indiana, Ms. BERKLEY, Mr. ROHRABACHER, Mr. LINDER, Mr. WEINER, Mr. CUMMINGS, Mr. CANTOR, Mr. MCNULTY, Ms. WASSERMAN SCHULTZ, Mrs. MALONEY of New York, Mr. MEEK of Florida, Mr. BERMAN, Mr. SHERMAN, Mr. ISRAEL, Ms. LORETTA SANCHEZ of California, Ms. CORRINE BROWN of Florida, Mr. ROTHMAN, Mrs. MCCARTHY of New York, Mr. DOYLE, Mr. FOSSELLA, Mr. ACKERMAN, Mr. ENGEL, Mr. NADLER, Mr. MORAN of Virginia, Mr. HONDA, Mr. LANTOS, Mr. CROWLEY, Mr. DAVIS of Alabama, Mr. SHIMKUS, and Mr. SESSIONS):

H. Res. 240. A resolution urging all member countries of the International Commission of the International Tracing Service (ITS) who have yet to ratify the May 2006 Amendments to the 1955 Bonn Accords Treaty, to expedite the ratification process to allow for open access to the Holocaust archives located at Bad Arolsen, Germany; to the Committee on Foreign Affairs.

By Ms. WATERS (for herself, Mr. BACHUS, Mr. DELAHUNT, Ms. LEE, Mr. PAYNE, Mr. CONYERS, Mr. GUTIERREZ, and Mrs. MALONEY of New York):

H. Res. 241. A resolution urging multilateral financial institutions to cancel completely and immediately Haiti's debts to such institutions, and for other purposes; to the Committee on Financial Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 20: Mr. PICKERING and Mr. BURGESS.

H.R. 40: Mr. JACKSON of Illinois.

H.R. 63: Mr. WESTMORELAND and Mr. MCCOTTER.

H.R. 111: Mr. MCNULTY, Mrs. WILSON of New Mexico, Mr. LEWIS of Georgia, Mrs. BOYDA of Kansas, Mr. RENZI, Mr. KILDEE, Mr. WU, Mr. BLUMENAUER, Mr. MARKEY, and Mr. SMITH of Washington.

H.R. 140: Mr. POE.

H.R. 241: Mr. MCHUGH.

H.R. 274: Mr. MORAN of Virginia.

H.R. 281: Mr. BACA.

H.R. 285: Mr. ALTMIRE.

H.R. 303: Mr. LANGEVIN, Mr. BERMAN, and Mr. KING of Iowa.

H.R. 358: Mr. GOODE, Mr. MCINTYRE, Mrs. DRAKE, Mr. LAMPSON, and Mr. MCNERNEY.

H.R. 395: Mr. GRIJALVA.

H.R. 413: Mr. COHEN.

H.R. 464: Mr. ELLISON.

H.R. 472: Mr. KLINE of Minnesota.

H.R. 473: Mr. SAM JOHNSON of Texas.

H.R. 477: Mr. DAVIS of Alabama and Mr. YOUNG of Florida.

H.R. 511: Mr. PICKERING, Mr. HASTINGS of Washington, Mr. LATOURETTE, Mr. MICA, Mr. PETERSON of Pennsylvania, Mr. PETRI, Mr. WHITFIELD, and Mr. LUCAS.

H.R. 545: Mrs. WILSON of New Mexico.

H.R. 549: Mr. ROTHMAN.

H.R. 553: Mr. ROSKAM and Mr. RYAN of Wisconsin.

H.R. 562: Mr. COLE of Oklahoma.

H.R. 566: Ms. NORTON.

H.R. 612: Mr. HALL of New York and Ms. CORRINE BROWN of Florida.

H.R. 678: Ms. DEGETTE.

H.R. 698: Mr. PASCRELL, Mr. CARDOZA, Mr. MICHAUD, Mr. BOUCHER, Ms. MATSUI, Mr. ROTHMAN, and Mr. SMITH of Nebraska.

H.R. 727: Mr. TIM MURPHY of Pennsylvania.

H.R. 736: Mr. JONES of North Carolina.

H.R. 751: Mrs. MYRICK.

H.R. 769: Mr. BUCHANAN.

H.R. 821: Ms. SCHWARTZ.

H.R. 880: Mr. MCCOTTER.

H.R. 901: Mr. OBERSTAR and Mr. UDALL of Colorado.

H.R. 910: Mr. BOREN.

H.R. 938: Mr. MICA.

H.R. 972: Mr. GORDON.

H.R. 980: Mr. GRAVES, Mr. VISCLOSKY, Mr. ROSS, Mr. LEVIN, Mr. YARMUTH, Mr. TOM DAVIS of Virginia, Mrs. WILSON of New Mexico, Ms. HARMAN, Mr. SMITH of Washington, Mr. PORTER, Mr. DOYLE, Mr. VAN HOLLEN, Mr. ROTHMAN, Ms. BERKLEY, Mr. GEORGE MILLER of California, and Mr. SIRES.

H.R. 997: Mr. HERGER, Mr. HOEKSTRA, Mr. GOODLATTE, Mr. CALVERT, Ms. GINNY BROWN-WAITE of Florida, Mr. MARCHANT, Mr. GARY G. MILLER of California, Mr. DUNCAN, Mr. MICA, Mr. SMITH of Nebraska, and Mr. TAYLOR.

H.R. 998: Ms. HIRONO and Mr. YARMUTH.
H.R. 1014: Mr. MCHUGH, Mr. JINDAL, and Ms. FALLIN.
H.R. 1022: Mr. BERMAN, Mr. DELAHUNT, Ms. HIRONO, Mr. MCGOVERN, Mr. MARKEY, Mr. PASCRELL, Ms. SLAUGHTER, and Ms. DEGETTE.
H.R. 1049: Mr. MACK and Mr. BARRETT of South Carolina.
H.R. 1061: Mr. LATOURETTE and Mr. UPTON.
H.R. 1076: Mr. FILNER and Mr. GILLMOR.
H.R. 1093: Mr. LINCOLN DIAZ-BALART of Florida and Mr. WEXLER.
H.R. 1104: Mr. MCNULTY.
H.R. 1110: Mr. GEORGE MILLER of California, Mr. MORAN of Kansas, Mr. SAXTON, Mr. PALLONE, Mr. KILDEE, Mr. DOOLITTLE, Mr. SHIMKUS, Mr. FRANK of Massachusetts, Mr. YARMUTH, Mr. HOLT, Mr. GOODE, Mr. BRADY of Pennsylvania, Mr. WESTMORELAND, Mrs. TAUSCHER, Mr. ALLEN, Mr. MOORE of Kansas, Ms. GINNY BROWN-WAITE of Florida, Mr. GRAVES, Mrs. DRAKE, Mr. PAUL, Mr. TIERNEY, Mr. ROSS, Mrs. BOYDA of Kansas, Mr. PASCRELL, Mr. JONES of North Carolina, Mr. KAGEN, Ms. WOOLSEY, and Mr. WEXLER.
H.R. 1132: Mr. STARK, Mr. KAGEN, Ms. DEGETTE, Mr. TOWNS, Mr. CUMMINGS, and Mr. GONZALEZ.
H.R. 1137: Mr. BURTON of Indiana.
H.R. 1147: Mr. PASCRELL, Mr. DAVIS of Alabama, and Mr. PORTER.
H.R. 1150: Mr. REYES.
H.R. 1153: Mr. POE.
H.R. 1188: Mr. LATHAM.
H.R. 1217: Mr. NEUGEBAUER.
H.R. 1238: Ms. DEGETTE and Ms. ZOE LOFGREN of California.
H.R. 1246: Mr. SARBANES.
H.R. 1278: Mr. EHLERS.
H.R. 1279: Mr. MCHUGH, Mr. COOPER, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. KUHL of New York.
H.R. 1280: Mr. MCNULTY, Mr. PLATTS, and Mr. MURTHA.
H.R. 1282: Mr. CUELLAR and Mr. MCHUGH.
H.R. 1283: Mr. HALL of Texas, Mr. ISRAEL, Mr. SMITH of New Jersey, Mr. KNOLLENBERG, Mr. LATOURETTE, Mr. RUPPERSBERGER, and Mr. LATHAM.
H.R. 1284: Mr. HARE.
H.R. 1303: Mr. WYNN.
H.R. 1307: Mrs. MYRICK.
H.R. 1314: Mr. CAMPBELL of California and Ms. GINNY BROWN-WAITE of Florida.
H.R. 1324: Mr. LOBIONDO.
H.R. 1330: Mr. MCGOVERN, Mr. PETERSON of Minnesota, and Mr. HILL.
H.R. 1335: Mr. WILSON of South Carolina.
H.R. 1342: Mrs. MYRICK and Mr. GOODE.
H.R. 1365: Mr. FEENEY.
H.R. 1366: Mr. FEENEY.
H.R. 1371: Mr. ELLSWORTH and Mr. HASTERT.
H.R. 1391: Ms. NORTON and Mr. CUMMINGS.
H.R. 1413: Ms. CORRINE BROWN of Florida and Mrs. MYRICK.
H.R. 1430: Mrs. MYRICK, Mr. PLATTS, and Mr. BACHUS.
H.R. 1448: Mr. MORAN of Virginia, Mr. DOGGETT, Mr. CONYERS, Mr. BURTON of Indiana, Mr. ENGEL, Ms. HOOLEY, and Mr. OLVER.
H.J. Res. 9: Mr. LAHOOD, Mr. TERRY, and Mr. TIM MURPHY of Pennsylvania.
H.J. Res. 37: Mr. MCCOTTER and Mr. CANTOR.
H. Con. Res. 21: Mr. DAVIS of Illinois and Mrs. MALONEY of New York.
H. Con. Res. 53: Mr. WYNN and Ms. HIRONO.
H. Con. Res. 88: Mr. STARK, Mr. BROWN of South Carolina, Mrs. NAPOLITANO, and Ms. HARMAN.
H. Res. 55: Mr. RUSH, Ms. MCCOLLUM of Minnesota, and Mr. CONYERS.
H. Res. 107: Ms. JACKSON-LEE of Texas, Ms. HARMAN, Mr. KING of New York, and Mr. HARE.
H. Res. 111: Mr. ROHRABACHER.
H. Res. 123: Mr. PASCRELL, and Mr. GRIJALVA.
H. Res. 146: Ms. NORTON.
H. Res. 196: Mr. SMITH of Washington.
H. Res. 221: Mr. JOHNSON of Georgia and Ms. SCHAKOWSKY.
H. Res. 222: Mr. TIM MURPHY of Pennsylvania, Mr. HARE, and Mr. KUCINICH.
H. Res. 224: Mr. BURTON of Indiana.
H. Res. 230: Ms. LINDA T. SÁNCHEZ of California, Mr. CROWLEY, Mr. HASTINGS of Florida, Mr. SIRES and Mr. FORTUÑO.
H. Res. 231: Ms. FOXX.

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. Res. 106: Mr. MOORE of Kansas.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, MARCH 13, 2007 No. 43

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:

Forever God, Lord of the beginning and the end, thank You for being our creator and sustainer. Uphold our Senators as they go forth today to do Your work.

Lord, keep them from the detours that prevent them from making real progress and provide for all their needs. Save them from perplexity and fear as You remind them that everything will pass away, but You are eternal. Help them to avoid every sin and to forsake every source of evil.

Give our lawmakers and all of us who work with them Your strength to endure and Your courage to triumph in things great and small that we attempt for the good of all.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 13, 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.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, there will be 60 minutes of morning business today, with the time equally divided between the Republicans and Democrats. Following morning business, the Senate will resume consideration of S. 4, and the managers will be here ready to proceed with amendments, which I understand do not require rollcall votes, and also to clear some managers' amendments.

There will be debate on two Coburn amendments until 11:45 this morning, and the Senate will conduct two rollcall votes.

ORDER OF PROCEDURE

I ask unanimous consent that no second-degree amendments be in order to either Coburn amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, at conclusion of the second vote, the Senate will recess for the regular Tuesday party conferences and then return at 2:15 to continue debate on the remaining amendments to S. 4. Other rollcall votes will occur this afternoon.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

U.S. ATTORNEYS

Mr. MCCONNELL. Mr. President, let me add to the majority leader's observation that with regard to the U.S. attorneys bill this morning, we have copies of a couple of amendments that will be offered to that bill. That should allow us to go forward with the unanimous consent agreement, as I indicated to the majority leader yesterday, which may allow us to vitiate cloture on that measure.

Mr. REID. Mr. President, we agree generally with the amendments. They appear to be reasonable. I think it would be a good way to set this matter aside. We should be able to vitiate cloture. As we speak, the persons interested in the bill are looking at the amendments and, hopefully, the unanimous consent can be done rapidly.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for 60 minutes, with the time to be equally divided between the leaders or their designees, and with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Washington is recognized.

CONDITIONS AT WALTER REED HOSPITAL

Mrs. MURRAY. Mr. President, by now, most Americans have heard about the appalling conditions at Walter Reed, as exposed by the Washington Post articles. Those stories detailed conditions which not one of us should

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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have to endure, especially our injured troops who have sacrificed so much for this country.

The Washington Post uncovered rooms with mice infestation, moldy walls, and holes in the ceilings. Their series also showed the administration is failing to provide adequate medical care for our injured troops who face inexcusably long waits for the most basic care. If squalid living conditions and lack of adequate medical care are not bad enough, troops face a daunting maze of paperwork for the simplest things.

One serviceman had to show his Purple Heart to even prove he had served in Iraq. Others told us that when they returned from Iraq, their uniforms were caked in dirt and blood, and they were forced to spend endless hours trying to secure new, clean uniforms. A severe shortage of caseworkers means patients endlessly search for answers to routine questions.

Mr. President, our service men and women are not the only ones facing bureaucratic nightmares. We also learned of problems their families face when they try to visit their loved ones at Walter Reed. From a lack of translators for families of Hispanic soldiers, to complicated and outdated forms for hotel reimbursement, relatives find themselves spending countless hours on paperwork—time which could be spent with their injured sons, daughters, husbands, wives, fathers or mothers.

Despite White House efforts, it was eventually revealed that members of this administration had known for years of the problems that plagued Walter Reed.

The President's response to Walter Reed has been slow and more media strategy than substance. Unfortunately for our troops, the administration has tried for weeks to paper over problems instead of offering us real solutions. Days after the first reports, administration officials repeatedly attempted to play down the problems. They painted walls and held press conferences and told America that the problems were overblown. But the press and the American public didn't buy it; they have been misled too many times by this administration. Stories on the President's failure to care for our injured troops continue to appear.

After 2 weeks of endless news on the horrible conditions at Walter Reed, the administration decided fall guys were needed.

First to go was MG George W. Weightman, the head of the hospital. The second—a bit higher on the food chain—was Army Secretary Francis J. Harvey. Finally, yesterday, the administration fired Lieutenant General Kiley, the Army Surgeon General and former head of Walter Reed.

On top of the fall guys, the administration has created numerous commissions to review the care of our injured troops and veterans.

Mr. President, while firing people who were involved in failures and creating panels to review problems are usually positive steps in the right direction, in my view, the administration's history, unfortunately, leads me to be fairly skeptical. For one, while Army Secretary Harvey, Lieutenant General Kiley, and Major General Weightman ignored for years the problems at Walter Reed, the buck stops with the President. As the White House spokesperson said a few weeks ago, the administration has been aware of this for some time.

Real accountability is not just finding fall guys; it is publicly owning up to failures and, even more important, changing course. Moreover, it is unlikely the panels are the solutions they seem to be. In the past 7 years, we have seen many recommendations from many commissions—including those from the 9/11 Commission and the Iraq Study Group—simply be ignored by the White House.

What good are fall guys and commissions if they produce no real change?

It is now undeniable that the administration has failed our troops and veterans. What is needed, and what these men and women deserve, are real solutions that will meet the needs from the battlefield to the VA and everywhere in between. Our forces in battle deserve adequate body and humvee armor, communications gear, and equipment to jam IEDs. What they don't need is another day in the field without those items.

Our injured heroes returning from Iraq deserve adequate mental care, treatment for post-traumatic stress disorder and traumatic brain injury, and they deserve less bureaucratic redtape. What they don't need is another report of the administration's failure to care for them or a White House media strategy to cover those failures.

Our veterans of Iraq deserve benefit checks to be mailed on time so they can provide for their families and are not forced into homelessness. What they don't need is another day without the benefits they deserve.

In the end, what all of our brave men and women need is an end to this administration's excuses. Democrats know what our troops deserve. We know they deserve a Congress that will not hide this administration's mistakes and will, instead, provide solutions. Lastly, Democrats took steps toward that goal.

The HEROES, Honoring and Ensuring Respect for Our Exceptional Soldiers, plan will ensure that our service members no longer fall through the cracks and fail to receive the treatment they deserve. It calls for increased oversight and coordination between the various committees overseeing our troops and our veterans. This effort is especially important because so many of us know the problems at Walter Reed are not unique. Instead, I fear much of the health care system for our troops is broken because we failed to do our job. From poor facilities to long waiting lines to overwhelming redtape, the system is failing our troops.

We need a comprehensive look at this problem and we need comprehensive solutions. Our troops and our families deserve no less.

Mr. President, I was stunned over the weekend to see that some of these brave men and women who have been injured in Iraq are now facing the indignity of being sent back before being cleared for duty.

According to a Salon.com article from March 11, several dozen injured soldiers at Fort Benning, GA, are being sent back to Iraq as part of the President's escalation plan. Those soldiers, the article tells us, have various medical problems that should prevent them from returning to battle. But the President is sending them anyway.

Let me quote directly from the article:

> As the military scrambles to pour more soldiers into Iraq, a unit of the Army's 3rd Infantry Division at Fort Benning, GA, is deploying troops with serious injuries and other medical problems, including GIs who doctors have said are medically unfit for battle. Some are too injured to wear their body armor, according to medical records.
>
> On February 15, Master Sgt. Jenkins and 74 other soldiers with medical conditions from the 3rd Division's 3rd Brigade were summoned to a meeting with the division surgeon and brigade surgeon. These are the men responsible for handling each soldier's ''physical profile,'' an Army document that lists for commanders an injured soldier's physical limitations because of medical problems—from being unable to fire a weapon to the inability to move and dive in three-to-five second increments to avoid enemy fire. Jenkins and other soldiers claim that the division and brigade surgeons summarily downgraded soldiers' profiles, without even a medical exam, in order to deploy them to Iraq. It is a claim division officials deny.

Mr. President, that report is very disconcerting. If it is true, it represents a new outrage and yet another example of how the administration's failure to plan for the war is being taken out on our brave women and men. MSG Ronald Jenkins, who is one of the soldiers who told Salon he was ordered to Iraq even though he has a spine problem that doctors say would be damaged by Army protective gear, said:

> This is not right. This whole thing is about taking care of soldiers. If you are fit to fight, you are fit to fight. If you are not fit to fight, then you are not fit to fight.

I could not agree with Master Sergeant Jenkins more. This whole thing—the war, the buildup, the aftermath—must be about taking care of our soldiers.

Mr. President, far too frequently, taking care of our soldiers has been little more than an afterthought for this administration. Unfortunately, the list of failures we see goes on and on. Stories emerge every single day and, still, with this war, set to enter on Monday its fifth year, this administration has failed to make caring for our troops a top priority.

There has been more than enough time to address problems facing our troops. Unfortunately, but not surprisingly, the administration has failed our Armed Forces.

Mr. President, the administration and Republicans in Congress owe our troops, their families, and our veterans a lot more.

I am not going to sit idly by and wait for them to act, and I am not going to wait for another commission. I am going to continue to be out here on almost a daily basis to talk about it, to fight for our troops, for our veterans, and their families. They deserve nothing less.

I thank the Chair. 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. THOMAS. 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.

HOMELAND SECURITY

Mr. THOMAS. Mr. President, I wanted to talk a little bit about the bill that we are on, the State homeland security formula and the security bill. Certainly, I am hopeful that we will be able to complete that soon. I hope that we can continue to move forward at a little faster pace, perhaps, and do some of the things that need to be done. I understand the complication of many of these bills and the importance of them, but I think we do need to consider some of the things that are ahead of us—immigration, for example, and health care, and some of those kinds of issues that are before us.

This morning, I would like to spend a few minutes on one concern I have in the pending bill which has to do with rural America. During last week's debate, the Senate effectively voted a significant cut for rural States. Now, of course, I understand we have to consider the impact of homeland security, but the idea that rural States are not impacted I certainly don't think is completely true. Under the bill, my State stands to receive roughly $10 million out of $3 billion—$10 million in Wyoming. Some people think all we have is cows and sheep and maybe an oil well or two, but the fact is that we do have a base of energy. As a matter of fact, in some ways that may be one of the most susceptible risks to security. So I do think there needs to be a little more discussion in that respect.

For years now, the States of New York and California have used Wyoming as a poster child for wasteful homeland security because Wyoming receives a per capita amount. The per capita amount is relatively high. Why? Because we have a very small population, half a million compared to 30 or 35 million. So the per capita formula is not an indication of the need for the State. It is easy for New York and California to play with the numbers and sort of mislead the audience by leaving ouy the actual amount of money that Wyoming generally receives. We also rarely hear mentioned that their States, these large States, receive hundreds of millions of dollars through the same program, the homeland security grant program. But that is not even half the story. These same large States conveniently fail to disclose the fact that their States also qualify for funding from the urban grant program, a program that excludes my State and other rural States.

So this is one of those times when you have to take a look at all the States and realize this idea just of population does not work. As we can see on the floor of the Senate, population is not the only condition for having two Senators here, fortunately. In any event, from fiscal year 2003 through 2006, homeland security funding for California has been $1.1 billion and New York received $932 million, compared to Wyoming receiving approximately $20 million its first year. In 4 years that figure has fallen to $10 million.

At any rate, as I am suggesting, there is a certain amount of inequity in terms of the funding formula in this bill. When we do receive Federal assistance, that money goes a long way, of course. Unlike many of our urban counterparts, we make the best use of it and always have, but that doesn't mean that rural areas are not at risk. In fact, as I said, in many ways you can say it might be easier to attack the rural areas than some of the others.

Most people don't know that Wyoming is the largest net exporter of energy in the United States. Our energy powers the Nation and is critical to maintaining our strong national security. So rail lines and transmission lines and refineries are very important not only to our State but to the Nation.

There is no question that the economy favors dense areas. We have debated this, as a system, and I suppose we will continue to do that. As a matter of fact, we had a vote where I think we lost by only one in terms of increasing the basic amount States would receive. Hopefully, we can take another look at this as we go about working with the House.

I would like to also comment on a pending amendment which is inconsistent with the majority's will to prohibit nongermane amendments. I don't recall the 9/11 Commission making this recommendation, but we have an amendment pending that would reroute hazardous materials through our Nation's small towns instead of through big cities. I don't in any way want to infer that it is the intention of this amendment to put small towns in harm's way. Unfortunately, the amendment has been filed and, indeed, will put individuals in rural areas at more risk than those in urban areas.

There is no question that we need to secure the rails. Coming from a State where the economy relies to a large extent on railroads, I know all too well that security is critical to this infrastructure. It certainly is important to us, and we are making significant progress in that regard. The Federal Government and the railroads have agreements targeted at reducing the risk of hazardous materials that are in high-threat urban areas around the Nation, and these arguments didn't happen overnight. I understand that, and that is proper. They are well thought out, with the input from security and industry professionals and all of the experts in Congress. Mandatory rerouting would not eliminate the risks. Instead, it shifts them from one population to another.

Forced rerouting could also foreclose routes that are top performers in terms of overall safety and security and result in increased risk in exposure and reduced safety and security. If we force these trains to reroute, imagine the cost of the goods that will be passed along to the consumer. Railroads are required by the Federal Government to transport hazardous materials. They cannot pick up and abandon a line that is not profitable.

Under this measure, railroads are going to have to build a new track and acquire a lot of land that bypasses major metropolitan areas. Imagine the demand for the use of eminent domain, which is one of the difficulties that we have, of course, and is necessary when you talk about this kind of infrastructure.

Finally, I would like to respond a little bit to some of the arguments that the other side has made with respect to keeping this bill clear of extraneous and nongermane amendments.

Last week, the minority leader requested that the Senate vote on a package of security-related amendments. The majority declined and decided to filibuster the package instead and block consideration. Instead of having these honest debates on amendments to improve the bill, the majority sent out a conflicting message. On the one hand, they argued the amendment to strengthen the security of the country was nongermane and partisan. On the other hand, they argued that a union-backed elective bargaining provision was relevant to our Nation's security and wasn't partisan.

Mr. President, I am very troubled by the inconsistency, particularly on this bill. I know many Members feel the same way. In fact, I would like to reference the comments made on the floor of the Senate last week by the Senator from Michigan, who came to the floor expressing frustration with the lack of progress on the bill. The Senator was concerned about amendments being offered by the Republicans that would strengthen our national security but were not relevant to the 9/11 Commission recommendations. It was stated, and I quote:

> I find myself needing to express concern about the place in which we find ourselves at this point—unable to move forward with the final bill and the relevant 9/11 Commission amendments that have been offered because

of an effort by the Senate Republican leader to offer a wide-ranging number of unrelated amendments to the bill.

Unfortunately, this frustration was directed at the wrong side of the aisle. Union collective bargaining is not an issue recommended by the 9/11 Commission and should not be in this bill. It seems to me we are hearing mixed messages from the other side. It appears that they are willing to include provisions backed by the unions but not willing to debate and vote on tough security-related measures such as those contained in the Cornyn amendment.

The amendment offered by the Senator from Texas would do so much more to strengthen our national security than the labor measure, but Members on the other side have aggressively defended that amendment of last week. Of these two measures, there can be no debate as to which provision does more to protect our Nation. The other side of the aisle has it wrong.

I generally agree with what the Senator from Michigan said last week, but you cannot have it both ways when it comes to securing our Nation. If we want to limit this bill to debating and implementing the 9/11 recommendations, let's not compromise national security at the same time by allowing collective bargaining of the TSA screeners. Setting this policy would greatly hinder TSA's flexibility to respond to terrorism threats, flesh intelligence, and emergencies as they arise. TSA needs to have the ability to move the screeners around as schedules and threats change.

TSA was created to be a nimble agency. Let me give some examples of how TSA has proven its ability to quickly respond.

During the August 2006 United Kingdom air bombing threat, TSA screeners were briefed and deployed where they were needed to respond to the threat.

TSA has employed its flexibility to evacuate patients at the Texas VA Hospital in the path of Hurricane Rita and helped with the evacuation of people in New Orleans following Hurricane Katrina.

Last year, when Lebanon erupted into violence and fighting broke out, TSA was able to rapidly respond to expedite the evacuation of thousands of Americans in Lebanon and thousands of legitimate refugees.

TSA deployed 27 of its officers to Cyprus when fighting broke out. TSA was able to quickly respond, assisting airport authorities with verifying passenger identification documents and screening the large volume of evacuees.

This labor-backed provision has nothing to do with enhancing our homeland security, and the President has repeatedly said he will veto the bill if collective bargaining is included. If we are going to be sincere in improving homeland security, that is one thing, but moving forward with collective bargaining for TSA is unexplainable. The 9/11 Commission made a lot of recommendations, most of which I support, but a collective bargaining provision didn't even make the list.

I can only hope that when the bill passes and it goes to conference that conferees will do the right thing and drop the provision. Failure to do so will only delay our effort to strengthen this Nation's security.

Mr. President, I yield the floor.

Mr. KERRY. Mr. President, I ask unanimous consent that the remainder of the time be controlled by this side of the aisle, that I be permitted to speak for 8 minutes, that the Senator from Illinois, Mr. OBAMA, be permitted to speak for 8 minutes, and then we will see how much time we have remaining.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. KERRY. Mr. President, I ask unanimous consent that morning business be extended until the hour of 11:15 in order to accommodate folks on the other side of the aisle.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IRAQ

Mr. KERRY. Mr. President, 9 months ago, 13 Senators cast their vote for a 1-year deadline for redeployment of most U.S. troops from Iraq. Our country has been waiting impatiently for Washington to find the right way forward for Iraq and the right policy for our troops. It seemed then, when those 13 votes were cast, as it does now, that was the only way to help Iraq and the Middle East to emerge from a nightmarish war that has delivered chaos where it sought order, fear where it promised freedom, and open-ended escalation where the President promised us mission accomplished. This is a war which has cost us dearly in just about every possible measure of American interest and power.

Today, Democrats stand nearly united behind a strategy for success, a strategy for success that includes a deadline needed to force the Iraqis to stand up for Iraq. A lot has changed in the last 9 months, but I am more convinced than ever that a combination of serious, sustained diplomacy, real diplomacy, leveraged by a 1-year deadline for the redeployment of U.S. troops, is the best way to achieve our goal of stability in Iraq and security in the region.

I listened to administration spokespeople in the last few days as they went on television blasting the Democratic proposal. It is interesting how they continue their habit of just setting up a straw man, putting something out there that has nothing to do with the reality of the program, and then knocking it down. They are fond of saying: a precipitous withdrawal from Iraq would be just terrible to our interests in the region. Let's make it clear. A 1-year date from now, with discretion to the President to leave troops there to finish the training, with discretion to the President to leave troops there to chase al-Qaida, with discretion to the President to leave troops there to protect American facilities and forces, with the ability to have an over-the-horizon presence—a 1-year deadline from today, which would be entering the 6th year of this war, is not a precipitous withdrawal of any kind whatsoever. In fact, there are many people in the country who think that is not soon enough.

The fact is, this administration wants to sow fear in Americans, so they choose to debate something that is not the proposal of those of us who have put this proposal forward. What we propose to do is change the strategy of our mission so we can achieve success.

What we have seen is that this open-endedness you just kind of say we need to do this and we need to do that and we want the Iraqis to stand up and we want the police to do better and Prime Minister Maliki said he is going to deliver—none of that delivers anything. The Iraqi politicians know that as long as there is no deadline, they can take as long as they want to work out whatever power struggles and differences they have. So they are using the presence of American forces as cover for their own goals, for their own desires, until we in the United States say to them: Hey, folks, get serious. Our young people are prepared—obviously, because we have been doing it for 4 years—to put their lives on the line in order to help you have democracy, but you have to grab that democracy, you have to make decisions, and you have to go in and police your neighborhoods.

The only way you are going to change that is by being responsible and demanding something.

It provides the President the discretion to be able to complete the training. What else, after 5 years, would we want to be in Iraq for besides finishing the training and standing up the Iraqi forces and chasing al-Qaida and fighting the legitimate war on terror?

This 1-year deadline is sound policy. It is based on the Iraq Study Group's goal of redeploying U.S. combat forces from Iraq by the first quarter of 2008. It is consistent with the timeframe for transferring control to the Iraqis that was set forth by General Casey and the schedule agreed upon by the Iraqi Government itself.

Even the President has said, under his new strategy, responsibility for security would be transferred to Iraqis before the end of this year. If the President is telling us that responsibility for security can be transferred to the Iraqis by the end of this year, don't we have a right to hold the President accountable for that goal? Don't we have a right to hold the Iraqis accountable for that goal? If the goal is to transfer security to them by the end of this

year, how can you resist the notion that you are going to leave troops there to complete the training, chase al-Qaida, protect American forces, but bring the bulk of our combat forces home so they, indeed, will be standing up for their own security?

The President has said it. The Iraq Study Group has said it. The generals have said it. Now it is time for the Senate to put it on record as part of our effort to support this objective. It is long since time for the Iraqis to assume responsibility for their country. We need this deadline to leverage the Iraqis into making the hard compromises that are necessary.

I might add, no young soldier from the United States or Great Britain ought to be dying so that Iraqi politicians can get more time to squabble, more time to try to strike a better deal for themselves. We ought to be working overtime in order to bring about a compromise that is ultimately the only solution to what is happening in Iraq today.

Even now, we keep hearing the Iraqis are close to a deal on sharing oil revenues. But we still have not seen the final agreement ratified. Without a real deadline to force a deal, there is no telling how long it will take. But we do know that as long as there is no deadline, the Iraqis will believe they can take as long as they want.

We also know American soldiers and Iraqi civilians will continue to die and be maimed while those politicians continue to use the presence of American forces as a cover for their other objectives. We saw that again last weekend, when Iraq's neighbors and key players from the international community finally got together at a conference in Baghdad. The conference was a welcome development. We have been calling for it for several years. It was long overdue. But nothing tangible came out of it because, of course, no preparations and no diplomacy had been carried out leading up to it in order to get something substantive to come out of it. That is precisely why a deadline is so critical and essential, to force everyone to focus on the urgent need to reach a political solution.

The debate—this debate, a debate the Senate needs to have—offers a very clear choice, a choice between a new way forward and the old way that has taken us backward.

I might add, yesterday we saw a little more of that old way as the rhetoric escalated. The Vice President said yesterday, ''When Members speak not of victory but of time limits, deadlines, and other arbitrary measures, they are telling the enemy simply to watch the clock and wait us out.''

First of all, there is nothing arbitrary about a date for next year. The Iraq Study Group put it forward, the President said security responsibility could be transferred by the end of this year, and the generals put it forward. But more importantly, the Vice President of the United States must be the last person in America who believes the enemy is waiting or watching the clock. It is Iraqi politicians who are watching the clock. They are the ones who are delaying and squabbling. The enemy is busy doing what the enemy has been doing.

Moreover, the Vice President lumps things together in the word ''enemy'' here in a very strange way. Yes, the enemy is al-Qaida, and we are focused on al-Qaida. But the fact is that this war in Iraq is fundamentally a civil war now. It is a struggle between Sunni and Shia, and the last I knew, they are Iraqis and they are not our enemy. They are fighting amongst each other for the power and the future of Iraq.

With each day, this administration becomes more detached from the realities.

I believe if you look at the figures, this is not a temporary surge. This weekend, we learned that the President's escalation is going to involve nearly 5,000 more troops than the 21,500 that was initially announced and the Congressional Budget Office estimates that the total could eventually reach 48,000 additional troops total. The original cost estimate was about $5.6 billion but the CBO tell us the final amount could reach nearly five times that much. And it looks more and more like the troop increase could last well into next year.

We also see that most people understand that when the Vice President talks about undermining the troops, there is not one of us here who is not outraged by what has happened to the troops with respect to the lack of adequate armor, the lack of adequate humvees, the lack of adequate support, numbers of personnel and planning, and, most importantly, the treatment of those soldiers when they have come home—a VA budget that is inadequate, a disability system that is dysfunctional, and obviously the treatment we saw recently at Walter Reed.

The Vice President needs to focus on how you really support the troops. The way you really support the troops is to get the policy in Iraq right. We have a policy for success. They have had a 4-year policy of failure that has made Iran stronger, North Korea stronger, Hamas stronger, Hezbollah stronger, weakened our relations in the region, and has certainly not served the interests of our national security.

It is time for the Senate to do what this administration has stubbornly refused to do to recognize that we should honor lives lost with lives saved. That starts by putting aside the hollow rhetoric and straw men that have undermined a real debate for far too long and support a strategy that preserves our core interests in Iraq, in the region, and throughout the world. That is how we support the troops.

Mr. President, we can do better. This resolution we have submitted is a way to do better.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. OBAMA. Mr. President, I rise, first, to offer strong words of support for the statement that was just offered by the distinguished Senator from Massachusetts. I also rise today to speak in support of the Iraq resolution the Senate will consider tomorrow.

The news from Iraq is very bad. Last week, a suicide bomber stood outside a bookstore and killed 20 people. Other attacks killed 118 Shia pilgrims. On Sunday, a car bomb went off in central Baghdad, and more than 30 people died. The road from the airport into Baghdad is littered with smoldering debris, craters from improvised explosive devices, and the memories of our sons and daughters.

The civil war in Iraq rages on. The insurgents have started to change their tactics. They hide in buildings and along the streets and wait for our helicopters. They have shot down at least 8 U.S. helicopters in the last month. More of our soldiers are dying or coming home with their bodies broken and their nerves shattered to a VA system completely unprepared for what they need to rebuild their lives.

It is not enough for the President to tell us victory in this war is simply a matter of American resolve. The American people have been extraordinarily resolved. They have seen their sons and daughters killed or wounded in the streets of Fallujah. They have spent hundreds of billions of dollars on this effort—money they know could have been devoted to strengthening our homeland security and our competitive standing as a nation. The failure has not been a failure of resolve. That is not what has led us into chaos. It has been a failure of strategy, and it is time that the strategy change. There is no military solution to the civil war that rages on in Iraq, and it is time for us to redeploy so that a political solution becomes possible.

The news from Iraq is very bad, and it has been that way for at least 4 years. We all wish the land the President and the Vice President speak of exists. We wish there were an Iraq where the insurgency was in its last throes, where the people work with security, where children play outside, where a vibrant new democracy lights up the nighttime sky. We wish for those things, but there is no alternative reality to what we see and read about in the news, to what we have experienced these long 4 years.

I repeat, there is no military solution to this war. At this point, no amount of soldiers can solve the grievances at the heart of someone else's civil war. The Iraqi people—Shia, Sunni, and Kurd—must come to the table and reach a political settlement themselves. If they want peace, they must do the hard work necessary to achieve it.

Our failed strategy in Iraq has strengthened Iran's strategic position, reduced U.S. credibility and influence around the world, and placed Israel and other nations in the region that are friendly to the United States in greater

peril. These are not signs of a well-laid plan. It is time for a profound change.

This is what we are trying to do here today. We are saying it is time to start making plans to redeploy our troops so they can focus on the wider struggle against terrorism, win the war in Afghanistan, strengthen our position in the Middle East, and pressure the Iraqis to reach a political settlement. Even if this effort falls short, we will continue to try to accomplish what the American people asked for last November.

I am glad to see, though, that this new effort is gaining consensus. I commend Senator REID for his efforts. He took the time to listen to so many of us from both Chambers of Congress to help develop this plan.

The decision in particular to again begin a phased redeployment, with the goal of redeploying all our combat forces by March 30, 2008, is the right step. It is a measure the Iraq Study Group spoke of, an idea I borrowed from them, an idea that, in a bill I introduced, now has more than 60 cosponsors from the House and Senate and from both sides of the aisle. They have supported this plan since I announced a similar plan in January.

The decision to allow some U.S. forces to remain in Iraq with a clear mission to protect U.S. and coalition personnel, conduct counterterrorism operations, and to train and equip Iraqi forces is a smart decision. President al-Maliki spoke at a conference and warned that the violence in Iraq could spread throughout the region if it goes unchecked. By maintaining a strong presence in Iraq and the Middle East, as both my bill and the leadership bill does, we can ensure that the chaos does not spread.

I should also add that the decision to begin this phased redeployment within 120 days is a practical one. Our military options have been exhausted. It is time to seek a political solution to this war, and with this decision we send a clear signal to the parties involved that they need to arrive at an accommodation.

While I strongly believe this war never should have been authorized, I believe we must be as careful in ending the war as we were careless getting in. While I prefer my approach as reflected in my bill, I believe this resolution does begin to point U.S. policy and Iraq in the right direction. An end to the war and achieving a political solution to Iraq's civil war will not happen unless we demand it. Peace with stability does not just happen because we wish for it.

It comes when we never give in and never give up and never tire of working toward a life on Earth worthy of our human dignity. The decisions that have been made have led us to this crossroad, in a moment of great peril.

We have a choice. We can continue down the road that has weakened our credibility and damaged our strategic interests in the region or we can turn toward the future. The road will not be smooth. I have to say there will be risks with any approach, but this approach is our last best hope to end this war so we can begin to bring our troops home and begin the hard work of securing our country and our world from the threats we face.

The President has said he will continue down the road toward more troops and more of the same failed policies. The President sought and won authorization from Congress to wage this war from the start. But he is now dismissing and ignoring the will of the American people who are tired of years of watching the human and financial tolls mount.

The news from Iraq is very bad, but it can change if we in this Chamber say ''enough.'' Let this day be the day we begin the painful and difficult work of moving from the crossroad. Let this day be the day we begin pulling toward the future with a responsible conclusion to this painful chapter in our Nation's history. Let this be the day when we finally send a message that is so clear and so emphatic that it cannot be ignored.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

TAX GAP

Mr. GRASSLEY. Mr. President, the subject today is the tax gap. The tax gap is the difference between what is paid voluntarily in taxes by 85 percent of the American people and what is actually owed by people who do not pay all of the taxes that are legally owed.

The tax gap does not include things that are in the underground economy, nor does it include illegal earnings. The tax gap is certainly not a new issue. We have discussed it on the floor of the Senate many times. It has been an issue for previous administrations as well as this administration. In fact, I suspect the tax gap has been an issue for as long as there has been taxes. However, I would say in recent years the Finance Committee, on which I serve, has certainly brought a new focus to the issue of the tax gap. This has been very much a bipartisan effort. I believe the level of attention given to the tax gap certainly reflects the energy and focus of the new chairman of the committee, Senator MAX BAUCUS from Montana. Chairman BAUCUS should be commended for his work in this area.

I also want to praise the chairman of the Budget Committee, Senator CONRAD of North Dakota, for putting an additional spotlight on the tax gap topic. The Finance Committee has been doing the hard work in this area, encouraging greater research by the Internal Revenue Service, asking for detailed reports and recommendations from the Treasury Department as well as the Congressional Joint Committee on Taxation, investigating specific aspects of the tax gap, holding hearings to explore the details of the tax gap.

Finally, the Finance Committee has been doing the most difficult work of all, actually passing significant legislation that would reduce the money that is not coming in because of the tax gap. This has not been easy. I find the tax gap is one of those issues here in Congress that is a little bit like the weather: Everyone talks about it but no one is doing as much as should be done about it. But the way people talk around here, they view the tax gap as somehow a cure-all for all budget problems. The tax gap can be used to pay for the alternative minimum tax problem; if we want to expand spending on health care, tap into the tax gap; if we want to balance the budget, tap into the tax gap.

Given the amount of faith people have put into it, the tax gap has suddenly become one of those magic elixirs the peddlers used to sell in the Old West. You know how they said it will cure all that ails you. That was the slogan used by those slick salesmen 100 years ago. So the tax gap has become the elixir for all fiscal problems. I am surprised folks do not think the tax gap would cure baldness, as an example. So let's get behind the dreams and get to the real story of the tax gap.

I want to talk about three issues dealing with the tax gap. First, what is the estimate of the tax gap? Second, what are the elements of the tax gap? Finally, what do we actually do in addition to all of those things we have been doing to reduce the tax gap; in other words, to go after that final dollar we know is legally owed but not collected.

First, how is it the tax gap is estimated, and what is it? The Senate Finance Committee's Subcommittee on Taxation and Internal Revenue Service Oversight held a hearing 9 months ago, July 2006. It was chaired by the then-chairman of that subcommittee, Senator KYL. We heard extensive testimony from senior IRS officials about how the tax gap is estimated. The tax gap has been based on reporting compliance efforts known as the Taxpayer Compliance Measurement Program.

As many colleague will recall, these efforts were viewed as too intrusive into the lives of the taxpayers. So the last taxpayer compliance measurement program that was done was back in 1988. Senator BAUCUS and I recognized the need for the updated research and encouraged the Internal Revenue Service to look at research that could provide useful data, useful information, without unduly burdening the honest taxpayer.

The Internal Revenue Service then responded with a national research program. It is important to realize that the national research program only dealt with a portion of the entire tax gap, primarily focusing on individual income taxes and not dealing with corporate tax. There are still significant portions of the tax gap that are then based on that very old material going

back to some studies 20 years ago, particularly in the area of passthrough entities.

I have a chart here that will make reference to some of these portions, significant portions of the tax gap. This is easily brought to focus on the Internal Revenue chart we have here. Remember, this is for tax year 2001, the latest available information. You can see it is only those items in bold that have been updated from the recent national research program, primarily in the area of individual income taxes and self-employment taxes; these areas right here.

It would be nice to have an update on all of this. But in order to get on top of it and get it done quickly, we asked the IRS to focus on these areas. With the colors, you can see it is only the green—underpayment of taxes—that we have high confidence in. The light blue has been recently updated. We have some better sense of what the costs are.

Unfortunately, it is the yellow—the bigger parts of the chart—that is dependent upon the older numbers sometimes going back years and years. That is the yellow portion I have already referred to.

In terms many can better understand, think of the yellow estimates as being the broad side of the barn in terms of accuracy. So there we have it. At the end of the day the tax gap, based on many old estimates, is thought to be $345 billion for tax year 2001. That reflects a noncompliance rate of 16 percent. So basically, 84 percent of the tax dollars are coming in as required by law. We have a tax gap then of a remaining 16 percent.

Now I will turn to what are the elements of the tax gap. Again the chart from the Internal Revenue Service provides a useful blueprint. Nonfiling is about $27 billion. These are the people who do not even file their taxes. Then there is the underreporting of $285 billion. The Internal Revenue Service divides that into four categories: individual taxes at $197 billion; employment taxes, $54 billion; corporate income taxes at $30 billion; and estate tax and excise taxes of $4 billion.

Underpayment of taxes, which is the amount people admit they owe on their tax returns but do not pay on time, happens to be $33 billion.

Clearly individuals make up the biggest part, with individuals underreporting nonbusiness income and business income, and overstating adjustments, deductions, and exemptions being the elements of the tax gap for individuals. A good deal of this is concentrated in the areas of self-employment and schedule C of the tax return.

Now that we have gone through how we measure the tax gap and what makes up the tax gap, the most important thing people want to know is—they do not want a definition of the problem—what can be done to close it? That is what my constituents ask me.

I believe the real question is one I would state this way: What steps can be taken that are effective and will not unduly burden taxpayers? We have to bear in mind most taxpayers do comply, and a significant amount of noncompliance is unintentional. I think all Members recognize that in the zeal to get at the tax gap, we cannot wreck the lives of the honest taxpayers. Most of the taxpayers, 85 percent, are not a problem. We cannot be like the fellow who tears down his house to get at the mouse. Members on the other side should be particularly sensitive to the mindset of not taking on the honest taxpayer when trying to take care of the problem of the 15 percent, given this was effectively what was being promoted in 1994 with the wholesale reform of health care. Proponents in 1994 wanted to change the health care system for 85 percent of the people for whom the system worked to help the 15 percent of the people who did not have health insurance. The voters were right in telling political leaders at that time in 1994 that this did not make any sense. First we need to recognize that the Internal Revenue Service is already, through enforcement, doing quite a bit to deal with the tax gap.

This chart reflects the Internal Revenue Service's testimony before the Budget Committee and estimates the IRS activities will reduce the tax gap, the $345 billion total, by nearly $70 billion by the year 2007. This reflects $17 billion in direct enforcement revenue and the rest in direct compliance effects. So we start with that as the base, the work of the Internal Revenue Service, which is already reducing approximately 20 percent of the tax gap, with Commissioner Everson's statements last year that the Internal Revenue Service could bring in somewhere between $50 billion and $100 billion a year without dramatically changing the relationship between the IRS and taxpayers; in other words, not being more egregious against the honest taxpayer. Well, the IRS is already doing that, according to its Commissioner.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. GRASSLEY. Mr. President, I have to have 10 more minutes, maybe less than that.

The ACTING PRESIDENT pro tempore. The Senator will have to propound a unanimous-consent request to that effect.

Ms. COLLINS. Mr. President, I think we have votes that are scheduled at 11:45.

The ACTING PRESIDENT pro tempore. That is correct.

Ms. COLLINS. Perhaps the Presiding Officer could review——

Mr. GRASSLEY. Mr. President, I will complete my statement later, but I wish people would get it straight. If I were told I could come over here and finish my statement, and do it in morning business, I would like to be able to do it; otherwise, I would have waited to do it tonight.

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 legislative 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.

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.

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.

Coburn amendment No. 325 (to amendment No. 275), to ensure the fiscal integrity of grants awarded by the Department of Homeland Security.

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.

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.

Biden amendment No. 383 (to amendment No. 275), to require the Secretary of Homeland Security to develop regulations regarding the transportation of high-hazard materials.

Schumer modified amendment No. 367 (to amendment No. 275), to require the Administrator of the Transportation Security Administration to establish and implement a program to provide additional safety measures for vehicles that carry high-hazardous materials.

Stevens amendment No. 299 (to amendment No. 275), to authorize NTIA to borrow against anticipated receipts of the Digital Television Transition and Public Safety Fund to initiate migration to a national IP-enabled emergency network capable of receiving and responding to all citizen-activated emergency communications.

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.

Bond/Rockefeller amendment No. 389 (to amendment No. 275), to provide the sense of the Senate that the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate should submit a report on the recommendations of the 9/11 Commission with respect to intelligence reform and congressional intelligence oversight reform.

AMENDMENTS NOS. 294 AND 325

The ACTING PRESIDENT pro tempore. Under the previous order, the

time until 11:45 a.m. shall be for debate on Coburn amendments Nos. 294 and 325, and the time shall be equally divided between Senators COBURN and LIEBERMAN or their designees.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I yield 5 minutes of our time to Senator BROWN of Ohio. He has a statement to make as in morning business.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I thank my friend from Connecticut.

(The remarks of Mr. BROWN are printed in today's RECORD under ''Morning Business.'')

Mr. BROWN. Mr. President, I thank the Senator from Connecticut and yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I yield 5 minutes of the time on our side to the Senator from Delaware.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, I thank the chairman.

We heard, a few minutes earlier, from Senator GRASSLEY of Iowa, the ranking Republican on the Finance Committee. He talked at some length about the tax gap, which some suggest may be costing our Treasury roughly $300 billion this year, last year, and next year as well. These are moneys which are believed to be owed but not being collected by the IRS. When we talk about reducing our Nation's budget deficit—something we all know we need to do—among the ways to do it is to close the tax gap.

Another way to do it is to address what are called improper payments. Senator COBURN and I lead a subcommittee in Governmental Affairs and Homeland Security called the Federal Financial Management Subcommittee. We have been exploring the issue of improper payments. We have had for a number of years an improper payments law that says Federal agencies have to not continue making improper payments.

We found out about 2 years ago roughly $50 billion in improper payments were made by Federal agencies—mostly overpayments, some underpayments. Unfortunately, that is just the tip of the iceberg. It turns out improper payments made for the last year have been down to about $41 billion, but it does not include the Department of Defense, it does not include improper payments made by Homeland Security, and it does not include improper payments that crop up in some other parts of our Federal Government.

Senator COBURN and I have been holding hearings. Last year, it was under his leadership as chairman. We held one under my leadership as chairman earlier this month on improper payments. We are going to focus, early this year, particularly on some of the big agencies—Homeland Security, which still does not comply with the law; the Department of Defense, which still does not comply with the law—to provide a strong impetus for them to begin complying with the law or at least to get on the right track.

Senator COBURN has an amendment he has offered, one that is opposed by the National Governors Association and by a number of other groups. What he would attempt to do—and what I think his purpose is; his goal is meritorious—is to compel the Department of Homeland Security to comply with the Improper Payments Act. He does so in a way that holds at risk State and local governments and their ability to receive homeland security grants, really three out of I think the four major grant programs that are handled by Homeland Security that we are discussing today with this bill.

The reason why the National Governors Association and I think other State and local governmental entities are opposing the amendment is because they could be held at risk of not receiving the grants for a lot of fire departments and other first responders and other State and local agencies, through no fault of their own but because the Department of Homeland Security is not complying with the Improper Payments Act.

Senator COBURN was prepared to offer a second-degree amendment, one I think he and his staff worked on with OMB that I think was a far better approach to getting the attention of Homeland Security to comply with the Improper Payments Act. He is not going to be able to offer the second-degree amendment. As a result, we have no choice but to debate and vote on his initial amendment, which we took up in committee. I asked him not to offer it in committee during the markup. He did not, and today his only choice is to offer that same amendment. Unfortunately, I cannot support it.

He is onto a good idea. The idea is we need to put not just Homeland Security but the Department of Defense—and a bunch of other Federal agencies that are not complying with this law—we need to put them under the gun and say: You have to start complying—and to provide pressure, incentives, sticks, carrots to get them in compliance with the law.

I think we will be holding our second hearing later this month on further looking at the Improper Payments Act. We are going to be bringing before us the Department of Homeland Security to find out what is their problem, why are they unable to comply with the law. Do we need to make changes in the law or do they just need to get on the ball? It may be a combination of the two.

To that end, I look forward to working with my colleague, Senator COBURN. I must reluctantly oppose the amendment—not the amendment he wanted to offer. The amendment he wanted to offer, he is not going to have a chance to offer. But the amendment he is offering, I have to oppose.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask the Presiding Officer to notify me when I have 5 minutes remaining of my time.

The ACTING PRESIDENT pro tempore. The Senator will be so notified.

Mr. COBURN. Mr. President, it is a curious thing that when we have hearings in the Senate, we find out problems and then offer real solutions that have teeth—as Senator CARPER just said, to put them under the gun. Nobody wants to put them under the gun.

This amendment on improper payments gives the Department of Homeland Security 18 months to comply before any State will see any harm from this. The fact is, the States are not without some responsibility because some of the improper payments go to some grants that go in the State.

The American people need to ask: Is the Congress really serious about controlling spending? They are not. This amendment is not going to pass. All we are saying is: Here is a law they were supposed to be in compliance with in 2004. It says: If you are not going to be in compliance with it—they have not, they have not, they have not—we are saying, to be accountable, you have to be transparent, you have to have results. The results are complying with the Improper Payments Act.

We also think there ought to be competition for some of the grants. There is not in this bill. There ought to be a priority set. There ought to be responsiveness. There ought to be spending discipline.

As this amendment goes down—and it will—the Senators are going to reject the very idea of having accountability, the very thing they talk about with earmarks. The reason they cannot give up earmarks is because they cannot let the administration and the agencies manage the money.

But here is a tool to force Homeland Security to manage its money, to hold them accountable and say in 18 months from now, if you have not done the work every other agency of this Government is supposed to have done, then we are going to hold you accountable by cutting off the money. That is tough love. It is putting them under the gun. That is exactly what we need to do.

Do you know what will happen if my amendment is accepted and it comes through? Homeland Security will report its improper payments. But if we do not, I want you to think about what happens when you reject this amendment. What is the consequence for every other agency of the Federal Government to now not comply with the Improper Payments Act? There is no cost in not complying with the Improper Payments Act.

According to the GAO, the following portions of Homeland Security do not meet anywhere close the Improper Payments Act. That is the Customs and Border Protection, that is the Office of Grants and Training. They have not done a thing to be in compliance with this money.

Now, we can look the other way and we can say we are not going to enforce the law, but the next thing I am going to do, as a Senator—if we are not going to enforce the improper payments law, then let's get rid of it. The American people deserve to have the law enforced. It is a good law. It helps us hold the agencies accountable, the very thing that the $26 to $27 billion worth of earmarks says we cannot do.

Now we have an opportunity to do it, and we are going to vote against it. Why? Because we may put something at risk. Well, quality and results depend on us putting this at risk, to force this agency, FEMA, to come into compliance with a law that is on the books with which they have refused to comply.

Senator CARPER mentioned the $40 billion of improper payments. That only represents 40 percent of the Federal Government. There is at least $100 billion of our money—the taxpayers' money—which is being paid out which should not be paid out, and probably $20 billion of it is in the Pentagon. We know the Department of Health and Human Services has not complied with the Improper Payments Act on Medicaid, and that is estimated somewhere between $20 billion and $30 billion. So we know of at least $100 billion.

I want you to think for a minute when you vote against this amendment what you tell every other agency in the Federal Government: There is no consequence whatsoever to not meeting the Improper Payments Act of 2002. There will be no consequence even though we are going to say you have not done it. Here is a way to do it, to force Homeland Security to be accountable and to recognize they have an obligation under the law to report and look at the risk factors.

Now, what does the Improper Payments Act ask agencies to do? Everything we would want done with our own money:

Perform a risk assessment. Is there a risk for improper payments? Homeland Security hasn't even done that.

Develop a statistically valid estimate of improper payments. In other words, go look at it and do a study to see is there potential that money is going out the door that should not go out the door.

Develop a corrective action plan.

Report the results of these activities to us, the Congress, the people's representatives.

By voting against this amendment, you are telling Homeland Security they don't have to comply, that there is no teeth; it will never be done. Why would the Governors Association oppose this? Because they are the monied interest groups that are going to get the money. In fact, some of the problems with the money is the responsibility of the Governors. If I were a Governor, I would not want you checking on my money. It is natural for them to oppose it. But it is normal for us to protect the taxpayers by saying that every agency ought to apply and respond to the law under improper payments. It is simple. We should ask that Homeland Security follow the law.

When you vote against this amendment, what you are telling Homeland Security, the Defense Department, the Department of Health and Human Services, and all of the other departments is that they don't have to comply because now we are going to be toothless and say there are no consequences whatsoever.

Some will say this puts these grants at risk. There are no grants at risk. There is $4.8 billion sitting in the queue right now that won't be spent for 18 months. This bill authorizes another $3.2 billion to follow after that.

If they cannot comply in 18 months, we need to stop and take a timeout and ask: Why can't you tell us where you are spending money that you should not be spending? Why can't you comply with the very simple things this act asks? Why can't they do a risk assessment in 18 months, develop a statistically valid estimate of where the problems are? They cannot do that in 18 months, develop a corrective action plan? They cannot do that in 18 months? They cannot report to us in 18 months?

To oppose this amendment says we don't care about improper payments. It is going to be like a lot of other laws on the books: we don't have standing; I, as a Senator, don't have any standing to sue the Federal Government to make it comply. The reason we won't have standing is because we don't have the courage to do what is right for the American taxpayers.

The last election had a lot to do with spending. This is going to be a vote to say whether we really meant what we said when we said we were going to start taking better care of the American taxpayers' dollars; that we were going to make the Government more accountable, more transparent and efficient. We are going to see a vote against this amendment, and the American people are going to get shortchanged once again because we don't have the courage to go up against the monied interests that get the grants and say we ought to at least have transparency.

There is another tool coming back called the Transparency and Accountability Act of 2006, and the American taxpayers are going to know whether improper payments are made. We are not going to do our job.

I reserve the remainder of my time.

Mr. OBAMA. Mr. President, I rise today in support of the amendment offered by my good friend from Oklahoma that would sunset the provisions of this bill after 5 years.

In general, I think this is a very good bill. But I have serious reservations about the method by which this bill allocates State homeland security grants.

Last week, I came to the floor to offer an amendment to make this funding allocation more based on risk. My amendment was an attempt to meet the 9/11 Commission's recommendation that ''[h]omeland 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.''

That is why my amendment sought to send the most dollars to those areas at the greatest risk of an attack. As compared to the funding formula in the underlying bill, my amendment would have better protected our borders, our ports, our railroads, our subways, our chemical plants, our nuclear power plants, our food supply, and our firefighters, police officers and EMTs.

Unfortunately, my amendment was defeated, as was a similar amendment offered by Senators FEINSTEIN and CORNYN. I think this was an unfortunate mistake by the Senate, and I am hopeful that this mistake will be corrected in conference.

If the funding formula is not fixed, however, I believe it is perfectly appropriate for us to reexamine this issue 5 years from now to ensure that the allocation of homeland security funding provides the necessary resources to communities most at risk.

For this reason, I will support the amendment offered by my colleague from Oklahoma.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, may I ask how much time we have on our side?

The ACTING PRESIDENT pro tempore. There is 5 minutes 4 seconds.

Mr. LIEBERMAN. I yield 2 minutes of that time to the Senator from Maine.

The ACTING PRESIDENT pro tempore. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I am very sympathetic to the frustration expressed by the Senator from Oklahoma. Our committee, last year, had extensive hearings looking at waste, fraud, and abuse in the spending of funds in the wake of Hurricane Katrina. We documented over a billion dollars of waste or fraudulent spending. So the Senator has put his finger on a very important problem.

I am very concerned about the practical impact of the Senator's amendment. The Senator, at one point, had a second-degree amendment, which he has decided not to offer, which addressed part of my concern. The Senator has said this morning that the Department would have 18 months to comply with the provisions of the Improper Payments Act. But, in fact, the

plain language of his amendment says the Secretary shall not award any grants or distribute any grant funds under any grant program under this act until the certification, risk assessment, and estimates that his amendment calls for have been completed. The result of that, because our legislation includes some grant money for interoperability under the Commerce Committee provisions in the bill, for this year, is that it halts those funding programs, those grant programs. The result is to penalize first responders, State and local governments, for the faults that are largely from the Department of Homeland Security. I don't think that is fair. That is why the National Governors Association and the National Emergency Managers Association strongly oppose this amendment.

In addition, the Department has expressed great concern about this amendment. In fact, the Department's Office of General Counsel has written to me that they ''strongly oppose the amendment prohibiting the Secretary from awarding any grant, or distributing any grant funds, until the Secretary has submitted the certifications and other analyses in response to Senator COBURN's amendment.'' So it is not just the Governors and the emergency managers. It is also the Department of Homeland Security that strongly opposes the Coburn amendment.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I want to speak very briefly on what I believe is the first of two amendments offered by the Senator from Oklahoma, amendment No. 294, the sunset of the entire text of the underlying bill, S. 4.

This would sunset all of the provisions of this legislation in 5 years. Obviously, the terrorism threat in the legislation that we have passed since 9/11, particularly in the Homeland Security Act of 2002 and the 9/11 legislation of 2004, will not go away in 5 years. Many parts of this bill amend existing underlying provisions that do not sunset. Thus, if we pass the Coburn amendment No. 294, we would be amending provisions for homeland security grants, information sharing, interoperability. Then in 5 years these homeland security programs would revert back to earlier rules and realities, which we have found in this bill to be inadequate. I think that would be a disruptive and, in many ways, a bizarre result.

If this called for reauthorization, as other legislation does, not immediate sunset, I would say it would be more reasonable to consider. But that is why I oppose Coburn amendment No. 294.

Mr. COBURN. Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. Six minutes.

Mr. COBURN. For the opposition?

The ACTING PRESIDENT pro tempore. Forty-six seconds.

Mr. COBURN. Mr. President, let me address Senator LIEBERMAN for a minute. The very thing he says he doesn't want to do now, we did exactly on the PATRIOT Act. Why would I want to sunset that? The American people would like to see every piece of legislation that we do that has to do with authorization and spending sunsetted. There are good reasons for that. We don't know what the terrorism situation will be in 5 years. We don't know all of the aspects of what we are dealing with. What we know is that 4 years from now, if this is sunsetted, we will be working on a new bill that is based on the realities of the world at that time.

Instead, what the opposition to this sunset amendment says is what we are doing now we know, without a doubt, is exactly what we need to do in 5 years from now in every area. I would put it to you that none of us knows exactly what we need to do 5 years from now. A sunset won't cause this to lapse. It will cause the Congress to act in year 4 to reauthorize the bill when it expires.

I have 5 minutes left. Let me talk about this. We should get reports on what we have done. We should report and react in a very commonsense way to what this bill has done over the next 4 or 5 years. We should review that. We should then reform what we are doing now so that it has better application and wiser use of resources, and then we should reauthorize.

To oppose sunsetting this speaks of an arrogance that is unbelievable of this body. We cannot know what we need to do 5 years from now in terms of homeland security. We don't know. It is an ever-changing situation. To imply that this will lapse—everybody here knows that is not the fact. We are not about to let it lapse. We are going to do what is necessary for our country.

This amendment tells us that we ought to relook at it because we don't have that kind of wisdom. If we think we do, we should not be here because that means we are going to be making a lot of mistakes. So I will go back to that. Let me go back.

Why would Homeland Security oppose the Improper Payments Act, as read by Senator COLLINS? Because they have not complied. They have no intention of ever complying. The one thing that the 9/11 Commission said that this Congress has not done is to have one committee responsible for oversight of Homeland Security. Senator CARPER and I spent a lot of time last year, as did Senator LIEBERMAN and Senator COLLINS in full committee, and we in our subcommittee, on Oversight of Homeland Security. We found a billion dollars wasted in Katrina. We found tons of improper payments in Homeland Security. We found that, in fact, there is no accountability. There is no accountability in the Department of Homeland Security.

The American public deserves to have the two amendments I have offered today. They deserve to force them to do what the law says on improper payments, and they deserve for us to make a reevaluation 4 years from now on what ought to be different. We ought to reassess what we are doing and reevaluate how we do it, and we ought to say we need to apply more resources to that problem. The American people deserve to know they are getting value for their money. Right now, they are not getting that in homeland security and in multiple areas because we cannot even find out.

So here we are crying that we cannot have earmarks because the agencies are going to run what they want to run. We have an opportunity to not let them run, and we are going to run against it. It is counterintuitive to me that we would be on both sides of this issue.

The fact is, the Federal Government is unaccountable in many ways, and the American people know that. On these two amendments, the American people are going to ask: How did they vote? And they are going to say, once again: What are they thinking? They are protecting the interests they have there now and putting at risk the interests of the next generation—because we don't do something simple like sunset a bill or make an agency comply with improper payments.

What would happen if there was a 1-month delay in grants? Nothing. But what would happen if we got the improper payment data from Homeland Security? Plenty. Then we could act on it and hold them accountable in the appropriations bills. Then we can do our jobs and do something about it.

I withhold the remainder of my time.

Mr. LIEBERMAN. Mr. President, our friend is making some points I agree with, as does Senator COLLINS and most Members. Our problem is that in each of the two amendments, the instrument he has chosen is very blunt. I wish we had more time to work on these. If they don't survive the two votes today, I look forward to going back in committee to work on these generally.

Why do I say they are blunt? The National Governors Association explained why they thought the improper payments would lead to the termination of homeland security grant funding to the States. There are some estimates by the administration that it would threaten Medicare payments. Doing something about this is good, but why have the ultimate punishment be on the beneficiaries?

The same is true of the sunset provision. Incidentally, the money authorizations in this bill are sunsetted. It is different from the PATRIOT Act, where the provisions with the sunset were very controversial. In this bill, I don't think there is any controversy about the underlying proposals.

I still respectfully oppose these two amendments, and I hope that if they don't succeed, my colleague and I can work in the committee to bring forth a

version of both that we can both support.

Mr. COBURN. I inquire of the Chair how much time is remaining.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma has 1 minute 17 seconds.

Mr. COBURN. Mr. President, I hope the American people will look at these commonsense amendments and look at how their Senators vote. The one way to get things done is to put somebody in a bind. The fact is, this is the law. It is already the law, and we are saying we are going to put some teeth behind the law and make you do it.

I raise one final point. If my colleagues vote against this, what they are saying to every other agency is: There is no consequence to not reporting and doing what you are supposed to do under the Improper Payments Act of 2002. That is the signal we will be sending.

The American people want the signal the other way. With $100 billion of their tax money paid out the door, that is improper, most of it overpayments, and we are saying we are letting one of the biggest agencies of the Federal Government off the hook.

If my colleagues want to vote for that, that is fine, but I hope we are held accountable for that vote in the next election cycle when we claim we want the Government to be efficient, we claim we want it smaller, we claim we want to get good value for the American taxpayer value. These votes surely will not show that, if my colleagues vote against these two amendments.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). All time has expired.

Under the previous order, the question is on agreeing to amendment No. 294 offered by the Senator from Oklahoma.

Mr. LIEBERMAN. Mr. President, I move to table amendment No. 294 offered by the Senator from Oklahoma, and I ask the vote be taken by the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 38, as follows:

[Rollcall Vote No. 70 Leg.]

YEAS—60

Akaka	Bond	Cardin
Baucus	Boxer	Carper
Bayh	Brown	Casey
Bennett	Bunning	Clinton
Biden	Byrd	Cochran
Bingaman	Cantwell	Coleman
Collins	Lautenberg	Rockefeller
Conrad	Levin	Salazar
Dodd	Lieberman	Sanders
Dorgan	Lincoln	Schumer
Durbin	Lott	Smith
Feingold	Menendez	Snowe
Feinstein	Mikulski	Specter
Harkin	Murkowski	Stabenow
Inouye	Murray	Stevens
Kennedy	Nelson (FL)	Tester
Kerry	Nelson (NE)	Voinovich
Klobuchar	Pryor	Webb
Kohl	Reed	Whitehouse
Landrieu	Reid	Wyden

NAYS—38

Alexander	Ensign	Martinez
Allard	Enzi	McCaskill
Brownback	Graham	McConnell
Burr	Grassley	Obama
Chambliss	Gregg	Roberts
Coburn	Hagel	Sessions
Corker	Hatch	Shelby
Cornyn	Hutchison	Sununu
Craig	Inhofe	Thomas
Crapo	Isakson	Thune
DeMint	Kyl	Vitter
Dole	Leahy	Warner
Domenici	Lugar	

NOT VOTING—2

Johnson	McCain

The motion was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 325

The PRESIDING OFFICER. Under the previous order, there will now be a 2-minute debate equally divided on the Coburn amendment No. 325.

Mr. COBURN. Mr. President, this is a real simple amendment. The improper payments law was passed in 2002. By 2004, all Government agencies were supposed to come under it. The Homeland Security Department has never filed, under the six major agencies, an improper payments report.

People will say: Well, this will cut off funding. No. 1, it would not cut off any funding for 18 months. No. 2, if you vote against this, you are sending a signal to every other agency that they do not have to comply with the improper payments law.

Mr. LIEBERMAN. Mr. President, I intend to move to table this Coburn amendment, and, obviously, I look forward to working with the Senator in our committee.

Basically, the funding on this bill is subjected to the improper payments law. As a letter from the National Governors Association makes clear, the Coburn amendment would effectively, and I quote, ''stop all State homeland security grant expenditures.''

That is unfair, unnecessary, and that is why I will move to table.

Mr. President, I yield back all remaining time on both sides, and I move to table the amendment offered by the Senator from Oklahoma 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 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 were necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 31, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—66

Akaka	Domenici	Mikulski
Alexander	Dorgan	Murray
Baucus	Durbin	Nelson (NE)
Bayh	Feinstein	Obama
Bennett	Hagel	Pryor
Biden	Harkin	Reed
Bingaman	Inouye	Reid
Bond	Isakson	Roberts
Boxer	Kennedy	Rockefeller
Brownback	Kerry	Salazar
Byrd	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shelby
Carper	Lautenberg	Snowe
Casey	Leahy	Specter
Clinton	Levin	Stabenow
Cochran	Lieberman	Stevens
Coleman	Lincoln	Sununu
Collins	Lott	Voinovich
Conrad	Lugar	Warner
Crapo	McConnell	Whitehouse
Dodd	Menendez	Wyden

NAYS—31

Allard	Ensign	McCaskill
Brown	Enzi	Nelson (FL)
Bunning	Feingold	Sessions
Burr	Graham	Smith
Chambliss	Grassley	Tester
Coburn	Gregg	Thomas
Corker	Hatch	Thune
Cornyn	Hutchison	Vitter
Craig	Inhofe	Webb
DeMint	Kyl	
Dole	Martinez	

NOT VOTING—3

Johnson	McCain	Murkowski

The motion was agreed to.

Mr. LIEBERMAN. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, we had hoped at this point to offer another consent request to the Senate about several amendments we thought were cleared on both sides. Unfortunately, there is objection on that so we will have to wait.

Pursuant to the consent agreement we passed last week, we are going to final passage on this bill today. When we come back after the party lunches at 2:15, we will begin to dispose of the pending germane amendments in whatever way we can at that time. Then this afternoon we will go to final passage. There definitely will be additional votes this afternoon on this important legislation.

I ask that the Senate stand in recess under the previous order.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:34 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

IMPROVING AMERICA'S SECURITY ACT OF 2007—Continued

Mr. LIEBERMAN. Mr. President, I say to my colleagues, on the pending legislation, S. 4, the Senate has now used up all the time postcloture so that what stands—if I could put it in a more negative light than I should—before the Senate and the vote on final passage of this important legislation is disposition of the remaining germane amendments and any other matters that can be passed by consent.

We are working on a managers' amendment which would contain the matters about which there is unanimous consent. We are whittling down the number of germane amendments that will need to be voted on. I say to my colleagues we hope to be able soon to announce when the last few votes on amendments and final passage will occur. But they will definitely occur this afternoon.

I thank the Chair, and pending further developments, 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. BIDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I have spoken to the manager of the bill, and I am—with his permission and their permission—going to speak. But as soon as they are ready to reclaim the floor, to close this down, I am prepared to stop at that point, or before.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

AMENDMENT NO. 383

Mr. BIDEN. Mr. President, I know there is not a lot of time, but the amendment that is at the desk, No. 383, that I have—I ask it be called up and be considered.

This is all about rail safety. The Federal Government currently has no say on where 90-ton rail tankers, filled with chlorine or other hazardous chemicals, are shipped around the Nation. The Naval Research Laboratory, at my request, some months ago, issued a report. The context of my inquiry with them was: What would happen if one of these 90-ton chlorine gas tanker cars exploded—for example, where a terrorist put C–2 underneath there in a populated area and blew it up?

What made me think of it was, you may remember almost 2 years ago now, out in North Dakota, one of these tankers leaked, and the end result was a number of adjoining towns, small towns, had to be evacuated because it was so deadly.

So I asked the question of the Naval Research Center. As you know, some of our best scientists in the world are there. I asked: What would happen? What would happen if a 90-ton tanker containing chlorine were to be blown up in a major metropolitan area?

Mr. President, I ask unanimous consent that the report submitted to me be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Advanced simulation technology gives us a practical breakthrough for analyzing and treating urban contaminant accidents, pollutant incidents, and in combating Chemical, Biological, and Radiological (CBR) terrorism. Today the nation is striving to develop plans and corresponding procedures to prepare for these contingencies. The ability to construct accurate, easy-to-understand analyses of dangerous contaminant release incidents is an absolutely crucial component of civil defense planning and execution. When decisions have to be made during an actual crisis, essentially infinite speed is required of the predictions and yet the analyses must be performed with high accuracy. When responding to a CBR crisis, waiting even one minute to perform simplified support computations can be far too long for timely situation assessment. State-of-the-art, engineering-quality three-dimensional predictions that one might be more inclined to believe can take hours or days. The answer to this dilemma is to do the most accurate computations possible well ahead of time and then to capture their salient results in a highly compressed database that can be recalled, manipulated, and displayed instantly during a crisis. Dispersion Nomograph™ technology was invented at NRL to provide this capability.

This presentation is based on a portable software tool called CT-Analyst™ that uses dispersion nomographs to combine information from sensors and eyewitness reports to find contaminant sources in an urban maze of buildings, to track airborne contaminant plumes accurately across the city, and to plan evacuation routes. In a crisis, real time users don't have to wait for any of these results because personnel defense plans and strategies can be adapted to current situation assessments with no delay for computing. This presentation uses CT-Analyst to show the evolution of a large contaminant plume caused by the rupture of a railroad tank car adjacent to the Blathersburg Mall.

Detailed, three-dimensional FAST3D–CT simulations (such as shown at left) are compressed by more than a factor of 10,000 to produce compact data structures called Dispersion Nomographs™. These ''nomographs'' allow CT-Analyst™ to make accurate, instantaneous predictions including the effects of buildings (as shown at right). This example shows the situation twenty minutes after a contaminant release occurred at the location marked by the blue star with the wind from 295 degrees at 3 m/s. This CT-Analyst display shows the instantaneous plume at 20 minutes (light red) superimposed on the footprint of the likely contamination region (light gray). The footprint can eventually become contaminated beyond tolerable limits sometime during the scenario. The plume region displayed surrounds the instantaneous plume—with a safety buffer zone. CT-Analyst is in use at a number of locations (see figure), was extended for Operation Iraqi Freedom, and is being modified as a CBR Emergency Assessment System for installation in Navy bases over seas.

Also overlaid on the CT-Analyst display are the results of the backtrack function (sensor readings and observations determining a probable source location as shown in blue and purple). CT-Analyst performs multi-sensor fusion operations based on the very limited information about the contaminant density. A number of sensors are active and operating in automatic (triangles) and manual (circles) modes to register the presence or absence of the agent plume at their location. Red indicates a ''hot'' sensor (something considered dangerous) and blue indicates a ''cold'' reading where the contaminant agent density is below the threshold for detection. Please note that the ''Escape'' function has also been activated in this composite display, projecting optimal evacuation routes. These recommended evacuation routes suggest walking paths for rapid egress from the path of the advancing plume and continue out to the edges of the contamination footprint. This entire assessment takes about 50 milliseconds on a typical windows laptop computer.

The figure above shows the contaminant concentration just three minutes after a railroad tank car accident has occurred along the indicated section of track where the right-of-way turns toward the east as shown by the yellow arrow. A large quantity of contaminant has been released in a couple of minutes. The time is late evening and the brisk breeze, from the southeast in this scenario, blows the cloud up toward a quarter of a million people celebrating Fourth of July on the Mall near the Blatherburg Monument.

The large gray area is the contamination footprint predicted by CT-Analyst™; this area can become highly contaminated in the first half an hour. It is a good idea to get to outside the footprint and stay outside of it until an ''all clear'' is given. The bands of color downwind of the source, originating at the bright blue stars along the track, indicate the contaminant concentration in the cloud moving with the wind toward the upper left. The table tells how to interpret the colors in easily understood terms. The actual numbers, of course, can only be made specific and quantitative when the absolute size of the source is known. Each color marks approximately a factor of two range of concentration values. People breathing yellow green and ''hotter'' colors are in a very deadly situation. Not all colors appear on each figure because the contaminant concentration drops as the plume (cloud) spreads.

The diagonal purple lines in this and the following figures mark general suggested evacuation routes. The gaps in these lines show a kind of ''no man's land'' where the plume will go first and in highest concentration. People should walk briskly away from the center of the advancing plume along the general direction of these evacuation paths skirting around buildings and keeping to reasonable walking routes as required. Don't run and don't get in or stay in a car.

These two figures show the advancing plume at five minutes (left) and ten minutes (right) after the release occurred. Three adjacent blue stars are used to mark the extended region over which this release has occurred from a moving railroad tank car. The yellow arrow indicates the direction of motion along the track and the pink arrow is the prevailing wind direction in each figure. The brisk breeze here is a worst case because slower winds allow much easier evacuation from the affected area and much faster winds dissipate the cloud so quickly that fewer people at any one spot receive critical dosages.

Almost everywhere in the plume after five minutes has elapsed (colored region)

there is a high probability that the contamination will be lethal and almost all of the plume is still lethal at ten minutes. At ten minutes the lethal plume area is spreading at about its maximum rate. If 100,000 people receive critical (lethal) doses in the absence of any defensive action, they are crossing this critical dose threshold at the rate of a hundred people per second. Thus there is an enormous benefit to immediate warning delay and speedy defensive response.

Based on a number of other simulations not shown here and a consistent analytic theory, a warning issued within 3 minutes is possible with an automated sensor network and near complete situation assessment and response should be possible within five minutes. Though many procedural and communication problems remain to be solved, these times should be adopted as goals because so many lives will depend on making these response times as short as possible. Between five minutes and the current goal of issuing a warning in 15 minutes, 60,000 people or more could be critically dosed.

These two figures show the advancing plume in the previous scenario at 15 minutes (left) and 30 minutes (right) after the release has occurred. By 30 minutes the plume has spread laterally about as much as it will but it is still quite toxic and still expanding downwind off the edge of the nomograph. At 30 minutes the plume extends three to four miles downwind, is about 1.5 miles wide at its widest, and is still dangerously toxic as indicated by the large yellow-green region above right. If people are standing or sitting as much as 15 feet apart in all directions at an event on the Mall, there would be well over 100,000 people per square mile. Furthermore, the contaminant plume in this scenario will be dangerous over several square miles. Therefore, in the absence of an early warning and concerted action (rapid evacuation away from the centerline of the plume) over 100,000 people could be seriously harmed or even killed in the first half an hour.

Although this is a dire scenario, the people several miles downwind from the source, in this example a couple miles off the upper left corner of the figures, have plenty of time to walk out of the way of the plume given a warning in five minutes or less. They would have to walk only about ¾ of a mile at most to get completely out of the plume and would have 20 to 25 minutes to do this. Walking is recommended in urban areas since the roadways should be kept open for emergency traffic and will gridlock instantly if everyone tries to leave in their cars at the same time.

The message is clear, walking perpendicular to the wind away from the centerline of the plume is the only effective direction to walk, as indicated automatically by CT-Analyst. There is a wide range of angles, plus or minus 30 degrees, for which this strategy is effective but the effectiveness declines the longer the delay in receiving a warning. For large contaminant sources, simple theory and detailed computer simulations both suggest that 85 to 95% of the people who would otherwise be exposed can avoid exposure, regardless of what the agent is, when the appropriate warning is issued without delay.

What also becomes apparent is that solid information, as well as prompt warning and action, reduces exposure. Knowing the location of the contaminant source, the wind speed, and its direction can save tens of thousands of lives. Combining an integrated city sensor net with accurate models incorporating the unique building/terrain features is the key to defining the centerline of the plume based on source location and thus determining effective escape routes. A CBR Emergency Assessment System must be instantaneous and capable of incorporating changing wind and sensor data as they become available. Only centralized analysis and prompt communication can define the safe routes away from an invisible cloud.

These CBR emergency assessment tools have been used to evaluate and compare a number of possible CBR defense strategies. The model on which this graph is based follows hundreds of thousands of people who begin walking (evacuating) in a specified direction relative to the wind once a warning is issued. The computed contaminant density is integrated to determine each persons dose. This ''warning delay'' is varied to measure the reduced effectiveness of evacuation as the warning delay gets too long. Zero (0) degrees is walking downwind, 90 degrees is across the wind (perpendicular) to the plume centerline, and 180 degrees is walking upwind.

We have shown that plausible accidents or terrorist attacks in an urban environment can put 100,000 people or more at risk in a 15 to 30-minute time span. During this interval several square miles of city can become lethally exposed and people can die at the rate of 100 per second. Clearly there is a very great premium or fast effective response.

The point is—we already have accurate, fast tools based on tested scientific models for computing the detailed airflow and converting these data sets directly to critical civil defense information. An urban CBR Emergency Assessment System (CBREAS) based on this new technology can instantly combine information from eyewitness reports and CBR sensors to locate hidden sources, can estimate regions about to become contaminated, and can predict effective evacuation paths. This new technology faithfully incorporates the 3D structure of urban building mazes and has reasonable sun, wind, and information-display options. The challenge is to harness these tools effectively in the current political climate. If police, fire department personnel, and emergency first responders use this technology to obtain a minute-by-minute situation assessment and implement an action plan, they can reduce exposures, even of large crowds in the open, by 85 to 95% provided that an early warning is issued.

Sales Pitch: The CT-Analyst contaminant transport system is ACCURATE. Plume envelopes are 80–90% as accurate as state-of-the-art 3D computational fluid dynamics. CT-Analyst is VERY FAST with performance 1000 to 10000 times faster than real time. This can make the difference in saving tens of thousands of lives in a real attack. It is also very EASY TO USE. Two hours of training should be adequate. CT-Analyst can also be used for war games, virtual reality training, site defense planning and execution, and sensor network optimization. The CT-Analyst software has stabilized and is very rugged. The software also allows the user to displace plumes by dragging the source across the screen, and can ''backtrack'' to find hidden sources. CT-Analyst will also project optimal evacuation routes.

Mr. BIDEN. Let me summarize the report.

The answer was ''over 100,000 people could be seriously harmed or even killed in the first half an hour.'' Let me say that again. One of these tankers filled with chlorine gas—and there are hundreds, up and down the road, going through major metropolitan areas, from Los Angeles to New York and everywhere in between—what would happen if a terrorist were to explode one of those in a major metropolitan area? The answer was: ''over 100,000 people could be seriously harmed or even killed in the first half an hour.''

Said another way: What happens if one of these is blown up in a freight yard in Philadelphia, PA, right along the Schuylkill River, 10 blocks, 15 blocks from City Hall, the University of Pennsylvania, Drexel University—a very populated area? Within one-half hour, 100,000 people could be seriously harmed or even killed.

How long would it take to evacuate that area? Imagine evacuating downtown New York City, Baltimore, Miami, Seattle—you name the city.

So what is the problem? Well, the problem is—and we have seen in recent reports—insurgents in Iraq are using chlorine in their attacks on civilians. There is little doubt terrorists who are targeting us here at home are paying attention. In these roadside bombs, they are—thank God they have not gotten it down very well yet—but they are injecting chlorine into that carnage they cause because they know the consequence of the dissemination of the highly toxic substance in a populated area.

Nevertheless, we continue to allow these 90-ton—that is a standard: 90-ton—rail tanks containing chlorine and other hazardous chemicals to roll unprotected through the hearts of our largest cities in high-threat areas. We know the rail industry has adamantly opposed any attempt to allow local officials, in conjunction with the Department of Homeland Security and security people, to reroute these tankers.

Now, again, look where this tanker is sitting, as shown in this picture. Do these buildings look familiar to you? This is an actual photograph of a 90-ton chlorine gas tanker car sitting in the direct view—if you look over the top of it, you can see the Hart Building, you can see the Dirksen Building, and you can see the U.S. Capitol.

By the way, I know my friend, the Presiding Officer, a former board member of Amtrak, a guy who has fought very hard to protect Amtrak—we take the train almost every day together back and forth to and from Delaware—I say to my colleagues, go on down to the station this afternoon and follow us down whenever we finish and get on the train. If it is not an Acela, stand in the back car of an Amfleet train. You can look out the back window. Watch as we pull out of the station. Tell me how many cops you see. Tell me how many cameras you see. Tell me how much protection exists there.

Look at this tanker car, shown in this picture, sitting right out there—in the middle of nowhere, in the middle of everywhere.

So, folks, the idea we do not even have as an option the ability of our security people and the mayors and local

officials to suggest these tankers bypass their cities so, God forbid, if something happens, they are not as high a prize of a target—by the way, the less sensational damage able to be done, the less likelihood it will be picked as a target.

Because someone could legitimately argue: BIDEN, you are taking this out of the route—and we have other maps showing the routes of the various alternative routes that could be used to avoid the major cities. Now, they could say: You are going to be going through more rural areas. Yes, serious damage could be done in rural areas, but the prize for the terrorist is much lower. The likelihood of them concluding that instead of coming down from, for example, Newark, NJ, all the way down into Augusta—you can, in fact, reroute these on Norfolk Southern, which goes through much less populated areas.

People legitimately say: Aren't you putting those folks at risk? No matter where these cars are, we are at risk. But again, where is the likely target? Where are terrorists going to risk their lives to be able to go in and do damage? They will do it where the most people are.

So I know the rail industry, as I said, is adamantly opposed to amendment No. 306, and is likely opposed to the updated version we will vote on today. But in the face of such risks, I do not know how we can let their opposition determine whether we go forward.

This amendment is very limited. It simply states the Secretary of Homeland Security, not the rail industry—the rail industry is not the bad guy—should determine the most secure routes for the shipments of the most dangerous chemicals, and that ownership of the track is not to be considered in making this risk-based determination; meaning, if you have something going down on a CSX track that is owned by CSX, they should be able to use and be diverted to a Norfolk Southern track. I could give you examples all across the country, as the Presiding Officer knows.

Again, all I am saying is, let the Department of Homeland Security determine whether the most dangerous chemicals are able to be diverted around the most populated areas in our country. And do not—do not—in fact, use as an impediment the idea the track upon which it is being carried is not owned by the company whose car is on that track.

That is all we are doing, Mr. President. The amendment would apply to only .36 percent—less than a third of a percent—of all the shipments that occur on our rail system. It only applies to through-shipments; it does not apply to the destination city. Some of this stuff goes into large populations, where that is the end point. It doesn't say it cannot go there, but it does say we should reduce the probability of catastrophic damage by allowing them to be rerouted, if that is the judgment of the Department of Homeland Security.

A similar amendment was passed by voice vote in the House Homeland Security Committee today. Not one Republican or Democrat spoke in opposition to this measure. This amendment will ensure that the Senate is on the right side of the issue as well.

Mr. President, I was asked by my colleague from Connecticut, one of the two managers, that he be added as a cosponsor. I ask unanimous consent his name be added.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I understand that a man with whom I hardly disagree, Senator INOUYE, has reservations. I hope he will reconsider those reservations. Again, all we are doing is letting the Department of Homeland Security, in conjunction with local officials, make the judgment whether the risk is so high that it warrants it being rerouted. Of all the cargo on all of the tracks in America, we are talking about .36 of 1 percent, all that is transported on rail. So we are not asking much. The downside of us being mistaken is significant.

I close by quoting from the rail industry's letter opposing this amendment. They say:

> Rerouting would not eliminate the risk, but instead shift it from one population to another.

That is true, but this amendment says the Department of Homeland Security, not the rail industry, should determine how to weigh and respond to this known potentially catastrophic risk. What did we just debate last week on the floor? The allocation of resources for Homeland Security should be going toward the danger lines. There is nothing that is risk free—nothing. It is a little like my friend from Delaware and I have heard so much every time we come up with rail security legislation. We are told we cannot secure every mile of track. That is true, we can't, but there is a big difference with a terrorist taking a single train off a track somewhere in rural America and a terrorist taking a train at 140 miles an hour into the most visited area in Washington, DC, Union Station, at a high speed.

There is a difference between blowing up a tunnel underneath the Chesapeake Bay or the Hudson River and blowing up a tunnel in the middle of some rural area. Terrorists pick targets for the greatest effect. So the idea that we would not reroute—if the Department of Homeland Security determined it made sense—a series of chlorine gas tankers from a major metropolitan area to a more rural area seems to me to be such a silly argument to make.

The idea is, how do we reduce the risk for the most people of the United States of America? Again, I will end where I began. When this was called to my attention some years ago, I went to the Naval Research Laboratory and I asked them—and I have included this in my statement—to tell me what would happen—and, again, it doesn't take much for terrorists to figure out a way to puncture a hole in the bottom or the side of one of these tanks by use of explosives or other devices. The answer was that if that were to occur in a highly populated area, ''over 100,000 could be seriously harmed or even killed in the first half hour.''

Imagine how many people we get to evacuate reasonably so that there is essentially no one left in a half hour. If the gun goes off right now, how long does it take downtown Manhattan or downtown Washington, DC, or Capitol Hill to evacuate people so they are not around? If you don't evacuate—to say it another way—within a half hour, a whole lot more than 100,000 people will be seriously injured or will die.

I know the Senator from Connecticut supports this amendment. I don't know what the view of our colleague from Maine is. I hope they understand how limited this amendment is, how consequential it is. I hope my colleagues, when it comes time to vote, will vote in favor of this amendment.

I thank the Chair and I thank the managers. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, the amendment offered by the senior Senator from Delaware is actually more under the jurisdiction of the Commerce Committee than the Homeland Security Committee. Nevertheless, in the absence of a member of the Commerce Committee on the Senate floor, I want to express my concern about the amendment.

As I understand it, the effect of the amendment would be to require that hazardous materials on rail cars be routed around high-threat areas, with some exceptions.

The problem is that the Commerce Committee title on rail security already has a section that addresses hazardous materials by requiring a mitigation plan that can include rerouting but only when the homeland security advisory system is at a high or severe level of threat or when specific intelligence indicates that there is a specific or imminent threat.

I think this amendment, while well-intentioned, creates all sorts of practical problems. The Chamber of Commerce, which is rating this as a key vote, lists some of those that I want to read from a letter that we received from the Chamber today. The letter reads:

> The Biden amendment, which would require mandatory rerouting of shipments of hazardous materials around high threat corridors, would not reduce risk to homeland security. It would only reallocate risk among population centers. In fact, the amendment would actually increase risk by either eliminating routes that provide optimal overall safety and security, or by adding hundreds of miles and additional days to the journeys of shipments of hazardous materials via less direct routes.

In other words, if we are causing this hazardous material to be on its journey far longer because it is not going by

the more direct route, that could in fact increase the problems or the chances of the hazardous material being attacked. The letter goes on to point out that the railroads have been working with the Federal Government, with chemical manufacturers, and with consumers to explore the use of coordinated routing arrangements to reduce mileage and time in the transit of highly hazardous materials.

This amendment seems to be going in the opposite direction. Another one of my colleagues has raised the issue of chlorine shipments to wastewater treatment plants. Those shipments need to be made. It raises a lot of practical questions about how to move this material. Another colleague raised the issue to me of whether this would result in more trucks on our highways carrying hazardous materials.

So I think that while I agree with the overall intent of the amendment, I am much more comfortable with the approach taken by the Commerce Committee—a committee which, unfortunately, I don't serve on, so I don't have the level of expertise that its members have in talking about this issue. I do expect some members of the Commerce Committee to come to the floor and debate this issue.

I do want my colleagues to know that the distinguished Senator's amendment is controversial, that it may have unintended consequences. Based on my knowledge of the issue, I hope it will be defeated.

Thank you.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I appreciate the comments of the Senator from Maine. She may have misunderstood two aspects of the amendment. One, it doesn't mandatorily require rerouting at all. It says the Department of Homeland Security can reroute, if they determine it should be rerouted.

No. 2, the freight industry, where they made the judgment on how much further in distance it would travel if, in fact, you were to reroute, factored in only that it had to be rerouted on their own tracks. So the idea being that they would not be able to—this happens all the time, where other tracks are used; for example, the Chesapeake using Norfolk Southern track.

No. 3, the Chamber of Commerce is opposed because it costs more money. A lot of these things cost more money. Will it cost more money to be able to reroute up to one-third of 1 percent of the freight on rail? Yes. But I ask the rhetorical question: What will it cost if one of these tankers goes off in a populated area? What will the cost then be to the very businesses that are most concerned about it?

Fourth, this doesn't affect destination. If the chlorine gas tanker car is going to a water treatment facility, it still goes to that facility. Nothing changes. What we could have changed is what we did in Delaware, not use chlorine. There are other means by which water can be purified. We have done it in our home State. That is what you should do. But that doesn't stop this car, or any other car, from going to such a facility.

Let me emphasize again that there is no prohibition on end point distribution. If the car is designed to go to a facility in the center of a city, it goes to the center of the city. There is nothing you can do about that. That is very different than—I am making up these numbers for illustration—you may have one of these tankers going in once a month versus 50 going through the same city in a month or 100 in a month. This is all about percentages. You play the percentages. Again, it is true, rerouting may render cities in North Dakota—well, they would not be rerouted in North Dakota, but I referenced the small towns. There was a chlorine gas tanker car going across the top of the Nation and, thank God, what happened was it went off in a rural part of the world. You were able to evacuate the three cities and nobody died. Had that same thing occurred in the middle of Chicago, you would not be able to evacuate the city. We would not have had time.

So, yes, it is true. Are you going to put a different population at risk? Yes, about one-tenth, one-twentieth, one one-hundredth or one one-thousandth of the population, depending on where it is rerouted. So it is a little bit like saying: Why do we spend so much money worrying about the Sears Tower? It is there, it is big, and it is a target. Is it possible that a terrorist would go into a building that is two stories and blow it up? Yes. Can they fly an aircraft into a rural town grain elevator? Yes. But that is not what we are worried about. They are not likely to do that. They are likely to fly a plane, plant a bomb, do something devastating where the most people are.

So I find it to be a totally disingenuous argument. This is about the bottom line. I measure the bottom line—as I suspect all of us would if we thought about it—in human life.

The bottom line, in terms of the dollars, the impact that would occur in a catastrophic circumstance is if there is a town of 1,000 people and a town of 6 million people, there is a phenomenal difference whether that chlorine gas tanker car gets exploded.

Let me summarize. It is indicated by the Department of Homeland Security again that an explosion of a rail tanker carrying chlorine would kill 17,500 individuals, require the hospitalization of another 100,000—and only then if we evacuate within a half an hour. We can evacuate a city of 1,000 people in half an hour. We cannot evacuate a city of 4 million people in half an hour. So it matters.

If this rail tanker goes off in New York City, my friend from New York is going to be on the floor again pointing out the catastrophic impact. If it goes off in rural Delaware, it will be a tragedy for me and my constituency, but there will be a significant magnitude of difference.

So everything we do in terms of allocation of resources goes in this place to deal with protecting the most people who can be protected: The shipment originates or the point of destination is in the high-threat corridor; no practical alternative routes exist. If they don't exist, it doesn't get rerouted. Rerouting would not increase the likelihood of an attack. It would decrease the likelihood of an attack because people attack targets that have the maximum impact. This would not increase the total number of cars on the track. It would allow the potential for homeland security to reroute them away from the places that would do the most damage.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I do expect additional Members on my side of the aisle to come and debate this issue.

I wish to clarify that the language, as I read it, in the Senator's amendment, is not discretionary, it is mandatory. It does allow for some certain significant exceptions for the Department to make findings on, but it clearly says:

> The regulations issued under this section shall—
>
> (1) except as provided in—
>
> The subsections part—
>
> provide that any rail shipment containing high hazard materials be rerouted around any high threat corridor.

So I don't see it as giving the Department great discretion if that determination is made because of the word ''shall,'' which is not permissive, it is mandatory. There are some exceptions later which the Senator has referred to, such as the origination point or point of destination being within the high-threat corridor. But as I read the amendment, it pretty clearly calls for rerouting.

I wanted to clarify that issue. Maybe I misunderstood the Senator from Delaware, but I thought he was saying it did not require rerouting.

Mr. BIDEN. Mr. President, if the Senator will yield, she is correct, but it only requires the Secretary to do it if he or she concludes that there is a safer way to reroute the shipment. If the conclusion made by the Secretary is that in a high-risk corridor the rerouting would not result in an increased safety margin for the shipment, then he or she need not reroute it. But it is correct, the presumption is, in a high-risk corridor we reroute if it is not a point of destination or origin but only if the determination by the Secretary is that the shipment, in fact, would be safer to be rerouted. It is on page 4 of the amendment. It is section 2, subparagraph E, ''Transportation and Storage of High Hazard Materials through High Threat Corridor'' areas. It says:

> In General.—The standards for the Secretary to grant exceptions under section

(d)(4) shall require a finding by the Secretary that—

(A) the shipment originates or the point of destination is in the high threat corridor;

(B) there is no practical alternative route;

(C) there is an unanticipated, temporary emergency that threatens the lives of persons or property in the high threat corridor;

(D) there would be no harm to persons or property beyond the owners or operator of the railroad in the event of a successful terrorist attack on shipment; or

(E) rerouting would increase the likelihood of a terrorist attack on the shipment.

The bottom line is that it should be left to the discretion of the Secretary to decide not to reroute rather than the privately owned railroad. I thank the Senator for her clarification.

I yield the floor.

Ms. COLLINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I will speak briefly because I know the floor leader for the minority side has people coming to speak to respond to the amendment. I am not speaking on the amendment.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

U.S. ATTORNEYS

Mr. SCHUMER. Mr. President, I rise because I heard Attorney General Gonzales speak about the growing, disheartening, and alarming scandal with the U.S. attorneys. I wish to say, first, that this is a serious issue. In every district in America, the U.S. attorney represents the enforcer of the Federal law without fear or favor. U.S. attorneys over decades have built up a reputation of being not part of politics but, rather, enforcing the law, as they say, without fear or favor.

Over every Justice Department office in every corner of the land is the eagle perched on a branch, with her claw holding a bunch of arrows. When you see that symbol, it denotes strength, but it denotes fairness and impartiality. That fairness, that impartiality has received a serious blow—maybe not a mortal blow because of the resilience of our country, but a serious blow—over what has happened in the Justice Department over the last several months.

What we have had in the past is misstatement after misstatement about what has happened. The story has kept changing, we can't get the truth, and that is why we had no choice but to undertake our own investigation.

Let me say that time and time again we have heard falsehoods. We were told that all seven of the eight U.S. attorneys were fired for performance reasons. It now turns out this was false, as their glowing performance evaluations attest.

We were told by the Attorney General he would ''never, ever make a change for political reasons.'' It now turns out all this was false, as the evidence makes clear this approach was based purely on politics to punish prosecutors who were perceived to be too light on Democrats or too tough on Republicans.

We were told by the Attorney General this was ''an overblown personnel matter.'' It now turns out, however, that far from being a low-level personnel matter, this was a longstanding plan to exact political vendettas or make political payoffs.

We were told the White House was not involved in the plan to fire these U.S. attorneys. It now turns out this was a complete falsehood. Harriet Miers was one of the masterminds of this plan, as demonstrated by numerous e-mails made public today. She communicated extensively with Kyle Sampson about firing of U.S. attorneys. In fact, she originally wanted to fire and replace the top prosecutors in all 93 districts in the country.

We were told that Karl Rove had no involvement in getting his protege appointed U.S. attorney in Arkansas. In fact, there is a letter from the Department of Justice:

The Department is not aware of Karl Rove playing any role in the decision to appoint Mr. Griffin.

Mr. Griffin was the attorney whom they appointed. It now turns out this was a falsehood, as demonstrated by Mr. Sampson's e-mail:

Getting him—

Griffin—

was important to Harriet, Karl, et cetera.

We were told the change to the PATRIOT Act was an innocent attempt to fix a legal loophole, to help the war on terrorism, not a cynical strategy to bypass the Senate's role in serving as a check and balance. It now turns out this, too, was a falsehood—another one—as demonstrated by an e-mail from Mr. Sampson:

I strongly recommend that as a matter of administration, we utilize the new statutory provisions that authorize the AG to make USA appointments.

Mr. Sampson specifically argued that by using these provisions, the administration ''can give far less deference to home State Senators and thereby get (1) our preferred person appointed and (2) do it faster and more efficiently at less political cost to the White House.''

So it has been misstatement after misstatement. To put it delicately, prevarication after prevarication, changes in stories, coverups in stories. And the only reason, frankly, we are getting to the truth is we have the majority, and we have the ability to subpoena and have hearings and investigate.

A few minutes ago, Attorney General Gonzales spoke. I have to say I have no animus toward Attorney General Gonzales. In fact, I like the man. He seems to me to be a genuinely nice man. He doesn't seem to me to be one of these hard popular warriors who populate the administration in such large numbers and, frankly, we have seen in Justice Department appointees throughout the Justice Department in far too great a number. But simply being a nice person, being a ''nice guy'' is not enough, particularly when you are not performing your job.

The Attorney General got up and said:

I am ultimately responsible, but simply claiming responsibility is not enough.

He said:

I was not involved in any memos or discussions of what was going on.

That is his quote.

He said:

Many decisions are delegated.

Mr. President, did the Attorney General not know that eight U.S. attorneys were to be fired? If he didn't know, he shouldn't be Attorney General, plain and simple. That is not a minor personnel decision. That is a major act that has now shaken the integrity of the U.S. Attorney's Offices—not only those in question but all of them—to the core.

To simply say decisions were delegated, that is a sorry excuse. And then, of course, if the Attorney General knew, that one doesn't work either.

The Attorney General has said:

I will do the best I can to maintain the confidence of the American people.

Mr. Attorney General, you have already lost that confidence. It has not simply been on this issue, although this is the straw that has broken the camel's back, and when you sat in a room with Senator LEAHY and Senator FEINSTEIN and Senator SPECTER and myself last Thursday and seemed to give this crisis, most considered crisis, the back of your hand and say it is not terribly important and don't worry, we will fix it without caring about it, my total confidence was shaken, and I believe the others in the room felt the same.

This was, as I said, the straw that broke the camel's back. It was hardly the only decision. On issue after issue, the Attorney General has not stood up for the rule of law, which is his foremost duty. On issue after issue, whether it be wiretaps, whether it be national security letters, whether it be the unitary theory of the Executive, allowing the Executive to do everything with no checks and balances, this Secretary has been a rubberstamp for policies that the courts have found repeatedly unconstitutional.

The Attorney General, unfortunately, in my judgment, misconceives his role. The Attorney General misconceives his role because he still sees himself as counsel to the President, his previous job, where he rubberstamped everything the President did. But when you are the President's counsel, your job is to serve the President, period. When you become Attorney General, you have a higher

duty. That duty is the rule of law—to preserve it, to protect it, to defend it. For whatever reason, the Attorney General doesn't see that as his role. His time in office should be over.

The U.S. attorneys scandal and all the other instances where the Attorney General did not protect the rule of law are just too great a weight for the office to bear. To simply say ''I am responsible'' and not tell people what it is all about makes no sense. We just saw Scooter Libby be convicted. Many said he was a fall guy. We are not going to have another Scooter Libby, another fall guy. Kyle Sampson did many wrong things, and it is very possible he broke the criminal law, but, as Harry Truman said, the buck stops at the top. The buck stops with the Attorney General. It defies belief that his chief of staff was making all these major decisions without his knowledge, particularly when it is clear that at least on a few instances he admits he had phone calls from the President and from others about this issue.

I want to say one other thing, because this issue is not going to go away. This issue is going to stay with us until we find out everything that has happened, for the sake of punishing those who did wrong but also, more importantly, to clear the air and restore the good name of the U.S. attorneys who were fired incorrectly and of the U.S. attorneys—a more numerous group—who were not involved in this issue but whose reputations have been called into question. Tomorrow, if someone is indicted by a U.S. attorney who had no involvement in this scandal and their defense attorney says politics was involved, the public may believe it, given what we have seen happen thus far. So it is our obligation, it is our moral imperative to get to the bottom of this, to clear the air, and to restore the reputation of U.S. Attorney's Offices now and into the future, and that is just what we will do.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. McCASKILL). The clerk will call the roll.

The bill 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.

AMENDMENTS NOS. 441, 357, 448, 337, 389, AND 299, EN BLOC

Mr. LIEBERMAN. Madam President, we are making progress in disposing of the final amendments pending as we head toward final passage of S. 4. So at this time, I would like to propound a unanimous consent request that there are a number of pending amendments which I understand can be considered and agreed to without the necessity of a rollcall vote, and two of these amendments will have second-degree amendments.

I now ask unanimous consent that it be in order for the Senate to proceed en bloc to the consideration of the following amendments, that they be agreed to en bloc, and that the motions to reconsider be laid upon the table:

First, the Kyl amendment, No. 357, with a Feingold second-degree amendment, No. 441.

Second, a Schumer amendment, No. 337, with a modification that is at the desk, and with an Ensign second-degree amendment, No. 448.

Third, a Bond amendment, No. 389, with a modification at the desk.

Fourth, and finally, a Stevens amendment, No. 299.

The PRESIDING OFFICER. Is there objection?

Ms. COLLINS. Madam President, these amendments have been cleared on this side of the aisle, and I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 441), to amendment No. 357, was agreed to, as follows:

(Purpose: To require appropriate reports regarding data mining by the Federal Government)

On page 1, strike ''(1) DATA-MINING.—'' and all that follows through ''(c) REPORTS ON DATA MINING ACTIVITIES BY FEDERAL AGENCIES.—'' on page 2, and insert the following:

(1) DATA MINING.—The term ''data mining'' means a program involving pattern-based queries, searches, or other analyses of 1 or more electronic databases, where—

(A) a department or agency of the Federal Government, or a non-Federal entity acting on behalf of the Federal Government, is conducting the queries, searches, or other analyses to discover or locate a predictive pattern or anomaly indicative of terrorist or criminal activity on the part of any individual or individuals;

(B) the queries, searches, or other analyses are not subject-based and do not use personal identifiers of a specific individual, or inputs associated with a specific individual or group of individuals, to retrieve information from the database or databases; and

(C) the purpose of the queries, searches, or other analyses is not solely—

(i) the detection of fraud, waste, or abuse in a Government agency or program; or

(ii) the security of a Government computer system.

(2) DATABASE.—The term ''database'' does not include telephone directories, news reporting, information publicly available to any member of the public without payment of a fee, or databases of judicial and administrative opinions or other legal research sources.

(c) REPORTS ON DATA MINING ACTIVITIES BY FEDERAL AGENCIES.—

(1) IN GENERAL.—Subsection (d) of this section shall have no force or effect.

(2) REPORTS.—

(A) 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 produced in coordination with the privacy officer of that department or agency, if applicable, and shall be made available to the public, except for an annex described in subparagraph (C).

(B) CONTENT OF REPORT.—Each report submitted under subparagraph (A) shall include, for each activity to use or develop data mining, the following information:

(i) A thorough description of the data mining activity, its goals, and, where appropriate, the target dates for the deployment of the data mining activity.

(ii) A thorough description 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.

(iii) A thorough description of the data sources that are being or will be used.

(iv) An assessment of the efficacy or likely efficacy of the data mining activity in providing accurate information consistent with and valuable to the stated goals and plans for the use or development of the data mining activity.

(v) An assessment of the impact or likely impact of the implementation of the data mining activity on the privacy and civil liberties of individuals, including a thorough description of the actions that are being taken or will be taken with regard to the property, privacy, or other rights or privileges of any individual or individuals as a result of the implementation of the data mining activity.

(vi) A list and analysis of the laws and regulations that govern the information being or to be collected, reviewed, gathered, analyzed, or used in conjunction with the data mining activity, to the extent applicable in the context of the data mining activity.

(vii) A thorough discussion of the policies, procedures, and guidelines that are in place or that are to be developed and applied in the use of such data mining activity in order to—

(I) protect the privacy and due process rights of individuals, such as redress procedures; and

(II) ensure that only accurate and complete information is collected, reviewed, gathered, analyzed, or used, and guard against any harmful consequences of potential inaccuracies.

(C) ANNEX.—

(i) IN GENERAL.—A report under subparagraph (A) shall include in an annex any necessary—

(I) classified information;

(II) law enforcement sensitive information;

(III) proprietary business information; or

(IV) trade secrets (as that term is defined in section 1839 of title 18, United States Code).

(ii) AVAILABILITY.—Any annex described in clause (i)—

(I) shall be available, as appropriate, and consistent with the National Security Act of 1947 (50 U.S.C. 401 et seq.), to the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives; and

(II) shall not be made available to the public.

(D) TIME FOR REPORT.—Each report required under subparagraph (A) shall be—

(i) submitted not later than 180 days after the date of enactment of this Act; and

(ii) updated not less frequently than annually thereafter, to include any activity to use or develop data mining engaged in after the date of the prior report submitted under subparagraph (A).

(d) REPORTS ON DATA MINING ACTIVITIES BY FEDERAL AGENCIES.—

The amendment (No. 357), as modified, as amended, was agreed to.

The amendment (No. 337), as modified, was agreed to, as follows:

On page 86, after line 20,:

(c) EXCEPTION.—The limitations under subparagraph (A) shall not apply to activities permitted under the full-time counterterrorism staffing pilot, as described in the Fiscal Year 2007 Program Guidance of the Department for the Urban Area Security Initiative.

The amendment (No. 448), to amendment No. 337, was agreed to, 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)

At the appropriate place, insert 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, upon acceptance of an assignment under this section—

(A) be detailed to a Federal, State, or local government law enforcement agency; and

(B) work under the direct supervision of an officer or agent of that agency.

(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;

(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.

The amendment (No. 337), as modified, as amended, was agreed to.

The amendment (No. 389), as modified, was agreed to, 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 to improve the oversight of 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 Senate adopted Senate Resolution 445 in the 108th Congress to address some of the intelligence oversight recommendations of the 9/11 Commission by abolishing term limits for the members of the Select Committee on Intelligence, clarifying jurisdiction for intelligence-related nominations, and streamlining procedures for the referral of intelligence-related legislation, but other aspects of the 9/11 Commission recommendations regarding intelligence oversight have not been implemented.

(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, or jointly, 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;

(2) review and consider any other suggestions, options, or recommendations for improving intelligence oversight; and

(3) 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.

The amendment (No. 299) was agreed to.

AMENDMENT NO. 448

Mr. ENSIGN. Madam President, I speak today about my amendment to create the law enforcement assistance force. This amendment is a commonsense idea and I hope my colleagues would adopt this amendment.

My amendment proposes the creation of a law enforcement assistance force which is a system for retired law enforcement personnel to apply to DHS, and complete the necessary paperwork and training, before a disaster occurs. Then, when disaster happens, DHS would have a pool of qualified first responders who could be called into action. These volunteers would be detailed to a Federal, State, or local law enforcement agency to work side by side with law enforcement located in affected communities. The amendment also provides that DHS would reimburse volunteers for their costs.

The need for properly trained first responders was never greater than it was immediately after Hurricane Katrina. In the wake of this disaster, I toured the gulf region and saw the devastation firsthand. A situation caused by natural disaster was made worse by the way Federal, State and local government responded. I say this not to criticize anyone but to propose a way to improve how America will respond in the future.

In the aftermath of any disaster, there is an acute need for trained rescue and recovery personnel. These needs are often met by volunteers who, having seen their fellow Americans in need, travel across country to answer the call for help. In the aftermath of Katrina, there was no shortage of volunteers who answered this call. Their willingness to help is a testament to the American spirit. Unfortunately, these volunteers were not used in a way that was equal to their spirit or the needs of the people affected by this storm.

As the media reported, FEMA diverted many volunteer first responders to places outside of the disaster area. Some highly skilled emergency response volunteers were sent to Arkansas to prepare paperwork. Others were

diverted to Atlanta to hand out fliers and still others were forced to attend ''sensitivity training'' seminars. Meanwhile, in the hardest hit areas of the gulf region, people suffered. Many needed basic medical care and supplies. The resources of local first responders and government officials were strained. The local responders needed reinforcements, especially when lawlessness broke out. Responding to a disaster is always a difficult job. But like we advise at-risk communities to take steps to prepare for potential disasters, the Federal Government also has an obligation to prepare in advance as well.

My amendment creates a process to enable FEMA and DHS to put qualified first responders in place in the immediate aftermath of disaster. It will ensure a better Federal response by providing State and local communities with the reinforcements they need. I believe there is a willingness on the part of retired law enforcement to volunteer their experience and expertise in times of crisis. In fact, the idea for this amendment was given to me by a friend of mine, Tom Page, who is a retired Las Vegas Metro Police officer. I thank him for this suggestion and I urge my colleagues to adopt the amendment.

AMENDMENT NO. 389

Mr. BOND. Madam President, I would like to commend Senators LIEBERMAN and COLLINS for all their hard work on S. 4 and I would especially like to thank them for their support of my amendment calling for further congressional review and action with regard to the recommendations of the 9/11 Commission.

The 9/11 Commission identified many shortfalls, some in the intelligence community and some in congressional oversight.

We can never ease the pain and anguish of the 9/11 families resulting from the deaths of their loved ones. It is possible, however, to do everything within our power to ensure more American families are not subjected to a similar nightmare.

We owe it to the 9/11 families as well as the American people to adopt reforms that will improve intelligence collection and dissemination, as well as will improve congressional oversight.

Putting our own house in order may not be popular, but it is the right thing to do.

I look forward to working with the chairman and ranking member, as well as the members of the Homeland Security and Governmental Affairs Committee to continue to improve U.S. intelligence and congressional oversight of U.S. intelligence.

In closing, I would also like to thank Ms. Holly Idelson of Senator LIEBERMAN's staff and Mr. Brandon Milhorn of Senator COLLINS's staff for their assistance to me and my staff. Both of these young people went out of their way to assist us, and I am grateful to them for their courteous demeanor and their professional conduct.

Mr. CHAMBLISS. Madam President, I rise today in support of Senate amendment No. 389 offered by my colleague from Missouri, Senator BOND. It is appropriate that this amendment be offered to the 9/11 bill as it is a first step in implementing one of the few outstanding recommendations made by the 9/11 Commission—to reform congressional oversight of the intelligence community. I am proud to be a cosponsor of this important amendment and thank Senator BOND for his leadership on this issue.

The 9/11 Commission suggested that the rules of the House of Representatives and the Senate lack the power, influence and sustained capability to effectuate oversight of the intelligence community. As such, they recommended that Congress establish one committee in each House of Congress with both authorizing and appropriation authority for the intelligence community or create a joint committee based on the model of the old Joint Committee on Atomic Energy.

Just this year, the House of Representatives amended their rules to create a new panel on the Appropriations Committee with members of both the Intelligence Committee and the Appropriations Committee. While the House provision does not meet the 9/11 Commission recommendation in full, the Senate has not acted at all. As every Member of this body knows, reforming Congress, especially the Senate, can be difficult and will face much resistance. However, the Senate should not be an exception to government reform after September 11, 2001. We should lead by example. We owe the American public and the families of those lost on September 11, 2001 to continue to improve intelligence collection and coordination as well as to improve congressional oversight.

I know many have ideas on reform in the Senate, and we should explore those. We need to find the most effective way to conduct vital, and often difficult, intelligence oversight. That is why this amendment is so important—it asks the Senate Select Committee on Intelligence and the Homeland Security and Governmental Affairs Committee to each review the 9/11 Commission's recommendation. Members of the Senate with expertise in reform and intelligence will review the oversight process and develop recommendations on the most valuable reforms.

In conclusion, I hope all my colleagues will support this amendment and work with the committees in the Senate to improve the congressional oversight process.

Mr. HATCH. Madam President, we certainly know how complicated and even vexing the process of reforming the intelligence community is. On the one hand, we now have in place a new structure, with an overarching office of the Director of National Intelligence, that is responsible for addressing many of the institutional and structural impediments that led to our intelligence community's underperformance in the last years of the 20th century, leaving us more vulnerable to the attacks of September 11. The second and recently confirmed Director of the Office of National Intelligence, Mike McConnell, assumes leadership in a structure that is up and running, if still on its shakedown cruise. In Mike McConnell we have a leader that will take the DNI to the levels of authority and accomplishment we in Congress who created the Office of the DNI intended.

Throughout the IC we have seen many promising developments. Agencies are infused with resources and focus, and they are addressing our priority and hard targets like no other time during my 30 years in the Senate. Mike Hayden at CIA is providing leadership to an organization that is truly beginning to reach out of its petrified structures and mindset of the past to bravely and creatively take on the intelligence challenges of today and tomorrow. As a member of the Intelligence Committee, I make every effort to commend and encourage all of these positive developments, and I know I am joined by most of my colleagues.

That is the good news. The bad news is that intelligence reform has many unfinished aspects. There are still deep cultural problems with the way certain IC organizations, particularly the CIA, work. We still have far to go and addressing the challenge of hard targets, like North Korea and Iran. All of these challenges will take time and leadership to address.

The 9/11 Commission's report on the intelligence failures leading to September 11 also focused how Congress needed to change. The report stated:

> Under the terms of existing rules and resolutions the House and Senate intelligence committees lack the power, influence, and sustained capability to meet this challenge.

The Commission recommended:

> Either Congress should create a joint committee for intelligence . . . or it should create House and Senate committees with combined authorizing and appropriations powers.

We began to improve congressional oversight with S. Res. 445, passed immediately after the Intelligence Reform and Terrorism Prevention Act of 2004. We removed term limits, raised the stature of the committee to an A Committee, and returned to the use of designated staff. But this was tinkering in comparison to the 9/11 Commission's recommendation.

I recognize this is a difficult question, for all of the reasons of congressional resistance and established prerogatives. But I think that we should not abandon addressing the very substantive question of the current structure that greatly limits intelligence committee control over intelligence community appropriations.

Therefore, I am pleased that amendment No. 389 has been accepted to S. 4, and I commend the author of this amendment, the vice chairman of the Senate Select Committee on Intelligence, Senator BOND. I am pleased to

note that this amendment has the cosponsorship of the chairman of the committee, Senator ROCKEFELLER. This amendment requests a joint review of this question be conducted by both the Intelligence and the Homeland Security Committees, and be presented by year's end. This is not a radical proposal, in and of itself, but keeps the Senate focused on an unresolved question, a question whose importance to the question of congressional oversight of our intelligence community cannot be underestimated.

Intelligence reform is an ongoing process. I happen to believe that, when our institutional will flags or is diverted, we should remind ourselves of the costs of intelligence failure, and steel ourselves to the fact that intelligence will play a larger role in our national defense for the foreseeable future. And we should never abandon our oversight of intelligence reform, our dedication to supporting the most dynamic intelligence community, and our responsibility to conducting this oversight in the most effective manner possible.

Mr. LIEBERMAN. Madam President, I thank the Chair and my friend from Maine, and I notify our colleagues that we are working very hard to eliminate the remaining objections on components of the managers' amendment. We anticipate at least one more rollcall vote on one of the pending amendments and then final passage, and hopefully that will happen soon.

Pending that, Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, while we are waiting here to line up a vote on this amendment and this bill, I will speak briefly relative to my thoughts on how this bill is evolving. Like everyone, I was very impressed with the work of the 9/11 Commission. I think they did a superb job of pointing out what were, unfortunately, very significant problems which we have as a nation relative to our preparedness to fight terrorism. I had the good fortune to chair the Homeland Security Subcommittee of the Appropriations Committee for the last 2 years and spent a considerable time before that working on the accounts of the FBI. We worked hard, honestly, to try to address some of the issues which were raised by the 9/11 Commission and, as a practical matter, the great majority of the issues raised by the 9/11 Commission have been addressed and are moving forward, hopefully, to a constructive resolution.

This bill, although it has the 9/11 Commission imprimatur on it as its name, is more of a clutter—a collection of various ideas, some of which the 9/11 Commission agrees with, some of which I suspect they never even thought of discussing and, as a practical matter, the bill as a whole, in my humble opinion, in its present form would actually end up undermining rather than improving our safety as a nation. There are a number of reasons for that, but at the moment the most significant reason is the unionization language in this bill which essentially says the TSA will become a unionized organization.

When we originally set up the TSA, which was a matter of considerable debate on this floor, that issue was at the essence, at the center, of the discussion as to why and how we were going to set up the TSA. The belief was at the time we set up the TSA and the commitment was at that time that we would not create a unionized organization.

Why was that? It is not that unions do not do good work. Unions do extraordinary work. They have been one of the great forces in American culture for producing and mainstreaming many Americans, from the standpoint of income and social activity, having a group to participate with. They have been an extraordinarily positive force. But the belief was—and it is an accurate belief arrived at after considerable thought and a great deal of debate—that unionizing TSA would be like unionizing the military, to give an example.

The TSA is the front line of our defense relative to protecting airplanes that fly in America today. We know air traffic is the No. 1 source for attack from the al-Qaida interests. We know that they, in their handbooks and their training manuals, constantly come back to the use of aircraft as a weapon, and unfortunately we saw them use it on 9/11.

Having a secure transportation industry, especially in the aircraft area, is absolutely critical to our protecting our Nation from acts of terrorism. That is why we put in place the TSA. They are the front line of securing our air transportation system in this country. They are like a military force. Their purpose is to be moved around quickly to areas of weakness. Their purpose is to make sure they execute efficiently the review of people getting on aircraft to make sure those people are appropriately screened.

You cannot have incompetence. You can't have inefficiency. You can't have poorly trained people or people who do not sort of get with the program. You must have a very disciplined, focused group of individuals managing the security at our airports. That is the goal we were hoping to accomplish with the TSA.

It was fully understood, because I was involved in the debate, that when we set up the TSA it would not be unionized because union rules inherently create delay and they create stricture and straitjackets and make it very difficult to manage different issues that have to be managed aggressively and with fluidity by the leadership of the TSA and the TSA teams on the ground.

To create a unionized TSA will take away that flexibility, that efficiency. It will take away the ability to assure the people who are doing the screening will be the best we can get and they are doing it in the most effective way that can be done. In my opinion, putting this language in this bill, if it were to pass, would undermine security generally.

There are other issues with this bill which I can assure you, in my reading of the 9/11 Commission report, they did not think of in the terms this bill is structured: specifically, the formula for the distribution of funds. I chaired the Appropriations subcommittee which had responsibility for distributing funds relative to terrorist activity in this country. We do have this pool of funds which is distributed to all the States and all the regions in this country under a formula. My opinion is if you want to effectively use that money, it should be threat based. That should be the No. 1 priority and the No. 1 criterion. Is the money going where the threat is highest?

We know there are certain targets in this country which are high-threat areas: New York City, the subway system specifically, but a lot of parts of New York City; Los Angeles; Washington, DC. These are clearly high-priority targets when you are talking about terrorists. Terrorists have goals. One of their goals is to destroy our culture and kill as many Americans as they can, according to al-Qaida, but another is to make a statement internationally. That is why they picked the World Trade Center. That was a recognized international symbol.

I know there are places in New Hampshire that are probably susceptible to terrorist attack. I am sure they are. But the fact is, it is unlikely, if you are ordering priorities, that most of them are going to be very high on a priority list for terror attack—certainly one structured by an al-Qaida type organization. They may be from domestic terrorism; that is different—domestic terrorism such as hit Oklahoma City. But if there were a structured terrorist attack from an Islamic fundamentalist group, we can prioritize what is the terrorist threat and what is not the terrorist threat.

The money should go to the threat. Now how does that affect New Hampshire? It means New Hampshire would get less money. As the chairman of an Appropriations subcommittee, I had responsibility for this area up until this year, when I switched over to foreign affairs accounts. I strongly promoted the program of putting the money where the threat was, to the disadvantage of New Hampshire, because I felt that was the way it should be done.

Now this bill comes along and tries to reorder that in a way that essentially says every State, every community will get, for lack of a better word,

''walking around money'' for purposes of buying security, to the detriment of the high-threat areas. We only have so much money.

Once we have secured the high-threat areas and we are fairly comfortable, then we can start distributing it maybe more broadly and without any accountability for threat. But initially the distribution should be based on threat.

Yes, every State should get some, but it should not be under the formula that is in this bill. It should be a much lower absolute commitment of dollars and a much higher commitment of dollars in the threat area. This is what bothers me about this bill.

In addition, there is the ability of people to get access to classified intelligence briefings and materials. This is playing with fire when we start significantly expanding access to this type of material. Because it is this material falling into the wrong hands by accident, which it might be, or just oversight, because it is in so many hands, because it is expanded by this bill and going into so many hands, that if it falls into the wrong places, people can trace the source, and protecting these sources of where we get intelligence is absolutely the most critical thing we have to do. If we have a good source of intelligence on how people want to attack us, protecting that source is absolutely essential.

Some of the intelligence material that will be released under this bill—with good intentions, but, unfortunately, the Congress tends to be a sieve, and no matter how aggressively people try to protect that information, it seems to get out—could easily expand the number of people available who have access to this information to a point where the security of the administration will come into question.

So these are very serious issues relative to this bill. The most serious is the unionization of a nonunion, lean, effective organization which would protect our transportation system, especially air traffic; the failure to put the money on the target which is threatened; and the issue of expanding the availability of very sensitive intelligence information in a way that might undermine the sources of that information.

Those are the reservations I have about this bill. That is why I will not be able to support the bill when it comes up for final passage should it be in its present form.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, we are coming to the moment when we adopt the managers' amendment and proceed to final passage. I want to respond to some of the things said by my friend from New Hampshire.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. LIEBERMAN. In response to my friend from New Hampshire, two things: One is, S. 4 is a direct response not just to the original 9/11 Commission in 2004, which was the basis of the Intelligence Reform Terrorism Prevention Act of that year, but it is a response directly to the appeal the 9/11 Commission issued in December of 2005 that there was unfinished business.

That appeal was not only seconded but echoed and amplified by the various organizations representing families who lost loved ones on 9/11 in the terrorist attack of that day.

So this legislation before the Senate now, about to go to final amendment consideration and adoption, includes improvements in information sharing—the critical question of connecting the dots before the terrorists can strike us so we can stop them from doing so. It creates a new dedicated grant fund to support interoperable communications equipment—complicated words which simply mean whether in a crisis, a potential terrorist attack, or a natural disaster such as Katrina, our firefighters, our police officers, our emergency responders can talk to each other as they were not able to do on 9/11.

This is a balanced, progressive recommendation to solve once and for all by legislation the ongoing dispute about how to distribute homeland security grant funding. We have improved the security requirements of the so-called visa waiver program. We have strengthened the Privacy and Civil Liberties Board and done much else. There is a lot constructive here. One of the parts of this legislation that I believe still should be the least controversial and, frankly, not the most important but an act of fairness consistent with our effort to improve homeland security, was simply to give the transportation security officers at the Transportation Security Agency, who now can join a union but cannot collectively bargain, the same right to collectively bargain in very limited areas without the right to strike, the same rights that most other employees at the Department of Homeland Security, including law enforcement personnel, have and continue to have, without impeding their carrying out of their law enforcement public safety functions. That includes the Border Patrol, obviously at the Capitol that includes our Capitol Police, and throughout America it includes firefighters and police officers.

It is unfortunate that is so much the focus of discussion about this bill because this bill is a direct response to the appeals of the 9/11 Commissioners and the 9/11 families to take constructive action to respond to the statements that the Commission itself made in 2004 and again in 2005: America is safer than it was on 9/11/01 but not yet safe enough.

This bill, which is not controversial and ought to receive nonpartisan support, will make the people of America, in an age of terrorism, safer yet than they have been before. It is why I strongly urge my colleagues across party lines to support final passage of the legislation.

I hope soon to be able to propound a series of unanimous consent agreements. I am waiting for final clearance from my ranking member. As soon as that happens I will rise to do so.

AMENDMENT NO. 448

I ask unanimous consent that notwithstanding its adoption, the Ensign amendment No. 448 be considered a first-degree amendment, agreed to, and that it be inserted at the appropriate place in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. 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. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REQUESTED RESIGNATIONS OF SEVEN UNITED STATES ATTORNEYS

Mr. SPECTER. Madam President, I have sought recognition to comment about the events in the Department of Justice over the course of the past 10 days, with respect to the request for the resignations of seven United States attorneys and the disclosures that the FBI was improperly using national security letters.

With respect to the matter about the request for resignations of the United States attorneys, I believe it is important for the Judiciary Committee to proceed with its inquiry to find out exactly what happened. There is no doubt—I think it is undisputed—that the Attorney General has the authority to replace United States attorneys. There is a serious question if they are replaced for improper motives.

We know when President Clinton was elected, one of his first acts in early 1993, when he took office, was to replace all 93 of the United States attorneys. I had the occasion recently to discuss this with the Attorney General of Pennsylvania, Tom Corbett, who was a U.S. attorney at that time for the Western District of Pennsylvania. In 1993, he had the position in the United States attorneys organization to make those telephone calls. That was handled in due course, and nobody challenged the President's authority to replace United States attorneys.

Now, questions have arisen as to whether United States attorneys were replaced improperly—for example, the question has been raised as to U.S. Attorney Lam in the Southern District of California, in San Diego, and whether she was replaced because of her conviction of former Congressman Duke Cunningham, now serving an 8-year sentence, and whether she was about to investigate other people who were politically powerful.

Ms. Lam was questioned about that. I asked her whether she considered the

request for her resignation to be inappropriate. She said she was surprised by it. I pressed her for her own conclusion. I think we may need more by way of inquiry to examine what her performance ratings were to see if there was a basis for her being asked to resign.

We had a situation with Mr. Cummins, who was a U.S. attorney in the Eastern District of Arkansas. He received a telephone call, which he then relayed to other dismissed United States attorneys, and he did it by e-mail very shortly after the telephone call. The question I had for Mr. Cummins was, what was said? The e-mail did not contain the language of the caller from the Department of Justice. It had Mr. Cummins' sense, or feelings, that it was a warning. After little discussion, one lawyer to another, he said it may have been friendly advice. Well, that perhaps requires a little more analysis, if not a little more inquiry.

Then we have the situation with the U.S. attorney from New Mexico, where, according to the news reports—and we have to find this out from the actual witnesses—there had been concerns expressed by people in New Mexico as to whether he was doing his job properly. On those concerns—at least according to the press—we have to find this out from the witnesses. Those calls, according to members of the press, or according to what has been reported in the press, were relayed to White House officials, and they passed them on to the Department of Justice.

We have to look at that and ask ourselves the question of whether there is impropriety in that. If the Department of Justice is to evaluate whether a United States attorney ought to be retained, is it relevant as to what people think about him or her? The comments may require that we look at whether he was doing the job. Those are matters we have yet to determine. So when we have declarations made on the Senate floor that are conclusory, condemning the Department of Justice for what it has done, I say that is premature.

When the issue came up about the hearing that was a week ago today, in my capacity as ranking member of the committee, I was asked to waive the 7-day rule, and I agreed to do so. I agreed to do so because I thought it was important to move ahead promptly. When Senator LEAHY has raised the issue about other witnesses coming in, I think he is correct on that. The issue was raised about bringing in former White House Counsel Harriet Miers, issues were raised about bringing in people from the Department of Justice and other people in the office of the White House Counsel. I think that ought to be done. I do not think it is necessary to subpoena them. We will see.

Before subpoenas ought to be issued, or before there even ought to be an issue raised about subpoenas, we ought to make a determination as to whether people are willing to come in voluntarily. When you talk about subpoenas, the first public reaction is: Why do they have to be subpoenaed? Why don't they come in voluntarily? Do they have something to hide? The next inference or question is: Are they guilty of something that they have to be subpoenaed?

So let us proceed in the regular course of business. I was a district attorney for some 8 years and an assistant DA before that, and I have been on the Judiciary Committee for 27 years. The regular way to do business is to ask people to come in. If they refuse, then you can talk about subpoenas and you can get tough if it is necessary to do that.

I regret I could not be here when Senator SCHUMER was on the floor earlier today. He has made public statements about the Attorney General politicizing the office. Well, that may be Senator SCHUMER's opinion, his judgment. But let's get down to specific facts as to what is involved in the politicization. We are all working here in a political field. I, frankly, have a concern to see Senator PETE DOMENICI on the Web site of the Democratic Senate Campaign Committee. I have a little concern about some of the statements that have been made by Members of this body, rushing to judgment, before we have had these witnesses in.

There has been a request for witnesses from the administration, from the White House. Well, why condemn the parties and condemn the Department until we have found out what the facts are? My view, as I expressed last Thursday in the Judiciary Committee's executive session, has been to tone down the rhetoric. We are now on the heels of the issue of the request for resignations of the United States attorneys.

We have the disclosures that the Federal Bureau of Investigation had misused the national security letters. We gave them broader powers in the PATRIOT Act. We broadened the powers from cases involving foreign powers to national security matters generally. We put in a provision as to exigent circumstances, which means an emergency. Until we find, at least preliminarily, that the FBI used the exigent category more broadly—in some situations, they were to get statements on probable cause for the judicial authorization. In giving the FBI these broader powers under the—Madam President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SPECTER. We gave the FBI these broader powers under the PATRIOT Act because of the importance of fighting terrorism, and that is a major problem of the United States today, an enormous problem worldwide. We are concerned that where the FBI exercises these greater powers there has to be an appropriate regard for civil liberties and for constitutional rights. If it weren't for the fact we inserted in the reauthorization the authority of the inspector general to make these audits, we would not have found out what was going on.

So then in evaluating what the Department of Justice has done, I think it is important to look thoroughly at the issues raised by the inspector general. It is a thick volume. We are going to need oversight hearings. Senator LEAHY, chairman of the Judiciary Committee, already announced that. I think we may have to go further and consider changing the authority of the FBI under the PATRIOT Act. If they do not use the powers within the confines the Congress has prescribed and the President authorized, then we may have to limit their power.

There are serious issues that confront the Department of Justice at this time and the Judiciary Committee, in its oversight capacity and investigative capacity, has the full authority of power to find out what the facts are, and we will speak plainly. I will have no hesitation in making a factually based judgment if they have acted improperly.

Let us see the background of the firing of these U.S. attorneys, and let us see what the details are on the national security letters and what the Department of Justice does to correct the situation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

AMENDMENT NO. 291; AMENDMENT NO. 293, AS MODIFIED; AMENDMENT NO. 341; AMENDMENT NO. 323; AMENDMENT NO. 290, AS FURTHER MODIFIED; AMENDMENT NO. 368; AMENDMENT NO. 392; AMENDMENT NO. 332, AS MODIFIED; AMENDMENT NO. 391; AMENDMENT NO. 431; AMENDMENT NO. 348; AMENDMENT NO. 404; AMENDMENT NO. 388, AS MODIFIED; AMENDMENT NO. 411, AS MODIFIED; AMENDMENT NO. 456; AMENDMENT NO. 414, AS MODIFIED; AMENDMENT NO. 412, AS MODIFIED; AMENDMENT NO. 354, AS MODIFIED

Mr. LIEBERMAN. Madam President, I am very happy to indicate to our colleagues we have reached agreement on a series of unanimous consent requests that will allow us to move to final passage.

I ask unanimous consent that the pending amendment be set aside and the Senate proceed to the consideration of a series of amendments, which have been cleared on our side and by Senator COLLINS on her side. The amendments are as follows:

Sununu amendment No. 291; Grassley amendment No. 293, with a modification; Coleman amendment No. 341; Feinstein amendment No. 323; Salazar amendment No. 290, with a further modification; Carper amendment No. 368; Akaka amendment No. 392; Lieberman amendment No. 332, with a modification; Lieberman-Collins amendment No. 391; Lieberman-Collins amendment No. 431; Wyden-Bond amendment No. 348; Byrd amendment No. 404; Pryor amendment No. 388, with a modification; Lieberman-McCain amendment No. 411, with a modification; Landrieu amendment No. 456;

Coleman amendment No. 414, with a modification; Inouye-Stevens-Lieberman amendment No. 412, with a modification; Menendez amendment No. 354, with a modification.

I ask unanimous consent that these amendments be agreed to en bloc; that the motions to reconsider be laid on the table, en bloc; that any statements thereon be printed in the RECORD as if read; and that consideration of these items appear separately in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 291

(Purpose: To ensure that the emergency communications and interoperability communications grant program does not exclude Internet Protocol-based interoperable solutions)

On page 121, between lines 2 and 3, insert the following:

''(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or interpreted to preclude the use of funds under this section by a State for interim or long-term Internet Protocol-based interoperable solutions, notwithstanding compliance with the Project 25 standard.''.

AMENDMENT NO. 293, AS MODIFIED

At the end, add the following:

TITLE __MODERNIZATION OF THE AMERICAN NATIONAL RED CROSS

SEC. __01. SHORT TITLE.

This title may be cited as the ''The American National Red Cross Governance Modernization Act of 2007''.

SEC. __02. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) Substantive changes to the Congressional Charter of The American National Red Cross have not been made since 1947.

(2) In February 2006, the board of governors of The American National Red Cross (the ''Board of Governors'') commissioned an independent review and analysis of the Board of Governors' role, composition, size, relationship with management, governance relationship with chartered units of The American National Red Cross, and whistleblower and audit functions.

(3) In an October 2006 report of the Board of Governors, entitled ''American Red Cross Governance for the 21st Century'' (the ''Governance Report''), the Board of Governors recommended changes to the Congressional Charter, bylaws, and other governing documents of The American National Red Cross to modernize and enhance the effectiveness of the Board of Governors and governance structure of The American National Red Cross.

(4) It is in the national interest to create a more efficient governance structure of The American National Red Cross and to enhance the Board of Governors' ability to support the critical mission of The American National Red Cross in the 21st century.

(5) It is in the national interest to clarify the role of the Board of Governors as a governance and strategic oversight board and for The American National Red Cross to amend its bylaws, consistent with the recommendations described in the Governance Report, to clarify the role of the Board of Governors and to outline the areas of its responsibility, including—

(A) reviewing and approving the mission statement for The American National Red Cross;

(B) approving and overseeing the corporation's strategic plan and maintaining strategic oversight of operational matters;

(C) selecting, evaluating, and determining the level of compensation of the corporation's chief executive officer;

(D) evaluating the performance and establishing the compensation of the senior leadership team and providing for management succession;

(E) overseeing the financial reporting and audit process, internal controls, and legal compliance;

(F) holding management accountable for performance;

(G) providing oversight of the financial stability of the corporation;

(H) ensuring the inclusiveness and diversity of the corporation;

(I) providing oversight of the protection of the brand of the corporation; and

(J) assisting with fundraising on behalf of the corporation.

(6)(A) The selection of members of the Board of Governors is a critical component of effective governance for The American National Red Cross, and, as such, it is in the national interest that The American National Red Cross amend its bylaws to provide a method of selection consistent with that described in the Governance Report.

(B) The new method of selection should replace the current process by which—

(i) 30 chartered unit-elected members of the Board of Governors are selected by a non-Board committee which includes 2 members of the Board of Governors and other individuals elected by the chartered units themselves;

(ii) 12 at-large members of the Board of Governors are nominated by a Board committee and elected by the Board of Governors; and

(iii) 8 members of the Board of Governors are appointed by the President of the United States.

(C) The new method of selection described in the Governance Report reflects the single category of members of the Board of Governors that will result from the implementation of this title:

(i) All Board members (except for the chairman of the Board of Governors) would be nominated by a single committee of the Board of Governors taking into account the criteria outlined in the Governance Report to assure the expertise, skills, and experience of a governing board.

(ii) The nominated members would be considered for approval by the full Board of Governors and then submitted to The American National Red Cross annual meeting of delegates for election, in keeping with the standard corporate practice whereby shareholders of a corporation elect members of a board of directors at its annual meeting.

(7) The United States Supreme Court held The American National Red Cross to be an instrumentality of the United States, and it is in the national interest that the Congressional Charter confirm that status and that any changes to the Congressional Charter do not affect the rights and obligations of The American National Red Cross to carry out its purposes.

(8) Given the role of The American National Red Cross in carrying out its services, programs, and activities, and meeting its various obligations, the effectiveness of The American National Red Cross will be promoted by the creation of an organizational ombudsman who—

(A) will be a neutral or impartial dispute resolution practitioner whose major function will be to provide confidential and informal assistance to the many internal and external stakeholders of The American National Red Cross;

(B) will report to the chief executive officer and the audit committee of the Board of Governors; and

(C) will have access to anyone and any documents in The American National Red Cross.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) charitable organizations are an indispensable part of American society, but these organizations can only fulfill their important roles by maintaining the trust of the American public;

(2) trust is fostered by effective governance and transparency, which are the principal goals of the recommendations of the Board of Governors in the Governance Report and this title;

(3) Federal and State action play an important role in ensuring effective governance and transparency by setting standards, rooting out violations, and informing the public; and

(4) while The American National Red Cross is and will remain a Federally chartered instrumentality of the United States, and it has the rights and obligations consistent with that status, The American National Red Cross nevertheless should maintain appropriate communications with State regulators of charitable organizations and should cooperate with them as appropriate in specific matters as they arise from time to time.

SEC. __03. ORGANIZATION.

Section 300101 of title 36, United States Code, is amended—

(1) in subsection (a), by inserting ''a Federally chartered instrumentality of the United States and'' before ''a body corporate and politic''; and

(2) in subsection (b), by inserting at the end the following new sentence: ''The corporation may conduct its business and affairs, and otherwise hold itself out, as the 'American Red Cross' in any jurisdiction.''.

SEC. __04. PURPOSES.

Section 300102 of title 36, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following paragraph:

''(5) to conduct other activities consistent with the foregoing purposes.''.

SEC. __05. MEMBERSHIP AND CHAPTERS.

Section 300103 of title 36, United States Code, is amended—

(1) in subsection (a), by inserting '', or as otherwise provided,'' before ''in the bylaws'';

(2) in subsection (b)(1)—

(A) by striking ''board of governors'' and inserting ''corporation''; and

(B) by inserting ''policies and'' before ''regulations related''; and

(3) in subsection (b)(2)—

(A) by inserting ''policies and'' before ''regulations shall require''; and

(B) by striking ''national convention'' and inserting ''annual meeting''.

SEC. __06. BOARD OF GOVERNORS.

Section 300104 of title 36, United States Code, is amended to read as follows:

''§ 300104. Board of governors

''(a) BOARD OF GOVERNORS.—

''(1) IN GENERAL.—The board of governors is the governing body of the corporation with all powers of governing and directing, and of overseeing the management of the business and affairs of, the corporation.

''(2) NUMBER.—The board of governors shall fix by resolution, from time to time, the number of members constituting the entire board of governors, provided that—

''(A) as of March 31, 2009, and thereafter, there shall be no fewer than 12 and no more than 25 members; and

''(B) as of March 31, 2012, and thereafter, there shall be no fewer than 12 and no more than 20 members constituting the entire board.

Procedures to implement the preceding sentence shall be provided in the bylaws.

''(3) APPOINTMENT.—The governors shall be appointed or elected in the following manner:

''(A) CHAIRMAN.—

''(i) IN GENERAL.—The board of governors, in accordance with procedures provided in the bylaws, shall recommend to the President an individual to serve as chairman of the board of governors. If such recommendation is approved by the President, the President shall appoint such individual to serve as chairman of the board of governors.

''(ii) VACANCIES.—Vacancies in the office of the chairman, including vacancies resulting from the resignation, death, or removal by the President of the chairman, shall be filled in the same manner described in clause (i).

''(iii) DUTIES.—The chairman shall be a member of the board of governors and, when present, shall preside at meetings of the board of governors and shall have such other duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.

''(B) OTHER MEMBERS.—

''(i) IN GENERAL.—Members of the board of governors other than the chairman shall be elected at the annual meeting of the corporation in accordance with such procedures as may be provided in the bylaws.

''(ii) VACANCIES.—Vacancies in any such elected board position and in any newly created board position may be filled by a vote of the remaining members of the board of governors in accordance with such procedures as may be provided in the bylaws.

''(b) TERMS OF OFFICE.—

''(1) IN GENERAL.—The term of office of each member of the board of governors shall be 3 years, except that—

''(A) the board of governors may provide under the bylaws that the terms of office of members of the board of governors elected to the board of governors before March 31, 2012, may be less than 3 years in order to implement the provisions of subparagraphs (A) and (B) of subsection (a)(2); and

''(B) any member of the board of governors elected by the board to fill a vacancy in a board position arising before the expiration of its term may, as determined by the board, serve for the remainder of that term or until the next annual meeting of the corporation.

''(2) STAGGERED TERMS.—The terms of office of members of the board of governors (other than the chairman) shall be staggered such that, by March 31, 2012, and thereafter, ⅓ of the entire board (or as near to ⅓ as practicable) shall be elected at each successive annual meeting of the corporation with the term of office of each member of the board of governors elected at an annual meeting expiring at the third annual meeting following the annual meeting at which such member was elected.

''(3) TERM LIMITS.—No person may serve as a member of the board of governors for more than such number of terms of office or years as may be provided in the bylaws.

''(c) COMMITTEES AND OFFICERS.—The board—

''(1) may appoint, from its own members, an executive committee to exercise such powers of the board when the board is not in session as may be provided in the bylaws;

''(2) may appoint such other committees or advisory councils with such powers as may be provided in the bylaws or a resolution of the board of governors;

''(3) shall appoint such officers of the corporation, including a chief executive officer, with such duties, responsibilities, and terms of office as may be provided in the bylaws or a resolution of the board of governors; and

''(4) may remove members of the board of governors (other than the chairman), officers, and employees under such procedures as may be provided in the bylaws or a resolution of the board of governors.

''(d) ADVISORY COUNCIL.—

''(1) ESTABLISHMENT.—There shall be an advisory council to the board of governors.

''(2) MEMBERSHIP; APPOINTMENT BY PRESIDENT.—

''(A) IN GENERAL.—The advisory council shall be composed of no fewer than 8 and no more than 10 members, each of whom shall be appointed by the President from principal officers of the executive departments and senior officers of the Armed Forces whose positions and interests qualify them to contribute to carrying out the programs and purposes of the corporation.

''(B) MEMBERS FROM THE ARMED FORCES.—At least 1, but not more than 3, of the members of the advisory council shall be selected from the Armed Forces.

''(3) DUTIES.—The advisory council shall advise, report directly to, and meet, at least 1 time per year with the board of governors, and shall have such name, functions and be subject to such procedures as may be provided in the bylaws.

''(e) ACTION WITHOUT MEETING.—Any action required or permitted to be taken at any meeting of the board of governors or of any committee thereof may be taken without a meeting if all members of the board or committee, as the case may be, consent thereto in writing, or by electronic transmission and the writing or writings or electronic transmission or transmissions are filed with the minutes of proceedings of the board or committee. Such filing shall be in paper form if the minutes are maintained in paper form and shall be in electronic form if the minutes are maintained in electronic form.

''(f) VOTING BY PROXY.—

''(1) IN GENERAL.—Voting by proxy is not allowed at any meeting of the board, at the annual meeting, or at any meeting of a chapter.

''(2) EXCEPTION.—The board may allow the election of governors by proxy during any emergency.

''(g) BYLAWS.—

''(1) IN GENERAL.—The board of governors may—

''(A) at any time adopt bylaws; and

''(B) at any time adopt bylaws to be effective only in an emergency.

''(2) EMERGENCY BYLAWS.—Any bylaws adopted pursuant to paragraph (1)(B) may provide special procedures necessary for managing the corporation during the emergency. All provisions of the regular bylaws consistent with the emergency bylaws remain effective during the emergency.

''(h) DEFINITIONS.—For purposes of this section—

''(1) the term 'entire board' means the total number of members of the board of governors that the corporation would have if there were no vacancies; and

''(2) the term 'emergency' shall have such meaning as may be provided in the bylaws.''.

SEC. __07. POWERS.

Paragraph (a)(1) of section 300105 of title 36, United States Code, is amended by striking ''bylaws'' and inserting ''policies''.

SEC. __08. ANNUAL MEETING.

Section 300107 of title 36, United States Code, is amended to read as follows:

''§ 300107. Annual meeting

''(a) IN GENERAL.—The annual meeting of the corporation is the annual meeting of delegates of the chapters.

''(b) TIME OF MEETING.—The annual meeting shall be held as determined by the board of governors.

''(c) PLACE OF MEETING.—The board of governors is authorized to determine that the annual meeting shall not be held at any place, but may instead be held solely by means of remote communication subject to such procedures as are provided in the bylaws.

''(d) VOTING.—

''(1) IN GENERAL.—In matters requiring a vote at the annual meeting, each chapter is entitled to at least 1 vote, and voting on all matters may be conducted by mail, telephone, telegram, cablegram, electronic mail, or any other means of electronic or telephone transmission, provided that the person voting shall state, or submit information from which it can be determined, that the method of voting chosen was authorized by such person.

''(2) ESTABLISHMENT OF NUMBER OF VOTES.—

''(A) IN GENERAL.—The board of governors shall determine on an equitable basis the number of votes that each chapter is entitled to cast, taking into consideration the size of the membership of the chapters, the populations served by the chapters, and such other factors as may be determined by the board.

''(B) PERIODIC REVIEW.—The board of governors shall review the allocation of votes at least every 5 years.''.

SEC. __09. ENDOWMENT FUND.

Section 300109 of title 36, United States Code is amended—

(1) by striking ''nine'' from the first sentence thereof; and

(2) by striking the second sentence and inserting the following: ''The corporation shall prescribe policies and regulations on terms and tenure of office, accountability, and expenses of the board of trustees.''.

SEC. __10. ANNUAL REPORT AND AUDIT.

Subsection (a) of section 300110 of title 36, United States Code, is amended to read as follows:

''(a) SUBMISSION OF REPORT.—As soon as practicable after the end of the corporation's fiscal year, which may be changed from time to time by the board of governors, the corporation shall submit a report to the Secretary of Defense on the activities of the corporation during such fiscal year, including a complete, itemized report of all receipts and expenditures.''.

SEC. __11. COMPTROLLER GENERAL OF THE UNITED STATES AND OFFICE OF THE OMBUDSMAN.

(a) IN GENERAL.—Chapter 3001 of title 36, United States Code, is amended by redesignating section 300111 as section 300113 and by inserting after section 300110 the following new sections:

''§ 300111. Authority of the Comptroller General of the United States

''The Comptroller General of the United States is authorized to review the corporation's involvement in any Federal program or activity the Government carries out under law.

''§ 300112. Office of the Ombudsman

''(a) ESTABLISHMENT.—The corporation shall establish an Office of the Ombudsman with such duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.

''(b) REPORT.—

''(1) IN GENERAL.—The Office of the Ombudsman shall submit annually to the appropriate Congressional committees a report

concerning any trends and systemic matters that the Office of the Ombudsman has identified as confronting the corporation.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of paragraph (1), the appropriate Congressional committees are the following committees of Congress:

''(A) SENATE COMMITTEES.—The appropriate Congressional committees of the Senate are—

''(i) the Committee on Finance;

''(ii) the Committee on Foreign Relations;

''(iii) the Committee on Health, Education, Labor, and Pensions;

''(iv) the Committee on Homeland Security and Governmental Affairs; and

''(v) the Committee on the Judiciary.

''(B) HOUSE COMMITTEES.—The appropriate Congressional committees of the House of Representatives are—

''(i) the Committee on Energy and Commerce;

''(ii) the Committee on Foreign Affairs;

''(iii) the Committee on Homeland Security;

''(iv) the Committee on the Judiciary; and

''(v) the Committee on Ways and Means.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 3001 of title 36, United States Code, is amended by striking the item relating to section 300111 and inserting the following:

''300111. Authority of the Comptroller General of the United States.
''300112. Office of the Ombudsman.
''300113. Reservation of right to amend or repeal.''.

AMENDMENT NO. 341

(Purpose: To provide for an additional program requirement for the border interoperability demonstration project)

On page 124, line 16, strike ''and'' after the semicolon.

On page 124, line 18, strike the period and insert ''; and''.

On page 124, between lines 18 and 19, insert the following:

(9) identify solutions to facilitate communications between emergency response providers in communities of differing population densities.

AMENDMENT NO. 290, AS MODIFIED FURTHER

At the appropriate place, insert the following:

SEC. ___. QUADRENNIAL HOMELAND SECURITY REVIEW.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than the end of fiscal year 2008, the Secretary shall establish a national homeland security strategy.

(2) REVIEW.—Four years after the establishment of the national homeland security strategy, and every 4 years thereafter, the Secretary shall conduct a comprehensive examination of the national homeland security strategy.

(3) SCOPE.—In establishing or reviewing the national homeland security strategy under this subsection, the Secretary shall conduct a comprehensive examination of interagency cooperation, preparedness of Federal response assets, infrastructure, budget plan, and other elements of the homeland security program and policies of the United States with a view toward determining and expressing the homeland security strategy of the United States and establishing a homeland security program for the 20 years following that examination.

(4) REFERENCE.—The establishment or review of the national homeland security strategy under this subsection shall be known as the ''quadrennial homeland security review''.

(5) CONSULTATION.—Each quadrennial homeland security review under this subsection shall be conducted in consultation with the Attorney General of the United States, the Secretary of State, the Secretary of Defense, the Secretary of Health and Human Services, and the Secretary of the Treasury.

(b) CONTENTS OF REVIEW.—Each quadrennial homeland security review shall—

(1) delineate a national homeland security strategy consistent with the most recent National Response Plan prepared under Homeland Security Presidential Directive-5 or any directive meant to replace or augment that directive;

(2) describe the interagency cooperation, preparedness of Federal response assets, infrastructure, budget plan, and other elements of the homeland security program and policies of the United States associated with the national homeland security strategy required to execute successfully the full range of missions called for in the national homeland security strategy delineated under paragraph (1); and

(3) identify—

(A) the budget plan required to provide sufficient resources to successfully execute the full range of missions called for in that national homeland security strategy at a low-to-moderate level of risk; and

(B) any additional resources required to achieve such a level of risk.

(c) LEVEL OF RISK.—The assessment of the level of risk for purposes of subsection (b)(3) shall be conducted by the Director of National Intelligence.

(d) REPORTING.—

(1) IN GENERAL.—The Secretary shall submit a report regarding each quadrennial homeland security review to Congress and shall make the report publicly available on the Internet. Each such report shall be submitted and made available on the Internet not later than September 30 of the year in which the review is conducted.

(2) CONTENTS OF REPORT.—Each report submitted under paragraph (1) shall include—

(A) the results of the quadrennial homeland security review;

(B) the threats to the assumed or defined national homeland security interests of the United States that were examined for the purposes of the review and the scenarios developed in the examination of those threats;

(C) the status of cooperation among Federal agencies in the effort to promote national homeland security;

(D) the status of cooperation between the Federal Government and State governments in preparing for emergency response to threats to national homeland security; and

(E) any other matter the Secretary considers appropriate.

(e) RESOURCE PLAN.—Not later than 30 days after the date of enactment of this Act, the Secretary shall provide to Congress and make publicly available on the Internet a detailed resource plan specifying the estimated budget and number of staff members that will be required for preparation of the initial quadrennial homeland security review.

AMENDMENT NO. 323

(Purpose: To provide for the inclusion of executive level training in certain curriculum for training)

On page 23, strike lines 11 through 15, and insert the following:

(a) CURRICULUM.—The Secretary, acting through the Chief Intelligence Officer, shall—

(1) develop curriculum for the training of State, local, and tribal government officials relating to the handling, review, and development of intelligence material; and

(2) ensure that the curriculum includes executive level training.

AMENDMENT NO. 368

(Purpose: To make funds available for the activities of the Public Interest Declassification Board)

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.''.

AMENDMENT NO. 392

(Purpose: To provide for the Secretary to ensure that chemical, biological, radiological, and nuclear detection equipment and technologies are integrated as appropriate with other border security systems and detection technologies, and for other purposes)

At the end of title XV, add the following:

SEC. _____. INTEGRATION OF DETECTION EQUIPMENT AND TECHNOLOGIES.

(a) IN GENERAL.—The Secretary shall have responsibility for ensuring that chemical, biological, radiological, and nuclear detection equipment and technologies are integrated as appropriate with other border security systems and detection technologies.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit a report to Congress that contains a plan to develop a departmental technology assessment process to determine and certify the technology readiness levels of chemical, biological, radiological, and nuclear detection technologies before the full deployment of such technologies within the United States.

AMENDMENT NO. 332, AS MODIFIED

On page 54, strike line 5 and all that follows through page 57, line 9, and insert the following:

''(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants to State, local, and tribal governments for the purposes of this title.

''(b) PROGRAMS NOT AFFECTED.—This title shall not be construed to affect any authority to award grants under any of the following Federal programs:

''(1) The firefighter assistance programs authorized under section 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a).

''(2) The Urban Search and Rescue Grant Program authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

''(3) Grants to protect critical infrastructure, including port security grants authorized under section 70107 of title 46, United States Code, and the grants authorized in title XIII and XIV of the Improving America's Security Act of 2007.

''(4) The Metropolitan Medical Response System authorized under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

''(5) Grant programs other than those administered by the Department.

''(c) RELATIONSHIP TO OTHER LAWS.—

''(1) IN GENERAL.—The grant programs authorized under this title shall supercede all grant programs authorized under section 1014 of the USA PATRIOT Act (42 U.S.C. 3714).

''(2) PROGRAM INTEGRITY.—Each grant program under this title, section 1809 of this

Act, or section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763) shall include, consistent with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), policies and procedures for—

''(A) identifying activities funded under any such grant program that are susceptible to significant improper payments; and

''(B) reporting the incidence of improper payments to the Department.

''(3) ALLOCATION.—Except as provided under paragraph (2) of this subsection, the allocation of grants authorized under this title shall be governed by the terms of this title and not by any other provision of law.

''(d) MINIMUM PERFORMANCE REQUIREMENTS.—

''(1) IN GENERAL.—The Administrator shall—

''(A) establish minimum performance requirements for entities that receive homeland security grants;

''(B) conduct, in coordination with State, regional, local, and tribal governments receiving grants under this title, section 1809 of this Act, or section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763), simulations and exercises to test the minimum performance requirements established under subparagraph (A) for—

On page 66, between lines 19 and 20, insert the following:

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section—

''(1) for fiscal year 2007, such sums as are necessary;

''(2) for each of fiscal years 2008, 2009, and 2010, $1,278,639,000; and

''(3) for fiscal year 2011, and each fiscal year thereafter, such sums as are necessary.

On page 77, strike line 3 and all that follows through page 80, line 7, and insert the following:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section—

''(1) for fiscal year 2007, such sums as are necessary;

''(2) for each of fiscal years 2008, 2009, and 2010, $913,180,500; and

''(3) for fiscal year 2011, and each fiscal year thereafter, such sums as are necessary.

''SEC. 2005. TERRORISM PREVENTION.

On page 84, strike line 19 and insert the following:

''SEC. 2006. RESTRICTIONS ON USE OF FUNDS.

On page 85, line 25, strike ''611(j)(8)'' and insert ''611(j)(9)''.

On page 86, line 2, strike ''5196(j)(8))'' and insert ''5196(j)(9))''.

On page 87, strike line 22 and insert the following:

''SEC. 2007. ADMINISTRATION AND COORDINATION.

On page 89, line 7, strike ''under this title'' and insert ''under section 2003 or 2004''.

On page 91, strike line 16 and insert the following:

''SEC. 2008. ACCOUNTABILITY.

On page 94, lines 13 and 14, strike ''the Homeland Security Grant Program'' and insert ''grants made under this title''.

On page 97, strike lines 7 and 8 and insert the following:

''SEC. 2009. AUDITING.

''(a) AUDITS OF GRANTS.—

On page 104, strike line 7 and all that follows through page 105, line 9, and insert the following:

''(d) DEFINITION.—In this section, the term 'Emergency Management Performance Grants Program' means the Emergency Management Performance Grants Program under section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763; Public Law 109-295).

''SEC. 2010. SENSE OF THE SENATE.

''It is the sense of the Senate that, in order to ensure that the Nation is most effectively able to prevent, prepare for, protect against, respond to, recovery from, and mitigate against all hazards, including natural disasters, acts of terrorism, and other man-made disasters—

''(1) the Department should administer a coherent and coordinated system of both terrorism-focused and all-hazards grants, the essential building blocks of which include—

''(A) the Urban Area Security Initiative and State Homeland Security Grant Program established under this title (including funds dedicated to law enforcement terrorism prevention activities);

''(B) the Emergency Communications Operability and Interoperable Communications Grants established under section 1809; and

''(C) the Emergency Management Performance Grants Program authorized under section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763); and

''(2) to ensure a continuing and appropriate balance between terrorism-focused and all-hazards preparedness, the amounts appropriated for grants under the Urban Area Security Initiative, State Homeland Security Grant Program, and Emergency Management Performance Grants Program in any fiscal year should be in direct proportion to the amounts authorized for those programs for fiscal year 2008 under the amendments made by titles II and IV, as applicable, of the Improving America's Security Act of 2007.''.

On page 106, strike lines 1 through 9, and insert the following:

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the items relating to title XVIII and sections 1801 through 1806, as added by the SAFE Port Act (Public Law 109–347; 120 Stat. 1884), and inserting the following:

''TITLE XIX—DOMESTIC NUCLEAR DETECTION OFFICE

''Sec. 1901. Domestic Nuclear Detection Office.
''Sec. 1902. Mission of Office.
''Sec. 1903. Hiring authority.
''Sec. 1904. Testing authority.
''Sec. 1905. Relationship to other Department entities and Federal agencies.
''Sec. 1906. Contracting and grant making authorities.

''TITLE XX—HOMELAND SECURITY GRANTS

''Sec. 2001. Definitions.
''Sec. 2002. Homeland Security Grant Program.
''Sec. 2003. Urban Area Security Initiative.
''Sec. 2004. State Homeland Security Grant Program.
''Sec. 2005. Terrorism prevention.
''Sec. 2006. Restrictions on use of funds.
''Sec. 2007. Administration and coordination.
''Sec. 2008. Accountability.
''Sec. 2009. Auditing.
''Sec. 2010. Sense of the Senate.''.

TITLE III—COMMUNICATIONS OPERABILITY AND INTEROPERABILITY

On page 126, between lines 14 and 15, insert the following:

TITLE IV—EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM

SEC. 401. EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM.

Section 622 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763) is amended to read as follows:

''SEC. 622. EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) POPULATION.—The term 'population' means population according to the most recent United States census population estimates available at the start of the relevant fiscal year.

''(2) STATE.—The term 'State' has the meaning given that term in section 101 of the Homeland Security Act of 2002 (6 U.S.C. 101).

''(b) IN GENERAL.—There is an Emergency Management Performance Grants Program to make grants to States to assist State, local, and tribal governments in preparing for, responding to, recovering from, and mitigating against all hazards.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each State may apply for a grant under this section, and shall submit such information in support of an application as the Administrator may reasonably require.

''(2) ANNUAL APPLICATIONS.—Applicants for grants under this section shall apply or reapply on an annual basis for grants distributed under the program.

''(d) ALLOCATION.—Funds available under the Emergency Management Performance Grants Program shall be allocated as follows:

''(1) BASELINE AMOUNT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each State shall receive an amount equal to 0.75 percent of the total funds appropriated for grants under this section.

''(B) TERRITORIES.—American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands each shall receive an amount equal to 0.25 percent of the amounts appropriated for grants under this section.

''(2) PER CAPITA ALLOCATION.—The funds remaining for grants under this section after allocation of the baseline amounts under paragraph (1) shall be allocated to each State in proportion to its population.

''(3) CONSISTENCY IN ALLOCATION.—Notwithstanding paragraphs (1) and (2), in any fiscal year in which the appropriation for grants under this section is equal to or greater than the appropriation for Emergency Management Performance Grants in fiscal year 2007, no State shall receive an amount under this section for that fiscal year less than the amount that State received in fiscal year 2007.

''(e) ALLOWABLE USES.—Grants awarded under this section may be used to prepare for, respond to, recover from, and mitigate against all hazards through—

''(1) any activity authorized under title VI or section 201 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq. and 5131);

''(2) any activity permitted under the Fiscal Year 2007 Program Guidance of the Department for Emergency Management Performance Grants; and

''(3) any other activity approved by the Administrator that will improve the emergency management capacity of State, local, or tribal governments to coordinate, integrate, and enhance preparedness for, response to, recovery from, or mitigation against all-hazards.

''(f) COST SHARING.—

''(1) IN GENERAL.—Except as provided in subsection (i), the Federal share of the costs of an activity carried out with a grant under this section shall not exceed 50 percent.

''(2) IN-KIND MATCHING.—Each recipient of a grant under this section may meet the matching requirement under paragraph (1) by making in-kind contributions of goods or services that are directly linked with the purpose for which the grant is made.

''(g) DISTRIBUTION OF FUNDS.—The Administrator shall not delay distribution of grant funds to States under this section solely because of delays in or timing of awards of other grants administered by the Department.

''(h) LOCAL AND TRIBAL GOVERNMENTS.—

''(1) IN GENERAL.—In allocating grant funds received under this section, a State shall take into account the needs of local and tribal governments.

''(2) INDIAN TRIBES.—States shall be responsible for allocating grant funds received under this section to tribal governments in order to help those tribal communities improve their capabilities in preparing for, responding to, recovering from, or mitigating against all hazards. Tribal governments shall be eligible for funding directly from the States, and shall not be required to seek funding from any local government.

''(i) EMERGENCY OPERATIONS CENTERS IMPROVEMENT PROGRAM.—

''(1) IN GENERAL.—The Administrator may award grants to States under this section to plan for, equip, upgrade, or construct all-hazards State, local, or regional emergency operations centers.

''(2) REQUIREMENTS.—No grant awards under this section (including for the activities specified under this subsection) shall be used for construction unless such construction occurs under terms and conditions consistent with the requirements under section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9).

''(3) COST SHARING.—

''(A) IN GENERAL.—The Federal share of the costs of an activity carried out with a grant under this subsection shall not exceed 75 percent.

''(B) IN KIND MATCHING.—Each recipient of a grant for an activity under this section may meet the matching requirement under subparagraph (A) by making in-kind contributions of goods or services that are directly linked with the purpose for which the grant is made.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section—

''(1) for fiscal year 2007, such sums as are necessary;

''(2) for each of fiscal years 2008, 2009, and 2010, $913,180,500; and

''(3) for fiscal year 2011, and each fiscal year thereafter, such sums as are necessary.''.

AMENDMENT NO. 391

(Purpose: To improve the guidelines for fusion centers operated by State or local governments, to improve the awarding and administration of homeland security grants, and for other purposes)

On page 37, line 5, strike ''within the scope'' and all that follows through ''(6 U.S.C. 485)'' on line 8 and insert ''and intelligence''.

On page 37, lines 9 and 10, strike ''local emergency response providers'' and insert ''local government agencies (including emergency response providers)''.

On page 37, line 25, strike ''and''.

On page 38, line 3, strike the period and insert ''; and''.

On page 38, between lines 3 and 4, insert the following:

''(9) incorporate emergency response providers, and, as appropriate, the private sector, into all relevant phases of the intelligence and fusion process through full time representatives or liaison officers.

On page 63, line 13, before the semicolon, insert the following: ''the inclusion of which will enhance regional efforts to prevent, prepare for, protect against, respond to, and recover from acts of terrorism''.

On page 66, strike lines 3 through 8 and insert the following:

''(2) STATE DISTRIBUTION OF FUNDS.—

''(A) IN GENERAL.—Each State shall provide the eligible metropolitan area not less than 80 percent of the grant funds. Any funds retained by a State shall be expended on items or services approved by the Administrator that benefit the eligible metropolitan area.

''(B) FUNDS RETAINED.—A State shall provide each relevant eligible metropolitan area with an accounting of the items or services on which any funds retained by the State under subparagraph (A) were expended.

On page 82, line 4, strike ''or other'' and insert ''and other''.

On page 83, line 15, before the semicolon, insert the following: '', including through review of budget requests for those programs''.

On page 90, between lines 4 and 5, insert the following:

''(3) EXISTING PLANNING COMMITTEES.—Nothing in this subsection may be construed to require that any State or metropolitan area create a planning committee if that State or metropolitan area has established and uses a multijurisdictional planning committee or commission that meets the requirements of this subsection.

AMENDMENT NO. 431

(Purpose: To clarify the coordination of the accreditation and certification program for the private sector, and for other purposes)

On page 194, lines 18 and 19, strike ''and each private sector advisory council created under section 102(f)(4)'' and insert ''each private sector advisory council created under section 102(f)(4), and appropriate private sector advisory groups such as sector coordinating councils and information sharing and analysis centers''.

On page 195, line 12, strike ''the American National Standards Institute and'' and insert ''representatives of organizations that coordinate or facilitate the development of and use of voluntary consensus standards''.

On page 195, lines 14 through 16, strike ''and each private sector advisory council created under section 102(f)(4)'' and insert '', each private sector advisory council created under section 102(f)(4), and appropriate private sector advisory groups such as sector coordinating councils and information sharing and analysis centers''.

On page 196, line 21, strike ''and'' after the semicolon.

On page 196, strike lines 17–23 and insert the following:

''(C) consider the unique nature of various sectors within the private sector, including preparedness, business continuity standards, or best practices, established—

''(i) under any other provision of Federal law; or

''(ii) by any sector-specific agency, as defined under Homeland Security Presidential Directive-7; and

''(D) coordinate the program, as appropriate, with—

''(i) other Department private sector related programs; and

''(ii) preparedness and business continuity programs in other Federal agencies.

On page 201, between lines 9 and 10, insert the following:

''(e) COMPLIANCE BY ENTITIES SEEKING CERTIFICATION.—Any entity seeking certification under this section shall comply with all applicable statutes, regulations, directives, policies, and industry codes of practice in meeting certification requirements.

On page 201, line 10, strike ''(e)'' and insert ''(f)''.

On page 201, line 13, strike ''(f)'' and insert ''(g)''.

On page 201, line 18, strike ''(g)'' and insert ''(h)''.

On page 202, strike lines 20 through 24, and insert the following:

SEC. 706. RULE OF CONSTRUCTION.

Nothing in this title may be construed to supercede any preparedness or business continuity standards, requirements, or best practices established—

(1) under any other provision of Federal law; or

(2) by any sector-specific agency, as defined under Homeland Security Presidential Directive-7.

AMENDMENT NO. 348

(Purpose: To require that a redacted version of the Executive Summary of the Office of Inspector General Report on Central Intelligence Agency Accountability Regarding Findings and Conclusions of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001 is made available to the public)

At the appropriate place, insert the following:

SEC. _____. AVAILABILITY OF THE EXECUTIVE SUMMARY OF THE REPORT ON CENTRAL INTELLIGENCE AGENCY ACCOUNTABILITY REGARDING THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.

(a) PUBLIC AVAILABILITY.—Not later than 30 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall prepare and make available to the public a version of the Executive Summary of the report entitled the ''Office of Inspector General Report on Central Intelligence Agency Accountability Regarding Findings and Conclusions of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001'' issued in June 2005 that is declassified to the maximum extent possible, consistent with national security.

(b) REPORT TO CONGRESS.—The Director of the Central Intelligence Agency shall submit to Congress a classified annex to the redacted Executive Summary made available under subsection (a) that explains the reason that any redacted material in the Executive Summary was withheld from the public.

AMENDMENT NO. 404

(Purpose: To require the Secretary of Homeland Security to notify Congress not later than 30 days before waiving any eligibility requirement under the visa waiver program established under section 217 of the Immigration and Nationality Act)

On page 133, line 20, strike ''(C)'' and insert the following:

(C) in subsection (d), by adding at the end the following: ''The Secretary of Homeland Security may not waive any eligibility requirement under this section unless the Secretary notifies the appropriate congressional committees not later than 30 days before the effective date of such waiver.'';

(D)

AMENDMENT NO. 388, AS MODIFIED

On page 105, after line 9, insert the following:

SEC. 203. EQUIPMENT TECHNICAL ASSISTANCE TRAINING

(a) SENSE OF THE SENATE.—It is the Sense of the Senate that the Department of Homeland Security shall conduct no fewer than 7,500 trainings annually through the Domestic Preparedness Equipment Technical Assistance Program.

(b) REPORT.—The Secretary of Homeland Security shall report no later than September 30 annually to the Senate Homeland Security and Governmental Affairs Committee, the House Homeland Security Committee, Senate Appropriations Subcommittee on Homeland Security, and the

House Appropriations Subcommittee on Homeland Security—

(1) on the number of trainings conducted that year through the Domestic Preparedness Equipment Technical Assistance Program; and

(2) if the number of trainings conducted that year is less than 7,500, an explanation of why fewer trainings were needed.

AMENDMENT NO. 411, AS MODIFIED

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.

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) EXCEPTION.—A Democracy Fellow may not be assigned to any congressional office until the Secretary of Defense certifies to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives that the request of the Commander of the United States Central Command for the Department of State for personnel and foreign service officers has been fulfilled.

SEC. 1613. TRANSPARENCY OF UNITED STATES BROADCASTING TO ASSIST IN OVERSIGHT AND ENSURE PROMOTION OF HUMAN RIGHTS AND DEMOCRACY IN INTERNATIONAL BROADCASTS.

(a) TRANSCRIPTS.—The Broadcasting Board of Governors shall transcribe into English all original broadcasting content.

(b) PUBLIC TRANSPARENCY.—The Broadcasting Board of Governors shall post all English transcripts from its broadcasting content on a publicly available website within 30 days of the original broadcast.

(c) BROADCASTING CONTENT DEFINED.—In this section, the term ''broadcasting content'' includes programming produced or broadcast by United State international broadcasters, including—

(1) Voice of America;

(2) Alhurra;

(3) Radio Sawa;

(4) Radio Farda;

(5) Radio Free Europe/Radio Liberty;

(6) Radio Free Asia; and

(7) The Office of Cuba Broadcasting.

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.

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.

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. SENSE OF CONGRESS ON ADVANCE DEMOCRACY AWARD.

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.

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.—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.

(b) SENSE OF CONGRESS ON INTERNATIONAL CENTER FOR DEMOCRATIC TRANSITION.—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.

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.

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.

AMENDMENT NO. 456

(Purpose: To require the Secretary of Homeland Security to include levees in the list of critical infrastructure sectors)

At the appropriate place, insert ''The Secretary shall include levees in the Department's list of critical infrastructure sectors.

AMENDMENT NO. 414, AS MODIFIED

Insert at the appropriate place:

(a) DEMONSTRATION PROJECT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall—

(1) establish a demonstration project to conduct demonstrations of security management systems that—

(A) shall use a management system standards approach; and

(B) may be integrated into quality, safety, environmental and other internationally adopted management systems; and

(2) enter into 1 or more agreements with a private sector entity to conduct such demonstrations of security management systems.

AMENDMENT NO. 412, AS MODIFIED

(Purpose: To provide for model ports of entry and modify the international registered traveler program)

On page 2, after the item relating to section 405, insert the following:

Sec. 406. Model ports-of-entry.

On page 148, between lines 7 and 8, insert the following:

SEC. 406. 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 welcoming international arrival process in order to facilitate and promote business and tourist travel to the United States, while also improving security; and

(2) implement the program initially at the 20 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) assistance for foreign travelers once they have been admitted to the United States, in consultation, as appropriate, with relevant governmental and nongovernmental entities; 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 PROTECTION OFFICERS FOR HIGH VOLUME PORTS.—Subject to the availability of appropriations, before the end of fiscal year 2008 the Secretary of Homeland Security shall employ not less than an additional 200 Customs and Border Protection officers to address staff shortages at the 20 United States international airports with the highest average number of foreign visitors arriving annually.

AMENDMENT NO. 354, AS MODIFIED

Beginning with line 1 on page 1, strike through the end of the amendment and insert the following:

At the appropriate place, insert the following:

SEC. ___. 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'';

(2) by resetting the left margin of the text thereof 2 ems from the left margin; and

(3) by inserting at the end thereof the following:

''(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 subparagraph (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, unless the Secretary explains in writing to the appropriate congressional committees that inadequate progress has been made in meeting the criteria in section 232(b) for expanded scanning to be practical or feasible;

''(iii) an analysis of how to effectively incorporate 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) an analysis of the scanning equipment, personnel, and technology necessary to reach the goal of 100 percent scanning of cargo containers.

''(C) SUBSEQUENT REPORTS.—Each report under paragraph (1) after the initial report shall include an assessment of the progress toward implementing the plan under subparagraph (A).''.

AMENDMENTS NOS. 423, 424, 340, 307, 358, 359, 394, 415, AND 371 EN BLOC

Mr. LIEBERMAN. Madam President, on behalf of the Commerce Committee, I ask unanimous consent that the pending amendment be set aside and the Senate proceed en bloc to the consideration of a series of amendments which have been cleared by the chair and ranking member of the Commerce Committee, Senators INOUYE and STEVENS.

The amendments are as follows: Inouye-Stevens amendment No. 423 with a modification; Inouye-Stevens amendment No. 424 with a modification; Rockefeller amendment No. 340; Kerry amendment No. 307; Murray amendment No. 358 with a modification; Lautenberg amendment No. 359 with a modification; Cardin amendment No. 394.

On behalf of the Banking Committee, Senators DODD and SHELBY, I ask that the following amendments within their jurisdiction which they have cleared also be considered: Dodd amendment No. 415, Kohl amendment No. 371 with a modification.

Madam President, I ask unanimous consent that these amendments be agreed to en bloc, the motions to reconsider be laid upon the table, en bloc, that any statements thereon be printed in the RECORD, and that the consideration of these amendments appear separately in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 340, 307, 394, and 415) were agreed to, as follows:

AMENDMENT NO. 340 TO AMENDMENT NO. 275

(Purpose: To reinstate the State registration fee system for commercial motor vehicles until the Unified Carrier Registration System Plan Agreement is fully implemented)

On page 4, strike the item relating to section 1336 and insert the following:

Sec. 1336. Unified carrier registration system plan agreement.

Sec. 1337. Authorization of appropriations.

On page 298, strike line 8 and insert the following:

SEC. 1336. UNIFIED CARRIER REGISTRATION SYSTEM PLAN AGREEMENT.

(a) IN GENERAL.—Notwithstanding section 4305(a) of the SAFETEA–LU Act (Public Law 109–59)—

(1) section 14504 of title 49, United States Code, as that section was in effect on December 31, 2006, is re-enacted, effective as of January 1, 2007; and

(2) no fee shall be collected pursuant to section 14504a of title 49, United States Code, until 30 days after the date, as determined by the Secretary of Transportation, on which—

(A) the unified carrier registration system plan and agreement required by that section has been fully implemented; and

(B) the fees have been set by the Secretary under subsection (d)(7)(B) of that section.

(b) REPEAL OF SECTION 14504.—Section 14504 of title 49, United States Code, as re-enacted by this Act, is repealed effective on the date on which fees may be collected under section 14504a of title 49, United States Code, pursuant to subsection (a)(2) of this section.

SEC. 1337. AUTHORIZATION OF APPROPRIATIONS.

AMENDMEND NO. 307 TO AMENDMENT NO. 275

(Purpose: To modify the criteria that the Secretary of Homeland Security will use to develop a hazardous material tracking pilot program for motor carriers)

On page 305, strike lines 8 through 15 and insert the following:

(v) technology that allows the installation by a motor carrier of concealed electronic devices on commercial motor vehicles that can be activated by law enforcement authorities and alert emergency response resources to locate and recover high hazard materials in the event of loss or theft of such materials and consider the addition of this type of technology to the required communications technology attributes under paragraph (1).

AMENDMENT NO. 394 TO AMENDMENT NO. 275

(Purpose: To require Amtrak contracts and leases involving the State of Maryland to be governed by the laws of the District of Columbia)

On page 299, between lines 2 and 3, insert the following:

SEC. 1337. APPLICABILITY OF DISTRICT OF COLUMBIA LAW TO CERTAIN AMTRAK CONTRACTS.

Section 24301 of title 49, United States Code, is amended by adding at the end the following:

''(o) APPLICABILITY OF DISTRICT OF COLUMBIA LAW.—Any lease or contract entered into between the National Railroad Passenger Corporation and the State of Maryland, or any department or agency of the State of Maryland, after the date of the enactment of this subsection shall be governed by the laws of the District of Columbia.''.

AMENDMENT NO. 415 TO AMENDMENT NO. 275

(Purpose: To amend title X, with respect to critical infrastructure protection efforts by Federal departments and agencies)

On page 233, strike lines 8 through 15.

On page 233, line 16, strike ''(c)'' and insert ''(b)''.

On page 233, line 19, strike ''(d)'' and insert ''(c)''.

On page 234, strike lines 17 through 21 and insert the following:

(2) CLASSIFIED INFORMATION.—

(A) IN GENERAL.—The Secretary shall submit with each report under this subsection a classified annex containing information required to be submitted under this subsection that cannot be made public.

(B) RETENTION OF CLASSIFICATION.—The classification of information required to be provided to Congress, the Department, or any other department or agency under this section by a sector-specific agency, including the assignment of a level of classification of such information, shall be binding on Congress, the Department, and that other Federal agency.

On page 235, line 21, strike ''private sector'' and all that follows through page 236, line 4 and insert ''private sector.''.

On page 236, line 8, insert ''a report'' after ''submit''.

On page 236, beginning on line 11, strike ''a report'' and insert the following: '', and to each Committee of the Senate and the House of Representatives having jurisdiction over the critical infrastructure or key resource addressed by the report,''.

On page 236, strike lines 18 and 19 and insert the following:

''(2) CLASSIFIED INFORMATION.—

''(A) IN GENERAL.—The report under this subsection may contain a classified annex.

''(B) RETENTION OF CLASSIFICATION.—The classification of information required to be provided to Congress, the Department, or any other department or agency under this section by a sector-specific agency, including the assignment of a level of classification of such information, shall be binding on Congress, the Department, and that other Federal agency.''.

On page 236, after line 23, insert the following:

SEC. 1004. PRIORITIES AND ALLOCATIONS.

Not later than 6 months after the last day of fiscal year 2007, and for each year thereafter, the Secretary, in cooperation with the Secretary of Commerce, the Secretary of Transportation, the Secretary of Defense, and the Secretary of Energy shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Financial Services and the Committee on Homeland Security of the House of Representatives a report that details the actions taken by the Federal Government to ensure, in accordance with subsections (a) and (c) of section 101 of the Defense Production Act of 1950 (50 U.S.C. App. 2071), the preparedness of industry—

(1) to reduce interruption of critical infrastructure operations during a terrorist attack, natural catastrophe, or other similar national emergency; and

(2) to minimize the impact of such catastrophes, as so described in section 1001(a)(1).

The amendment (No. 423), as modified, was agreed to, as follows:

AMENDMENT NO. 423 AS MODIFIED

On page 203, beginning with line 4, strike through line 5 on page 215 and insert the following:

SEC. 801. TRANSPORTATION SECURITY STRATEGIC PLANNING.

(a) IN GENERAL.—Section 114(t)(1)(B) of title 49, United States Code, is amended to read as follows:

''(B) transportation modal and intermodal security plans addressing risks, threats, and vulnerabilities for aviation, bridge, tunnel, commuter rail and ferry, highway, maritime, pipeline, rail, mass transit, over-the-road bus, and other public transportation infrastructure assets.''.

(b) CONTENTS OF THE NATIONAL STRATEGY FOR TRANSPORTATION SECURITY.—Section 114(t)(3) of such title is amended—

(1) in subparagraph (B), by inserting '', based on risk assessments conducted by the Secretary of Homeland Security (including assessments conducted under section 1321 or 1403 of the Improving America's Security Act of 2007 or any provision of law amended by such title),'' after ''risk based priorities'';

(2) in subparagraph (D)—

(A) by striking ''and local'' and inserting '', local, and tribal''; and

(B) by striking ''private sector cooperation and participation'' and inserting ''cooperation and participation by private sector entities'';

(3) in subparagraph (E)—

(A) by striking ''response'' and inserting ''prevention, response,''; and

(B) by inserting ''and threatened and executed acts of terrorism outside the United States to the extent such acts affect United States transportation systems'' before the period at the end;

(4) in subparagraph (F), by adding at the end the following: ''Transportation security research and development projects shall be based, to the extent practicable, on such prioritization. Nothing in the preceding sentence shall be construed to require the termination of any research or development project initiated by the Secretary of Homeland Security before the date of enactment of the Improving America's Security Act of 2007.''; and

(5) by adding at the end the following:

''(G) Short- and long-term budget recommendations for Federal transportation security programs, which reflect the priorities of the National Strategy for Transportation Security.

''(H) Methods for linking the individual transportation modal security plans and the programs contained therein, and a plan for addressing the security needs of intermodal transportation hubs.

''(I) Transportation security modal and intermodal plans, including operational recovery plans to expedite, to the maximum extent practicable, the return to operation of an adversely affected transportation system following a major terrorist attack on that system or another catastrophe. These plans shall be coordinated with the resumption of trade protocols required under section 202 of the SAFE Port Act (6 U.S.C. 942).''.

(c) PERIODIC PROGRESS REPORTS.—Section 114(t)(4) of such title is amended—

(1) in subparagraph (C)—

(A) in clause (i), by inserting '', including the transportation modal security plans'' before the period at the end; and

(B) by striking clause (ii) and inserting the following:

''(ii) CONTENT.—Each progress report submitted under this subparagraph shall include the following:

''(I) Recommendations for improving and implementing the National Strategy for Transportation Security and the transportation modal and intermodal security plans that the Secretary of Homeland Security, in consultation with the Secretary of Transportation, considers appropriate.

''(II) An accounting of all grants for transportation security, including grants for research and development, distributed by the Secretary of Homeland Security in the most recently concluded fiscal year and a description of how such grants accomplished the goals of the National Strategy for Transportation Security.

''(III) An accounting of all—

''(aa) funds requested in the President's budget submitted pursuant to section 1105 of title 31 for the most recently concluded fiscal year for transportation security, by mode; and

''(bb) personnel working on transportation security by mode, including the number of contractors.

''(iii) WRITTEN EXPLANATION OF TRANSPORTATION SECURITY ACTIVITIES NOT DELINEATED IN THE NATIONAL STRATEGY FOR TRANSPORTATION SECURITY.—At the end of each year, the Secretary of Homeland Security shall submit to the appropriate congressional committees a written explanation of any activity inconsistent with, or not clearly delineated in, the National Strategy for Transportation Security, including the amount of funds to be expended for the activity and the number of personnel involved.''; and

(2) in subparagraph (E), by striking ''Select''.

(d) PRIORITY STATUS.—Section 114(t)(5)(B) of such title is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) by redesignating clause (iv) as clause (v); and

(3) by inserting after clause (iii) the following:

''(iv) the transportation sector specific plan required under Homeland Security Presidential Directive–7; and''.

(e) COORDINATION AND PLAN DISTRIBUTION.—Section 114(t) of such title is amended by adding at the end the following:

''(6) COORDINATION.—In carrying out the responsibilities under this section, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, shall consult, as appropriate, with Federal, State, and local agencies, tribal governments, private sector entities (including nonprofit employee labor organizations), institutions of higher learning, and other entities.

''(7) PLAN DISTRIBUTION.—The Secretary of Homeland Security shall make available an unclassified version of the National Strategy for Transportation Security, including its component transportation modal security plans, to Federal, State, regional, local and tribal authorities, transportation system owners or operators, private sector stakeholders (including non-profit employee labor organizations), institutions of higher learning, and other appropriate entities.''.

SEC. 802. TRANSPORTATION SECURITY INFORMATION SHARING.

(a) IN GENERAL.—Section 114 of title 49, United States Code, is amended by adding at the end the following:

''(u) TRANSPORTATION SECURITY INFORMATION SHARING PLAN.—

''(1) ESTABLISHMENT OF PLAN.—The Secretary of Homeland Security, in consultation with the program manager of the information sharing environment established under section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485), the Secretary of Transportation, and public and private stakeholders, shall establish a Transportation Security Information Sharing Plan. In establishing the plan, the Secretary shall gather input on the development of the Plan from private and public stakeholders and the program manager of the information sharing environment established under section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485).

''(2) PURPOSE OF PLAN.—The Plan shall promote sharing of transportation security information between the Department of Homeland Security and public and private stakeholders.

''(3) CONTENT OF PLAN.—The Plan shall include—

''(A) a description of how intelligence analysts within the Department of Homeland Security will coordinate their activities within the Department and with other Federal, State, and local agencies, and tribal governments, including coordination with existing modal information sharing centers and the center established under section 1406 of the Improving America's Security Act of 2007;

''(B) the establishment of a point of contact, which may be a single point of contact, for each mode of transportation within the Department of Homeland Security for its sharing of transportation security information with public and private stakeholders, including an explanation and justification to the appropriate congressional committees if the point of contact established pursuant to this subparagraph differs from the agency within the Department that has the primary authority, or has been delegated such authority by the Secretary, to regulate the security of that transportation mode;

''(C) a reasonable deadline by which the Plan will be implemented; and

''(D) a description of resource needs for fulfilling the Plan.

''(4) COORDINATION WITH THE INFORMATION SHARING ENVIRONMENT.—The Plan shall be—

''(A) implemented in coordination with the program manager for the information sharing environment established under section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485); and

''(B) consistent with the establishment of that environment, and any policies, guidelines, procedures, instructions, or standards established by the President or the program manager for the implementation and management of that environment.

''(5) REPORTS TO CONGRESS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall submit to the appropriate congressional committees a report containing the Plan.

''(B) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to the appropriate congressional committees an annual report on updates to and the implementation of the Plan.

''(6) SURVEY.—

''(A) IN GENERAL.—The Secretary shall conduct a biennial survey of the satisfaction of the recipients of transportation intelligence reports disseminated under the Plan, and include the results of the survey as part of the annual report to be submitted under paragraph (5)(B).

''(B) INFORMATION SOUGHT.—The survey conducted under subparagraph (A) shall seek information about the quality, speed, regularity, and classification of the transportation security information products disseminated from the Department of Homeland Security to public and private stakeholders.

''(7) SECURITY CLEARANCES.—The Secretary shall, to the greatest extent practicable, take steps to expedite the security clearances needed for public and private stakeholders to receive and obtain access to classified information distributed under this section as appropriate.

''(8) CLASSIFICATION OF MATERIAL.—The Secretary, to the greatest extent practicable, shall provide public and private stakeholders with specific and actionable information in an unclassified format.

''(9) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' has the meaning given that term in subsection (t), but shall also include the Senate Committee on Banking, Housing, and Urban Development.

''(B) PLAN.—The term 'Plan' means the Transportation Security Information Sharing Plan established under paragraph (1).

''(C) PUBLIC AND PRIVATE STAKEHOLDERS.—The term 'public and private stakeholders' means Federal, State, and local agencies, tribal governments, and appropriate private entities.

''(D) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(E) TRANSPORTATION SECURITY INFORMATION.—The term 'transportation security information' means information relating to the risks to transportation modes, including aviation, bridge and tunnel, mass transit, passenger and freight rail, ferry, highway, maritime, pipeline, and over-the-road bus transportation.''.

(b) CONGRESSIONAL OVERSIGHT OF SECURITY ASSURANCE FOR PUBLIC AND PRIVATE STAKEHOLDERS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall provide a semiannual report to the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Development of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives that—

(A) identifies the job titles and descriptions of the persons with whom such information is to be shared under the transportation security information sharing plan established under section 114(u) of title 49, United States Code, as added by this Act,

and explains the reason for sharing the information with such persons;

(B) describes the measures the Secretary has taken, under section 114(u)(7) of that title, or otherwise, to ensure proper treatment and security for any classified information to be shared with the public and private stakeholders under the plan; and

(C) explains the reason for the denial of transportation security information to any stakeholder who had previously received such information.

(2) NO REPORT REQUIRED IF NO CHANGES IN STAKEHOLDERS.—The Secretary is not required to provide a semiannual report under paragraph (1) if no stakeholders have been added to or removed from the group of persons with whom transportation security information is shared under the plan since the end of the period covered by the last preceding semiannual report.

The amendment (No. 424), as modified, was agreed to as follows:

AMENDMENT NO. 424, AS MODIFIED

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. Law enforcement biometric credential.

Sec. 1378. Employee retention internship program.

On page 5, after the item relating to section 1384, insert the following:

Sec. 1385. Requiring reports to be submitted to certain committees.

On page 254, line 11, strike ''Administration,'' and insert ''Administration and other agencies within the Department,''.

On page 254, line 12, insert ''Federal'' after ''appropriate''.

On page 267, line 11, strike ''through the'' and insert ''in consultation with''.

On page 267, line 19, strike ''and, through the Secretary of Transportation, to Amtrak,'' and insert ''and to Amtrak''

On page 269, strike lines 20 through 23 and insert the following:

(d) CONDITIONS.—Grants awarded by the Secretary to Amtrak under subsection (a) shall be disbursed to Amtrak through the Secretary of Transportation. The Secretary of Transportation may not disburse such funds unless Amtrak meets the conditions set forth in section 1322(b) of this title.

On page 269, line 19, after the period insert ''Not later than 240 days after the date of enactment of this Act, the Secretary shall provide a report to the Committees on Commerce, Science and Transportation and Homeland Security and Governmental Affairs in the Senate and the Committee on Homeland Security in the House on the feasibility and appropriateness of requiring a non-federal match for the grants authorized in subsection (a).''.

On page 281, beginning in line 24, strike ''terrorists.'' and insert ''terrorists, including observation and analysis.''.

On page 286, line 7, strike the closing quotation marks and the second period.

On page 286, between lines 7 and 8, insert the following:

''(f) PROCESS FOR REPORTING PROBLEMS.—

''(1) ESTABLISHMENT OF REPORTING PROCESS.—The Secretary shall establish, and provide information to the public regarding, a process by which any person may submit a report to the Secretary regarding railroad security problems, deficiencies, or vulnerabilities.

''(2) CONFIDENTIALITY.—The Secretary shall keep confidential the identity of a person who submits a report under paragraph (1) and any such report shall be treated as a record containing protected information to the extent that it does not consist of publicly available information.

''(3) ACKNOWLEDGMENT OF RECEIPT.—If a report submitted under paragraph (1) identifies the person making the report, the Secretary shall respond promptly to such person and acknowledge receipt of the report.

''(4) STEPS TO ADDRESS PROBLEMS.—The Secretary shall review and consider the information provided in any report submitted under paragraph (1) and shall take appropriate steps under this title to address any problems or deficiencies identified.

''(5) RETALIATION PROHIBITED.—No employer may discharge any employee or otherwise discriminate against any employee with respect to the compensation to, or terms, conditions, or privileges of the employment of, such employee because the employee (or a person acting pursuant to a request of the employee) made a report under paragraph (1).''.

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 338, strike lines 1 through 4 and insert the following:

''(1) ESTABLISHMENT.—The Secretary shall establish an Office of Appeals and Redress to implement, coordinate, and execute the process established by the Secretary pursuant to subsection (a). The Office shall include representatives from the Transportation Security Administration, U.S. Customs and Border Protection, and other agencies or offices as appropriate.

On page 338, line 19, strike ''and''.

On page 339, line 3, strike ''positives.' ''. and insert ''positives; and''.

On page 339, between lines 3 and 4, insert the following:

''(C) require air carriers and foreign air carriers take action to properly and automatically identify passengers determined, under the process established under subsection (a), to have been wrongly identified.''.

On page 339, line 21, strike ''utilizing appropriate records in'' and insert ''as well as''.

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.

SEC. 1377. 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.

(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. 1378. 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 perform only those security responsibilities determined to be appropriate for their age and in accordance with applicable law and shall be compensated for training and services time while participating in the program.

On page 361, after line 22, insert the following:

SEC. 1385. REQUIRING REPORTS TO BE SUBMITTED TO CERTAIN COMMITTEES.

(a) SENATE COMMERCE, SCIENCE, AND TRANSPORTATION COMMITTEE.—The Committee on Commerce, Science, and Transportation of the Senate shall receive the reports required by the following provisions of law in the same manner and to the same extent that the reports are to be received by the Committee on Homeland Security and Governmental Affairs of the Senate:

(1) Section 1016(j)(1) of the Intelligence Reform and Terrorist Prevention Act of 2004 (6 U.S.C. 485(j)(1)).

(2) Section 121(c) of this Act.

(3) Section 2002(e)(3) of the Homeland Security Act of 2002, as added by section 202 of this Act.

(4) Subsections (a) and (b)(2)(B)(ii) of section 2009 of the Homeland Security Act of 2002, as added by section 202 of this Act.

(5) Section 302(d) of this Act.

(6) Section 7215(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 123(d)).

(7) Section 7209(b)(1)(C) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note).

(8) Section 504(c) of this Act.

(9) Section 705 of this Act.

(10) Section 803(d) of this Act.

(11) Section 510(a)(7) of the Homeland Security Act of 2002 (6 U.S.C. 320(a)(7)).

(12) Section 510(b)(7) of the Homeland Security Act of 2002 (6 U.S.C. 320(b)(7)).

(13) Section 1002(b) of this Act.

(b) SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.—The Committee on Homeland Security and Governmental Affairs of the Senate shall receive the reports required by the following provisions of law in the same manner and to the same extent that the reports are to be received by the Committee on Commerce, Science, and Transportation of the Senate:

(1) Section 1321(c) of this Act.

(2) Section 1323(f)(3)(A) of this Act.

(3) Section 1328 of this Act.

(4) Section 1329(d) of this Act.

(5) Section 114(v)(4)(A)(i) of title 49, United States Code.

(6) Section 1341(a)(7) of this Act.

(7) Section 1341(b)(2) of this Act.

(8) Section 1345 of this Act.

(9) Section 1346(f) of this Act.

(10) Section 1347(f)(1) of this Act.

(11) Section 1348(d)(1) of this Act.

(12) Section 1366(b)(3) of this Act.

(13) Section 1372(b) of this Act.

(14) Section 1375 of this Act.

(15) Section 3006(i) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note).

(16) Section 1381(c) of this Act.

(17) Subsections (a) and (b) of section 1383 of this Act.

The amendment (No. 358), as modified, was agreed to as follows:

AMENDMENT NO. 358, AS MODIFIED

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 a selected airport or airports at which some of the exits are not co-located with a screening checkpoint.

(c) REPORTS.—

(1) INITIAL BRIEFING.—Not later than 180 days after the enactment of this Act, the Administrator shall conduct a briefing 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;

(C) the types of configurations expected to be deployed at such airports; and

(D) the expected financial contribution from each airport.

(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) USE OF EXISTING FUNDS.—Provisions contained within this section will be executed using existing funds.

The amendment (No. 359), as modified, was agreed to as follows:

AMENDMENT NO. 359, AS MODIFIED

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 and Committee on Homeland Security and Governmental Affairs 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.

The amendment (No. 371), as modified, was agreed to as follows:

AMENDMENT NO. 371, AS MODIFIED, TO AMENDMENT NO. 275

On page 370, line 10, after ''workers'', insert ''the elderly''.

AMENDMENTS NOS. 321 AND 336, WITHDRAWN

AMENDMENT NO. 367, AS FURTHER MODIFIED

Mr. LIEBERMAN. Madam President, I now ask unanimous consent that amendments Nos. 321 and 336 be withdrawn and that amendment No. 367 be further modified with the changes at the desk and that the amendment be considered and agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 367), as further modified, was agreed to 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; and

(C) a feature that allows a driver of such vehicles to broadcast an emergency message.

(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 costs and benefits of deploying, equipping, and utilizing tracking technology, including portable 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;

(iv) the appropriate range of contact intervals between the tracking technology and a commercial motor vehicle transporting high hazard materials;

(v) technology that allows the installation by a motor carrier of concealed and portable electronic devices on commercial motor vehicles that can be activated by law enforcement authorities 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; and

(vi) whether installation of the technology described in clause (v) should be incorporated into the program under paragraph (1);

(vii) the cost, benefit, and practicality of such technology described in (v) in the context of the overall benefit to national security, including commerce in transportation; and

(viii) other systems the secretary determined appropriate.

(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.

(d) REPORT.—Within 1 year after the issuance of regulations under subsection (b), the Secretary shall issue a report to the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Homeland Security on the program developed and evaluation carried out under this section.

(e) LIMITATION.—The Secretary may not mandate the installation or utilization of the technology described under (a)(2)(C)(v) without additional congressional action on that matter.

Mr. LIEBERMAN. Madam President, I now ask unanimous consent that following adoption of the substitute amendment and the bill has been read a third time, there then be 20 minutes for debate prior to the vote on passage of the bill, and that each of the following be afforded 5 minutes: Senators COLLINS, LIEBERMAN, MCCONNELL, and REID.

The PRESIDING OFFICER. Is there objection?

Ms. COLLINS. Reserving the right to object, I may have missed the complete unanimous-consent request because I did not have that final page of the agreement. Will the Senator inform me whether there is a vote ordered on the Biden amendment.

Mr. LIEBERMAN. Yes, Madam President. I thank my friend from Maine. I am sorry she didn't get this page. What I will do after this unanimous-consent request, hopefully, is agreed to, setting 20 minutes of debate and final passage, is to ask what the pending business is, which is the Biden amendment, and then I will urge action on the amendment.

The PRESIDING OFFICER. Is there objection?

Ms. COLLINS. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 383

Mr. LIEBERMAN. Madam President, what is the pending amendment?

The PRESIDING OFFICER. Amendment No. 383 offered by Senator BIDEN.

Mr. LIEBERMAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Ms. COLLINS. Madam President, I move to table the Biden amendment.

The PRESIDING OFFICER. First, is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Ms. COLLINS. Madam President, I move to table the Biden amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second on the motion to table?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 73, nays 25, as follows:

[Rollcall Vote No. 72 Leg.]

YEAS—73

Akaka	Bingaman	Cantwell
Alexander	Bond	Cardin
Allard	Brownback	Chambliss
Baucus	Bunning	Clinton
Bennett	Burr	Coburn
Cochran	Hutchison	Salazar
Coleman	Inhofe	Sanders
Collins	Inouye	Schumer
Conrad	Isakson	Sessions
Corker	Kyl	Shelby
Cornyn	Landrieu	Smith
Craig	Leahy	Snowe
Crapo	Lincoln	Stabenow
DeMint	Lott	Stevens
Dole	Lugar	Sununu
Domenici	Martinez	Tester
Dorgan	McConnell	Thomas
Ensign	Mikulski	Thune
Enzi	Murkowski	Vitter
Graham	Murray	Voinovich
Grassley	Nelson (FL)	Warner
Gregg	Nelson (NE)	Webb
Hagel	Pryor	Wyden
Harkin	Roberts	
Hatch	Rockefeller	

NAYS—25

Bayh	Feingold	McCaskill
Biden	Feinstein	Menendez
Boxer	Kennedy	Obama
Brown	Kerry	Reed
Byrd	Klobuchar	Reid
Carper	Kohl	Specter
Casey	Lautenberg	Whitehouse
Dodd	Levin	
Durbin	Lieberman	

NOT VOTING—2

Johnson	McCain

The motion was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, the substitute amendment, as amended, is agreed to.

The substitute amendment (No. 275), as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

IMPLEMENTED RECOMMENDATION

Mr. BAUCUS. Madam President, I note that the underlying legislation contains a sense of the Senate resolution that the Senate should implement the recommendation of the 9/11 Commission to ''create a single, principal point of oversight and review for homeland security.'' This provision was added during committee markup by the Homeland Security and Governmental Affairs Committee. I would ask my colleague, hasn't the Senate already implemented this recommendation?

Mr. GRASSLEY. Indeed, we have. Near the end of the 108th Congress we passed S. Res. 445, which created the Committee on Homeland Security and Governmental Affairs as the principal point of oversight and review for homeland security in the Senate.

Mr. BAUCUS. I appreciate the Senator's recollection. S. Res. 445 established the Committee on Homeland Security and Governmental Affairs. It also provided that the newly established committee would have referral and oversight of all matters relating to the Department of Homeland Security, with certain exceptions. One of those exceptions was with respect to functional oversight of customs revenue or commercial functions performed by any personnel of the Department of Homeland Security. Does the Senator recall the basis for that exception?

Mr. GRASSLEY. Indeed, I do. This is an issue that goes back to the creation of the Department of Homeland Security and passage of the Homeland Security Act of 2002. The Finance Committee held a hearing in July 2002, followed by a letter to the chairman and ranking member of the Governmental Affairs Committee. We stressed the importance of preserving the revenue collection and trade facilitation functions of the U.S. Customs Service, even as that agency moved into the Department of Homeland Security with an added national security focus.

Mr. BAUCUS. I appreciate the Senator's recollection of our efforts on this issue. I would add that following that hearing and our letter, we worked closely with the Committee on Governmental Affairs to develop text that would keep intact the commercial functions of the Customs Service. Under the final legislation, authorities vested in the Secretary of the Treasury relating to customs revenue functions remained with the Secretary of the Treasury unless delegated to the Secretary of Homeland Security. By order of the Secretary, dated May 15, 2003, Treasury Order 100–16, the Secretary of the Treasury delegated to the Secretary of Homeland Security general authority over customs revenue functions, subject to certain exceptions that preserved Treasury's oversight of the Customs Service with respect to policy matters and the authority to issue regulations and determinations. That delegation of authority remains in place to this day.

Mr. GRASSLEY. Yes. And I believe we can both agree that our efforts were successful in preserving the revenue functions, commercial functions, and commercial operations of the Customs Service within the Department of Homeland Security, including oversight of those functions and commercial operations within the Committee on Finance.

Mr. BAUCUS. I concur entirely. And those efforts served as the context for the retention of Finance Committee oversight of customs revenue functions and commercial operations in S. Res. 445. The Finance Committee has exercised oversight of those functions for almost 200 years, and we as a nation continue to benefit from that accumulated expertise.

Mr. GRASSLEY. That is right. In fact, we can point to the enactment of the Security and Accountability For Every Port Act of 2006, otherwise known as the SAFE Port Act, as an example of that.

Mr. BAUCUS. I agree. The SAFE Port Act demonstrated that the Finance Committee and Homeland Security and Governmental Affairs Committee, together with the Commerce Committee, could work together to enact strong legislation to secure our borders and protect the trade-based economic security of our country. That legislation is strong precisely because it was the product of the Finance Committee's focus on customs functions and commercial operations, coupled with the Homeland Security and Governmental Affairs Committee's focus on border security and the Commerce Committee's expertise relating to our Nation's seaports.

Mr. GRASSLEY. Indeed. The enactment of that legislation demonstrates that the retention of Finance Committee jurisdiction over customs revenue functions and commercial operations does not in any way diminish the effective oversight of other functions within the Department of Homeland Security by the Committee on Homeland Security and Governmental Affairs, nor does it detract from the Homeland Security and Governmental Affairs Committee as the principal point of oversight and review for homeland security matters in the U.S. Senate. In fact, by drawing on the focus and expertise of both committees, we improve overall Senate oversight of the homeland security interests and economic security interests of the United States.

Mr. BAUCUS. I agree entirely. Consequently, I must note for the record that I don't see any need to include the sense of the Senate resolution that has been added to the underlying legislation by the Committee on Homeland Security and Governmental Affairs.

Mr. GRASSLEY. I agree with my colleague and note the same. However, since it is merely a sense-of-the-Senate resolution, and is not binding in any way, I think it is sufficient to note our objections for the record at this time. The provision is not worth objecting to any more than that. We have already established a principal point of oversight and review for homeland security in the U.S. Senate. The current balance reflected in S. Res. 445 has been proven to work and need not be disturbed.

Mr. BAUCUS. I agree.

CARGO SECURITY ON PASSENGER PLANES

Mrs. BOXER. Madam President, I am pleased that in this new Congress, we are able to take up and pass a bill that implements the 9/11 Commission recommendations. Even though aviation security has improved greatly in the last 5 years, there are still holes in the system—as we discovered last summer with the aviation terrorist plot uncovered by the British authorities. Therefore, implementing these recommendations is crucial.

Mr. INOUYE. I agree with the Senator from California that implementing these recommendations is crucial to continuing to increase aviation security, to prevent our Nation from experiencing a tragedy like 9/11 again.

Mrs. BOXER. Madam President, one hole in aviation security is the cargo that is carried on passenger planes. The bill does strengthen security for cargo on passenger planes. First, the bill requires screening of all of the cargo going on passenger aircraft. Second, the bill requires the Transportation Security Administration to implement a program—either random or risked-based—to place blast-resistant containers on passenger planes. However, the program does not implement the 9/11 Commission recommendation to require one blast-resistant cargo container on every plane.

The 9/11 Commission recommended, ''TSA should require that every passenger aircraft carrying cargo deploy at least one hardened container to carry any suspect cargo.'' Therefore, all passenger planes should have at least one blast-resistant container for cargo.

Mr. INOUYE. I expect that TSA would examine this recommendation when developing a plan to deploy blast-resistant cargo containers on airplanes.

Mrs. BOXER. I thank the Senator for his support. We owe this to the American people. We cannot allow terrorists to exploit holes in our aviation security system.

OVERSIGHT

Mr. INOUYE. Madam Pesident, the expertise exhibited under the Commerce Committee's jurisdiction is reflected in the substitute amendment to S. 4, before us today, which incorporates three Commerce Committee reported bills: S. 184, the Surface Transportation and Rail Security Act of 2007; S. 509, the Aviation Security Improvement Act; and S. 385, the Interoperable Emergency Communications Act. Prior to the reorgnization of the Senate Homeland Security and Governmental Affairs Committees, HSGAC, and thereafter, the Commerce Committee's jurisdiction under the Senate rules over all aspects of transportation safety and security issues encompassing maritime, Coast Guard, aviation, rail, pipeline, and trucking, and telecommunications matters, remain untouched.

Some unfairly claim that problems we are having improving our national security result from an outdated committee system. I respectfully disagree. This claim is simply a sound bite that ignores the truth and short changes the potential for real solutions. The real problem is the result of creating a new department from scratch by merging 22 Federal agencies with varying missions, without any true realignment for non-security related missions, into one mammoth Federal department and then refusing to fully fund the necessary initiatives.

I am surprised that a few of my colleagues would suggest that through oversight through several committees of the Department, its Agencies, and the $34.8 billion in programs weakens DHS. To the contrary, using the several committees, each with its own significant expertise, actually improves the quality and scope of congressional oversight, and therefore, the effectiveness and accountability of the Department itself. It is the failure to conduct agency oversight that causes the most harm, as we have seen at DHS over the past few years. Well coordinated and responsible engagement with DHS by

committees will only further the Senate's oversight responsibilities for and the public's understanding of the critical work now being done by the Department and of the numerous challenges that remain.

S. Res. 445 embraced that approach, and S. 4 which will pass the Senate today demonstrates the success of that approach. In fact, the SAFE Ports Act, Public Law 109–347, and S. 4 are a reflection of the positive progress Congress can make when committees work together in our respective fields of expertise to conduct oversight and craft legislation to address identified vulnerabilities.

Mr. STEVENS. I concur with my chairman, Senator INOUYE. The Commerce Committee has worked for over a decade to improve transportation security and has had to deal with the inertia of the Federal Government as well as fight entrenched interests to change the way we secure our transportation system. As far back as 1996 we began discussing the security advantages of transferring security functions from the airline industry to the Federal Government. Similarly, we initiated action on the Maritime Transportation Security Act of 2002 prior to 9/11 in order to address a broad range of criminal activity at our ports. The attacks of 9/11 created sufficient public pressure for Congress to fundamentally change the way the Federal Government secures our aviation system and ports.

In particular, Aviation and Transportation Security Act, ATSA, Public Law 107–71, established the Transportation Security Administration, TSA, within the Department of Transportation to be ''responsible for security in all modes of transportation, including: carrying out chapter 449, relating to civil aviation security, and related research and development activities; and security responsibilities over other modes of transportation that are exercised by the Department of Transportation.''

The creation of the Department of Homeland Security, DHS, and the Senate Homeland Security and Governmental Affairs Committee, HSGAC, did not alter TSA's authority or the Commerce Committee's subject matter jurisdiction. The Senate engaged in a healthy debate on the floor and made clear that the authority being transferred to the HSGAC under S. Res. 445 did not affect the Commerce Committee's jurisdictional authority over transportation security programs, the Coast Guard and communications matters conducted through the Federal Communications Commission, FCC, and the Department of Commerce. In large part, the debate focused on the difficulty of separating transportation safety issues from transportation security issues. It is difficult, if not impossible, to separate safety and security issues from general transportation policy. To consider security without understanding the impacts of the safety and market position of a mode of transportation could lead to unrealistic, contradictory, and counterproductive policies. Those tasked with the responsibilities of securing our transportation system need to understand the complexity of the systems operations from safety standards to market place realities. The two cannot be separated and the Senate vote effectively affirmed those arguments.

Mr. INOUYE. I agree. Without such context, security decisions will be made in a vacuum that, at best, might produce misguided or extraneous efforts, and, at worst, could cripple the transportation modes that ensure the free flow of commerce and travel that our Nation has been built upon. The Commerce Committee has passed three of the most significant transportation security bills considered since 9/11 and has been successful because of its understanding of the industry and past work on safety and security issues. The distinguished majority leader and Senator MCCONNELL recognized this when crafting S. Res 445 and the Senate approved.

Mr. REID. My colleagues from the Senate Commerce Committee are correct. S. Res. 445, as introduced by me and Senator MCCONNELL and as passed by the Senate, proposed continued oversight of transportation security by the Commerce Committee.

Mr. INOUYE. The Department consists of 22 separate agencies. These agencies are responsible for everything from international trade to animal health inspection. It would be unwise for the Senate to suggest that a single committee should manage oversight of those 22 agencies and each of their multiple missions just because the Secretary does not like to travel to the Hill and testify. The Senate cannot abdicated its oversight responsibilities because the Department thinks it takes up too much time.

And so, I respectfully but deeply disagree with the nonbinding measure in the underlying bill suggesting that this Senate should neglect its oversight duty—and put aside much of its longstanding expertise—because the Department is too busy to come tell us what they are doing. While I and many of my colleagues discussed striking this provision from the underlying bill, the majority leader noted that it was simply the work product of one committee. I would like to ask the majority leader if it is intention to continue to operate under S. Res. 445 given the recent success of legislation like Public Law 109–347 and S. 4.

Mr. REID. The Senator is correct. S. Res. 445 determines Senate oversight and jurisdictional authorities.

TRANSIT SECURITY

Mr. DODD. Madam President, I thank the majority leader for this colloquy and for his work with the chairmen and ranking members of many of the committees who have been involved in putting together the legislation to implement the recommendations of the 9/11 Commission. The Banking Committee took this task very seriously. I am pleased to report that the committee unanimously reported S. 763, the Public Transportation Terrorism Prevention Act of 2007, which has been incorporated into the 9/11 legislation as title XIV. Transit security has long been a focus of the Banking Committee, where we have held several hearings and reported similar legislation in each of the last two Congresses. While the Banking Committee's previous legislation also passed the Senate, once as a freestanding bill and as title VII of the SAFE Port Act, it has yet to become law. I will continue to work very closely with Senator SHELBY, who was a leader on this issue as chairman of the Banking Committee, to work through the conference process with our counterparts in the House of Representatives to make this provision law. I appreciate the leader's support and commitment to having the Banking Committee continue to take responsibility on this title.

Transportation security was also addressed more broadly in title VIII of this legislation. As title VIII called for national transportation security and information plans, I worked very closely with my fellow chairmen and ranking members from the Commerce Committee, Senators INOUYE and STEVENS, who have jurisdiction over other modes of transportation security besides public transportation. Together we reached an agreement, represented in the Inouye amendment, No. 423, between the Commerce, Banking, and Homeland Security Committees. I am very pleased that this amendment was agreed to, and it is my intention to continue our close working relationship on these issues throughout the conference process.

The Banking Committee was also very engaged in other areas of the bill that involved the committee's jurisdiction. Since 9/11, we have worked with and overseen the Federal financial regulators as they have implemented sophisticated preparedness requirements for the institutions under their jurisdiction. Title VII, as proposed, authorized the Secretary of the Department of Homeland Security to create another series of requirements. Although these requirements are voluntary, Federal financial regulators and the financial services industry have expressed concerns about the impact of these requirements, and I share their concerns. A letter from the Board of Governors of the Federal Reserve System staff dated March 1, 2007 explains that the ''voluntary standards [of Title VII are] not appropriate to meet the objective of greater preparedness and resiliency.'' The letter states that it would ''be desirable that Title VII reflect the unique relationships that already exist within the banking and finance sector and not impose any new requirements that duplicate actions that have already been

taken by the Federal financial institutions regulators.'' The American Bankers Association in a letter dated February 28, 2007, stated ''ABA is concerned that this program would be redundant to and potential conflict with the existing process by which the banking industry develops business continuity standards, as well as with existing business continuity regulatory requirements.'' Also, the Office of Management and Budget issued a Statement of Administration Policy on February 28, 2007, that stated, ''These standards may increase the regulatory burden.''

I have proposed amendments intended to address these concerns, working with Chairman LIEBERMAN and Ranking Member COLLINS. The final legislation will include an amendment to clarify that institutions in a sector, such as financial services, must obey their sector regulators and to emphasize that this program is voluntary and does not supersede the institutions' responsibilities to maintain the high standards required by their regulators.

Another amendment that I authored pertains to title X of the underlying bill. I commend Senators LIEBERMAN and COLLINS for their efforts in addressing an important issue under this title—to ensure that the Department of Homeland Security thoroughly discerns the risks to America's critical infrastructure. As originally drafted, however, I was concerned that the bill would not ensure that DHS adequately consults with the Federal agencies best equipped to assess and prioritize risks in specific sectors of the economy. From the perspective of the Banking, Housing, and Urban Affairs Committee, I can tell you, for example, that no one has greater expertise or technical resources for assessing the vulnerabilities of our financial infrastructure than our Federal financial regulators. It is for that reason that my amendment effectively removed language that would place limits on the DHS' use of information from sector-specific agencies in the formulation of their risk assessments and prioritized lists. It is my belief that we need to encourage greater coordination between these specialized agencies and the Department of Homeland Security, not restrict it. This is true in areas outside of the financial services sector. In matters of public health, DHS should consult the Department of Health and Human Services. In manners of farming and food development, the Department of Agriculture should be consulted. In matters related to drinking water and water treatment systems, the Environmental Protection Agency should be consulted. That is why my amendment endeavors to better integrate our efforts to understand critical infrastructure vulnerabilities and hopefully develop protections in all of these areas. In addition, my amendment ensures that the agencies most familiar with the sensitive data shared with DHS and Congress determine the relative classification levels of this information. Without this provision, I am afraid someone at DHS or elsewhere, who is unfamiliar with the sensitivities of a specific sector of the economy, might unintentionally divulge critical information that could be harmful to U.S. infrastructure.

Finally, although it pertains to the assessment of U.S. critical infrastructure, title X does not include any reporting requirement on the government's ability to ensure that U.S. industry reduces interruption of critical infrastructure operations during a national emergency and minimizes the impact of such a catastrophe. My amendment requires reports to the Committees on Banking, Housing and Urban Affairs as well as to Homeland Security and Governmental Affairs, along with their House committee counterparts, on compliance with subsections (a) and (c) of section 101 of the Defense Production Act of 1950 to meet this requirement. As chairman of the Committee with jurisdiction over this law, it is important to me that we oversee appropriate U.S. industrial preparedness to meet critical infrastructure needs in times of national emergency. I appreciate the cooperation of my colleagues in the development of all of these important provisions.

Once again, I thank the majority leader for his excellent work in bringing all of these committees together and fashioning an excellent bill. This demonstrates that the jurisdictional lines established in S. Res. 445 continue to work.

Mr. REID I thank the Senator from Connecticut. The Senator is correct that S. Res. 445 determines Senate oversight and jurisdictional authorities, and I acknowledge the important role that the Banking Committee has played and will continue to play on this legislation.

Mr. CHAMBLISS. Madam President I rise today in opposition to this final bill because I believe one of the provisions included will greatly undermine our homeland security efforts. Specifically, the provision would mandate that the Transportation Security Administration have the ability to collectively bargain with Government unions representing airport security screeners. This will create unnecessary red tape and bureaucracy and tie the hands of our security personnel. While this provision may be beneficial to the union bosses, it is not beneficial to Georgians and the American people.

TSA must have the flexibility to respond when our security is threatened. In this current era of unpredictable threats, TSA must be able to continually change its systems to meet the changing security environment. If we mandate that TSA must negotiate with the unions for every change in circumstance, it will negate the agency's ability to respond quickly to terrorist threats and other emergencies. I just don't think that is common sense.

In fact, when TSA was created, the agency was given the authority to decide whether to engage in collective bargaining with airport baggage screeners, and TSA concluded that such negotiations would weaken its ability to protect the American people. This authority was not recommended in the 9/11 Commission Report.

Now let's be clear—the issue here is not whether TSA employees should be allowed to join a union but whether TSA must collectively bargain with Government unions before it changes personnel and policies. At the present time, airport screeners may voluntarily join a union and TSA will withhold union dues at an employee's request. The union, however, has no standing to negotiate with TSA on behalf of their members.

I would just note that this restriction is not unique to TSA. Other Federal agencies that collect and respond to intelligence in an effort to address homeland security, such as the FBI, CIA, and Secret Service, all have the same restriction. This is done as an acknowledgement that highly sensitive security information should only be released on a need-to-know basis. Collective bargaining, conversely, would require the release of sensitive information to external negotiators and arbitrators, which would increase the risk of sensitive information getting in the wrong hands.

TSA must be able to quickly shift employees based on intelligence and airport traffic demands while modifying procedures at a moment's notice. For example, this past August, following an attempted United Kingdom airline bombing, TSA overhauled its procedures in less than 12 hours to prevent terrorists from smuggling liquid explosives onto any U.S. flights. Not only did this flexibility ensure that no U.S. flights were cancelled due to the change, most importantly, it ensured the safety and security of the United States. This past December, during a major snowstorm in Denver, local TSA employees were unable to get to the airport. However, due to the current policies, TSA was able to deploy officers from Salt Lake City, Las Vegas, and Colorado Springs to the Denver airport. This deployment allowed TSA to open every security lane in Denver around the clock at the airport until they were back to normal operations. So in circumstances like these, TSA cannot spend days, weeks, or months negotiating over officer assignments and new schedules before implementing them.

We should remember that TSA exists to protect American lives, and its focus must remain on homeland security and not on labor negotiations. I am extremely concerned that the provision included in this bill will lead to a change in culture within the agency, and I just don't think our hard-working TSA employees gain much from this.

I am proud of our dedicated TSA employees in Georgia, and we already have a ''pay for performance'' system in place that weeds out nonperformers.

The system is based upon technical competence, readiness for duty, and operational performance. But under the proposed changes, the most effective security employees will be punished by the change in pay practices.

Finally, we should be concerned about what this means to passengers and the American taxpayers. The collective bargaining system would not reward good screening performance or customer service. Additionally, implementing the infrastructure for collective bargaining would cost hundreds of millions of dollars and TSA would be forced to relocate thousands of personnel. For Georgians, fewer personnel means fewer screening lanes and longer lines at airports like Hartsfield-Jackson International Airport in Atlanta.

Our national security is too important to risk. It is no accident that we have not had a terrorist attack on domestic soil since September 11, 2001. But that is not to say that it can't happen again. The terrorists only have to get it right once. But we have to get it right every time. So let's not hinder our ability to do that. Our homeland security infrastructure must be able to operate in real time. We should not tie the very hands we rely upon to protect us here at home. It is disappointing that this provision is included in this bill, and I urge my colleagues to oppose final passage.

Mr. KOHL. Madam President, I rise today to discuss three proposed amendments to S. 4, Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act. I thank Senators LIEBERMAN, COLLINS, DODD and SHELBY for working with me and my staff on provisions to protect seniors in the event of an emergency. Unfortunately, two important provisions were pulled at the behest of Republicans to limit the number of amendments offered by Democrats.

It has been almost 2 years since our Nation reeled from the tragic and shameful images of seniors abandoned during the aftermath of Hurricane Katrina. Sadly, we now know that 71 percent of the people who died were older than 60. Last year, as the ranking member of the Special Committee on Aging, we held a hearing to examine how prepared the Nation is to care for our seniors in the event of a national emergency. What we learned was disheartening.

We learned that our Nation is woefully unprepared to meet the unique needs of our seniors in the event of a terrorist attack, natural disaster, or other emergency. Cookie cutter emergency plans are of little use to seniors, especially those who depend on others for assistance in their daily lives. We need specific plans, programs, and information for all seniors facing emergencies.

That is why Senators WYDEN, COLEMAN and I offered several amendments to the 9/11 legislation to ensure that the Department of Homeland Security place seniors on the forefront of its emergency planning agenda. The first amendment, which is supported by the American Public Health Association, is an important step towards ensuring that seniors are protected when the next national emergency occurs.

This amendment would ensure that any recipient of a homeland security grant, under title II, will include in its State, local, or tribal homeland security plan the evacuation, transportation, and health care needs of the elderly.

It would also require that the needs of the elderly are incorporated into any preparedness exercises or trainings for emergency responders to ensure they are adequately prepared to safeguard our seniors in the event of an emergency.

This amendment would have sent a strong signal to States and communities that are engaged in emergency planning that seniors must be a priority. Unfortunately, this is one of the amendments pulled from a manager's package of approved amendments at the last minute.

I am also pleased to be an original cosponsor of Senator WYDEN's amendment to establish a Special Needs Registry Pilot Project, which is supported by the National Association of Area Agencies on Aging. One of the most useful recommendations from our Aging Committee hearing last year was to follow the lead of counties like Miami-Dade in Florida. They have successfully set up a voluntary registry where seniors can list where they live, their transportation limitations, their health needs, and whether they may need help getting food and other supplies during an emergency.

It's clear that more cities and counties could benefit from these kinds of special needs registries. That's why this amendment would have created a pilot project for local emergency management agencies to set up and test these registries, allowing first responders to locate and care for seniors before and during emergencies. It was our hope that this pilot project would have helped spark a nationwide effort to establish special needs registries; unfortunately this amendment was also pulled at the last minute.

On a brighter note, I thank Chairman DODD and Ranking Member SHELBY again for working with me and Senator COLEMAN to successfully include a provision, supported by the American Public Health Association, in title XIV that would ensure that public transportation workers are trained to meet the evacuation needs of seniors in the event of a crisis. This is particularly important since so many of our seniors utilize public transportation for access to their everyday needs. Furthermore, only public transportation has the capacity to move millions of people and provide first responders with critical support in major evacuations of urban areas.

This provision will go a long way to ensure that our seniors are taken care of if we have another emergency or disaster. Unfortunately, two crucial provisions intended to safeguard the needs of seniors were not included in the final bill due to partisan efforts to limit Democratic amendments. Hurricanes Katrina and Rita taught us many painful lessons that should never be forgotten. I will not forget and I intend to pursue legislation aimed at explicitly safeguarding the needs of America's seniors in the event of an emergency. The time to act to protect our seniors is now.

Mr. REED. Madam President, today the Senate will vote on a matter of utmost importance—enacting the remaining 9/11 Commission recommendations. Since their publication 2½ years ago, roughly half of the recommendations have been left unaddressed, while many that have been adopted into law have not been effectively implemented. S. 4, the Improving America's Security Act, is a critical step to ensuring our Nation's safety.

This bill includes an important new interoperability grant program. Tragedies such as September 11, the Station Fire in my home State of Rhode Island, and Hurricane Katrina have demonstrated the need for interoperable communications equipment among first responders. More communities require access to funding to create interoperable communications networks, and I have long supported increasing accessibility for interoperability grants to local and state governments.

I am also pleased that this bill includes a transit security program that I helped author as a member of the Banking, Housing, and Urban Affairs Committee. The committee has been well aware of the need for this legislation since the tragic events of 9/11, spending significant time and effort to improve our Nation's transit security system. The Senate has passed transit security legislation in the last two Congresses, only to have them each stall prior to enactment. While our Nation acted quickly after 9/11 to secure airports and airplanes against terrorists, major vulnerabilities remain in surface transportation. As the 9/11 Commission concluded, ''opportunities to do harm are as great, or greater, in maritime and surface transportation'' as in commercial aviation. The time to act is now.

Transit is vital to providing mobility for millions of Americans and offers tremendous economic benefits to our Nation. In the United States, people use public transportation over 32 million times each weekday compared to 2 million passengers who fly daily. Paradoxically, it is the very openness of the system that makes it vulnerable to terrorism. When one considers this and the fact that roughly $7 per passenger is invested in aviation security, but less than one cent is invested in the security of each transit passenger, the need for an authorized transit security program is clear.

In addition, the bill provides important protections for Transportation Security Officers at the Transportation Security Administration that have been long absent, including whistleblower protections, the right to appeal to the Merit Systems Protection Board, and certain collective bargaining rights.

Lastly, while Providence is now 1 of 39 urban areas eligible for the Urban Area Security Initiative grants, something that I have long sought, believing the city faces risks from terrorism, I was disappointed that Senator LEAHY's amendment to restore the minimum allocation to 0.75 percent for States under the State Homeland Security Grant Program failed. With this funding, Rhode Island has been able to make critical improvements, but adequate funding is still needed, and it is my hope that the highest minimum funding level will prevail in conference with the House of Representatives.

Implementing the final recommendations of the 9/11 Commission builds and improves on the work that has been done since the attacks of September 11, and I am pleased to support this bill.

Mr. FEINGOLD. Madam President, I want to add my thoughts to the debate on the Improving America's Security Act of 2007.

First, I preface my remarks by applauding the chairman and ranking member of the Homeland Security and Governmental Affairs Committee for their work on this important bill. This bill makes crucial and long overdue improvements in transportation security, critical infrastructure protection, and emergency response capabilities. There is no higher priority than protecting homeland security, and this bill is a key component in that effort.

Nearly 6 years since the horrific attacks of September 11, we are still struggling to give our first responders, law enforcement officers, and the employees of the Department of Homeland Security the resources they need to keep us safe. I thank these brave men and women who work daily to protect this Nation. They are on the front lines of the fight against terrorism. They are the ones who are called on to stop and respond to any future attack upon our Nation. This bill includes important resources these brave men and women need to perform their critical tasks.

I am pleased that the Senate has increased funding for State homeland security grants, emergency management performance grants, emergency communications and the Urban Area Security Initiative. I have long advocated for greater funding of emergency management grants because they are crucial in assisting State and local officials in preparing for all-hazards emergencies. These grants provide emergency managers with the resources they need to increase coordination and planning so that if an emergency occurs, State and local officials will respond much more efficiently and effectively.

It is my hope that this bill represents a lasting shift in priorities, a shift towards an enhanced focus on the most pressing threats facing our country. We are still spending almost twice as much on Iraq as is allocated for homeland security, diplomacy, and international assistance combined. The billions we spend each month in Iraq could be invested in the protection of critical infrastructure and our system of national preparedness and response that failed in the wake of Hurricane Katrina. As we consider the budget resolution and the defense and homeland security appropriations bills this year, I encourage my colleagues to take a broader view when it comes to our national security priorities and make the tradeoffs that must be made.

I am particularly pleased that the Federal Agency Data Mining Reporting Act is included in this bill as section 504. I have been working on this legislation for a number of years with Senator SUNUNU, Senator LEAHY, and Senator AKAKA. I am glad that Senator SUNUNU and Senator AKAKA successfully offered the legislation as an amendment to S. 4 when it was before the Homeland Security and Governmental Affairs Committee.

Many law-abiding Americans are understandably concerned about the specter of secret government programs analyzing vast quantities of public and private data about their pursuits, in search of patterns of suspicious activity. Four years after we first learned about the Defense Department's program called Total Information Awareness, there is still much Congress does not know about the Federal Government's work on data mining. This bill is an important step in allowing Congress to conduct oversight of any such programs or related research development efforts.

The Federal Agency Data Mining Reporting Act would require Federal agencies to report annually on their development and use of data mining technologies to discover predictive or anomalous patterns indicating criminal or terrorist activity the types of pattern-based data analysis that raise the most serious privacy concerns. As amended on the floor, it would also allow classified information, law enforcement sensitive information, trade secrets, and proprietary business information to be provided to the relevant committees separately, in a nonpublic form, under appropriate security measures.

Intelligence and law enforcement agencies would not be doing their job if they did not take advantage of new technologies. But when it comes to pattern-based data mining, Congress needs to understand whether it can be effective in identifying terrorists, and Congress needs to consider the privacy and civil liberties implications of deploying such technology domestically. I hope these reports will help Congress—and to the extent possible, the public—finally understand what is going on behind the closed doors of the executive branch, so that we can start to have the policy discussion about data mining that is long overdue.

I am concerned about the ongoing development of the Information Sharing Environment without adequate privacy and civil liberties guidelines. In the Intelligence Reform and Terrorism Prevention Act of 2004, Congress mandated that the President create an Information Sharing Environment, ISE, for the sharing of terrorism information among Federal agencies, State and local governments, and the private sector. This is a critical goal in our counterterrorism efforts. But that legislation also required that the President issue privacy guidelines for the ISE, in recognition of the serious privacy and civil liberties implications of facilitating more sharing of information among these entities. Those privacy guidelines were issued in December, but in my view are wholly inadequate. They touch on the most significant privacy issues and provide a framework for agencies to think about the privacy issues that might arise, but they do not include specific guidelines and rules for protecting privacy. That is why I filed an amendment to S. 4 that would have provided more direction to the ISE program manager about what should be included in these privacy guidelines and the need for more specific government-wide rules for the ISE. I was disappointed that my amendment was not included, but will continue to work to ensure that the guidelines for implementation of the ISE are sufficient to protect the privacy of Americans.

The bill mandates the declassification of the aggregate amount of the intelligence budget. This reform has a long history going back to the Church and Pike Commissions. It is supported by the current Senate Select Committee on Intelligence. It was also one of the recommendations of the 9/11 Commission, which stated that ''when even aggregate categorical numbers remain hidden it is hard to judge priorities and foster accountability.'' I concur with the Commission, that aggregate budget figures ''provid[e] little insight into U.S. intelligence sources and methods.'' Sharing this information with the American people will, however, provide a greater level of transparency and accountability and in the end make us more secure.

I was pleased to support Senator MCCASKILL's amendment to ensure that workers at the Transportation Security Administration are afforded the same workplace protections as other DHS employees. The low retention rate at TSA resulting in part from lack of workers' rights threatens our security. This amendment will address this concern while giving administrators the flexibility they need to respond to imminent threats.

I am pleased that this bill includes provisions to ensure proper oversight of homeland security grants. I am deeply troubled by reports of improper

oversight of expenditures at DHS, including an article in the Washington Post last November stating that the Department was unable to locate one-third of the files needed to perform an audit of its contracts. I therefore supported Senator COBURN's amendment to require DHS to perform audits on homeland security grants. While I understand concerns that this requirement could have led to delays in the issuance of grants in fiscal year 2008, I did not think it was unreasonable to require DHS to conduct the audits required in a timely manner. I will continue to work with my colleagues to improve oversight of homeland security funding.

I supported several amendments that would have added funding for critical security needs not fully addressed in this bill. I do not take lightly a decision to vote in favor of spending more money. Fiscal responsibility is one of my highest priorities, but it is imperative that we provide the resources needed to combat terrorism.

I voted for this bill because it makes key changes to address security needs. However, our Nation's vulnerabilities demand more and I will continue to work to ensure that our vital homeland security needs are met.

Mr. LEVIN. Madam President, I support the Improving America's Security Act of 2007 because it takes a giant step in implementing the recommendations of the 9/11 Commission. Keeping America safe requires more than expensive weapons and war funding; it also requires a commitment to homeland security. This legislation shows that commitment.

We learned on September 11 and during Hurricane Katrina how important it is for our first responders to be able to communicate with each other. For years, I have been urging the Department of Homeland Security to establish a dedicated funding source for interoperable communications equipment. I am pleased that this legislation creates a grant program dedicated to improving operability and interoperability at local, regional, State and Federal levels.

I am also pleased that this legislation moves us closer to the equitable distribution of homeland security grant funding. For 5 years, the largest homeland security grant programs have distributed funds using a formula that arbitrarily sets aside a large portion of funds to be divided equally among the States, regardless of size or need. The current ''small State formula'' has severely disadvantaged States such as Michigan with high populations. In addition, it reduces the amount of funding that can be allocated to States with highest risks. Although I am disappointed that the Senate failed to pass two amendments that I supported that would have lowered the minimum funding level even further, the .45 percent minimum in the underlying bill is an improvement from the current .75 percent base funding amount.

The legislation also includes language that I authored that directs the Secretary of Homeland Security to establish international border community interoperable communications demonstration projects on the northern and southern borders to improve collaboration and help identify common frequencies for cross border communications. These interoperable communications demonstration projects will address the interoperable communications needs of police officers, firefighters, emergency medical technicians, National Guard, and other emergency response providers at our borders by identifying common international cross-border frequencies for communications equipment; fostering the standardization of interoperable communications equipment; identifying solutions that will expeditiously facilitate communications interoperability across national borders; ensuring that emergency response providers can communicate with one another and the public at disaster sites or in the event of a terrorist attack or other catastrophic event; and providing training and equipment for relevant personnel to enable those units to deal with threats and contingencies in a variety of environments.

Also included in the legislation is language that I authored that will require the Department of Homeland Security to conduct a cost-benefit analysis of the Western Hemisphere Travel Initiative, WHTI, before publishing the final rule. The WHTI will require individuals from the United States, Canada, and Mexico to present a passport or other document proving citizenship before entering the United States. Although we all share the goals of the Western Hemisphere Travel Initiative to make our borders as secure as they can be, we need to make sure that we are achieving that goal in a way that will not cause economic harm to our States. I am also pleased that language was included in the bill that I worked with Senator COLEMAN on to require the Department of Homeland Security to sign a memorandum of understanding with one or more States to conduct a pilot project to see whether secure driver's licenses could be used as a form of documentation for travel between the U.S. and Canada under the WHTI. The amendment also provides that DHS must evaluate the pilot project and map out next steps, including an expansion if appropriate.

This legislation also takes important steps to shore up rail, transit and cargo security in the United States. The legislation establishes a grant fund for system wide Amtrak security improvements and much needed infrastructure upgrades as well as authorizes an existing grant program for improving intercity bus and bus terminal security. It establishes a grant program for freight and passenger rail security upgrades and requires railroads shipping high-hazard materials to create threat mitigation plans. It authorizes studies to find ways to improve passenger and baggage security screening on passenger rail service between the U.S. and Canada. The bill will hopefully move us closer to addressing something I have been trying to get implemented at our northern car and truck border crossings for years: establishing a preclearance system. The study is required to identify what exactly is needed to perform prescreening of rail passengers on the northern border.

I am pleased that the Senate retained language that will require that TSA screeners finally come under an unambiguous personnel system. A further amendment that I supported will finally give Transportation Security Administration screeners the whistleblower protections afforded to most other Federal workers, including law enforcement officers. It also gives them the right to appeal suspensions and to collectively bargain, just like their counterparts in the Border Control, FEMA and the Capitol Police.

The bill also requires studies on how to improve the safety of transporting radioactive and hazardous materials and shipments of explosives and radioactive materials on our highways. I am pleased that this legislation requires the screening of all cargo carried on passenger airplanes within 3 years.

The intelligence failures before the Iraq war were, to a significant degree, the result of the CIA shaping intelligence to support administration policy. The CIA's errors were all in one direction, making the Iraqi threat clearer, sharper and more imminent, thereby promoting the decision to remove Saddam from power. Nuances, qualifications and caveats were dropped. ''Slam dunk'' was the assessment.

Among the most important things we can do to keep this from happening again is to strengthen congressional oversight to ensure that intelligence community assessments are objective and uninfluenced by the policy judgments of whatever administration is in power. The 9/11 Commission agreed, stating in its report that ''Of all our recommendations, strengthening congressional oversight may be among the most difficult and important.'' Section 1102 of S. 4 bill is directed at that goal.

Too often Congress is stonewalled or slow-walked by the executive branch in accessing intelligence information necessary to make policy and conduct oversight of the intelligence community. Section 1102 of this bill adds a new section 508 to the National Security Act that will ensure Congress has access to intelligence information critical to do its job.

Section 508 requires elements of the intelligence community to provide, upon request from congressional committees of jurisdiction, timely access to intelligence information. The requirement would apply unless the President certified that the requested documents were not being provided because the President was asserting a constitutional privilege. Requiring the

intelligence community to respond to requests for information from the vice chairman and ranking member of the Senate and House intelligence committees, respectively, will encourage rigorous oversight regardless of which party controls the Congress.

In addition to providing information in a timely manner, we expect the intelligence community to provide Congress its assessment of intelligence matters uninfluenced by the policy goals of the administration. However, an Office of Management and Budget—OMB—memorandum directs executive branch agencies to clear, through OMB, legislative proposals, agency reports, and testimony on pending legislation. The memo also states that ''If agencies are asked by Congressional Committees to report or testify on pending legislation or wish to volunteer a report, similar clearance procedures are followed.''

Our intelligence agencies should not have to get permission from the OMB, or any other executive branch official to share their views with the Congress. Section 1102 of the bill adds a new section 508 (d) to the National Security Act that says no executive branch official can require the intelligence community to get permission to testify or to submit testimony, legislative recommendations or comments to the Congress. Section 508 (d) is based on authority that exists for numerous other executive branch agencies, including the Securities and Exchange Commission, the Board of Governors of the Federal Reserve, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Federal Housing Finance Board, and the National Credit Union Administration.

A CRS legal review of direct reporting requirements like the one created by section 508 (d) states that ''direct reporting provisions are well within the Congress's constitutional authority to inform itself in order to perform its legislative function which has been consistently acknowledged by Supreme Court decisions, and dates back to the early enactments of the First Congress in 1789.'' The CRS review calls Department of Justice objections to direct reporting requirements ''without substantial merit.''

Finally, it is important for whistleblowers to know that they can come directly to Congress if they have evidence that someone has made a false statement to the Congress. And the Congress has a right to that information—even if it is classified.

Section 1102 of the bill adds a new section 509 to the National Security Act making it clear that intelligence community employees and contractors can report classified information directly to appropriate Members of Congress and cleared staff if the employee reasonably believes that the information provides direct and specific evidence of a false or inaccurate statement to Congress contained in an intelligence assessment, report or estimate.

Section 509 is substantively the same as section 225 of the Senate-passed version of the intelligence reform legislation. Section 225 was stripped from the intelligence reform bill in conference. Section 509 is also similar to a provision that passed the Senate twice previously. Once as part of the fiscal year 1998 Intelligence Authorization Act and once as a stand alone measure S. 1668, in the 105th Congress. S. 1668 passed the Senate 93–1.

Section 509 is also consistent with congressional findings passed in the 105th Congress as part of the Intelligence Community Whistleblower Protection Act of 1998 and incorporated by reference into the intelligence reform bill. Those findings state among other things that:

> Congress, as a co-equal branch of Government, is empowered by the Constitution to serve as a check on the executive branch; in that capacity, it has a ''need to know'' of allegations of wrongdoing within the executive branch, including allegations of wrongdoing in the Intelligence Community; . . .
>
> (N)o basis in law exists for requiring prior authorization of disclosures to the intelligence committees of Congress by employees of the executive branch of classified information about wrongdoing within the Intelligence Community . . .

I am pleased that the Senate will soon pass this legislation, for the families and friends of those we lost on September 11, 2001, and for the safety and security of our Nation.

Mr. LEAHY. Madam President, I will vote today in favor of final passage of the Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act of 2007, S. 4, but I do so with a heavy heart.

I am truly disappointed that the chairman and ranking member of the Committee on Homeland Security and Governmental Affairs, Senators LIEBERMAN and COLLINS, decided to arbitrarily lower the minimum allocation for States under the State Homeland Security Grant Program and the Law Enforcement Terrorism Prevention Program from the 0.75 percent that has existed for the past 5 years to 0.45 percent. Not only would this change to 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, like Vermont, Connecticut, and Maine, it also would deal a crippling blow to their efforts to launch federally mandated multiyear plans to build and sustain their terrorism preparedness.

During the Senate floor debate on S. 4, I offered with Senators THOMAS, STEVENS, ROBERTS, PRYOR, SANDERS, ENZI, HATCH, WHITEHOUSE, and LINCOLN an amendment to restore the minimum allocation for States under the State Homeland Security Grant Program from 0.45 percent, which is proposed by the underlying bill, to 0.75 percent, which is current law. As with current law, the State minimum under our amendment would have continued to apply 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, as are the funds under the several separate discretionary programs that Congress has established for solely urban and high-risk areas, which also are governed by risk assessment calculations.

Unfortunately, this amendment lost by a vote of 49 yeas to 50 nays. This is a marked change from just last year, when the 0.75 percent minimum allocation was overwhelmingly defended when 64 Senators voted against an amendment that would have lowered the minimum to 0.25 percent. Fifteen Senators changed their votes from last year, including HSGAC Chairman LIEBERMAN and Ranking Member COLLINS, whose States stand to lose the most from the decreased minimum.

The bill that passed the Senate today would reduce the all-State minimum for SHSGP and the Law Enforcement Terrorism Prevention Program to 0.45 percent. The House bill reduces it even further to 0.25 percent. Due to the formula differences, there is no guarantee that the minimum will not be even further reduced during conference negotiations. Small- and medium-sized States face the loss of millions of dollars for our first responders if the minimum is lowered.

By reducing the all-State minimum to 0.45 percent, the underlying bill would reduce the guaranteed dollar amount for each State by 40 percent. With appropriations for formula grants having been cut by 60 percent since 2003—from $2.3 billion in 2003, to $900 million in fiscal year 2007—further reductions in first responder funding would hamper even more each State's efforts to prevent and deal with potential terrorist attacks.

In fiscal year 2007, State Homeland Security and Law Enforcement Terrorism grants were funded at $525 million and $375 million, respectively, for a total of $900 million. Under the current all-State minimum of 0.75 percent, the base amount States receive is $6.75 million. Based on fiscal year 2007 levels, each State would face a loss of an estimated $2.7 million, or 40 percent, under the new 0.45 percent formula, which would be a real blow to our first responders.

And the cuts will be even deeper should the President's budget request for next year be approved. The President has requested only $250 million for these two important first responder grant programs.

My colleagues from our largest States—and apparently some small- and medium-sized States—seem to forget that the terrorist attacks of 9/11 added to the responsibilities and risks of first responders nationwide. I wrote the current all-State minimum formula as part of the USA PATRIOT Act

of 2001 to guarantee that each State receives at least 0.75 percent of the national allotment to help meet their national domestic security needs.

Every State—rural or urban, small or large—has basic domestic security needs and deserves to receive Federal funds under this partnership to meet both those needs and the new homeland security responsibilities the Federal Government demands. Of course, high-density urban areas and high-risk centers have even greater needs, which is why this year alone we provided $1.3 billion for homeland security programs for which only a small number of urban areas are eligible to apply. All of these needs deserve and need to be met. I have worked hard over the years to help address the needs of larger States and high-density areas, and I have opposed the Bush Administration's efforts to pit our States against each other, as they have tried to mask their efforts to cut overall funding for first responders.

Smaller States, especially, would never be able to fulfill those essential duties on top of their daily responsibilities without Federal support, especially given that DHS is currently suggesting that States will pay for REAL ID implementation, an estimated $16 billion, with first responder grants. My colleagues should be warned that if the minimum drops further—compounded by substantial drops in overall first responder funding—then small- and medium-sized States will not be able to meet those Federal mandates for terrorism prevention, preparedness, and response.

Some from urban States argue that Federal money to fight terrorism is being sent to areas that do not need it and is ''wasted'' in small towns. They claim the formula is highly politicized and insists on the redirection of funds to urban areas that they believe face heightened threat of terrorist attacks.

What critics of the all-State minimum seem to forget since the September 11 terrorist attacks, the Federal Government has asked all State and local first responders 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 obligation 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 0.75 percent all-State minimum allocation for formula grants that has existed in law, first responders have received resources to help them meet their new responsibilities and have made our neighborhoods safer and our communities better prepared.

There is much left undone in securing our Nation. I hope that the Senate's conferees will resist calls for further needless reductions to the all-State minimum base and risk the preparedness efforts in small States like their own. I trust they will do all they can during conference negotiations to ensure continued support and resources for our police, fire, and EMS services in every State if we expect them to continue protecting us from terrorist or responding to terrorist attacks, as well as carrying out their ongoing responsibilities in helping to keep our communities safe and prepared.

Mr. DURBIN. Madam President, now is the time to implement the unfinished recommendations of the 9/11 Commission.

I commend Senators LIEBERMAN and COLLINS for their leadership and the Senate Homeland Security and Governmental Affairs Committee for its work on this important legislation. More than 5 years after 9/11 despite tens of billions of dollars spent America's ports, rails, airports, borders, nuclear powerplants and chemical plants still are not completely safe. It has been more than 2 years since the 9/11 Commission issued its final recommendations, and here we are, today, still debating the same issues.

This legislation builds upon previous efforts to enhance homeland security and includes several critical provisions to allocate homeland security resources based on risk, ensure that first responders have interoperable communications equipment, and improve government-wide information sharing.

I especially am pleased to note three provisions included in this bill that I have championed for some time. This legislation specifies that States can use Federal grants to design, conduct, and evaluate mass evacuation plans and exercises. While most cities and States have evacuation plans, the lack of training drills and exercises makes it difficult to address problems and work out solutions before lives are at risk in a real emergency. As we learned from Hurricanes Katrina and Rita, there is no substitute for being prepared. We may only have one chance to get it right.

In addition, this legislation makes important structural changes to strengthen the Privacy and Civil Liberties Oversight Board. Again, I commend Senators LIEBERMAN and COLLINS for including a broad statutory mandate and subpoena power for the Board. This bill also would require Senate confirmation for the chair and the vice-chair of the Board, as well as mandatory public reporting by the Board and reports for Congress. These provisions are key to ensuring the integrity of the Privacy and Civil Liberties Oversight Board.

Finally, this bill improves intelligence and information sharing within the Federal Government and with State and local governments. I am pleased that the bill we consider today would make the program manager for the Information Sharing Environment, ISE, permanent and authorize additional funds and staff to accomplish the ISE mission. The bill also requires additional reports to Congress on the status of ISE development. These comprehensive new requirements would improve and strengthen government information sharing structures, which will mean a more integrated intelligence network and a more secure Nation.

The 9/11 Commission gave Congress a critically important job by charging us with making structural changes to close the gaps in America's homeland security defenses. This legislation responds to that challenge, and I support its final passage.

The PRESIDING OFFICER. Under the previous order, there will be 20 minutes of debate divided between the managers and the leaders.

The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I first want to thank our colleagues for their cooperation in moving forward this very important piece of legislation. When the 9/11 Commission completed its report and made its findings to Congress, the Homeland Security Committee, which I chaired at the time, worked very hard to produce a major overhaul of our intelligence community—in fact, the most sweeping changes in more than 50 years.

That legislation, for example, created the Director of National Intelligence and also established the National Counterterrorism Center, which brings together analysts from the 15 agencies involved in intelligence gathering and analysis. We took a major step forward.

Now we are on the verge of finishing the job. I salute the chairman of the committee, Senator LIEBERMAN, for making this legislation the top priority of our committee under his chairmanship. The legislation is going to help implement the unfinished recommendations of the 9/11 Commission. As I said, most of the recommendations were included in the 2004 Intelligence Reform and Terrorism Prevention Act. But there were some significant ones that were not completed. Thus, this legislation improves intelligence and information sharing, and it authorizes the Homeland Security Grant Program, which has been so important in improving the capabilities of our communities and States which are, after all, our partners in improving homeland security.

We worked very hard, the chairman and I and the rest of the committee members, to devise a formula that would be fair to all States, that would allocate the majority of the funding based on an analysis of risk, vulnerability, and consequences but also ensure that each and every State receive a predictable, steady level of funding so that each State can be improved and have a basic preparedness level.

I think we struck the right balance in that area. This bill would authorize a bit over $3 billion for each of the next 3 years for this new Homeland Security Grant Program. Included in that program is an emphasis on prevention. We

all are very focused on recovery and response in the event of a terrorist attack, but we believe it is very important to also focus on preventing attacks from happening in the first place. Our legislation would do that by providing that at least 25 percent of the overall funding for the urban areas and State Homeland Security Grant Programs must be used for law enforcement terrorism prevention activities.

Another important section of this bill creates a program to deal with communications equipment interoperability. We know that lives were lost on 9/11 because the various first responders could not communicate with one another. As a result, firefighters, police officers, and emergency medical personnel lost their lives and suffered injuries. Much to our dismay, we also found as part of our investigation into the failed response to Hurricane Katrina that exactly those same interoperability problems were occurring in Louisiana, in particular. We simply must tackle this problem. It is too big a problem and too expensive a problem for States and communities to do on their own. That is why we have a partnership, a grant program that would be administered by FEMA and dedicated to improving the survivability and the interoperability of communications equipment used by our courageous first responders and emergency managers.

Again, that program would authorize $3.3 billion over the next 5 years.

The bill also makes a number of important improvements to prevent terrorists from traveling to our country; to strengthen the Privacy and Civil Liberties Oversight Board; to improve private sector preparedness, since we know that 85 percent of critical infrastructure is in the private sector; and to improve transportation security planning and overall security of our transportation system.

It has been a great pleasure to work with the chairman and the members of our committee, as well as the Commerce Committee and other Members who have been interested, to bring this bill to the floor, and I believe it will help make our Nation safer.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, first, let me thank my ranking member, the Senator from Maine. I was thinking, as she was speaking, that when the transition occurred at the beginning of this 110th session of Congress I said to her, all that would change in our working relationship was our title, the title that each of us had. As I look back on our work together on this bill, S. 4, I am pleased to say that we worked with the same spirit of cooperation that we did under her chairmanship in 2004 when we had our first legislative response to the 9/11 Commission and we adopted the Intelligence Reform and Terrorist Prevention Act of 2004. So I thank Senator COLLINS.

I thank her staff for their work, and I thank my staff as well.

Madam President, I note the presence on the floor of the majority leader. I thank him for making adoption of this legislation a priority for this Congress. Here is why. This bill will strengthen our ability not just to respond to terrorist attacks but also to prepare our Federal, State, and local governments to respond to natural disasters. In that sense, S. 4 is not only a response to finish the mission given us by the 9/11 Commission that learns from the lessons of the first months of implementation of that Commission report, but it also applies to lessons learned from Hurricane Katrina. We are trying to create an all-hazards approach in our Government that increases our homeland security against the threat of a terrorist attack and also prepares our Government to respond better to natural disasters. I do not want to repeat some of the points in this legislation that Senator COLLINS focused on. I will just pick a few additionally.

One is that S. 4 recognizes that 85 percent of the critical infrastructure in our country that is potentially a target for terrorist attack in our great open society is privately owned. For the first time, we establish a voluntary program where the private sector can come in and have their facilities certified as, I would use the term ''terrorist resistant.''

In another section we declassify the bottom line of the intelligence budget. That was a specific recommendation of the 9/11 Commission in the interests of transparency and accountability.

We also greatly improve the provisions that in our law and policy are aimed at disrupting terrorist infiltration of our borders. This bill requires the Department of Homeland Security and the Department of State to strengthen the security provisions of the so-called visa waiver program. It also authorizes an electronic travel system that would require travelers to apply in advance for authorization to visit the United States, thus allowing their names to be checked against terrorist watch lists.

I am very proud of the bill we present after almost 2 weeks of debate to our colleagues in the Senate for final consideration. I know it will strengthen the homeland security of the American people. It enjoyed strong nonpartisan support in our committee, coming out with a vote of 16 to 0 with one abstention.

I gather there will be a significant number of ''no'' votes on the final passage because of one section, and I regret that. I wish our colleagues would vote favorably because I know they support almost all of this bill because it is good for the security of the American people at home.

The one section, obviously, is the one that deals with the collective bargaining rights of transportation security officers. I sure hope we can continue to discuss this section: why we think it is fair, why we are totally convinced its implementation will have no adverse effect on public safety—no more than the collective bargaining rights of Capitol Police officers or local firefighters or police officers or members of the Border Patrol or other law enforcement agencies in the Department of Homeland Security in any way adversely affects the carrying out of the duties to protect the American people.

Madam President, I also want to thank the chairman and ranking member of the Commerce Committee, Senators INOUYE and STEVENS, for producing the rail and aviation security portions of this bill, and the chairman and ranking member of the Banking Committee, Senators DODD and SHELBY, who contributed important mass transit security provisions.

I would be remiss if I didn't also thank the majority leader, Senator REID, for working with all of the committees involved to bring this comprehensive measure before tbe Senate. We have had 2 weeks of often spirited debate, and votes on some important amendments. Now, I believe we are ready to pass this bill, and I look forward to working with my colleagues to conference this measure with the House, and moving the legislation onto the President's desk for signature.

September 11, 2001, was a tragedy of unspeakable proportions, and it is for the men and women who died in the terrorist attacks that we work to enact this legislation. The attacks changed the course of history for our Nation and marked our nascent century as a new and dangerous era. Overnight, we became aware of our vulnerability to an enemy that doesn't wear uniforms nor follows any traditional laws of combat. Rather, they move silently among us, probing for weaknesses while plotting attacks on innocent civilians.

The families of those we lost on 9/11 have worked with us for years to get the 9/11 Commission recommendations implemented. I must thank them as well for their steadfast and courageous advocacy often in the face of seemingly insurmountable odds. They worked with us to pass the bill that Senator MCCAIN and I introduced to create the 9/11 Commission. They monitored the work of the 9/11 Commission, and testified before its members. And then they helped us win the fight to implement the Commission's recommendations in the Intelligence Reform and Terrorist Prevention Act of 2004.

In January, Senator COLLINS and I held a hearing on this legislation and heard from three family members who urged us to complete the job of enacting and implementing the 9/11 Commission's recommendations. When we pass this bill today, they will be watching. And they will know that they had a hand in its success.

Senator REID made adoption of this legislation a priority for this Congress. Here is why: This bill will strengthen our ability not just to respond to terrorist attacks but also to prepare our

Federal, State, and local governments to better respond to natural disasters.

We are trying to create an ''all hazards'' approach that increases our homeland security against the threat of terrorist attack, but also prepares our government to respond better to natural disasters since it failed to prepare or respond adequately to Hurricane Katrina.

How do we do this? Let me briefly describe a few of the provisions in this bill.

First, we would improve information and intelligence sharing among Federal, State, and local officials. We know that before 9/11, different agencies had different pieces of information that, had they been put together, should have aroused suspicion about the attack that was to come. One of the most important innovations since 9/11 has been the establishment of fusion centers to share information within and between States. This legislation would create standards for the fusion centers, require the Department of Homeland Security to provide support and coordination, and authorize the assignment of homeland security intelligence analysts to the fusion centers to serve as conduits for sharing information. The legislation also encourages the elimination of the ''need to know'' standard, which allows the information holder in a given Federal agency to control dissemination, and instead, encourages a ''need to share'' standard—obviously with appropriate safeguards.

Second, this legislation provides support and resources to first responders through a balanced and better funded Homeland Security Grant Program. We would authorize over $3.1 billion for each of the next 3 years for key grants to reverse a precipitous decline in funding for homeland security over the past 4 years. We believe we have achieved a balanced proposal that gives the vast majority of the money out based on risk but still recognizes that risk is an art, not a science, and terrorists could strike anywhere. In an all-hazards approach, first responders everywhere need assistance to protect not just against a potential terrorist attack but also against natural disasters.

Third, we will help first responders attain the interoperable communications we know they need to save lives. We have known of this problem for decades, and on 9/11, when fire fighters and police officers could not communicate with one another inside the World Trade Center, hundreds of first responders lost their lives. So, we have created a grant program—authorized at $3.3 billion over 5 years—that will require States to spend their grant money consistent with their statewide communications interoperability plans and the National Emergency Communications Plan. In other words, their spending must be part of a statewide plan connected to the national plan.

Fourth, this legislation contains provisions to improve our ability to disrupt terrorist infiltration of our borders. It requires the Departments of Homeland Security and State to strengthen the security of the visa waiver program, by requiring better reporting by foreign countries in the visa waiver program of lost or stolen passports, requiring countries to share information about prospective visitors who may pose a threat to the U.S., and authorizing an electronic travel system that would require travelers to apply in advance for authorization to visit the U.S., thus allowing their names to be checked against terrorist watch lists.

Fifth, this bill moves to ensure that as we fight terrorism, we do not trample on the rights of Americans we are pledged to defend. Included here are provisions to strengthen the Privacy and Civil Liberties Oversight Board by requiring its members to be confirmed by the Senate and by giving the Board subpoena power through the Attorney General.

This legislation also includes a provision similar to one I was pleased to cosponsor in committee with Senator MCCASKILL that will ensure Transportation Security Administration screeners—known as Transportation Security Officers—have the same employment rights as others in TSA and throughout the Department of Homeland Security. There is no good reason to deny TSOs these rights. Other law enforcement officers at Immigration and Customs Enforcement and Customs and Border Protection have these rights, with no negative effect on their performance of their security mission. In fact, Capitol Police also enjoy these rights and protections. This is simply a question of equality.

So this is a comprehensive bill. There are many other worthy aspects that I have not described. But I am convinced that, as a package, if this legislation passes and becomes law, the American people will be safer from the consequences of natural disasters, such as Hurricane Katrina, than they are today. And we will have done everything possible to make sure no other Americans suffer the loss that so many experienced after the brutal terrorist attacks of 9/11.

In the preface to the 9/11 Report, Chairman Kean and Vice Chairman Hamilton wrote, quoting here, ''We hope our report will encourage our fellow citizens to study, reflect—and act.''

We have studied. We have reflected. Now is the time to act to build a safer and more secure America for the generations to come.

Finally, I would like to pay tribute to my dedicated and exceptional staff, who have sacrificed nights, weekends, family time in the name of a safer America.

I particularly want to thank my Homeland Security Committee staff director Mike Alexander for his leadership in expertly guiding this legislation through drafting, markup, floor amendments, and onto final passage. I also want to thank the committee's deputy chief counsel Kevin Landy, whose drive and attention to detail resulted in superior legislation. Thanks also to Eric Anderson, Christian Beckner, Janet Burrell, Scott Campbell, Troy Cribb, Aaron Firoved, Elyse Greenwald, Beth Grossman, Seamus Hughes, Holly Idelson, Kristine Lam, Nate Lesser, Jim Mcgee, Sheila Menz, Larry Novey, Deborah Parkinson, Leslie Phillips, Alistair Reader, Patricia Rojas, Laurie Rubenstein, Mary Beth Schultz, Adam Sedgewick, Todd Stein, Donny Williams, Jason Yanussi, and Wes Young—all on my committee staff. And thanks to Purva Rawal, Vance Serchuk, and Cherrie Daniels on my personal office staff.

I must also thank Senator COLLINS' staff director Brandon Milhorn and the Senator's entire staff for working with us to move this very important legislation.

But bottom line, thank you to our colleagues, thanks to the 9/11 Commission, thanks to the 9/11 families who have stuck with this mission to protect the American people from ever having to suffer the grievous loss they did at the hands of terrorists on 9/11.

I hope our colleagues will join together across party lines to support this very nonpartisan homeland security measure.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Madam President, let me congratulate Chairman LIEBERMAN and Ranking Member COLLINS on their Herculean effort on this legislation. I particularly commend our ranking member, Senator COLLINS, for fighting the good fight when there were some reservations on our side about a major portion of this bill which will compel me to vote against the bill. I know Senator COLLINS made every effort to strip the provision that I and others find so offensive, but regretfully the provision was not stripped.

In a few minutes the Senate will vote on final passage of Improving America's Security Act of 2007. It has, as I indicated, some good features. At its core, it seeks to improve America's security, but on balance it would also do much to weaken it. I plan to vote against the bill, and I urge my Senate colleagues to do the same.

But, before I cast my vote, a little background. Many of our Democratic friends spent last year campaigning on the claim that Republicans ignored the recommendations of the 9/11 Commission. We didn't. Of the Commission's 39 recommendations, we implemented 37. Nor are the remaining two recommendations at issue today. Both parties agree they should not be in the bill, so the two provisions that we did not adopt of the 9/11 Commission, both sides agreed we should not adopt. So I will oppose this bill on the basis of my answer to a simple question: Does it weaken America's security or strengthen it? The answer that I and many of

my colleagues have come with is, regretfully, the former.

This bill would weaken America's security because of a single dangerous provision, and that at the insistence of big labor that Democrats include collective bargaining rights for airport security screeners, rights that Congress has refused to give them in the past because of the impact it would have on our ability to react to terrorist threats.

Congress would not grant screeners collective bargaining rights back in 2002. We have had this debate before. We had it at the time of the creation of the Department of Homeland Security—if it has a familiar ring to it, to many of my colleagues, we chose not to adopt that provision then, and we hopefully will not, ultimately, this time.

The difference is the Democrats are letting the fight play out. They are stretching it out based on a political calculation. They already know how this showdown is going to end. The President threatened to veto any bill that makes airport security more like the department of motor vehicles. So they are delaying passage knowing it won't be accepted, for an applause line down the road.

Republicans tried to inject meaning into this bill to include provisions that would improve security. For example, we proposed an amendment that would make it a crime to recruit terrorists, that would authorize the deportation of suspected terrorists, that would make it easier to detain dangerous illegal aliens and would increase penalties for people who cruelly call families of soldiers overseas and falsely report their loved one has died. But our colleagues on the other side of the aisle rejected all of those provisions, opting instead to pump for big labor. They are turning their backs on their own campaign promises in the process by ignoring a key recommendation of the 9/11 Commission that the United States do everything in its power to constrain terrorists' mobility.

TSA workers showed that mobility after the United Kingdom bombing threat in August when they showed up for work that morning at 4 a.m. and they were briefed on the situation overseas and they immediately implemented new protocols. Anyone who traveled to or from an American airport that day would not even have known anything had happened. The execution was seamless. It was a different story in Great Britain, where collective bargaining is the norm. Dozens of flights were canceled while new procedures were instituted. The Democrats know Americans will not stand for that approach to terrorism in our country, but they are counting on the President and the Republicans to stop it for them. That way, they can call us obstructionists and get another applause line in the bargain and maybe even a headline or two. It is a shame because there are some good things in the bill, such as new performance standards and auditing requirements for DHS grants. But we will let them have their applause line.

Republicans have never played games with national security, and we are not going to start now. Therefore, I will vote against the bill, and for the sake of the American people and their continued security, I would strongly urge my other colleagues to do the same, while saying once again how much I commend the Senator from Maine for her efforts to get this bill in the proper form, and there are provisions in the bill not as a result of any of the efforts of the ranking member of the committee. I commend her for her efforts but, regretfully, must oppose final passage.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, this should be a time of celebration, not a time of finger-pointing. In fact, the fact is, it is true that a number of recommendations the 9/11 Commission recommended we did do. But, as you know, the Commissioners themselves graded the administration on what needed to be done to implement the Commission's recommendations. That is where we get into the Es, Fs, and incompletes. So there is no question this legislation absolutely is totally necessary.

Following the terrible attacks on September 11, our country turned to a respected group of Democrats and Republicans, the 9/11 Commission, an independent bipartisan Commission, to review the lessons of that tragic day and to find a better way to protect the homeland fight on the war on terrorism. Under difficult circumstances, including a lack of cooperation, in instances, from the White House, the Commission did an outstanding job.

In July of 2004, it made a number of recommendations to Congress and the administration about how best to secure America from al-Qaida and other terrorist groups. Their recommendations were commonsense solutions. These commonsense solutions were designed to keep America safe. But, unfortunately, over the last 2½ years, many of the Commission's recommendations have been ignored, and too many of our communities remain dangerously unprepared to prevent or respond to a terrorist attack.

Today, in a few minutes, the Senate will correct that mistake. We will enhance the security of our transportation system at our ports. We will provide America's first responders with the technology they need to communicate with each other when a Katrina or another terrorist attack strikes, and we will put new security requirements in place to keep terrorists from traveling to the United States.

This is an important piece of legislation we are going to pass. We are going to pass it, as I said, in a short time. I thank Chairman LIEBERMAN and his ranking member, Senator COLLINS, for their efforts on this bill.

I said before this legislation was taken up on the floor that we have two people who set the example for how you should legislate. They got along well in their committee. When she was chairman, Senator LIEBERMAN worked well with her, and it has worked the same way. I commend and applaud both of these legislators. They have done a tremendous job trying to work through this issue. Anything that has been slowed down in this legislation has not been their fault—in fact, quite to the contrary. They have worked tirelessly to bring this legislation here today so we can have this vote. They reported a strong bill out of the Homeland Security and Governmental Affairs Committee. It has only been strengthened by the amendment process before the full Senate over the past several days.

Now, we do not need to redebate the issue regarding collective bargaining. Collective bargaining has been in this country for a long time, and it is here to stay. There is nothing in this piece of legislation that is in any way going to impair the security of this Nation.

I wish to thank the entire 9/11 Commission for their service, but especially I wish to thank 9/11 Commissioner Tim Roemer and the 9/11 family, but especially Carol Ashley, Beverly Eckert, Mary Fetchet, and Carie Lemack, members of Families of September 11 and VOICES of September 11th. Their input in this legislation has been essential. Former Congressman Roemer spent time here on the Senate floor. No one could ever accuse Congressman Roemer of being some wild-eyed liberal. He is a moderate, and he is from the State of Indiana. He has worked very hard on the Commission and to move this legislation forward. I underline and underscore my appreciation for his input and also for the families and the two letters they wrote during the debate. Their letters served as a reminder of what this legislation is about: protecting America against terrorism. Our country will be safer, stronger, and more secure as a result of their efforts.

The first responsibility of Government is to protect our people—the people of Colorado, the people of Nevada, the people of Maine, the people of Connecticut, Alabama, Nebraska, and Missouri. The Senators are here assembled, everyone in their seats. Our No. 1 job is to protect our people. By passing the legislation today, we will help ensure the Senate meets its obligation, and we will, once and for all, write the lesson of that terrible September 11 day into law.

In their report to the Nation, the 9/11 Commission wrote, ''The men and women of the World War II generation rose to the challenges of the 1940s and the 1950s. They restructured the government so it could protect the country. That is now the job of the generations that experienced 9/11.''

That is what the legislation is all about.

Again, I applaud and commend the two managers of the bill, those who offered amendments and debated the issue. This is good legislation, good for the country. It makes America a better place. I urge my colleagues to vote for this legislation so we can take another step to fulfilling the directives we were given by the 9/11 Commission.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I ask unanimous consent that a list of the homeland security staffers on the Republican side who worked so hard on this bill be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Brandon Milhorn, Andy Weis, Rob Strayer, Amy Hall, Allison Boyd, Kate Alford, John Grant, Amanda Wood, Jennifer Tarr, Asha Mathew, Brooke Hayes, Priscilla Henley, Jane Alonso, Jay Meroney, Melvin Albritton, Mark LeDuc, Tom Bishop, Doug Campbell, Emily Meeks, and Neil Cutter.

Ms. COLLINS. I also wish to add my voice in thanks to the families of the victims of 9/11. They have truly been the committee's inspiration as we worked on these issues for the last 4 years.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. For the information of all Members, we are working—Senator MCCONNELL and I—on a consent agreement to deal with the Iraq debate tomorrow. Hopefully, we will be able to resolve the Iraq debate. Thursday, we will be able to deal with the U.S. attorneys bill and some judicial nominees. We do not have that worked out yet, so everyone stay tuned.

This will be the last vote today.

The PRESIDING OFFICER (Mr. SALAZAR). The bill having been read the third time, the question is, Shall it pass?

Mr. LIEBERMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 38, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—60

Akaka	Bingaman	Byrd
Baucus	Bond	Cantwell
Bayh	Boxer	Cardin
Biden	Brown	Carper
Casey	Kohl	Reed
Clinton	Landrieu	Reid
Coleman	Lautenberg	Rockefeller
Collins	Leahy	Salazar
Conrad	Levin	Sanders
Dodd	Lieberman	Schumer
Dole	Lincoln	Smith
Dorgan	McCaskill	Snowe
Durbin	Menendez	Specter
Feingold	Mikulski	Stabenow
Feinstein	Murkowski	Stevens
Harkin	Murray	Tester
Inouye	Nelson (FL)	Voinovich
Kennedy	Nelson (NE)	Webb
Kerry	Obama	Whitehouse
Klobuchar	Pryor	Wyden

NAYS—38

Alexander	DeMint	Lott
Allard	Domenici	Lugar
Bennett	Ensign	Martinez
Brownback	Enzi	McConnell
Bunning	Graham	Roberts
Burr	Grassley	Sessions
Chambliss	Gregg	Shelby
Coburn	Hagel	Sununu
Cochran	Hatch	Thomas
Corker	Hutchison	Thune
Cornyn	Inhofe	Vitter
Craig	Isakson	Warner
Crapo	Kyl	

NOT VOTING—2

Johnson	McCain

The bill (S. 4), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

Mr. LIEBERMAN. Mr. President, 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.

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MENENDEZ). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask to speak as in morning business for such time as I might consume, and if there are other Members who are wondering how long that might be, it wouldn't be probably for more than 15 minutes at the most.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

TAX GAP: BLUE SMOKE

Mr. GRASSLEY. Mr. President, I wish to finish the discussion I started earlier today about the tax gap and efforts to close it. As I said this morning, the tax gap is the difference between what is paid in taxes and what is actually owed. While more reliable and timely data on the tax gap is greatly needed, the tax gap was thought to be $345 billion for the tax year 2001, which seemed to be the year that the IRS had the latest information where they could put together something that was fairly solid for that year.

I also pointed out this morning that many of my colleagues in the Senate see the tax gap as a sort of magical tonic that can be used to cure all sorts of ailments. Some people see $345 billion in AMT relief or health care spending or national debt reduction without thinking about what would be involved in actually collecting the money. So I am raising the question: Do people think through whether every dollar will be brought into the Federal Treasury?

The IRS is already making some progress in closing the tax gap. This morning I mentioned the Internal Revenue Service told the Budget Committee it could reduce the tax gap by nearly $70 billion, of that $345 billion, in the year 2007.

So where does that leave us? Can we do more in enforcement? The administration has proposed an increase in funding for the Internal Revenue Service. That increase looks toward the tax gap with funds directed toward increased data matching, improved research, as well as more auditors—auditors to make sure that more money comes in. I suggest my colleagues might also want to make certain that if we consider adding more Internal Revenue Service employees, we have greater confidence that the Internal Revenue Service is utilizing current resources effectively. In other words, before we hire more people, we ought to make sure the existing employees at the Internal Revenue Service are being used in the most efficient way to bring in the most money possible.

That doesn't preclude more money, but that is a necessary first step before we automatically think of more money and more employees.

For instance, the IRS has hundreds of employees, according to a Treasury inspector general for tax administration report, that do part- or full-time union work. This is thousands and thousands of work hours that could be spent going after the tax gap. What could we gain if we directed all those union hours to actually working on the tax gap before we appropriate more money to hire more employees?

So we have proposals then for increased enforcement. Let me remind my colleagues, though, that the Joint Committee on Taxation—that is a congressional committee that specializes in watching the Tax Code and making estimates and studying all ways to make the Tax Code more efficient and bring in more money—that committee will not give us a score for additional dollars based on increased enforcement. So we can talk all we want about hiring more people to bring in more revenue, but until that revenue is in the bank, the Joint Committee on Taxation isn't going to give us any credit for it.

As we are looking at budget debates over this week and next week, keep that in mind. That isn't going to get Senators anywhere in terms of reducing projected deficits or paying for tax cuts or bringing in more money to spend someplace else.

It is important to emphasize the Commissioner of the Internal Revenue

Service made it clear to the Budget Committee a few days ago at a hearing that we cannot audit our way out of the tax gap. The Commissioner also warned about increasing the IRS budget too quickly if we decide to go the route of hiring more people by giving more money because he said a big increase in staffing would harm taxpayers' rights if the IRS was not able to grow in a managed way to control the outcome.

We can look at what we can possibly do legislatively beyond greater enforcement. The Democratic leadership hasn't proposed anything new, but the administration has put forward some proposals in the budget—in its own budget, meaning the budget of the executive branch. Many of the administration's proposals deal with information reporting. Information reporting is an important way to improve tax compliance. This is very clear from all the work that has been done so far on the tax gap.

However, information reporting places additional burdens on taxpayers, and it is very frustrating that we often find the Internal Revenue Service is not doing enough to match or review the documents taxpayers are already providing the IRS as a paper trail to make sure all taxes are paid. Needless to say, this greatly limits the benefit information reporting provides.

Setting these concerns aside, the administration in their budget has proposed, one, information reporting on payment to corporations; two, basis reporting on securities sales; three, broker reporting; four, reporting of merchant payment card reimbursement; five, increase information return penalties; six, taxpayer identification number verification for independent contractors; and seven, information reporting on certain Government payments.

The administration has proposed other proposals, including increased penalties, expanded IRS access to information, and required electronic filing as some of the other new proposals.

This is a very comprehensive list of proposals coming from the administration. Is it everything? No, but it seems to me this is a serious start and shows that people within Treasury, within the Office of Management and Budget, and maybe even within the White House, are very concerned about closing the tax gap.

If Senators who have attacked the Secretary of Treasury and the Internal Revenue Service believe more can be done, I suggest they should come forward with their own proposals and add to the multitude I read coming from the executive branch of Government.

I think Senators will find that while it is easy to complain about what is coming out of the Treasury's kitchen, it is a lot harder to get in there and do it themselves. I think Senators need to be careful—very careful—at putting out pie-in-the-sky numbers for what can be achieved by reducing the tax gap without at the same time putting forward their own detailed, concrete, Joint Tax Committee-scored proposals that show how it can be done.

That brings me to a chart. This chart shows there is a lot of smoke and mirrors when it comes to the tax gap, in other words, all the people who are saying they are going to use the tax gap to reduce the deficit, to fund tax cuts or even to take the money and spend it on some new program or increase spending on existing programs. There are a lot of ideas out there.

What I want this chart to demonstrate to us is that there is a lot of smoke and mirrors when it comes to the tax gap. We can't use smoke and mirrors to pay for tax cuts or to decrease the deficit; we have to have proposals that are in detail, black and white, and are scored by the Joint Committee on Taxation, our experts who are on top of the Tax Code and how much money will come in or how much money we lose if we cut taxes.

Tax gap proposals shouldn't be used for spending. The tax gap is appropriately viewed as unfairly placing a heavier burden on compliant taxpayers, 85 percent of the people who pay what they owe and file accordingly.

If we enact tax-gap closers, they should be used to reduce taxes or reduce the deficit, not to increase spending.

Let me conclude my discussion of the tax gap by saying you can have a blue Moon, you can have blue cheese, you can have blue-suede shoes, but when it comes to balancing the budget, you can't do it with blue smoke and mirrors. That, unfortunately, is what so much of the tax gap is right now: blue smoke.

I strongly encourage the Budget Committee chairman and other Senators not to use blue smoke during the upcoming budget resolution debates. That is going to happen Wednesday and Thursday in the Budget Committee this week. It is going to happen all next week on the floor of the Senate.

Now I will review some of the issues we must consider as the Senate works on its budget resolution. In an earlier visit with my colleagues in the Senate, I discussed the importance of preventing a tax hike on the American people. Anyone who considers themselves a deficit hawk needs to do more than raise taxes. So I challenge the new Democratic majority to also examine the spending side of the ledger; that is, if they are truly serious about deficit reduction.

In another visit with my colleagues from the floor of the Senate, I highlighted a study prepared by Goldman Sachs. That study shows that the likely result of letting tax relief expire could lead to a recession. Since tax relief was enacted, Federal revenues have increased, employment has increased, household wealth has increased—in fact, household wealth has increased to the highest level it has ever been in the history of our country—and the S&P 500 index has consistently moved upward. Again, a failure to extend tax relief or make it permanent puts all this at risk, and at risk for nothing.

Anyone serious about deficit reduction needs to also look, then, at the spending side of the ledger. In a third visit that I had with my colleagues from the Senate floor, I pointed out that Democratic revenue raisers did not come close to covering new spending contained in Democratic amendments when we had the budget up exactly 12 months ago this month. In many cases, I showed the same offset was used in multiple amendments to pay for multiple projects, just like every dollar coming into the Federal Treasury could be spent two, three, four times, and somehow just multiply and, like blue smoke, solve all of our problems.

If the Democratic leadership is serious about pay-go, and that is short for pay as you go, and if they are serious about deficit reduction, they need to be realistic about where the money is going to come from to cover any new spending proposals. The budget plan advocated by the other side last year would have either increased the deficit or gutted tax relief that was passed in 2001 and 2003, including items such as the alternative minimum tax fix that we did, and all of these things the other side of the aisle claims to support and yet have proposals that would gut them or increase the deficit.

I want to state my intention to fully cooperate with my colleagues of both parties to produce a budget that preserves our growing economy while addressing the needs of our government. I am particularly looking forward to exploring ways to use the Tax Code to help more Americans acquire health insurance. I am also looking forward to using the budget resolution to ensure, on a revenue-neutral basis, that we continue to pursue tax simplification and tax reform. In order to produce the best possible budget, we must be careful not to endanger our growing economy. We must be willing to examine spending. We must not just focus on revenues, and in the whole process, we have to be intellectually honest about how far we can push revenue raisers and other offsets. In other words, avoid the smoke and mirrors.

Mr. President, I yield the floor.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to speak in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I thank Senator GRASSLEY for his remarks and would share his concerns that we have to be intellectually honest about the numbers with which we are dealing. We are not going to be able to have the kind of revenue collection enhancement that some have suggested is possible. I wish it were so. I pay my taxes. Most people pay their taxes. It is

not right for people to cheat on their taxes. It cheats all of us when that occurs. From experience, we know that we can't get that big of an enhancement, at least that is what the experts tell us. We cannot get the enhancement from collections that some have suggested that we can. They will use monies projected to be collected—that is, they will say we are going to collect a lot more to justify spending—and then when the revenue doesn't come in, all we have done is increase the debt.

So that is a problem and I am pleased Senator GRASSLEY has raised it and we might as well deal with it openly.

(The remarks of Mr. SESSIONS pertaining to the introduction of S. 863 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SESSIONS. 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. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRADE POLICY

Mr. BROWN. Mr. President, it is only Tuesday, and already we have a laundry list this week of reasons why we need a new direction for trade policy in our country.

First, we learned that Halliburton, the beneficiary of more than $20 billion in no-bid Government contracts, is going to, in a sense, take the money and run by moving its headquarters out of the United States and to Dubai in the United Arab Emirates. Then we learned the United States is again discussing trade deals with the United Arab Emirates. These trade talks first fell apart last year during the Dubai Ports World scandal.

Because of our fundamentally flawed trade policy, our Government nearly sold our port security to state-owned companies in the Middle East, and because of our fundamentally flawed trade policy, our Government continued to award no-bid contracts to Halliburton despite the fact that its subsidiaries have come under fire for doing business with the Government of Iran and for potential contract fraud in Iraq. It is time for a trade policy that rewards good corporate citizens, not one that allows our Nation's security assets to be sold to the highest bidder.

Last November, in my home State of Ohio, voters from Toledo to Steubenville, from Chillicothe to Lorain, from Dayton to Youngstown spoke out for change in our Nation's trade policy.

For too long, our Government has stood idly by as U.S. companies that benefit from our tax policy, that get Government contracts, that benefit from community support move their operations overseas. For too long, our Government has pursued fundamentally flawed trade agreements that fail to secure labor and other standards, fail to establish a policy to support business development at home, and fail to provide for national security reviews.

But in this Congress, a new direction has begun. Thirty Members, last week, of a fair trade coalition, that began with the Central American Free Trade Agreement, gathered on Capitol Hill to reaffirm that we need a new direction for trade. Senator DORGAN, Senator GRAHAM, and I have introduced legislation that would ban sweatshop imports and address concerns with China.

What is more distressing than Halliburton's news to abandon the United States for the Mideast is that it owes the Government at least $2.7 billion as a result of bad, possibly even illegal business practices in Iraq—practices which allowed for contaminated water to be served to our troops, which hired unauthorized security forces, and which shamelessly overcharged our Government. Will Halliburton pay their debt before leaving town or will they try to leave American taxpayers—who have already afforded them billions in profits—holding the bag? Congress must do all it can to assess the debt and ensure that Halliburton, before they leave town, pays their debt to our country.

It is unclear whether the administration will take any action to safeguard our Nation's interests when it comes to Halliburton, but it is clear they are not yet ready for a new direction on trade. The latest attempt at another flawed trade agreement is not even inked, and the first corporation is moving offshore.

That is why we need a new direction for trade. That is why we need a trade policy that rewards companies that keep production, and headquarters, in the United States, investing at home as well as in opportunities abroad. That is why, as we learned during the Dubai Ports scandal, we need a national security review of all future trade agreements.

Halliburton's decision to relocate its headquarters also underscores the critical importance of freeing our Nation from its addiction to oil.

Government should foster a climate where companies are rewarded for being good patriot corporations. It is time our Government stop rewarding the Halliburtons of the world and start investing in those businesses that want to help build our Nation, not cheat us and then leave us.

IN HONOR OF VACLAV HAVEL

Mr. CARDIN. Mr. President, 30 years ago, the Charter 77 movement was established with the simple goal of ensuring that the citizens of Czechoslovakia could ''live and work as free human beings.'' Today, as cochairman of the Commission on Security and Cooperation in Europe, I join with my colleagues in celebrating the founding of Charter 77 and honoring those men and women who, through their personal acts of courage, helped bring freedom to their country.

When the Charter 77 manifesto was issued, three men were chosen to be the first spokespersons of this newly formed movement: a renowned European philosopher, Jan Patocka; Jiri Hajek, who had been Czechoslovakia's Foreign Minister during the Prague Spring; and the playwright, Vaclav Havel. They had the authority to speak for the movement and to issue documents on behalf of signatories.

Tragically, Jan Patocka paid with his life for his act of bravery and courage. After signing the charter and meeting with Dutch Ambassador Max van der Stoel, he was subjected to prolonged interrogation by the secret police. It is widely believed this interrogation triggered a heart attack, resulting in his death on March 13, 1977.

In spite of the chilling message from the regime, Jiri Hajek and Vaclav Havel continued to work with other chartists, at tremendous personal cost. Two-hundred and thirty signatories were called in for interrogation; 50 houses were subjected to searches. Many supporters lost their jobs or faced other forms of persecution; many were sent to prison. In fact, the harsh treatment of the Charter 77 signatories led to the creation of another human rights group, the Committee for the Defense of the Unjustly Persecuted, known by its Czech acronym, VONS. In October 1979, six VONS leaders including Vaclav Havel, were tried for subversion and sentenced to prison terms of up to 5 years.

Perhaps the regime's harsh tactics reflected its knowledge that, ultimately, it could only retain control through force and coercion. Certainly, there was no perestroika or glasnost in Husak's Czechoslovakia, no goulash communism as in neighboring Hungary. And so, the regime was threatened by groups that might have seemed inconsequential elsewhere: by the psychedelic band, ''Plastic People of the Universe;'' by a musical appreciation group known as the Jazz Section; by environmentalists, historians, philosophers and, of course, playwrights.

Mr. President, 1989 was an extraordinary year—a year in which the regime sought to control everything and, in the end, could control nothing. In May, Hungary opened its borders. In June, free elections were held for parliamentary seats in Poland for the first time in decades. By August, 5,000 East Germans were fleeing to Austria through Hungary every single week.

Demonstrations in East Germany continued to rise, forcing Eric Honecker to resign in October. On November 9, the Berlin Wall was breached.

But while Communist leaders in other countries saw the writing on the wall, authorities in Prague continued to believe they could somehow cling to power. Ironically, the regime's repressive tactics were part of its final undoing.

On November 17, 1989, significant student demonstrations were held in Prague. Human rights groups released videotapes of police and militia viciously beating the demonstrators and these tapes were rapidly and widely circulated through the underground. Shortly thereafter, VONS received credible information that a student demonstrator had been beaten to death. The alleged death so outraged Czechoslovak society that it triggered massive demonstrations. Within days, Czechoslovakia's Communist regime collapsed like a house of cards.

As it turned out, no one had actually been killed during the November 17 protests; the story of the student death had been concocted by the secret police to discredit VONS but was all too believable. As concisely stated by Mary Battiata, a reporter for the Washington Post, ''. . . a half-baked secret police plan to discredit a couple of dissidents apparently boomeranged and turned a sputtering student protest into a national rebellion.'' On December 29, Vaclav Havel—who had been in prison just a few months earlier—was elected President of Czechoslovakia by the Federal Parliament.

Jan Patocka once wrote, ''The real test of a man is not how well he plays the role he has invented for himself but how well he plays the role that destiny assigned to him.'' It seems that destiny had a particular role for Vaclav Havel, not one that he invented or envisioned for himself, but one that he has played with courage and grace, with dignity and honor. Today, we honor Vaclav Havel and the Charter 77 movement he helped to found.

ADDITIONAL STATEMENTS

IN MEMORY OF ERNEST GALLO

• Mrs. BOXER. Mr. President, today, I ask my colleagues to join me in honoring the memory of the late Ernest Gallo, a true American success story who came from a humble beginning to head the world's largest winemaking company. Mr. Gallo passed away in the peaceful company of his family and loved ones at his home in Modesto, California on March 6, 2007. He was 97 years old.

The first son of Joseph and Susie Gallo, immigrants who hailed from Italy's renowned winemaking region of Piedmont, Ernest Gallo was born in Jackson, in the Sierra Nevada foothills region of California. Ernest and his younger brothers, Julio and Joe, gained important insight into the winemaking business by working alongside their father in the family vineyard. As a precocious and driven 17-year-old boy, Ernest sold a railcar full of family grapes during a trip to Chicago for $17,000, a considerable sum of money during those days. From that point forward, it was apparent that Ernest was a gifted and determined entrepreneur who was destined for great success in the winemaking business.

After his parents unexpectedly passed away, Ernest accepted the mantle of the head of the business and the family at the age of 24 and founded E. and J. Gallo Winery in 1933 using a $5,000 loan from Ernest's mother-in-law and his brother Julio's entire savings of less than $1,000. Throughout his stewardship of the winery that would become one of the world's most prolific and recognized winemaking companies, Ernest consistently demonstrated an unparalleled ability to produce affordable, popular, and high quality products.

A wine connoisseur in the truest sense of the word, Ernest was a perfectionist who left his imprint on nearly every aspect of the winemaking process; from overseeing production, to devising brilliant marketing plans, to regularly traveling across the country to make sure that wine displays were properly presented in markets. Simply put, Ernest was a consummate winemaker who was absolutely dedicated to honing and perfecting his craft.

Ernest Gallo has left behind a legacy of success and the well-deserved recognition as one of the leading figures of American winemaking. This son of California's Central Valley will be greatly missed.

Ernest Gallo was preceded in death by his beloved wife of 62 years, Amelia, and son, David. He is survived by his son, Joseph, and four grandchildren.•

HONORING LARRY NELSON

• Mr. ISAKSON. Mr. President, today I wish to honor in the RECORD of the Senate the induction of my friend and a wonderful Georgian, Larry Nelson of Marietta, to the World Golf Hall of Fame.

Larry was born on September 10, 1947, in Ft. Payne, AL, and was raised in Acworth, GA. Growing up, he preferred baseball and basketball. It wasn't until after he returned from military service in Vietnam that he actually swung a golf club. The first time he played he broke 100. Within 9 months of taking up the game in earnest, Larry broke 70.

In 1973, Larry successfully went through the PGA Tour Qualifying School, and his breakthrough came in 1979 when he won twice on the tour and finished second on the money list. In 1981, Larry won the PGA Championship at the Atlantic Athletic Club by four strokes over Fuzzy Zoeller. In 1983, he won his second major, the U.S. Open, at one of the toughest championship courses in the world, Oakmont Country Club just outside of Pittsburgh. And in 1987, Larry repeated his victory in the PGA Championship with a playoff victory over Lanny Wadkins at PGA National Golf Club in Palm Beach Gardens, FL. In addition, he played on the U.S. Ryder Cup team in 1979, 1981, and 1987.

I have known Larry for almost 40 years. In fact, I sold him a house when he was first starting out. It is also a huge point of pride that I am a member of the Atlanta Country Club where Larry Nelson plays today. However, Larry is more than a terrific golfer. He is also a wonderful husband and father as well as a devout Christian.

It gives me a great deal of pleasure and it is a privilege to recognize on the floor of the U.S. Senate the contributions of my friend Larry Nelson. He is an inspiration to us all.•

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:48 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 342. An act to designate the United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the ''Rush Hudson Limbaugh, Sr. United States Courthouse''.

H.R. 544. An act to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the ''Santiago E. Campos United States Courthouse''.

H.R. 584. An act 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''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

At 5:54 p.m., a message from the House of Representatives, delivered by Mr. Hays, 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. 85. An act to provide for the establishment of centers to encourage demonstration and commercial application of advanced energy methods and technologies.

H.R. 1068. An act to amend the High-Performance Computing Act of 1991.

H.R. 1126. An act to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 85. An act to provide for the establishment of centers to encourage demonstration and commercial application of advanced energy methods and technologies; to the Committee on Energy and Natural Resources.

H.R. 1068. An act to amend the High-Performance Computing Act of 1991; to the Committee on Commerce, Science, and Transportation.

H.R. 1126. An act to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–919. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 7351) received on March 8, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–920. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''Five-Year ITS Program Plan''; to the Committee on Commerce, Science, and Transportation.

EC–921. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (ID No. 011707G) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–922. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Increase the Trip Limit in the Commercial Hook-and-Line Fishery for King Mackerel in the Florida East Coast'' (ID No. 010507D) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–923. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure for Commercial King Mackerel Run-Around Gillnet Fishery in the Southern Florida West Coast Zone'' (ID No. 010507C) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–924. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 Feet Length Overall and Using Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (ID No. 012507A) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–925. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Rule to Reduce Overfishing of Atlantic Sea Scallops in the 2007 Fishing Year by Modifying Elephant Trunk Access Area Management Measures'' (RIN0648-AV05) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–926. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Emergency Rule to Supersede the Previously Published 2007 Summer Flounder Specifications'' (RIN0648-AT60) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–927. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Amendment 16-4; Pacific Coast Salmon Fishery'' (RIN0648-AU57) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–928. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''2006-2007 Pacific Mackerel Annual Specifications; Coastal Pelagic Species Fisheries; Fisheries Off West Coast States'' (RIN0648-AU27) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–929. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''2007 Specifications for the Atlantic Bluefish Fishery'' (RIN0648-AT67) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–930. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement Management Measures for Caribbean Closures and Dehooking Requirements for the Atlantic Shark Fishery'' (ID No. 082305E) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–931. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area'' (ID No. 020907G) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–932. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska'' (ID No. 020907F) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–933. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska'' (ID No. 020807B) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–934. A communication from the Commandant, United States Coast Guard, Department of Homeland Security, transmitting, the report of a legislative proposal to authorize appropriations for fiscal year 2008 for the United States Coast Guard; to the Committee on Commerce, Science, and Transportation.

EC–935. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts for fiscal year 2006; to the Committee on Commerce, Science, and Transportation.

EC–936. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Report to Congress on Renewable Energy Resource Assessment Information for the United States''; to the Committee on Energy and Natural Resources.

EC–937. A communication from the Attorney, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Efficiency Program for Certain Commercial and Industrial Equipment: Efficiency Standards for Commercial Heating, Air-Conditioning, and Water-Heating Equipment'' ((RIN1904-AB16)(RIN1904-AB17)(RIN1904-AB44)) received on March 8, 2007; to the Committee on Energy and Natural Resources.

EC–938. A communication from the Chairman, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report of proposed legislation to authorize appropriations for fiscal year 2008; to the Committee on Environment and Public Works.

EC–939. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to navigation improvements to the Gulf Intracoastal Waterway from High Island to Brazos River; to the Committee on Environment and Public Works.

EC–940. A communication from the Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Agency's competitive sourcing efforts for fiscal year 2006; to the Committee on Environment and Public Works.

EC–941. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to an ecosystem restoration project on the Snake River; to the Committee on Environment and Public Works.

EC–942. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Mangoes from India'' (Docket No. APHIS-2006-0121) received on March 12, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–943. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas'' (Docket No. APHIS-2006-0149) received on March 12, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–944. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Agency's proposed fiscal year 2008 budget; to the Committee on Agriculture, Nutrition, and Forestry.

EC–945. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–946. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the report of an officer authorized to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–947. A communication from the Director of Selective Service, transmitting, pursuant to law, the Director's Annual Report for fiscal year 2006; to the Committee on Armed Services.

EC–948. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and Procurement Unit Cost for the Expeditionary Fighting Vehicle; to the Committee on Armed Services.

EC–949. A communication from the Assistant Secretary of Defense (Homeland Defense), transmitting, pursuant to law, a report relative to assistance provided by the Department for civilian sporting events in support of essential security and safety at such events; to the Committee on Armed Services.

EC–950. A communication from the Secretary of Defense, transmitting , pursuant to law, a report on the approved retirement of Admiral John B. Nathman, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC–951. A communication from the Acting Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, the Bureau's Annual Report for fiscal year 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–952. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the Emergency Oil and Gas Guaranteed Loan Program; to the Committee on Banking, Housing, and Urban Affairs.

EC–953. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the Emergency Steel Loan Guarantee Program; to the Committee on Banking, Housing, and Urban Affairs.

EC–954. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Inseason Action to Close the Small Coastal Shark Fishery in the Gulf of Mexico Region'' (ID No. 013107D) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–955. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Services Surveys: BE–125, Quarterly Survey of Transactions in Selected Services and Intangible Assets with Foreign Persons'' (RIN0691–AA61) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–956. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Services Surveys: BE–120, Benchmark Survey of Transactions in Selected Services and Intangible Assets with Foreign Persons'' (RIN0691–AA60) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–957. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska'' (ID No. 012307C) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–958. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Services Surveys: BE–185, Quarterly Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons'' (RIN0691–AA62) received on March 8, 2007; to the Committee on Commerce, Science, and Transportation.

EC–959. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, a report relative to the status of significant unresolved issues with the Department of Energy's design and construction projects; to the Committee on Energy and Natural Resources.

EC–960. A communication from the Deputy Chief Financial Officer, Department of Energy, transmitting, pursuant to law, a report relative to the Department's carryover balances; to the Committee on Energy and Natural Resources.

EC–961. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to a Mixed Oxide Fuel Fabrication Facility near Aiken, South Carolina; to the Committee on Energy and Natural Resources.

EC–962. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, an annual report on its operations and financial condition; to the Committee on Finance.

EC–963. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''LMSB Tier II Issue—Field Directive on the Examination of IRC Section 172(f) Specified Liability Losses Number 1—Industry Directive'' (Document Number: LMSB–04–0206–009) received on March 8, 2007; to the Committee on Finance.

EC–964. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2007 Census Count'' (Notice 2007–23) received on March 8, 2007; to the Committee on Finance.

EC–965. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007–26–2007–32); to the Committee on Foreign Relations.

EC–966. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Intercountry Adoption—Reporting on Non-Convention and Convention Adoptions of Emigrating Children'' (RIN1400–AC20) received on March 8, 2007; to the Committee on Foreign Relations.

EC–967. A communication from the Secretary of State, transmitting, pursuant to law, a report relative to the current military, diplomatic, political, and economic measures that are being or have been undertaken to complete our mission in Iraq successfully; to the Committee on Foreign Relations.

EC–968. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report on U.S. Government Assistance to and Cooperative Activities with Central and Eastern Europe; to the Committee on Foreign Relations.

EC–969. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the petition filed on behalf of workers from General Atomics in La Jolla, California, requesting their addition to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–970. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the petition filed on behalf of workers from Monsanto Chemical Company in Dayton, Ohio, requesting their addition to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–971. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of action on a nomination for the position of Commissioner of the Food and Drug Administration, received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–972. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of action on a nomination for the position of Administrator, received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–973. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a nomination for the position of General Counsel, received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–974. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Deputy Secretary, received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–975. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the petition filed on behalf of workers from the Allied Chemical Corporation Plant in Metropolis, Illinois, requesting their addition to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–976. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the petition filed on behalf of workers from the Harshaw Harvard-Denison Plant in Cleveland, Ohio, requesting their addition to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–977. A communication from the White House Liaison, Office of Planning, Evaluation and Policy Development, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Planning of Evaluation and Policy Development, received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–978. A communication from the Inspector General, Department of Labor, transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts for fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–979. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Organ Procurement and Transplantation Network'' (RIN0906–AA62) received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–980. A communication from the Regulations Coordinator, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Claims Collection'' (RIN0991–AB18) received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–981. A communication from the Regulations Coordinator, Office of the Secretary, Department of Health and Human Services,

transmitting, pursuant to law, the report of a rule entitled ''Salary Offset'' (RIN0991–AB19) received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–982. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Reprocessed Single-Use Devices; Requirement for Submission of Validation Data; Withdrawal'' (Docket No. 2006N–0335) received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–983. A communication from the Director, Regulations and Policy Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Reprocessed Single-Use Device; Requirements for Submission of Validation Data'' (Docket No. 2006N–0335) received on March 8, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–984. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Audit of Advisory Neighborhood Commission 2A for Fiscal Years 2004 Through 2006, as of March 31, 2006''; to the Committee on Homeland Security and Governmental Affairs.

EC–985. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Fiscal Year 2006 Annual Report on Advisory Neighborhood Commissions''; to the Committee on Homeland Security and Governmental Affairs.

EC–986. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, a report relative to the implementation and effectiveness of the direct-hire authority to attract candidates with unusually high qualifications to the Federal acquisition workforce; to the Committee on Homeland Security and Governmental Affairs.

EC–987. A communication from the Special Inspector General for Iraq Reconstruction, transmitting, pursuant to law, the Inspector General's quarterly report for the period ending December 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–988. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency's Strategic Plan for 2006-2011 and its Performance and Accountability Report for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–989. A communication from the Chairman, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Performance Budget for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–990. A communication from the Deputy General Counsel and Designated Reporting Official, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, a change in previously submitted reported information for the position of Deputy Director for Supply Reduction, received on March 8, 2007; to the Committee on the Judiciary.

EC–991. A communication from the Associate Administrator, Office of Management and Administration, Small Business Administration, transmitting, pursuant to law, a report relative to the Administration's competitive sourcing efforts for fiscal year 2006; to the Committee on Small Business and Entrepreneurship.

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 Mrs. MURRAY:

S. 847. A bill to extend the period of time during which a veteran's multiple sclerosis is to be considered to have been incurred in, or aggravated by, military service during a period of war; to the Committee on Veterans' Affairs.

By Mrs. MURRAY:

S. 848. A bill to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war; to the Committee on Veterans' Affairs.

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 849. A bill to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mrs. DOLE):

S. 850. 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.

By Mr. SCHUMER (for himself, Ms. CANTWELL, Ms. STABENOW, Mr. BROWN, Mrs. MCCASKILL, Mr. BAYH, Mr. SALAZAR, Mr. TESTER, and Mr. CASEY):

S. 851. A bill to amend the Internal Revenue Code of 1986 to provide a higher education opportunity credit in place of existing education tax incentives; to the Committee on Finance.

By Ms. SNOWE:

S. 852. A bill to deauthorize the project for navigation, Tenants Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 853. A bill to deauthorize the project for navigation, Northeast Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 854. A bill to modify the project for navigation, Union River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 855. A bill to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 856. A bill to terminate authorization for the project for navigation, Rockport Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 857. A bill to redesignate the project for navigation, Saco River, Maine, as an anchorage area; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself, Ms. SNOWE, Ms. COLLINS, Mr. ENZI, Mr. MENENDEZ, Mr. INOUYE, Mr. DURBIN, and Mr. SANDERS):

S. 858. A bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters; to the Committee on Finance.

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 859. A bill to require the Secretary of Energy to award funds to study the feasibility of constructing dedicated ethanol pipelines to increase the energy, economic, and environmental security of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SMITH (for himself, Mrs. CLINTON, Mr. SCHUMER, Mr. BROWN, Ms. STABENOW, Ms. CANTWELL, Mr. LEAHY, Mr. SPECTER, Mr. NELSON of Florida, Mr. COLEMAN, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. DURBIN, Mr. KENNEDY, Ms. COLLINS, Mrs. LINCOLN, Mr. WYDEN, Mr. BAYH, Ms. SNOWE, Mr. SANDERS, and Mr. BINGAMAN):

S. 860. A bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. HARKIN):

S. 861. A bill to designate the Federal building located at 131 East 4th Street in Davenport, Iowa, as the ''James A. Leach Federal Building''; to the Committee on Environment and Public Works.

By Mr. HARKIN (for himself and Mr. GRASSLEY):

S. 862. A bill to designate the Federal building located at 210 Walnut Street in Des Moines, Iowa, as the ''Neal Smith Federal Building''; to the Committee on Environment and Public Works.

By Mr. SESSIONS (for himself, Ms. LANDRIEU, Mr. VITTER, Mr. CORNYN, and Mr. GRASSLEY):

S. 863. A bill to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds; to the Committee on the Judiciary.

By Mr. BUNNING (for himself and Mr. MCCONNELL):

S. 864. A bill to amend the Federal Power Act to clarify the jurisdiction of the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 865. A bill to authorize the Secretary of the Army to carry out a project for the mitigation of shore damages attributable to the project for navigation, Saco River, Maine; to the Committee on Environment and Public Works.

By Mr. LUGAR (for himself and Mr. BINGAMAN):

S. 866. A bill to provide for increased planning and funding for health promotion programs of the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself and Mr. KERRY):

S. 867. A bill to adjust the boundary of Lowell National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself and Mr. KERRY):

S. 868. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 5

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 5, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 21

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 22

At the request of Mr. WEBB, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 261

At the request of Ms. CANTWELL, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Massachusetts (Mr. KERRY), the Senator from Michigan (Ms. STABENOW), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 311

At the request of Ms. LANDRIEU, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 474

At the request of Mrs. HUTCHISON, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 474, a bill to award a congressional gold medal to Michael Ellis DeBakey, M.D.

S. 522

At the request of Mr. BAYH, the names of the Senator from New Hampshire (Mr. GREGG) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 522, a bill to safeguard the economic health of the United States and the health and safety of the United States citizens by improving the management, coordination, and effectiveness of domestic and international intellectual property rights enforcement, and for other purposes.

S. 543

At the request of Mr. NELSON of Nebraska, the names of the Senator from Missouri (Mr. BOND), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 573

At the request of Ms. STABENOW, the name of the Senator from Montana (Mr. TESTER) 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. 585

At the request of Mr. DORGAN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 585, a bill to require the Secretary of the Treasury to mint and issue coins in commemoration of Native Americans and the important contributions made by Indian tribes and individual Native Americans to the development of the United States and the history of the United States, and for other purposes.

S. 615

At the request of Mr. LAUTENBERG, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 615, a bill to provide the nonimmigrant spouses and children of nonimmigrant aliens who perished in the September 11, 2001, terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes.

S. 627

At the request of Mr. HARKIN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 627, a bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes.

S. 718

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 718, a bill to optimize the delivery of critical care medicine and expand the critical care workforce.

S. 721

At the request of Mr. ENZI, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 721, a bill to allow travel between the United States and Cuba.

S. 727

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 727, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 771

At the request of Mr. HARKIN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of 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.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 815

At the request of Mr. CRAIG, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 815, a bill to provide health care benefits to veterans with a service-connected disability at non-Department of Veterans Affairs medical facilities that receive payments under the Medicare program or the TRICARE program.

S. 827

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 827, a bill to establish the Freedom's Way National Heritage Area in the States of Massachusetts and New Hampshire, and for other purposes.

S. 831

At the request of Mr. DURBIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 831, a bill to authorize States and local governments to prohibit the investment of State assets in any company that has a qualifying business relationship with Sudan.

S.J. RES. 5

At the request of Mr. DURBIN, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from New York (Mrs. CLINTON) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S.J. Res. 5, a joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

S. RES. 95

At the request of Mr. SPECTER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Res. 95, a resolution designating March 25, 2007, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''.

AMENDMENT NO. 299

At the request of Mr. STEVENS, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 299 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. 383

At the request of Mr. BIDEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of amendment No. 383 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. 412

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of amendment No. 412 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. 420

At the request of Mr. BIDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 420 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. 435

At the request of Mr. PRYOR, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of amendment No. 435 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. 448

At the request of Mr. ENSIGN, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of amendment No. 448 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. LEAHY (for himself and Mr. CORNYN):

S. 849. A bill to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased to join Senator CORNYN in reintroducing the Openness Promotes Effectiveness in our National Government Act'', the ''OPEN Government Act''. This bill contains commonsense reforms to update and strengthen the Freedom of Information Act (FOIA) for all Americans.

Last year, the Senate Judiciary Committee favorably reported an essentially identical bill. Sadly, the full Senate did not consider this legislation before it adjourned last year. But, I hope that the Senate will do its part to reinvigorate FOIA this year, by promptly passing this bill.

During my three decades in the Senate, I have devoted a considerable portion of my work to improving government openness, to make our government work better for the American people. At times, this has been a lonely effort. But, for the past 4 years, I have been delighted to have Senator CORNYN as a partner on this important issue. I thank him for his leadership on preserving and strengthening FOIA.

Now in its fourth decade, the Freedom of Information Act remains an indispensable tool in shedding light on bad policies and government abuses. But, today, FOIA also faces challenges like never before. During the past 6 years, the Bush administration has allowed lax FOIA enforcement and a near obsession with secrecy to undercut the public's right to know. As we celebrate Sunshine Week this week, there is urgent need to update and strengthen our FOIA law.

Chief among the problems with FOIA is the major delays encountered by FOIA requestors. According to a report by the National Security Archive, an independent nongovernmental research institute, the oldest outstanding FOIA requests date back to 1989—before the collapse of the Soviet Union. And, while the number of FOIA requests submitted each year continues to rise, our Federal agencies remain unable—or unwilling—to keep up with the demand. Just recently, the Government Accountability Office found that Federal agencies had 43 percent more FOIA requests pending and outstanding in 2006, than they had in 2002.

Although the Bush administration has taken modest steps to address the growing problem with FOIA delays, that effort has not done nearly enough to correct lax FOIA enforcement by Federal agencies. More than a year after the President's directive to Government agencies to improve their FOIA services, Americans who seek information under FOIA remain less likely to obtain it. For example, a recent study by the Coalition of Journalists for Open Government found that the percentage of FOIA requestors who obtained at least some of the information that they requested from the Government fell by 31 percent last year. These and other shortcomings with the President's FOIA policy demonstrate that the Congress must play an important role in preserving and strengthening FOIA.

The legislation that Senator CORNYN and I introduce today takes several important steps to help Americans obtain timely responses to their FOIA requests and to provide government officials with the tools that they need to ensure that our government remains open and accessible. First, our bill restores meaningful deadlines for agency action by ensuring that the 20-day statutory clock runs immediately upon the receipt of the request and the bill impose real consequences on Federal agencies for missing statutory deadlines. Our bill also clarifies that FOIA applies to agency records that are held by outside private contractors, no matter where these records are located.

In addition, our bill establishes a FOIA hotline service for all Federal agencies, either by telephone or on the Internet, to enable requestors to track the status of their FOIA requests. Finally, our bill enhances the agency reporting requirements under FOIA and improves personnel policies for FOIA officials to enhance agency FOIA performance.

This legislation was drafted after a long and thoughtful process of consultation with individuals and organizations that rely on FOIA to obtain information and share it with the public, including the news media, librarians, and public interest organizations representing all facets of the political spectrum.

This legislation also reaffirms the fundamental premise of FOIA—that government information belongs to all Americans. Again, I thank Senator CORNYN for the time and effort that he has devoted to reinvigorating FOIA, and I urge all Senators to join us in supporting this important open government legislation.

By Ms. SNOWE:

S. 852. A bill to deauthorize the project for navigation, Tenants Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 853. A bill to deauthorize the project for navigation, Northeast Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 854. A bill to modify the project for navigation, Union River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 855. A bill to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 856. A bill to terminate authorization for the project for navigation, Rockport Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 857. A bill to redesignate the project for navigation, Saco River, Maine, as an anchorage area; to the Committee on Environment and Public Works.

Ms. SNOWE. Mr. President, I rise today to reintroduce a series of bills that are important to economic development along our long coastline. Most of these bills were either included in the Water Resources Development Act (WRDA) of 2006 or has passed the Senate as a stand-alone bill. Unfortunately, much to my great disappointment, the larger Corps of Engineers reauthorization legislation did not see action before the Senate adjourned the 109th Congress. My hope is that all of these noncontroversial bills will be included in the WRDA legislation in the 110th Congress.

Importantly, all of my bills are supported by the various townspeople and their officials, and State officials, who view these harbor deauthorizations and river improvements as engines for economic development. The bills also have the support of the New England District of the Corps of Engineers.

The first bill pertains to Tenants Harbor, St. George, ME. Deauthorizing the Federal Navigation Channel (FNC) would be of great help to the town in appropriately managing the Harbor to maximize mooring areas. Over the years there have been mounting problems with the Army Corps of Engineers' mooring permit process as people seeking permits for moorings that have existed for 30 years continue to be notified that the mooring locations are prohibited because they fall within the federal navigational channel.

My second bill concerns Northeast Harbor in Mt. Desert, ME. The language will not only allow for more recreational moorages and commercial activities, it will also be an economic boost to Northeast Harbor, which is surrounded by Acadia National Park, one of the Nation's most visited parks—both by land and by water. The removal of the harbor from the FNC will allow the town to adapt to the high demand for moorings and will allow residents to obtain moorings in a more timely manner. The Harbor has now reached capacity for both moorings and shoreline facilities and has a waiting list of over sixty people, along with commercial operators who have been waiting for years to obtain a mooring for their commercial vessels.

My third bill addresses the Union River in Ellsworth, ME. The bill supports the city of Ellsworth's efforts to revitalize the Union River navigation channel, harbor, and shoreline. The modification called for in my legislation will redesignate a portion of the Union River as an anchorage area. This redesignation will allow for a greater number of moorings in the harbor without interfering with navigation and will further improve the City's revitalization efforts for the harbor area.

My fourth bill, that passed the Senate as a stand-alone bill last year, will make the mooring of an historic windjammer fleet in Rockland Harbor a reality. Originally a strong fishing port, Rockland retains its rich marine heritage, and it is one of the fastest growing cities in the Mid-coast area. Like many of the port cities on the eastern seaboard, Rockland has been forced to confront an assortment of financial and environmental changes, but happily, the city has been able to respond to these challenges in positive and productive ways.

The City of Rockland has hosted the Windjammer fleet since 1955, earning a well-deserved reputation as the Windjammer Capital of the World. Rockland's Windjammers are now National Historic Landmarks, and as such, are vitally important to both the city and the State. The image of The Victory Chimes, one of five vessels slated to be berthed at the new wharf and a vessel whose historical designation I supported, graces the Maine quarter. This beautiful fleet of windjammers symbolizes the great seagoing history of Maine as well as the sense of adventure that we have come to associate so closely with the American experience.

Lermond Cove is perfectly situated in the Rockland Harbor to be the new and permanent home for these cherished vessels. The proposed Windjammer Wharf will also provide a safe harbor from storms, as it is tucked nicely near the Maine State Ferry and Department of Marine Resources piers.

The State of Maine capitalizes on the visual impact of the Windjammers to promote tourism, working waterfronts and the natural beauty that distinguishes our landscape. Over $300,000 is spent yearly by the Maine Windjammer Association to advertise and promote these businesses. Deauthorizing that part of the Federal navigational channel will clearly trigger significant and unrealized economic benefits for the region, providing many beneficial dollars to the local area and the State of Maine. According to the Longwood study, which uses a multiplier of 1.5, the economic impact of this spending is 3.8 million dollars a year. Conservatively, the Windjammers spend over 2.5 million dollars a year in the state.

I want to thank the New England Corps of Engineers for their help in drafting the language and working with the Maine Department of Transportation, which runs the ferry line, and also the Rockland city officials, the Rockland Port District, and the Captains of the Windjammer vessels—Mainers and business people with the vision and commitment needed to complete Windjammer Wharf and create a permanent home for this historic fleet of windjammers in Rockland Harbor.

I am reintroducing my fifth bill for the Town of Rockport—this request came in after the Environment and Public Works Committee passed out the WRDA bill in the last Congress. It would deauthorize a part of the Federal Navigation Channel in Rockport Harbor. The town, located on the active Mid-Coast of Maine, has requested that Congress decommission a 35 foot by 275 foot area directly adjacent to the bulkhead at Marine Park. With this deauthorization, the Town will be able to install permanent pilings to secure a set of new municipal floats, which would replace the current temporary float system.

My sixth bill for reintroduction today is a bill for the City of Saco, Maine that concerns the town's ability to allow the mooring of boats on the Saco River. The bill changes the turning basin into an anchorage while managing a 50-foot channel within the anchorage. The town was not aware that it was in violation because of 21 moorings located in the Saco River Federal Navigational Project. In an effort to eliminate this encroachment, city officials have requested a modification or de-authorization of the Federal Navigational Project to resolve the issue.

The US Army Corps of Engineers suggested language that re-designates the maneuvering basin into an anchorage area that will meet the needs of the community. The language will allow for the legal moorage of boats, the fairway for which would be maintained by the city of Saco as is customary for towns with Federal anchorages. The two mayors of the cities involved along with the Saco Yacht Club have agreed to the Corps' language.

It is my hope that all of these noncontroversial provisions will be included in the Water Resources Development Act of 2007 and I am writing Senator BOXER, the new Chairwoman of the EPW Committee requesting inclusion of my bills in the upcoming WRDA bill. I am pleased to hear that she is also anxious for the WRDA bill to move forward just as quickly as possible. It has been six long years since our last WRDA bill was signed into law—much too long even for the patient people in Maine who want to urgently move forward on economic development for their coastal communities.

Also, I am pleased to be cosponsoring a bill with Senator COLLINS that addresses the project for the mitigation of shore damage at Camp Ellis, ME. The bill authorizes the Secretary of the Army to carry out the project, under the River and Harbor Act of 1968, to mitigate shore damage attributable to the Saco River navigational project, waiving the funding cap requirement for congressional authorization set forth in that Act. The legislation is needed to complete the project as it will cost more than authorized under current law, and is the preferred project by non-Federal interests.

Studies have shown that the Army Corps jetty, built over 100 years ago, has contributed to beach erosion and the loss of more than thirty houses to the sea. The houses in danger currently were once six rows back from the water. When the mitigation project is completed, it is hoped that it will protect the residents, households, and businesses along the shoreline adjacent to the Army Corps jetty in Saco.

By Mr. WYDEN (for himself, Ms. SNOWE, Ms. COLLINS, Mr. ENZI, Mr. MENENDEZ, Mr. INOUYE, Mr. DURBIN, and Mr. SANDERS):

S. 858. A bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters; to the Committee on Finance.

Mr. WYDEN. Mr. President, about the most red, white and blue, patriotic action our Nation could take is to develop a new energy policy that reduces our Nation's dependence on foreign oil. And the biggest source of our oil dependence is transportation—the cars, trucks and sport utility vehicles (SUVs) that our citizens drive every day.

That's why I am pleased to be introducing a bill that will help citizens who want to do their part to reduce oil dependence by commuting to work by bicycle. I am joined in sponsoring the Bicycle Commuters Benefits Act of 2007 by Senators SNOWE, COLLINS, DURBIN, MENENDEZ, INOUYE, ENZI and SANDERS.

I know that many people in our country want to do something concrete about our Nation's dependence on oil and gas. As gas prices continue to climb again this spring, more and more people are going to be looking for actions that they can take to free themselves from this dependency. The bill I am introducing today gives Americans more incentive to give up the cars and trucks that they drive to and from work every day and get on their bicycles instead.

According to recent Census reports, more than 500,000 people throughout the United States commute to work by bicycle. They are freeing themselves from sitting in traffic. They are saving energy and overcoming their dependence on oil and gas. They are getting exercise; avoiding obesity and helping us keep our air clean and safe to breathe.

Yet, they are commuting by bicycle at their own expense. Their fellow employees who take mass transit to and from work have an incentive created in the Transportation Equity Act for the 21st Century that enables their employers to pay for their bus or subway ride. And those who commute to work by car or truck can receive tax-free parking benefits provided by their employers. These incentives are great for mass transit commuters or those who drive to work. But they also create a financial disincentive for those riding their bikes to and from their jobs. The Bicycle Commuters Benefits Act of 2007 will eliminate this financial disincentive and level the commuting field for bicyclists.

The bill extends the fringe benefits that employers can offer their employees for commuting by public transit, car or truck to those who ride their bicycles to and from their jobs. Our bill amends the tax code so that public and private employers can offer their employees a monthly benefit payment that will help them cover the costs of riding their bikes, instead of driving and parking their cars where they work. The bill also provides employers the flexibility to set their own level of benefit payment up to a specified amount. That way, employers and their employees can decide how much of an incentive they need to stop driving and start riding their bikes. Those who currently ride the bus and/or subway to work would also gain an extra incentive to ride their bikes. Employers can deduct the cost of their benefit payments from their taxable income. This reduces the taxes that they pay to the Federal Government. And, in turn, employees will receive anywhere from $40–$110 per month as a non-taxable benefit, to help them pay for the costs of riding their bikes.

This is a fair and modest proposal that will reward employees who ride their bikes to and from their jobs.

Our Senate bill is a companion bill to a bill being introduced by my fellow Oregonian, Congressman EARL BLUMENAUER. He has dozens of co-sponsors from both sides of the aisle and every part of the United States eager to offer bicycle commuters the same incentive that I want to offer to those who take mass transit or drive.

In addition, our bill is supported by many regional and national bicycling organizations such as Bikes Belong, Cycle Oregon, the Bicycle Transportation Alliance, the League of American Bicyclists, the Washington Area Bicyclist Association, Transportation Alternatives and hundreds of Capitol Hill employees who commute by bike to work every day.

When you look around our cities, the taxpayers have paid millions of dollars for bike trails in all of America's urban areas and major job markets. Now, bicycle commuters will have an extra incentive to make greater use of this public investment to commute to and from their jobs.

I look forward to working with our colleagues to enact this legislation to reward citizens doing their part to put us on the road to oil independence by biking to work.

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. 858

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 ''Bicycle Commuters Benefits Act of 2007''.

SEC. 2. EXTENSION OF TRANSPORTATION FRINGE BENEFIT TO BICYCLE COMMUTERS.

(a) IN GENERAL.—Paragraph (1) of section 132(f) of the Internal Revenue Code of 1986 (relating to general rule for qualified transportation fringe) is amended by adding at the end the following:

''(D) Bicycle commuting allowance.''.

(b) BICYCLE COMMUTING ALLOWANCE DEFINED.—Paragraph (5) of section 132(f) of the Internal Revenue Code of 1986 (relating to definitions) is amended by adding at the end the following:

''(F) BICYCLE COMMUTING ALLOWANCE.—The term 'bicycle commuting allowance' means an amount provided to an employee for transportation on a bicycle if such transportation is in connection with travel between the employee's residence and place of employment.''.

(c) LIMITATION ON EXCLUSION.—Subparagraph (A) of section 132(f)(2) of the Internal Revenue Code of 1986 (relating to limitation on exclusion) is amended by striking ''subparagraphs (A) and (B)'' and inserting ''subparagraphs (A), (B), and (D)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 859. A bill to require the Secretary of Energy to award funds to study the feasibility of constructing dedicated ethanol pipelines to increase the energy, economic, and environmental security of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. HARKIN. Mr. President, today I am introducing the Ethanol Infrastructure Expansion Act of 2007. This bill directs the Department of Energy, DOE, to study and evaluate the feasibility of transporting ethanol by pipeline. I am pleased that my colleague, Senator LUGAR of Indiana, is joining me as a cosponsor of this bill.

There is broad recognition that we need to reduce our almost-complete dependence on oil for energy in our transportation sector. We also understand that there is not a single, simple solution to this dependence. I believe that we need to use energy more efficiently and promote alternatives to petroleum-based fuels in transportation.

The most promising liquid fuel alternative to conventional gasoline today is ethanol. Use of ethanol as an additive in gasoline and in the form of E85 is expanding rapidly, and for good reasons. First of all, as a domestically-produced fuel, ethanol contributes to our national energy security. As a gasoline additive, ethanol provides air quality benefits by reducing auto tailpipe emissions of air pollutants. Because ethanol is biodegradable, its use poses no threat to surface water or groundwater. Finally, the production of ethanol provides national and regional economic and job-growth benefits by using local resources and labor to contribute to critical national transportation energy needs.

My Congressional colleagues and I have recognized the benefits and potential of ethanol and have promoted its expanded production and use in numerous bills, including most recently in the 2005 energy bill. A key provision in that legislation is the renewable fuels standard under which motor vehicle fuel sold in the United States is required to contain increasing levels of renewable fuels. Several other provisions promote the production of ethanol from a broad variety of plentiful and low-cost biomass including corn stover, wheat straw, forest industry wastes woody municipal wastes and dedicated energy crops.

The viability of ethanol is reflected in the rapid expansion of its production

and use, which has increased by more than 20 percent annually for the past several years. Moreover, ethanol's longer-term potential to become a very significant energy source for transportation is gaining attention. A number of studies have concluded that ethanol can contribute 20 to 30 percent or more of our transportation fuel in the future. Several of my Senate colleagues have joined me to introduce S. 23, the Biofuels Security Act of 2007, which calls for increased access to ethanol at the pump and greatly expanded production of flexible-fuel vehicles. The Act also provides a directive for domestic production of renewable fuels to reach 60 billion gallons a year by 2030. I am especially proud of the leadership role that my State of Iowa and communities across rural America are going to play in this expansion.

Given this outlook, it is time for us to consider the full implications of such a transition. One issue that deserves prompt attention is that of ethanol transport. The volumes of ethanol to be shipped in the future strongly suggest that pipeline transport should be considered due to the potential economic and environmental advantages this alternative might offer as compared to shipment by highway, rail tanker, or barge. As production volumes increase, especially in the Midwest, it is likely to be more economical to pump ethanol through pipelines than to ship it in containers across the country. Pipeline shipping could provide for reduced vehicle emissions and superior energy efficiency compared to rail or tanker shipment.

For all of these reasons, we should begin to consider development of an ethanol pipeline network. Given the pace of ethanol's growth, it is likely that our Nation could begin to benefit from pipeline transport of ethanol as early as 2015. The current state of knowledge regarding transport of ethanol by pipeline is limited. Although it is being done in Brazil, a world leader in the production and use of ethanol, challenges remain. The water solubility of ethanol introduces technical and operational issues that affect the shipment of ethanol in multi-product pipelines. Thus, the largest associated research costs will be in the planning, siting, design, financing, permitting and construction of the first ethanol pipelines. This work may well take as long as a decade, perhaps longer. For that reason, we need to begin now to develop a solid understanding of this ethanol transport option.

This bill initiates that process by directing the Department of Energy to conduct ethanol pipeline feasibility studies. It calls for analyses of the technological, economic, regulatory, financial and siting issues related to transporting ethanol via pipelines. A systematic analysis of these issues will provide the substantive information necessary to assess the costs and benefits of this transport alternative. The Act would allow DOE the option of funding private sector studies or conducting the studies on its own. The results of these studies will provide a clearer picture of the benefits and challenges of pipeline transport of ethanol. They will provide critical information, both for the ethanol industry as it contemplates ethanol transport alternatives, and for policy-makers seeking to understand what policies or programs might be appropriate to promote the most cost-effective and environmentally sound ethanol transport into the future.

We have broad agreement on the need to do all that we can to reduce our dependence on oil. We are promoting expanding production and use of renewable fuels in many ways, but we need to take into account the full range of infrastructure issues that broader ethanol use entails. The rapid growth of ethanol production and use necessitates the very near-term study of transporting ethanol by pipeline. I urge my Senate colleagues to join me in passing this important and timely 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. 859

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 ''Ethanol Infrastructure Expansion Act of 2007''.

SEC. 2. FINDINGS.

Congress finds that—

(1) it is in the national interest to make greater use of ethanol in transportation fuels;

(2) ethanol is a clean, renewable fuel that provides public health benefits in the form of reduced emissions, including reduced greenhouse gas emissions that cause climate change;

(3) ethanol use provides economic gains to agricultural producers, biofuels producers, and rural areas;

(4) ethanol use benefits the national security of the United States by displacing the use of petroleum, much of which is imported from foreign countries that are hostile to the United States;

(5) ethanol can reduce prices at the pump for motoring consumers by extending fuel supplies and due to the competitive cost of ethanol relative to conventional gasoline;

(6) ethanol faces shipping challenges in pipelines that transport other liquid transportation fuels;

(7) currently ethanol is shipped by rail tanker cars, barges, and trucks, all of which could, as ethanol production expands, encounter capacity limits due to competing use demands for the rail tanker cars, barges, and trucks;

(8) as the United States ethanol market expands in the coming years there is likely to be a need for dedicated ethanol pipelines to transport ethanol from the Midwest, where ethanol generally is produced, to the Eastern and Western United States;

(9) as of the date of enactment of this Act, dedicated ethanol pipelines do not exist in the United States and will be challenging to construct, at least initially;

(10) Brazil has already shown that ethanol can be shipped effectively via pipeline; and

(11) having an ethanol pipeline study completed in the very near term is important because the construction of 1 or more dedicated ethanol pipelines would take at least several years to complete.

SEC. 3. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of Energy.

SEC. 4. FEASIBILITY STUDIES.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of Agriculture and the Secretary of Transportation, shall spend up to $1,000,000 to fund feasibility studies for the construction of dedicated ethanol pipelines.

(b) CONDUCT OF STUDIES.—

(1) IN GENERAL.—The Secretary shall—

(A) through a competitive solicitation process, select 1 or more firms having capabilities in the planning, development, and construction of dedicated ethanol pipelines to carry out the feasibility studies described in subsection (a); or

(B) carry out the feasibility studies in conjunction with such firms.

(2) TIMING.—

(A) IN GENERAL.—If the Secretary elects to select 1 or more firms under paragraph (1)(A), the Secretary shall award funding under this section not later than 120 days after the date of enactment of this Act.

(B) STUDIES.—As a condition of receiving funds under this section, a recipient of funding shall agree to submit to the Secretary a completed feasibility study not later than 360 days after the date of enactment of this Act.

(c) STUDY FACTORS.—Feasibility studies funded under this Act shall include consideration of—

(1) existing or potential barriers to dedicated ethanol pipelines, including technical, siting, financing, and regulatory barriers;

(2) potential evolutionary pathways for the development of an ethanol pipeline transport system, such as starting with localized gathering networks as compared to major interstate ethanol pipelines to carry larger volumes from the Midwest to the East or West coast;

(3) market risk, including throughput risk, and ways of mitigating the risk;

(4) regulatory, financing, and siting options that would mitigate risk in these areas and help ensure the construction of dedicated ethanol pipelines;

(5) financial incentives that may be necessary for the construction of dedicated ethanol pipelines, including the return on equity that sponsors of the first dedicated ethanol pipelines will require to invest in the pipelines;

(6) ethanol production of 20,000,000,000, 30,000,000,000, and 40,000,000,000 gallons per year by 2020; and

(7) such other factors that the Secretary considers to be appropriate.

(d) CONFIDENTIALITY.—If a recipient of funding under this section requests confidential treatment for critical energy infrastructure information or commercially-sensitive data contained in a feasibility study submitted by the recipient under subsection (b)(2)(B), the Secretary shall offer to enter into a confidentiality agreement with the recipient to maintain the confidentiality of the submitted information.

(e) REVIEW; REPORT.—The Secretary shall—

(1) review the feasibility studies submitted under subsection (b)(2)(B) or carried out under subsection (b)(1)(B); and

(2) not later than 15 months after the date of enactment of this Act, submit to Congress a report that includes—

(A) information about the potential benefits of constructing dedicated ethanol pipelines; and

(B) recommendations for legislation that could help provide for the construction of dedicated ethanol pipelines.

SEC. 5. FUNDING.

There is authorized to be appropriated to the Secretary to carry out this Act $1,000,000 for fiscal year 2008, to remain available until expended.

By Mr. SMITH (for himself, Mrs. CLINTON, Mr. SCHUMER, Mr. BROWN, Ms. STABENOW, Ms. CANTWELL, Mr. LEAHY, Mr. SPECTER, Mr. NELSON of Florida, Mr. COLEMAN, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. DURBIN, Mr. KENNEDY, Ms. COLLINS, Mrs. LINCOLN, Mr. WYDEN, Mr. BAYH, Ms. SNOWE, Mr. SANDERS, and Mr. BINGAMAN):

S. 860. A bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV; to the Committee on Finance.

Mr. SMITH. Mr. President, I rise today to introduce the Early Treatment for HIV Act, or ETHA. I ask unanimous consent that the full text of this bill, along with the numerous letters of support I have received from advocacy organizations, be printed in the RECORD. I am pleased that Senator CLINTON is joining me once again to introduce ETHA. I thank her for the steadfast support she has shown people living with HIV. This terrible illness knows no party affiliation, and I am pleased to say that ETHA's 20 cosponsors span both sides of the aisle.

ETHA provides States the ability to extend Medicaid coverage to low-income, HIV-positive individuals before they develop full-blown AIDS. Today, the unfortunate reality is that most patients must become disabled before they can qualify for Medicaid. Nearly 50 percent of people living with AIDS who know their status lack ongoing access to treatment. In my home State of Oregon, there are approximately 5,700 persons living with HIV/AIDS. It is estimated that approximately 40 percent of these Oregonians are not receiving care for their HIV disease. I believe it is our moral responsibility to do everything we can to ensure that all people living with HIV—regardless of their income or their insurance status—have access to timely, effective treatment.

Unfortunately, safety net programs across the country are running out of money, and as a consequence, they are generally unable to cover all of the people who need assistance paying for their medical care. For instance, Oregon's Ryan White funded AIDS Drug Assistance Program (ADAP) is experiencing significant financial hardship due to years of inadequate funding. As a consequence, the program has been forced to impose burdensome cost-sharing requirements and limit the scope of drugs it covers on its formulary. Fortunately, Oregon's ADAP has not had to resort to service waiting lists, a cost control mechanism that many States have been forced to adopt. As safety net programs like ADAP continue to struggle, ETHA gives States another way to reach out to low-income, HIV-positive individuals.

I believe ETHA represents a promising opportunity to turn the tide against this devastating epidemic. In 2005, there were 220 newly infected HIV cases reported in my home State of Oregon. If we were able to provide even a fraction of those individuals access to early treatment, we could prevent the progression of their condition to full-blown AIDS. Experience has shown that current HIV treatments are very successful in delaying the progression from HIV infection to AIDS, and help improve the health and quality of life for millions of people living with the disease.

Studies conducted by Pricewaterhouse Cooper (PWC) support providing early healthcare to individuals diagnosed with HIV because it has both the potential to save lives and control costs. Specifically, providing individuals coverage through ETHA could reduce the death rate of persons living with HIV by more than half. Similarly encouraging is the potential cost-savings ETHA could generate in the Medicaid program. Due to its preventive aim, ETHA is estimated to begin saving the Medicaid program $31.7 million each year after the effects of expanded access to care are fully realized.

I believe ETHA is a key example of the type of reform Congress needs to be implementing to the federal entitlements. The short term investment required to expand Medicaid coverage will ultimately result in significant long-term savings to the program—at no harm to the beneficiary. But most importantly, ETHA takes an important step toward ensuring that all Americans living with HIV can get the medical care they need to lead healthy, productive lives for as long as possible.

One of the strongest features of ETHA is the enhanced Federal Medicaid match rate it provides to encourage States to expand coverage to individuals diagnosed with HIV. This provision closely models the successful Breast and Cervical Cancer Treatment and Prevention Act of 2000, which allows States to provide early Medicaid intervention to women with breast and cervical cancer. We can build upon this success by passing ETHA and extending similar early intervention treatments to people with HIV.

HIV/AIDS touches the lives of millions of Americans from a variety of backgrounds. Some get the proper medications they need to keep healthy, but far too many do not. The inability to access life-saving treatment literally creates a ''life and death'' situation for many of our most vulnerable citizens. Fortunately, ETHA can give those individuals access to the care they need so they can look forward to a long, healthy life.

I again want to thank the strong group of bipartisan Senators that is joining me as original cosponsors of ETHA. I also wish to thank all of the organizations around the country that have expressed support for this bill, in particular, Oregon's Cascade AIDS Project. The work they do on behalf of individuals living with HIV/AIDS in my home State is truly commendable, and I appreciate the support they have shown ETHA over the years.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 860

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 ''Early Treatment for HIV Act of 2007''.

SEC. 2. OPTIONAL MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(10)(A)(ii)—

(A) by striking ''or'' at the end of subclause (XVIII);

(B) by adding ''or'' at the end of subclause (XIX); and

(C) by adding at the end the following:

''(XX) who are described in subsection (dd) (relating to HIV-infected individuals);''; and

(2) by adding at the end the following:

''(dd) HIV-infected individuals described in this subsection are individuals not described in subsection (a)(10)(A)(i)—

''(1) who have HIV infection;

''(2) whose income (as determined under the State plan under this title with respect to disabled individuals) does not exceed the maximum amount of income a disabled individual described in subsection (a)(10)(A)(i) may have and obtain medical assistance under the plan; and

''(3) whose resources (as determined under the State plan under this title with respect to disabled individuals) do not exceed the maximum amount of resources a disabled individual described in subsection (a)(10)(A)(i) may have and obtain medical assistance under the plan.''.

(b) ENHANCED MATCH.—The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by striking ''section 1902(a)(10)(A)(ii)(XVIII)'' and inserting ''subclause (XVIII) or (XX) of section 1902(a)(10)(A)(ii)''.

(c) CONFORMING AMENDMENTS.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended in the matter preceding paragraph (1)—

(1) by striking ''or'' at the end of clause (xii);

(2) by adding ''or'' at the end of clause (xiii); and

(3) by inserting after clause (xiii) the following:

''(xiv) individuals described in section 1902(dd);''.

(d) EXEMPTION FROM FUNDING LIMITATION FOR TERRITORIES.—Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended by adding at the end the following:

''(3) DISREGARDING MEDICAL ASSISTANCE FOR OPTIONAL LOW-INCOME HIV-INFECTED INDIVIDUALS.—The limitations under subsection (f) and the previous provisions of this subsection shall not apply to amounts expended for medical assistance for individuals described in section 1902(dd) who are only eligible for such assistance on the basis of section 1902(a)(10)(A)(ii)(XX).''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar quarters beginning on or after the date of

the enactment of this Act, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

HIV MEDICINE ASSOCIATION,
Alexandria, VA, January 30, 2007.

Hon. GORDON SMITH,
Russell Senate Office Building,
Washington, DC.
Hon. HILLARY CLINTON,
Russell Senate Office Building,
Washington, DC.

DEAR SENATORS SMITH AND CLINTON: I am writing on behalf of the HIV Medicine Association (HIVMA) to offer our strong support for the Early Treatment for HIV Act (ETHA). HIVMA represents more than 3,500 HIV medical providers from across the United States. Many of our members serve on the front lines of the HIV epidemic providing care and treatment in communities ranging from the rural South to the large urban areas on the east and west coasts of the nation.

As you know, ETHA would allow states to expand their Medicaid programs to cover people with HIV disease, before they become disabled and progress to AIDS. This important program change would allow more people with HIV disease to benefit from the remarkable HIV treatment available today—treatment that has reduced mortality due to HIV disease by nearly 80 percent.

Many of our members still report high percentages of patients with HIV presenting at their clinics with advanced stage disease. These patients are often sicker; less responsive to treatment and more costly due to the need for more intensive interventions, such as inpatient hospitalization. With earlier access to medical care and treatment through Medicaid, these patients could remain relatively healthy and enjoy longer and more productive lives.

Now is the time to help these patients and the many new ones that will enter HIV care systems as a result of the Centers for Disease Control and Prevention's (CDC) new recommendations to make HIV testing a routine component of medical care. While we are strong supporters of routine HIV testing as a tool to promote earlier diagnosis and linkage to care, we are concerned that our current federal and state health care safety-net programs are ill-equipped to care for the influx of patients that we expect to be identified through routine HIV testing. Passage of ETHA would be a critical step forward in the battle to ensure that all low-income Americans with HIV disease have the healthcare coverage that will allow them to benefit from the lifesaving HIV treatment widely available in the U.S. today.

Thank you very much for your continued commitment to expand access to care for low-income persons living with HIV/AIDS and other vulnerable Americans. Please consider HIVMA a resource as you move forward with the passage of this important legislation.

Sincerely,

DANIEL R. KURITZKES,
Chair.

NATIONAL ALLIANCE OF STATE
& TERRITORIAL-AIDS DIRECTORS,
Washington, DC, February 16, 2007.

Hon. GORDON SMITH,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR SMITH: On behalf of the National Alliance of State and Territorial AIDS Directors (NASTAD), I am writing to offer our support for the ''Early Treatment for HIV Act.'' NASTAD represents the nation's chief state and territorial health agency staff who are responsible for HIV/AIDS prevention, care and treatment programs funded by state and federal governments. This legislation would give states an important option in providing care and treatment services to low-income Americans living with HIV.

The Early Treatment for HIV Act (ETHA) would allow states to expand their Medicaid programs to cover HIV positive individuals, before they become disabled, without having to receive a waiver. NASTAD believes this legislation would allow HIV positive individuals to access the medical care that is widely recommended, can postpone or avoid the onset of AIDS, and can enormously increase the quality of life for people living with HIV.

State AIDS directors continue to develop innovative and cost-effective HIV/AIDS programs in the face of devastating state budget cuts and federal contributions that fail to keep up with need. ETHA provides a solution to states by increasing health care access for those living with HIV/AIDS.

We would also like to commend the hard work of your staff, particularly Matt Canedy who has been extremely helpful on a myriad of HIV/AIDS policy issues. We look forward to working with him to gain support for the legislation.

Thank you very much for your continued commitment to persons living with HIV/AIDS.

Sincerely,

JULIE M. SCOFIELD,
Executive Director.

THE AIDS INSTITUTE,
Washington, DC, January 29, 2007.

Re the Early Treatment for HIV Act (ETHA).

Senator GORDON SMITH,
U.S. Senate,
Washington, DC.
Senator HILLARY CLINTON,
U.S. Senate,
Washington, DC.

DEAR SENATORS SMITH AND CLINTON: The AIDS Institute applauds you for your continued leadership and commitment to people living with HIV/AIDS in our country who are in need of lifesaving healthcare and treatment. While the HIV/AIDS epidemic in sub-Sahara Africa and other parts of the world often overshadow the epidemic in the United States, we must not forget about the approximately 1.1 million people living in the U.S. who have HIV or AIDS.

Those infected with HIV are more likely to be low-income, and the disease disproportionately impacts minority communities. In fact, the AIDS case rate per 100,000 for African Americans was 10 times that of whites in 2006. According to a recent Institute of Medicine report titled, ''Public Financing and Delivery of HIV/AIDS Care: Securing the Legacy of the Ryan White CARE Act'', 233,000 of the 463,070 people living with HIV in the U.S. who need antiretroviral treatment do not have ongoing access to treatment. This does not include an additional 82,000 people who are infected but unaware of their HIV status and are in need of antiretroviral medications.

One reason why there are so many people lacking treatment is because under current law, Medicaid, the single largest public payer of HIV/AIDS care in the U.S., only covers those with full blown AIDS, and not those with HIV. The Early Treatment for HIV Act (ETHA), being re-introduced in this Congress under your leadership, would rectify an archaic mindset in the delivery of public health care. No longer would a Medicaid eligible person with HIV have to become disabled with AIDS to receive access to Medicaid provided care and treatment.

Providing coverage to those with HIV can prevent them from developing AIDS, and allow them to live a productive life with their family and be a healthy contributing member of society. ETHA would provide states the option of amending their Medicaid eligibility requirements to include uninsured and under-insured, pre-disabled poor and low-income people living with HIV. No state has to participate if they choose not to. As all states have participated in the Breast and Cervical Cancer Prevention and Treatment Act, upon which ETHA is modeled, we believe all States would opt to choose this approach in treating those with HIV. States will opt into this benefit not only because it is the medically and ethically right thing to do, but because it is cost effective, as well.

A recent study prepared by PricewaterhouseCoopers found that if ETHA was enacted, over 10 years:

—the death rate for persons living with HIV on Medicaid would be reduced by 50 percent;

—there would be 35,000 more individuals with CD4 levels above 500 under ETHA versus the existing Medicaid system; and it would

—result in savings of $31.7 million.

The AIDS Institute thanks you for your bipartisan leadership by introducing ''The Early Treatment for HIV Act of 2006''. It is the type of Medicaid reform that is critically needed to update the program to keep current with the Federal Government's guidelines for treating people with HIV.

We were very pleased the US Senate passed an ETHA demonstration project during the last Congress. In this Congress, we hope ETHA will finally become a reality. We look forward to working with you and your colleagues as it moves toward enactment.

Thank you very much.

Sincerely,

DR. A. GENE COPELLO,
Executive Director.

AMERICAN ACADEMY
OF HIV MEDICINE,
Washington, DC, Jan. 22, 2007.

Hon. GORDON SMITH,
Russell Senate Office Building,
Washington, DC.
Hon. Hillary Clinton,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR SMITH AND SENATOR CLINTON: The American Academy of HIV Medicine is an independent organization of HIV specialists and others dedicated to promoting excellence in HIV/AIDS care. As the largest independent organization of HIV frontline providers, our 2,000 members provide direct care to more than 340,000 HIV patients—more than two thirds of the patients in active treatment for HIV disease.

The Academy would like to thank and commend you for co-sponsoring the Early Treatment for HIV Act (ETHA). We believe this legislation would allow many HIV positive individuals access to the quality medical care vital towards postponing or avoiding the onset of AIDS, and be cost-effective in doing so.

ETHA addresses a flawed anomaly in the current Medicaid system—that under current Medicaid rules people must become disabled by AIDS before they can receive access to Medicaidprovided care and treatment that could have prevented them from becoming so ill in the first place. The U.S. Public Health Service guidelines have consistently recommended for several years that the treatment of HIV patients, before their immune systems have been severely damaged by HIV, will greatly or even prevent the disabling effects of HIV disease.

ETHA would bring Medicaid eligibility rules in line with the clinical standard of care for treating HIV disease, which has changed dramatically over the last twenty

years due to the revolutionary and increasingly more simplified life-saving drug regimens. The science of HIV medicine is clear on this point: Today, when appropriately treated, HIV can be managed as a serious chronic illness; however, appropriate treatment requires early and continuous access to highly-active antiretroviral therapy (HAART). Preserving an immune system is much more effective, if even possible, than rebuilding one already destroyed. Patients who do not receive proper treatment until they are diagnosed with AIDS may not fully respond or benefit from treatment once it begins.

The benefits of early treatment also extend to the population at large. Good data (Quinn et al.; Porco et al.) now supports what we have long suspected—that successful and consistent treatment of the infected individual decreases a patient's infectivity, further benefiting the health of the American public and reducing the number of individuals ultimately needing costly medical care.

Beyond the public's health, the cost-benefits of this bill's implementation are similarly clear. States that adopt this option to their Medicaid program would likely see cost-savings to Medicaid by limiting costly hospital admissions and reducing unnecessary, preventable illness. With reduced morbidity, mortality and inpatient costs as a result of state-of-the-art outpatient treatment, receiving early, quality outpatient care is cost-effective (Valenti, 2001; Freedberg et al. 2001) compared with the alternatives.

Passage of the Early Treatment for HIV Act will save lives, increase the length and quality of life for people living with HIV/AIDS, help ensure their medical coverage, and save money over time.

We will work in vigorous support of this legislation, and we appreciate your impressive leadership in doing the same.

Sincerely,

JEFF SCHOUTEN,
Chair.

PROJECT INFORM,
San Francisco, CA, February 28, 2007.

Re Support for Early Treatment for HIV Act

Hon. GORDON SMITH,
U.S. Senate,
Washington, DC.

DEAR SENATOR SMITH: On behalf of Project Inform, a national HIV/AIDS health care and treatment advocacy organization based in San Francisco, we are writing to express our strong support for the Early Treatment for HIV Act (ETHA). We commend you for your leadership in reintroducing this important bipartisan legislation.

ETHA would address a cruel irony in the current Medicaid system. Currently most individuals with HIV must become disabled by AIDS before they can receive access to Medicaid's care and treatment programs that could have prevented them from becoming so ill in the first place.

ETHA would modernize this system by allowing states to extend Medicaid coverage to low-income, pre-disabled people living with HIV. It would assure early access to care and treatment for thousands of people living with HIV across the country. It would also help relieve the financial crisis facing many discretionary HIV/AIDS programs, such as the AIDS Drug Assistance Program (ADAP) and other services funded by the Ryan White CARE Act.

Access to healthcare and treatment is a high priority for Project Inform as it ranks in the top concerns we hear from people through our treatment hotline and community meetings. We need long-term solutions like ETHA to ensure that people have the care and treatment they need to remain healthy and productive for as long as possible.

We greatly appreciate your longtime efforts on behalf of people living with HIV/AIDS. If there is anything we can do to help you with your efforts to pass this legislation, please do not hesitate to let us know.

Sincerely,

ANNE DONNELLY,
Director, Health Care Advocacy.
RYAN CLARY,
Associate Director, Health Care Advocacy.

By Mr. SESSIONS. (for himself, Ms. LANDRIEU, Mr. VITTER, Mr. CORNYN, and Mr. GRASSLEY):

S. 863. A bill to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds; to the Committee on the Judiciary.

Mr. SESSIONS. Mr. President, I am pleased to introduce today the Emergency and Disaster Assistance Fraud Penalty Enhancement Act of 2007. The bill creates a specific crime of fraud in connection with major disasters or emergency benefits and increases the penalties currently available for such acts. I am happy my good friends and colleagues, Senators LANDRIEU, VITTER, CORNYN, and GRASSLEY have joined me in this important effort. I commend them for their leadership on this issue and look forward to working with them to pass this important piece of legislation.

As a former Federal prosecutor myself for 12 years on the gulf coast of Alabama, and one who has been involved in prosecuting fraud in the aftermath of hurricanes, I can tell you that it goes on, unfortunately, and there are some weaknesses in our laws that we can fix.

The ideas in my bill have received strong congressional support. In fact, the House of Representatives passed this same bill last Congress, H.R. 4356. Last March, the House Judiciary Committee approved the Emergency and Disaster Assistance Fraud Penalty Enhancement Act because both Democrats and Republicans wanted to move as quickly as possible against disaster assistance fraud. The committee submitted a report expressing its favor for the bill and recommended it be passed without amendment.

Last June, the Department of Justice sent a letter to members of the Senate Judiciary Committee in strong support of the bill, noting that it would ''provide important prosecutorial tools in the government's efforts to combat fraud associated with natural disasters and other emergencies.''

The goal of my bill is to protect the real victims of disasters such as Hurricane Katrina by specifically making it a crime, under the existing fraud chapter of title 18, USC chapter 47, to fraudulently obtain emergency disaster funds.

After an emergency or disaster, such as the recent tornadoes that devastated the city of Enterprise in my home State, we should do everything we can to make sure 100 percent of the relief funds gets into the hands of real victims. Taxpayers should not sustain a financial loss at the hands of scam artists, and these wrongdoers should not profit from exploiting the victims of horrific events. Common sense requires that those who deceive the government and obtain emergency disaster funds by fraud be subject to criminal punishment.

I want to share some thoughts about the scope of the problem. Hurricane Katrina produced one of the most extraordinary displays of loss, pain, and suffering, and of scams and schemes that we have ever seen. The scope of the fraud and the audacity of the schemers was astonishing.

One of the most heinous examples is a woman who tried to collect Federal benefits by claiming she watched her two daughters drown in the rising New Orleans waters. In truth, she did not even have children and she was living in Illinois at the time of the hurricane. Her outrageous claims are an affront to the many people who actually did lose loved ones in that terrible storm.

Another example of blatant and widespread fraud after Katrina include, in Texas, a hotel owner who submitted bills for phantom victims who never stayed at his hotel. Across the gulf coast, roughly 1,100 prison inmates collected more than $10 million in rental and disaster relief assistance by claiming they were displaced by the storm. People in jail were being sent checks.

You say: How can that happen? Well, they are trying to get money out to people in a hurry. I think they could do a better job, frankly. I think FEMA could do a better job in analyzing these claims. But the truth is, in the rush to make sure that people who have lost everything have money to find a room to stay in so they are not out on the streets, it does require them to take more risk than normally would be the case. People who take advantage of that to defraud the taxpayers and to rip off the system ought to go to jail for it.

In California, a couple posed as Red Cross workers and fraudulently obtained donations, saying they were working for the Red Cross. Also, in California, 75 workers at a Red Cross call center were charged in a scheme to steal hundreds of thousands of dollars from the Red Cross. One individual received 26 Federal disaster relief payments by using 13 different Social Security numbers. In my home State of Alabama, FEMA, the Federal Emergency Management Agency, paid $2,748 to an individual who listed a P.O. box as his damaged property.

As of January 3, the Hurricane Katrina Fraud Task Force has charged 525 individuals in 445 indictments brought in 35 judicial districts around the country. These numbers continue to grow every day. The Justice Department is aggressively prosecuting these

crooks, but they have asked us for this additional tool. They have asked us to pass this legislation so that the Federal statute adequately addresses and deters fraud in connection with emergency disaster assistance.

The fact is, some people think in a disaster they can run in and make any kind of bogus claim they desire—that money will be given to them and people will be too busy to check. And if they do, nothing is ever going to happen to them. We need to completely reverse that mentality. We need to create a mindset on the part of everybody that these disaster relief funds are sacred; that they are for the benefit of people who have suffered loss, and only people who have suffered loss should gain benefit of it. We need to make it clear that those who steal that money are going to be prosecuted more vigorously and punished more severely than somebody who commits some other kind of crime because I think it is worse to steal from the generosity of the American people who intended to help those in need.

The total price tag for the fraud committed after Hurricanes Katrina and Rita is not yet known, but the Government Accountability Office investigators have testified that it will, at the very least, be in the billions of dollars. I am not talking about millions. This is the GAO saying it will be, at the very least, in the billions of dollars.

Now I have seen people, I have been down to Bayou La Batre and Coden and areas in my home area of Alabama who were devastated by this storm, and it is heartbreaking to see people who have lost everything. The day after the storm, my wife and I were there. The Salvation Army showed up and it was the only group there providing meals. There was a long line, and we walked down the line and just talked to the people about what had happened to them. Repeatedly, we were told:

Senator, all I have is what is on my back.

Now we want to help people like that, but we don't want to help people who are somewhere unaffected in Illinois or somewhere in jail claiming they deserve displaced housing money.

So it is an insult to the victims of these natural disasters and an insult to the ultimate victim in this fraud, the American taxpayer. Natural disasters and emergency situations often create an opportunity for unscrupulous individuals to take advantage of both the immediate victims of the disaster or emergency, as well as those who offer financial and other assistance to the victims. The American people are extremely generous in responding to disasters, but they should not be expected to tolerate the fraud of those who deceitfully exploit their generosity.

In addition to creating a new Federal crime that specifically prohibits fraud in connection with any emergency or disaster benefit—including Federal assistance or private charitable contributions—my bill would also update the current mail and wire fraud statutes found in chapter 63 of title 18—title 18 sections 1341, 1343. Those are the bread-and-butter criminal statutes for most frauds. My bill, though, changes the Federal mail and wire fraud statutes by adding emergency or disaster benefits fraud to the 30-year maximum penalties that are currently reserved for cases involving fraud against banks or financial institutions.

My bill is timely. Just this month we have seen tornadoes that killed at least 20 people in the Southeast and Midwest and damaged or destroyed hundreds of homes from Minnesota to the gulf coast. I recently toured many of the areas hit by the storms, and I was shocked by the devastation. The loss of eight Alabama schoolchildren at Enterprise High School was especially heartbreaking.

I had the opportunity to be with President Bush on the second day I was there. He came down and met with the families of those eight young people who were killed. He spent almost an hour with them—almost 10 minutes a person. It was a moving experience to be a part of that. I talked with each one of those families and felt the pain and loss they suffered.

Of course, money is not an answer to their pain. But I would say this: People do want to help. If people take advantage and steal from those who want to help families like that, who are in pain and loss, it is a despicable crime, to me.

The President has declared Enterprise and several other Alabama localities Federal disaster areas, including Millers Ferry, AL, in my home county, where one individual was killed. I knew him and his family, and saw the people there who I knew who suffered a total loss of their homes, caused by this incredibly powerful tornado. Being declared a disaster area means victims will be eligible to receive Federal financial aid. It is my responsibility to make sure the money goes to the right people and is not scammed off by criminals posing as victims.

I know my colleagues share my deep sympathy for the families who lost loved ones and suffered injuries last week, but it is simply not enough to have sympathy. We must ensure the full resources of the Federal Government are quickly deployed to the affected States, and we must ensure these resources are protected and distributed only to real victims, not individuals seeking to take advantage of the disaster.

It is disheartening that there was so much fraud associated with the relief following Hurricanes Katrina and Rita, but it is not surprising. I have been there in the aftermath of hurricanes as a prosecutor. I have seen such fraud and abuse firsthand.

Our resources are not unlimited, and it is critical that we ensure that every relief dollar goes to legitimate victims. It is important we give prosecutors the tools they need to protect legitimate victims and to protect American taxpayers.

By passing this legislation, the Senate will send a strong signal that exploiting the kindness of the American people in times of crisis is a serious crime that will be treated with appropriate severity. We will not tolerate criminals stealing from the pockets of disaster victims. A vote for this bill is a vote to ensure that victims and the generous members of the American public are not preyed upon by criminals attempting to profit from these disasters and emergencies.

I think it is a reasonable piece of legislation. We worked hard, on a bipartisan basis, with members of the Senate Judiciary Committee and the Department of Justice. Senator LEAHY has indicated he will bring the bill up in the Judiciary Committee this week. We are looking forward to an analysis of it.

We will be glad to listen to any suggestions for improvements that may be made, and I think it is a piece of legislation we should move forward with.

By Mr. BUNNING (for himself and Mr. MCCONNELL):

S. 864. A bill to amend the Federal Power Act to clarify the jurisdiction of the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BUNNING. Mr. President, today I am introducing the Access to Competitive Power Act of 2007 with my friend and colleague, Senator MITCH MCCONNELL.

I have spent years negotiating and working with the Tennessee Valley Authority. I have long believed we could work together to address the problems facing my customers in Kentucky. But every time I think I see the light at the end of the tunnel, representatives of TVA change their offer or make up a new rule.

I was optimistic that the expanded Board of Directors of the TVA Congress authorized last session would be able to change the problems of the past. But after many meetings and negotiations, I am convinced that TVA believes it has monopoly status and does not answer to anyone.

Today, I am telling TVA that the people of Kentucky deserve better.

For too long the TVA has acted against the best interests of the people of Kentucky. Five electric distributors, Paducah, Princeton, Warren County, Glasgow and Monticello, gave their notice to TVA to leave the system when they realized they could get cheaper electricity on the open market—and save their customers millions of dollars.

During the past few years, they have negotiated in good faith for basic services that are considered routine in the utility industry. But unfortunately, the electric customers of Kentucky are stuck on the TVA island. We forced them onto that island 75 years when we created the Tennessee Valley Authority. Their options are limited and they

are wholly reliant on TVA for generation and transmission service. TVA knows this—and that is why they have continued to stall on providing reasonable services.

But the distributors who still intend to leave will now build hundreds of miles of new high voltage power lines to get access to the national electric grid. One may even need to run the city on diesel generators. Despite these costs, the numbers show that their customers will still save money.

The legislation I am introducing today, with Senator MITCH MCCONNELL, will give FERC full jurisdiction in relation to the Tennessee Valley Authority—the same jurisdiction that FERC has over utilities throughout the country.

Let me be clear—this legislation does not mandate contract language. It simply requires TVA to negotiate these services in good faith.

It defines the rights of two classes of TVA distributors—those who provided notice of termination prior to calendar year 2007 and those who did not provide notice.

For distributors in Kentucky and Tennessee who have previously given notice that they would like to leave TVA service, this legislation would put their rights into law.

Specifically, it would allow them to negotiate partial requirements services—making sure that TVA is not an all or nothing deal. For some customers it may make sense to get some power from TVA and some power from another generator.

It also requires TVA to provide transmission service for these customers. Because of Federal law, TVA is their only access point to the national electric grid. As such, they should provide reasonable transmission service.

It prevents TVA from charging these customers for stranded costs or imposing a reintegration fee and provides the customers the right to rescind their notice of termination if they ultimately decide they would like to stay with TVA.

And lastly, it allows everyone who enjoys the benefits of cheap, Federal power from the Power Marketing Administrations to retain a right to that power regardless of whether or not they choose to be a customer of TVA.

For all those customers who would like to stay in TVA, this legislation would give them the right to get partial requirements service from outside of TVA in an amount equal to TVA load growth.

I also believe that it is time the Government looks closely at the Tennessee Valley Authority. That is why my legislation asks for two important G.A.O. studies. First, it commissions a comprehensive study on the privatization the Tennessee Valley Authority. Second, it requests an analysis of the debt level of the Tennessee Valley Authority.

All Kentuckians deserve to choose where they receive their power. This bill will not only give them that choice, but it will also create a more competitive environment among Kentucky distributors and allow our businesses and residential consumers to keep more money in their pockets.

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. 864

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 ''Access to Competitive Power Act of 2007''.

SEC. 2. ESTABLISHMENT OF EQUAL ACCESS AND TREATMENT WITH RESPECT TO FEDERAL POWER RESOURCES.

Section 212(i) of the Federal Power Act (16 U.S.C. 824k(i)) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(2) by striking the subsection designation and heading and all that follows through the end of paragraph (1) and inserting the following:

''(i) ESTABLISHMENT OF EQUAL ACCESS AND TREATMENT WITH RESPECT TO FEDERAL POWER RESOURCES.—

''(1) DEFINITION OF GENERATOR.—In this subsection, the term 'generator' means—

''(A) the Bonneville Power Administration;

''(B) the Southeastern Power Administration;

''(C) the Western Area Power Administration;

''(D) the Southwestern Power Administration; and

''(E) the Tennessee Valley Authority.

''(2) AUTHORITY AND DUTIES OF COMMISSION.—

''(A) IN GENERAL.—Pursuant to sections 210, 211, and 213, the Commission—

''(i) may order the administrator or board of directors, as applicable, of any generator to provide transmission service, including by establishing the terms and conditions of the service; and

''(ii) shall ensure that—

''(I) the provisions of otherwise applicable Federal laws shall continue in full force and effect and shall continue to be applicable to the system;

''(II) the rates for the transmission of electric power on the system of each Federal power marketing agency—

''(aa) are administered in accordance with applicable Federal law, other than sections 210, 211, and 213; and

''(bb) are not unjust, unreasonable, or unduly discriminatory or preferential, as determined by the Commission.

''(B) TENNESSEE VALLEY AUTHORITY RATES.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, the Commission shall have jurisdiction over the rates, terms, and conditions of the provision of transmission service in interstate commerce by the Tennessee Valley Authority.

''(ii) TARIFF.—Notwithstanding any other provision of law, pursuant to sections 205 and 206, the Board of Directors of the Tennessee Valley Authority shall have on file with the Commission an open access transmission tariff that contains just, reasonable, and not unduly preferential or discriminatory rates, terms, and conditions for the provision of transmission service in interstate commerce by the Tennessee Valley Authority.'';

(3) in paragraph (3) (as redesignated by paragraph (1))—

(A) by striking ''(3) Notwithstanding'' and inserting the following:

''(3) PROCEDURE FOR DETERMINATIONS.—Notwithstanding'';

(B) in the matter preceding subparagraph (A), by inserting ''of a Federal power marketing agency'' after ''service''; and

(C) in subparagraph (A)—

(i) by striking ''when the Administrator of the Bonneville Power Administration either'' and inserting ''if the Administrator of any Federal power marketing agency''; and

(ii) by striking ''on the Federal Columbia River Transmission System'';

(4) in paragraph (4) (as redesignated by paragraph (1))—

(A) by striking ''(4) Notwithstanding'' and inserting the following:

''(4) JUDICIAL REVIEW.—Notwithstanding'';

(B) by striking ''the Administrator of the Bonneville Power Administration'' and inserting ''the Administrator of a Federal power marketing agency''; and

(C) by striking ''United States Court of Appeals'' and all that follows through the end of the paragraph and inserting ''United States court of appeals of jurisdiction of the Federal power marketing agency.'';

(5) in paragraph (5) (as redesignated by paragraph (1)), by striking ''(5) To the extent the Administrator of the Bonneville Power Administration'' and inserting the following:

''(5) EXCEPTION.—To the extent that an Administrator of a Federal power marketing agency'';

(6) in paragraph (6) (as redesignated by paragraph (1))—

(A) by striking ''(6) The Commission'' and inserting the following:

''(6) PROHIBITION.—The Commission''; and

(B) by striking ''the Administrator of the Bonneville Power Administration'' and inserting ''the Administrator of a Federal power marketing agency''.

SEC. 3. EQUITABILITY WITHIN TERRITORY RESTRICTED ELECTRIC SYSTEMS.

Section 212(j) of the Federal Power Act (16 U.S.C. 824k(j)) is amended—

(1) by striking ''With respect to'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), with respect to'';

(2) by striking ''electric utility:'' and all that follows through ''electric utility.'' and inserting ''electric utility.''; and

(3) by adding at the end the following:

''(2) EXCEPTION.—Paragraph (1) and subsection (f) shall not apply to any area served at retail by a distributor that—

''(A) on October 24, 1992, served as a distributor for an electric utility described in paragraph (1); and

''(B) before December 31, 2006, provided to the Commission a notice of termination of the power supply contract between the distributor and the electric utility, regardless of whether the notice was later withdrawn or rescinded.

''(3) STRANDED COSTS.—An electric utility described in paragraph (1) that provides transmission service pursuant to an order of the Commission or a contract may not recover any stranded cost associated with the provision of transmission services to a distributor.

''(4) RIGHTS OF DISTRIBUTORS.—

''(A) NOTICE NOT PROVIDED.—A distributor described in paragraph (2) that did not provide a notice described in paragraph (2)(B) by December 31, 2006, may—

''(i) construct, own, and operate any generation facility, individually or jointly with another distributor; and

''(ii) receive from any electric utility described in paragraph (1) partial requirements services, unless the cumulative quantity of

energy provided by the electric utility exceeds a ratable limit that is equal to a proxy for load growth on the electric utility, based on—

''(I) the total quantity of energy sold by each affected agency, corporation, or unit of the electric utility during calendar year 2006; and

''(II) a 3-percent compounded annual growth rate.

''(B) NOTICE PROVIDED.—

''(i) IN GENERAL.—A distributor described in paragraph (2) that provided a notice described in paragraph (2)(B) by December 31, 2006, may—

''(I) construct, own, and operate any generation facility, individually or jointly with another distributor;

''(II) receive from any electric utility described in paragraph (1) partial requirements services;

''(III) receive from any electric utility described in paragraph (1) transmission services that are sufficient to meet all electric energy requirements of the distributor, regardless of whether an applicable contract, or any portion of such a contract, has been terminated under this section; and

''(IV) not later than 180 days after the date of enactment of this paragraph, elect to rescind the notice of termination of the distributor without the imposition of a reintegration fee or any similar fee.

''(ii) TREATMENT.—On an election by a distributor under clause (i)(IV), the distributor shall be entitled to all rights and benefits of a distributor described in subparagraph (A).

''(5) RIGHT TO RETAIN ACCESS TO SERVICES.—

''(A) DEFINITIONS.—In this paragraph:

''(i) AFFECTED DISTRIBUTOR.—The term 'affected distributor' means a distributor that receives any electric service or power from at least 2 generators.

''(ii) GENERATOR.—The term 'generator' means an entity referred to in any of subparagraphs (A) through (E) of subsection (i)(1).

''(B) RETENTION OF SERVICES.—An affected distributor may elect to retain any electric service or power provided by a generator, regardless of whether an applicable contract, or any portion of such a contract, has been terminated under this section.

''(C) EFFECT OF NOTICE OF TERMINATION.—

''(i) IN GENERAL.—The provision or execution by an affected distributor of a notice of termination described in paragraph (2)(B) with 1 generator shall not affect the quantity of electric service or power provided to the affected distributor by another generator.

''(ii) PRICE.—The price of electric services or power provided to an affected distributor described in clause (i) shall be equal to the price charged by the applicable generator for the provision of similar services or power to a distributor that did not provide a notice described in paragraph (2)(B).

''(D) TRANSMISSION SERVICE.—On an election by an affected distributor under subparagraph (B) to retain an electric service or power, the affected distributor shall be entitled to receive from a generator transmission service to 1 or more delivery points of the affected distributor, as determined by the affected distributor, regardless of whether an applicable contract, or any portion of such a contract, has been terminated under this section.''.

SEC. 4. STUDY OF PRIVATIZATION OF TENNESSEE VALLEY AUTHORITY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the costs, benefits, and other effects of privatizing the Tennessee Valley Authority.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that describes the results of the study conducted under this section.

SEC. 5. STUDY OF DEBT LEVEL OF TENNESSEE VALLEY AUTHORITY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the financial structure of, and the amount of debt held by, the Tennessee Valley Authority, which (as of February 1, 2007) is approximately $25,000,000,000.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that describes the results of the study conducted under this section.

NOTICES OF HEARINGS/MEETINGS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled ''Medicare Doctors Who Cheat on Their Taxes and What Should Be Done About It.''

This is the fourth hearing to result from a three year investigation conducted by the Subcommittee into Federal contractors that provide goods or services to the Federal Government, but fail to pay their taxes. A 2004 hearing determined that 27,000 contractors with the Department of Defense had a tax debt totaling roughly $3 billion. A 2005 hearing determined that 33,000 contractors doing business with civilian Federal agencies had unpaid taxes totaling $3.3 billion.

In addition to examining contractors for DOD and civilian agencies, the Subcommittee has examined similar misconduct by contractors for the General Services Administration (GSA). A Subcommittee hearing in March 2006 determined that 3,800 GSA contractors collectively owed $1.4 billion in unpaid taxes.

The upcoming March 20th hearing will further explore the problem, focusing specifically on Medicare physicians and related suppliers that receive substantial income from the Federal Government but do not pay the taxes that they owe.

Witnesses for the upcoming hearing will include representatives from the Government Accountability Office, the Internal Revenue Service, the Centers for Medicare & Medicaid Services, as well as the Financial Management Service. A final witness list will be available on Friday, March 16, 2007.

The Subcommittee hearing is scheduled for Tuesday, March 20, 2007, at 2:30 p.m. in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise J. Bean, of the Permanent Subcommittee on Investigations at 224–3721.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, March 20, 2007, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the nomination of Stephen Jeffrey Isakowitz, of Virginia, to be Chief Financial Officer of the Department of Energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Sam Fowler at (202) 224–7571 or Amanda Kelly at (202) 224–6836.

AUTHORITY FOR COMMITTEES TO MEET

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 13, 2007, at 3 p.m. to hold a nominations hearing.

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 and House Committee on Education and Labor be authorized to meet for a joint hearing on the No Child Left Behind Act during the session of the Senate on Tuesday, March 13, 2007 at 10 a.m. in room 2175 of the Rayburn House Office Building.

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 ''Judicial Nominations'' on Tuesday, March 13, 2007 at 10 a.m. in Dirksen Senate Office Building, Room 226.

Witness List:

Panel I: The Honorable THAD COCHRAN, United States Senator, R–MS and The Honorable TRENT LOTT, United States Senator, R–MS.

Panel II: Halil Suleyman Ozerden to be U.S. District Judge for the Southern District of Mississippi; Benjamin Hale Settle to be U.S. District Judge for the Western District of Washington; and Frederick J. Kapala to be U.S. District Judge for the Northern District of Illinois.

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 13, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT TO GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet on Tuesday, March 13, 2007 at 2:30 p.m. for a hearing entitled, A Review of U.S. International Efforts to Secure Radiological Materials.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, as amended, appoints the following Senator as Vice Chairman of the U.S.-China Interparliamentary Group conference during the 110th Congress: the Honorable TED STEVENS of Alaska.

ROAD CONSTRUCTION, OPERATION AND MAINTENANCE IN ST. LOUIS COUNTY, MO

Mr. REID. I ask unanimous consent that the Senate now proceed to H.R. 1129, just received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1129) to provide for the construction, operation, and maintenance of an arterial road in St. Louis County, Missouri.

There being no objection, the Senate proceeded to consider the bill.

Mr. BOND. Mr. President, I rise in support of H.R. 1129. This important legislation is necessary to provide for the construction, operation, and maintenance of an arterial road in the Lemay area of St. Louis County, MO. This road, the Lemay connector road, is the lynchpin of the long-term recovery of that community and will open several abandoned industrial sites to new industrial, commercial and retail development and create thousands of new much-needed jobs. The road was identified as the highest priority for redeveloping the area in a federally-funded study conducted by the Missouri Department of Transportation.

Mrs. MCCASKILL. Mr. President, I join my colleague, the senior Senator from Missouri, in supporting this much-needed legislation. Not only will the road revive the economy of the communities around Lemay, it will also support the restoration of brownfields sites, improve public safety, create new parks and riding trails, and provide other recreational opportunities. With all of these benefits, it is not surprising then that the bill has broad bipartisan support from every relevant State and local elected official and also here in the Congress. It has also been endorsed by the Missouri Department of Transportation, the local school district—Hancock Place School District and the local fire and police departments.

Mr. BOND. Mr. President, I vividly recall the devastation that was caused by the the flooding in 1993 and one of the areas that was hardest hit was the community of Lemay. In response to that tragedy, Congress enacted an emergency supplemental appropriations bill. As a new member of that committee, I worked to appropriate supplemental funds for HUD's community development grants to compensate homeowners for losses and to clear the area. Property acquired with the funds, however, was required to be maintained for uses consistent with open space, recreation or wetlands management. This was a one-time requirement, and no other property acquired using CDBG funds before or since the 1994 Emergency Supplemental Appropriations Act has carried similar deed restrictions. Furthermore, I want to assure my colleagues that we are not establishing any precedent by adopting this legislation in part because of the unique situation in which properties became deed restricted and also because exceptions have been made to allow for roads and public works development on deed restricted lands.

Mrs. MCCASKILL. I also want to assure my colleages that no Federal funds will be used to construct or maintain the Lemay connector road. Neither St. Louis County nor the State of Missouri is seeking or will seek Federal assistance to build, maintain, or operate the road. In fact, the County has sent several letters to FEMA that it will not seek Federal funding for the road. Under terms reached by the St. Louis County and Missouri DOT, private developers will bear 100 percent of the cost of construction of the road, and the road will be maintained by St. Louis County as part of its standard maintenance program,

Mr. BOND. Mr. President, my colleague from Missouri is correct that no Federal funds will be used for either construction or maintenance of this road. Furthermore, this road will become a county road and it will not be part of the Federal-aid system. Under current law, which this bill does not amend, the Lemay connector road is not an eligible use of Federal funding.

Mr. REID. I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

The bill (H.R. 1129) was ordered to be read a third time, was read the third time and passed.

ORDERS FOR WEDNESDAY, MARCH 14, 2007

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., March 14; that on Wednesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired; that following the time for the two leaders, there be 1 hour of debate prior to a vote on the motion to invoke cloture on the motion to proceed to S.J. Res. 9, with the time equally divided and controlled between the two leaders or their designees; that the final 20 minutes prior to the vote be controlled 10 minutes each for the leaders, with the majority leader controlling the final 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate and if the Republican leader has no further business to come before the Senate, I would ask the Senate stand adjourned under the previous order, but if my esteemed colleague does wish to speak, there is ample time to do that.

Mr. MCCONNELL. I say to friend from Nevada, I have nothing further to add.

Mr. REID. I ask unanimous consent that the Senate stand adjourned.

There being no objection, the Senate, at 6:54 p.m., adjourned until Wednesday, March 14, 2007, at 10 a.m.

EXTENSIONS OF REMARKS

A TRIBUTE TO MARGARET YORK

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SCHIFF. Madam Speaker, I rise today to honor Ms. Margaret York, of Pasadena, CA. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Margaret was born in Canton, OH, and has resided in Pasadena, CA, for over 25 years. She received a bachelor's degree from the University of Redlands and holds a master's degree in public administration from the University of Southern California. Ms. York is also a proud graduate of the Federal Bureau of Investigation National Academy.

Ms. York is widely admired for her long career with Los Angeles law enforcement. She began her career as a police ''woman'' and eventually became the first female deputy chief of the Los Angeles Police Department.

In December 2003, Ms. York became chief of the Los Angeles County Police, the fourth largest police agency in Los Angeles County and one of the largest in the State of California. With her keen leadership ability serving as her strongest asset, Chief York is responsible for 600 sworn police officers, 130 civilian employees, and for nearly 800 private security officers. Their mission is to provide a safe and secure environment for patrons, visitors, and employees of Los Angeles County facilities.

Ms. York lives by the motto ''Dedicated to the Community We Serve.'' Indeed, it is because of her unwavering dedication to the community that she volunteers her limited free time to various community organizations. Ms. York is a member and former vice chair of the Metropolitan Board of the Salvation Army and is a founding member of the Army of Angels. She is also a founding member and vice chair of the Police Historical Society. Ms. York is a member of the LA5 Rotary Club, board member of Women Against Gun Violence, and a trustee of the YWCA of Greater Los Angeles.

In addition to the plethora of professional accomplishments, Ms. York is the proud wife of Los Angeles Superior Court Judge Lance Ito, a mother of three children, and a grandmother to seven grandchildren.

Ms. York's devotion to her career and her long-time commitment to the prosperity of our community serve as a true inspiration to us all. I ask all Members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District, Margaret York.

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

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. RANGEL. Madam Speaker, I rise today in support of 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 ensuring peace in the Sudan.

Born in 1945 to a poor family in Wagkulei village in Sudan, Dr. Garang was orphaned by the age of ten. Described as charismatic and a natural leader, he joined the first Sudanese civil war in 1962 but, because of his youth, was encouraged to pursue his education. After obtaining a B.A. in economics in 1969 from Grinnell College, an M.A. and Ph.D. from Iowa State University and studying East African agricultural economics as a Thomas J. Watson Fellow at the University of Dar es Salaam he returned home to join the Sudanese rebels.

A professional military man, Dr. Garang quickly rose through the ranks of the Sudanese military, which he joined following the Addis Ababa agreement of 1972. Peter Moszynski, a writer and aid worker who covered the Sudanese war, describes Dr. Garang as ''an expert in survival: someone who knew how to bend with the wind yet maintain his political objectives, someone who knew how to seem all things to all men.'' This description not only captures the enigmatic nature of a man who remained at the center of guerrilla warfare for more than 20 years, but also explains how Dr. Garang became the undisputed leader of the Sudan People's Liberation Movement/Army (SPLM/A). Committed to obtaining a just peace for his people he worked tirelessly and diligently to build support for a new Sudan, one that would be multi-ethnic, multi-religious, democratic and above all, united.

Dr. Garang was instrumental in the passage of the Comprehensive Peace Agreement, signed by the Government of Sudan and the SPLM/A in 2005, which gave southern Sudan the right to self determination and pushed for unity between the North and South. This Peace Agreement is representative of Dr. Garang's vision for a united Sudan, a Sudan committed to equity, democracy and peace.

As we continue to work toward ending the genocide throughout the region it is imperative that we remember the work and life of Dr. Garang. A man of true conviction and unfaltering courage; a man who believed, as I do, that unity, peace and democracy are achievable in the Sudan.

INTRODUCING A BILL TO EXTEND THE TRANSPORTATION BENEFIT TO BIKE COMMUTERS

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. BLUMENAUER. Madam Speaker, today I am introducing a bill to extend the Transportation Fringe Benefit to bicycle commuters. Currently employers may offer a Transportation benefit to employees for certain costs incurred while commuting to work. Employees may receive up to $215/mth for parking expenses or $110/mth for transit or vanpooling costs. The Bike Commuter act aims to balance the incentive structure by extending the benefit to include bicycling.

Communities across the Nation are seeking to reduce traffic congestion, improve air quality, save energy and enhance neighborhood safety. The Federal Government can assist in those efforts by promoting bicycle use through a small change to the tax code's existing Transportation Fringe Benefit. There is great potential to increase the number of bicycle commuters in the U.S., which would help reduce the number of trips made by automobile. These changes will benefit all Americans whether they ride their bikes or not.

IN HONOR OF WILLIAM P. MAINEY, RECOGNIZING HIS SERVICE TO THE HOUSE

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Ms. MILLENDER-McDONALD. Madam Speaker, on the occasion of his retirement in March 2007, we rise to thank Mr. William P. Mainey for his long years of service and support to the United States Government, most of it here at the U.S. House of Representatives.

Bill served proudly and honorably as a Marine. Following his military service, in 1973 Bill started his career as a technician with Xerox Corporation. He now retires as a Xerox Solutions and Sales Executive. As an employee of Xerox, Bill has provided tireless support to countless House offices, spending his entire 34-year career in support of the U.S. House of Representatives.

On behalf of the entire House community, we extend congratulations to Bill for his many years of dedication and outstanding contributions to the U.S. House of Representatives. We wish him many wonderful years in fulfilling his retirement dreams.

ACTIVE FINANCING BILL

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. CAMP of Michigan. Madam Speaker, I am pleased to join Representative RICHARD NEAL and introduce legislation to make permanent the Subpart F exception for active financial services income. Under current law, the provision will expire next year.

I have long been an advocate for this legislation. While Congress has extended Subpart F for active financial services income on an ad hoc basis, such inconsistency does not make for good tax planning or tax policy. Besides ensuring consistency, Congress must develop policies that help businesses invest and keep jobs here in the United States. Allowing tax benefits to expire is a direct tax hike on employers, and it is a direct assault on every American job.

This legislation ensures that U.S. financial services firms can continue to defer U.S. tax on their earnings from their foreign active financial services operations until such earnings are paid as dividends back home. No other developed country in the world imposes current tax on financial services income earned outside their country. If the U.S. is to remain competitive in the global marketplace, the Federal Government must not put our companies at a tax disadvantage. Without the legislation we are proposing, American financial services companies will lose out on business to foreign firms. When American companies lose customers, American jobs are lost.

Overseas operations are important to American companies' domestic success. For example, if North American profits dip, these companies can use their global profits to offset losses. And, as I mentioned before, domestic jobs are gained when a business has more customers to sell to. Domestic jobs support overseas operations, increased product exports, and product development.

Failure to make permanent this current law provision would be a critical mistake for the U.S. economy. If U.S. financial services companies have to pay current U.S. tax on the active financial services income they generate overseas, they will have higher costs than their foreign-owned competitors. Their customers will turn to non-U.S.-owned firms. Given the thousands of U.S. jobs at stake, I do not believe our tax policy should allow this to happen.

I urge my colleagues to support this important bill.

INTRODUCTION OF ACTIVE FINANCING BILL

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. NEAL of Massachusetts. Madam Speaker, today I am pleased to join my friend and Committee colleague Representative DAVE CAMP in introducing legislation to make permanent the Subpart F provision for active financial services income. It is time to end the temporary extensions of this important incentive and finally make this a permanent part of the tax code. In the Senate today, Chairman BAUCUS and Senator HATCH will also be filing identical legislation.

The U.S. financial services industry employs workers all across the U.S. The continued health and vitality of this industry depends on the level of success of these U.S. companies in the global market. However, one important incentive expires at the end of next year, which allows these companies to defer U.S. tax on the active business financial services income earned by foreign subsidiaries of U.S. financial services companies. Other active U.S. businesses enjoy this deferral for active business operations, so it just makes sense that financial services companies should as well. The deferred tax would be triggered when that income is sent back as a dividend to the U.S. parent.

While the U.S. financial services industry is a global leader, the market is fiercely competitive with every company searching for some advantage over another. If U.S. financial services companies are unable to compete in global markets, foreign firms will fill the void. In that case, the thousands of jobs necessary to support a global financial services operation will be lost to foreign companies.

Current law includes stringent safeguards to ensure that the income eligible for deferral of U.S. tax is real business income and is earned by local operations serving local markets. Importantly, a qualifying business cannot be one that is based in a tax haven to serve other markets. To qualify, a company must be actively engaged in a financial services trade or business and must predominantly serve customers in the country in which it is located. These common-sense requirements ensure that this exception works as intended.

Deferral for active financial services income has been the law for most of the history of the corporate income tax. However, since 1997, it has only been a temporary provision in the code and extended many times. It is time for Congress to once again make this exception a permanent part of the code providing the stability our U.S. financial services indistry needs to remain the global leader. I urge you to join us in this effort.

TO RAISE THE DIALOGUE WHILE ENSURING COMPETITION AMONG THE FEDERAL STUDENT LOAN PROGRAMS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. PORTER. Madam Speaker, the Student Aid Reward Act (STAR) was drafted to provide additional funds for students to meet the ever rising costs of a higher education. Let me first note that I understand that there is a difference of opinion as to the calculation of the savings from this legislation and I hope we can reach an agreement on how to assess the real and actual costs of both programs before its enactment. As always, I believe it is important that all legislation needs to occur through the regular Committee process where all sides have the opportunity to participate. It is important to know that I strongly support diversity and competition within the Federal student loan system. Competition within the student loan system includes not only competition among Federal Family Education Loan Program (FFELP) providers, but also competition between the two Federal student loan programs. Each of these programs should be run in a manner that provides the best products and services to students, while being good stewards of taxpayer funds. I hope that strong tradition continues and believe this bill will act as a catalyst for open and productive dialogue with the ultimate goal of ensuring students are provided the financial aid package that will meet their financial and customer service needs.

The simple fact is that education is the single most important factor when it comes to equalizing opportunity and ensuring all students are able to achieve a better future. A well educated society is paramount to our global competitiveness and security here at home. Because education is so critical, I believe we have a duty to ensure it is available to all our citizens and we have an obligation to ensure we make thoughtful, careful and well informed decisions as the stewards of these critical financial aid programs.

A TRIBUTE TO MARGARITA CAMPOS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SCHIFF. Madam Speaker, I rise today to honor Ms. Margarita Campos, of Burbank, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Born to Cuban parents, Margarita has been a resident of Burbank, California for over forty years. Margarita received her Associate of Arts degree in Liberal Arts from Los Angeles Mission College and earned her Bachelor of Arts Degree in Business Law from the University of West Los Angeles.

Since 2001, Margarita has been the elected Burbank City Clerk and is responsible for maintaining all official city records including: keeping a complete and accurate record of all City Council, Redevelopment Agency, and related proceedings, maintaining the Burbank City Charter and Municipal Code, and conducting all municipal elections. Prior to her term as City Clerk, Margarita served as the City of Burbank Community Assistance Coordinator and the Secretary to the Mayor.

Margarita is involved with various professional organizations. She is a member of the International Institute of Municipal Clerks, the Association of Records Managers, and the City Clerks Association of California.

In her spare time, Margarita dedicates herself to volunteering with organizations that directly benefit the Burbank community. She is a member of the League of Women Voters, a nonpartisan political organization that advocates for the improvement of government systems and aspires to impact public policies through citizen education and advocacy. Margarita served as the First Vice-President for the Zonta Club of the Burbank Area, a worldwide organization comprised of a diverse membership working together to advance the

global status of women through service and advocacy.

Margarita enjoys spending time with her family. She is a loving wife to husband Vince and proud mother to two children, Natasha and Vince.

Ms. Campos' devotion to her career and her long-time commitment to the prosperity of our community serves as a true inspiration to us all. I ask all Members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District.

RECOGNIZING INTERNATIONAL WOMEN'S DAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. RANGEL. Madam Speaker. I rise today to recognize International Women's Day and to enter into the RECORD an article by Edith M. Lederer appearing today in the Washington Post, entitled "U.N. Seeks End to Violence Against Girls."

Throughout the world, violence against women appears to be acceptable. According to a 1997 World Health Organization study, in her lifetime, one in five women will be a victim of rape or an attempted rape. A separate 2003 report has shown that 147 women are raped every day in South Africa. According to the same study, in the U.S. a woman is raped every 90 seconds.

Darfur presents one of the most extreme examples of violence against women in the world. Currently, rape is used systematically against women in this region of Sudan. While it is impossible to know exactly how many women have been victims of sexual violence since the armed conflict began; however, it is believed that thousands of women have been raped, many multiple times. The devastating effects of rape are ever lasting. Victims are pariahs in their families and their communities. Women, in the Sudan, and in many places throughout the world cannot file complaints against their attackers because no one cares or takes the time to listen.

Sexual violence against women is not limited to the Sudan. Since the conflict in Côte d'Ivoire began in 2002, thousands of women and girls have become victims of widespread, systematic rape committed by combatant forces or their civilian allies. Many women have been sexually tortured, gang-raped or abducted and reduced to sexual slavery by combatants. These women have little recourse or access to health care, counseling or other support services.

The single most important factor that allows violence against women to persist, whether in times of peace or war, is the fact that those who attack and rape women know that they can get away with it. I support International Women's Day and its efforts to bring much needed attention to this critical issue.

[From the Associated Press, Mar. 8, 2007]

U.N. SEEKS END TO VIOLENCE AGAINST GIRLS

(By Edith M. Lederer)

UNITED NATIONS.—On the eve of International Women's Day, the U.N. Security Council called Wednesday for an end to the "pervasive violence" against girls and women during armed conflicts and demanded that the perpetrators be punished.

The council reiterated "its utmost condemnation" of the killing, maiming, sexual abuse, abduction and trafficking of girls and women and called on all warring parties to protect them, especially from rape and other forms of sexual violence.

In a presidential statement read at a formal meeting, the council emphasized the responsibility of all 192 U.N. member states "to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls."

The theme of International Women's Day on Thursday and the two-week meeting of the Commission on the Status of Women that ends Friday is discrimination and violence against girls—and ending the impunity for perpetrators.

Rachel Mayanja, the special adviser to Secretary-General Ban Ki-moon on gender issues and the advancement of women, told a news conference that girls and women are subjected to violence every day in every country—and the violence "transcends politics, culture and religion, race, class, income and age.

"In order to eliminate violence against women and girls, we must take swift and concerted action to eradicate all forms of discrimination against them, and ensure women's equality with men," she said.

Noeleen Heyzer, executive director of the U.N. Development Fund for Women, said the U.N. Trust Fund to End Violence Against Women has granted more than $13 million to more than 230 initiatives in more than 100 countries over the last 10 years and demonstrated "that ending violence against women is possible."

"It is a pandemic that can be stopped . . . given the necessary political will and resources," she said.

Heyzer said currently 89 countries have legislative provisions on domestic violence, 104 countries have made marital rape a crime, 90 countries have provisions against sexual harassment, and 93 states prohibit trafficking of women and men.

The number of countries adopting legislation against violence is growing, she said, but implementation of the laws "is often insufficient."

Heyzer urged "a real increase in resources if we are to end impunity," including nearly tripling the trust fund's annual budget from the current $3.5 million to $10 million.

In Wednesday's statement, the Security Council also urged the secretary-general to appoint more women as top envoys in U.N. peacekeeping and peace-building missions, in decision-making positions in U.N. field operations, and especially among military observers, civilian police, human rights and humanitarian staff.

PERSONAL EXPLANATION

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. COOPER. Madam Speaker, I was absent on Monday, March 12 for personal reasons. Had I been present for votes, I would have voted "yea" on each of the three votes taken: H.R. 85, H. Res. 136, and H. Res. 89.

FIRST CLASS NAVY DIVER TIMOTHY ALEXANDER, THE NAVY SEA SYSTEMS SAILOR OF THE YEAR

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. BOEHNER. Madam Speaker, I am extremely proud to rise today in honor of First Class Navy Diver Timothy Alexander of Middletown, Ohio. On March 9, 2007 First Class Navy Diver Alexander was awarded the Navy Sea Systems Command Sailor of the Year Award.

The Sailor of the Year Award program began 29 years ago in order to recognize the top enlisted sailors in the United States Navy. The program provides recognition to outstanding sailors through numerous presentations, awards, and meritorious advancement to the next pay grade. Sailors are judged on their performance for the past twelve months; performance over the course of their career to date; and off-duty education, civic involvement and awards earned. Additionally, a selection board of four Command Master Chiefs question the finalists concerning Navy policies, ethics, guiding principles, and leadership. Following this long process, First Class Navy Diver Alexander was chosen as the Navy Sea Systems Command Sailor of the Year.

First Class Navy Diver Alexander enlisted in the United States Navy on June 12, 1991. Since his date of enlistment, Mr. Alexander has proudly served our Nation and protected our interests throughout the world. In June of 1992, he was a vital member of the salvage team that prevented the USS *Ingersoll* from sinking in the Straits of Malacca. In November of 1999, as an experimental diver, he volunteered for numerous experimental dives and was the lead technician on a groundbreaking chemical re-breather, which has been instrumental to seal operators' safety and mission success. In January of 2002 he completed several classified missions in support of Operations Iraqi Freedom and Enduring Freedom. These are only a few examples of many brave actions taken by Mr. Alexander throughout his long and accomplished naval career.

First Class Diver Tim Alexander is a testament to the great commitment and courage of all volunteer military. He has worked hard to further his education and training, and his efforts have been rewarded in being named the Navy Sea Systems Command Sailor of the Year. I consider it an honor to represent him in Congress.

HONORING MONSIGNOR JOHN BRENKLE, HELAINE KATZ, AND MARIANNA DEWITT SCHMIDT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize three residents of St. Helena, CA. who were vital to the foundation and success of our Boys and Girls Club of my hometown. These three made vast contributions of time and energy to get the

Boys and Girls Club established with a sound financial backing. Their efforts, as well as the work of many others, have ensured the success of one of the most vital and enduring youth programs in the Napa Valley.

My good friend Monsignor Brenkle is the Pastor of the St. Helena Catholic Church, where he has been for 22 years. During this time he has taken the lead on many projects in the community, and he is widely known throughout the Napa Valley for his activism with farm workers to ensure adequate housing conditions. Monsignor Brenkle, working closely with Ms. Schmidt, provided space for the program in the St. Helena Catholic School's gymnasium during the summer of 1989, from which it subsequently expanded into the Elementary School's cafeteria. In 1992 the program returned to redeveloped facilities at the Catholic School with Monsignor Brenkle's blessing, and has continued to expand ever since.

Ms. Mariatma Schmidt worked together with Monsignor Brenkle to complete the many tasks necessary to open the Boys and Girls Club of St. Helena. She then took on the role of president for 6 years, where she oversaw the establishment of permanent facilities and took the lead in recruiting fundraisers and volunteers to help the young program grow. Her vision left the Boys and Girls Club with a devoted network of supporters and financiers, and her efforts both with this program and other youth education foundations have had a substantial impact on our St. Helena community.

Ms. Helaine Katz chaired the Fundraising Committee during the club's early years, where her creative and exciting events raised countless thousands of dollars to provide the club with the early capital it needed to develop facilities and programs for young people. Her signature event for many years has been the Rotary Club's Winter Ball, which brings together St. Helena residents to benefit children's programs in our area. Her fundraising savvy and taste for a good party makes her an invaluable member of our community, and the money raised over the last 16 years has brought a succession of new facilities to the club, culminating in the new superb facility they share with the St. Helena school district.

Madam Speaker, I rise today to recognize all three of these individuals for the incredible contributions they have made to the Boys and Girls Club of St. Helena, and to the community at large. They are being recognized for their foundational roles in the club, and I join all in our community in thanking them for the work they have done on behalf of St. Helena's youth.

PERSONAL EXPLANATION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. POE. Madam Speaker, due to other congressional business, I unfortunately missed recorded votes on the House floor on Thursday, March 1, 2007.

I ask that the RECORD reflect that had I been able to vote that day, I would have voted "no" on rollcall vote No. 118, and "aye" on rollcall votes Nos. 114, 115, 116, and 117.

TRIBUTE TO THE FRANKLIN D. ROOSEVELT DEMOCRATIC CLUB

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great respect and admiration that I wish to congratulate the members of the Hammond, Indiana Franklin D. Roosevelt Democratic Club as they celebrate the organization's 75th anniversary. To commemorate this special occasion, the Franklin D. Roosevelt Club will be having an anniversary banquet on March 24, 2007, at Dynasty Banquets in Hammond.

The Franklin D. Roosevelt Club of Hammond was founded on December 3, 1932, by 42 members of Polish ancestry. The mission of the Franklin D. Roosevelt Club is to "maintain high standards and secure the best possible candidate for the Democratic Party." The Franklin D. Roosevelt Club has selflessly given its support to the northwest Indiana community. In addition, the Franklin D. Roosevelt Club has had many members who have served or are currently serving as elected or appointed officials in our government.

Throughout the past 75 years, the members of the Franklin D. Roosevelt Club have offered their dedication and support to their noble cause of serving their local community, while striving for a democratic government in their cities for years to come. The Franklin D. Roosevelt Club has had 19 presidents over its 75 year history. At this time, I would like to acknowledge the 2007 Franklin D. Roosevelt Club officers. They are: President Kay Pucalik, First Vice President Wally Skibinski, Second Vice President Mary Fabian, Secretary Shirley Ridenour, Treasurer Mary J. Hildebranski, Sergeant of Arms John Stevens, Chaplain Bobbi Costa, Membership Chairman Diana Beyer, and Trustees Tom Hildebranski, Brian Kupinski, and Bertha McCoy.

Madam Speaker, I ask that you and my other distinguished colleagues join me in congratulating the members of the Hammond Franklin D. Roosevelt Democratic Club on the 75th anniversary of their noble organization. These dedicated individuals continue to give their time and unrelenting efforts to serve their local community, as well as all of northwest Indiana. It is their commitment to the democratic process that makes their organization and efforts such a motivating force in the First Congressional District, and I am proud to serve as their representative in Washington, DC.

A TRIBUTE TO SARAH TRAMEL

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SCHIFF. Madam Speaker, I rise today to honor Ms. Sarah Tramel, of Altadena, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Sarah was born in Johnson City, Tennessee, and relocated to Altadena, California in 1981. She earned her bachelor of arts degree in urban studies from California State University, Los Angeles. She worked for the Los Angeles Unified School District for 24 years until she retired, in 2003, from her position as telecommunication manager.

Sarah was instrumental in the opening of the Los Angeles City Child Care Center and the Pasadena Coalition for Better Schools. She also represents William Blair High School on the Pasadena Unified School District Superintendent's Advisory Board and is a Merit Badge Counselor for the Boy Scouts of America, Troop 40.

Currently, Sarah is the president of the Pasadena City College Parent Teacher Student Association. Pasadena City College is proud to be the only community college in the country with a Parent Teacher Student Association. This group is responsible for several tasks including hosting the Honors at Entrance Scholarship Program, supporting the Pasadena City College Child Development Center, and recognizing exceptional service to Pasadena City College.

Ms. Tramel is also the first vice-president of Women in Action, a group whose purpose is to work toward stimulating citizen participation, to increase community awareness, and to make minority representation in government a reality. She is an alumnus of the Gamma Phi Delta Sorority and has served at the local, regional, and national levels. She is a member of the Altadena United Methodist Church and volunteers on the Staff-Parish Relations Committee and the Finance Committee.

Most importantly, Sarah is noted for her ability to "look after the unders of this world: the under-represented, the under-served, the under-privileged, the under-educated, and more."

Ms. Tramel's devotion to her career and her long-time commitment to the prosperity of our community serves as a true inspiration to us all. I ask all Members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District.

TRIBUTE TO LEONA "KAY" HUTCHISON WILLIAMS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SKELTON. Madam Speaker, it has come to my attention that a long and exceptionally distinguished career in public service is about to come to a close. Leona "Kay" Hutchison Williams will retire from her position as city clerk of Versailles on March 31, 2007.

Leona "Kay" Hutchison Williams was born on July 12, 1943, to Leo and Erma McBroom Hutchison in Latham, MO. She is a graduate of Morgan County R–II High School and went on to take classes at CMC in Warrensburg and SMC in Springfield.

Kay has performed many valuable and notable services for the community of Versailles. She has served as chairman of the Versailles High School Alumni Association in 1965, 2006 and 2007; is a member of the First Baptist Church; was appointed City Clerk in March of 1973; was appointed water clerk, was appointed purchasing agent; was appointed office manager; was elected city collector in April of 1974; is a member of the Central Missouri City Clerks and Finance Officers Association; is a member of the Missouri City

Clerks and Finance Officer Association; International Institute of Municipal Clerk's Board Member of the Missouri Municipal League; and a member of the Morgan County Historical Society.

In addition, Kay is a member of the Women's Civic Club; a member of the Gold Wing Road Riders Association; a charter member of Missouri B–2 Gold Wing Riders Association; was awarded the B–2 Chapter of the Year Couple in 2000 & 2007; a member of West Central Riders; has served on the Chamber of Commerce Board and Old Tyme Apple Festival for 23 years; was chosen Citizen of the Year January, 1991; co-established the Adult Winter Volleyball league; a member of the 1986 Co-Ed Volleyball Team that placed 2nd in the Missouri Show-Me State Games; and Chaired the Committee to enter The Old Tyme Apple Festival into the Library of Congress for its Birthday Celebration.

Leona ''Kay'' Hutchison Williams is a leader in her community. She was one of the first tellers at the Morgan County Bank in 1963 and has served as secretary for the National Farmers Organization. Ms. Williams has also served as city clerk, city collector, and deputy city clerk working with 7 mayors and 35 different aldermen. Outside of public service, her greatest joy is time spent with her husband, Lonnie Joe, their two daughters, and one step grandson.

Madam Speaker, I wish Leona ''Kay'' Hutchison Williams all the best in her retirement and I know the Members of the House will join me in thanking her for her commitment to her community.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately yesterday, March 12, 2007, I was unable to cast my votes on H.R. 85, H. Res. 136, and H. Res. 89 and wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 136 on the motion to suspend the rules and pass H.R. 85, the Energy Technology Transfer Act, I would have voted ''yea.''

Had I been present for rollcall No. 137 on the motion to suspend the rules and pass H. Res. 136, Commending the Girl Scouts of the United States of America, I would have voted ''yea.''

Had I been present for rollcall No. 138 on the motion to suspend the rules and pass H. Res. 89, expressing the sense of the House of Representatives that a day should be established as Dutch-American Friendship Day, I would have voted ''yea.''

COMMENDING OPENNESS AND ACCOUNTABILITY LEGISLATION

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. McNERNEY. Madam Speaker, I took to the floor in the beginning days of the 110th Congress to applaud the aggressive ethics package we passed.

At the time I noted my confidence that those ethics rules were the first of many steps that we would take to bring back trust and civility to Congress.

I'm proud that this week the Congress will take several more steps forward to promote accountability and openness in government by strengthening protections for whistleblowers, providing timely responses to Freedom of Information Act requests, restoring access to Presidential records, and limiting Federal no-bid contracts.

I can think of nothing more important than assuring the people we are elected to serve that this Congress—and indeed this government—is open, ethical and accessible. The measures we will vote on this week continue the important work we have already begun. I commend my colleagues in bringing forward these important pieces of legislation.

PERSONAL EXPLANATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Ms. MATSUI. Madam Speaker, I was unavoidably detained Monday, March 12, 2007, and missed three suspension votes. Please note in the appropriate place in the CONGRESSIONAL RECORD that had I been present, I would have voted as noted below:

Rollcall vote 136: ''yea.''
Rollcall vote 137: ''yea.''
Rollcall vote 138: ''yea.''

INTRODUCING THE LEGAL TIMBER PROTECTION ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. BLUMENAUER. Madam Speaker, today, along with Congressman ROBERT WEXLER and Congressman JERRY WELLER, I am introducing the ''Legal Timber Protection Act, LTPA.'' The LTPA prohibits trade in illegally harvested timber by extending the protections of the Lacey Act to timber, while ensuring that legal timber trade isn't harmed. Specifically, the LTPA bans the import, export, transport, purchase, sale, or possession of timber that has been taken, possessed, transported, or sold in violation of a foreign law or international environmental treaty. It has been crafted to make sure that it will not prohibit trade in legal timber or impose burdensome regulations on American timber companies.

Illegal logging threatens some of the world's richest and most vulnerable forests. The illegal removal of high-value threatened tree species destined for international markets is often the first step leading to forest clearance. The tracks and roads built to access and remove timber become entryways for further illegal cutting, hunting and burning. The easy accessibility to the depths of the forest and fragmentation further threatens already endangered plants and animals and leaves others vulnerable to achieving this status. As illegal logging contributes to deforestation, the water balance and dynamics of fragile ecosystems are disrupted. Deforestation accounts for 20 percent of annual global greenhouse gas emissions—more than the entire global transportation sector.

In addition, illegal logging creates huge financial losses to producing nations. By avoiding export duties, timber royalties and taxes on their profits, companies operating unlawfully are robbing national governments of in excess of $15 billion annually on public lands alone. This loss in revenue decreases governments' ability to invest in the forestry sector to promote sustainable forest management and conserve their natural forest resources.

At the same time, given that as much as 30 percent of hardwood lumber and plywood traded globally could be of suspicious origin, responsible U.S. companies lose an estimated $460 million in export opportunities every year because of displacement caused by illegally harvested timber. On top of that, the annual value of U.S. exports is between $500–$700 million lower due to downward pressure on prices from illegally harvested timber. As Oregon produces approximately 13 percent of U.S. lumber, losses to Oregon are estimated to be between $130–$150 million every year.

I look forward to working with my colleagues and with all the stakeholders on this issue to pass this important bipartisan piece of legislation.

A TRIBUTE TO PATRICIA ''TRISH'' CALLAGHAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SCHIFF. Madam Speaker, I rise today to honor Ms. Patricia ''Trish'' Callaghan, of Alhambra, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Trish was born in San Francisco, California, and was raised in the San Gabriel Valley. She earned her undergraduate degree from San Diego State University and went on to receive her postgraduate degree from the University of California, Los Angeles.

Ms. Callaghan is widely admired for her long career with the Garvey Unified School District. As an educator, her goal was to make learning a joyful experience that would ''come alive'' for over a thousand middle school students. Trish set high standards for all her students and created a stimulating, challenging and meaningful learning environment that met the student's diverse needs.

While working as a full-time teacher, Trish participated in special committees and projects at both the school and district levels. She was a member of the Educational Technology Advisory Committee and the Curriculum Planning Committee. Trish was responsible for drafting grants and recruiting funds that supported the school-site technology program. Trish also authored the applications for the California Distinguished School Award in 2006 and the Title I Achieving School in 2004.

Despite her busy career as an educator, Trish has done an excellent job of following her family's motto of ''giving back to the community.'' She has been volunteering for Huntington Hospital for the past 21 years and she

is currently a board member of the Fall Food and Wine Committee. Ms. Callaghan has also done extensive work with the Junior League of Pasadena where she was involved in a variety of community projects. Through the Junior League, she was able to assist in the production of a foster family recruitment video and worked on the Pediatric Play Therapy project.

Now that she is retired, Trish intends to spend more time with family and friends, and continue her volunteer work. Trish is looking forward to working as a docent at the Japanese Garden in the Huntington Library, where she will give tours to 4th–12th grade students.

Ms. Callaghan's devotion to her career and her long-term commitment to the prosperity of our community serves as a true inspiration to us all. I ask all members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District, Patricia ''Trish'' Callaghan.

RECOGNIZING THE CONTRIBUTIONS OF THE NEGRO BASEBALL LEAGUES AND THEIR PLAYERS

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2007

Mr. RANGEL. Mr. Speaker, I rise today in support of H. Res. 162, recognizing the contributions of the Negro Baseball Leagues and their players for their achievements, dedication and sacrifices to baseball and the Nation.

During the late 1800s, despite numerous attempts, viable, professional leagues, with players of color, had difficulty growing into large professional enterprises. The Negro Baseball League grew out of both necessity, as segregation prevented players of color from participating in organized leagues, such as the National Association of Base Ball Players, which banned black athletes, and a love for the game of baseball. During these times, although few black players played alongside white players most were subjected to regional prejudices and bans preventing black players from playing, lodging or eating in segregated establishments.

In the years following the American Civil War and the Reconstruction era, black baseball emerged as a viable and exciting enterprise in the East and Mid-Atlantic states. One of the first baseball games between two all-black teams was held in September 1860 in Hoboken, New Jersey. In the years that followed, black teams played one another when they could, through informal networks. In the early 1880s there were some 200 all-black independent teams that played one another throughout the country. It would take the collaboration of three men: John W. ''Bud'' Fowler, one of the first known professional black baseball players; Moses ''Fleetwood'' Walker and Frank Grant to organize these teams in what became known as the Negro League.

The first all-black professional team was formed in 1885, when the Babylon Black Panthers was sponsored by a white businessman from Trenton, New Jersey. Renamed the Cuban Giants, the team, along with 10 others, formed the first Negro League, called the southern League of Base Ballists. The league was a commercial success and by the end of World War I black baseball had become the premier entertainment attraction for urban black populations. In 1920, under the leadership of Andrew ''Rube'' Foster, owner of the Chicago American Giants, the disparate black leagues of the National Negro League was formed.

Throughout the history of the Negro League players filled stands, electrified fans and performed athletic feats that were previously unimaginable. The skills, spirit and dedication of players not only contributed to the viability of all-black teams but also helped integrate the sport of baseball. Players like Jackie Robinson, the first black player to play in the major league, Larry Doby, Leroy ''Satchel'' Paige and so many others found their start in the Negro League and without the Negro League baseball might not be the consummate American sport it is today.

A TRIBUTE TO DIANE ACOSTA

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SCHIFF. Madam Speaker, I rise today to honor Ms. Diane Acosta, of San Gabriel, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Diane was born in Los Angeles, California, and grew up in the San Gabriel Valley. She attended Rosemead High School and then went on to receive a bachelor's degree in social work from California State University Los Angeles.

Ms. Acosta began her career as general partner for a marketing consulting company where her clients included a regional shopping center, various hospitals, small and large businesses, and non-profit organizations. She currently is the development director for San Gabriel Union Church and Christian School where she is responsible for community outreach, fundraising, volunteer coordination, and special event planning. She has been with the church and school for the last 5 years.

Her involvement with the San Gabriel Union Church has provided Diane with a new medium for reaching out to those facing hardship. She is a member of the Deacon Ministry, a group that strives to meet the emergency physical, financial, health, and emotional needs of the church's congregation. Diane is also a member of the Outreach Ministry Teams, a group that develops new ways for the church to become a more effective community partner.

Most notably, Diane is admired for her dedication to the community she feels lucky to call home. She is a board member for both the San Gabriel and Temple City Chambers of Commerce and she is the president of the San Gabriel Community Coordinating Council. She is also a board member of the San Gabriel Community Foundation, a member of the San Gabriel Education Foundation, and has held leadership positions with local Parent Teacher Associations.

In addition to her many professional and personal accomplishments, Ms. Acosta is a wife and mother of three children. She enjoys watching her kids play sports, going on vacation, and spending time with good friends.

Ms. Acosta's devotion to her career and her long-time commitment to the prosperity of our community serves as a true inspiration to us all. I ask all Members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District, Diane Acosta.

A TRIBUTE TO JASIK ''JASMEN'' JARAHIAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SCHIFF. Madam Speaker, I rise today in honor of Ms. Jasik ''Jasmen'' Jarahian. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Born in Iran, Jasmen received her master's degree in accounting and held various positions with the York Shire Insurance Company in Tehran, Iran. In 1984, Jasmen moved to the United States and settled in Glendale, California. She joined Group Services and Tax Management Company, owned by her brother.

Since 1991, Mrs. Jarahian has been the general accountant/controller for the Armenian Relief Society of the Western United States of America (ARS). Mrs. Jarahian oversees a variety of funds, orphan sponsorships, and the coordinating of assistance. Her efforts have helped the Armenian Relief Society provide philanthropic assistance to isolated villages in Armenia and Artsakh (Karabagh). For almost 100 years, the Armenian Relief Society has ''brought women together to laugh or cry, cook or eat, learn or teach, always serving, always striving for something larger than ourselves.'' Mrs. Jarahian's work in our community is an ideal illustration of that mission.

In addition to her work with the Armenian Relief Society, Mrs. Jarahian is an active member of Homenetmen (Armenian General Athletic Union). She is a founding member of the Davtian-Meyramian Educational Foundation, a non-profit organization that organizes after-school programs that promote education and multiculturalism for children in elementary and middle school. Mrs. Jarahian also does volunteer work with the Armenian Bone Marrow Donor Registry Project, a group whose mission it is to recruit and provide matched unrelated donors for bone marrow or stem cell transplantation for patients that are suffering from leukemia or other blood related illnesses.

She was named ''Mother of the Year'' by the North Hollywood ARS Meghri Chapter and was deemed an ''Honorary Artsakh Citizen'' by the Dzaghgatsogh Village. Jasmen became an honorary citizen after several years of leading efforts to renovate Dzaghgatsogh Village, including the museum, the local hall, and school. Jasmen spends her free time mentoring women and enjoys inspiring others to volunteer.

Mrs. Jarahian's devotion to her career and her long-time commitment to the prosperity of our community serves as a true inspiration to us all. I ask all Members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District, Jasik ''Jasmen'' Jarahian.

URGING REMAINING EUROPEAN NATIONS TO EXPEDITE OPENING ACCESS TO HOLOCAUST ARCHIVES

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a resolution urging the remaining member countries of the International Commission of the International Tracing Service (ITS) to expedite opening access to the Holocaust archives located in Bad Arolsen, Germany.

On March 8, 2007, a most important diplomatic meeting concluded in the Hague. Nine out of the 11 International Commission of the ITS member countries, which includes the United States, Belgium, France, Germany, Greece, Israel, Italy, Luxembourg, the Netherlands, Poland, and the United Kingdom, met to discuss opening up the world's largest Holocaust era archives.

Incredulously, 62 years after the end of the Second World War, the Holocaust archives located in Bad Arolsen remain the largest closed Second World War-era archives in the world. Inside the archives are 50 million records that disclose the fate of some 17.5 million individual victims of Nazism.

These records are some of the last remains that the Allied forces seized when they liberated the death camps in 1945. Years later, documents were given to the Red Cross for the purpose of tracing missing people and later for validating compensation claims by victims or their relatives. Over the past 60 years, the ITS has handled more than 11 million inquiries.

In order to allow for open access to these important archives, each of the 11 members of the International Commission of the ITS must individually ratify through their respective parliaments the May 2006 amendments to the 1955 Bonn Accords.

For the past decade, Holocaust researchers and most survivors have sought and failed to access the Bad Arolsen archive because the ITS Commission believed it would violate the privacy of the survivors and their families.

Slight progress has been made since last May after the Commission recently amended the Bonn Accords. The Bonn Accords were amended to allow researchers to use the archives while granting each Commission member a digitized copy of the archives and make them available to researchers under their own country's respective archival and privacy laws and practices. Unfortunately, these measures have not gone into practice because not all of the member countries of the ITS have ratified the amendments.

I support the progress made thus far by the ITS and all Commission member countries. Just last week, technical specialists reviewed plans for preparing the documents for electronic transfer and drafted recommendations to be reviewed by the commission in advance of the May 2007 ITS meeting. In fact, many of the Commission's member countries have taken significant steps since last May's meeting in order to expedite the process of ratification and allow for the digitization of the archived materials.

However, the facts remain the same. Generations after the Holocaust, 7 member countries of the International Commission have still yet to ratify these amendments. To date, only 4 out of the 11 Commission member countries; the United States, Israel, Poland and the Netherlands have ratified the treaty. Unfortunately, many Holocaust survivors may be long dead before each country's parliament ratifies the amendments.

I ask: why has it taken over 60 years to allow for open access to these Holocaust records? There is no reason European governments should not give this issue the utmost elevated attention, as this issue should be made a top priority in their respective parliaments.

For the many years after the War's aftermath, the survivors and their families who requested information have faced cumbersome delays and occasional unresponsiveness from the ITS. As a result of the harrowing experience, many survivors had in past dealings with the ITS, many survivors now lack confidence that new inquiries will be answered. Although access to individual records may be requested by Holocaust survivors and their families, the millions of extensive records remain inaccessible to researchers. Furthermore, it will likely still take years before the implementation of the distribution of the digitized archival materials.

Those responsible for the progress made at the meeting in the Hague should be widely commended. The advancements made recently are largely due in part to the United States Holocaust Museum and the United States State Department. I am grateful for their diplomatic efforts which have proved so fruitful at the last meeting.

But much work still remains undone. With the express acknowledgement of the variance in each country's internal procedures and the utmost respect for the letter of international law, I strongly encourage parliamentarians from other members of the ITS Commission to ratify the ITS amendments promptly so that the Bad Arolsen archives can be opened at the earliest possible date.

The short time left for the remaining Holocaust survivors does not afford us time to delay any longer.

As the few remaining survivors pass away, they are being deprived of information concerning their loved ones and the assets that were rightfully theirs. Let us not continue to waste the precious time left for the remaining survivors. After all of the horrific acts to which they have been subjected, they are completely justified in uncovering the truth about their family and their loved ones without hassle or delay.

In passing this legislation, Congress can put itself on record saying, ''Enough is enough.'' I urge my colleagues to support this resolution and ask for its expeditious consideration.

A TRIBUTE TO PEGGY TSIANG CHERNG

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SCHIFF. Madam Speaker, I rise today to honor Dr. Peggy Tsiang Cherng. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Born to Chinese parents, Dr. Cherng was raised in Burma and Hong Kong. She attended Baker University in Kansas before transferring to Oregon State University, where she earned her bachelor of science degree in applied mathematics. Dr. Cherng then received her master's degree in computer science and a doctorate in electrical engineering from the University of Missouri.

Following graduation, Dr. Cherng married and settled in southern California, where she became a member of the technical team at McDonnell Douglas. Later, she worked at Comtal–3M, where her highly technical background allowed her to quickly move up the corporate ladder to become software development manager. During this time, her father and husband decided to open a restaurant they named Panda Inn—which featured gourmet Mandarin and Szechuan cuisine—in Pasadena, California.

While at Comtal–3M, the Panda Inn business grew steadily and in 1982, Dr. Cherng decided to join the family business. As executive vice-president, Dr. Cherng's leadership and skills played a vital role in creating the vision, mission, and value statements for the Panda Restaurant Group, and established a solid foundation for future corporate growth. In 1997, Dr. Cherng served as president and in 1998, she also took on the role of CEO until 2004. During the time she held both roles, the company flourished and more than doubled in size from about 250 locations to nearly 650. In 2004, Dr. Cherng took the position of co-chair and CEO, and now focuses primarily on her co-chair responsibilities.

Dr. Cherng is a firm believer in giving back to the community. The Panda Restaurant Group has supported the community and charitable causes such as United Way, City of Hope, Children's Hospital Los Angeles and Children's Miracle Network. In 1999, Dr. Cherng launched a company-wide community involvement initiative called Panda Cares, which gives back to the community and provides assistance for the care and education of children. Panda Cares has committed nearly $3 million to non-profit organizations nationwide.

Dr. Cherng is active in a number of organizations including the National Restaurant Association, the board of directors of the Methodist Hospital of Southern California, East West Bancorp, Inc., the board of visitors for the UCLA Anderson School of Management, and the board of trustees for Children's Hospital Los Angeles.

Dr. Cherng's devotion to her career and her long-time commitment to the prosperity of our community serves as a true inspiration to us all. I ask all members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District, Dr. Peggy Tsiang Cherng.

A TRIBUTE TO MS. GINA WILLIAMS

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. KIRK. Madam Speaker, I rise to honor Ms. Gina Williams, an art teacher at Lake Forest Academy in Illinois. Ms. Williams is one of

ten Chicago-area high school teachers to be awarded a 2007 Golden Apple Award for Excellence in Teaching out of over 800 nominees from Cook, DuPage, Kane, Lake and Will counties.

As chair of the school's fine and performing arts department, Ms. Williams has developed programs aimed at stimulating her students and creating awareness of the world around them. She initially came to the school in 1998 as a visiting artist specializing in glass blowing. Today she continues to share her artistic skills as a sculptor while also teaching Advanced Placement Art History, AP Studio and 3–D design. In addition she has created a unique program that has used art to connect students with communities from inner-city Chicago to communities around the world.

Golden Apple's Chief Program Officer Gloria Harper describes Ms. Williams as ''an artist in the true sense. If you walk around the school, inside and outside, she's responsible for the art that brings it alive. She brings the kids out of the school and exposes them to everything, different ethnicities and cultures. She really makes them aware that they're part of a larger world.''

I ask my colleagues to join me in honoring Ms. Gina Williams and all the educators that work every day to ensure our children's minds are expanded.

A TRIBUTE TO JANET BARRIE SMITH

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. SCHIFF. Madam Speaker, I rise today to honor Mrs. Janet Barrie Smith of Temple City, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions made by our Nation's women.

Janet was born in Palo Alto, California, and has been a resident of the Temple City community for the past 25 years. She earned her bachelor of arts degree in liberal arts from California State University San Diego in 1979 and her State of California teaching credential in 1980.

Mrs. Smith is a former elementary school teacher and worked for San Marino Unified School District and Monrovia Unified School District. Her greatest joy is contributing to the community in which she has raised her family. She has served four terms as the Temple City Council PTA president and has held virtually every PTA office and chairmanship at Longden Elementary School, Oak Avenue Intermediate School, and Temple City High School. Currently, she is the vice president of hospitality for the Temple City High School PTA. Janet also serves as the outreach chairman at First District PTA and the Temple City Council PTA representative.

In 2002, Janet helped develop the Temple City Schools Foundation, a fundraising organization dedicated to preserving quality programming and creating unique opportunities for students of the Temple City Unified School District. Aside from being a founding member and current board member, Janet has also served terms as secretary and vice president. Last year, Janet was the chair of a committee that raised funds for a Temple City High School Senior that was diagnosed with cancer. The overwhelming success of the event illustrated Janet's ability to bring her community together in support of a common cause.

Janet is an active supporter of the performing arts. She served on the Temple City High School Band Rose Parade Committee and helped raise over $100,000 to support the Pride of Temple City's debut in the 2004 Rose Parade. Most recently, she has chaperoned parades, competitions, and coordinated the Temple City High School week-long band camp.

Janet states her most rewarding experience is being a stay at home mother to three sons. Janet is married to Matt Smith, a member of the Temple City Unified School District Board of Education. In her very limited spare time, she enjoys baking, photography, and being creative on the computer.

Mrs. Smith's devotion to her career and her long-time commitment to the prosperity of our community serves as a true inspiration to us all. I ask all members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District, Mrs. Janet Barrie Smith.

Daily Digest

HIGHLIGHTS

Senate passed S. 4, Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission.

Senate

Chamber Action

Routine Proceedings, pages S3013–S3076

Measures Introduced: Twenty-two bills were introduced, as follows: S. 847–868. **Page S3064**

Measures Passed:

Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act: By 60 yeas to 38 nays (Vote No. 73), Senate passed 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, after taking action on the following amendments proposed thereto:

Pages S3019–23, S3024–3058

Adopted:

Lieberman (for Feingold) Amendment No. 441 (to Amendment No. 357), to require appropriate reports regarding data-mining by the Federal Government.

Page S3029

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 S3019, S3029–30**

Ensign Amendment No. 448 (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 S3030–31, S3033–34

Schumer/Clinton Modified 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 S3019**

Bond/Rockefeller Modified Amendment No. 389 (to Amendment No. 275), to provide the sense of the Senate that the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate should submit a report on the recommendations of the 9/11 Commission with respect to intelligence reform and congressional intelligence oversight reform.

Pages S3019, S3031–33

Stevens Amendment No. 299 (to Amendment No. 275), to authorize NTIA to borrow against anticipated receipts of the Digital Television Transition and Public Safety Fund to initiate migration to a national IP-enabled emergency network capable of receiving and responding to all citizen activated emergency communications. **Page S3019**

Lieberman (for 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. (By unanimous consent, the amendment was agreed to, notwithstanding having been ruled not germane on Friday, March 9, 2007.) **Page S3035**

Lieberman (for Grassley) Modified Amendment No. 293 (to Amendment No. 275), to amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American National Red Cross in the 21st century. **Pages S3035–37**

Lieberman (for Coleman) Amendment No. 341 (to Amendment No. 275), to provide for an additional program requirement for the border interoperability demonstration project. **Page S3037**

Lieberman (for Feinstein) Amendment No. 323 (to Amendment No. 275), to provide for the inclusion of executive level training in certain curriculum for training. **Page S3037**

Lieberman (for Salazar) Further Modified Amendment No. 290 (to Amendment No. 275), to require a quadrennial homeland security review. (By unanimous consent, the amendment was agreed to, notwithstanding having been ruled not germane on Friday, March 9, 2007.) **Page S3037**

Lieberman (for Carper) Amendment No. 368 (to Amendment No. 275), to make funds available for the activities of the Public Interest Declassification Board. **Page S3037**

Lieberman (for Akaka) Amendment No. 392 (to Amendment No. 275), to provide for the Secretary to ensure that chemical, biological, radiological, and nuclear detection equipment and technologies are integrated as appropriate with other border security systems and detection technologies, and for other purposes. **Page S3037**

Lieberman/Collins Modified Amendment No. 332 (to Amendment No. 275), to establish the Emergency Management Performance Grants Program as a separate grant program. **Pages S3037–39**

Lieberman/Collins Amendment No. 391 (to Amendment No. 275), to improve the guidelines for fusion centers operated by State or local governments, to improve the awarding and administration of homeland security grants. **Page S3039**

Lieberman/Collins Amendment No. 431 (to Amendment No. 275), to clarify the coordination of the accreditation and certification program for the private sector. **Page S3039**

Lieberman (for Wyden) Amendment No. 348 (to Amendment No. 275), to require that a redacted version of the Executive Summary of the Office of Inspector General Report on Central Intelligence Agency Accountability Regarding Findings and Conclusions of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001 is made available to the public. (By unanimous consent, the amendment was agreed to, notwithstanding having been ruled not germane on Friday, March 9, 2007.) **Page S3039**

Lieberman (for Byrd) Amendment No. 404 (to Amendment No. 275), to require the Secretary of Homeland Security to notify Congress not later than 30 days before waiving any eligibility requirement under the visa waiver program established under section 217 of the Immigration and Nationality Act. **Page S3039**

Lieberman (for Pryor) Modified Amendment No. 388 (to Amendment No. 275), to provide for annual reports on equipment technical assistance. **Pages S3039–40**

Lieberman/McCain Modified Amendment No. 411 (to Amendment No. 275), to advance and strengthen democracy globally through peaceful means using transformational diplomacy to assist foreign countries to implement democratic forms of government, to strengthen respect for internationally accepted human rights standards and norms in foreign countries through increased United States advocacy, to strengthen alliances of democratic countries, and to increase support for programs of non-governmental organizations, individuals, and private groups that promote democracy. **Pages S3040–41**

Lieberman (for Landrieu) Amendment No. 456 (to Amendment No. 275), to require the Secretary of Homeland Security to include levees in the list of critical infrastructure sectors. **Page S3041**

Lieberman (for Coleman) Modified Amendment No. 414 (to Amendment No. 275), to establish a demonstration project to conduct demonstrations of security management systems. **Page S3041**

Lieberman (for Inouye/Stevens) Modified Amendment No. 412 (to Amendment No. 275), to provide for model ports of entry and modify the international registered traveler program. **Page S3041**

Lieberman (for Inouye) Modified Amendment No. 423 (to Amendment No. 275), to revise sections 801 and 802. **Pages S3042–44**

Lieberman (for Inouye) Modified Amendment No. 424 (to Amendment No. 275), to coordinate various reporting provisions with Senate Committee jurisdictional interests. **Pages S3044–45**

Lieberman (for Rockefeller) Amendment No. 340 (to Amendment No. 275), to reinstate the State registration fee system for commercial motor vehicles until the Unified Carrier Registration System Plan Agreement is fully implemented. **Page S3042**

Lieberman (for Kerry) Amendment No. 307 (to Amendment No. 275), to modify the criteria that the Secretary of Homeland Security will use to develop a hazardous material tracking pilot program for motor carriers. **Page S3042**

Lieberman (for Murray) Modified Amendment No. 358 (to Amendment No. 275), to establish a pilot program to identify technological solutions for reducing airport exit lane staffing. **Page S3045**

Lieberman (for Lautenberg) Modified Amendment No. 359 (to Amendment No. 275), to require the Inspector General of the Department of Homeland Security to audit the Highway Watch grant program and report to the Congress on its efficacy in providing security from terrorism. **Page S3045**

Lieberman (for Cardin) Amendment No. 394 (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 S3042**

Lieberman (for Menendez) Modified Amendment No. 354 (to Amendment No. 275), to require the Secretary to include in the reports on implementation of 100 percent ocean-borne cargo scanning an

ongoing assessment of progress, including obstacles and challenges. (By unanimous consent, the amendment was agreed to, notwithstanding having been ruled not germane on Friday, March 9, 2007.)

Page S3041

Lieberman (for Dodd) Amendment No. 415 (to Amendment No. 275), to amend title X, with respect to critical infrastructure protection efforts by Federal departments and agencies. **Page S3042**

Lieberman (for Kohl) Modified Amendment No. 371 (to Amendment No. 275), to ensure that public transportation workers specifically take into account the evacuation needs of the elderly. **Page S3045**

Schumer Further Modified Amendment No. 367 (to Amendment No. 275), to require the Administrator of the Transportation Security Administration to establish and implement a program to provide additional safety measures for vehicles that carry high hazardous materials. **Page S3019**

Reid Amendment No. 275, in the nature of a substitute. **Page S3019**

Rejected:

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. (By 60 yeas to 38 nays (Vote No. 70), Senate tabled the amendment.)

Pages S3019–23

Coburn Amendment No. 325 (to Amendment No. 275), to ensure the fiscal integrity of grants awarded by the Department of Homeland Security. (By 66 yeas to 31 nays (Vote No. 71), Senate tabled the amendment.) **Pages S3019–23**

Biden Amendment No. 383 (to Amendment No. 275), to require the Secretary of Homeland Security to develop regulations regarding the transportation of high hazard materials. (By 73 yeas to 25 nays (Vote No. 72), Senate tabled the amendment).

Pages S3019, S3024–29, S3046

Withdrawn:

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 S3019**

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 S3019**

St. Louis County, Missouri Arterial Road: Senate passed H.R. 1129, to provide for the construction, operation, and maintenance of an arterial road in St. Louis County, Missouri. **Page S3076**

Iraq Resolution—Agreement: A unanimous consent agreement was reached providing that at 10:00 a.m., on Wednesday, March 14, 2007, Senate resume consideration of the motion to proceed to consideration of S.J. Res. 9, to revise United States policy on Iraq; that there be 1 hour of debate prior to a vote on the motion to invoke cloture on the motion to proceed to consideration of the resolution, with the time equally divided and controlled between the Majority and Republican Leaders, or their designees; provided further, that the final 20 minutes prior to the vote be controlled by the two Leaders, with the Majority Leader controlling the final 10 minutes.

Page S3076

Appointments:

U.S.-China Interparliamentary Group: The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, as amended, appointed the following Senator as Vice Chairman of the U.S.-China Interparliamentary Group conference during the 110th Congress: Senator Stevens. **Page S3076**

Messages From the House: **Page S3061**

Messages Referred: **Pages S3061–62**

Executive Communications: **Pages S3062–64**

Additional Cosponsors: **Pages S3064–66**

Statements on Introduced Bills/Resolutions: **Pages S3066–75**

Additional Statements: **Page S3061**

Notices of Hearings/Meetings: **Page S3075**

Authorities for Committees to Meet: **Pages S3075–76**

Record Votes: Four record votes were taken today. (Total—73) **Pages S3023, S3046, S3058**

Adjournment: Senate convened at 10 a.m., and adjourned at 6:54 p.m., until 10 a.m. on Wednesday, March 14, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3076.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: ENVIRONMENTAL PROTECTION AGENCY

Committee on Appropriations: Subcommittee on the Interior, Environment and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2008 for the Environmental Protection Agency, after receiving testimony from Stephen L. Johnson, Administrator, William Wehrum, Assistant Administrator, Office of Air and Radiation, and

Susan Bodine, Assistant Administrator, Office of Solid Waste and Emergency Response, all of the Environmental Protection Agency.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of James R. Kunder, of Virginia, to be Deputy Administrator, Douglas Menarchik, of Texas, to be an Assistant Administrator, Paul J. Bonicelli, of Virginia, to be an Assistant Administrator, and Katherine Almquist, of Virginia, to be an Assistant Administrator, all of the United States Agency for International Development, Margrethe Lundsager, of Virginia, to be United States Executive Director of the International Monetary Fund, Eli Whitney Debevoise II, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development, and Curtis S. Chin, of New York, to be United States Director of the Asian Development Bank, with the rank of Ambassador, after the nominees testified and answered questions in their own behalf.

RADIOLOGICAL MATERIALS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia to examine international action by the United States to secure radiological materials, focusing on Department of Energy and Nuclear Regulatory Commission efforts through the International Atomic Energy Agency and the other multilateral organizations, after receiving testimony from Richard J.K. Stratford, Director, Office of Nuclear Energy, Safety and Security, Bureau of International Security and Nonproliferation, Department of State; Andrew Bieniawski, Assistant Deputy Administrator, Office of Global Threat Reduction, National Nuclear Security Administration, Department of Energy; Janice Dunn Lee, Director, Office of International Programs, United States Nuclear Regulatory Commission; Gene Aloise, Director, Natural Resources and Environment, Government Accountability Office; Brian Dodd, Health Physics Society, McLean, Virginia; Charles D. Ferguson, Council on Foreign Relations, New York, New York; and Joel O. Lubenau, Lititz, Pennsylvania.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Halil Suleyman Ozerden, to be United States District Judge for the Southern District of Mississippi, who was introduced by Senators Cochran and Lott, Benjamin Hale Settle, to be United States District Judge for the Western District of Washington, and Frederick J. Kapala, to be United States District Judge for the Northern District of Illinois, who were both introduced by Senator Durbin, after the nominees testified and answered questions in their own behalf.

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: 27 public bills, H.R. 1486–1512; and 3 resolutions, H. Con. Res. 91; and H. Res. 240–241 were introduced. **Pages H2485–86**

Additional Cosponsors: **Pages H2486–87**

Report Filed: A report was filed today as follows:

H. Res. 239, providing for consideration of H.R. 985, to amend title 5, United States Code, to clarify which disclosures of information are protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain disclosure protections (H. Rept. 110–48). **Page H2485**

Speaker: Read a letter from the Speaker wherein she appointed Representative Meeks to act as Speaker pro tempore for today. **Page H2439**

Recess: The House recessed at 10:55 a.m. and reconvened at 12 noon. **Page H2441**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy: H.R. 1003, to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy; **Pages H2444–45**

Calling for the immediate and unconditional release of Israeli soldiers held captive by Hamas and Hezbollah: H. Res. 107, amended, to call for the immediate and unconditional release of Israeli soldiers held captive by Hamas and Hezbollah; **Pages H2445–47**

Expressing the sense of the House of Representatives that the Government of Bangladesh should immediately drop all pending charges against Bangladeshi journalist Salah Uddin Shoaib Choudhury: H. Res. 64, amended, to express the sense of the House of Representatives that the Government of Bangladesh should immediately drop all pending charges against Bangladeshi journalist Salah Uddin Shoaib Choudhury, by a 2/3 yea-and-nay vote of 409 yeas to 1 nay, with 4 voting "present", Roll No. 139; **Pages H2447–50, H2461**

Recognizing the 186th anniversary of the independence of Greece and celebrating Greek and American democracy: H. Res. 228, to recognize the 186th anniversary of the independence of Greece and celebrating Greek and American democracy, by a 2/3 yea-and-nay vote of 413 yeas with none voting "nay", Roll No. 140; **Pages H2450–53, H2461–62**

Recognizing the 50th anniversary of the Treaty of Rome signed on March 25, 1957: H. Res. 230, to recognize the 50th anniversary of the Treaty of Rome signed on March 25, 1957, which was a key step in creating the European Union, and reaffirming the close and mutually beneficial relationship between the United States and Europe; **Pages H2453–55**

Expressing the support of the House of Representatives for the Good Friday Agreement, signed on April 10, 1998, as a blueprint for a lasting peace in Northern Ireland: H. Res. 222, to express the support of the House of Representatives for the Good Friday Agreement, signed on April 10, 1998, as a blueprint for a lasting peace in Northern Ireland; by a 2/3 yea-and-nay vote of 419 yeas to 1 nay, Roll No. 141; **Pages H2455–57, H2462–63**

Scott Reed Federal Building and United States Courthouse Designation Act: H.R. 478, to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse"; **Pages H2457–58**

Hugh L. Carey United States Courthouse Designation Act: H.R. 429, to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Hugh L. Carey United States Courthouse"; **Pages H2458–59**

Conrad Duberstein United States Bankruptcy Courthouse Designation Act: H.R. 430, amended, to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the "Conrad Duberstein United States Bankruptcy Courthouse"; and **Pages H2459–60**

Agreed to amend the title so as to read: "To designate the United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the 'Conrad B. Duberstein United States Bankruptcy Courthouse'.". **Page H2460**

Neal Smith Federal Building Designation Act: H.R. 1045, to designate the Federal building located at 210 Walnut Street in Des Moines, Iowa, as the "Neal Smith Federal Building". **Pages H2460–61**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H2461, H2462, H2462–63. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 6:15 p.m.

Committee Meetings

FOOD STAMP PROGRAM REVIEW—IMPACT ON CHILDREN'S HEALTH

Committee on Agriculture: Subcommittee on Department Operations, Oversight, Nutrition and Forestry held a hearing to review the federal food stamp program and its impact on children's health. Testimony was heard from Nancy Montanez-Johner, Under Secretary, Food, Nutrition and Consumer Services, USDA; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Secretary of Agriculture. Testimony was heard from the following officials of the USDA: Chuck Conner, Deputy Secretary; Keith Collins, Chief Economist; and Scott Steele, Budget Officer.

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies on NASA. Testimony was heard from Michael D. Griffin, Administrator, NASA.

Hearings continue tomorrow.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held

a hearing on U.S. Army Corps of Engineers. Testimony was the following officials of the Department of the Army: John Paul Woodley, Assistant Secretary, Civil Works; and LTG Carl A. Strock, USA, Chief of Engineers.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on the Secret Service. Testimony was heard from Mark Sullivan, Director, U.S. Secret Service, Department of Homeland Security.

INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment and Related Agencies held a hearing on Arts Panel. Testimony was heard from public witnesses.

The Subcommittee also held a hearing on the Social and Economic Status of Native Americans, the Bureau of Indian Affairs, Office of the Special Trustee. Testimony was heard from a public witness.

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 Department of Education: Elementary and Secondary Education, and Special Education and Rehabilitation Services. Testimony was heard from Raymond Simon, Deputy Secretary, Department of Education.

LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Capitol Visitor Center. Testimony was heard from Stephen T. Ayers, Acting Architect of the Capitol; Terry Dorn, Director, Physical Infrastructure Issues, GAO; Robert Hixon, Project Executive; and Douglas Jacobs, Design Manager, both with the Capitol Visitor Center.

MILITARY CONSTRUCTION, VETERANS' AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans' Affairs, and Related Agencies held a hearing on the Navy Budget. Testimony was heard from the following officials of the Department of the Navy: ADM Michael G. Mullen, USN, Chief of Naval Operations; and GEN James T. Conway, USMC, Commandant, U.S. Marine Corps.

The Subcommittee also held a hearing on the Veterans' Claims Process. Testimony was heard from William Greene, Chief Judge, U.S. Court of Appeals for Veterans Claims; and Daniel L. Cooper, Under Secretary, Benefits, Department of Veterans' Affairs.

STATE, FOREIGN OPERATIONS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing on the Millenium Challenge Account. Testimony was heard from Ambassador John Danilovich, CEO, Millenium Challenge Corp.

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 Status of Public Housing and HOPE VI. Testimony was heard from Orlando J. Cabrera, Assistant Secretary, Public and Indian Housing, Department of Housing and Urban Development.

ACCOUNTABILITY IN CONTRACTING ACT

Committee on Armed Services: Ordered reported, as amended, H.R. 1362, Accountability in Contracting Act.

MILITARY RESALE PROGRAMS REVIEW

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on overview of military resale programs. Testimony was heard from the following officials of the Department of Defense: Michael L. Dominguez, Principal Deputy Secretary, Personnel and Readiness; MG Paul Essex, USAF, Commander, Army and Air Force Exchange Service; RADM Robert E. Cowley, III, USN, Commander, Navy Exchange Service Command; Patrick B. Nixon, Director and CEO, Defense Commissary Agency; and Michael P. Downs, Director, Personal and Family Readiness Division, Headquarters, U.S. Marine Corps.

READINESS NEEDS

Committee on Armed Services: Subcommittee on Readiness held a hearing on the adequacy of the Fiscal Year 2008 National Defense Authorization Budget Request to meet readiness needs. Testimony was heard from the following officials of the Department of Defense: GEN Richard Cody, USA, Vice Chief of Staff, Department of the Army; GEN John D. W. Corley, USAF, Vice Chief of Staff, Department of the Air Force; GEN Robert Magnus, USMC, Assistant Commandant, U.S. Marine Corps; and ADM Robert F. Willard, USN, Vice Chief of Naval Operations, Department of the Navy.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee the following

bills: H.R. 477, Stroke Treatment and Ongoing Prevention Act; H.R. 727, amended, Trauma Care Systems Planning and Development Act of 2007; H.R. 545, amended, Native American Methamphetamine Enforcement and Treatment Act of 2007; H.R. 1132, amended, National Breast and Cervical Cancer Early Detection Program Reauthorization Act of 2007; and H.R. 493, amended, Genetic Information Nondiscrimination Act of 2007.

POST KATRINA HEALTH CARE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Post Katrina Health Care: Continuing Concerns and Immediate Needs in the New Orleans Region.'' Testimony was heard from Leslie Norwalk, Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Fred Cerise, M.D., Secretary, Department of Health and Hospitals, State of Louisiana; and the following officials of the Department of Health, City of New Orleans: Kevin U. Stephens, M.D., Director; and Evangeline R. Franklin, M.D., Director, Clinical Services and Employee Health; and public witnesses.

HEDGE FUNDS AND SYSTEMIC RISK IN FINANCIAL MARKETS

Committee on Financial Services: Held a hearing entitled ''Hedge Funds and Systemic Risk in the Financial Markets.'' Testimony was heard from E. Gerald Corrigan, former President, Federal Reserve Bank of New York, Federal Reserve System; and public witnesses.

TIBET; STATE OF SINO-TIBETAN DIALOGUE

Committee on Foreign Affairs: Held a hearing on Tibet: Status of the Sino-Tibetan Dialogue. Testimony was heard from Paula J. Dobriansky, Under Secretary, Democracy and Global Affairs, Department of State; and public witnesses.

HAITI'S DEVELOPMENT NEEDS

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing on Haiti's Development Needs. Testimony was heard from Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development, Department of State.

RAIL AND PUBLIC TRANSPORTATION SECURITY ACT OF 2007

Committee on Homeland Security: Ordered reported, as amended, H.R. 1401, Rail and Public Transportation Security Act of 2007.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, and Oceans held a hearing on the following bills: H.R. 50, Multinational Species Conservation Funds Reauthorization Act of 2007; and H.R. 465, Asian Elephant Conservation Reauthorization Act of 2007. Testimony was heard from Kenneth Stansell, Acting Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior.

DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007

Committee on Oversight and Reform: Ordered reported, as amended, H.R. 1433, District of Columbia House Voting Rights Act of 2007.

WHISTLEBLOWER PROTECTION ENHANCEMENT ACT OF 2007

Committee on Rules: Granted, by a vote of 9 to 4, a structured rule providing for consideration of H.R. 985, Whistleblower Protection Enhancement Act of 2007. The rule provides 1 hour and 20 minutes of general debate, with 1 hour equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Oversight and Government Reform and 20 minutes equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Homeland Security. The rule waives all points of order against consideration of the bill except those arising under clauses 9 and 10 of Rule XXI. The rule provides that an amendment in the nature of a substitute consisting of the text of the bill, modified by the amendments recommended by the Committee on Oversight and Government Reform now printed in the bill, shall be considered as an original bill for the purpose of amendment.

The rule waives all points of order against the amendments printed in the report except for those arising under clauses 9 and 10 of Rule XXI. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Waxman and Representatives Tom Davis of Virginia, Shays and King of Iowa.

SCIENCE AND TECHNOLOGY LEADERSHIP IN A 21ST CENTURY GLOBAL ECONOMY

Committee on Science and Technology: Held a hearing on Science and Technology Leadership in a 21st Century Global Economy. Testimony was heard from public witnesses.

U.S./MEXICAN TRUCKING SAFETY

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing on U.S./Mexican Trucking: Safety and the Cross Border Demonstration Project. Testimony was heard

from the following officials of the Department of Transportation: John H. Hill, Administrator, Federal Motor Carrier Safety Administration; and Calvin L. Scovel, III, Inspector General; and public witnesses.

VETERANS' MEASURES

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs approved for full Committee action the following bills: H.R. 797, Dr. James Allen Veteran Vision Equity Act; and H.R. 1284, Veterans' Compensation Cost-of-Living Adjustment Act of 2007.

The Subcommittee also held a hearing on the Impact of OIF/OEF on the VA Claims Process. Testimony was heard from Dan Bertoni, Acting Director—Education, Workforce, and Income Security Issues, GAO; Ronald R. Aument, Deputy Under Secretary, Benefits, Department of Veterans Affairs; and public witnesses.

VETERANS' MEASURES

Committee on Veterans' Affairs: Subcommittee on Health approved for full Committee action the following bills: H.R. 612, Returning Servicemember VA Healthcare Insurance Act of 2007; and H.R. 327, Joshua Omvig Veterans Suicide Prevention Act.

KATRINA REDEVELOPMENT TAX ISSUES

Committee on Ways and Means: Subcommittee on Oversight held a hearing on Katrina Redevelopment Tax Issues. Testimony was heard from Milton Bailey, President Housing Finance Agency, State of Louisiana; and a public witness.

FACILITIES AND INFRASTRUCTURE

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Facilities and Infrastructures. Testimony was heard from departmental witnesses.

Joint Meetings

NO CHILD LEFT BEHIND

Joint Hearing: Senate Committee on Health, Education, Labor, and Pensions concluded a joint hearing with the House Committee on Education and Labor to examine improving No Child Left Behind to close the achievement gap, relating to the Elementary and Secondary Education Act reauthorization, after receiving testimony from Georgia Governor Roy E. Barnes, Co-Chair, Commission on No Child Left Behind, Marietta; Elizabeth Burmaster, Wisconsin State Superintendent of Public Instruction, Madison, on behalf of the Council of Chief State School Officers; and Mike Casserly, Council of the Great City Schools, Wade Henderson, Leadership Conference on Civil Rights, Edward J. McElroy, American Federation of Teachers, Arthur J. Rothkopf, U.S. Chamber of Commerce, on behalf of the Business Coalition for Student Achievement, Reg Weaver, National Education Association, and Chester E. Finn, Jr., Thomas B. Fordham Foundation, all of Washington, D.C.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 14, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2008 for the Army, 10:30 a.m., SD–192.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine federal funding for the No Child Left Behind Act, 2:30 p.m., SD–124.

Committee on the Budget: business meeting to consider the Concurrent Resolution on the Budget for the fiscal year 2008, 2 p.m., SD–608.

Committee on Finance: to hold hearings to examine charting a course for health care moving toward universal coverage, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine strategies to end the violence relating to extrajudicial killings in the Philippines, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 624, 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. 657, to amend the Public Health Service Act to add requirements regarding trauma care, S. 845, to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls, and the nomination of W. Craig Vanderwagen, of Maryland, to be Assistant Secretary for Preparedness and Response, Department of Health and Human Services. (New Position), Time to be announced, SD–430.

Full Committee, to hold hearings to examine enhancing patient access and drug safety relating to Prescription Drug User Fees, 10:15 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the threat of Islamic radicalism to the homeland, 9:30 a.m., SD–342.

Committee on the Judiciary: to hold hearings to examine reinvigorating the Freedom of Information Act relating to open government, 10 a.m., SD–226.

Committee on Rules and Administration: to hold hearings to examine S. 223, to require Senate candidates to file designations, statements, and reports in electronic form, 10 a.m., SR–301.

House

Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies, to continue on NASA, 10 a.m., and 2 p.m., 2362A Rayburn.

Subcommittee Energy and Water Development and Related Agencies, on Science Research, 10 a.m., 2362B Rayburn.

Subcommittee on Financial Services and General Government, on National Archives and Records Administration, 10 a.m., 2220 Rayburn.

Subcommittee on Homeland Security, on Gulf Coast Rebuilding, 3 p.m., 2358 Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Bureau of Land Management, 9:30 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on Department of Education: Student Financial Aid, Higher Education, Institute of Education Sciences, 10 a.m., 2358 Rayburn.

Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, on Long-Term Challenges for Military Construction and Budget Overview, 10:30 a.m., and on VA Research, 2 p.m., H–143 Capitol.

Subcommittee on Transportation, Housing and Urban Development and Related Agencies, on Secretary of Transportation, 10 a.m., 2359 Rayburn.

Committee on Armed Services, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on harnessing technology innovation: challenges and opportunities, 3 p.m., 2118 Rayburn.

Committee on Education and Labor, to mark up H.R. 1429, Improving Head Start Act of 2007, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled ''Climate Change and Energy Security: Perspectives from the Automobile Industry,'' 2 p.m., 2123 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing entitled ''Oversight of the Federal Communications Commission,'' 9 a.m., 2123 Rayburn.

Committee on Financial Services, oversight hearing of the Department of Housing and Urban Development, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on the American Red Cross Governance Reform, 10 a.m., 2172 Rayburn.

Subcommittee on International Organizations, Human Rights, and Oversight, hearing on Global Polling Data on Opinion of American Policies, Values and People, 2:30 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communication, Preparedness, and Response, hearing entitled ''Public Safety Interoperable Communications Grants: Are the Departments of Homeland Security and Commerce Effectively Coordinating to Meet our Nation's Emergency Communications Needs?'' 10 a.m., 311 Cannon.

Subcommittee on Emerging Threats, Cybersecurity and Science and Technology, hearing entitled ''Countering the Nuclear Threat to the Homeland: Evaluating the Procurement of Radiation Detection Technologies,'' 2 p.m., 1539 Rayburn.

Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, hearing entitled ''The Department of Homeland Security State and Local Fusion Center Program: Advancing Information Sharing While Safeguarding Civil Liberties,'' 3:30 p.m., 311 Cannon.

Committee on the Judiciary, hearing on H.R. 1433, District of Columbia House Voting Rights Act of 2007, 10:15 a.m., 2141 Rayburn.

Committee on Natural Resources, hearing on H.R. 1328, To amend the Indian Health Care Improvement Act to revise and extend that Act, 10 a.m., 1324 Longworth.

Committee on Rules, to consider H.R. 1362, Accountability in Contracting Act, 2 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on the Environmental Protection Agency Fiscal Year 2008 Research and Development Budget Proposal, 2 p.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Challenges and Solutions to Health Insurance Coverage for Small Businesses,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on the Administration's Federal Aviation Administration Reauthorization Proposal, 10 a.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, to mark up the Water Resources Development Act of 2007, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, hearing on the Revenue Increasing Measures in the Small Business and Work Opportunity Act of 2007, 10 a.m., 1100 Longworth.

Subcommittee on Health, hearing on Genetic Non-Discrimination, 2 p.m., B–318 Rayburn.

Next Meeting of the SENATE

10 a.m., Wednesday, March 14

Senate Chamber

Program for Wednesday: Senate will resume consideration of the motion to proceed to consideration of S.J. Res. 9, Iraq Resolution, and vote on the motion to invoke cloture thereon at approximately 11 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m. Wednesday, March 14

House Chamber

Program for Wednesday: Consideration of H.R. 985—Whistleblower Protection Enhancement Act of 2007.

Extensions of Remarks, as inserted in this issue

HOUSE

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