

growing drug problems in the Nation. Thousands of labs continue to be found across the country. And while the number is slowing and slowly decreasing, drug traffickers have supplanted this decline with meth produced in other countries.

Unfortunately, the meth situation has been disproportionately much worse in Native American communities. The 2005 National Drug Survey on Drug Use and Health reported a past-year methamphetamine use rate of 1.7 percent for American Indians, and 2.2 percent for Native Hawaiians. These rates are dramatically higher than Anglos and other ethnic groups.

Mr. Speaker, this situation is absolutely unacceptable. The persistent use of methamphetamine on tribal lands and across America may come to an end. And I believe that passing H.R. 545 is an important step towards achieving this goal.

I urge my colleagues to support passage of this legislation.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, I want to just thank Mr. UDALL on his excellent work in helping to correct this oversight. I urge this bill's adoption.

Mr. CALVERT. Mr. Speaker, I rise today as a cosponsor and strong supporter of H.R. 545—the Native American Methamphetamine Enforcement and Treatment Act of 2007.

As a cofounder and co-chair of the bipartisan Congressional Caucus to Fight and Control Methamphetamine, I am keenly aware of the threat that is our Nation's meth epidemic.

Methamphetamine has devastating societal costs. It is the source of violent crimes against people and property; increased suicide rates; heightened risks of hepatitis C and HIV/AIDS; increased need for more foster care placements for children of users; and environmental impacts from manufacturing facilities.

This highly addictive drug is a killer that shows no deference to region, race or ethnicity—it preys on all mankind.

Unfortunately, meth use thrives in some communities more than others. Native Americans suffer from higher than average rates of drug use as found in a recent NIH study. The Department of Health and Human Services estimates that 1.7 percent of Native Americans used meth in 2004—a per capita rate more than double that of Whites—the largest user population.

It is imperative that we assist our Native American communities and that is exactly what this bill does.

A year ago the President signed into law the Combat Methamphetamine Epidemic Act of 2005 as part of the PATRIOT Act Reauthorization bill. The bill was a true bipartisan, bicameral effort that has provided comprehensive measures to address our Nation's methamphetamine problem. However, the bill did not specify that Native Americans would be eligible for funding within the three grant programs authorized and mentioned by my colleagues. H.R. 545 ensures that Native Americans will have access to the grant funds.

I urge unanimous support for this commonsense legislation.

Mr. KILDEE. Mr. Speaker, I rise in strong support of H.R. 545, the Native American Methamphetamine Enforcement Treatment Act

of 2007. I am pleased to join my colleague, Congressman TOM UDALL, in championing this bill through the House. This bill allows Indian tribes to apply for three new grant programs—the cops hot spots program, the drug endangered children program, and the pregnant and parenting women offenders program.

Methamphetamine use in Indian country has reached epidemic proportions, which has led to an increase in crime in Indian communities. This bill will give Indian tribes the opportunity to apply for Federal funds to assist them in the fight against meth use.

I urge my colleagues to support this bill.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SANCHEZ) that the House suspend the rules and pass the bill, H.R. 545, as amended.

The question was taken.

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

Ms. LINDA T. SANCHEZ of California. 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.

#### PREVENTING HARASSMENT THROUGH OUTBOUND NUMBER ENFORCEMENT (PHONE) ACT OF 2007

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 740) to amend title 18, United States Code, to prevent caller ID spoofing, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 740

*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 “Preventing Harassment through Outbound Number Enforcement (PHONE) Act of 2007”.

#### SEC. 2. CALLER ID SPOOFING.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

##### “§ 1040. Caller ID spoofing

“(a) OFFENSE.—Whoever, in or affecting interstate or foreign commerce, knowingly uses or provides to another—

“(1) false caller ID information with intent to defraud; or

“(2) caller ID information pertaining to an actual person without that person's consent and with intent to deceive the recipient of a call about the identity of the caller;

or attempts or conspires to do so, shall be punished as provided in subsection (b).

“(b) PUNISHMENT.—Whoever violates subsection (a) shall—

“(1) if the offense is committed for commercial gain, be fined under this title or imprisoned not more than 5 years, or both; and

“(2) be fined under this title or imprisoned not more than one year, or both, in any other case.

“(c) LAW ENFORCEMENT EXCEPTION.—It is a defense to a prosecution for an offense under this section that the conduct involved was lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States, or any activity authorized under chapter 224 of this title.

“(d) FORFEITURE.—

“(1) IN GENERAL.—The court, in imposing sentence on a person who is convicted of an offense under this section, shall order that the defendant forfeit to the United States—

“(A) any property, real or personal, constituting or traceable to gross proceeds obtained from such offense; and

“(B) any equipment, software or other technology used or intended to be used to commit or to facilitate the commission of such offense.

“(2) PROCEDURES.—The procedures set forth in section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) of that section, and in Rule 32.2 of the Federal Rules of Criminal Procedure, shall apply to all stages of a criminal forfeiture proceeding under this section.

“(e) DEFINITIONS.—In this section—

“(1) the term ‘caller ID information’ means information regarding the origination of the telephone call, such as the name or the telephone number of the caller;

“(2) the term ‘telephone call’ means a call made using or received on a telecommunications service or VOIP service;

“(3) the term ‘VOIP service’ means a service that—

“(A) provides real-time 2-way voice communications transmitted using Internet Protocol, or a successor protocol;

“(B) is offered to the public, or such classes of users as to be effectively available to the public (whether part of a bundle of services or separately); and

“(C) has the capability to originate traffic to, or terminate traffic from, the public switched telephone network or a successor network;

“(4) the term ‘State’ includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

“(5) a term used in a definition in this subsection has the meaning given that term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 47 of title 18, United States Code, is amended by adding at the end the following new item:

“1040. Caller ID spoofing.”.

#### SEC. 3. OTHER SPECIFIED UNLAWFUL ACTIVITIES FOR MONEY LAUNDERING.

(a) FRAUD AND RELATED ACTIVITY IN CONNECTION WITH ELECTRONIC MAIL.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting “section 1037 (Fraud and related activity in connection with electronic mail),” after “1032”.

(b) CALLER ID SPOOFING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting “section 1040 (Caller ID spoofing),” before “section 1111”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LINDA T. SANCHEZ) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

## GENERAL LEAVE

Ms. LINDA T. SANCHEZ of California. 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 bill under consideration.

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

There was no objection.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 740, the Preventing Harassment Through Outbound Number Enforcement (PHONE) Act of 2007.

I would like to thank Chairman CONYERS for his leadership in moving this bill through the committee process and to the floor on a bipartisan basis, and also commend Mr. SCOTT and the leadership and assistance of the full committee Ranking Member SMITH and subcommittee Ranking Member FORBES, along with that of the chief sponsor of spoofing legislation in the last Congress, TIM MURPHY, in developing and moving this bill to the floor.

H.R. 740 is aimed at the practice that has come to be known as spoofing. To some, that name might conjure up harmless pranks, but spoofing is very serious. Spoofing occurs when a caller uses caller ID information to hide the caller's true identity in order to commit fraud or some other abusive act.

One of the witnesses at the hearing on the predecessor bill last Congress was Phil Kiko, the Judiciary Committee's chief counsel at the time. He had been a victim of caller ID spoofing when his home phone number was left falsely as the caller ID on numerous calls. Phil and his family were understandably irritated at the numerous calls from people mistakenly calling him back, and it could have been much worse.

Spoofing is also often used to commit identity theft. Call recipients sometimes are tricked into divulging personal and private information under the mistaken belief that the call is legitimate. For example, the AARP has reported cases in which people received calls claiming falsely that they had missed jury duty. They were told that to avoid prosecution they needed to provide their Social Security number and other personal information. The caller ID information that appeared on their phones was from the local courthouse, so they assumed that the caller was telling the truth.

H.R. 740 is intended to help protect consumers from harassment, identity theft and other privacy intrusions.

Recently, the technology needed to spoof has become readily available either through the purchase of Internet telephone equipment or through Web sites specifically set up to spoof. For example, Voice over Internet Protocol equipment can easily be configured to populate the caller ID field with information of the user's choosing. Some of

the technology can block any back technology, such as Star 69. In addition, the bill contains a forfeiture provision allowing for the forfeiture of equipment used and proceeds gained by criminals in call spoofing.

Finally, section 3 of the bill has a provision which adds call spoofing to the list of unlawful activities associated with money laundering. Existing law provides that comparable crimes, such as violations of the Computer Fraud and Abuse Act, constitutes specified unlawful activities for the purpose of the money laundering statute.

Not all use of fake caller ID information is considered spoofing. When you receive a call from a U.S. House of Representatives number on an outside line, for example, the number that appears on your caller ID is a fictitious number to protect the security of House Members and staff. False caller ID information is also used legitimately for certain law enforcement purposes and by some businesses as well, and these non-malicious users are not prohibited by the bill.

The bill we were considering last Congress would have made even this nonabusive fake caller ID use illegal. That bill also failed to make a distinction in penalties for spoofing that does not involve fraud or gain, such as the Phil Kiko case.

Further, comments from the Department of Justice were not available when last year's bill was being developed. This is why I opposed the bill last year, though I was in support of the concept of the bill.

We have constructed a bill that makes fraudulent commercial use of caller ID information a felony, with fines and imprisonment of up to 5 years. This commercial motive would require the use of false caller ID information; that is, caller ID information that is not your own. The bill also makes abusive use of caller ID information without fraudulent commercial motives a misdemeanor, such as the Phil Kiko situation. Finally, the bill exempts use of nonabusive fake ID information.

The Subcommittee on Crime, Terrorism and Homeland Security held a hearing and markup on the bill in February and reported it favorably to the full committee. At the subcommittee hearing, the DOJ provided testimony and recommendations which we did not have a chance to fully consider by the time of full committee markup. Ranking Member FORBES and Mr. SCOTT agreed to work together on considering those recommendations in a continuation of the fully bipartisan effort under which this bill had been developed.

After meeting with representatives of DOJ, they have revised the bill as reported out of committee to clarify the offense and punishment language in the bill. The change makes clear that felony penalties are reserved for egregious violations committed with intent to wrongfully obtain anything of value.

They also made other technical changes to the bill for its introduction on the floor.

H.R. 740 is important and helpful legislation for preventing identity theft and other abuses of phone technologies. Accordingly, I urge my colleagues to support the bill.

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

□ 1800

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

Mr. Speaker, I rise in support of H.R. 740, the Preventing Harassment Through Outbound Number Enforcement Act, or PHONE Act, and I thank Chairman CONYERS and my colleagues on the other side of the aisle for their support of this bill which unanimously passed the House at the end of the 109th Congress.

Mr. Speaker, a new type of fraud known as "spoofing" is becoming more prevalent. Spoofing involves masking one's caller ID information to facilitate a fraudulent telephone call to the recipient. Those who engage in spoofing use incorrect, fake or fraudulent caller identification to hide their identity, and then obtain personal information from the victim.

Call recipients unwittingly divulge their names, addresses, or Social Security numbers under the mistaken belief that the caller represents a bank, a credit card company, or even a court of law.

Spoofing is not simply annoying; it is the latest tactic for committing identity theft and other types of fraud that costs victims thousands and sometimes hundreds of thousands of dollars.

Spoofing not only victimizes the phone call recipient, but also invades the privacy of those individuals whose caller ID is used to mask the fraudulent calls. To address this, H.R. 740 specifically prohibits the use of an actual person's caller ID information for spoofing.

Although the technology needed to spoof has been available for some time, it previously required special equipment and knowledge to use the masking technology.

Recently, this technology has become more accessible either through the purchase of Internet telephone equipment or through Web sites specifically set up for spoofing.

These Web sites claim to protect one's privacy. However, the use of this technology has been linked to fraud, prank phone calls, political attacks, and telemarketers' attempts to avoid "do not call" restrictions.

Additionally, calling cards can be purchased or accounts set up to facilitate multiple telephone calls. One of the greatest concerns related to spoofing is the use of the technology by criminals to mislead law enforcement officials and evade prosecution.

H.R. 740 addresses these concerns by creating a new Federal crime to prohibit the modification of caller ID with

the intent to deceive the recipient of a telephone call as to the identity of the caller.

The bill imposes a fine and/or a prison term of up to 5 years for violations. However, the legislation does not affect legally available blocking of caller ID technology, or lawfully authorized activities of law enforcement or intelligence agencies.

This legislation will help deter telephone fraud, protect consumers from harassment, and protect consumers and their personally identifiable information from identity thieves. I urge my colleagues to support this bipartisan legislation.

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

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield such time as he may consume to the author of the bill, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, the PHONE Act is a strong bill that has gained bipartisan support. Members on both sides of the aisle have agreed that we need urgent reforms to protect privacy rights and to crack down on identity theft. With over 10 million Americans affected by some form of identity theft each year, we need to tackle this issue at every possible level.

Spoofing is one form of identity theft in which criminals coax victims into giving up their most sensitive personal information by making it appear that a call is coming from a legitimate institution such as a bank. Misleading caller ID information also allows a spoofer to cause a victim to accept a call they otherwise might have avoided, leading to harassment and further privacy intrusions. Advances in technology such as Voice-Over-Internet-Protocol have made caller ID spoofing easy and readily available.

H.R. 740 includes a number of important provisions to fight spoofing. The legislation creates a new Federal crime to prohibit using or providing false caller ID information with the intent to wrongfully obtain something of value. The section also prohibits using or providing the caller ID for information of an actual person without his or her consent and with the intent to deceive the recipient. It correctly targets spoofing done to perpetuate financial fraud, and reserves harsh punishment for such crimes, including felony penalties of up to 5 years in prison.

In addition, the bill significantly improves the tools available to law enforcement to fight noncommercial spoofing while preserving the legitimate uses of the technology. For example, women's shelters may use misleading caller ID numbers, and many businesses do if they are calling from one of many lines. They may want the caller ID information to just reflect the main line. The bill does not infringe on these instances because the caller would not possess the requisite intent to defraud or deceive.

Finally, the bill is narrowly tailored to permit caller ID blocking in which one prevents one's number from being known at all. Caller ID blocking is not used to mislead because a person knows he is not getting any number and it has been a standard telephone device for many years.

In sum, the PHONE Act will deter telephone fraud, protect consumers from harassment, and will enhance protection of sensitive personal information.

Mr. Speaker, let me conclude by saying this started as bipartisan legislation and has continued. The information was brought to us when the chief Republican counsel on the committee, Phil Kiko, received such harassment because his number had been used by somebody else making annoying calls. He got called back because his number was appearing as the caller ID.

Mr. MURPHY introduced the bill last year and we have worked to improve the bill and have made significant improvements since last year. Chairman CONYERS, Ranking Member SMITH, and Ranking Member FORBES, we all worked very closely together to make sure that we could have the best product possible. I urge my colleagues to join together and pass the legislation.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE) who is a member of the Intellectual Property Subcommittee of the Judiciary Committee and who is chairman of the House Republican High-Tech Working Group, and who is also the ranking member of the House Agriculture Committee.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for his leadership on the Judiciary Committee and on this legislation, and I also thank Chairman CONYERS and Subcommittee Chairman SCOTT, my colleague from Virginia, for their work on this legislation, as well as Congressman MURPHY and Congressman FORBES, and I rise in strong support of H.R. 740, the Preventing Harassment Through Outbound Number Enforcement, or PHONE, Act.

Consumer fraud and identity theft are serious problems facing our citizens today. While technology has provided access to vast amounts of information about products and services that were not even imaginable a few years ago, technology is also being used by criminals to commit new types of fraud and to steal personal information from unknowing consumers.

Like other technologies, caller ID devices have empowered consumers. These devices allow them to screen out calls they would prefer not to take. However, they also perform the important function of acting as an additional check to ensure that the individuals placing incoming calls are who they say they are.

Unfortunately, criminals have found a way to fake caller ID information in order to trick consumers about who is actually calling. Increasingly, thieves

are using this tactic to extract personal information from unsuspecting consumers. For example, by faking the caller ID of a consumer's bank, a thief can lure a consumer into divulging bank account numbers, Social Security numbers, and other types of sensitive personal information which can then be used to commit identity theft and other criminal acts.

The PHONE Act will help stop this abusive practice. Specifically, this bill imposes criminal penalties on those that provide false caller ID information with the intent to defraud, as well as those that provide the caller ID information of an actual person without that person's consent, with the intent to defraud the recipient of the call.

The PHONE Act is an important tool in the fight against identity theft, and I urge my colleagues to support this legislation.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentlewoman from California and I rise to support this bill as I support all legislation dealing with the problem of spoofing.

I too have an anti-spoofing bill which passed the House last Congress. It was the first bill passed this year in the Telecommunications Subcommittee of the House Energy and Commerce Committee, and passed the House Energy and Commerce Committee as well.

It is very important that we deal with this problem. My colleagues have highlighted so many incidents where people have looked down at caller ID, and fraud has been committed on them.

People should have confidence that when they look at the caller ID, that that caller ID is accurate. And crooks and other people that want to steal people's identity should not have carte blanche.

The problem with this is we are always catching up with the crooks. As technology develops, crooks can think of ways to subvert it. When we realize there is a problem, Congress catches up and works to close the loophole. This is a loophole that must be closed.

Again, my colleagues have highlighted many of different instances where elderly people have been defrauded, where people think that they have the confidence of their bank or Social Security, they look at the number of the Social Security office, and they have confidence and they give out their Social Security numbers or other kinds of personal information which can be used to steal their identity.

I want to commend my colleagues on the Judiciary Committee and assure them that we on the Energy and Commerce Committee will work with them. This whole Congress needs to be working together on this. This is obviously a bipartisan working together. This is not an issue where it is a partisan issue. All Americans need to have this loophole closed. The sooner we do it, the better.

Mr. SMITH of Texas. Mr. Speaker, I yield such time as he may consume to my colleague from Pennsylvania (Mr. TIM MURPHY) who, as Mr. SCOTT said awhile ago, is the original author of similar legislation. Were it not for Mr. MURPHY's efforts in the last Congress to pass his bill unanimously, we would not be here tonight. We thank him for his leadership and for his initiative last year.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I thank the chairman and my good friend, the gentleman from Virginia (Mr. SCOTT), for his work on this important bill. We worked together on it. On behalf of H.R. 740, I would like to urge all of my colleagues to vote for this.

The previous version, which I introduced last session and was passed unanimously in the 109th Congress as H.R. 5304, was the Preventing Harassment Through Outbound Number Enforcement Act, or the PHONE Act, or the PHONE bill at that time.

Chairman SCOTT and Ranking Member FORBES and others from the Judiciary Committee have taken a good bill and made it better.

Identity theft has become an increasingly critical problem for consumers. The Federal Trade Commission revealed that last year about 10 million individuals were victims of identity theft in all 50 States. The disastrous implications for identity theft includes damaged credit, financial ruin, and the effects can tear apart families and ruin businesses.

Congress has repeatedly acted to try and prevent identity theft. But, unfortunately, with new technologies, as soon as we outlaw one version, somebody comes up with a way around that, and once again harasses and harms citizens of this Nation.

One of these technologies used by thieves is the practice of call spoofing or caller ID fraud presented on Web sites as just an innocent game one can use, or perhaps use it to make sales calls, but they mask their identity and alter their outbound caller ID in order to mislead the call recipient. Some may call it a way to maintain caller privacy, but it is nothing less than fraud.

I believe Congress must enact a law to penalize caller ID fraud perpetrators. This bill is particularly necessary to protect American families, the elderly, and businesses because illegally using another person's phone number could have limitless, unlawful applications. It doesn't take much in the imagination to understand how dangerous this practice is and how it is being used now.

For example, a criminal could try to obtain personal financial information from individuals by using a bank's phone number. A person could harass a former wife or husband who has otherwise tried to block the calls from the ex-spouse's phone line. A pedophile could stalk children by stealing his school's phone number or the phone

number of a friend of the child. A sexual predator could use a doctor's office phone number to gather records about someone. A terrorist could make threats from a government phone number, and the list goes on.

The criminal use of caller identity theft, however, is not just a possibility. Here are some real-world examples of how caller ID fraud is occurring.

In 2005, a SWAT team surrounded an empty building in New Brunswick, New Jersey, after police received a call from a woman who said she was being held hostage in an apartment.

□ 1815

She was not in an apartment. The woman had intentionally used a false caller ID. Imagine what might have happened if that was a site where people might have been coming out of the building and police might have thought that that person was a potential threat.

I might add that one of the things that these caller ID fraud sites use is they also will allow you to disguise your voice and switch it from a male voice or female voice or vice versa to further fool the person on the other end.

There also have been incidents where people have used stolen credit card numbers and posed as a person who owned the credit card to illegally wire money to someone else. Another case occurred where people claim they were the county courthouse, calling people, claiming that they had missed jury duty, and tried to use that situation then to have the people give them credit card numbers to pay a fine for something that had not even occurred.

For these reasons, I introduced this bill in the 109th Congress as the PHONE Act, to punish those who engage in the intentional practice of misleading others through caller ID fraud. Violators of this bill will be subject to penalties up to 5 years in prison and fines of \$250,000 for these crimes. However, it also allows up to 1 year in prison for those who use this as a mechanism of harassing.

All those folks who are still using this system, be aware that this will be made illegal. We expect the Senate to pass this, and all the elderly and small businesses and families across the Nation who find themselves as victims of this, be aware that when the call you have today shows up on your caller ID, it may not be who they say they are.

Please, we need to make sure that until this bill is passed, people are still vigilant of that, protect their identity and never release a credit card number or other personal information, no matter what that caller ID number says, unless you are absolutely sure the person who you are talking to is who they are.

Again, I am pleased to work with the Judiciary Committee Subcommittee chairman on Crime, Terrorism and Homeland Security, Chairman Bobby Scott, who has reintroduced this bill.

This bill, H.R. 740, adds the important criminal and financial penalties to those who prey on the identity of others.

This legislation will not stop crime, it will not prevent identity theft, but it will protect lives and protect others and close this loophole for identity theft once and for all. I urge my colleagues to vote for this important bill.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, may I inquire of the gentleman from Texas if he is prepared to yield back the balance of his time?

Mr. SMITH of Texas. Mr. Speaker, I am prepared to yield back as soon as the gentlewoman from California is ready to close.

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

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, it is clear that this anti-phone-spoofing bill is a thoughtful, well-crafted, bipartisan piece of legislation. I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. KIND). The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SANCHEZ) that the House suspend the rules and pass the bill, H.R. 740.

The question was taken.

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

Ms. LINDA T. SANCHEZ of California. 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.

#### PERMITTING USE OF ROTUNDA FOR A CEREMONY COMMEMORATING THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

Mrs. DAVIS of California. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 66) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 66

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

The rotunda of the Capitol is authorized to be used on April 19, 2007, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.