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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. CASTOR).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 26, 2007.

I hereby appoint the Honorable KATHY CASTOR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

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

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

THE VICE PRESIDENT AND THE IRAQ ACCOUNTABILITY ACT

Mr. DEFAZIO. I thank the Chair.

Well, Vice President CHENEY was in form last weekend in Florida addressing a small group behind closed doors. He attacked the House of Representatives for passing the Iraq Accountability Act. I am not certain whether it is because he objects to the fact that we are going to make this administration review the readiness of our troops, their equipment, before they're rushed to Iraq in an attempt to escalate the war. They don't want that kind of accountability, because it failed our troops, from day one, on equipment and readiness.

And then maybe it's the other part, the part where we are going to demand accountability of the Iraqi Government. Time and time again President Bush sets benchmarks. ''Those benchmarks will be met.'' They are never met. There has to be a diplomatic and political component. You cannot resolve a civil war with military force in Iraq. But time and time again the Bush administration has let the Iraqi Government skate. This bill says they will meet the President's own chosen, President Bush and al Maliki's, own chosen guidelines and benchmarks or we will begin to bring our troops home. Plain and simple, not a war without end, not a war that will be settled by future Presidents, as George Bush said a year ago, but if this administration and the Iraqi Government fail to do what's necessary for our troops, we are not going to strand them in the middle of a civil war.

But the Vice President objects to those things. He says if they really support the troops, then we should take them at their word and expect them to meet the needs of our military on time, in full, no strings attached.

Let's review the administration's record on those issues. Let's review how the Bush-Cheney administration met the needs of our troops. First of all, it was an unnecessary war. They were pursuing a necessary war against al Qaeda, the Taliban, Osama bin Laden. Remember them? Dead or alive? Dead or alive? They abandoned that war for an unnecessary war launched under false pretenses in Iraq.

Now, something called the Office of Special Plans phonied up the intelligence. DICK CHENEY put together the Office of Special Plans with some of his own hand-picked people, I think one of whom is now on the way to jail, in fact, Scooter Libby. In fact, he personally, unprecedented for a Vice President, kept visiting the CIA and saying, no, they didn't have the intelligence right yet. I.e., they didn't say what he wanted. Niger yellow cake, Chalabi, all that stuff. He was so wrong. And then he said, ''Simply stated, there's no doubt that Saddam Hussein now has weapons of mass destruction.'' Vice President CHENEY in August of 2002 as he was pushing us toward war.

But then on the eve of the war, even after their myths about weapons of mass destruction, the yellow cake, the aluminum tubes had started to fall apart, he said, ''We believe that Saddam has in fact reconstituted nuclear weapons.'' Vice President CHENEY. A man who has been so wrong and put our troops in harm's way unnecessarily, jeopardized the security of the United States by distracting us from the real fight in Afghanistan, challenges this Congress on the Iraq Accountability Act? No, I think last November the American people started to ask about accountability for him and his supposed boss, George Bush.

And then let's look at their military planning. General Shinseki, a good man. They fired him. It was said we didn't need 350,000 people. Rummy said, ''Oh, don't worry. We can do it with 100,000 or so.'' Shinseki said, that would lead to strife, civil war and chaos. He was right. They fired him. But presidential economic adviser Larry Lindsey said, ''It's going to be very expensive. Very expensive.'' No, CHENEY and his cohorts said, ''No, don't worry. Iraq can pay for it themselves.'' Well, we are now at $2 billion a week, hundreds of billions of dollars on this war. So wrong.

And then our troops, how did they serve them? Vice President CHENEY again, ''We believe we will, in fact, be greeted as liberators. I think it will go relatively quick. Weeks rather than months.'' So they didn't give our men

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and women body armor, didn't have armored Humvees, they didn't have the equipment they needed. Congress had to uncover those scandals after we heard from the troops in the field. We had to provide it over the objections of this administration, and this guy has the gall to say we aren't serving the troops as they want to keep our troops mired down forever in the middle of a civil war?

This is extraordinary. And, most recently, Vice President CHENEY last year, no, 2 years ago, ''I think they're in the last throes, if you will, of the insurgency.'' I guess he still believes that.

These people have done an extraordinary disservice to our troops, our country, our national security and the fight against true terrorism that attacked us on 9/11. We will not be distracted or bullied anymore. The Iraq Accountability Act is a strong response to their mismanagement and it offers the United States a way to bring this war to a successful conclusion and soon.

Bring the troops home.

CONGRATULATING BARTON COLLEGE'S BASKETBALL TEAM

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

Mr. BUTTERFIELD. Thank you very much, Madam Speaker.

Madam Speaker, there was great cause for celebration in eastern North Carolina over this past weekend, as Wilson, North Carolina's Barton College captured the NCAA Division II men's college basketball championship. What a game.

Barton College, Madam Speaker, is a small but proud college with a rich academic history. With a student body of about 1,000 students, it is located not only in my congressional district but located in my community. I am so proud of them.

Barton College captured the national championship Saturday afternoon, scoring an amazing come-from-behind 77–75 victory over previously undefeated and defending national champion Winona State University. Barton won the title game at the buzzer, with one-tenth of a second remaining. They won their semifinal game by one point on a last-second free throw. And it won its quarterfinal game on a three-pointer at the buzzer in overtime. This will be a game that will long be remembered.

Madam Speaker, it is a great honor for me to recognize the success, efforts and achievements of these outstanding young student athletes. It is my pleasure to recognize their head coach, Ron Lievense, and his staff. Their hard work and dedication to teamwork is something that we are all proud of in Wilson, North Carolina and throughout the First Congressional District.

I ask my colleagues today to rise and join me in paying tribute to Barton College's basketball team of 2007 and to recognize their extraordinary championship.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 39 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 2 p.m.

PRAYER

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

''Go down, Moses,
Way down in Egypt land.
Tell ole Pharaoh,
Let my people go.''

These lines from the old spiritual, Lord, gave human slavery voice and hope. Its rundown rhythm muffled the sound of the Underground Railroad traveling through darkness to bring people freedom's light.

Lord, we pray that You help now all those held captive in human bondage. May the thousands caught in the clutches of slave labor and worse, in our own country, find a new exodus. Bring their hidden stories to the brightness of news in our day, so they may live with the glimmer of hope. Lead them through the complexity of economic and legal systems to breathe in the common air of freedom.

May our preparations for Passover and Easter shake off our indifference, change obstinate hearts of unscrupulous employers and profiteers in human trafficking that the redeemed may rejoice in You, our God and Savior, both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. ROSS 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.

DEMOCRATS CONTINUE TO TAX AND SPEND

(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, Democrats are as predictable as the sun: it continues to rise in the east, and they continue to tax and spend.

The Democratic budget released last week proposes the largest tax increase in American history: $392.5 billion. Not only does it allow for the expiration of the 2001 and 2003 tax cuts, but it does nothing to control unsustainable entitlement spending.

Republicans believe fiscal restraint and pro-growth economic policies will lead to budget surpluses and new jobs. Democrats believe out-of-control government spending should be subsidized with the hard-earned money of American taxpayers.

Unfortunately, the Democratic budget continues to squeeze taxpayers' pocketbooks without tightening the belt of Big Government. Such reckless policies will chill our growing economy by reducing job creation.

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

PHOTO IDENTIFICATION SECURITY ACT

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

Mrs. BLACKBURN. Mr. Speaker, you know, one of the things that we heard about so often during the campaign last year was illegal immigration. And coming back to Congress, one of the things we are hearing about as we hold our town hall meetings is the impact of illegal immigrants having access to credit cards and to financial services in this country. Banking institutions, the Federal Reserve, the U.S. Treasury, and the IRS are allowing illegal immigrants the ability to sign up for credit cards, mortgages, taxpayer identification numbers, and to transfer money back to their country.

It is a problem, and there is a solution. H.R. 1314 is a piece of legislation I have filed. It is bipartisan legislation with over 50 cosponsors. The Photo ID Security Act will close the loophole that illegal immigrants are using to obtain valid financial service information and access to these services. What it will do is change the identification that is required, requiring them to present a photo ID issued from their home country or the U.S. Everyone in the U.S. can legally obtain these documents.

I encourage all Members to cosponsor H.R. 1314.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the Speaker's appointment of the remaining 19 members of the Permanent Select Committee on Intelligence on January 17, 2007, without objection, is made notwithstanding the requirement of clause 11(a)(1)(C) of rule X.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

CLIFFORD DAVIS/ODELL HORTON FEDERAL BUILDING

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 753) to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the ''Clifford Davis/Odell Horton Federal Building,'' as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 753

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

SECTION 1. REDESIGNATION.

The Federal building located at 167 North Main Street in Memphis, Tennessee, commonly known as the Clifford Davis Federal Building, shall be known and designated as the ''Clifford Davis and Odell Horton 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 ''Clifford Davis and Odell Horton Federal Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Speaker, I am joined in H.R. 753 by the entire Tennessee delegation, and I am joined in a companion bill with its authorship/sponsorship of each of our Senators, LAMAR ALEXANDER and BOB CORKER.

GENERAL LEAVE

Mr. COHEN. 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. 753.

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

There was no objection.

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

H.R. 753, sponsored by the entire Tennessee delegation of both the House and the Senate, is to designate the Federal building in Memphis, Tennessee, located at 167 North Main Street as the Clifford Davis and Odell Horton Federal Building.

Judge Odell Horton was appointed to the United States District Court for the Western District of Tennessee by President Jimmy Carter on May 12, 1980. He was brought to the attention of President Carter by then-Senator Jim Sasser and through a proposal by Lieutenant Governor John Wilder who represented the district that Judge Horton grew up in Bolivar, Tennessee.

Judge Horton in 1980 was the first African American Federal judge appointed to the bench in Tennessee since Reconstruction. He has many firsts as an African American, but he has more regard simply as an outstanding jurist, attorney, soldier and human being.

He was born May 13, 1929, in Bolivar, Tennessee, and grew up during the Depression and the Second World War. His father was a laborer and his mother took in laundry. The children, four boys and a girl, picked cotton, stacked lumber, and took other odd jobs to make ends meet.

Judge Horton graduated from Bolivar High School in 1946 and enlisted in the Marine Corps ''as a vehicle to find a way out of Bolivar.'' After an early discharge, he enrolled in Morehouse College in Atlanta, Georgia, using Federal aid under the GI bill to finance his tuition. The Korean War was under way by the time he graduated in 1951, and he returned for a second tour with the Marines. After a second tour, during which he graduated from the U.S. Navy School of Journalism, Horton entered Howard University Law School in Washington, DC. He received his degree from Howard in 1956, then moved to Memphis to begin private practice in a one-room office upstairs at 145 Beale Street in Memphis, the legendary Beale Street in Memphis.

He served in private practice for 5 years from 1957 until 1962 and then was appointed Assistant U.S. Attorney in Memphis. After being Assistant U.S. Attorney, he served in other capacities. First of all, during Mayor Henry Lobe's city administration, he was the first African American member of that administration, head of health and hospitals. That was a tumultuous time in Memphis' history. During that time, Dr. King was killed in Memphis on April 4, 1968, and we will observe that tragedy soon in Memphis. But Judge Horton, as an African American, had a difficult task. As such, he ordered the desegregation of the Bowld Hospital which was the public hospital. That was a great thing that he did in bringing Memphis forward.

A year after he did that in 1968, he received the L.M. Graves Memorial Health Award for his efforts to advance the cause of health care in Memphis. He later became a criminal court judge appointed by then-Governor Buford Ellington. After serving on the criminal court bench, he went on to serve as president of LeMoyne-Owen College, an historically black college in Memphis, a liberal arts school where he served for 4 years from 1970 to 1974.

In 1974, Judge Horton ran for Shelby County district attorney general. Although he lost by just about 4,000 votes, he came very close, and it was a historic election that set a precedent for other individuals running for office and being elected on their merits and not based on their race. He received over 23 percent of the Caucasian vote, which was unheard of at the time, and it showed the respect that he had from all sections of the community.

He returned to Federal service after being at LeMoyne-Owen and after having unsuccessfully sought the DA's job as reporter for the Speedy Trial Act Implementation Committee by the Western District Court. After that, he served as a U.S. bankruptcy judge from 1976 to 1980. Then he received the appointment from President Carter. Then from January 1, 1987, until December 31, 1993, he served as the chief judge for the Western District of Tennessee. On May 16, 1995, he took senior judge status, and 2 years later closed his Memphis office.

He is remembered in Memphis as a calm and patient judge who carefully and deliberately explained legal concepts to jurors. He was a model for judges because of his judicial temperament and set a standard in such regards. Judge Horton and his wife, Evie Randolf, were married for over 50 years and have two sons, Odell Horton, Jr., and Christopher, who graduated from his alma mater, Morehouse College in Atlanta. Judge Horton's widow spoke for so many in his profession and personal life when she stated after his death, ''He was a rare and precious jewel in the crown of humanity and made all of our lives richer and better because he passed this way.'' Indeed, Mrs. Horton was correct.

Judge Horton received many honors for his work from different bar associations and institutions. He was a member of the American Bar Association and Chair of the National Conference of Federal Trial Judges. He served as a member of the Judicial Conference Committee on Defender Services, and Morehouse College awarded him an honorary degree of Doctor of Laws.

In the year 2000, the Memphis Bar Association awarded Judge Horton with a Public Service Award. He died February 22, 2006. In honor of Judge Horton's significant contributions to the legal community in Memphis and his pioneering career, it is both fitting and proper to designate the courthouse located at 167 North Main Street in Memphis as the Clifford Davis and Odell Horton Federal Building.

As Senator ALEXANDER mentioned on the Senate floor, it is appropriate that

this building have both the names of Judge Horton, a great pioneer of the latter half of the 20th century, and Clifford Davis, who was part of the first half of the 20th century, served as United States Congressman from 1940 to 1965. It shows a continuum of history, a growth of history, and history is a process. The naming of this building for Judge Horton as well as former Congressman Clifford Davis shows progress in Memphis, progress in race relations, and progress among human beings.

Accordingly, I ask for unanimous passage of the bill.

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

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

H.R. 753, as amended, designates the Clifford Davis Federal Building in Memphis, Tennessee, as the Clifford Davis and Odell Horton Federal Building. The bill honors Judge Horton's dedication to public service.

After service in the United States Marines during the Korean War and acquiring a law degree from Howard University, Judge Horton engaged in the private practice of law from 1957 until 1962.

□ 1415

His career included serving as an Assistant United States Attorney in Memphis, an appointment to the Shelby County Criminal Court, and serving as the President of LeMoyne-Owen College.

Judge Horton was appointed to the United States District Court for the Western District of Tennessee by President Carter in 1980. He served as its chief judge from 1987 to 1993 and became a senior judge on May 16, 1995. Two years later, he retired from the Federal bench; and, sadly, Judge Horton passed away last year on February 22.

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

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 753, a bill to re-designate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the "Clifford Davis and Odell Horton Federal Building".

Odell Horton was appointed to the United States District Court for the Western District of Tennessee by President Jimmy Carter on May 12, 1980. He was the first African-American Federal Judge appointed in Tennessee since Reconstruction.

Judge Horton was born in Boliver, Tennessee. He grew up during the Depression and World War II in an environment he described as "typically rural Southern and typically segregated, with all the attendant consequences of that." He was the oldest of five children to hard-working parents. During his childhood, he and his brothers and sister picked cotton to help support the family.

Horton graduated from high school in 1946 and enlisted in the Marine Corps "as a vehicle to find a way out of Bolivar." Ten months later, he took advantage of an early discharge program designed to reduce the number of men in the military, and enrolled in Morehouse College in Atlanta, Georgia, using Federal aid under the GI bill to finance his tuition. The Korean War was underway by the time he graduated in 1951, and he returned for a second tour of duty in the Marines.

During his second tour, he graduated from the U.S. Navy School of Journalism. After returning home, Horton entered Howard University Law School in Washington, D.C. He received his law degree in 1956 and moved to Memphis, Tennessee, where he started a private law practice.

In 1962, Horton became Assistant United States Attorney in Memphis. He remained in that position until his appointment to the Shelby County Criminal Court by Governor Buford Ellington. In 1968, Judge Horton ordered the desegregation of Bowld Hospital. A year later, he received the L.M. Graves Memorial Health Award for his efforts to advance the cause of health care in Memphis. Judge Horton stepped down from his Federal judgeship to serve as President of LeMayne-Owen College, a predominately African-American liberal arts college.

He returned to Federal service upon his appointment as reporter for the Speedy Trial Act Implementation Committee by the Western District Court of Tennessee. He later served as U.S. Bankruptcy Judge from 1976 to 1980. Judge Horton also served as Chief Judge for the Western District of Tennessee from January 1, 1987, until December 31, 1993. On May 16, 1995, he took senior status and retired two years later.

Judge Horton was a member of the American Bar Association and Chair of the National Conference of Federal Trial Judges. He also served as a member of the Judicial Conference Committee on Defender Services. Morehouse College honored him with an Honorary Degree of Doctor of Laws. In 2000, the Memphis Bar Association awarded Judge Horton with a Public Service Award.

Judge Horton died February 22, 2006, at Baptist Memorial Hospital in Memphis, Tennessee, and was buried in Elmwood Cemetery in Memphis.

In honor of Judge Horton's outstanding contributions to the legal community in Memphis and his exemplary professional career, it is both fitting and proper to designate the courthouse located on 167 North Main Street in Memphis, Tennessee, as the "Clifford Davis and Odell Horton Federal Building".

I urge my colleagues to support this bill.

Mr. LA TOURETTE. MR. SPEAKER, I YIELD BACK THE BALANCE OF MY TIME.

Mr. COHEN. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 753, 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 redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the "Clifford Davis and Odell Horton Federal Building'.".

A motion to reconsider was laid on the table.

RAFAEL MARTINEZ NADAL UNITED STATES CUSTOMHOUSE BUILDING

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1019) to designate the United States Customhouse Building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1019

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 customhouse building located at 31 Gonzalez Clemente Avenue in Mayagüez, Puerto Rico, shall be known and designated as the "Rafael Martínez Nadal United States Customhouse Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States customhouse building referred to in section 1 shall be deemed to be a reference to the "Rafael Martínez Nadal United States Customhouse Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. 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. 1019.

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

There was no objection.

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

Mr. Speaker, H.R. 1019 is a bill to designate the United States Customhouse Building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the Rafael Martinez Nadal United States Customhouse Building.

Although Don Rafael Martinez Nadal was born in the city of Mayaguez on April 22, 1877, he resided and passed away in Guaynabo. He received his college degree in philosophy and letters from the Provincial Institute of Secondary Education in San Juan. At 16, he was sent to Barcelona, Spain, to study law.

In August, 1904, he returned to Mayaguez and began to study coffee growing agriculture. Simultaneously, he began his first successful attempts in the media and politics with the Puerto Rican Republican Party. In 1908, he founded the political newspaper El Combate. In 1912, he obtained his law degree and became one of the most

prominent men in the Puerto Rican political arena. He was considered one of the most famous criminal lawyers of the time.

In 1914, he was elected as a member of the Chamber of Delegates for the city of Ponce by the Puerto Rican Republican Party. In 1920, he was chosen by the same party to serve in the Senate and was re-elected in the next five general elections. When the alliance of the Union of Puerto Rico Party and the Puerto Rican Republican Party formed in 1924, Nadal left the Republican Party and initiated a political movement called the Pure Republican Party, which registered officially as the Historical Constitutional Party.

Later, he founded the Republican Union, working to advance the ideal of statehood for Puerto Rico. In coalition with the Socialist Party, the Republican Union triumphed in the general elections of 1932 and 1936. In both terms, Nadal presided over the Senate. Before the election of 1940, because of a serious illness, he returned to his Guaynabo residence. He died there on July 6, 1941.

In honor of Rafael Martinez Nadal's outstanding contributions to the Commonwealth of Puerto Rico and his exemplary professional writing career, it is both fitting and proper to designate the courthouse located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the ''Rafael Martinez Nadal United States Customhouse Building.''

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

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

Mr. Speaker, H.R. 1019, introduced by my friend and colleague, Congressman FORTUÑO of Puerto Rico, designates the United States Customhouse Building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the ''Rafael Martinez Nadal United States Customhouse Building.'' This bill honors Rafael Martinez Nadal's contributions to the Commonwealth of Puerto Rico.

Rafael Martinez Nadal was born in the city of Mayaguez on April 22, 1877. In 1912, he became a lawyer and entered the Puerto Rican political arena. He was considered one of the most famous criminal lawyers in Puerto Rico at that time.

In 1914, Rafael Martinez Nadal was elected to Puerto Rico's House of Representatives for the District of Ponce. In 1920, he was elected to Puerto Rico's Senate, where he served as its President from 1932 to 1940.

Rafael Martinez Nadal was a strong defender of statehood in Puerto Rico and has been described as a political leader, a writer, a successful businessman, a brilliant orator and a distinguished lawyer. He passed away in July of 1941.

I support this legislation, congratulate my friend Congressman FORTUÑO, and urge our colleagues to do the same.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 1019, a bill to designate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building".

Don Rafael Martínez Nadal was born in the city of Mayaguez on April 22, 1877. He received his college degree in Philosophy and Letters from the Provincial Institute of Secondary Education in San Juan.

He pursued studies in Barcelona, Spain, and Paris, France. He returned to Mayaguez in 1904 and began studying the cultivation of coffee. Simultaneously, he pursued his interest in media and politics and joined the Puerto Rican Republican Party. In 1908, he founded the political newspaper El Combate. In 1912, he obtained his law degree, and became one of the most prominent men of the Puerto Rican political arena. He was considered one of the most famous criminal lawyers in Puerto Rico of his time.

In 1914, he was elected as a member of the Chamber of Delegates for the city of Ponce by the Puerto Rican Republican Party. In 1920, he was chosen by the same party to serve in the Senate and was re-elected in the next five general elections. Nadal left the Puerto Rican Republican Party and launched a political movement that became known as the Historical Constitutional Party. Later, he founded the Republican Union, working to advance the cause of Puerto Rican statehood. In coalition with the Socialist Party, the Republican Union triumphed in the general elections of 1932 and 1936. In both terms, Martinez Nadal presided over the Senate. Before the election of 1940, because of a serious illness, he returned to his Guaynabo residence. He died on July 6, 1941.

In honor of Rafael Martinez Nadal's outstanding contributions to the Commonwealth of Puerto Rico, it is both fitting and proper to designate the courthouse located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building".

I urge my colleagues to support this bill.

Mr. LATOURETTE. Mr. Speaker, if the majority has no additional speakers, I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I am proud to be here on this bipartisan Federal customs building, and I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 1019.

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.

J. HERBERT W. SMALL FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1138) to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1138

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 306 East Main Street in Elizabeth City, North Carolina, shall be known and designated as the ''J. Herbert W. Small 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 ''J. Herbert W. Small Federal Building and United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1138.

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

There was no objection.

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

Mr. Speaker, H.R. 1138 is a bill to designate the Federal building and United States courthouse located at 306 East Main Street, Elizabeth City, North Carolina, as the J. Herbert W. Small Federal Building and United States Courthouse.

J. Herbert W. Small, a lifelong resident of Elizabeth City, North Carolina, is a graduate of the University of Virginia Engineering School and the University of North Carolina Law School. He began the practice of law in 1949 and continued in his chosen field for over five decades. During his professional career, he was a member of the First Judicial District Bar Association, the American Bar Association and the North Carolina Bar Association.

In 1974, Judge Small was elected judge of Superior Court of the First Judicial District and served as Senior Resident Judge for 17 years. Judge Small is an active volunteer, serving on the Board of Directors of the Albemarle Hospital and the American Red Cross. He has received numerous awards and honors from the Jaycees, Boy Scouts, Volunteer Firemen, Chamber of Commerce, and the Rotary and Elks clubs. Further, Judge Small, a World War II veteran, served in the United States Navy for 3 years.

Judge Small is an outstanding jurist, civic leader, mentor and volunteer. I support this bill and urge its passage.

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

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

Mr. Speaker, H.R. 1138 designates the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the J. Herbert W. Small Federal Building and United States Courthouse. The bill honors Judge Small's service to the legal profession.

Judge Small served in the United States Navy during the Second World War and received a law degree from the University of North Carolina Law School at Chapel Hill. He began the practice of law in 1949 and practiced for over five decades.

His career included serving on the Congressional Committee on Intergovernmental Relations, as county attorney for Pasquotank County, and as judge of the Superior Court of the First Judicial District. Judge Small served as Senior Resident Judge for 17 years.

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

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

Mr. COHEN. Mr. Speaker, I yield such time as he may consume to the honorable gentleman from North Carolina (Mr. BUTTERFIELD), the sponsor of the bill.

Mr. BUTTERFIELD. Mr. Speaker, let me first thank the gentleman from Tennessee for yielding the time to me to speak to this very important piece of legislation.

Mr. Speaker, I rise today to honor an outstanding jurist and community leader by seeking to name the Federal building in Elizabeth City, North Carolina, as the J. Herbert Small Federal Building and United States Courthouse.

I want to thank my good friend, Chairman OBERSTAR, and Ranking Member MICA for their outstanding leadership in quickly moving this legislation through their committee. I would also like to thank each member of the entire North Carolina delegation, Democrat and Republican, for their collective support of this important bill.

Mr. Speaker, J. Herbert Small is a lifelong resident of Elizabeth City, North Carolina. He has devoted 52 long years of his professional life to the practice of law and to the administration of justice in eastern North Carolina.

Herb Small began his law practice in Elizabeth City in 1949 after graduating from the School of Law at the University of North Carolina at Chapel Hill. He served as Special Counsel to the Congressional Committee on Intergovernmental Relations and later served 8 years as county attorney for the County of Pasquotank.

He was elected as district attorney for the First Judicial District of North Carolina for three consecutive terms. During his tenure, he served as chairman of the District Attorneys Advisory Committee, was President of the District Attorneys Association and was appointed by the Governor to the Jail Study Commission.

It was when Mr. Small was a district attorney that our paths first met. As a young lawyer, I opposed him in the courtroom on several occasions. He was a strong and effective district attorney.

In 1979, Herb Small was elected as Resident Superior Court Judge for the First Judicial District of North Carolina. He served in this capacity for 17 years. He was honored by his peers when he was elected President of the North Carolina Conference of Superior Court Judges. During this time, he represented the conference on the North Carolina Policy and Sentencing Commission.

In the early days of Judge Small's service as a trial judge, I appeared before him as a lawyer, representing both civil and criminal clients. He was a firm but fair judge, treating everyone who came before his court with respect.

And then Mr. Speaker, I had the privilege of being able to call Judge Small my judicial colleague. When I was elected as a Superior Court Judge in 1988, Judge Small had preceded me to the bench by several years. He welcomed me among the ranks of Superior Court Judges, and our friendship continued to evolve.

Mr. Speaker, Herb Small is a legal scholar; and our courts benefited in so many ways because of his intellect.

Now, I am very proud to call Judge Small a constituent. He is retired. He is happily retired, living in Elizabeth City, North Carolina, which is one of my 23 communities in my congressional district. Herb Small is a trusted friend and a good adviser.

Judge Small served as chairman of the Albemarle Hospital Board of Directors and as Chairman of the American Red Cross Chapter. He has been actively engaged in other civic and charitable and service organizations, including the Jaycees and the Boy Scouts and Volunteer Firemen, Chamber of Commerce and the Rotary Club and the Elks Club and the Red Men and so on. He was given the Distinguished Service Award by the Jaycees, the Volunteer of the Year Award by the Chamber of Commerce, and the Order of the Long Leaf Pine by the State of North Carolina for outstanding community involvement.

Very importantly, Mr. Speaker, during World War II, Judge Small served 3 years in the United States Navy; and our country is proud of and thanks him for his service.

Judge Small has been married to a wonderful individual, Mrs. Annette Ward Small, for many years. They have four children, Elizabeth, John Herbert, Fran and Carol; and they have nine grandchildren, Rachel, Matthew, John, Mary, Margaret, Ruth, Allison Katie, and Chris.

□ 1430

Mr. Speaker, I can think of no finer individual and no person who is more deserving of this high honor than Judge J. Herbert Small. I can assure you that Judge Small is humbled and honored by this recognition. The people of Elizabeth City and the First Congressional District of North Carolina are grateful for his community service, for his dedication, and his great and extraordinary leadership.

I thank the gentleman from Maryland for yielding me time, and I thank the gentleman from Ohio for his work on this matter.

I urge my colleagues today to vote ''yes'' on H.R. 1138.

Mr. LATOURETTE. Mr. Speaker, I yield myself as much time as I might consume to congratulate the gentleman from North Carolina (Mr. BUTTERFIELD) for his legislation today and also to advise my friend from Tennessee I have no further speakers and if he is in the same position, I yield back the balance of my time.

Mr. COHEN. I join in congratulating the gentleman from North Carolina.

Mr. OBERSTAR. Mr. Speak, I rise in strong support of H.R. 1138, a bill to designate the Federal building and United States courthouse located at 306 East Main Street, in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse''.

J. Herbert W. Small is a life-long resident of Elizabeth City, North Carolina. He is a graduate of the University of Virginia Engineering School, and the University of North Carolina Law School at Chapel Hill. He began practicing law in 1949 and continued in his chosen field for more than five decades. During his professional career, he was a member of the First Judicial District Bar Association, the American Bar Association, and the North Carolina Bar Association.

He began his career as Special Counsel to the Congressional Committee on Intergovernmental Relations. Judge Small later served as County Attorney for Pasquotank County. In 1979, Judge Small was elected Judge of Superior Court of the First Judicial District and served as senior resident judge for 17 years. Judge Small is an active volunteer, serving on the Board of Director of the Albemarle Hospital and the American Red Cross. He has received numerous awards and honors from the Jaycees, the Boy Scouts, the Volunteer Fireman, the Chamber of Commerce, and the Rotary and Elks clubs. Further, Judge Small was a World War II veteran and served in the U.S. Navy for three years.

Judge Small is an outstanding mentor and volunteer. For more than five decades, he has been an exceptional jurist and civic leader. It is fitting and proper to honor his outstanding contributions with this designation.

I urge my colleagues to support the bill.

Mr. COHEN. 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 Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 1138.

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.

MARITIME POLLUTION PREVENTION ACT OF 2007

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 802) to amend the Act to Prevent Pollution from ships to implement MARPOL Annex VI, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 802

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 ''Maritime Pollution Prevention Act of 2007''.

SEC. 2. REFERENCES.

Wherever in this Act an amendment or repeal is expressed in terms of an amendment to or a repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.).

SEC. 3. DEFINITIONS.

Section 2(a) (33 U.S.C. 1901(a)) is amended—

(1) by redesignating the paragraphs (1) through (12) as paragraphs (2) through (13), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

''(1) 'Administrator' means the Administrator of the Environmental Protection Agency.'';

(3) in paragraph (5) (as so redesignated) by striking ''and V'' and inserting ''V, and VI'';

(4) in paragraph (6) (as so redesignated) by striking '''discharge' and 'garbage' and 'harmful substance' and 'incident' '' and inserting '''discharge', 'emission', 'garbage', 'harmful substance', and 'incident' ''; and

(5) by redesignating paragraphs (7) through (13) (as redesignated) as paragraphs (8) through (14), respectively, and inserting after paragraph (6) (as redesignated) the following:

''(7) 'navigable waters' includes the territorial sea of the United States (as defined in Presidential Proclamation 5928 of December 27, 1988) and the internal waters of the United States;''.

SEC. 4. APPLICABILITY.

Section 3 (33 U.S.C. 1902) is amended—

(1) in subsection (a)—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(C) by adding at the end the following:

''(5) with respect to Annex VI to the Convention, and other than with respect to a ship referred to in paragraph (1)—

''(A) to a ship that is in a port, shipyard, offshore terminal, or the internal waters of the United States;

''(B) to a ship that is bound for, or departing from, a port, shipyard, offshore terminal, or the internal waters of the United States, and is in—

''(i) the navigable waters of the United States;

''(ii) an emission control area designated pursuant to section 4; or

''(iii) any other area that the Administrator, in consultation with the Secretary and each State in which any part of the area is located, has designated by order as being an area from which emissions from ships are of concern with respect to protection of public health, welfare, or the environment;

''(C) to a ship that is entitled to fly the flag of, or operating under the authority of, a party to Annex VI, and is in—

''(i) the navigable waters of the United States;

''(ii) an emission control area designated under section 4; or

''(iii) any other area that the Administrator, in consultation with the Secretary and each State in which any part of the area is located, has designated by order as being an area from which emissions from ships are of concern with respect to protection of public health, welfare, or the environment; and

''(D) to the extent consistent with international law, to any other ship that is in—

''(i) the exclusive economic zone of the United States;

''(ii) the navigable waters of the United States;

''(iii) an emission control area designated under section 4; or

''(iv) any other area that the Administrator, in consultation with the Secretary and each State in which any part of the area is located, has designated by order as being an area from which emissions from ships are of concern with respect to protection of public health, welfare, or the environment.'';

(2) in subsection (b)—

(A) in paragraph (1) by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(B) by adding at the end the following:

''(3) With respect to Annex VI the Administrator, or the Secretary, as relevant to their authorities pursuant to this Act, may determine that some or all of the requirements under this Act shall apply to one or more classes of public vessels, except that such a determination by the Administrator shall have no effect unless the head of the Department or agency under which the vessels operate concurs in the determination. This paragraph does not apply during time of war or during a declared national emergency.'';

(3) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively, and inserting after subsection (b) the following:

''(c) APPLICATION TO OTHER PERSONS.—This Act shall apply to all persons to the extent necessary to ensure compliance with Annex VI to the Convention.''; and

(4) in subsection (e), as redesignated—

(A) by inserting ''or the Administrator, consistent with section 4 of this Act,'' after ''Secretary'';

(B) by striking ''of section (3)'' and inserting ''of this section''; and

(C) by striking ''Protocol, including regulations conforming to and giving effect to the requirements of Annex V'' and inserting ''Protocol (or the applicable Annex), including regulations conforming to and giving effect to the requirements of Annex V and Annex VI''.

SEC. 5. ADMINISTRATION AND ENFORCEMENT.

Section 4 (33 U.S.C. 1903) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and inserting after subsection (a) the following:

''(b) DUTY OF THE ADMINISTRATOR.—In addition to other duties specified in this Act, the Administrator and the Secretary, respectively, shall have the following duties and authorities:

''(1) The Administrator shall, and no other person may, issue Engine International Air Pollution Prevention certificates in accordance with Annex VI and the International Maritime Organization's Technical Code on Control of Emissions of Nitrogen Oxides from Marine Diesel Engines, on behalf of the United States for a vessel of the United States as that term is defined in section 116 of title 46, United States Code. The issuance of Engine International Air Pollution Prevention certificates shall be consistent with any applicable requirements of the Clean Air Act or regulations prescribed under that Act.

''(2) The Administrator shall have authority to administer regulations 12, 13, 14, 15, 16, 17, 18, and 19 of Annex VI to the Convention.

''(3) The Administrator shall, only as specified in section 8(f), have authority to enforce Annex VI of the Convention.'';

(2) in subsection (c), as redesignated, by redesignating paragraph (2) as paragraph (4), and inserting after paragraph (1) the following:

''(2) In addition to the authority the Secretary has to prescribe regulations under this Act, the Administrator shall also prescribe any necessary or desired regulations to carry out the provisions of regulations 12, 13, 14, 15, 16, 17, 18, and 19 of Annex VI to the Convention.

''(3) In prescribing any regulations under this section, the Secretary and the Administrator shall consult with each other, and with respect to regulation 19, with the Secretary of the Interior.''; and

(3) by adding at the end of subsection (c), as redesignated, the following:

''(5) No standard issued by any person or Federal authority, with respect to emissions from tank vessels subject to regulation 15 of Annex VI to the Convention, shall be effective until 6 months after the required notification to the International Maritime Organization by the Secretary.''.

SEC. 6. CERTIFICATES.

Section 5 (33 U.S.C. 1904) is amended—

(1) in subsection (a) by striking ''The Secretary'' and inserting ''Except as provided in section 4(b)(1), the Secretary'';

(2) in subsection (b) by striking ''Secretary under the authority of the MARPOL protocol.'' and inserting ''Secretary or the Administrator under the authority of this Act.''; and

(3) in subsection (e) by striking ''environment.'' and inserting ''environment or the public health and welfare.''.

SEC. 7. RECEPTION FACILITIES.

Section 6 (33 U.S.C. 1905) is amended—

(1) in subsection (a) by adding at the end the following:

''(3) The Secretary and the Administrator, after consulting with appropriate Federal agencies, shall jointly prescribe regulations setting criteria for determining the adequacy of reception facilities for receiving ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues at a port or terminal, and stating any additional measures and requirements as are appropriate to ensure such adequacy. Persons in charge of ports and terminals shall provide reception facilities, or ensure that reception facilities are available, in accordance with those regulations. The Secretary and the Administrator may jointly prescribe regulations to certify, and may issue certificates to the effect, that a port's or terminal's facilities for receiving ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues from ships are adequate.'';

(2) in subsection (b) by inserting ''or the Administrator'' after ''Secretary'';

(3) in subsection (e) by striking paragraph (2) and inserting the following:

''(2) The Secretary may deny the entry of a ship to a port or terminal required by the MARPOL Protocol, this Act, or regulations prescribed under this section relating to the provision of adequate reception facilities for garbage, ozone depleting substances, equipment containing those substances, or exhaust gas cleaning residues, if the port or terminal is not in compliance with the MARPOL Protocol, this Act, or those regulations.'';

(4) in subsection (f)(1) by striking ''Secretary is'' and inserting ''Secretary and the Administrator are''; and

(5) in subsection (f)(2) by striking ''(A)''.

SEC. 8. INSPECTIONS.

Section 8(f) (33 U.S.C. 1907(f)) is amended to read as follows:

''(f)(1) The Secretary may inspect a ship to which this Act applies as provided under section 3(a)(5), to verify whether the ship is in compliance with Annex VI to the Convention and this Act.

''(2) If an inspection under this subsection or any other information indicates that a violation has occurred, the Secretary, or the Administrator in a matter referred by the Secretary, may undertake enforcement action under this section.

''(3) Notwithstanding subsection (b) and paragraph (2) of this subsection, the Administrator shall have all of the authorities of the Secretary, as specified in subsection (b) of this section, for the purposes of enforcing regulations 17 and 18 of Annex VI to the Convention to the extent that shoreside violations are the subject of the action and in any other matter referred to the Administrator by the Secretary.''.

SEC. 9. AMENDMENTS TO THE PROTOCOL.

Section 10(b) (33 U.S.C. 1909(b)) is amended by inserting ''or the Administrator as provided for in this Act,'' after ''Secretary,''.

SEC. 10. PENALTIES.

Section 9 (33 U.S.C. 1908) is amended—

(1) by striking ''Protocol,,'' each place it appears and inserting ''Protocol,'';

(2) in subsection (b)—

(A) by inserting '', or the Administrator as provided for in this Act'' after ''Secretary'' the first place it appears;

(B) in paragraph (2), by inserting '', or the Administrator as provided for in this Act,'' after ''Secretary''; and

(C) in the matter after paragraph (2)—

(i) by inserting '', or the Administrator as provided for in this Act'' after ''Secretary'' the first place it appears; and

(ii) by inserting '', or the Administrator as provided for in this Act,'' after ''Secretary'' the second and third places it appears;

(3) in subsection (c), by inserting '', or the Administrator as provided for in this Act,'' after ''Secretary'' each place it appears; and

(4) in subsection (f), by inserting '', or the Administrator as provided for in this Act'' after ''Secretary'' the first place appears.

SEC. 11. EFFECT ON OTHER LAWS.

Section 15 (33 U.S.C. 1911) is amended to read as follows:

''SEC. 15. EFFECT ON OTHER LAWS.

''Authorities, requirements, and remedies of this Act supplement and neither amend nor repeal any other authorities, requirements, or remedies conferred by any other provision of law. Nothing in this Act shall limit, deny, amend, modify, or repeal any other authority, requirement, or remedy available to the United States or any other person, except as expressly provided in this Act.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

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

As the chairman of the Coast Guard and Maritime Transportation Subcommittee, I am pleased that the first piece of maritime legislation to be brought to the floor by the Committee on Transportation and Infrastructure is a bill that will enable us to combat pollution emitted by ships.

The Maritime Pollution Prevention Act of 2007, H.R. 802, would institute the legal changes needed to bring the United States into compliance with the International Convention for the Prevention of Pollution from Ships, the MARPOL Convention Annex VI.

MARPOL Annex VI limits the emissions from ships of sulfur oxide and nitrogen oxide, which are ozone-depleting substances. The Annex VI treaty was ratified by the Senate in April 2006 and came into force internationally in May of 2006.

According to the United States Department of Transportation, ocean-going ships transport 80 percent by weight of all goods and services moved into and out of the United States. The volume of trade through U.S. ports is only expected to increase.

In fact, the United States Maritime Administration estimates that the total volume of trade handled by United States ports will double in the next 15 years. Unfortunately, the ships on which we rely to carry the trade that keeps our economy growing release excessive amounts of pollution.

In fact, according to a very disturbing study released just last week by the International Council on Clean Transportation, the sulfur oxide emissions from ocean-going ships may exceed the total amount of such emissions produced by cars, trucks and buses in the world. Further, the International Maritime Organization, also known as IMO, estimates that as much as 80 percent of all ship emissions may be released within 250 miles of shore.

That means that much of the pollution emitted by ships is affecting the residents of port communities such as my hometown of Baltimore. The emissions of sulfur oxide from ships are also high because the bunker fuel used in ships may contain as much as 3 percent sulfur content by weight, or an astounding 28,000 parts per million of sulfur.

By comparison, the new ultralow sulfur diesel fuel that is mandated for use in trucks in most of the United States is not allowed to contain more than 15 parts per million of sulfur. Given the nature of shipping, it is not possible for any single nation to unilaterally regulate emissions produced by ships.

Instead, regulations applied to ocean-going vessels are usually developed through negotiations conducted by IMO, a specialized agency of the United Nations responsible for developing multinational conventions regulating international shipping.

The member states of IMO developed the International Convention for the Prevention of Pollution from Ships treaty, known as MARPOL, which was adopted in 1973. This groundbreaking convention has already successfully limited all pollution and pollution from ships' garbage and sewage. The most recent annex to MARPOL convention, Annex VI, sets limits on emissions from ships of sulfur oxide and nitrogen oxide. This annex also establishes specific limits on the sulfur content of fuel oil used in ships.

The measure before us today, H.R. 802, is a bipartisan measure that would bring United States law into compliance with the requirements of MARPOL Annex VI. The substitute amendment clarifies that the MARPOL Annex VI amendments apply only to vessels in the United States' exclusive economic zone once Annex VI becomes customary maritime law.

The amendment also requires the EPA to consult with a State when establishing an emission area and requires that regulations regarding reception facilities be jointly prescribed by the Environmental Protection Agency and the United States Coast Guard. Through our participation in Annex VI, the United States will contribute to a global effort to control a large source of ozone-depleting emissions that has been virtually unregulated to this point.

Mr. Speaker, our natural resources are our most precious gifts, and we are merely the stewards of these resources, responsible for preserving them for generations yet unborn.

When you go into Sea World and Disney World, one of the things the signs that are written there say, ''We do not inherit our environment from our parents; we borrow it from our children.''

I applaud Chairman OBERSTAR for his outstanding leadership on this issue and for his commitment to implementing measures that will help us combat the release of emissions from mobile sources that are contributing to global warming.

I also thank our ranking member, the very distinguished gentleman, Congressman MICA, and the ranking member of our subcommittee on Coast Guard and Maritime Transportation, Congressman LATOURETTE, for their leadership in helping us to get this very, very important bill to the floor of the House so that we can send it on to the Senate.

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

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

Mr. Speaker, I rise in support of H.R. 802, the Maritime Pollution Prevention Act of 2007. H.R. 802 was introduced by our full committee chairman, Jim Oberstar, and is similar language that was approved by voice vote in the House during the last Congress. I say ''similar to'' because there are some differences, and we noted those differences at the time of the markup of this legislation.

I want to thank the chairman of the full committee, Mr. OBERSTAR, and I also want to thank the distinguished chairman of our subcommittee, Mr. CUMMINGS, for working with me and others on my side of the aisle to address our concerns with the introduced version of the bill.

The bill will implement international requirements for air emissions from

ships for purposes of U.S. law. Under this bill, the Coast Guard and the Environmental Protection Agency will be required to develop regulations that establish standards for emissions of ozone-depleting substances and other pollutants as well as marine fuel oil quality that are used in U.S. waters. I am happy to see that we are considering this legislation that will reduce our emissions from vessels operating in U.S. waters this early in the year.

Again, I want to thank Chairman OBERSTAR and Chairman CUMMINGS for working with us to improve the bill. I urge our colleagues to support this bill.

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

Mr. CUMMINGS. Mr. Speaker, I am very pleased to yield to the distinguished chairman of the Transportation Committee, Mr. OBERSTAR, such time as he may consume.

Mr. OBERSTAR. I thank the gentleman for yielding. I especially want to thank the chairman of the Subcommittee on Coast Guard and Maritime Affairs for his leadership, absorbing so quickly in such a short period of time the complexities under the jurisdiction of this subcommittee. I also would like to express my appreciation to the gentleman from Ohio (Mr. LATOURETTE) for his partnership and working so diligently to bring this important legislation to the floor.

Mr. Speaker, this is an international issue. In fact, just moments ago, just before arriving to the floor, I had a meeting with a representative of the transportation ministry of the European Union. He is the deputy in charge of the Transport Ministry of the European Union, and we were discussing the MARPOL legislation and the need for international participation and cooperation on these issues.

In fact, the European Transport Ministry has established a new section dealing with maritime pollution issues which go beyond that of the subject of this legislation to include pollution at sea from accidents to maritime vessels, the first most serious of which was the Torrey Canyon disaster in the English Channel in 1967, which alerted all of the maritime sector to the need for double-hulled vessels, to the need for international standards on shipping.

We have moved beyond the water pollution issue, ocean pollution issue, which continues to be a matter of great concern, to that of air pollution, which is the subject of this legislation, the discharge of nitrogen oxides from maritime diesel engines, the sulfur content of diesel fuel, ozone-depleting substances, volatile organic compounds and standards for shipboard incinerators, fuel oil quality, platforms for drill rigs at sea. All of these are the subject of this legislation and of the International Maritime Pollution Convention.

At the beginning of next week, our committee will travel to Brussels to meet with members of the European Transport Ministry and members of the European Parliament Transport Committee to discuss this issue and other issues including emissions from aircraft at altitude, which are the subject of the ongoing discussions in the international community on emissions trading and steps that the international community together can take to reduce impact on factors that are accelerating global climate change.

This legislation, in other words, is not just a relatively noncontroversial matter that we attempted to accomplish in the last Congress; but for various reasons, we were not able to do so with the other body. But this is one step in a global issue of international concern that brings the United States and its maritime partners into cooperation on matters that involve air quality at sea.

I want to thank the gentleman from Maryland, the chairman of the subcommittee, for his diligent work, and Mr. LATOURETTE and Ranking Member MICA for their participation and working with us to bring this legislation to the floor. I hope that the other body will cooperate promptly and move this bill to the President.

We have incorporated recommendations by the administration in this legislation to accommodate their interests.

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Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I might consume for the purposes of engaging in a colloquy with the distinguished chairman of the subcommittee.

Chairman CUMMINGS, if I could clarify, through this colloquy, the language that was included in sections 4 and 5.

First, section 4 authorizes the Environmental Protection Agency, in consultation with the Coast Guard, to designate special areas where vessels would be required to comply with vessel emission regulations under Annex VI to the MARPOL Convention. This section also directs the EPA to consult with a State if such an area is established in an area that is under the jurisdiction of that State.

Is it the chairman's understanding that the committee does not intend to require the agencies to consult with a State or to give a State any authority over a special area that is not wholly established outside of the three or, in some cases, nine nautical mile belt of waters that fall within the jurisdiction of a State?

Mr. CUMMINGS. The gentleman is absolutely correct.

Mr. LATOURETTE. I thank the chairman.

Additionally, Mr. Chairman, section 5 of the bill grants the EPA certain authorities to establish, administer and enforce regulations to implement MARPOL Annex VI. Is it the chairman's understanding that this language does not replace or reduce the Coast Guard's parallel authorities to administer and enforce regulations to implement Annex VI or other regulations under the Act to Prevent Pollution from Ships?

Mr. CUMMINGS. The gentleman is absolutely correct.

Mr. LATOURETTE. I thank the chairman very much for his response. And, again, my congratulations to both chairmen, the chairman of the full committee, Mr. OBERSTAR, and the chairman of the subcommittee, Mr. CUMMINGS, for bringing this legislation forward. And, again, my thanks for working with us to make the slight improvements to the bill.

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

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

Again, I want to thank Chairman OBERSTAR and certainly Ranking Member MICA. But I also thank you very much, Mr. LATOURETTE, for your cooperation in moving this bill along.

Mr. Speaker, I yield 2 minutes to Mr. OBERSTAR.

Mr. OBERSTAR. Mr. Speaker, although it has been discussed previously before I reached the Chamber, I just want to be sure to emphasize the important change to allow EPA to enforce the standards in addition to the Coast Guard. These are changes requested by the administration. The Coast Guard acknowledging that EPA has far more experience than does the Coast Guard on air quality emission standards.

It is important for EPA to develop standards jointly with the Coast Guard because, on the Coast Guard side, they have more knowledge and understanding and expertise in vessel safety issues that have to be incorporated into any air quality emission standards that may be promulgated.

I want to emphasize this role of EPA, an important step forward, and I am very pleased the administration was emphatic in asking for an EPA role, and Coast Guard similarly has been very insistent on including EPA in this process. I think this will, overall, strengthen the result of the legislation that we are considering today.

Mr. Speaker, I rise today to strongly support H.R. 802, the "Maritime Pollution Prevention Act of 2007". The gentleman from Maryland, Mr. CUMMINGS, and I introduced this legislation in February to provide the U.S. Coast Guard and the Environmental Protection Agency ("EPA") with the legal authority they need to implement Annex VI of the International Convention for the Prevention of Pollution from Ships.

Global climate change is a critical issue, not only for the United States, but for every man, woman, and child that live on this planet called Earth. The international maritime community has recognized this problem and developed an international convention to help address air pollutants from diesel ships.

For many years, the International Maritime Organization, an organization of the United Nations, has been developing international standards to prevent pollution from ships that ply the world's oceans. The international convention is called the International Convention

for the Prevention of Pollution from Ships, 1973. The United States has implemented these environmental laws by enacting and amending the Act to Prevent Pollution from Ships ("APPS").

On May 19, 2005, Annex VI of that Convention came into force internationally. Annex VI limits the discharge of nitrogen oxides from large marine diesel engines, governs the sulfur content of marine diesel fuel, prohibits the emission of ozone-depleting substances, regulates the emission of volatile organic compounds during the transfer of cargoes between tankers and terminals, sets standards for shipboard incinerators and fuel oil quality, and establishes requirements for platforms and drilling rigs at sea. In April 2006, the Senate ratified this treaty by unanimous consent.

H.R. 802 is the necessary implementing legislation for Annex VI of that Convention. This legislation will give the Coast Guard and the Environmental Protection Agency the authority they need to develop the U.S. standards and to enforce these requirements on the thousands of U.S.- and foreign-flag vessels that enter the United States each year from overseas.

Everyone here recognizes the challenge that the world faces in combating global climate change. We must pursue all avenues in the effort to turn around the rising temperatures on this planet. I am pleased that the International Maritime Organization stepped up to the plate and developed amendments to the International Convention for the Prevention of Pollution from Ships to regulate air pollution from ships.

Last year, the Committee on Transportation and Infrastructure reported H.R. 5811, the MARPOL Annex VI Implementation Act of 2006, favorably to the House. This bill was subsequently added to H.R. 5681, the Coast Guard Authorization Act of 2006, and passed the House on October 28, 2006.

H.R. 802 is very similar to H.R. 5811, but includes changes to allow the EPA to enforce the standards, in addition to the Coast Guard. These changes were requested by the Administration. The Coast Guard acknowledges that the EPA has far more experience than they do on air quality emission standards. However, it is important for the EPA to develop the standards jointly with Coast Guard because of the Coast Guard's expertise over vessel safety issues.

During Committee consideration of the bill, the Committee adopted an amendment in the nature of a substitute that clarifies that MARPOL Annex VI will only apply to vessels in the United State's 200-mile Exclusive Economic Zone when the Executive Branch determines that MARPOL Annex VI is customary international law. In addition, the amendment clarified that MARPOL Annex VI will not apply to public vessels owned by the U.S. Government until the head of the agency that operates the vessels agrees with the EPA Administrator that MARPOL VI should apply to that agency's vessels.

The amendment in the nature of a substitute that the House considers today further clarifies that the application of MARPOL VI to the U.S. Exclusive Economic Zone and territorial sea takes effect when it becomes customary international law; requires EPA to consult with a State when establishing an emission area; and requires the regulations regarding reception facilities to be jointly prescribed by EPA and the Coast Guard.

I would like to take the opportunity to thank our new Chairman of the Subcommittee on Coast Guard and Maritime Transportation, Mr. CUMMINGS, for his help in developing this bill.

I strongly urge my colleagues to support passage of H.R. 802, the Maritime Pollution Prevention Act of 2007.

Mr. CUMMINGS. 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 Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 802, 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. CUMMINGS. 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.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 802.

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

There was no objection.

SUPPORTING THE GOALS AND IDEALS OF PROFESSIONAL SOCIAL WORK MONTH AND WORLD SOCIAL WORK DAY

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 266) supporting the goals and ideals of Professional Social Work Month and World Social Work Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 266

Whereas social workers have the demonstrated education and experience to guide individuals, families, and communities through complex issues and choices;

Whereas social workers connect individuals, families, and communities to available resources;

Whereas social workers are dedicated to improving the society in which we live;

Whereas social workers are positive and compassionate professionals;

Whereas social workers stand up for others to make sure everyone has access to the same basic rights, protections, and opportunities;

Whereas social workers have been the driving force behind important social movements in the United States and abroad; and

Whereas Professional Social Work Month, and World Social Work Day, which is March 27, 2007, will build awareness of the role of professional social workers and their commitment and dedication to individuals, families, and communities everywhere though service delivery, research, education, and legislative advocacy: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of Professional Social Work Month and World Social Work Day;

(2) acknowledges the diligent efforts of individuals and groups who promote the importance of social work and who are observing Professional Social Work Month and World Social Work Day;

(3) encourages the American people to engage in appropriate ceremonies and activities to further promote awareness of the life-changing role of social workers;

(4) recognizes with gratitude the contributions of the millions of caring individuals who have chosen to serve their communities through social work; and

(5) encourages young people to seek out educational and professional opportunities to become social workers.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Tennessee (Mr. DAVID DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

GENERAL LEAVE

Ms. SHEA-PORTER. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to House Resolution 266 into the RECORD.

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

There was no objection.

Ms. SHEA-PORTER. Mr. Speaker, I yield myself such time as I may consume.

(Ms. SHEA-PORTER asked and was given permission to revise and extend her remarks.)

Ms. SHEA-PORTER. Mr. Speaker, I am pleased to rise today to offer House Resolution 266, which honors the dedication and compassion of professional social workers. Our highest calling as humans is to provide service to others, especially those less fortunate than ourselves.

At the turn of the 20th century, thousands of people lived in despair and poverty, and it was the early progressive moment in which the social work movement was born, providing food, clothing, health care and education to the less fortunate.

Social workers had a role in civil rights and in women's freedom. Today, social workers continue this fight to ensure that vulnerable families have the support and the health care that they need.

Social workers are everywhere in our society, caring for all of us. They help people in all stages of life, from children to the elderly, and in all situations, from adoption to hospice care. You can find social workers in hospitals, police departments, mental health clinics, military facilities and corporations.

Professional social workers are the Nation's largest providers of mental health care services. They provide

more mental health services than psychologists, psychiatrists and psychiatric nurses combined.

More than 600,000 people in the United States hold social work degrees. The Veterans Administration employs more than 4,400 social workers to assist veterans and their families with individual and family counseling, client education, end-of-life planning, substance abuse treatment, crisis intervention and other services.

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

Mr. DAVID DAVIS of Tennessee. Mr. Speaker, I rise in support of House Resolution 266. This resolution would recognize the important work of our Nation's social workers and support the goals and ideals of Professional Social Worker Month and World Social Worker Day.

Social work is a profession for those with a strong desire to help improve people's lives and play a valuable role in the Nation's health care system. Social workers help people function the best way they can in their environment, deal with their relationships, and solve personal and family problems.

Social workers often see clients who face life-threatening disease or social problems such as inadequate housing, unemployment, a serious illness, a disability, or substance abuse. Social workers also assist families that have serious domestic conflicts, sometimes involving a child or spousal abuse.

For example, child, family and school social workers provide social services and assistance to improve the social and psychological functioning of children and their families and to maximize the family well-being and academic functioning of children. They assist single parents, arrange adoption, or help find foster homes for neglected, abandoned or abused children.

In schools, they address problems such as teenage misbehavior and truancy and advise teachers on how they can cope with problem students. Social workers also specialize in services for senior citizens, running support groups for family caregivers or for the adult children of aging parents, advising elderly people or family members about choices in areas such as housing, transportation, and long-term care and coordination and monitoring of these services.

Through employee assistance programs, they may help workers cope with job-related pressures or with personal problems that affect the quality of their work.

Medical and public health social workers provide persons, families, and vulnerable populations with psychosocial support needed to cope with chronic, acute and terminal illnesses such as Alzheimer's disease and cancer. They also assess and treat individuals with mental illness or substance abuse, including abuse of alcohol, tobacco and other drugs. They also may help plan for supportive services to ease patients' return into the community.

In my State of Tennessee, we have a long tradition of recognizing the vital role of social workers. In 2005, the Tennessee legislature, of which I was honored to serve as a member for many years, passed important legislation which required social workers to have received a B.S. or master's degree in social work from an accredited school, received a doctorate or Ph.D. in social work, or have a specialized certificate or license from the State.

As a society, we have come to trust that the people using a certain title have completed specific training to prepare them for their work in assisting the public. Thanks to this legislation, Tennessee now ensures that positions requiring the skills and training of professional social workers are filled with fully qualified professionals.

In addition, the East Tennessee State University Department of Social Work has a long and proud history of preparing the majority of social workers in the region that I represent. In addition to providing high-quality education to future social workers, the Department hosts a Social Work Career Day where students, community agencies and practitioners come together and share educational experience and information on a career in social work. Students and faculty are also involved in a number of community based interdisciplinary learning and service activities.

According to the United States Department of Labor, the need for additional social workers is expected to increase faster than the average of all other occupations through the year 2014 due to the rapidly growing elderly population which is expected to create greater demand for health and social careers. The growth in social work is expected to occur most rapidly in home health care services, assisted living and senior living communities and the school setting. In addition, there is expected to be a significant need for those social workers specializing in substance abuse.

Nearly 50 percent of the United States population, age 15 to 54, report having at least one psychiatric disorder. Both severe and persistent mental disorders, including addictions, have profound consequences for individuals, their families and society, affecting their ability to learn, to grow into healthy adults and to nurture children, to work and secure housing and to engage in other routines of living. Recognizing the prevalence of mental disorders and the cost they exact on our society, social workers provide more than 40 percent of all mental health services available to Americans, making them an integral part of our Nation's health care delivery system.

So we stand here to recognize the importance of our Nation's social workers and support the Professional Social Work Month and World Social Work Day. We also stand to encourage more young adults to seek out educational and professional opportunities as social workers where they can play a positive impact on changing people's lives.

Mr. Speaker, I urge my colleagues to join me in highlighting the contributions of social workers and to support House Resolution 266.

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

□ 1500

Ms. SHEA-PORTER. Today we thank all those who have toiled in the fields of our community, including my maternal grandmother, who left the comfort of her home each day at the turn of the century and went to the Lower East Side to help immigrants. And we praise all of those who reach out to others every day in their community.

Social workers' service makes our communities stronger. March is National Professional Work Month, and Tuesday, March 27 is World Social Work Day. I honor their service and thank them for caring for all of us each day.

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

Mr. DAVID DAVIS of Tennessee. 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 New Hampshire (Ms. SHEA-PORTER) that the House suspend the rules and agree to the resolution, H. Res. 266.

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. SHEA-PORTER. 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.

DISADVANTAGED BUSINESS DISASTER ELIGIBILITY ACT

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1468) to ensure that, for each small business participating in the 8(a) business development program that was affected by Hurricane Katrina of 2005, the period in which it can participate is extended by 18 months, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1468

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 ''Disadvantaged Business Disaster Eligibility Act''.

SEC. 2. EXTENSION OF PARTICIPATION TERM FOR VICTIMS OF HURRICANE KATRINA.

(a) RETROACTIVITY.—If a small business concern, while participating in any program or activity under the authority of paragraph (10) of section 7(j) of the Small Business Act

(15 U.S.C. 636(j)), was located in a parish or county described in subsection (b) and was affected by Hurricane Katrina of 2005, the period during which the small business concern is permitted continuing participation and eligibility in such program or activity shall be extended for an additional 18 months.

(b) PARISHES AND COUNTIES COVERED.—Subsection (a) applies to any parish in the State of Louisiana, or any county in the State of Mississippi or in the State of Alabama, that has been designated by the Administrator of the Small Business Administration as a disaster area by reason of Hurricane Katrina under disaster declaration 10176, 10177, 10178, 10179, 10180, or 10181.

(c) REVIEW AND COMPLIANCE.—The Administrator of the Small Business Administration shall ensure that the case of every small business concern participating before the date of the enactment of this Act in a program or activity covered by subsection (a) is reviewed and brought into compliance with this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. 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 New York?

There was no objection.

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

Mr. Speaker, Hurricane Katrina forced evacuation of individuals and business owners who are only recently recovering and rebuilding. Clearly, through no fault of their own, these firms have been disrupted.

A number of these businesses are participants in the SBA's 8(a) program, the primary way that minority entrepreneurs enter the Federal marketplace. 8(a) is a business development initiative, and that is what the companies in the gulf region need right now.

Because of the magnitude of the disaster, these companies need additional time in the 8(a) program. This will counterbalance the period of inoperability these firms experienced due to Hurricane Katrina. And I commend my colleague Mr. JEFFERSON from Louisiana for offering this solution.

As currently structured, the program allows businesses to participate for a limited length of time. They are given 9 years and 9 years only. Even if the companies fail, they can never reapply and get back in.

In this way 8(a) is different than any other SBA procurement initiative, which allow companies to be certified for increments of 3 years. As long as they meet the eligibility criteria, they can continue being recertified without end.

It is because of this limitation that the 8(a) program is simply not structured to respond to companies that have been victimized by disasters.

This bill is targeted and narrow. It applies only to 8(a) program participants in Alabama, Mississippi, or Louisiana that were impacted by this disaster. At most, this represents barely 4 percent of all 8(a) participants. Eighteen months is not a significant amount of time, but it could play a major role in ensuring that these businesses are able to participate in the rebuilding of their home States.

I urge support of this bill.

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

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

Mr. Speaker, I rise in support of H.R. 1468, the Disadvantaged Business Disaster Eligibility Act. This legislation, as the chairwoman indicated, would simply extend for 18 months the period of time that 8(a) Small Business Development Program participants who enrolled in the program prior to August 29 of 2005 could stay in the program by 18 months if they had their businesses primarily located in the area devastated by Hurricane Katrina.

The 8(a) Small Business Development Program, administered by the Small Business Administration, provides a useful mechanism for aspiring entrepreneurs and existing small business owners who, for social or economic reasons, may not have the same opportunities other small business owners have had and face challenging barriers to their success.

Entrepreneurs who participate in the 8(a) program undergo an extensive 9-year process, where they obtain specialized business training, counseling, marketing assistance, and high-level executive development. They also receive additional help in the form of low-interest loans, access to government surplus office equipment, and bonding assistance.

The Small Business Development Program provides many of the tools needed for any small business to succeed. Most significantly, the program assists these entrepreneurs in obtaining Federal Government contracts as a base from which to grow their businesses. Given the devastation to the gulf coast region by Hurricane Katrina, access to Federal Government contracts constitutes an important component of the region's rebirth, and I think we all agree that we all want to see the rebirth in that area occur.

Tragically, as every American remembers, the late summer of 2005 proved to be one of the most catastrophic in American history. The 9.7 million Americans residing on the gulf coast of Alabama, Louisiana, and Mississippi were victims of an unprecedented natural disaster, which, unfortunately, has become a nightmare that is etched in all our memories and a daily challenge for those who lived through it.

The storms of 2005 drowned 80 percent of New Orleans in seawater, killed in excess of 1,600 people, destroyed more than 200,000 gulf coast homes, and displaced more than 1 million of our fellow Americans. Starting a new business is challenging under normal circumstances. Only two-thirds of them make it through their first 2 years. And needless to say, the devastation along the gulf coast compounds this difficulty exponentially.

This legislation provides some additional time for those businesses facing the 9-year participation deadline provided for in the 8(a) program to get back on their feet. Nothing in the Small Business Act currently allows for an extension of participation as a result of extraordinary circumstances such as those created by Hurricane Katrina.

For business owners that may not have had access to their businesses or their customers for months, the rigidity of the Small Business Act seems unduly harsh. An additional 18 months of assistance to firms who face an uphill battle before the storms hit who are now hanging on by a thread after the storms have passed is truly the least that we can do.

Today I encourage my colleagues to support this necessary legislation.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. I thank the gentlewoman for yielding, and I am pleased to sponsor H.R. 1468, the Disadvantaged Business Disaster Eligibility Act. I would like to thank Chairwoman VELÁZQUEZ as well as Ranking Member CHABOT for their leadership in committee on this important bill. I would also like to thank the other members of the committee for voting in a bipartisan spirit to bring this measure to the floor in an expeditious manner.

This bill provides that if a small business affected by Hurricane Katrina that participates in any section 8(a) business development program, the eligibility period for its participation in such program is extended by 18 months.

The 8(a) program was designed as a 9-year business development program geared toward small businesses owned by citizens who are socially and economically disadvantaged. This program is of benefit to emerging African American, Hispanic, Asian American, and nonminority women-owned firms included in the program's coverage. Once the eligibility for the 9-year program has run out, the small business participating in the program is ineligible to re-enter it. When Hurricane Katrina ripped through New Orleans on August 29, 2005, it left 80,000 businesses damaged or destroyed, 97 percent of which were small businesses. A significant percentage were participating in the 8(a) program and were forced to shut down for an extended period of time, losing time in the program

through a series of events far beyond their control. It is only right and fair that we extend the period of eligibility so that the affected disadvantaged businesses are allowed to grow and flourish and enjoy the full 9 years of the program.

Nineteen months since Katrina struck, most of our 8(a) firms across the gulf coast are still struggling to return.

This bill is about equity and fairness at a time when the road to recovery has been anything but fair for disadvantaged firms in the region. For example, in the time just following the storm, 90 percent of the $2 billion in initial contracts were awarded to companies based outside of the three primary affected States and to large concerns. Minority businesses received just 1.5 percent of the first $1.6 billion spent there. Women-owned businesses received even less. This was the outcome in spite of laws such as the Stafford Act, which require contracting officials to prioritize awards to local businesses and to reach a goal of 5 percent of contracts to minority-owned businesses.

The continued recovery from Katrina is made up of many interconnected issues, and we cannot fully recover without addressing all of them. Helping small businesses, as this and other bills such as the RECOVER Act do, restores jobs that our citizens can return home to and puts our businesses back on track. It broadens the tax base of our region and helps with our recovery.

I look forward to continuing to work on the Small Business Committee with Ms. VELÁZQUEZ and Mr. CHABOT to address the needs of small businesses in the gulf region.

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

Ms. VELÁZQUEZ. Mr. Speaker, I would like to thank the gentleman from Ohio (Mr. CHABOT) for his support and cooperation in helping expedite this legislation.

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 New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 1468, as amended.

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

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 3 o'clock and 13 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 5 p.m.

ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT OF 2007

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 137) to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 137

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 ''Animal Fighting Prohibition Enforcement Act of 2007''.

SEC. 2. ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.

(a) IN GENERAL.—Chapter 3 of title 18, United States Code, is amended by adding at the end the following:

''§ 49. Enforcement of animal fighting prohibitions

''Whoever violates subsection (a), (b), (c), or (e) of section 26 of the Animal Welfare Act shall be fined under this title, imprisoned for not more than 3 years, or both, for each violation.''.

(b) CLERICAL AMENDMENT.—The table of contents for such chapter is amended by inserting after the item relating to section 48 the following:

''49. Enforcement of animal fighting prohibitions.''.

SEC. 3. AMENDMENTS TO THE ANIMAL WELFARE ACT.

Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (c), by striking ''interstate instrumentality'' and inserting ''instrumentality of interstate commerce for commercial speech'';

(2) in subsection (d), by striking ''such subsections'' and inserting ''such subsection'';

(3) by striking subsection (e) and inserting the following:

''(e) It shall be unlawful for any person to knowingly sell, buy, transport, or deliver in interstate or foreign commerce a knife, a gaff, or any other sharp instrument attached, or designed or intended to be attached, to the leg of a bird for use in an animal fighting venture.'';

(4) in subsection (g)—

(A) in paragraph (1), by striking ''or animals, such as waterfowl, bird, raccoon, or fox hunting''; and

(B) by striking paragraph (3) and inserting the following:

''(3) the term 'instrumentality of interstate commerce' means any written, wire, radio, television or other form of communication in, or using a facility of, interstate commerce;''; and

(5) by adding at the end the following new subsection:

''(i) The criminal penalties for violations of subsection (a), (b), (c), or (e) are provided in section 49 of title 18, United States Code.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. 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 Virginia?

There was no objection.

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

Mr. Speaker, H.R. 137 is a bipartisan effort by the Judiciary Committee, led by the gentleman from California (Mr. GALLEGLY) as the chief sponsor and the gentleman from Oregon (Mr. BLUMENAUER) as the lead Democratic sponsor. Both have worked long and hard on this issue. I would also like to express my appreciation to Chairman CONYERS, Ranking Member SMITH, and Subcommittee Ranking Member FORBES for their leadership and support in moving this matter forward, and also the former chairman of the committee, Mr. COBLE, who is with us today.

The Animal Fighting Prohibition Enforcement Act of 2007 addresses the growing problem of staged animal fighting in this country. It increases the penalties under the current Federal law for transporting animals in interstate commerce for the purpose of fighting and for interstate and foreign commerce in knives and gaffs designed for use in cockfighting.

Specifically, H.R. 137 makes violations of the law a felony punishable by up to 3 years in prison. Currently, these offenses are limited to misdemeanor treatment with the possibility of a fine and up to 1 year of imprisonment. Most States make all staged animal fighting illegal. Just one State currently allows cockfighting to occur legally.

The transport of game birds for the purpose of animal fighting and the implements of cockfighting are already prohibited by Federal law, though the current law only allows, as I have indicated, the misdemeanor treatment. In 1976 Congress amended title 7, U.S. Code, section 2156, the Animal Welfare Act, to make it illegal to knowingly sell, buy, transport, deliver, or receive a dog or other animal in interstate or foreign commerce for the purposes of participation in an animal fighting venture or knowingly sponsoring or exhibiting an animal in a fighting venture if any animal in the venture was moved in interstate or foreign commerce. Amendments to the Animal Welfare Act contained a loophole, however, that allowed shipments of birds across State lines for fighting purposes if the destination State allowed cockfighting.

While Congress did amend section 26 of the Animal Welfare Act to close this

loophole in 2002, the penalty section and other provisions of the act have not been updated since their original enactment in 1976. This bill is designed to address those shortfalls to more effectively cover modern problems associated with animal fighting ventures.

As I have already mentioned, the legislation increases current penalties to provide a meaningful deterrent. One of the primary reasons for enacting the increased penalties under title 18 is the reluctance of U.S. Attorneys to pursue animal fighting cases under the current misdemeanor provisions because they view the penalties as ineffective against an animal fighting industry, which has continued unabated nationwide.

H.R. 137 further makes it a felony to transport cockfighting implements in interstate or foreign commerce. These implements take the form of razor-sharp knives, known as slashers; or gaffs, instruments shaped in the form of curved ice picks that are attached to birds' legs for fighting. Proponents of these implements within the game fowl community apparently contend that they inflict cleaner wounds upon the birds which are then quicker and easier to heal.

Since penalties against animal fighting were codified in 1976, Federal authorities have pursued less than half a dozen animal fighting cases, despite the fact that the USDA has received numerous tips from informants and requests to assist with State and local prosecutions.

In addition, despite the fact that all 50 States have banned dog fighting and all but one State has banned cockfighting, the animal fighting industry continues to thrive within the United States. Numerous nationally circulated animal fighting magazines advertise fighting animals, and paid lobbyists continue to advocate for animal fighters' interests. Thankfully, H.R. 137 will seek to bring an end to these practices.

Finally, Mr. Speaker, this bill affects matters within the jurisdiction of the Committee on Agriculture and the Judiciary Committee. Both committees have worked closely together to ensure that all matters are dealt with appropriately. We appreciate their assistance in bringing this bill expeditiously to the floor, and I will insert into the CONGRESSIONAL RECORD at this point an exchange of letters between Chairman PETERSON of the Agriculture Committee and Chairman CONYERS of Judiciary.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, March 8, 2007.

Hon. COLLIN C. PETERSON,
Chairman, Committee on Agriculture, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Agriculture Committee's jurisdictional interest in H.R. 137, the ''Animal Fighting Prohibition Enforcement Act of 2007,'' which the Committee on the Judiciary reported by voice vote. As ordered reported, the bill establishes criminal penalties for violations of Federal prohibitions on animal fighting.

I appreciate your willingness to discharge the bill from further consideration by your Committee, in order to expedite its floor consideration. I understand and agree that this is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will include a copy of your letter and this response as part of the Congressional Record during consideration of the legislation on the House floor. Thank you for your cooperation as we work towards enactment of H.R. 137.

Sincerely,

JOHN CONYERS, Jr.,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, March 8, 2007.

Hon. JOHN CONYERS,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding Judiciary Committee action on H.R. 137, a bill to establish criminal penalties for violations of Federal prohibitions on animal fighting.

In the interest of expediting the consideration of H.R. 137, I agree to the discharge of the bill from further consideration by the Committee on Agriculture. I do so with the understanding that the Committee on Agriculture does not waive any future jurisdictional claim over this or similar matters. In the event a conference with the Senate is requested on this bill, the Committee on Agriculture reserves the right to seek appointment of conferees.

Thank you for your cooperation in this matter.

Sincerely,

COLLIN C. PETERSON,
Chairman.

With that, Mr. Speaker, I urge my colleagues to support the legislation.

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

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

Mr. Speaker, H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007, creates Federal felony penalties for animal fighting. The distinguished gentleman from California (Mr. GALLEGLY) is the lead sponsor of this bill with over 300 cosponsors from both sides of the aisle.

The Animal Fighting Prohibition Enforcement Act increases criminal penalties for illegal dog fighting and cockfighting. The act, furthermore, imposes penalties for the interstate promotion of animal fighting and the interstate transportation of animals for use in an animal fighting venture.

All 50 States, Mr. Speaker, prohibit dog fighting, and 48 States prohibit cockfighting. Louisiana and New Mexico, the two States that do, in fact, allow cockfighting, may take up legislation to ban the practice as early as this year.

According to the Humane Society, animal fighting, particularly cockfighting, has become an interstate venture with small syndicates of cockfighters moving across the country staging these different fights. Animal fighting is also linked oftentimes with other criminal conduct such as drug trafficking, illegal firearms sales, and gang activity.

By raising this offense from a misdemeanor to a felony, we are more likely to deter illegal animal fighting and increase the likelihood that Federal prosecutors will pursue these cases.

I urge my colleagues to support this bipartisan legislation.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), chairman of the Judiciary Committee.

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

Mr. CONYERS. Mr. Speaker, to subcommittee Chairman BOBBY SCOTT we owe a debt of gratitude, as well as to subcommittee Ranking Member COBLE and, of course, the author of this bill, ELTON GALLEGLY, who through the years has persevered to make us finally come to this day. I guess we should also thank about 303 Members of the House of Representatives that have stuck with us and supported this legislation all this time. My congratulations to all of you. I never thought that a measure that was not considered as grave and large as some of the issues that come before the House Judiciary Committee would meet with so much encouragement and support to get us to this day. I congratulate the House of Representatives and the leadership on both sides.

I join, of course, in this measure and would like to make this point: this legislation includes a special provision clarifying the fact that it only supersedes State law in the case of a direct or irreconcilable conflict. The Humane Society is with us. The American Veterinary Medical Association is with us. The National Association of Sheriffs is with us, and hundreds and hundreds of local law enforcement agencies in every State of the Union have all come out in support of this basic, commonsense, long overdue legislation.

I thank those who have worked so tirelessly across the years to bring us to this day where this bill has now come before the floor.

I'm pleased to join the growing list of supporters, including the 30 or so Members of the Judiciary Committee, that have decided to lend their support to this measure.

For far too long, the sponsors of abusive animal fighting events (including cockfight and dog fight promoters) have been permitted to freely engage in such activities without any real fear of prosecution. Fortunately, the bill before us seeks to change that.

First, the legislation provides up to the three years in jail for people who transport animals in interstate commerce with the purpose of participating in an animal fighting venture. Current law only treats such offenses as a mere misdemeanor. However, research has shown us that simple misdemeanor criminal penalties

don't provide enough of a meaningful deterrent, especially when thousands of dollars are wagered on a single dog or cock fight.

Second, the legislation makes it unlawful to sell or ship instruments in interstate commerce that are designed to be attached to the leg of a bird for use in an animal fighting venture. Razor sharp knives, commonly known as "slashers", are oftentimes attached to the legs of a bird to make cockfights even more violent. This provision would prohibit such activity, and subject any violators to a term of imprisonment of up to three years in jail.

Finally, the legislation includes a special provision clarifying that this measure only supersedes state law in the case of a direct or irreconcilable conflict.

The Humane Society, the American Veterinary Medical Association, the National Sheriffs Association, and nearly 400 local law enforcement agencies covering all 50 states have all come out in support of this legislation.

I strongly urge my colleagues to lend their support to this bipartisan, commonsense measure as well.

Mr. COBLE. Mr. Speaker, I now yield 3 minutes to the distinguished gentleman from California (Mr. GALLEGLY), member of the House Judiciary Committee and original sponsor of this legislation.

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

Mr. GALLEGLY. Mr. Speaker, I thank the gentleman for yielding.

As you know, along with my good friend EARL BLUMENAUER and ROSCOE BARTLETT, we have been trying to federally criminalize this brutal, inhumane practice of animal fighting for the past several Congresses.

When Congress enacted legislation to tighten Federal animal fighting laws, we left in place weak penalties that have proven ineffective and allowed the barbaric practice to thrive, in spite of bans in virtually every State. Misdemeanor penalties simply don't provide a meaningful deterrent. Animal fighters consider misdemeanor penalties as a "slap on the wrist" or merely the "cost of doing business."

State and local law enforcement officials are increasingly concerned about animal fighting not only because of the animal cruelty involved but because of the other crimes that often go hand in hand with animal fighting, including illegal gambling, drug trafficking, and acts of human violence. In the last 6 months, virtually every reported arrest in an animal fight has also led to additional arrests for at least one of these criminal activities.

Cockfighting has also spread diseases that jeopardize poultry and even public health. California experienced this firsthand when cockfighters spread exotic Newcastle disease in 2002 and 2003. That outbreak cost U.S. taxpayers nearly $200 million to eradicate, and the cost to the U.S. poultry industry was in the millions. Cockfighting has been identified as the major contributor to the spread of avian flu throughout Thailand and other parts of Asia, where the strain originated.

I want to express my sincere thanks to you, EARL BLUMENAUER, and to ROSCOE BARTLETT for their work on this legislation. I also commend and thank my good friend and neighbor Mr. JOHN CONYERS, the chairman of the committee; LAMAR SMITH, the ranking member; BOBBY SCOTT, the chairman of the subcommittee; and RANDY FORBES, the ranking member, for recognizing the importance of this issue and moving H.R. 137 through the Judiciary Committee so quickly.

□ 1715

Also I want to recognize COLLIN PETERSON on the Ag Committee for his assistance.

Finally, more important than all, is recognizing the 303-plus Members that have co-sponsored this legislation. It is hard to believe that we have that many people agreeing on something like this when it is not often that we have that many people in the House agreeing on what day of the week it is. So I want to thank all of them for their support.

Mr. Speaker, I ask my colleagues to join with all of us in passing this legislation when we bring it to a vote here in a couple of minutes.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), the lead Democratic sponsor of this measure.

Mr. BLUMENAUER. Mr. Speaker, I appreciate Mr. SCOTT's courtesy in permitting me to speak and the leadership in taking what is seemingly a simple and innocuous bill and bringing it to the floor of the House. I appreciate working with my friend, ELTON GALLEGLY. This has been a long haul, lots of ups and downs, but today we reach an important milestone.

This is my fifth year of working on this issue. We were exposed to it during the last farm bill. We found that this got caught up in back-room machinations that really just defy description.

You have already heard about the despicable cruelty. You have heard about the association with illegal activity, gambling, violence, drugs and firearms trade. Louisiana is now poised to become the last State to make it illegal, making it illegal in every State in the Union.

Why then is this even an issue? Well, it is an underground and pervasive activity. It is in fact active across the country.

I just heard from one of our floor staff as we walked in today that he saw accounts from small town newspapers in Alabama the last 2 weeks in articles there. In Portland, Oregon, in recent months we have had officers break into a meth and coke den where there were 43 live chickens and all the equipment, as well as illegal weapons and large amounts of cash. In another high-profile case in my community, a professional basketball player was involved with illegal fighting of his pit bull.

This is something that has been an area, frankly, where Congress has shamefully been complicit. We have ignored the fact that inadequate penalties, as has been said by the chairman of the committee, by my friend from California, which have just been the "cost of doing business," We have looked the other way.

This is an important vote today. I am confident with over 300 co-sponsors it will pass, and it will pass overwhelmingly. But the battle is not done. Never underestimate the power of the apologists, the allies and the enablers of this vicious and cruel, I won't even call it a "sport," it is a vicious practice.

I am hopeful that we will move forward with not just voting today, but make sure that it passes the other body, and it is not subjected, as it has been time and time again over the last 5 years, to some other devious action.

Do not sell short the people who are apologists for this sport. Join with us not just with your vote but to make sure that we get this legislation enacted and then enforced around the country.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2½ minutes to the gentlelady from California, Ms. SÁNCHEZ.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today in proud support of H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007, because it is time for the Federal Government to up the ante in its efforts to curb this cruel and gruesome abuse of animals.

The current misdemeanor penalties in Federal law have not been effective. They are considered a cost of doing business by the animal fighting industry, which continues to operate across the country.

This bill addresses the growing problem of animal fighting by amending Federal law to prohibit moving animals through interstate commerce for the purpose of fighting.

Do we want to make a Federal case out of this? Yes, we do. Those who profit from animal fighting often drug dogs and roosters to make them hyper-aggressive and to keep fighting even after suffering severe injuries. The animals are in a closed pit from which they cannot escape. Often, they die during the fight. This is a gruesome and inhumane practice. The American people agree. Dog fighting is illegal in 50 States and cockfighting is illegal in most.

Current law is simply not strong enough. Animal fighting often leads to additional criminal behavior. It is associated with illegal gambling, narcotics trafficking, public corruption, gang activity, and violent behavior toward people.

The National Sheriffs' Association supports the legislation, and more than 400 individual sheriffs and police departments in every State in the country have endorsed it. They recognize that animal fighting often involves movement of animals across interstate

and foreign borders, and they can't do the job on their own. They need the Federal Government to do its part to curb this dangerous activity.

I am proud to be a part of this bipartisan effort to curb this appalling treatment of animals. I urge my colleagues to join me in voting yes on H.R. 137.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I want to thank the gentleman from Virginia for this time.

This is my first year in the Congress. In my 24 years in the State senate, I was the leading spokesperson for animal welfare legislation, and I took great pride in that. So I am particularly appreciative of standing up on this bill.

I incorporate by reference all the things that have been said about the harmful effects of this practice, and they are well known. I think that the spread of avian flu and all the other pertinent conduct is to be prohibited.

But the main thing is, dogs are our best friends. Harry Truman said, if you want a friend in Washington, get a dog. So far, I haven't been here 90 days, I have made lots of friends. I haven't needed a dog yet, but I have thought about the day. I saw a Congressman come in the other day, Congressman WHITFIELD from Kentucky, he had his dog with him. He has been here more years than me.

Dogs are our friends. We all have dogs that we feel that are part of our families. We shouldn't treat any of God's creatures the way that people treat dogs and cocks; and I guess if I was from Kentucky, Congressman YARMUTH, I could speak more fondly about chickens, because the Colonel and KFC have done a lot for his district.

But my particular interest is dogs, and we should treat them well. They are our friends. You can go back in TV lore, Lassie and Asta, and you think about Snoopy. To teach them to fight, to require them to fight, to watch them die is just not what God intended and not what we should encourage and condone.

Children shouldn't be exposed to this, and sometimes they are. This type of conduct leads to other types of harmful conduct and violence against women, violence against seniors. People who enjoy this type of violence and watching it are more often than not going to be the most likely people to pick on others who are unable to take care of themselves.

I am very proud to be a cosponsor of H.R. 137. I look forward to its passage and the day that we don't have people who get some type of great enjoyment out of watching dogs, cocks or any other of God's creatures fight to the death and find pleasure and enjoyment in it and teach their children by that association that violence is something good, when it isn't.

Mr. COBLE. Mr. Speaker, I am advised the distinguished gentleman from Virginia would like me to yield 3 minutes to the distinguished gentleman from Virginia (Mr. MORAN) which I am pleased to do.

Mr. MORAN of Virginia. Mr. Speaker, I thank both my friend from North Carolina and my friend from Virginia, as well as the chairman of the Judiciary Committee, for bringing this forward, as well as those who have spoken on behalf of this bill.

This is not just a nuisance industry. This is a malicious industry that represents a very, very serious public health threat. We are very much concerned that the interstate or international transport, especially of birds used for cockfighting, could spread an influenza outbreak. The World Health Organization has reported at least nine confirmed human cases of avian flu in Thailand and Vietnam that they expect is related directly to cockfighting activity.

The American Veterinary Medical Association, the poultry industry, all the animal protection associations, of course, but the National Sheriffs' Association as well has urged us to pass this bill.

Yes, there are 50 different State bills against dog fighting, 49 against cockfighting, but many of them are different. And the fact is there is a great deal of interstate commerce that takes place, so you need a Federal law banning this, because it is so closely associated, and this is what the National Sheriffs' Association tells us, so closely associated to illegal gambling, trafficking of narcotics, public corruption, dangerous gang activity. There are so many reasons why we should ban this practice.

As has been said, it is cruel, and it is inhumane. They drug these animals so that they are hyper-aggressive, so that they will continue fighting until they kill or are killed. That is not right. It is not moral. But even beyond the cruel and inhumane aspect of this practice, it represents a very dangerous public health threat, as well as a source of a great deal of other illegal criminal activity.

This House would be well-served to listen to the more than 300 Members who have cosponsored this legislation and pass it today.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the author of the bill and certainly the chairman of the Subcommittee on Crime, the chairman of the full committee and ranking members as well.

I rise to enthusiastically support H.R. 137 and announce that it is impacting so many different communities that it is imperative that there be a Federal prohibition on transporting animals interstate. There is a question of disease, there is a question of violence, and certainly with the increasing numbers of dangerous animals that attack human beings, fighting animals certainly pose a severe threat to the community.

This is a good bill. I am delighted to be a co-sponsor. The good news is that we are getting it through the House today. This bill has been around since the last session. I congratulate all of the authors. It is time now to spell relief by passing this bill and protecting the lives of our children and saving the lives of those who would be endangered by cockfighting and other dangerous activities with animals.

Mr. Speaker, I rise in strong support of H.R. 137, the "Animal Fighting Prohibition Enforcement Act of 2007." I was a co-sponsor of this legislation when it was considered in the 109th Congress and a strong supporter and co-sponsor when the bill was re-introduced in this Congress.

Mr. Speaker, H.R. 137 establishes felony-level jail time (up to 3 years) for violators of the Federal animal fighting law. The bill amends Title 18 of the U.S. Code to strengthen the maximum jail time from the 1-year misdemeanor level in current law. The bill also prohibits interstate and foreign commerce in cockfighting weapons.

1. DOGFIGHTING AND COCKFIGHTING ARE INHUMANE AND BARBARIC ACTIVITIES

In a typical fight, animals are drugged to heighten their aggression and forced to keep fighting even after injuries such as pierced lungs and gouged eyes—all for the amusement and illegal wagering of handlers and spectators. Dogfighting and cockfighting are also associated with other criminal conduct, such as drug traffic, illegal firearms use, and violence toward people. Children are often present at these spectacles. Some dogfighters steal pets to use as bait for training their dogs; some allow trained fighting dogs to roam neighborhoods and endanger the public.

2. FELONY PENALTIES ARE NEEDED

Misdemeanor penalties don't provide a meaningful deterrent; they're considered a "slap on the wrist" or a "cost of doing business." And prosecutors are reluctant to pursue animal fighting cases carrying only a misdemeanor penalty. Since the Federal animal fighting law was first enacted in 1976, authorities have pursued only a handful of cases, despite receiving innumerable informant tips about illegal interstate activity and requests to assist with state and local busts and prosecutions.

3. THE ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT BRINGS FEDERAL LAW IN LINE WITH STATE LAWS

When the Federal animal fighting law was enacted in 1976, only one state had felony penalties for animal fighting. Today, dogfighting is a felony in 48 states, and cockfighting is a felony in 33 states. State laws commonly authorize jail time of 3 to 5 years or more for animal fighting.

4. OTHER RECENT FEDERAL ANIMAL PROTECTION LAWS THAT AMENDED TITLE 18 OF THE U.S. CODE HAVE FELONY PENALTIES

In 1999, Congress authorized imprisonment of up to 5 years for interstate commerce in videos depicting animal cruelty, including animal fighting (P.L. 106–152), and mandatory

jail time of up to 10 years for willfully harming or killing a federal police dog or horse (P.L. 106–254).

5. THERE IS NO REASON TO ALLOW INTERSTATE AND FOREIGN COMMERCE IN SHARP IMPLEMENTS DESIGNED EXCLUSIVELY FOR COCKFIGHTS

Razor-sharp knives known as ''slashers'' and ice pick-like gaffs are attached to the legs of birds to make cockfights more violent. These weapons, used only in cockfights, are sold through cockfighting magazines and through the Internet.

6. THE ANIMAL FIGHTING INDUSTRY CONTINUES TO THRIVE ACROSS THE U.S

All 50 states ban dogfighting, 48 states ban cockfighting, and there has been a dramatic increase in the number of animal fighting raids by state and local authorities. Yet numerous nationally circulated animal fighting magazines still promote these cruel practices and advertise fighting animals and the accoutrements of animal fighting. There are also several active websites for animal fighting enthusiasts, and paid lobbyists advocating animal fighters' interests.

7. COCKFIGHTERS HAVE SPREAD DISEASES AND POSE A CONTINUING THREAT TO FARMERS AND PUBLIC HEALTH

As former Agriculture Secretary Ann Veneman wrote in a May 2004 letter indicating the Bush Administration's endorsement of the animal fighting felony legislation:

''[cockfighting has] been implicated in the introduction and spread of exotic Newcastle disease in California in 2002–2003, which cost U.S. taxpayers nearly $200 million to eradicate, and cost the U.S. poultry industry many millions more in lost export markets. . . . We believe that tougher penalties and prosecution will help to deter illegal movement of birds as well as the inhumane practice of cockfighting itself.''

According to government officials, interstate and international transport of fighting birds posed the greatest risk of transmission, since cockfighters move their birds often and participants from as many as a dozen states gather at illegal fighting derbies.

Cockfighting also has been implicated in the deaths of at least 9 people in Asia who were reportedly exposed through cockfighting activity to bird flu. The National Chicken Council, which represents 95% of U.S. poultry producers/processors, has called on Congress to enact the animal fighting felony legislation, noting ''we are concerned that the nationwide traffic in game birds creates a continuing hazard for the dissemination of animal diseases.'' We can't afford not to act. The economic consequences of an avian influenza outbreak are staggering—with U.S. losses estimated at between $185 and $618 billion (Congressional Budget Office) and worldwide losses projected from $1.5 to $2 trillion (The World Bank).

8. H.R. 137 ENJOYS OVERWHELMING BIPARTISAN SUPPORT

H.R. 137 currently has more than 300 sponsors. More than 400 local and state law enforcement agencies covering every state in the country have endorsed this legislation, along with animal welfare, poultry industry, and other organizations. Enacting this animal fighting legislation is long overdue.

Mr. Speaker, I urge my colleagues to support H.R. 137.

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

Mr. SCOTT of Virginia. Mr. Speaker, I urge my colleagues to support this legislation. It is bipartisan legislation. We have listened to all of the people who have worked long and hard on this legislation. I hope it will be the pleasure of the House to pass the bill.

Mr. BLUMENAUER. Mr. Speaker, I support the Animal Fighting Prohibition Act, which would raise the penalty for violators of the federal animal welfare law, from a class 1 misdemeanor to a felony. In an industry where thousands of dollars change hands with each fight, misdemeanor fines and charges are simply considered ''the costs of doing business''. This bill would close this loophole and keep criminals from traveling to states with weaker penalties to conduct their business.

Animal fights are not only despicable for their cruelty to animals, but they are commonly associated with illegal gambling, drug traffic, firearms trades, and numerous other illicit activities. Recently in Oregon, officers found meth, cocaine, $10,000 in cash, along with 43 live chickens, cockfighting equipment including metal spurs and gaffs in a Portland man's home. Drugs are often the impetus for the discovery of gamecocks and illegal weapons. In another high profile Oregon case, a former Portland Trailblazer pled guilty to animal abuse for fighting his pit bull. Officials found her bloody, scarred, and covered in tar which is used by fighters as a cheap antiseptic to fresh wounds.

But animal fighting doesn't just pose a threat to the people and animals who engage in them, it has enormous costs to the United States health and economy. Cockfighting has been implicated in the introduction and spread of exotic Newcastle disease in California in 2002–2003, which cost the U.S. taxpayers nearly $200 million to eradicate. The disease spread further to large scale egg farms in Arizona, Nevada, New Mexico, and Texas; costing the U.S. poultry industry many millions of dollars in lost export markets. Cockfighting has also been implicated in the deaths of at least 9 people in Asia who contracted avian flu after exposure to fighting birds. If avian flu were to reach the shores of America, the economic and human consequences would be staggering.

This bill has widespread support across the country, including 303 cosponsors in the House and 35 cosponsors in the Senate. HR 137 is endorsed by the Humane Society of the United States, the National Chicken Council which represents 95 percent of the Nation's poultry producers, the American Veterinary Medical Association, the National Sheriff's Association, and more than 400 local law enforcement agencies. Currently there is only one bastion left for cock fighters; the State of Louisiana. Although gamers have attempted to use tribal lands as exemptions from state and federal laws, a federal jury recently convicted four men for their participation in a cockfight, and 70 others entered guilty pleas. It is my understanding that the increase in penalties contained within this bill would be equally applicable to animal fights held on tribal lands or Indian Reservations.

It is far past time that Congress give our law enforcement agencies the tools they need to end this barbaric and consequential practice.

Mr. SHAYS. Mr. Speaker, I rise in support of H.R. 137, the Animal Fighting Prohibition Enforcement Act, of which I am also a cosponsor. The way a society treats its animals speaks to the core values and priorities of its citizens. I am committed to animal welfare because I believe humankind has an obligation to all animals.

Currently, it is a misdemeanor to sell, buy, or transport an animal to be used in a fight.

This legislation would make the crime a felony and increase the imprisonment penalty from 1 year to 3 years. The legislation also makes it unlawful to ship in interstate commerce a knife, gaff, or other sharp instrument used in cockfighting, and makes it a felony to use the postal service to promote an animal fight.

Dog fighting is banned in 50 states and cockfighting is banned in all but two, so I believe the Federal government is simply codifying a value that our States governments have already individually expressed.

Animal fighting is a cruel pastime where, in a typical fight, animals are drugged to heighten their aggression and forced to keep fighting, even after injuries, for the amusement and illegal wagering of handlers and spectators. We must put an end to this form of entertainment, which results in the brutal treatment of animals.

As a co-chair of the Congressional Friends of Animals Caucus, I will continue to work on a bipartisan basis to help protect animals at the Federal level.

Mr. BARTLETT of Maryland. Mr. Speaker, with my colleagues Mr. GALLEGLY and Mr. BLUMENAUER, I have introduced H.R. 137 to establish felony-level jail time of up to 3 years for those who violate the law against animal fighting. H.R. 137 would amend current law to toughen the maximum jail time from a one-year misdemeanor.

The penalties in the existing federal animal fighting statute are too weak. The upgraded penalty better aligns federal law with state law. Almost all states have established felony-level penalties for illegal animal fighting activities. State laws commonly authorize jail time of 3 to 5 years or more for animal fighting.

George Bernard Shaw once stated, ''The worst sin toward our fellow creatures is not to hate them, but to be indifferent to them, that's the essence of inhumanity.'' We should not be indifferent to the reprehensible underground organized crime of animal fighting, which is not only cruel but poses threats to public health and safety.

The Humane Society of the U.S. estimates that there are at least 40,000 dogfighters in America. Cockfighting has been tied to the spread of bird flu. Animal fighting spawns a number of other criminal activities, such as illegal gambling and using and selling drugs. Even more disturbing is the conclusion by many experts that acts of cruelty against animals are precursors to violence against humans. The felony-level penalties against animal fighting in H.R. 137 are necessary, and I urge my colleagues to support the bill.

Mr. FARR. Mr. Speaker, I rise today in strong support of H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007.

As many of my colleagues know, I have had a lifelong love and compassion for animals of all kinds. That is why I am simply shocked that it is not already illegal to take animals across state lines for the purpose of fighting. This is an inhumane and cruel practice that must not be allowed to continue. Another reason why this practice must be outlawed is because animal fighting spreads disease and poses an enormous public health risk. At a time when

avian flu is at the forefront of this county's health-related worries, it should be of the utmost concern to people that animal fighting is occurring all across the country. It makes one wonder, what kind of person could enjoy a "sport" like this?

In the forty-eight states where animal fighting is already outlawed, illegal gambling goes hand-in-hand with this gruesome activity. H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007, makes it a felony to knowingly sponsor or exhibit an animal or to use interstate commerce for the purposes of fighting. This bill would impose a prison sentence of up to 3 years.

I have supported this legislation since 2003. I am pleased that this legislation has overwhelming bipartisan support, with 303 cosponsors. Obviously we need stronger laws on this because this practice still continues.

Mr. Speaker, I urge my colleagues to pass H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007.

Mr. KUCINICH. Mr. Speaker, I rise today in support of H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007. It is hard to believe that an act as horrendous and brutal as animal fighting still takes place today.

H.R. 137 would make engaging in animal fighting a felony. This legislation will ensure that those who choose to fight animals illegally will be met with the appropriate penalty when they disregard the law.

Despite the fact that the vast majority of states have banned this atrocious and deplorable act, animal fighting continues to plague our communities. Animals such as dogs and chickens are fought to the death in the name of sport. This is unhealthy, violent behavior on the part of humans and is inhumane and merciless to the animals.

I commend both local and state officials for stepping up raids on animal fighting rings. Now it is time for this body of Congress to do our part by making these offenses a felony under Federal law. I urge my colleagues to join me and vote in favor of the Animal Fighting Prohibition Enforcement Act, H.R. 137.

Mr. SCOTT of Virginia 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 Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 137, 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. WESTMORELAND. 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.

□ 1730

INTERIM APPOINTMENT OF UNITED STATES ATTORNEYS

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 580) to amend chapter 35 of title 28, United States Code, to provide for a 120-day limit to the term of a United States attorney appointed on an interim basis by the Attorney General, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 580

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

SECTION 1. INTERIM APPOINTMENT OF UNITED STATES ATTORNEYS.

Section 546 of title 28, United States Code, is amended by striking subsection (c) and inserting the following new subsections:

''(c) A person appointed as United States attorney under this section may serve until the earlier of—

''(1) the qualification of a United States attorney for such district appointed by the President under section 541 of this title; or

''(2) the expiration of 120 days after appointment by the Attorney General under this section.

''(d) If an appointment expires under subsection (c)(2), the district court for such district may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

''(e) This section is the exclusive means for appointing a person to temporarily perform the functions of a United States attorney for a district in which the office of United States attorney is vacant.''.

SEC. 2. APPLICABILITY.

(a) IN GENERAL.—The amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION.—

(1) IN GENERAL.—Any person serving as a United States attorney on the day before the date of the enactment of this Act who was appointed under section 546 of title 28, United States Code, for a district may serve until the earlier of—

(A) the qualification of a United States attorney for that district appointed by the President under section 541 of that title; or

(B) 120 days after the date of the enactment of this Act.

(2) EXPIRED APPOINTMENTS.—If an appointment expires under paragraph (1)(B), the district court for the district concerned may appoint a United States attorney for that district under section 546(d) of title 28, United States Code, as added by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. 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 Michigan?

There was no objection.

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

Mr. Speaker, the measure before us today has been introduced by the gentleman from California, a ranking member of the committee and a subcommittee Chair, HOWARD BERMAN. It is intended to restore the historical checks and balances to the process by which interim U.S. Attorneys are appointed. It will repair a breach in the law that has been a major contributing factor in the recent termination of eight able and experienced United States Attorneys and their replacement with interim appointments. It has gathered much attention across this Nation, and not just in government and legal circles.

The full circumstances surrounding these terminations are still coming to light, but what we know is already very troubling. The reports about these terminations are particularly troubling in that the United States Attorneys are among the most powerful government officials we have. They have the power to seek convictions and bring the full weight of the United States Government against any citizen or company that they deem important and eligible for prosecution. They can negotiate plea agreements. They can send people to prison for years and years. And frequently, the mere disclosure of a criminal investigation can destroy reputations and careers.

These are awesome powers. And so we on the Judiciary Committee consider it absolutely essential that the American people have full confidence in those entrusted to exercise these powers and that they do so with complete integrity and free from political influence of any kind.

The committee's investigation into these troubling circumstances is continuing. The longer time goes on, the more we know; and the more we know, the more we are troubled about what has been going on in the Department of Justice. It has already become abundantly clear that the gaping vulnerability in the law, which has placed the independence and integrity of our prosecutorial system in jeopardy, needs to be repaired as quickly as possible; and that is what we are here to do today.

What helped bring these troubling circumstances about, what helped make it possible for high-level Justice Department and White House officials to even entertain the notion that they could, as appears to be the case, target certain U.S. Attorneys for an unprecedented mid-course purge was an obscure provision adequately and anonymously slipped into the USA PATRIOT Reauthorization Act conference report in March of 2006. Without any debate, let alone the benefit of a single hearing in either body, this provision, added at the behest of the Justice Department's top political appointees to significantly enhance the power to appoint interim U.S. Attorneys without having to subject their appointments to customary safeguard of Senate confirmation. It was a middle-of-the-night insertion, and we are here to correct that.

Indeed, the administration's plan to exploit the new provision to bypass the Senate confirmation process is now well documented. As bluntly explained

by internal e-mails we received, and they now number in the hundreds, although we get them late on Friday nights, by the Attorney General's then-chief of staff, for example, discussing their plan to install the former Republican National Committee political operative, the new provision would enable them to ''give far less deference to home State Senators and thereby get our preferred person appointed and do it far faster and more efficiently at less political cost to the White House.''

This is outrageous. The Senate has already acted. The time is now. We need to move as rapidly as we can to correct this very serious error that casts a question upon the integrity of a very, very important part of our government, the Department of Justice.

Speaker, the bill before us today, introduced by my friend HOWARD BERMAN, will restore the historical checks and balances to the process by which interim U.S. Attorneys are appointed. It will repair a breach in the law that has been a major contributing factor in the recent termination of eight able and experienced United States Attorneys and their replacement with interim appointments.

The full circumstances surrounding these terminations are still coming to light, but what we know already is very troubling.

In one instance, the primary apparent qualification for the President's chosen replacement was that he had been an aggressive political operative at the Republican National Committee, thereby putting himself on Karl Rove's A list. In several other instances, the U.S. Attorney was in the midst of a sensitive public corruption investigation, and there were reportedly complaints from Republicans that the investigation was being pursued too aggressively against a fellow Republican, or was not being pursued aggressively enough against a Democrat.

The reports about these terminations are particularly troubling in that U.S. Attorneys are among our most powerful government officials. They not only have power to seek convictions and negotiate plea agreements that can send people to prison for years. The mere disclosure of a criminal investigation can destroy reputations and careers.

These are awesome powers, and it is absolutely essential that the American people can have full confidence those entrusted to exercise these powers do so with complete integrity and free from improper political influence.

The Committee's investigation into these troubling circumstances is continuing, and we will know more, and we will leave extended discussion of them for another day. But it has already become abundantly clear that the gaping vulnerability in the law, which has placed the independence and integrity of our prosecutorial system in jeopardy, needs to be repaired as quickly as possible. And that is what we are here to do today.

What helped bring these troubling circumstances about—what helped make it possible for high-level Justice Department and White House officials to even entertain the notion that they could, as appears to be the case, target certain U.S. Attorneys for an unprecedented mid-course purge—was an obscure provision quietly and anonymously slipped into the USA PATRIOT Reauthorization Act conference report in March 2006.

Without any I debate, let alone the benefit of a single hearing in either body, this provision was added at the behest of the Justice Department's top political appointees, to significantly enhance their power to appoint interim U.S. Attorneys, without having to subject the appointments to the customary safeguard of Senate confirmation.

Indeed, the Administration's deliberate plan to exploit the new provision to bypass the Senate confirmation process is now well documented. As bluntly explained in an internal e-mail by the Attorney General's then chief of staff, for example, discussing their plan to install the former RNC political operative, the new provision would enable them to "give far less deference to home-State Senators and thereby get (1) our preferred person appointed and (2) do it far faster and more efficiently, at less political cost to the White House."

Traditionally—since the Civil War—whenever a U.S. Attorney left office, and until the Senate could confirm a replacement, the local federal district court has appointed someone to fill the position on an interim basis. This was a neutral means of ensuring that permanent appointments remained the shared responsibility of the President and the Senate—to encourage the President to send a nomination to the Senate promptly, and to encourage the Senate to act promptly on the nomination.

In 1986, at the request of Attorney General Ed Meese, the law was modified to authorize the Attorney General to make short-term interim U.S. Attorney appointments, for up to 120 days. But if a permanent U.S. Attorney had not been confirmed by the end of that 120 days, the district court retained authority to make the appointment for the remainder of the interim period. This procedure, codified in 28 U.S.C. § 546, preserved the incentives on the Executive and Legislative Branches to work together on the nomination and confirmation of a permanent replacement.

That balanced approach was unceremoniously jettisoned a year ago, and with it respect for the Senate's role in ensuring that the President's power to hire and fire U.S. Attorneys at will was not abused at the expense of prosecutorial integrity.

The stealth provision in the 2006 USA PATRIOT Reauthorization Act completely removed the district court as a backstop in the interim appointment process, turning over sole power to the Attorney General, to unilaterally make interim appointments, for an unlimited time, with no obligation to involve the Senate, or the Judicial Branch, or anyone else.

H.R. 580 will restore the checks and balances that have historically provided a critical safeguard against politicization of U.S. Attorneys. First, it repeals the 2006 change to section 546, keeping the Attorney General's interim appointment role, but limiting it to 120 days, as it was before.

Second, the bill clarifies that section 546 is the only way to make interim U.S. Attorney appointments. This additional change has become necessary in light of indications, documented by the Congressional Research Service, that the Justice Department has used, and could again use, the Federal Vacancies Reform Act to evade the intent of a tightened section 546.

Mr. Speaker, this bill is an important step in restoring legal safeguards against abuse of Executive power to politicize core government functions that need to be above political calculations in their execution. I urge my colleagues to support this important legislation.

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

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

Mr. Speaker, I rise in mild opposition to H.R. 580, primarily against the process rather than substantively.

Scrutiny over the dismissal of several U.S. Attorneys in recent days may have triggered this legislation. While we are still learning the facts surrounding those dismissals, it does remain clear that the U.S. Attorneys do indeed serve at the pleasure of the President. Some are calling for oversight investigation because of the political appearance surrounding those dismissals, and this is fine; but amending the appointment process for interim U.S. Attorneys I believe is the wrong response.

Prior to 1986, the district court appointed interim U.S. Attorneys to fill vacancies until a Presidential appointee had been nominated and confirmed by the Senate. In 1986, the process was changed to authorize the Attorney General to appoint an interim United States Attorney for 120 days, at which time, if the Senate had not confirmed a new United States Attorney, the district court would then appoint an interim to serve until a new permanent United States Attorney was indeed confirmed.

This process was not infallible. Some said authorizing the judiciary to appoint the prosecutors before their court created a conflict of interest, and I think a good argument can be made for that. Others said the Executive could maneuver the Constitution by terminating a court-appointed interim by repeatedly substituting its own interim for 120-day stints. A good argument could well be made for that as well.

In 2005, the process for appointing interim United States Attorneys, however, was changed once again. This was an amendment to section 546 of title 28, which eliminated the 120-day time limit for an Executive-appointed interim to serve and eliminated the authority for the district court to appoint an interim.

Unfortunately, one of these responses to the recent dismissals had been H.R. 580, which would return the process of appointing interim United States Attorneys for 120 days and authorizing the judiciary to appoint interims if a permanent United States Attorney is not confirmed prior to the 120-day passes.

The bill, H.R. 580, was accelerated through the Judiciary Committee. Only one hearing was held on the bill. That hearing focused mostly on the current U.S. Attorney controversy, not the bill itself. It was then heard by the full committee, but there was no opportunity for the Judiciary Subcommittee on Commercial Administrative Law markup to therefore improve the bill.

Republicans on the Judiciary Committee, many of us, would have liked to have worked with the Democrats in a bipartisan fashion more thoroughly, and I think we may have come at the finish line with a more favorable finished product. Given more time, we might have considered some promising ideas. For instance, this bill does not address the problem of appointing and confirming United States Attorneys in a timely fashion. Senators KYL and SESSIONS introduced amendments in the Senate proposing several other responses to inherent conflicts created by United States Attorney vacancies and possible ways to provide for interims.

In these times of the war on terror, Mr. Speaker and colleagues, and the continuing age-old war on crime, the service of the United States Attorneys, indeed the front line of Federal law enforcement, is more than ever a matter of first importance to the Nation. Their appointment is serious business. We should not have rushed to judgment in attending to this business, but instead have given the legislative process more time to work. I think we missed an opportunity to improve the bill as a result.

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

Mr. CONYERS. Mr. Speaker, I yield myself 15 seconds only to say, Mr. HOWARD COBLE, I recognize you as a sincere and experienced and valued member of this committee, and I appreciate the circumstances that you are in this evening.

Mr. Speaker, I yield 4 minutes to the subcommittee chairwoman, LINDA SANCHEZ of California, and I thank her for the excellent job that she has done.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise in support of H.R. 580, a bill to revoke the Attorney General's unfettered authority to appoint U.S. Attorneys indefinitely.

This legislation would repeal a small provision, with enormous repercussions, that was placed into the USA PATRIOT Reauthorization Act conference report. The provision, which removed the 120-day limit for interim appointment of U.S. Attorneys, allows interim appointees to serve indefinitely and without Senate confirmation.

We now know that the provision was inserted into the conference report at the request of a Justice Department official. Clearly, the Justice Department's effort to insert this provision was just one part of the Bush administration's coordinated plan to purge U.S. Attorneys across the country for political reasons.

My suspicions about the role of this provision in the firing of at least eight U.S. Attorneys have been confirmed after reading the documents turned over by the Justice Department. We learned, for example, that in an e-mail to former White House Counsel Harriet Miers, former Attorney General Chief of Staff Kyle Sampson wrote: ''I strongly recommend that as a matter of administration policy we utilize the new statutory provisions that authorize the Attorney General to make U.S. Attorney appointments.''

The Congressional Research Service, a nonpartisan entity, has completed a report finding that these firings are unprecedented. Prior to the forced resignation of eight U.S. Attorneys in recent months, and outside the normal turnover of U.S. Attorneys that occurs with a new administration, only 10 U.S. Attorneys were forced to resign in the last 25 years. The 10 U.S. Attorneys cited in the CRS report were all fired for cause, most under a cloud of scandal.

H.R. 580, legislation offered by my friend and colleague from California, Representative HOWARD BERMAN, provides the necessary legislative response to restore checks and balances in the U.S. Attorney appointment process by reinstating the 120-day limit on all interim appointments.

The bill also closes other potential loopholes through which Senate confirmation could be bypassed. It clarifies that section 546 of title 28 of the United States Code is the exclusive means of appointing interim U.S. Attorneys.

Additionally, the bill would apply retroactively to all U.S. Attorneys currently serving in an interim capacity. This would ensure that interim U.S. Attorneys appointed since the purge scheme was hatched are not permitted to serve indefinitely and without Senate confirmation.

At a legislative hearing on H.R. 580 before the Subcommittee on Commercial and Administrative Law on March 6, this bill received strong support from the president of the National Association of Former U.S. Attorneys, as well as a former Republican-appointed U.S. Attorney. It is also important to note that the Attorney General himself has expressed that he is not opposed to rolling back this provision of the PATRIOT Act. And if the Attorney General's claim that he was not aware of the Justice Department efforts to quietly insert this provision are true, it would seem he never wanted the PATRIOT Act changes to the U.S. Attorney selection process in the first place.

Additionally, the corresponding bill in the Senate received strong bipartisan support and passed by an overwhelming margin of 94–2.

Mr. Speaker, we must begin to restore the independence of U.S. Attorneys across the country and return to the bedrock principle of our court system that justice must be served objectively and without fear or favor.

□ 1745

While the consideration of H.R. 580 will not end the Judiciary Committee's ongoing investigation of the U.S. Attorney purge scheme, the passage of this legislation is a critical step in this process to close the loophole in the PATRIOT Act that this administration has improperly exploited for political purposes.

I urge my colleagues to support this legislation.

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

Mr. CONYERS. Mr. Speaker, I recognize HOWARD BERMAN, the senior member on the Judiciary Committee, and thank him for his authorship of the measure that brings us to the floor this evening. I yield to him 5 minutes.

Mr. BERMAN. Mr. Speaker, I thank the chairman who cosponsored this bill with me, along with the gentleman from Virginia (Mr. SCOTT), chairman of the Crime Subcommittee of Judiciary Committee.

H.R. 580 does only one thing, it restores the checks and balances that, until last year, had long been part of the process for filling vacancies in U.S. Attorneys' offices.

I won't go through the history of how interim U.S. Attorneys were appointed, because the chairman has spelled it out, and the gentleman from North Carolina has reaffirmed that history. But I want to address the one issue my friend from North Carolina raised, which is, were we to take a longer time, this might have been, at least to his way of thinking, a better approach.

The whole goal of this bill is to restore the status quo ante before a sneak attack change on the law utilized in the PATRIOT Act without anyone calling special attention to it, undiscussed by the conferees or by the members of either this House or the other body, change that law to give the executive bench total authority in this particular area.

The Senator, a member of the other body who was chairman of the Judiciary Committee of the other body during this time, has said that he didn't know about the provision until a colleague alerted him to it last month. The former chairman's staff told him that the Department of Justice provided the language and that it was inserted in the conference report by a member of his staff who was made U.S. Attorney in Utah only 4 months later.

Now we have a different story from the Department of Justice. Will Moschella, the former head of the Office of Legislative Affairs, now claims sole responsibility for the provision and says he pursued the change on his own, without the knowledge or coordination of his superiors at the Justice Department or the White House.

This is a Department, the Department of Justice, that says it fired eight U.S. Attorneys for not coordinating their work 100 percent with the priorities of the Department, and yet we are supposed to believe that they are permitting a relatively low-level official to fly solo in changing Federal law on the appointment of U.S. Attorneys without any other departmental involvement. It is for this reason, I say to my friend from North Carolina, that the first thing we need to do is to go back to the status quo ante, the compromise worked out in the Reagan administration with Attorney General Ed

Meese, a Democratic House and the Republican Senate in 1986, which allowed for this process where we gave for the first time the Attorney General the right to name an interim U.S. Attorney, providing the district court with the theoretical ability, should that court choose to do so, to replace or, as has been much more likely, simply reaffirm the naming of the interim U.S. Attorney if no full U.S. Attorney had been confirmed yet by the Senate.

What is clear from the e-mails provided to the Judiciary Committee is that the Department of Justice and White House employees, whatever their motivation in pushing this proposal originally, whatever their motivation, they quickly figured out that the provision created the possibility to circumvent the Senate and decided to exploit that power.

One e-mail between the Department of Justice and the White House depicts an effort to slow-walk a nomination so an interim appointee can stay in place. The two employees discussed an interim appointee in Arkansas who they knew was unlikely to get Senate confirmation.

An employee in the White House Counsel's Office writes, ''If this is a section 546 appointment for unlimited duration, he can call himself U.S. Attorney. Our talkers should avoid referring to him as 'interim.'''

The Attorney General's chief of staff replies, and I quote, ''We should gum this to death. Our guy is in there so the status quo is good for us. Pledge a desire for a Senate-confirmed U.S. Attorney and otherwise hunker down.''

I suggest there is ample opportunity in the record to recognize that the change we made in the PATRIOT Act without the knowledge, as far as I can tell, of any representative of either House was an ill-considered change; and the first thing we need to do and what this bill does is bring the law back to what had existed.

Mr. CONYERS. Mr. Speaker, how much time remains on either side?

The SPEAKER pro tempore. The gentleman from Michigan has 5 minutes; the gentleman from North Carolina has 15½ minutes.

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

Mr. CONYERS. I recognize the gentleman from Oregon (Mr. BLUMENAUER) for 1 minute.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the chairman's courtesy in permitting me to speak on this bill. I appreciate also what Ranking Member COBLE talked about in terms of outlining these issues.

But it seems to me that there was just one area where I would take modest exception with him, and that is the notion that we should have been taking more time to vet this and look at alternatives. Because I fully agree with the gentleman from California, where there was not adequate time for Congress to be involved is when this was slipped into the PATRIOT Act revisions in the first place. Without the knowledge of anybody, it seems, in the House or the Senate, this change was done by the staff behind closed doors. We didn't know about it. I haven't heard yet from any of my Republican friends that did.

By restoring the status quo ante the way that it had been for years, we get back to a situation where we can remove this from the table. We can have a dispassionate discussion about what has happened with the Department of Justice and its future; and, if we want to make any change, then at least we have something that has stood the test of time.

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

Mr. CONYERS. The gentleman from Washington (Mr. INSLEE) is recognized for 2 minutes.

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

Mr. INSLEE. Mr. Speaker, this bill could not be more timely. As I was walking across the street in front of the Supreme Court, I saw the inscription chiseled in the marble of the Supreme Court. It says, ''Equal justice under law.'' But we have witnessed now in the last few weeks the unpeeling of a scandal where the executive branch fired eight well-performing U.S. Attorneys because they would not do the political dirty work of the White House. And it is apparent now, as much as it has ever been, that we have to have a check and balance on the executive branch with Senate confirmation.

I want to know why this is so viscerally important. In my district in western Washington, we had a gentleman named John McKay who was doing, by all rights, a good job as a U.S. Attorney for western Washington. But then there was this contentious election out there for Governor in 2004, and a bunch of Republicans were leaning on him to start a grand jury investigation alleging voter fraud because the vote came out in favor of the Democrat. He refused to do so because he said he didn't see any evidence of voter fraud.

A little later what happens is he goes to the White House for a meeting about a prospective judgeship, and what do they ask him about? They say: How come Republicans are mad at you, at the White House. And he knows what they are mad about, is because they wouldn't go after this case where there was no evidence of voter fraud. It was apparent they were leaning on him; and, when he did not collapse, he was fired.

Now, this is a situation where it is clear that we need Senate confirmation. And, by the way, I have written a letter to the President today saying the President should reinstate that U.S. Attorney while this matter is investigated. This thing smells like a mackerel in the moonlight, and it needs to be resolved. Until it is resolved, Congress is going to be investigating; and to prevent this from happening again, we need to be sure we have Senate confirmation.

Mr. COBLE. Mr. Speaker, the gentleman from Washington referred to it as scandal. It may well end up being a scandal, but I think to use that word today might well be premature. But, meanwhile, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield to the gentlewoman from Texas, SHEILA JACKSON-LEE, 1 minute.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman, and I rise with sadness to support this legislation that clears up the obviously ongoing abuse and disrespect of the integrity of the three branches of government.

We passed the PATRIOT Act that some of us did not support, but we did not intend for it to be used to avoid the constitutional Senate confirmation process. That is what has happened. We understand now that the Attorney General unfortunately may have been in meetings, may have been informed of issues dealing with the termination of U.S. Attorneys without providing that direct information to the United States Congress.

This legislation again sets the Constitution back on its feet. It allows for Senate confirmation for U.S. Attorneys, and it puts back on track the integrity in terms of the respect and integrity that is necessary for the judiciary and legal system that the American people have come to understand and believe. I believe we should support this bill, and I hope we will get back on track with the relationship between Congress, the executive, and the judiciary.

Mr. Speaker, I rise in strong support of H.R. 580, which amends chapter 35 of title 28 of the United States Code to restore the 120-day limit on the term of a United States Attorney appointed on an interim basis by the Attorney General. The shocking disclosures of the last few weeks provide all the justification needed to adopt this salutary measure promptly and by an overwhelming margin. Our friends in the other body passed companion legislation last week by a vote of 94–2.

Mr. Speaker, United States Attorneys are appointed by the President with the advice and consent of the Senate. Each United States Attorney so appointed is authorized to serve a 4-year term but is subject to removal by the President without cause. The Senate's advise and consent process formally checks the power of the President by requiring the United States Attorney nominee to go through a confirmation process. In addition, Senators also play a particularly influential informal role in the nomination of United States Attorneys.

Typically, a President, prior to appointing a new United States Attorney, consults with the Senators from the State where the vacancy exists if they are members of the President's political party. The President usually accepts the nominee recommended by the Senator or other official. This tradition, called ''senatorial courtesy,'' serves as an informal check on the President's appointment power.

Since the Civil War, the judiciary has been empowered to fill vacancies in the office of the United States Attorney. In 1966, that authority was codified at 28 U.S.C. § 546. When a United States Attorney position became vacant, the district court in the district where the vacancy occurred named a temporary replacement to serve until the vacancy was filled. In 1986, in response to a request by the Attorney General that its office be vested with authority to appoint interim United States Attorneys, Congress amended the statute to add former section 546(d).

Pursuant to this authority, the Attorney General was authorized to appoint an interim United States Attorney for 120 days and, if the Senate did not confirm a new United States Attorney within such period, the district court was then authorized to appoint an interim United States Attorney to serve until a permanent replacement was confirmed. By having the district court play a role in the selection of an interim United States Attorney, former section 546(d) allowed the judicial branch to act as a check on executive power. In practice, if a vacancy was expected, the Attorney General would solicit the opinion of the chief judge of the relevant district regarding possible temporary appointments.

Twenty years later, section 546 was amended again in the USA PATRIOT Improvement and Reauthorization Act of 2005. This legislation amended section 546(c) to provide that "[a] person appointed as United States attorney under this section may serve until the qualification of a United States Attorney for such district appointed by the President" under 28 U.S.C. § 541. The extent of the legislative history of this provision is one sentence appearing in the conference report accompanying the act: "Section 502 [effecting the amendments to section 546] is a new section and addresses an inconsistency in the appointment process of United States Attorneys."

Although the legislative purpose is unclear, the practical effect is not. The act amended section 546 in two critical respects. First, it effectively removed district court judges from the interim appointment process and vested the Attorney General with the sole power to appoint interim United States Attorneys. Second, the act eliminated the 120-day limit on the term of an interim United States Attorney appointed by the Attorney General. As a result, judicial input in the interim appointment process was eliminated. Even more problematic, it created a possible loophole that permits United States Attorneys appointed on an interim basis to serve indefinitely without ever being subjected to a Senate confirmation process, which is plainly a result not contemplated by the Framers.

Mr. Speaker, excluding changes in administration, it is rare for a United States Attorney to not complete his or her 4-year term of appointment. According to the Congressional Research Service, only 54 United States Attorneys between 1981 and 2006 did not complete their 4-year terms. Of these, 30 obtained other public sector positions or sought elective office, 15 entered or returned to private practice, and 1 died. Of the remaining eight United States Attorneys, two were apparently dismissed by the President, and three apparently resigned after news reports indicated they had engaged in questionable personal actions.

Mr. Speaker, in the past few months disturbing stories appeared in the news media reporting that several United States Attorneys had been asked to resign by the Justice Department. It has now been confirmed that at least seven United States Attorneys were asked to resign on December 7, 2006. An eighth United States Attorney was subsequently asked to resign. They include the following: H.E. Cummins, III, U.S. Attorney, E.D. Ark.; John McKay, U.S. Attorney, W.D. Wash.; David Iglesias, U.S. Attorney, D. N.M.; Paul K. Charlton, U.S. Attorney, D. Ariz.; Carol Lam, U.S. Attorney, S.D. Calif.; Daniel Bogden, U.S. Attorney, D. Nev.; Kevin Ryan, N.D. Calif.; and Margaret Chiara, W.D. Mich.

On March 6, 2007, the Subcommittee on Commercial and Administrative Law held a hearing entitled, "H.R. 580, Restoring Checks and Balances in the Confirmation Process of United States Attorneys." Witnesses at the hearing included six of the eight former United States Attorneys and William Moschella, Principal Associate Deputy Attorney General, among other witnesses.

Six of the six former United States Attorneys testified at the hearing and each testified that he or she was not told in advance why he or she was being asked to resign. Upon further inquiry, however, Messrs. Charlton and Bogden were advised by the then Acting Assistant Attorney General, William Mercer, that they were terminated essentially to make way for other Republicans to enhance their credential and pad their resumes. In addition, Messrs. Iglesias and McKay testified about inappropriate inquiries they received from Members of Congress concerning pending investigation, which they surmised may have led to their forced resignations.

Mr. Speaker, the USA PATRIOT Act Reauthorization provision on interim U.S. Attorneys should be repealed for two reasons. First, Members of Congress did not get an opportunity to vet or debate the provision that is current law. Rather the Republican leadership of the 109th Congress slipped the provision into the conference report at the request of the Department of Justice. Not even Senate Judiciary Chairman ARLEN SPECTER, whose chief of staff was responsible for inserting the provision, knew about its existence.

Second, it is now clear that the manifest intention of the proponents of the provision was to allow interim appointees to serve indefinitely and to circumvent Senate confirmation. We know now, for example, that in a September 13, 2006 e-mail to former White House Counsel Harriet Miers, Attorney General Chief of Staff Kyle Sampson wrote:

> I strongly recommend that, as a matter of Administration policy, we utilize the new statutory provisions that authorize the Attorney General to make U.S. Attorney appointments.

Mr. Sampson further said that by using the new provision, DOJ could "give far less deference to home-State Senators and thereby get (1) our preferred person appointed and (2) do it far faster and more efficiently, at less political cost to the White House."

Regarding the interim appointment of Tim Griffin at the request of Karl Rove and Harriet Miers, Mr. Sampson wrote to Monica Goodling, Senior Counsel to the White House and Liaison to the White House on December 19, 2006 the following:

> I think we should gum this to death: ask the Senators to give Tim a chance, meet with him, give him some time in office to see how he performs, etc. If they ultimately say, 'no never' (and the longer we can forestall that, the better), then we can tell them we'll look for other candidates, and otherwise run out the clock. All of this should be done in 'good faith,' of course.

Finally, we now know that after gaining this increased authority to appoint interim U.S. Attorneys indefinitely, the administration has exploited the provision to fire U.S. Attorneys for political reasons. A mass purge of this sort is unprecedented in recent history. The Department of Justice and the White House coordinated this purge. According to an administration "hit list" released on Tuesday, U.S. Attorneys were targets for the purge based on their rankings. The ranking relied in large part on whether the U.S. Attorney "exhibit[ed] loyalty to the President and Attorney General."

Mr. Speaker, until exposed by this unfortunate episode, United States Attorneys were expected to, and in fact did exercise, wide discretion in the use of resources to further the priorities of their districts. Largely a result of its origins as a distinct prosecutorial branch of the Federal Government, the office of the United States Attorney traditionally operated with an unusual level of independence from the Justice Department in a broad range of daily activities. That practice served the Nation well for more than 200 years. The practice that has been in place for less than 2 years has served the Nation poorly. It needs to end.

Mr. Speaker, during the full committee markup of H.R. 580, I brought to my colleagues' attention the value of including in the bill or committee report the core congressional findings that forms the justification for this legislation. Briefly stated, those findings are as follows:

The Congress finds as follows:

(1) That United States Attorneys are "inferior officers" and therefore are subject to the Constitution's discretionary appointment provisions authorizing the Congress to vest the appointment power in the President alone or the judiciary.

(2) Vesting the authority in the United States Attorney General to appoint an interim United States Attorney to serve an indefinite term undermines the confirmation process of the United States Senate and removes a legislative check on executive power.

(3) Vesting residual power to appoint an interim United States Attorney in the Federal district court in which the vacancy occurs constitutes an important judicial check on executive power.

Mr. Speaker, H.R. 580 is a thoughtful and well crafted legislative measure which will restore public confidence in the process by which interim United States Attorneys are appointed. I strongly support the bill and urge all Members to do likewise.

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

Mr. CONYERS. Mr. Speaker, Members of the House, the American people must have full confidence in the integrity and the independence of the United States Attorneys in charge of Federal prosecutions throughout the country, in every State. While they owe the President their appointments, once they are in their jobs their enforcement decisions must be unquestionably above politics; and that is why we are here today.

Senate confirmation is required for each one of them in an open and public process, and it is a critical safeguard against politicization of our prosecutorial system. This safeguard has been severely compromised by the secret change that has been referred to, and this bill restores the safeguards.

□ 1800

I ask my colleagues to fully support this measure on both sides of the aisle.

Mr. SMITH of Texas. Mr. Speaker, this legislation would return the procedures for appointing interim U.S. Attorneys to what it was before Congress reauthorized the PATRIOT Act.

Some have claimed that the PATRIOT Act's reform was used to avoid Senate confirmation of permanent U.S. attorneys. To prevent that alleged abuse, this bill, H.R. 580, was rushed headlong through the Judiciary Committee.

One hearing was held on the bill. But that hearing focused mostly on the current U.S. Attorney controversy, not the bill, itself. It was then pushed immediately to the full committee, without an opportunity for subcommittee mark-up.

Republicans on the Judiciary Committee would have liked to have worked more with the Democrats in a bipartisan fashion to improve the existing law. We might well have found a better solution.

The majority's own witnesses at the hearing, for example, testified that much of the problem with the interim appointments process is the time it takes to obtain Senate confirmation. This bill, however, does not address that problem.

Given more time, we might have considered some promising ideas from the other side of the Capitol.

Senator KYL, for example, proposed a 120-day interim appointment power for the Executive Branch, and a 120-day clock for the Senate to confirm permanent appointees. This would have addressed the principal problem.

Senator SESSIONS proposed to set qualification standards for judicial appointments of interim appointees. These standards would have helped prevent unsuitable judicial appointees—assuming, for the purposes of argument, that there should be any judicial appointees of Executive Branch prosecutors.

This bill would allow judges to appoint the very Executive Branch prosecutors practicing before them, and would raise legal, ethical and practical concerns. Surely we could have done better than return to a flawed law of the past.

The rush to legislation also led to an under-considered amendment adopted at committee mark-up. That amendment would preclude the use of the full range of tried and true tools in the Vacancy Reform Act to obtain interim U.S. Attorneys.

Specifically, it would preclude the President from reaching out to Senate-confirmed, Presidential appointees serving in other capacities, rather than just career civil servants, to serve in these important posts on an interim basis.

The amendment limits the pool of qualified individuals to serve temporarily as U.S. Attorneys, so it weakens the federal government's ability to fight crime.

In these times of the War on Terror and the continuing, age-old war on crime, the service of U.S. Attorneys—the front line of federal law enforcement—is more than ever a matter of first importance to the Nation. Their appointment is serious business.

We should not have rushed to judgment in attending to this business, but instead have given the legislative process the time that it deserves.

We have missed an opportunity to improve this bill. The American people have not been well-served.

Mr. CONYERS. 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 Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 580, 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. CONYERS. 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.

SAFETEA–LU TECHNICAL CORRECTIONS ACT

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1195) to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1195

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

TITLE I—HIGHWAY PROVISIONS

SECTION 101. SURFACE TRANSPORTATION TECHNICAL CORRECTIONS.

(a) CORRECTION OF INTERNAL REFERENCES IN DISADVANTAGED BUSINESS ENTERPRISES.—Paragraphs (3)(A) and (5) of section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1156) are amended by striking ''paragraph (1)'' each place it appears and inserting ''paragraph (2)''.

(b) CORRECTION OF DISTRIBUTION OF OBLIGATION AUTHORITY.—Section 1102(c)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1158) is amended by striking ''among the States''.

(c) CORRECTION OF FEDERAL LANDS HIGHWAYS.—Section 1119 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1190) is amended by striking subsection (m) and inserting the following:

''(m) FOREST HIGHWAYS.—Of the amounts made available for public lands highways under section 1101—

''(1) not more than $20,000,000 for each fiscal year may be used for the maintenance of forest highways;

''(2) not more than $1,000,000 for each fiscal year may be used for signage identifying public hunting and fishing access; and

''(3) not more than $10,000,000 for each fiscal year shall be used by the Secretary of Agriculture to pay the costs of facilitating the passage of aquatic species beneath forest roads (as defined in section 101(a) of title 23, United States Code), including the costs of constructing, maintaining, replacing, and removing culverts and bridges, as appropriate.''.

(d) CORRECTION OF DESCRIPTION OF NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—Item number 1 of the table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in the State column by inserting ''LA,'' after ''TX,''.

(e) CORRECTION OF INTERSTATE ROUTE 376 HIGH PRIORITY DESIGNATION.—

(1) IN GENERAL.—Section 1105(c)(79) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1213) is amended by striking ''and on United States Route 422''.

(2) CONFORMING AMENDMENT.—Section 1105(e)(5)(B)(i)(I) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033; 119 Stat. 1213) is amended by striking ''and United States Route 422''.

(f) CORRECTION OF INFRASTRUCTURE FINANCE SECTION.—Section 1602(d)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1247) is amended by striking ''through 189 as sections 601 through 609, respectively'' and inserting ''through 190 as sections 601 through 610, respectively''.

(g) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS DEFINED.—Section 101(a) of title 23, United States Code, is amended by adding at the end the following:

''(39) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS.—

''(A) IN GENERAL.—The term 'transportation systems management and operations' means an integrated program to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system.

''(B) INCLUSIONS.—The term 'transportation systems management and operations' includes—

''(i) regional operations collaboration and coordination activities between transportation and public safety agencies; and

''(ii) improvements to the transportation system, such as traffic detection and surveillance, arterial management, freeway management, demand management, work zone management, emergency management, electronic toll collection, automated enforcement, traffic incident management, roadway weather management, traveler information services, commercial vehicle operations, traffic control, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations.''.

(h) CORRECTION OF REFERENCE IN APPORTIONMENT OF HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS.—Effective October 1, 2006, section 104(b)(5)(A)(iii) of title 23, United States Code, is amended by striking ''the Federal-aid system'' each place it appears and inserting ''Federal-aid highways''.

(i) CORRECTION OF AMENDMENT TO ADVANCE CONSTRUCTION.—Section 115 of title 23, United States Code, is amended by redesignating subsection (d) as subsection (c).

(j) CORRECTION OF HIGH PRIORITY PROJECTS.—Section 117 of title 23, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(2) by redesignating the second subsection (c) (relating to Federal share) as subsection (d);

(3) in subsection (a)(2)(A) by inserting ''(112 Stat. 257)'' after ''21st Century''; and

(4) in subsection (a)(2)(B)—

(A) by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(B) by striking ''SAFETEA–LU'' and inserting ''Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256)''.

(k) CORRECTION OF TRANSFER OF UNUSED PROTECTIVE-DEVICE FUNDS TO OTHER HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS.—Section 130(e)(2) of title 23, United States Code, is amended by striking ''purposes under this subsection'' and inserting ''highway safety improvement program purposes''.

(l) METROPOLITAN TRANSPORTATION PLANNING.—

(1) Section 134(j)(3)(D) of title 23, United States Code, is amended—

(A) by inserting ''or the identified phase'' before ''within the time''; and

(B) by inserting ''or the identified phase'' before the period at the end.

(2) Section 134(k)(2) of such title is amended by striking ''a metropolitan planning area serving''.

(m) CORRECTION OF HIGHWAY BRIDGE PROGRAM.—

(1) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

(A) in the section heading by striking ''**replacement and rehabilitation**'';

(B) in subsections (b), (c)(1), and (e) by striking ''Federal-aid system'' each place it appears and inserting ''Federal-aid highway'';

(C) in subsections (c)(2) and (o) by striking ''the Federal-aid system'' each place it appears and inserting ''Federal-aid highways'';

(D) in the heading to paragraph (4) of subsection (d) by inserting ''SYSTEMATIC'' before ''PREVENTIVE'';

(E) in subsection (e) by striking ''off-system bridges'' each place it appears and inserting ''bridges not on Federal-aid highways'';

(F) by striking subsection (f);

(G) by redesignating subsections (g) through (s) as subsections (f) through (r), respectively;

(H) in paragraph (2) of subsection (f) (as redesignated by subparagraph (G)) by striking the paragraph heading and inserting ''BRIDGES NOT ON FEDERAL-AID HIGHWAYS'';

(I) in subsection (m) (as redesignated by subparagraph (G)) by striking the subsection heading and inserting ''PROGRAM FOR BRIDGES NOT ON FEDERAL-AID HIGHWAYS''; and

(J) in subsection (n)(4)(B) (as redesignated by subparagraph (G)) by striking ''State highway agency'' and inserting ''State transportation department''.

(2) CONFORMING AMENDMENTS.—

(A) METROPOLITAN PLANNING.—Section 104(f)(1) of such title is amended by striking ''replacement and rehabilitation''.

(B) EQUITY BONUS PROGRAM.—Subsections (a)(2)(C) and (b)(2)(C) of section 105 of such title are amended by striking ''replacement and rehabilitation'' each place it appears.

(C) ANALYSIS.—The analysis for chapter 1 of such title is amended in the item relating to section 144 by striking ''replacement and rehabilitation''.

(n) CORRECTION OF NATIONAL SCENIC BYWAYS PROGRAM COVERAGE.—Section 162 of title 23, United States Code, is amended—

(1) in subsection (a)(3)(B) by striking ''a National Scenic Byway under subparagraph (A)'' and inserting ''a National Scenic Byway, an All-American Road, or one of America's Byways under paragraph (1)''; and

(2) in subsection (c)(3) by striking ''or All-American Road'' each place it appears and inserting ''All-American Road, or one of America's Byways''.

(o) CORRECTION OF REFERENCE IN TOLL PROVISION.—Section 166(b)(5)(C) of title 23, United States Code, is amended by striking ''paragraph (3)'' and inserting ''paragraph (4)''.

(p) CORRECTION OF RECREATIONAL TRAILS PROGRAM APPORTIONMENT EXCEPTIONS.—Section 206(d)(3)(A) of title 23, United States Code, is amended by striking ''(B), (C), and (D)'' and inserting ''(B) and (C)''.

(q) CONSOLIDATION OF GRANT APPLICATIONS.—Section 402(m) of title 23, United States Code, is amended in the first sentence—

(1) by striking ''through'' and inserting ''for which''; and

(2) by inserting ''is appropriate'' before the period at the end.

(r) CORRECTION OF INFRASTRUCTURE FINANCE.—Section 601(a)(3) of title 23, United States Code, is amended by inserting ''bbb minus, BBB (low),'' after ''Baa3,''.

(s) CORRECTION OF MISCELLANEOUS TYPOGRAPHICAL ERRORS.—

(1) Section 1401 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1226) is amended by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) Section 1404(e) of such Act (119 Stat. 1229) is amended by inserting ''tribal,'' after ''local,''.

(3) Section 10211(b)(2) of such Act (119 Stat. 1937) is amended by striking ''plan administer'' and inserting ''plan and administer''.

(4) Section 10212(a) of such Act (119 Stat. 1937) is amended—

(A) by inserting ''equity bonus,'' after ''minimum guarantee,'';

(B) by striking ''freight intermodal connectors'' and inserting ''railway-highway crossings'';

(C) by striking ''high risk rural road,''; and

(D) by inserting after ''highway safety improvement programs'' the following: ''(and separately the set aside for the high risk rural road program)''.

SEC. 102. MAGLEV.

(a) FUNDING.—Section 1101(a)(18) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1155) is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) $20,000,000 for fiscal year 2007; and

''(B) $35,000,000 for each of fiscal years 2008 and 2009.''.

(b) CONTRACT AUTHORITY.—Section 1307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1217) is amended by adding at the end the following:

''(e) CONTRACT AUTHORITY.—Funds authorized under section 1101(a)(18) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the funds shall not be transferable and shall remain available until expended, and the Federal share of the cost of a project to be carried out with such funds shall be 80 percent.''.

SEC. 103. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE AND NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECTS.

(a) PROJECT OF NATIONAL AND REGIONAL SIGNIFICANCE.—The table contained in section 1301(m) of the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (119 Stat. 1203) is amended in item number 4 by striking the project description and inserting ''$7,400,000 for planning, design, and construction of a new American border plaza at the Blue Water Bridge in or near Port Huron; $12,600,000 for integrated highway realignment and grade separations at Port Huron to eliminate road blockages from NAFTA rail traffic''.

(b) NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—The table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in item number 23 by striking the project description and inserting ''Improvements to State Road 312, Hammond''.

SEC. 104. IDLING REDUCTION FACILITIES.

Section 111(d) of title 23, United States Code, is repealed.

SEC. 105. PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) is amended—

(1) in item number 34 by striking the project description and inserting ''Removal and Reconfiguration of Interstate ramps, I–40, Memphis'';

(2) by striking item number 61;

(3) in item number 87 by striking the project description and inserting ''M–291 highway outer road improvement project'';

(4) in item number 128 by striking ''$2,400,000'' and inserting ''$4,800,000'';

(5) in item number 154 by striking ''Virginia'' and inserting ''Eveleth'';

(6) in item number 193 by striking the project description and inserting ''Improvements to or access to Route 108 to enhance access to the business park near Rumford'';

(7) in item number 240 by striking ''$800,000'' and inserting ''$2,400,000'';

(8) by striking item number 248;

(9) in item number 274 by striking the project description and inserting ''Intersection improvements at Belleville and Ecorse Roads and approach roadways, and widen Belleville Road from Ecorse to Tyler, Van Buren Township, Michigan'';

(10) in item number 277 by striking the project description and inserting ''Construct connector road from Rushing Drive North to Grand Ave., Williamson County'';

(11) in item number 395 by striking the project description and inserting ''Plan and construct interchange at I–65, from existing SR–109 to I–65'';

(12) in item number 463 by striking ''Cookeville'' and inserting ''Putnam County'';

(13) in item number 576 by striking the project description and inserting ''Design, right-of-way, and construction of Nebraska Highway 35 between Norfolk and South Sioux City, including an interchange at Milepost 1 on I–129'';

(14) in item number 595 by striking ''Street Closure at'' and inserting ''Transportation improvement project near'';

(15) in item number 649 by striking the project description and inserting ''Construction and enhancement of the Fillmore Avenue Corridor, Buffalo'';

(16) in item number 655 by inserting '', safety improvement construction,'' after ''Environmental studies'';

(17) in item number 676 by striking the project description and inserting ''St. Croix River crossing project, Wisconsin State Highway 64, St. Croix County, Wisconsin, to Minnesota State Highway 36, Washington County'';

(18) in item number 770 by striking the project description and inserting ''Improve existing Horns Hill Road in North Newark, Ohio, from Waterworks Road to Licking Springs Road'';

(19) in item number 777 by striking the project description and inserting ''Akutan Airport access'';

(20) in item number 829 by striking the project description and inserting ''$400,000 to conduct New Bedford/Fairhaven Bridge modernization study; $1,000,000 to design and build New Bedford Business Park access road'';

(21) in item number 881 by striking the project description and inserting ''Pedestrian safety improvements near North Atlantic Boulevard, Monterey Park'';

(22) in item number 923 by striking the project description and inserting ''Improve safety of a horizontal curve on Clarksville St. 0.25 miles north of 275th Rd. in Grandview Township, Edgar County'';

(23) in item number 947 by striking the project description and inserting ''Third East/West River Crossing, St. Lucie River'';

(24) in item numbers 959 and 3327 by striking ''Northern Section,'' each place it appears;

(25) in item number 963 by striking the project description and inserting ''For engineering, right-of-way acquisition, and reconstruction of 2 existing lanes on Manhattan Road from Baseline Road to Route 53'';

(26) in item number 983 by striking the project description and inserting ''Land acquisition for highway mitigation in Cecil, Kent, Queen Annes, and Worcester Counties'';

(27) in item number 1039 by striking the project description and inserting ''Widen State Route 98, including storm drain developments, from D. Navarro Avenue to State Route 111'';

(28) in item number 1047 by striking the project description and inserting ''Bridge and road work at Little Susitna River Access road in Matanuska-Susitna Borough'';

(29) in item number 1124 by striking ''bridge over Stillwater River, Orono'' and by inserting ''routes'';

(30) in item number 1206 by striking ''Pleasantville'' and inserting ''Briarcliff Manor'';

(31) in item number 1281 by striking the project description and inserting ''Upgrade roads in Attala County District 4 (Roads 4211 and 4204), Kosciusko, Ward 2, and Ethel, Attala County'';

(32) in item number 1487 by striking ''$800,000'' and inserting ''$1,600,000'';

(33) in item number 1575 by striking the project description and inserting ''Highway and road signage, and traffic signal synchronization and upgrades, in Shippensburg Boro, Shippensburg Township, and surrounding municipalities'';

(34) in item number 1661 by striking the project description and inserting ''Sheldon West Extension in Matanuska-Susitna Borough'';

(35) in item number 1810 by striking the project description and inserting ''Design, engineering, ROW acquisition, construction, and construction engineering for the reconstruction of TH 95, from 12th Avenue to CSAH 13, including bridge and approaches, ramps, intersecting roadways, signals, turn lanes, and multiuse trail, North Branch'';

(36) in item number 1852 by striking ''Milepost 9.3'' and inserting ''Milepost 24.3'';

(37) in item numbers 1926 and 2893 by striking the project descriptions and inserting ''Grading, paving roads, and the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport, Columbus, Ohio'';

(38) in item number 1933 by striking the project description and inserting ''Enhance Byzantine Latino Quarter transit plazas at Normandie and Pico, and Hoover and Pico, Los Angeles, by improving streetscapes, including expanding concrete and paving'';

(39) in item number 1975 by striking the project description and inserting ''Point MacKenzie Access Road improvements in Matanuska-Susitna Borough'';

(40) in item number 2015 by striking the project description and inserting ''Heidelberg Borough/Scott Township/Carnegie Borough for design, engineering, acquisition, and construction of streetscaping enhancements, paving, lighting and safety upgrades, and parking improvements'';

(41) in item number 2087 by striking the project description and inserting ''Railroad crossing improvement on Illinois Route 82 in Geneseo'';

(42) in item number 2211 by striking the project description and inserting ''Construct road projects and transportation enhancements as part of or connected to RiverScape Phase III, Montgomery County, Ohio'';

(43) in item number 2234 by striking the project description and amount and inserting ''North Atherton Signal Coordination Project in Centre County'' and ''$400,000'', respectively;

(44) in item number 2316 by striking the project description and inserting ''Construct a new bridge at Indian Street, Martin County'';

(45) in item number 2420 by striking the project description and inserting ''Preconstruction and construction activities of U.S. 51 between the Assumption Bypass and Vandalia'';

(46) in item number 2482 by striking ''Country'' and inserting ''County'';

(47) in item number 2663 by striking the project description and inserting ''Rosemead Boulevard safety enhancement and beautification, Temple City'';

(48) in item number 2671 by striking ''from 2 to 5 lanes and improve alignment within rights-of-way in St. George'' and inserting '', St. George'';

(49) in item number 2743 by striking the project description and inserting ''Improve safety of culvert replacement on 250th Rd. between 460th St. and Cty Hwy 20 in Grandview Township, Edgar County'';

(50) by striking item number 2800;

(51) in item number 2826 by striking ''State Street and Cajon Boulevard'' and inserting ''Palm Avenue'';

(52) in item number 2931 by striking ''Frazho Road'' and inserting ''Martin Road'';

(53) in item number 3047 by inserting ''and roadway improvements'' after ''safety project'' ;

(54) in item number 3078 by striking the project description and inserting ''U.S. 2/Sultan Basin Road improvements in Sultan'';

(55) in item number 3174 by striking the project description and inserting ''Improving Outer Harbor access through planning, design, construction, and relocations of Southtowns Connector–NY Route 5, Fuhrmann Boulevard, and a bridge connecting the Outer Harbor to downtown Buffalo at the Inner Harbor'';

(56) in item number 3219 by striking ''Forest'' and inserting ''Warren'';

(57) in item number 3254 by striking the project description and inserting ''Reconstruct PA Route 274/34 Corridor, Perry County'';

(58) in item number 3260 by striking ''Lake Shore Drive'' and inserting ''Lakeshore Drive and parking facility/entrance improvements serving the Museum of Science and Industry'';

(59) in item number 3368 by striking the project description and inserting ''Plan, design, and engineering, Ludlam Trail, Miami'';

(60) in item number 3410 by striking the project description and inserting ''Design, purchase land, and construct sound walls along the west side of I–65 from approximately 950 feet south of the Harding Place interchange south to Hogan Road'';

(61) in item number 3537 by inserting ''and the study of alternatives along the North South Corridor,'' after ''Valley'';

(62) in item number 3582 by striking the project description and inserting ''Improving Outer Harbor access through planning, design, construction, and relocations of Southtowns Connector–NY Route 5, Fuhrmann Boulevard, and a bridge connecting the Outer Harbor to downtown Buffalo at the Inner Harbor'';

(63) in item number 3604 by inserting ''/Kane Creek Boulevard'' after ''500 West'';

(64) in item number 3632 by striking the State, project description, and amount and inserting ''FL'', ''Pine Island Road pedestrian overpass, city of Tamarac'', and ''$610,000'', respectively;

(65) in item number 3634 by striking the matters in the State, project description, and amount columns and inserting ''FL'', ''West Avenue Bridge, city of Miami Beach'', and ''$620,000'', respectively;

(66) in item number 3673 by striking the project description and inserting ''Improve marine dry-dock and facilities in Ketchikan'';

(67) in item number 2942 by striking the project description and inserting ''Redesigning the intersection of Business U.S. 322/High Street and Rosedale Avenue and constructing a new East Campus Drive between High Street (U.S. 322) and Matlock Street at West Chester University, West Chester, Pennsylvania'';

(68) in item number 2781 by striking the project description and inserting ''Highway and road signage, road construction, and other transportation improvement and enhancement projects on or near Highway 26, in Riverton and surrounding areas'';

(69) in item number 2430 by striking ''200 South Interchange'' and inserting ''400 South Interchange'';

(70) by striking item number 20;

(71) in item number 424 by striking ''$264,000'' and inserting ''$644,000'';

(72) in item number 1210 by striking the project description and inserting ''Town of New Windsor—Riley Road, Shore Drive, and area road improvements'';

(73) by striking item numbers 68, 905, and 1742;

(74) in item number 1059 by striking ''$240,000'' and inserting ''$420,000'';

(75) in item number 2974 by striking ''$120,000'' and inserting ''$220,000'';

(76) by striking item numbers 841, 960, and 2030;

(77) in item number 1278 by striking ''$740,000'' and inserting ''$989,600'';

(78) in item number 207 by striking ''$13,600,000'' and inserting ''$13,200,000'';

(79) in item number 2656 by striking ''$12,228,000'' and inserting ''$8,970,000'';

(80) in item number 1983 by striking ''$1,600,000'' and inserting ''$1,000,000'';

(81) in item number 753 by striking ''$2,700,000'' and inserting ''$3,200,000'';

(82) in item number 64 by striking ''$6,560,000'' and inserting ''$8,480,000'';

(83) in item number 2338 by striking ''$1,600,000'' and inserting ''$1,800,000'';

(84) in item number 1533 by striking ''$392,000'' and inserting ''$490,000'';

(85) in item number 1354 by striking ''$40,000'' and inserting ''$50,000'';

(86) in item number 3106 by striking ''$400,000'' and inserting ''$500,000'';

(87) in item number 799 by striking ''$1,600,000'' and inserting ''$2,000,000'';

(88) in item number 159—

(A) by striking ''Construct interchange for 146th St. and I–69'' and inserting ''Upgrade 146th St. to I–69 Access''; and

(B) by striking ''$2,400,000'' and inserting ''$3,200,000'';

(89) by striking item number 2936;

(90) in item number 3138 by striking the project description and inserting ''Elimination of highway-railway crossing along the KO railroad from Salina to Osborne to increase safety and reduce congestion'';

(91) in item number 2274 by striking ''between Farmington and Merriman'' and inserting ''between Hines Drive and Inkster, Flamingo Street between Ann Arbor Trail and Joy Road, and the intersection of Warren Road and Newburgh Road'';

(92) in item number 52 by striking the project description and inserting ''Pontiac Trail between E. Liberty and McHattie Street'';

(93) in item number 1544 by striking ''connector'';

(94) in item number 2573 by striking the project description and inserting ''Rehabilitation of Sugar Hill Road in North Salem, NY'';

(95) in item number 1450 by striking ''III–VI'' and inserting ''III–VII'';

(96) in item number 2637 by striking the project description and inserting ''Construction, road and safety improvements in Geauga County, OH'';

(97) in item number 2342 by inserting ''and to Heisley Road'' after ''Interchange'';

(98) in item number 161 by striking the project description and inserting ''Construct False Pass causeway and road to the terminus of the south arm breakwater project'';

(99) in item number 2002 by striking the project description and inserting ''Providence Hospital public access road and enhancements, including access connections between the proposed Providence Regional Administration Building and Piper Street, to improve access and circulation in the Providence Southwest Campus'';

(100) in item number 2023 by striking the project description and inserting ''Biking and pedestrian trail construction, Kentland'';

(101) in item number 2035 by striking ''Replace'' and inserting ''Repair'';

(102) in item number 2511 by striking ''Replace'' and inserting ''Rehabilitate'';

(103) in item number 2981 by striking the project description and inserting ''Roadway improvements on Highway 262 on the Navajo Nation in Aneth'';

(104) in item number 2068 by inserting ''and approaches'' after ''capacity'';

(105) in item number 98 by striking the project description and inserting ''Right-of-way and construction for the 77th Street reconstruction project, including the Lyndale Avenue Bridge over I–494, Richfield'';

(106) in item number 1783 by striking the project description and inserting ''Clark Road access improvements, Jacksonville'';

(107) in item number 2711 by striking the project description and inserting ''Main Street Road Improvements through Springfield, Jacksonville'';

(108) in item number 3485 by striking the project description and inserting ''Improve SR 105 (Hecksher Drive) from Drummond Point to August Road, including bridges across the Broward River and Dunns Creek, Jacksonville'';

(109) in item number 3486 by striking the project description and inserting ''Construct improvements to NE 19th Street/NE 19th Terrace from NE 3rd Avenue to NE 8th Avenue, Gainesville'';

(110) in item number 3487 by striking the project description and inserting ''Construct improvements to NE 25th Street from SR 26 (University Blvd.) to NE 8th Avenue, Gainesville'';

(111) in item number 803 by striking ''St. Clair County'' and inserting ''city of Madison'';

(112) in item number 615 by striking the project description and inserting ''Roadway improvements to Jackson Avenue between Jericho Turnpike and Teibrook Avenue'';

(113) in item number 889 by striking the project description and inserting ''U.S. 160, State Highway 3 to east of the Florida River'';

(114) in item number 324 by striking the project description and inserting ''Paving a portion of H–58 from Buck Hill to 4,000 feet east of Hurricane River'';

(115) in item number 301 by striking the project description and inserting ''Improvements for St. Georges Avenue between East Baltimore Avenue on the southwest and Chandler Avenue on the northeast'';

(116) in item number 1519 by inserting ''at the intersection of Quincy/West Drinker/Electric Streets near the Dunmore School complex'' after ''roadway redesign'';

(117) in item number 2604 by inserting ''on Coolidge, Bridge (from Main to Monroe), Skytop (from Gedding to Skytop), Atwell (from Bear Creek Rd. to Pittston Township), Wood (to Bear Creek Rd.), Pine, Oak (from Penn Avenue to Lackawanna Avenue), McLean, Second, and Lolli Lane'' after ''roadway redesign'';

(118) in item number 1157 by inserting ''on Mill Street from Prince Street to Roberts Street, John Street from Roberts Street to end, Thomas Street from Roberts Street to end, Williams Street from Roberts Street to end, Charles Street from Roberts Street to end, Fair Street from Roberts Street to end, Newport Avenue from East Kirmar Avenue to end'' after ''roadway redesign'';

(119) in item number 805 by inserting ''on Oak Street from Stark Street to the township line at Mayock Street and on East Mountain Boulevard'' after ''roadway redesign'';

(120) in item number 2704 by inserting ''on West Cemetery Street and Frederick Courts'' after ''roadway redesign'';

(121) in item number 3136 by inserting ''on Walden Drive and Greenwood Hills Drive'' after ''roadway redesign'';

(122) in item number 1363 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, handicap access ramps, parking, and roadway redesign on Bilbow Street from Church Street to Pugh Street, on Pugh Street from Swallow Street to Main Street, Jones Lane from Main Street to Hoblak Street, Cherry Street from Green Street to Church Street, Main Street from Jackson Street to end, Short Street from Cherry Street to Main Street, and Hillside Avenue in Edwardsville Borough, Luzerne County'';

(123) in item number 883 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, parking, roadway redesign, and safety improvements (including curbing, stop signs, crosswalks, and pedestrian sidewalks) at and around the 3-way intersection involving Susquehanna Avenue, Erie Street, and Second Street in West Pittston, Luzerne County'';

(124) in item number 625 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign on Sampson Street, Dunn Avenue, Powell Street, Josephine Street, Pittston Avenue, Railroad Street, McClure Avenue, and Baker Street in Old Forge Borough, Lackawanna County'';

(125) in item number 372 by inserting '', replacement of the Nesbitt Street Bridge, and placement of a guard rail adjacent to St. Vladimir's Cemetery on Mountain Road (S.R. 1007)'' after ''roadway redesign'';

(126) in item number 2308 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign, including a project to establish emergency access to Catherino Drive from South Valley Avenue in Throop Borough, Lackawanna County'';

(127) in item number 967 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign, and catch basin restoration and replacement on Cherry Street, Willow Street, Eno Street, Flat Road, Krispin Street, Parrish Street, Carver Street, Church Street, Franklin Street, Carolina Street, East Main Street, and Rear Shawnee Avenue in Plymouth Borough, Luzerne County'';

(128) in item number 989 by inserting ''on Old Ashley Road, Ashley Street, Phillips Street, First Street, Ferry Road, and Division Street'' after ''roadway redesign'';

(129) in item number 342 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign, and cross pipe and catch basin restoration and replacement on Northgate, Mandy Court, Vine Street, and 36th Street in Milnesville West, and on Hillside Drive (including the widening of the bridge on Hillside Drive), Club 40 Road, Sunburst and Venisa Drives, and Stockton #7 Road in Hazle Township, Luzerne County'';

(130) in item number 2332 by striking ''Monroe County'' and inserting ''Carbon, Monroe, Pike, and Wayne Counties'';

(131) in item number 2436 by striking the project description and amount and inserting ''For Wilkes-Barre to design, acquire land, and construct a parking garage or parkade, streetscaping enhancements, paving, lighting, safety improvements, and roadway redesign at and around the Sterling Hotel in Wilkes-Barre, including on River Street, Market Street, or Franklin Street (or any combination thereof) to the vicinity of the Irem Temple'' and ''$3,000,000'', respectively;

(132) in item number 2723 by striking ''$4,000,000'' and by inserting ''$3,150,000'';

(133) in item number 61 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Wiregrass Central RR at Boll Weevil Bypass in Enterprise, AL'', and ''$250,000'', respectively;

(134) in item number 314 by striking the project description and amount and inserting ''Streetscape enhancements to the transit and pedestrian corridor, Fort Lauderdale, Downtown Development Authority'' and ''$610,000'', respectively;

(135) in item number 1639 by striking the project description and inserting ''Operational and highway safety improvements on Hwy 94 between the 20 mile marker post in Jamul and Hwy 188 in Tecate'';

(136) in item number 2860 by striking the project description and inserting ''Roadway improvements from Halchita to Mexican Hat on the Navajo Nation'';

(137) in item number 2549 by striking ''on Navy Pier'';

(138) in item number 2804 by striking ''on Navy Pier'';

(139) in item number 1328 by striking the project description and inserting ''Construct public access roadways and pedestrian safety improvements in and around Montclair State University in Clifton'';

(140) in item number 2559 by striking the project description and inserting ''Construct sound walls on Route 164 at and near the Maersk interchange'';

(141) in item number 1849 by striking the project description and inserting ''Highway, traffic-flow, pedestrian facility, and streetscape improvements, Pittsburgh'';

(142) in item number 697 by striking the project description and inserting ''Highway, traffic-flow, pedestrian facility, and streetscape improvements, Pittsburgh'';

(143) in item number 3597 by striking the project description and inserting ''Road Alignment from IL Route 159 to Sullivan Drive, Swansea'';

(144) in item number 2352 by striking the project description and inserting ''Streetscaping and transportation enhancements on 7th Street in Calexico, traffic signalization on Highway 78, construction of the Renewable Energy and Transportation Learning Center, improve and enlarge parking lot, and create bus stop, Brawley'';

(145) in item number 3482 by striking the project description and inserting ''Conduct a study to examine multi-modal improvements to the I–5 corridor between the Main Street Interchange and State Route 54'';

(146) in item number 1275 by striking the project description and inserting ''Scoping, permitting, engineering, construction management, and construction of Riverbank Park Bike Trail, Kearny'';

(147) in item number 726 by striking the project description and inserting ''Grade Separation at Vanowen and Clybourn, Burbank'';

(148) in item number 1579 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(149) in item number 2690 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(150) in item number 2811 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(151) in item number 259 by striking the project description and inserting ''Design and construction of the Clair Nelson Intermodal Center in Finland, Lake County'';

(152) in item number 3456 by striking the project description and by inserting ''Completion of Phase II/Part I of a project on Elizabeth Avenue in Coleraine to west of Itasca County State Aid Highway 15 in Itasca County'';

(153) in item number 2429 by striking the project description and inserting ''Upgrade streets, undertake streetscaping, and implement traffic and pedestrian safety signalization improvements and highway-rail crossing safety improvements, Oak Lawn'';

(154) in item number 766 by striking the project description and inserting ''Design and construction of the walking path at Ellis Pond, Norwood'';

(155) in item number 3474 by striking the project description and inserting ''Yellow River Trail, Newton County'';

(156) in item number 3291 by striking the amount and inserting ''$200,000'';

(157) in item number 3635 by striking the matters in the State, project description, and amount columns and inserting ''GA'', ''Access Road in Montezuma'', and ''$200,000'', respectively;

(158) in item number 716 by striking the project description and inserting ''Conduct a project study report for new Highway 99 Interchange between SR 165 and Bradbury Road, and safety improvements/realignment of SR 165, serving Turlock/Hilmar region'';

(159) in item number 1386 by striking the project description and amount and inserting ''Pedestrian and bicycle facilities, and street lighting in Haddon Heights'' and ''$300,000'', respectively;

(160) in item number 2720 by striking the project description and amount and inserting ''Pedestrian and bicycle facilities and street lighting in Barrington and streetscape improvements to Clements Bridge Road from the circle at the White Horse Pike to NJ Turnpike overpass in Barrington'' and ''$700,000'', respectively;

(161) in item number 2523 by striking the project description and inserting ''Penobscot Riverfront Development for bicycle trails, amenities, traffic circulation improvements, and waterfront access and stabilization, Bangor and Brewer'';

(162) in item number 545 by striking the project description and inserting ''Planning, design, and construction of improvements to the highway systems connecting to Lewistown and Auburn downtowns'';

(163) in item number 2168 by striking the project description and amount and inserting ''Study and design, engineering, right-of-way acquisition, and construction of street improvements, streetscaping enhancements, paving, lighting, safety improvements, along the Rt. 315 corridor from Dupont to Wilkes Barre'' and ''$1,000,000'', respectively;

(164) in item number 170 by striking the project description and amount and inserting ''Study of a Maglev train route from Northeast Pennsylvania through New Jersey and New York'' and ''$1,600,000'', respectively;

(165) in item number 2366 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and paving of the parking lot at the Casey Plaza in Wilkes-Barre Township'';

(166) in item number 826 by striking ''and Interstate 81'' and inserting ''and exit 168 on Interstate 81 or the intersection of the connector road with Northampton St.'';

(167) in item number 2144 by striking the project description and inserting ''Design, engineering, right-of-way acquisition and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign on Third Street from Pittston Avenue to Packer Street; Swift Street from Packer Street to Railroad Street; Clark Street from Main Street to South Street; School Street from Main Street to South Street; Plane Street from Grove Street to William Street; John Street from 4 John Street to William Street; Grove Street from Plane Street to Duryea Borough line; Wood Street from Cherry Street to Hawthorne Street in Avoca Borough, Luzerne County'';

(168) in item number 1765 by striking the project description and amount and inserting ''Design, engineering, right-of-way acquisition, and construction of street improvements, streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign in Pittston, including right-of-way acquisition, structure demolition, and intersection safety improvements in the vicinity and including the intersection of Main and William Streets in Pittston'' and ''$1,600,000'', respectively;

(169) in item number 2957 by striking the project description and amount and inserting ''Design, engineering, land acquisition, right-of-way acquisition, and construction of a parking garage, streetscapping enhancements, paving, lighting, safety improvements, parking, and roadway redesign in the city of Wilkes-Barre'' and ''$2,800,000'', respectively;

(170) in item number 3283 by striking the project description and amount and inserting ''Pedestrian access improvements, including installation of infrastructure and equipment for security and surveillance purposes at subway stations in Astoria, New York'' and ''$1,300,000'', respectively;

(171) in item number 3556 by striking the project description and amount and inserting ''Design and rehabilitate staircases used as streets due to the steep grade of terrain in Bronx County'' and ''$1,100,000'', respectively;

(172) by striking item number 203;

(173) by striking item number 552;

(174) by striking item number 590;

(175) by striking item number 759;

(176) by striking item number 879;

(177) by striking item number 1071;

(178) by striking item number 1382;

(179) by striking item number 1897;

(180) by striking item number 2553;

(181) in item number 3014 by striking the project description and amount and inserting ''Design and Construct school safety projects in New York City'' and ''$2,500,000'', respectively;

(182) in item number 2375 by striking the project description and amount and inserting ''Subsurface environmental study to measure presence of methane and benzene gasses in vicinity of Greenpoint, Brooklyn, and the Kosciusko Bridge, resulting from the Newtown Creek oil spill'' and ''$100,000'';

(183) in item number 221 by striking the project description and inserting ''Study and implement transportation improvements in the Breezy Point neighborhood of Queens County'';

(184) in item number 2732 striking the project description and inserting ''Pedestrian safety improvements in the vicinity of LIRR stations'';

(185) by striking item number 99;

(186) in item number 398 by striking the project description and inserting ''Construct a new 2-lane road extending north from University Park Drive and improvements to University Park Drive'';

(187) in item number 446 by striking the project description and inserting ''Transportation improvements for development of the Williamsport-Pile Bay Road corridor'';

(188) in item number 671 by striking ''and Pedestrian Trail Expansion'' and inserting '', including parking facilities and Pedestrian Trail Expansion'';

(189) in item number 674 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Conecuh Valley RR at Henderson Highway (CR–21) in Troy, AL'', and ''$300,000'', respectively;

(190) in item number 739 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Luxapalila Valley RR in Lamar and Fayette Counties, AL (Crossings at CR–6, CR–20, SH–7, James Street, and College Drive)'', and ''$300,000'', respectively;

(191) in item number 746 by striking ''Planning and construction of a bicycle trail adjacent to the I–90 and SR 615 Interchange in'' and inserting ''Planning, construction, and extension of bicycle trails adjacent to the I–90 and SR 615 Interchange, along the Greenway Corridor and throughout'';

(192) in item number 749 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''UPMC Heliport in Bedford'', and ''$750,000'', respectively;

(193) in item number 813 by striking the project description and inserting ''Preliminary design and study of long-term roadway approach alternatives to TH 36/SH 64 St. Croix River Crossing Project'';

(194) in item number 816 by striking ''$800,000'' and inserting ''$880,000'';

(195) in item number 852 by striking ''Acquire Right-of-Way for Ludlam Trail, Miami,

Florida'' and inserting ''Planning, design, and engineering, Ludlam Trail, Miami'';

(196) in item number 994 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Construct 2 flyover ramps and S. Linden Street exit for access to industrial sites in the cities of McKeesport and Duquesne'', and ''$500,000'', respectively;

(197) in item number 1015 by striking the project description and inserting ''Mississippi River Crossing connecting I–94 and US 10 between US 160 and TH 101, MN'';

(198) in item number 1101 by striking the project description and inserting ''I–285 underpass/tunnel assessment and engineering and interchange improvements in Sandy Springs'';

(199) in item number 1211 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Road improvements and upgrades related to the Pennsylvania State Baseball Stadium'', and ''$500,000'', respectively;

(200) in item number 1345 by striking ''to Stony Creek Park, 25 Mile Road in Shelby Township'' and inserting ''south to the city of Utica'';

(201) in item number 1501 by striking the project description and inserting ''Construction and right-of-way acquisition of TH 241, CSAH 35 and associated streets in the city of St. Michael'';

(202) in item number 1525 by striking ''north of CSX RR Bridge'' and inserting ''US Highway 90'';

(203) in item number 1847 by striking ''Ferry'' and inserting ''Dock'';

(204) in item number 2031 by striking the project description and inserting ''Construct and improve Westside Parkway in Fulton County'';

(205) in item number 2103 by striking ''$2,000,000'' and inserting ''$3,000,000'';

(206) in item number 2219 by striking ''SR 91 in City of Twinsburg, OH'' and inserting ''Center Valley Parkway in Twinsburg, OH'';

(207) in item number 2302 by inserting ''and other road improvements to Safford Street'' after ''crossings'';

(208) in item number 2560 by striking the project description and inserting ''I–285 underpass/tunnel assessment and engineering and interchange improvements in Sandy Springs'';

(209) in item number 2563 by striking the project description and amount and inserting ''Construct hike and bike path as part of Bridgeview Bridge replacement in Macomb County'' and ''$486,400'', respectively;

(210) in item number 2698 by striking the project description and inserting ''Interchanges at I–95/Ellis Road and between Grant Road and Micco Road, Brevard County'';

(211) in item number 3141 by striking ''$2,800,000'' and inserting ''$1,800,000'';

(212) by striking item number 3160;

(213) in item number 3353 by inserting ''and construction'' after ''mitigation'';

(214) in item number 996 by striking ''$2,000,000'' and inserting ''$687,000'';

(215) in item number 2166 by striking the project description and inserting ''Design, right-of-way acquisition, and construction for I–35 and CSAH2 interchange and CSAH2 corridor to TH61 in Forest Lake'';

(216) in item number 3251 by striking the project description and inserting ''I–94 and Radio Drive Interchange and frontage road project, design, right-of-way, and construction, Woodbury'';

(217) in item number 1488 by striking the project description and inserting ''Construct a 4-lane highway between Maverick Junction and the Nebraska border'';

(218) in item number 3240 by striking the project description and inserting ''Railroad-highway crossings in Pierre'';

(219) in item number 1738 by striking ''Paving'' and inserting ''Planning, design, and construction'';

(220) in item number 3672 by striking the project description and inserting ''Pave remaining stretch of BIA Route 4 from the junction of the BIA Route 4 and N8031 in Pinon, AZ, to the Navajo and Hopi border'';

(221) in item number 2424 by striking ''Construction'' and inserting ''preconstruction (including survey and archeological clearances) and construction'';

(222) in item number 1216 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''For roadway construction improvements to Route 222 relocation, Lehigh County'', and ''$1,313,000'', respectively;

(223) in item number 2956 by striking ''$1,360,000'' and inserting ''$2,080,000'';

(224) in item number 1256 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Construction of a bridge over Brandywine Creek as part of the Boot Road extension project, Downingtown Borough'', and ''$700,000'', respectively;

(225) in item number 1291 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Enhance parking facilities in Chester Springs, Historic Yellow Springs'', and ''$20,000'', respectively;

(226) in item number 1304 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Improve the intersection at SR 100/SR 4003 (Kernsville Road), Lehigh County'', and ''$250,000'', respectively;

(227) in item number 1357 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Intersection signalization at SR 3020 (Newburg Road)/Country Club Road, Northampton County'', and ''$250,000'', respectively;

(228) in item number 1395 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Improve the intersection at SR 100/SR 29, Lehigh County'', and ''$220,000'', respectively;

(229) in item number 80 by striking ''$4,544,000'' and inserting ''$4,731,200'';

(230) in item number 2096 by striking ''$4,800,000'' and inserting ''$5,217,600'';

(231) in item number 1496 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Study future needs of East-West road infrastructure in Adams County'', and ''$115,200'', respectively;

(232) in item number 2193 by striking the project description and inserting ''710 Freeway Study to comprehensively evaluate the technical feasibility of a tunnel alternative to close the 710 Freeway gap, considering all practicable routes, in addition to any potential route previously considered, and with no funds to be used for preliminary engineering or environmental review except to the extent necessary to determine feasibility'';

(233) in item number 2445 by striking the project description and by inserting ''$600,000 for road and pedestrian safety improvements on Main Street in the Village of Patchogue; $900,000 for road and pedestrian safety improvements on Montauk Highway, between NYS Route 112 and Suffolk County Road 101 in Suffolk County'';

(234) in item number 346 by striking the project description and by inserting ''Hansen Dam Recreation Area access improvements, including hillside stabilization and parking lot rehabilitation along Osborne Street between Glenoaks Boulevard and Dronfield Avenue''; and

(235) in item number 449 by striking the project description and inserting ''Route 30 and Mount Pleasant Road Interchange Safety Improvements, Westmoreland County, install light installations at intersection and consolidate entrances and exits to Route 30''.

(b) UNUSED OBLIGATION AUTHORITY.—Notwithstanding any other provision of law, unused obligation authority made available for an item in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) that is repealed, or authorized funding for such an item that is reduced, by this section shall be made available—

(1) for an item in section 1702 of that Act that is added or increased by this section and that is in the same State as the item for which obligation authority or funding is repealed or reduced;

(2) in an amount proportional to the amount of obligation authority or funding that is so repealed or reduced; and

(3) individually for projects numbered 1 through 3676 pursuant to section 1102(c)(4)(A) of that Act (119 Stat. 1158).

(c) ADDITIONAL DISCRETIONARY USE OF SURFACE TRANSPORTATION PROGRAM FUNDS.—Of the funds apportioned to each State under section 104(b)(3) of title 23, United States Code, a State may expend for each of fiscal years 2007 through 2009 not more than $1,000,000 for the following activities:

(1) Participation in the Joint Operation Center for Fuel Compliance established under section 143(b)(4)(H) of title 23, United States Code, within the Department of the Treasury, including the funding of additional positions for motor fuel tax enforcement officers and other staff dedicated on a full-time basis to participation in the activities of the Center.

(2) Development, operation, and maintenance of electronic filing systems to coordinate data exchange with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(3) Development, operation, and maintenance of electronic single point of filing in conjunction with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(4) Development, operation, and maintenance of a certification system by a State of any fuel sold to a State or local government (as defined in section 4221(d)(4) of the Internal Revenue Code of 1986) for the exclusive use of the State or local government or sold to a qualified volunteer fire department (as defined in section 150(e)(2) of such Code) for its exclusive use.

(5) Development, operation, and maintenance of a certification system by a State of any fuel sold to a nonprofit educational organization (as defined in section 4221(d)(5) of such Code) that includes verification of the good standing of the organization in the State in which the organization is providing educational services.

(d) PROJECT FEDERAL SHARE.—Section 1964 of the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (119 Stat. 1519) is amended by adding at the end the following:

''(c) SPECIAL RULE.—Notwithstanding any other provision of law, the Federal share of the cost of the projects described in item numbers 1284 and 3093 in the table contained in section 1702 of this Act shall be 100 percent.''.

SEC. 106. NONMOTORIZED TRANSPORTATION PILOT PROGRAM.

Section 1807(a)(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1460) is amended by striking ''Minneapolis-St. Paul,

Minnesota'' and inserting ''Minneapolis, Minnesota''.

SEC. 107. CORRECTION OF INTERSTATE DESIGNATION.

Section 1908(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1469) is amended by striking paragraph (3).

SEC. 108. FUTURE OF SURFACE TRANSPORTATION SYSTEM.

Section 1909(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1471) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (9) by striking ''July 1, 2007'' and inserting ''December 31, 2007'';

(2) in paragraph (11)(C) by striking ''the Administrator of the Federal Highway Administration'' and inserting ''the Secretary'';

(3) in paragraph (11)(D)(i) by striking '', on a reimbursable basis,'';

(4) in paragraph (15) by striking ''$1,400,000 for each of fiscal years 2006 and 2007'' and inserting ''$1,400,000 for fiscal year 2006 and $3,400,000 for fiscal year 2007'';

(5) by redesignating paragraphs (14), (15), (16), and (17) as paragraphs (15), (16), (17), and (18), respectively; and

(6) by inserting after paragraph (13) the following:

''(14) LIMITATIONS.—Funds made available to carry out this section may be expended only to support the activities of the Commission. No data, analyses, reports, or any other documents prepared for the Commission to fulfill its duties may be provided to or shared with other commissions or task forces until such data, analyses, reports, or documents have been made available to the public.''.

SEC. 109. BUDGET JUSTIFICATION; BUY AMERICA.

(a) BUDGET JUSTIFICATION.—Section 1926 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1483) is amended by striking ''The Department'' and inserting ''Notwithstanding any other provision of law, the Department''.

(b) BUY AMERICA.—Section 1928 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1484) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) the current application by the Federal Highway Administration of the Buy America test is only applied to components or parts of a bridge project and not the entire bridge project and this is inconsistent with this sense of Congress;''.

SEC. 110. TRANSPORTATION IMPROVEMENTS.

The table contained in section 1934(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1486) is amended—

(1) in item number 436 by inserting '', Saole,'' after ''Sua'';

(2) in item number 448 by inserting ''by removing asphalt and concrete and reinstalling blue cobblestones'' after ''streets'';

(3) by striking item number 451; and

(4) in item number 452 by striking ''$2,000,000'' and inserting ''$3,000,000''.

SEC. 111. BIA INDIAN ROAD PROGRAM.

Section 1939(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1511) is amended—

(1) by striking ''For the villages'' and inserting the following:

''(1) IN GENERAL.—For the villages'';

(2) by striking '', and the Secretary'' and inserting a period and the following:

''(2) FISCAL YEAR 2006.—The Secretary''; and

(3) by adding at the end the following:

''(3) FISCAL YEAR 2007.—The Secretary shall pay, from amounts made available to carry out section 202(d) of title 23, United States Code, for fiscal year 2007, the tribal organizations listed in paragraphs (1) and (2) of subsection (a) the difference between the Federal share of the costs of the projects listed in such paragraphs and the amounts paid to the respective tribal organizations for such projects under this section in fiscal year 2006.''.

SEC. 112. I–95/CONTEE ROAD INTERCHANGE DESIGN.

Section 1961 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1518) is amended—

(1) in the section heading by striking ''study'' and inserting ''design'' ;

(2) by striking subsections (a), (b), and (c) and inserting the following:

''(a) DESIGN.—The Secretary shall make available the funds authorized to be appropriated by this section for the design of the I–95/Contee Road interchange in Prince George's County, Maryland.'';

(3) by redesignating subsection (d) as subsection (b); and

(4) in subsection (b)(1) (as so redesignated) by striking ''2006'' and inserting ''2007''.

SEC. 113. HIGHWAY RESEARCH FUNDING.

(a) F–SHRP FUNDING.—Notwithstanding any other provision of law, for each of fiscal years 2007 through 2009, at any time at which an apportionment is made of the sums authorized to be appropriated for the surface transportation program, the congestion mitigation and air quality improvement program, the National Highway System, the Interstate maintenance program, the bridge program, or the highway safety improvement program, the Secretary of Transportation shall—

(1) deduct from each apportionment an amount not to exceed 0.205 percent of the apportionment; and

(2) transfer or otherwise make that amount available to carry out section 510 of title 23, United States Code.

(b) CONFORMING AMENDMENTS.—

(1) FUNDING.—Section 5101 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779) is amended—

(A) in subsection (a)(1) by striking ''509, and 510'' and inserting ''and 509'';

(B) in subsection (a)(4) by striking ''$69,700,000'' and all that follows through ''2009'' and inserting ''$40,400,000 for fiscal year 2005, $69,700,000 for fiscal year 2006, $76,400,000 for each of fiscal years 2007 and 2008, and $78,900,000 for fiscal year 2009''; and

(C) in subsection (b) by inserting after ''50 percent'' the following ''or, in the case of funds appropriated by subsection (a) to carry out section 5201, 5202, or 5203 of this Act, 80 percent''.

(2) FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—Section 5210 of such Act (119 Stat. 1804) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(c) CONTRACT AUTHORITY.—Funds made available under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share shall be determined under section 510(f) of that title.

(d) APPLICABILITY OF OBLIGATION LIMITATION.—Funds made available under this section shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs under section 1102 the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 104 note; 119 Stat. 1157) or any other Act.

(e) EQUITY BONUS FORMULA.—Notwithstanding any other provision of law, in allocating funds for the equity bonus program under section 105 of title 23, United States Code, for each of fiscal years 2007 through 2009, the Secretary of Transportation shall make the required calculations under that section as if this section had not been enacted.

(f) FUNDING FOR RESEARCH ACTIVITIES.—Of the amount made available by section 5101(a)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779)—

(1) at least $1,000,000 shall be made available for each of fiscal years 2007 through 2009 to carry out section 502(h) of title 23, United States Code; and

(2) at least $4,900,000 shall be made available for each of fiscal years 2007 through 2009 to carry out section 502(i) of that title.

(g) TECHNICAL AMENDMENTS.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 502 of title 23, United States Code, is amended by striking the first subsection (h), relating to infrastructure investment needs reports beginning with the report for January 31, 1999.

(2) ADVANCED TRAVEL FORECASTING PROCEDURES PROGRAM.—Section 5512(a)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1829) is amended by striking ''PROGRAM APPRECIATION.—'' and inserting ''PROGRAM APPLICATION.—''.

(3) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5506 of title 49, United States Code, is amended—

(A) in subsection (i)—

(i) by striking ''In order to'' and inserting the following:

''(1) IN GENERAL.—In order to''; and

(ii) by adding at the end the following:

''(2) SPECIAL RULE.—Nothing in paragraph (1) requires a nonprofit institution of higher learning designated as a Tier II university transportation center to maintain total expenditures as described in paragraph (1) in excess of the amount of the grant awarded to the institution.''; and

(B) in subsection (k)(3) by striking ''The Secretary'' and all that follows through ''to carry out this section'' and inserting ''For each of fiscal years 2007 through 2009, the Secretary shall expend not more than 1.5 percent of amounts made available to carry out this section''.

SEC. 114. RESCISSION.

Section 10212 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (as amended by section 1302 of the Pension Protection Act of 2006 (Public Law 109–280)) (119 Stat. 1937; 120 Stat. 780) is amended by striking ''$8,593,000,000'' each place it appears and inserting ''$8,710,000,000'' .

SEC. 115. TEA–21 TECHNICAL CORRECTIONS.

(a) SURFACE TRANSPORTATION PROGRAM.—Section 1108(f)(1) of the Transportation Equity Act for the 21st Century (23 U.S.C. 133 note; 112 Stat. 141) is amended by striking ''2003'' and inserting ''2009''.

(b) PROJECT AUTHORIZATIONS.—The table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 257) is amended in item number 1096 (as amended by section 1703(a)(11) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1454)) by inserting '', and planning and construction to Heisley Road,'' before ''in Mentor, Ohio''.

SEC. 116. DEFINITION OF REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(5) of title 23, United States Code, is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) receive—

''(i) a driver's license suspension for not less than 1 year; or

''(ii) a combination of suspension of all driving privileges for the first 45 days of the suspension period followed by a reinstatement of limited driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program if an ignition interlock device is installed on each of the motor vehicles owned or operated, or both, by the individual;

''(B) be subject to the impoundment or immobilization of, or the installation of an ignition interlock system on, each motor vehicle owned or operated, or both, by the individual;''.

SEC. 117. RESEARCH TECHNICAL CORRECTION.

Section 5506(e)(5)(C) of title 49, United States Code, is amended by striking ''$2,225,000''and inserting ''$2,250,000''.

SEC. 118. BUY AMERICA.

Section 313 of title 23, United States Code, is amended by adding at the end the following:

''(g) WAIVERS.—

''(1) WRITTEN JUSTIFICATIONS.—If the Secretary determines that it is necessary to waive the application of subsection (a) in accordance with subsection (b), the Secretary shall, before the waiver becomes effective—

''(A) publish in the Federal Register a detailed written justification as to why the waiver is needed; and

''(B) provide the public with a reasonable period of time for notice and comment.

''(2) ANNUAL REPORT.—Not later than one year after the date of enactment of this subsection, and annually thereafter, the Secretary shall submit to the Committee and Transportation and Infrastructure of the House of Representatives and the Committee on the Environment and Public Works of the Senate a report on any waivers granted under subsection (b).''.

SEC. 119. EFFICIENT USE OF EXISTING HIGHWAY CAPACITY.

(a) STUDY.—The Secretary of Transportation shall conduct a study on the impacts of converting left and right highway safety shoulders to travel lanes.

(b) CONTENTS.—In conducting the study, the Secretary shall——

(1) analyze instances in which safety shoulders are used for general purpose vehicle traffic, high occupancy vehicles, and public transportation vehicles;

(2) analyze instances in which safety shoulders are not part of the roadway design;

(3) evaluate whether or not conversion of safety shoulders or the lack of a safety shoulder in the original roadway design has a significant impact on the number of accidents or has any other impact on highway safety; and

(4) compile relevant statistics.

(c) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study.

SEC. 120. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act (including subsection (b)), this Act and the amendments made by this Act take effect on the date of enactment of this Act.

(b) EXCEPTION.—

(1) IN GENERAL.—The amendments made by this Act (other than the amendments made by sections 103, 105, 110, and 201(o)) to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) shall—

(A) take effect as of the date of enactment of that Act; and

(B) be treated as being included in that Act as of that date.

(2) EFFECT OF AMENDMENTS.—Each provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) (including the amendments made by that Act) (as in effect on the day before the date of enactment of this Act) that is amended by this Act (other than sections 103, 105, 110, and 201(o)) shall be treated as not being enacted.

TITLE II—TRANSIT PROVISIONS

SEC. 201. TRANSIT TECHNICAL CORRECTIONS.

(a) SECTION 5302.—Section 5302(a)(10) of title 49, United States Code, is amended by striking ''charter,'' and inserting ''charter, sightseeing,''.

(b) SECTION 5303.—

(1) Section 5303(j)(3)(D) of such title is amended—

(A) by inserting ''or the identified phase'' before ''within the time''; and

(B) by inserting ''or the identified phase'' before the period at the end.

(2) Section 5303(k)(2) of such title is amended by striking ''a metropolitan planning area serving''.

(c) SECTION 5307.—Section 5307(b) of such title is amended—

(1) in paragraph (2)(A) by striking ''mass transportation'' and inserting ''public transportation''; and

(2) in paragraph (3) by striking ''section 5305(a)'' and inserting ''section 5303(k)''.

(d) SECTION 5309.—Section 5309(m) of such title is amended—

(1) in the heading for paragraph (2)(A) by striking ''MAJOR CAPITAL'' and inserting ''CAPITAL''; and

(2) in paragraph (7)(B) by striking ''section 3039'' and inserting ''section 3045''.

(e) SECTION 5311.—Section 5311 of such title is amended—

(1) in subsection (g)(1)(A) by striking ''for any purpose other than operating assistance'' and inserting ''for a capital project or project administrative expenses'';

(2) in subsections (g)(1)(A) and (g)(1)(B) by striking ''capital'' after ''net''; and

(3) in subsection (i)(1) by striking ''Sections 5323(a)(1)(D) and 5333(b) of this title apply'' and inserting ''Section 5333(b) applies''.

(f) SECTION 5312.—The heading for section 5312(c) of such title is amended by striking ''MASS TRANSPORTATION'' and inserting ''PUBLIC TRANSPORTATION''.

(g) SECTION 5314.—Section 5314(a)(3) is amended by striking ''section 5323(a)(1)(D)'' and inserting ''section 5333(b)''.

(h) SECTION 5319.—Section 5319 of such title is amended by striking ''section 5307(k)'' and inserting ''section 5307(d)(1)(K)''.

(i) SECTION 5320.—Section 5320 of such title is amended—

(1) in subsection (a)(1)(A) by striking ''intra—agency'' and inserting ''intraagency'';

(2) in subsection (b)(5)(A) by striking ''5302(a)(1)(A)'' and inserting ''5302(a)(1)'' ;

(3) in subsection (d)(1) by inserting ''to administer this section and'' after ''5338(b)(2)(J)''; and

(4) by adding at the end of subsection (d) the following:

''(4) TRANSFERS TO LAND MANAGEMENT AGENCIES.—The Secretary may transfer amounts available under paragraph (1) to the appropriate Federal land management agency to pay necessary costs of the agency for such activities described in paragraph (1) in connection with activities being carried out under this section.''.

(j) SECTION 5323.—Section 5323(n) of such title is amended by striking ''section 5336(e)(2)'' and inserting ''section 5336(d)(2)''.

(k) SECTION 5325.—Section 5325(b) of such title is amended—

(1) in paragraph (1) by inserting before the period at the end ''adopted before August 10, 2005'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(l) SECTION 5336.—

(1) APPORTIONMENTS OF FORMULA GRANTS.—Section 5336 of such title is amended—

(A) in subsection (a) by striking ''Of the amount'' and all that follows before paragraph (1) and inserting ''Of the amount apportioned under subsection (i)(2) to carry out section 5307—'';

(B) in subsection (d)(1) by striking ''subsections (a) and (h)(2) of section 5338'' and inserting ''subsections (a)(1)(C)(vi) and (b)(2)(B) of section 5338''; and

(C) by redesignating subsection (c), as added by section 3034(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1628), as subsection (k).

(2) TECHNICAL AMENDMENTS.—Section 3034(d)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1629), is amended by striking ''paragraph (2)'' and inserting ''subsection (a)(2)''.

(m) SECTION 5337.—Section 5337(a) of title 49, United States Code, is amended by striking ''for each of fiscal years 1998 through 2003'' and inserting ''for each of fiscal years 2005 through 2009''.

(n) SECTION 5338.—Section 5338(d)(1)(B) of such title is amended by striking ''section 5315(a)(16)'' and inserting ''section 5315(b)(2)(P)''.

(o) SAFETEA–LU.—

(1) SECTION 3037.—Section 3037(c)(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1636) is amended by striking ''Phase II''.

(2) SECTION 3040.—Section 3040(4) of such Act (119 Stat. 1639) is amended by striking ''$7,871,895,000'' and inserting ''$7,872,893,000''.

(3) SECTION 3043.—

(A) PORTLAND, OREGON.—Section 3043(b)(27) of such Act (119 Stat. 1642) is amended by inserting ''/Milwaukie'' after ''Mall''.

(B) SAN DIEGO.—Section 3043(c)(105) of such Act (119 Stat. 1645) is amended by striking ''LOSSAN Del Mar-San Diego—Rail Corridor Improvements'' and inserting ''LOSSAN Rail Corridor Improvements'' .

(C) SAN DIEGO.—Section 3043(c)(217) of such Act (119 Stat. 1648) is amended by striking ''San Diego'' and inserting ''San Diego Transit''.

(D) LIVERMORE.—Section 3043(c) of such Act (119 Stat. 1645) is amended by inserting after paragraph (102) the following:

''(102A) Livermore, California—Livermore Amador Valley Transit Authority BRT.''.

(E) SACRAMENTO.—Section 3043(c)(204) of such Act (119 Stat. 647) is amended by striking ''Downtown''.

(4) SECTION 3044.—

(A) PROJECTS.—The table contained in section 3044(a) of such Act (119 Stat. 1652) is amended—

(i) in item 25—

(I) by striking ''$217,360'' and inserting ''$167,360''; and

(II) by striking ''$225,720'' and inserting ''$175,720'';

(ii) in item number 36 by striking the project description and inserting ''Los Angeles County Metropolitan Transportation Authority (LACMTA) for bus and bus-related facilities in the LACMTA's service area'';

(iii) in item number 71 by inserting ''Metropolitan Bus Authority'' after ''Puerto Rico'';

(iv) in item number 84 by striking the project description and inserting ''Improvements to the existing Sacramento Intermodal Facility (Sacramento Valley Station)'';

(v) in item number 94 by striking the project description and inserting ''Pacific Transit, WA Vehicle Replacement'';

(vi) in item number 120 by striking ''Dayton Airport Intermodal Rail Feasibility Study'' and inserting ''Greater Dayton Regional Transit Authority bus facilities'';

(vii) in item number 152 by inserting ''Metropolitan Bus Authority'' after ''Puerto Rico'';

(viii) in item number 416 by striking ''Improve marine intermodal'' and inserting ''Improve marine dry-dock and'';

(ix) by adding at the end—

(I) in the project description column ''666. New York City, NY, rehabilitation of subway stations to include passenger access improvements including escalators or installation of infrastructure for security and surveillance purposes''; and

(II) in each of the FY08 and FY09 columns by inserting ''$50,000'';

(x) in item number 457—

(I) by striking ''$65,000'' and inserting ''$0''; and

(II) by striking ''$67,500'' and inserting ''$0''; and

(xi) in item number 458—

(I) by striking ''$65,000'' and inserting ''$130,000'';

(II) by striking ''$67,500'' and inserting ''$135,000''; and

(xii) in item number 57 by striking the project description and inserting ''Wilmington, NC, maintenance, operations and administration, transfer facilities''.

(B) SPECIAL RULE.—Section 3044(c) of such Act (119 Stat. 1705) is amended—

(i) by inserting '', or other entity,'' after ''State or local governmental authority''; and

(ii) by striking ''projects numbered 258 and 347'' and inserting ''projects numbered 258, 347, and 411''.

(5) SECTION 3046.—Section 3046(a)(7) of such Act (119 Stat. 1708) is amended—

(A) by striking ''hydrogen fuel cell vehicles'' and inserting ''hydrogen fueled vehicles'';

(B) by striking ''hydrogen fuel cell employee shuttle vans'' and inserting ''hydrogen fueled employee shuttle vans''; and

(C) by striking ''in Allentown, Pennsylvania'' and inserting ''to the DaVinci Center in Allentown, Pennsylvania''.

(6) SAN GABRIEL VALLEY—GOLD LINE FOOTHILL EXTENSION PHASE II.—In evaluating the local share of the San Gabriel Valley—Gold Line Foothill Extension Phase II project authorized by section 3043(b)(33) of such Act (119 Stat. 1642) in the new starts rating process, the Secretary of Transportation shall give consideration to project elements of the San Gabriel Valley—Gold Line Foothill Extension Phase I project advanced with 100 percent non-Federal funds.

TITLE III—OTHER PROVISIONS

SEC. 301. TECHNICAL AMENDMENTS RELATING TO MOTOR CARRIER SAFETY.

(a) CONFORMING AMENDMENT RELATING TO HIGH-PRIORITY ACTIVITIES.—Section 31104(f) of title 49, United States Code, is amended by striking the designation and heading for paragraph (1) and by striking paragraph (2).

(b) NEW ENTRANT AUDITS.—

(1) CORRECTIONS OF REFERENCES.—Section 4107(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1720) is amended—

(A) by striking ''Section 31104'' and inserting ''Section 31144''; and

(B) in paragraph (1) by inserting ''(c)'' after ''the second subsection''.

(2) CONFORMING AMENDMENT.—Section 7112 of such Act (119 Stat. 1899) is amended by striking subsection (c).

(c) PROHIBITED TRANSPORTATION.—Section 4114(c)(1) of the such Act (119 Stat. 1726) is amended by striking ''the second subsection (c)'' and inserting ''(f)''.

(d) EFFECTIVE DATE RELATING TO MEDICAL EXAMINERS.—Section 4116(f) of such Act (119 Stat. 1728) is amended by striking ''amendment made by subsection (a)'' and inserting ''amendments made by subsections (a) and (b)''.

(e) ROADABILITY TECHNICAL CORRECTION.—Section 31151(a)(3)(E)(ii) of title 49, United States Code, is amended by striking ''Act'' and inserting ''section''.

(f) CORRECTION OF SUBSECTION REFERENCE.—Section 4121 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1734) is amended by striking ''31139(f)(5)'' and inserting ''31139(g)(5)''.

(g) CDL LEARNER'S PERMIT PROGRAM TECHNICAL CORRECTION.—Section 4122(2)(A) of such Act (119 Stat. 1734) is amended by striking ''license'' and inserting ''licenses''.

(h) CDL INFORMATION SYSTEM FUNDING REFERENCE.—Section 31309(f) of title 49, United States Code, is amended by striking ''31318'' and inserting ''31313''.

(i) CLARIFICATION OF REFERENCE.—Section 229(a)(1) of the Federal Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note; 119 Stat. 1743) is amended by inserting ''of title 49, United States Code,'' after ''31502''.

(j) REGISTRATION OF BROKERS.—Section 4142(c)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1747) is amended by inserting ''each place it appears'' before the semicolon.

(k) REDESIGNATION OF SECTION.—The second section 39 of chapter 2 of title 18, United States Code, relating to commercial motor vehicles required to stop for inspections, and the item relating to such section in the analysis for such chapter, are redesignated as section 40.

(l) OFFICE OF INTERMODALISM.—Section 5503 of title 49, United States Code, is amended—

(1) in subsection (f)(2) by striking ''Surface Transportation Safety Improvement Act of 2005'', and inserting ''Motor Carrier Safety Reauthorization Act of 2005''; and

(2) by redesignating the first subsection (h), relating to authorization of appropriations, as subsection (i) and moving it after the second subsection (h).

(m) USE OF FEES FOR UNIFIED CARRIER REGISTRATION SYSTEM.—Section 13908 of title 49, United States Code, is amended by redesignating subsection (e) as subsection (f) and by inserting after subsection (d) the following:

''(e) USE OF FEES FOR UNIFIED CARRIER REGISTRATION SYSTEM.—Fees collected under this section may be credited to the Department of Transportation appropriations account for purposes for which such fees are collected and shall be available for expenditure for such purposes until expended.''.

(n) COMMERCIAL MOTOR VEHICLE DEFINITION.—Section 14504a(a)(1)(B) of title 49, United States Code, is amended by striking ''a motor carrier required to make any filing or pay any fee to a State with respect to the motor carrier's authority or insurance related to operation within such State, the motor carrier'' and inserting ''determining the size of a motor carrier or motor private carrier's fleet in calculating the fee to be paid by a motor carrier or motor private carrier pursuant to subsection (f)(1), the motor carrier or motor private carrier''.

(o) CLARIFICATION OF UNREASONABLE BURDEN.—Section 14504a(c)(2) of title 49, United States Code, is amended by striking ''interstate'' the last place it appears and inserting ''intrastate''.

(p) CONTENTS OF AGREEMENT TYPO.—Section 14504a(f)(1)(A)(ii) of title 49, United States Code, is amended by striking ''or'' the last place it appears.

(q) OTHER UNIFIED CARRIER REGISTRATION SYSTEM TECHNICAL CORRECTIONS.—Section 14504a of title 49, United States Code, is amended—

(1) in subsection (c)(1)(B) by striking ''the a'' and inserting ''a''; and

(2) in subsection (f)(1)(A)(i) by striking ''in connection with the filing of proof of financial responsibility''.

(r) TERMINATION OF REGISTRATION PROVISIONS.—Section 4305(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1764) is amended by striking ''12 months'' and inserting ''24 months''.

(s) IDENTIFICATION OF VEHICLES.—Section 14506(b)(2) of title 49, United States Code, is amended by inserting before the semicolon at the end the following: ''or under an applicable State law if, on October 1, 2006, the State has a form of highway use taxation not subject to collection through the International Fuel Tax Agreement''.

(t) DRIVEAWAY SADDLEMOUNT VEHICLE.—

(1) DEFINITION.—Section 31111(a)(4) of title 49, United States Code, is amended—

(A) in the paragraph heading by striking ''DRIVE-AWAY SADDLEMOUNT WITH FULLMOUNT'' and inserting ''DRIVEAWAY SADDLEMOUNT'' ;

(B) by striking ''drive-away saddlemount with fullmount'' and inserting ''driveaway saddlemount'' ; and

(C) by inserting ''Such combination may include one fullmount.'' after the period at the end.

(2) IN GENERAL.—Section 31111(b)(1)(D) of such title is amended by striking ''a driveaway saddlemount with fullmount'' and inserting ''all driveaway saddlemount''.

SEC. 302. TECHNICAL AMENDMENTS RELATING TO HAZARDOUS MATERIALS TRANSPORTATION.

(a) DEFINITION OF HAZMAT EMPLOYEES.—Section 7102(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1892) is amended—

(1) by striking ''(3)(A)'' and inserting ''(3)'';

(2) in subparagraph (A) by striking ''clause (i)'' and inserting ''clause (i) of subparagraph (A)''; and

(3) in subparagraph (B) by striking ''clause (ii)'' and inserting ''subparagraph (A)(ii)''.

(b) TECHNICAL CORRECTION.—Section 5103a(g)(1)(B)(ii) of title 49, United States Code, is amended by striking ''Act'' and inserting ''subsection''.

(c) RELATIONSHIP TO OTHER LAWS.—Section 7124(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1908) is amended by inserting ''the first place it appears'' before ''and inserting''.

(d) REPORT.—Section 5121(h) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking ''exemptions'' and inserting ''special permits''; and

(2) in paragraph (3) by striking ''exemption'' and inserting ''special permit''.

(e) SECTION HEADING.—Section 5128 of title 49, United States Code, is amended by striking the section designation and heading and inserting the following:

''§ 5128. Authorization of appropriations''.

(f) CHAPTER ANALYSIS.—The analysis for chapter 57 of title 49, United States Code, is amended in the item relating to section 5701 by striking ''Transportation'' and inserting ''transportation''.

(g) NORMAN Y. MINETA RESEARCH AND SPECIAL PROGRAMS IMPROVEMENT ACT.—Section

5(b) of the Norman Y. Mineta Research and Special Programs Improvement Act (49 U.S.C. 108 note; 118 Stat. 2427) is amended by inserting ''(including delegations by the Secretary of Transportation)'' after ''All orders''.

(h) SHIPPING PAPERS.—Section 5110(d)(1) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''SHIPPERS'' and inserting ''OFFERORS''; and

(2) by striking ''shipper's'' and inserting ''offeror's''.

(i) NTSB RECOMMENDATIONS.—Section 19(1) of the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (49 U.S.C. 60102 note; 120 Stat. 3498) is amended by striking ''165'' and inserting ''1165''.

SEC. 303. HIGHWAY SAFETY.

(a) STATE MINIMUM APPORTIONMENTS FOR HIGHWAY SAFETY PROGRAMS.—Effective October 1, 2007, section 402(c) of the title 23, United States Code, is amended by striking ''The annual apportionment to each State shall not be less than one-half of 1 per centum'' and inserting ''The annual apportionment to each State shall not be less than three-quarters of 1 percent''.

(b) TECHNICAL CORRECTIONS.—

(1) Section 2002(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1521) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as (2) and (3), respectively.

(2) Section 2007(b)(1) of such Act (119 Stat. 1529) is amended—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A);

(B) by striking ''and'' at the end of subparagraph (B); and

(C) by striking subparagraph (C).

(3) Effective August 10, 2005, section 410(c)(7)(B) of title 23, United States Code, is amended by striking ''clause (i)'' and inserting ''clauses (i) and (ii)''.

(4) Section 411 of title 23, United States Code, is amended by redesignating the second subsection (c), relating to administration expenses, and subsection (d) as subsections (d) and (e), respectively.

SEC. 304. REPEAL OF NATIONAL SURFACE TRANSPORTATION COMMISSION.

Section 11142 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1961), and the item relating to such section in the table of contents contained in section 1(b) of such Act, are repealed.

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

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. DEFAZIO. 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. 1195.

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

There was no objection.

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

Mr. Speaker, this legislation is truly a compendium of technical corrections. When you look at a bill the magnitude of SAFETEA–LU and its extraordinary importance in our economy, and I believe the signature accomplishment of the last Congress, there are bound to be some drafting errors and other minor concerns in the legislation. We recognized those quite early on and had hoped to pass this bill, this technical corrections bill, during the last Congress; but it was never considered by the Senate, as are so many things that we do around here. Hopefully, this time we will get this needed work done.

There are some essential things to be accomplished in this legislation. There is an oversight in the bill that results in the Surface Transportation Research Development and Deployment account being oversubscribed. People say, who cares.

Well, actually it means that critical programs for the Federal Highway Administration Legacy Research and research programs will not be funded, and that creates a major problem. For instance, this would mean that we would not get the biennial ''Conditions and Performance Report.'' If we are going to maintain and improve our Nation's transportation infrastructure, we need to understand its status, its condition, and its need for future investment as we move toward yet another transportation bill in the coming Congress.

It provides appraisals of highways, bridges, and transit finance, their expenditures in those accounts, and compares it to the needs we have, operational performance and future investment requirements.

It also would free up additional funding for the National Surface Transportation Policy and Revenue Study Commission, something that was created as part of SAFETEA–LU and has yet to get its work accomplished. We have charged them with both looking at and assessing the future needs, building on the requirements I just mentioned, the annual reports of the Department of Transportation, but even going beyond that to determine our infrastructure needs both to maintain the current infrastructure, to enhance it, and to mitigate congestion and to move toward a less congested and more fuel-efficient transportation future.

They have also been charged with looking at how we pay for these vital investments and assessing the current revenue source, the gas tax, and some assorted excise taxes with future needs. This is again critical work to be done by that commission.

This will better fund their work and give them some of the staff assistance they need, give them the capability of obtaining the data that they need, and extend the deadline for the report to Congress, which will be a crucial building block in the next transportation bill, by 6 months. We have now set a deadline of December 31, 2007.

The bill also clarifies something regarding a sense of Congress regarding the buy America requirement. We feel that the Federal Highway Administration is not implementing the Buy America Act consistent with our, Congress's, statutory intent. They are beginning to break projects down into segments in a way that was not anticipated so that they can basically go around some of the buy America requirements. We want to reinforce here that the separate component test is not what we intended, and the amendment included in this bill is intended to clarify congressional intent and provide guidance to the Federal Highway Administration in the implementation of that section of the bill.

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

Mr. BOOZMAN. Mr. Speaker, I would like to thank the chairman for leading the charge on this important technical corrections bill. I want to voice my support for H.R. 1195, and I encourage my colleagues to do the same.

In the time that has passed since SAFETEA–LU was signed into law, we have heard from the Department of Transportation and several States regarding fixes to different programs and high-priority projects. H.R. 1195 addresses most of the areas that need correction.

It is important to note that this bill does not make substantial policy changes to SAFETEA–LU. Rather, this bill corrects provisions that were not workable in SAFETEA–LU. After we pass this bill, SAFETEA–LU will finally be able to accomplish what Congress voted to do 2 years ago.

The bulk of this bill is section 105, which makes changes to over 200 of the high-priority projects in section 1702 of SAFETEA–LU. These changes address surface transportation projects in the bill that were unable to be executed, clarifying recipients, and increasing certain project funding levels, and decreasing others to achieve budget neutrality.

The bill also makes a critical correction in the Transportation Research Program authorized in SAFETEA–LU. Errors were made in the research section of SAFETEA–LU that weakened the legacy research programs carried out by the Department of Transportation. This bill addresses that problem.

The bill also extends the reporting deadline for the National Surface Transportation Policy and Review Study Commission established in SAFETEA–LU. This important commission is tasked with recommending a new direction in funding and policy for our surface transportation programs, and we look forward to seeing their final report.

Again, thank you, Mr. Chairman, for revitalizing this technical corrections bill. I hope all of my colleagues will join me in supporting the bill.

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

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

Mr. BOOZMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I would like to thank the gentleman from Oregon (Mr. DEFAZIO) for bringing this bill forth, and Mr. OBERSTAR, the chairman of the full committee. This was our bill. We worked on this jointly. Some people say, Why do you need a technical corrections bill?

If you remember, every highway bill we have ever passed has gone through a series of technical correction adjustments because when we write a bill, sometimes it is misinterpreted by highway departments and municipalities. This is purely a technical corrections bill. It adds nothing; it takes nothing away.

Again, we passed a good piece of legislation 2 years ago. It has been implemented, but it will be implemented in a better way with these corrections.

I have talked with the gentleman from Oregon and all he has to say is ''yes'' or ''no.'' Regarding Providence Hospital of Anchorage, we are looking for a solution to a problem. I agree that we shouldn't be paying for something that is already done, but I would like to have those moneys available to improve the transportation to the center hub of health care in the city of Anchorage. It is my understanding that the gentleman has agreed to work with me in conference to try to solve that problem.

Mr. DEFAZIO. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Absolutely. The gentleman from Alaska has had extensive conversation with the chairman of the committee. It is my understanding that he is fully committed to helping resolve this issue.

There is a problem with retroactive reimbursement, but we are looking at other ways to deal with critical access to a vital health facility in Anchorage.

Mr. YOUNG of Alaska. I thank the gentleman, and I look forward to working with the gentleman and the chairman of the full committee on the new highway bill.

I believe that the adjustments in this bill for the commission are set up for finding ways to fund, and it is crucially important to make sure that they have enough time to do that job. We are right in the process of not only finishing up SAFETEA–LU, but now we are in the process of beginning to write another bill which has to address the issue of transportation in this country.

As you know how strong I supported the funding and the methods of funding previously was not successful, I think this Congress has a responsibility to provide the transportation for the Nation as a whole that can do the job.

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

I want to thank the gentleman from Alaska (Mr. YOUNG) for his leadership as chairman of the full committee as we went through that process in the last Congress, and also the fact that he is willing to get out front at the beginning to begin to try to address what is actually an investment deficit so far as it goes to transportation in the United States, something that can be easily recognized if one travels to other countries and sees how committed they are, particularly to competitors like China and the investments they are making which are absolutely on a massive scale to make their economy more efficient to move their people more efficiently.

We need to not only maintain what we have and live on the benefits of our past investment; we need to ensure more robust future investments. I assure the gentleman I have begun a series of hearings that are on two tracks in the subcommittee I chair to look both at the future investment needs and also potential ways to raise the funds we need to make those investments.

I look forward to working with the gentleman and others as we go through that process.

I do want to assure Members since there is a new sensitivity around here about PAYGO that H.R. 1195 complies fully with House budget rules; and although it only addresses changes to previously authorized projects, not new projects, it also fully adheres to the new House Member earmark disclosure requirements.

This is legislation that I recommend wholly to my colleagues, and they can vote for it in good conscience. It will help build our future and realize the full dream of SAFETEA–LU as we move through its full term.

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

Mr. BOOZMAN. Mr. Speaker, in closing, I want to thank Mr. DEFAZIO, Mr. DUNCAN, Mr. OBERSTAR, and Mr. MICA, and certainly their staffs, for working so hard together to rectify the technical corrections that we are addressing in SAFETEA–LU. And I also want to thank our former chairman, the gentleman from Alaska (Mr. YOUNG), for his hard work in providing the leadership that we had in the last Congress to get the SAFETEA–LU bill done.

Mr. MICA. Mr. Speaker, H.R. 1195 makes technical corrections to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, or SAFETEA–LU.

This is the third time we have worked to finalize these technical corrections to SAFETEA–LU. During the 109th Congress, the House passed H.R. 5689, a bill to make technical corrections to SAFETEA–LU in June 2006.

During the summer and fall of 2006, we worked with the Senate to create H.R. 6233, which is a very similar product to the bill we are considering today. Now, we are trying again.

As my colleagues have just said, H.R. 1195 makes numerous technical corrections to Federal surface transportation programs authorized by SAFETEA–LU. The technical corrections included in this bill have been identified by the Department of Transportation and are mostly of a conforming nature, or to correct drafting errors. The most important correction we are making is to strengthen the Federal Highway research program by ensuring the continuation of the legacy research programs carried out by the Department of Transportation.

The majority of this bill is section 105, which makes changes to over 200 of the high priority projects in sec. 1702 of SAFETEA–LU. These changes address ''broken'' surface transportation projects, clarifying recipients and increasing certain project funding levels and decreasing others to achieve budget neutrality.

There is one purely technical correction that is not included in this package. SAFETEA–LU inadvertently changed certain regulations for trucks with a gross vehicle weight of less than 10,000 pounds.

One of the implications of this error is that operators of these trucks no longer have to register or file insurance with DOT. Consequently, DOT can not regulate them for safety purposes.

When Congress passed SAFETEA–LU, this change was not a policy change Congress knew about or intended to make. If Congress wanted to make this change, we would have debated and discussed it. Rather, this was something we were not aware of and has had very serious unintended consequences—especially for small businesses.

I hope the Chairman, along with our colleagues in the Senate, will work with me to correct this technical problem.

Despite the omission of this important correction, I still support this legislation and I encourage my colleagues to do the same.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 1195, a bill to make technical corrections to the surface transportation act, SAFETEA–LU.

H.R. 1195 makes technical corrections to the surface transportation act, Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), enacted in 2005. This is a non-controversial, bipartisan bill that is intended to correct drafting errors, make technical fixes, and clarify Congressional intent on several provisions of the SAFETEA–LU.

This legislation is very similar to the two bills that passed the House last year, but were never considered by the Senate.

Although H.R. 1195, as amended, only addresses changes to previously authorized projects, the Committee on Transportation and Infrastructure, per my direction, has required Members of Congress to submit earmark disclosure certifications pursuant to Rule XXI of the Rules of the House of Representatives. In addition, the bill, as amended, complies with pay-as-you-go budget rules.

SAFETEA–LU has been very successful and effective. Building on previous surface transportation acts, SAFETEA–LU provides the programmatic framework and investments necessary to begin addressing the nation's growing surface transportation needs. However, as with legislation of this magnitude, there were inadvertent drafting errors. The changes in this bill are required to ensure that all policies, programs, and projects embodied in the authorization act are implemented as intended by Congress.

In particular, this bill makes critical fixes to the transportation research program authorized in SAFETEA–LU. Errors were made in the research program funding calculations that resulted in lower than intended funding levels

in several research programs. These technical fixes will recapture critical research funds for many essential programs, including:

The Future Strategic Highway Research Program, a concentrated, results-oriented research program focused on solving the top problems of highway safety, reliability, capacity, and renewal; and

The University Transportation Center Program which advances U.S. technology and expertise in the many disciplines comprising transportation through the mechanisms of education, research, and technology.

The bill also clarifies section 1928 of SAFETEA–LU regarding the Sense of Congress concerning Buy America requirements for Federal-aid highway bridge projects. Congress does not believe that the Federal Highway Administration ("FHWA") is implementing the Buy America Act consistent with the statutory intent. Specifically, the "additional cost test" should be conducted on the basis of an entire bridge project, not on separate components of the bridge project. Regrettably, FHWA has applied the test to separate components of a bridge project if the project is broken into several components for contracting purposes. The original Sense of Congress, as well as the amendment included in this bill, is intended to clarify Congressional intent and to provide guidance to the FHWA in its implementation.

Finally, H.R. 1195 modifies the Repeat Intoxicated Driver Law to allow for the use of ignition interlock devices. This change gives States more flexibility to either continue with the current one-year license suspension requirement for repeat offenders, or permit a 45-day license suspension, after which limited driving privileges are reinstated provided an ignition interlock device is placed on the offender's vehicle.

Repeat offenders are a significant part of the United States drunk driving problem, representing about one-third of all Driving Under the Influence (DUI) arrests each year. It is estimated that between 50 and 75 percent of repeat offenders whose licenses have been suspended continue to drive illegally. An ignition interlock device prevents offenders who have alcohol in their system from operating their vehicle, but allows them to continue to drive to work, school, or an alcohol treatment program.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 1195.

Mr. Speaker, I submit the following exchange of letters between Mr. GORDON and myself regarding this bill.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, March 26, 2007.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Committee on Science and Technology in matters being considered in H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes. The bill amends research portions of H.R. 3, Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109–59), which are within the Committee on Science and Technology's jurisdiction.

The Committee on Science and Technology acknowledges the importance of H.R. 1195 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forgo a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Science and Technology and that a copy of this letter and of your response will be included in the Congressional Record when the bill is considered on the House Floor.

The Committee on Science and Technology also asks that you support our request to be conferees on any provisions over which we have jurisdiction during any House-Senate conference on this legislation.

Thank you for your attention to this matter.

Sincerely,

BART GORDON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, March 26, 2007.

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

DEAR CHAIRMAN GORDON: Thank you for your March 26, 2007 letter regarding H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that the research provisions in the bill are of jurisdictional interest to the Committee on Science and Technology. I acknowledge that by forgoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House Senate conference on those provisions over which the Committee on Science and Technology has jurisdiction in H.R. 1195.

I value your cooperation and look forward to working with you as we move ahead with this important clean air legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.,
Chairman.

Mr. DUNCAN. Mr. Speaker, I would like to thank the Chairman for revitalizing this important technical corrections bill and voice my support for H.R. 1195. I encourage my colleagues to do the same.

There were many minor errors—in policy and in Members projects—in SAFETEA–LU that need technical correction.

Most people may not remember, but the House and Senate actually passed a SAFETEA–LU technical corrections bill that was signed into law in October 2005. That bill was taken up with extreme urgency because it prevented the accidental shutdown of boat safety programs.

In the time that has passed since the October 2005 SAFETEA–LU technical corrections bill was signed into law, we have heard from DOT and various states regarding fixes to different programs and high priority projects. I believe H.R. 1195 addresses most of the areas which need correction.

It is important to note that this bill does not make substantial policy changes to SAFETEA–LU. Rather, this bill corrects provisions that were not "workable" in SAFETEA–LU. After we pass this bill, SAFETEA–LU will finally be able to accomplish what Congress voted to do 2 years ago.

H.R. 1195 addresses all of the true technical corrections except one. This bill does not include a correction to an error in the motor carrier title of SAFETEA–LU.

In SAFETEA–LU, we attempted to harmonize the definition of "commercial motor vehicle" with "motor vehicle". Unintentionally, this change removed trucks weighing 10,000 lbs or less from the truck exemption of the Fair Labor Standards Act and from DOT's safety oversight.

I am very concerned with this change in policy that was never negotiated for or discussed during the bill's original conference.

Now, small trucking business, who will have to change their business plan in order to comply with the law, are going to suffer the most. These are the small businesses who have high overhead and small profits, but are providing necessary services and products to urban areas and rural towns across the country.

This change is going to create great hardships on the small companies who are already in the business and most likely will inhibit others from entering the business.

It is disappointing this Congress has not addressed this problem, but I hope we can do so before final passage of this bill.

Again, thank you, Mr. Chairman, for revitalizing this technical correction bill and I hope all my colleagues will join me in supporting this bill.

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for H.R. 1195. This bill will make essential technical corrections to the Safe, Accountable, Flexible, and Efficient Transportation Equity Act.

I want to thank my friend, Rep. JAMES OBERSTAR, and the Members of the Transportation and Infrastructure Committee for bringing this legislation to the floor.

This legislation will provide support for vital projects to my home state of California, and in particular to the city of San Bernardino, located in my district. I commend the Chairman for his foresight in giving states the flexibility our districts need to carry out these important transportation projects.

I am particularly pleased this bill includes a technical correction for High Priority Project # 2826. This change will allow transportation officials in the Inland Empire to double the number of grade separations constructed on the Alameda Corridor East.

There is no doubt this project will go a long way to help reduce congestion and improve road safety for residents in my home district and all Californians traveling to and from the Inland Empire. I urge my colleagues to support our local communities and cast a vote in favor of H.R. 1195.

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

Mr. DEFAZIO. 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 Oregon (Mr. DEFAZIO) that the House suspend the rules and pass the bill, H.R. 1195, as amended.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 15 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 802, by the yeas and nays;

H.R. 137, by the yeas and nays;

H.R. 580, by the yeas and nays.

The vote on H. Res. 266 will be taken tomorrow.

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

MARITIME POLLUTION PREVENTION ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 802, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 802, as amended.

The vote was taken by electronic device, and there were—yeas 359, nays 48, not voting 26, as follows:

[Roll No. 187]

YEAS—359

Abercrombie
Ackerman
Aderholt
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
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
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
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
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—48

Alexander
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Blunt
Boehner
Bonner
Brown-Waite, Ginny
Burton (IN)
Buyer
Cantor
Carter
Cubin
Davis (KY)
Davis, David
Deal (GA)
Everett
Foxx
Franks (AZ)
Gingrey
Gohmert
Goode
Hastert
King (IA)
Kingston
Kline (MN)
Lewis (KY)
Linder
Mack
McCrery
McHenry
Miller (FL)
Miller (MI)
Paul
Pence
Poe
Price (GA)
Rogers (AL)
Sali
Sensenbrenner
Sessions
Stearns
Sullivan
Tancredo
Thornberry
Westmoreland

NOT VOTING—26

Brady (PA)
Brown, Corrine
Cardoza
Carson
Crowley
Davis, Jo Ann
Edwards
Feeney
Flake
Gordon
Hunter
Kanjorski
Lampson
Marchant
Millender-McDonald
Neal (MA)
Payne
Peterson (PA)
Price (NC)
Shuster
Smith (WA)
Souder
Udall (NM)
Walsh (NY)
Wamp
Wexler

□ 1854

Mr. POE and Mr. ROGERS of Alabama changed their vote from ''yea'' to ''nay.''

Mr. CANNON changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI.''.

A motion to reconsider was laid on the table.

ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 137, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 137, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 368, nays 39, not voting 26, as follows:

[Roll No. 188]

YEAS—368

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonner
Bono
Boozman
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)

Capito
Capps
Capuano
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Goodlatte
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Heller
Herger
Herseth
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
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
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—39

Barton (TX)
Blunt
Boehner
Boren
Brady (TX)
Cannon
Cantor
Cole (OK)
Conaway
Davis, David
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Foxx
Garrett (NJ)
Gohmert
Graves
Hayes
Hensarling
Hinojosa
Johnson, Sam
King (IA)
Kingston
Lamborn
Lewis (KY)
Lucas
Mack
Neugebauer
Paul
Poe
Rogers (AL)
Sali
Sensenbrenner
Smith (NE)
Stearns
Sullivan
Thornberry
Westmoreland
Young (AK)

NOT VOTING—26

Brady (PA)
Brown, Corrine
Cardoza
Carson
Crowley
Davis, Jo Ann
Feeney
Flake
Goode
Gordon
Hunter
Kanjorski
Lampson
Marchant
Millender-McDonald
Neal (MA)
Payne
Peterson (PA)
Price (NC)
Shuster
Smith (WA)
Souder
Udall (NM)
Walsh (NY)
Wamp
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

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

□ 1903

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INTERIM APPOINTMENT OF UNITED STATES ATTORNEYS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 580, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 580, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 329, nays 78, not voting 26, as follows:

[Roll No. 189]

YEAS—329

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Carnahan
Carney
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Heller
Hensarling
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
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
Nadler
Napolitano
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NAYS—78

Aderholt	Davis (KY)	McCrery
Akin	Davis, David	McHenry
Bachmann	Deal (GA)	Mica
Baker	Doolittle	Miller (FL)
Barrett (SC)	Duncan	Musgrave
Barton (TX)	English (PA)	Myrick
Bishop (UT)	Everett	Nunes
Blackburn	Foxx	Poe
Blunt	Franks (AZ)	Price (GA)
Boehner	Gingrey	Reynolds
Bonner	Granger	Rogers (AL)
Bono	Graves	Rogers (KY)
Brady (TX)	Hall (TX)	Roskam
Brown (SC)	Hastert	Ryan (WI)
Burton (IN)	Hayes	Sali
Buyer	Herger	Schmidt
Campbell (CA)	Johnson, Sam	Sensenbrenner
Cannon	Jordan	Sessions
Cantor	Kingston	Smith (NE)
Carter	Kline (MN)	Tiahrt
Chabot	Lamborn	Tiberi
Coble	LaTourette	Turner
Conaway	Lewis (KY)	Westmoreland
Crenshaw	Linder	Wicker
Cubin	Manzullo	Wilson (SC)
Culberson	McCarthy (CA)	Young (FL)

NOT VOTING—26

Brady (PA)	Hunter	Peterson (PA)
Brown, Corrine	Jefferson	Price (NC)
Cardoza	Kanjorski	Shuster
Carson	Lampson	Smith (WA)
Crowley	Marchant	Souder
Davis, Jo Ann	Millender-McDonald	Udall (NM)
Feeney	Neal (MA)	Walsh (NY)
Flake	Payne	Wamp
Gordon		Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

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

□ 1911

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATO FREEDOM CONSOLIDATION ACT OF 2007

Mr. TANNER. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 494) to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 494

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''NATO Freedom Consolidation Act of 2007''.

SEC. 2. FINDINGS.

Congress makes the following findings:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(15) At the Istanbul Summit of the North Atlantic Treaty Organization in June 2004, the North Atlantic Treaty Organization

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

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

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

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

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

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

(21) At the Riga Summit of the North Atlantic Treaty Organization in November 2006, the Heads of State and Government of the member countries of NATO issued a declaration reaffirming that NATO's door remains open to new members, declaring that ''all European democratic countries may be considered for MAP (Membership Action Plan) or admission, subject to decision by the NAC (North Atlantic Council) at each stage, based on the performance of these countries towards meeting the objectives of the North Atlantic Treaty. We direct that NATO Foreign Ministers keep that process under continual review and report to us. We welcome the efforts of Albania, Croatia, and the former Yugoslav Republic of Macedonia to prepare themselves for the responsibilities and obligations of membership. We reaffirm that the Alliance will continue with Georgia and Ukraine its Intensified Dialogues which cover the full range of political, military, financial and security issues relating to those countries' aspirations to membership, without prejudice to any eventual Alliance decision. We reaffirm the importance of the NATO-Ukraine Distinctive Partnership, which has its 10th anniversary next year and welcome the progress that has been made in the framework of our Intensified Dialogue. We appreciate Ukraine's substantial contributions to our common security, including through participation in NATO-led operations and efforts to promote regional cooperation. We encourage Ukraine to continue to contribute to regional security. We are determined to continue to assist, through practical cooperation, in the implementation of far-reaching reform efforts, notably in the fields of national security, defence, reform of the defence-industrial sector and fighting corruption. We welcome the commencement of an Intensified Dialogue with Georgia as well as Georgia's contribution to international peacekeeping and security operations. We will continue to engage actively with Georgia in support of its reform process. We encourage Georgia to continue progress on political, economic and military reforms, including strengthening judicial reform, as well as the peaceful resolution of outstanding conflicts on its territory. We reaffirm that it is of great importance that all parties in the region should engage constructively to promote regional peace and stability.''.

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

SEC. 3. DECLARATIONS OF POLICY.

Congress—

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

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

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

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

(a) DESIGNATION.—

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

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

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

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

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

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

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

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

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

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

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1915

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 835, HAWAIIAN HOMEOWNERSHIP OPPORTUNITY ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110–73) on the resolution (H. Res. 269) providing for consideration of the bill (H.R. 835) to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1401, RAIL AND PUBLIC TRANSPORTATION SECURITY ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110–74) on the resolution (H. Res. 270) providing for consideration of the bill (H.R. 1401) to improve the security of railroads, public transportation, and over-the-road buses in the United States, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROTECT IMPORTANT TAX RELIEF

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute.)

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to express my concern that the Democrats will not extend tax measures critical to the American people. Residents in my own State are at risk. Floridians currently can deduct their sales tax from the Federal income tax. However, this deduction expires this year.

As Democrats set their agenda for the coming year, there is talk of offsetting increases in Federal spending by raising taxes for millions of Americans. Quite frankly, I worry that the use of this provision will be to pay for additional spending. Constituents don't want additional taxes. They want us to be more conservative in spending.

Listen up, America. Congress needs to be sure that taxpayers do not face unnecessary tax increases. I appeal to my colleagues on both sides of the aisle to ensure that our constituents are able to keep more of their hard-earned money.

GRANDMOTHER AND THE ATTORNEY GENERAL

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

Mr. POE. Madam Speaker, the U.S. Attorney General, Alberto Gonzales, is the chief law enforcement officer in this Nation. He is the most powerful prosecutor in America. As such, his credibility is based on his word. He must never deceive, mislead or misstate.

There have been two different accounts by his office about the firings of some U.S. Attorneys. Gonzalez says he never has discussed the firings, but secret memos show a meeting to discuss such was held in his very office where he was present. Both statements cannot be true. His word is tarnished.

The issue is not whether the administration can fire U.S. Attorneys. It can do so for almost any reason under the law.

Madam Speaker, growing up, my grandmother was the Chief Law Enforcement Officer. Her word was the law. I never doubted what she said. I respected her because she was always bluntly truthful. If she had told me it was raining in my house, I would have rushed home and started putting plastic over the furniture, because she never misled or misstated the truth.

This Nation deserves better than to have an Attorney General who cannot be forthright with Congress and misleads the citizens he has been sworn to protect. He has a credibility issue. His word should be as bluntly truthful as my grandmother's.

And that's just the way it is.

AMERICA MUST BECOME ENERGY INDEPENDENT

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

Mr. KINGSTON. Madam Speaker, in 2004, the United States of America spent $103 billion buying oil from nondemocratic countries, such countries as Venezuela, as Iran, as Russia, and even ones who are our allies like Saudi Arabia, where some of that money finds its way into the hands of terrorist groups.

We are funding both sides in the war on terrorism. It is a national security issue. We have to get off Middle East oil, and we need to reduce our oil dependency. We import 60 percent of our oil today.

Congressman ELIOT ENGEL and I have introduced H.R. 670. The goal of it is to reduce our oil consumption by 20 percent in 20 years. It has overwhelming bipartisan support, both in the House and the Senate.

Now, if you don't buy that, there is another reason to focus on this, and it has to do with your pocketbook. Just think about the flexibility that we have out there in fuel choices, from ethanol to biodiesel to battery operated cars.

Madam Speaker, we need to move in this direction. I recommend H.R. 670 to my colleagues and hope they will cosponsor it with me.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. WATSON). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

PUBLICATION OF THE RULES OF THE COMMITTEE ON THE JUDICIARY, 110TH CONGRESS

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

Mr. CONYERS. Madam Speaker, in accordance with clause 2(a) of rule XI of the Rules of the House of Representatives, I respectfully submit the rules of the Committee on the Judiciary for printing in the CONGRESSIONAL RECORD. The Committee on the Judiciary adopted these rules by voice vote, a quorum being present, at our organizational meeting on January 24, 2007.

COMMITTEE ON THE JUDICIARY, RULES OF PROCEDURE, ONE HUNDRED TENTH CONGRESS, ADOPTED JANUARY 24, 2007

Rule I. The Rules of the House of Representatives are the rules of the Committee on the Judiciary and its Subcommittees with the following specific additions thereto.

RULE II. COMMITTEE MEETINGS

(a) The regular meeting day of the Committee on the Judiciary for the conduct of its business shall be on Wednesday of each week while the House is in session.

(b) Additional meetings may be called by the Chairman and a regular meeting of the Committee may be dispensed with when, in the judgment of the Chairman, there is no need therefor.

(c) At least 24 hours (excluding Saturdays, Sundays and legal holidays when the House is not in session) before each scheduled Committee or Subcommittee meeting, each Member of the Committee or Subcommittee shall be furnished a list of the bill(s) and subject(s) to be considered and/or acted upon at the meeting. Bills or subjects not listed shall be subject to a point of order unless their consideration is agreed to by a two-thirds vote of the Committee or Subcommittee.

(d) In an emergency that does not reasonably allow for 24 hours' notice, the Chairman may waive the 24-hour notice requirement with the agreement of the Ranking Minority Member.

(e) Committee and Subcommittee meetings for the transaction of business, i.e. meetings other than those held for the purpose of taking testimony, shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(f) Every motion made to the Committee and entertained by the Chairman shall be reduced to writing upon demand of any Member, and a copy made available to each Member present.

(g) For purposes of taking any action at a meeting of the full Committee or any Subcommittee thereof, a quorum shall be constituted by the presence of not less than one-third of the Members of the Committee or subcommittee, except that a full majority of the Members of the Committee or Subcommittee shall constitute a quorum for purposes of reporting a measure or recommendation from the Committee or Subcommittee, closing a meeting to the public, or authorizing the issuance of a subpoena.

(h)(1) Subject to subparagraph (2), the Chairman may postpone further proceedings

when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time.

(2) In exercising postponement authority under subparagraph (1), the Chairman shall take all reasonable steps necessary to notify Members on the resumption of proceedings on any postponed record vote.

(3) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(i) Transcripts of markups shall be recorded and may be published in the same manner as hearings before the Committee.

(j) Without further action of the Committee, the Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House of Representatives whenever the Chairman considers it appropriate.

RULE III. HEARINGS

(a) The Committee Chairman or any Subcommittee chairman shall make public announcement of the date, place, and subject matter of any hearing to be conducted by it on any measure or matter at least one week before the commencement of that hearing. If the Chairman of the Committee, or Subcommittee, with the concurrence of the Ranking Minority Member, determines there is good cause to begin the hearing sooner, or if the Committee or Subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or Subcommittee chairman shall make the announcement at the earliest possible date.

(b) Committee and Subcommittee hearings shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(c) For purposes of taking testimony and receiving evidence before the Committee or any Subcommittee, a quorum shall be constituted by the presence of two Members.

(d) In the course of any hearing each Member shall be allowed five minutes for the interrogation of a witness until such time as each Member who so desires has had an opportunity to question the witness.

(e) The transcripts of those hearings conducted by the Committee which are decided to be printed shall be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Individuals, including Members of Congress, whose comments are to be published as part of a Committee document shall be given the opportunity to verify the accuracy of the transcription in advance of publication. Any requests by those Members, staff or witnesses to correct any errors other than errors in the transcription, or disputed errors in transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted. Prior to approval by the Chairman of hearings conducted jointly with another congressional Committee, a memorandum of understanding shall be prepared which incorporates an agreement for the publication of the verbatim transcript.

RULE IV. BROADCASTING

Whenever a hearing or meeting conducted by the Committee or any Subcommittee is open to the public, those proceedings shall be open to coverage by television, radio and still photography except when the hearing or meeting is closed pursuant to the Committee Rules of Procedure.

RULE V. STANDING SUBCOMMITTEES

(a) The full Committee shall have jurisdiction over the following subject matters: antitrust law, tort liability, including medical malpractice and product liability, legal reform generally, and such other matters as determined by the Chairman.

(b) There shall be five standing Subcommittees of the Committee on the Judiciary, with jurisdictions as follows:

(1) Subcommittee on Courts, the Internet, and Intellectual Property: copyright, patent and trademark law, information technology, administration of U.S. courts, Federal Rules of Evidence, Civil and Appellate Procedure, judicial ethics, other appropriate matters as referred by the Chairman, and relevant oversight.

(2) Subcommittee on the Constitution, Civil Rights, and Civil Liberties: constitutional amendments, constitutional rights, federal civil rights laws, ethics in government, other appropriate matters as referred by the Chairman, and relevant oversight.

(3) Subcommittee on Commercial and Administrative Law: bankruptcy and commercial law, bankruptcy judgeships, administrative law, independent counsel, state taxation affecting interstate commerce, interstate compacts, other appropriate matters as referred by the Chairman, and relevant oversight.

(4) Subcommittee on Crime, Terrorism, and Homeland Security: Federal Criminal Code, drug enforcement, sentencing, parole and pardons, terrorism, internal and homeland security, Federal Rules of Criminal Procedure, prisons, criminal law enforcement, other appropriate matters as referred by the Chairman, and relevant oversight.

(5) Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law: immigration and naturalization, border security, admission of refugees, treaties, conventions and international agreements, claims against the United States, federal charters of incorporation, private immigration and claims bills, non-border enforcement, other appropriate matters as referred by the Chairman, and relevant oversight.

(c) The Chairman of the Committee and Ranking Minority Member thereof shall be ex officio Members, but not voting Members, of each Subcommittee to which such Chairman or Ranking Minority Member has not been assigned by resolution of the Committee. Ex officio Members shall not be counted as present for purposes of constituting a quorum at any hearing or meeting of such Subcommittee.

RULE VI. POWERS AND DUTIES OF SUBCOMMITTEES

Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective Subcommittees after consultation with the Chairman and other Subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and Subcommittee meetings or hearings whenever possible.

RULE VII. NON-LEGISLATIVE REPORTS

No report of the Committee or Subcommittee which does not accompany a measure or matter for consideration by the House shall be published unless all Members of the Committee or Subcommittee issuing the report shall have been apprised of such report and given the opportunity to give notice of intention to file supplemental, additional, or dissenting views as part of the report. In no case shall the time in which to file such views be less than three calendar days (excluding Saturdays, Sundays and legal holidays when the House is not in session).

RULE VIII. COMMITTEE RECORDS

The records of the Committee at the National Archives and Records Administration shall be made available for public use according to the Rules of the House. The Chairman shall notify the Ranking Minority Member of any decision to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

RULE IX. OFFICIAL COMMITTEE WEBSITE

The Chairman shall maintain an official website on behalf of the Committee for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee Members and other Members of the House. The Ranking Member is authorized to maintain a similar official website on behalf of the Committee Minority for the same purpose, including communicating information about the activities of the Minority to Committee Members and other Members of the House.

THE NEED FOR FAIR TRADE POLICIES

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

Mr. ALLEN. Madam Speaker, I rise today to express my opposition to trade policies that are unfair to American workers.

Congress must insist on a new model for trade that makes American workers the top priority. Trade agreements must also take into account protections for the environment and ensure access to life-saving medicines.

Developing trade agreements that take these priorities into account will be difficult, but we must not rush into obligations which will ultimately harm our own interests, and we must reject the false choice between expanding our trade opportunities and fairness to U.S. workers.

It is simply wrong to follow the old model that we know hurts the livelihoods of so many of our constituents. That is why Democrats are pushing for new priorities in the trade deals that the administration is negotiating with Colombia, Peru, Panama, South Korea and other countries.

Congress must continue to press the administration to change its trade policies and provide specific, constructive suggestions to advance the goals of our workers and our economy.

Unfortunately, the Bush administration doesn't act as though it believes that Congress should have a real say in trade negotiations. One example, though it is certainly not the only one, is the matter of allowing access to life-saving medications.

Congress has passed legislation directing the administration to respect

the Doha Declaration, an agreement that allows countries flexibility under WTO rules to provide for public health. Although the administration signed the Doha Declaration, USTR has completely ignored Congress' directive to respect it.

Every trade pact negotiated since 2002 has contained stringent intellectual property rules sought by the major drug companies. By keeping medicine prices high, these rules increase industry profits but restrict access to needed medicines for citizens in developing countries. Even in current free trade negotiations, USTR continues to ignore the will of Congress to respect the Doha Declaration.

That is why a new framework for trade must include a stronger role for Congress. The current model of nonbinding negotiating objectives permits the President to ignore the wishes of this Congress.

It is no surprise that the administration has favored large corporate interests at the expense of American workers, the environment and global health. But it is wrong. However, our new majority in Congress will respond to workers who have been hurt by previous trade agreements. After all, trade agreements have affected my home State of Maine's manufacturing, farming and service sectors.

Soon Congress may be asked to consider renewing fast track authority. I voted against the Trade Act of 2002, which granted fast track authority to the President. I urge my colleagues to reject renewal of fast track in its current form. It is vital that Congress continue to press for change, firmly and constructively.

INJUSTICE AGAINST FORMER U.S. BORDER PATROL AGENTS RAMOS AND COMPEAN CONTINUES

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. Madam Speaker, today is the 69th day since a great injustice took place in this country. On January 17, 2007, two U.S. Border Patrol agents entered Federal prison to begin serving 11 and 12 year sentences, respectively.

Agents Compean and Ramos were convicted last spring for shooting a Mexican drug smuggler who brought 743 pounds of marijuana across our border into Texas. These agents never should have been prosecuted. The U.S. Attorney's Office prosecuted the agents and granted immunity to the drug smuggler, who claimed he was unarmed. The illegal drug smuggler received full medical care in El Paso, Texas, was permitted to return to Mexico, and is suing the Border Patrol for $5 million for violating his civil rights.

Madam Speaker, he is not an American citizen. He is a criminal.

Madam Speaker, it is ironic that one of the Federal prosecutors dismissed by the Justice Department, who never should have been terminated, was criticized for not doing more to try cases of illegal immigration. Yet we have a Federal prosecutor in western Texas, Johnny Sutton, who, instead of prosecuting an illegal alien, who was also a known drug smuggler, decided to give immunity to the illegal alien drug smuggler and prosecuted the two Hispanic-American border agents who tried to apprehend the smuggler.

Madam Speaker, this makes absolutely no sense. Johnny Sutton also prosecuted another law enforcement agent, Deputy Sheriff Gilmer Hernandez. Hernandez was recently sentenced to a year in jail for shooting the tires of a car transporting illegal aliens after the driver attempted to escape a routine traffic stop by aiming the vehicle at the deputy. Hernandez was charged with violating the civil rights of one of the passengers, an illegal Mexican national, who was struck in the lip by bullet or metal fragments.

Citizens across this country and many of us in Congress want to know why does the U.S. Attorney's Office in western Texas choose to go after law enforcement officers while protecting the illegal aliens who commit crimes?

The President has the power to immediately reverse this injustice by granting a pardon to these two men, who were doing their jobs to protect the American people. But, so far, the President has refused to stand up for justice in this case.

Madam Speaker, I hope the White House will agree with many of us in Congress who believe Mr. Sutton's actions in prosecuting these agents raises serious questions and need to be investigated.

I thank House Judiciary Chairman JOHN CONYERS and his staff for their interest in this situation involving the two border agents, who should have been commended instead of indicted. I am hopeful that the House, under the leadership of JOHN CONYERS, will soon hold hearings to look into this injustice.

NEW POLLS REGARDING VIEWS OF IRAQI PEOPLE

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

Ms. WOOLSEY. Madam Speaker, on the fourth anniversary of the invasion of Iraq, several new polls looking at the opinions of the Iraqi people were released. It is important that we heed this call and that we listen to their choices, because it has been 4 years.

Some frightening stories were illuminated by the new polls. For example, one in four Iraqi adults have had a family relative murdered in the last 3 years, while 23 percent of those living in Baghdad have had a family relative kidnapped in the last 3 years.

□ 1930

More than half of Iraqis have a close friend or relative who has been hurt or killed in the current violence. One in six say someone in their own household has been harmed. Eighty-six percent worry about a loved one being hurt, two-thirds worry deeply. Huge numbers limit their daily activities to minimize risk. Seven in 10 report multiple signs of traumatic stress. The number of Iraqis who describe their lives as good has dropped from 71 percent 3 years ago to under 40 percent today.

This is shameful, Madam Speaker. Every day the evidence against President Bush's so-called war plan mounts. It makes one wonder if there is even a plan at all. How much of the Bush Iraq policy has been forced on the Iraqi people? How much real involvement have the Iraqi people had in deciding the future of their own country. How are the Bush policies affecting Iraqi families?

I voted against the authorization to go to war. And Madam Speaker, I say to my colleagues, whether they voted ''yes'' or ''no,'' now is the time to make a change in direction. Let us empower the Iraqi people; let us restore their sovereignty.

Last week, I had the opportunity to testify before the Foreign Affairs Committee about my legislation, H.R. 508, the Bring the Troops Home and Restoration of Iraq Sovereignty bill. This bill is a comprehensive proposal. It has 49 cosponsors, and it will end the occupation of Iraq within 6 months of enactment. It will accelerate the training and equipping of Iraqi military and security forces, preparing the Iraqis to take over their own security after U.S. troops and contractors leave at the end of the 6 months. It will fully fund the health care commitment to our returning veterans. It will make veterans health care an entitlement, something they deserve because, for heavens sakes, they have done so much for us.

Additionally, the legislation revokes the President's Iraq war powers, it prevents establishment of permanent bases in Iraq, and it returns the oil rights to the Iraqi people. Actually, it gives Iraq back to the Iraqis.

Madam Speaker, our most solemn obligation is to the brave and capable men and women who have been placed in harm's way. This legislation, as I said, guarantees physical and mental health care for U.S. veterans of military operations in Iraq and other conflicts. It is the least we can do. It is the very least we can do to show the gratitude of a grateful Nation.

H.R. 508 will fulfill our commitment to our Nation's brave troops and to the Iraqi people. The polls here and the polls in Iraq are clear: it is time to bring our troops home.

To those who are watching and wondering about the future of our Iraq policy, I say I will not stop, I will not rest, and I will not back down in my fight until every single last soldier and marine is home safe with his or her family.

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

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

PRIVATE CLARENCE SPENCER AND SERGEANT FIRST CLASS ALLEN MOSTEIRO

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

Ms. GRANGER. Madam Speaker, I rise today to honor one of the bravest and most dedicated young heroes of north Texas and of our Nation.

Army Private Clarence Spencer was killed in Bilad, Iraq while fighting against enemy forces in one of the most important conflicts our Nation has ever engaged in. Clarence Spencer gallantly and selflessly gave his life for his country while fighting alongside his fellow soldiers of the 1st Cavalry Division of Fort Hood, Texas.

Private Spencer is survived by his mother and son and his loving wife, Army Private Charlotte Spencer, who has also devoted herself to our Nation's noble military profession.

Clarence Spencer served three tours in Iraq, two of which were as a marine. Wounded in Iraq on a previous tour, he demonstrated tremendous courage by deploying into harm's way once again. Private Clarence Spencer is gone, but he will never be forgotten. His memory lives in our hearts, and America is eternally grateful for his spirit and his dedication.

As Clarence's Dunbar High School football coach said about Clarence, ''I have coached faster, stronger and more talented students, but I've never coached anyone I was more proud of.'' That is precisely the way that the Fort Worth community and our Nation feel about soldiers such as Private Clarence Spencer, a true American hero.

Madam Speaker, I also rise to honor a second hero of the Fort Worth community and of our Nation. A graduate of Fort Worth's Eastern Hills High School, Sergeant First Class Allan Mosteiro was an 18-year veteran of the Army, who was assigned as a scout leader in the 1st Cavalry Division based at Fort Hood, Texas. He gallantly and selflessly gave his life for his country as a result of wounds he received during a fire fight against enemy forces in Taji, Iraq on February 13, 2007.

Sergeant Mosteiro is survived by his loving wife, son, parents, one brother and three sisters.

The American people recognize their sacrifice and honor the Mosteiro family's patriotism. As a career soldier and senior noncommissioned officer, Sergeant Mosteiro's leadership was instrumental in developing younger soldiers, and he did not take his responsibility lightly. A veteran of Operation Desert Storm and of the current war, Allan Mosteiro dedicated his life to securing the freedoms that all Americans so rightfully cherish.

Sergeant First Class Allan Mosteiro is gone, but he will never be forgotten. His memory lives on through the wonderful family that he left behind and the dedicated soldiers he so ably led.

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 Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE 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.)

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

(Mr. FRANKS of Arizona 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.)

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 44. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary.

H. Con. Res. 66. Concurrent resolution 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 message also announced that pursuant to Public Law 100–696, the Chair, on behalf of the President pro tempore, appoints the following Senators as members of the United States Capitol Preservation commission:

The Senator from Illinois (Mr. DURBIN).

The Senator from Louisiana (Ms. LANDRIEU).

The message also announced that pursuant to Public Law 100–696, the Chair, on behalf of the Republican Leader, announced the appointment of the Senator from Colorado (Mr. ALLARD) as a member of the United States Capitol Preservation Commission.

FAILED TRADE POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Maine (Mr. MICHAUD) is recognized for 60 minutes as the designee of the majority leader.

Mr. MICHAUD. Thank you very much, Madam Speaker.

I rise with my colleagues here this evening to talk about our failed trade policy.

As a former mill worker at Great Northern Paper Company in East Millinocket, Maine, I know firsthand how these trade deals have crippled our manufacturing base in the State of Maine.

When I ran for Congress, I told the people of the State of Maine I would fight for them, for their jobs and for their families every single day. Mainers know that these trade deals have left them behind. You can go almost anywhere in my district and find an abandoned mill or a vacant factory. They are painful reminders of what was and is no longer to be. Their jobs have been outsourced to countries that pay slave wages. How can we compete when our own workforce has been left behind?

The election results proved that the American public is sick and tired of their jobs being outsourced. They want a Congress that fights for our workers and businesses. They want this country to move in a new direction. They want this Congress to move in a new direction.

I will be the first to say that I am concerned when I am hearing from my fellow colleagues that we can't cut side deals on trade agreements. Some say maybe we can make a few concessions on both sides and a deal is cut. The American workforce is sick of these trade deals, these side deals being cut. They don't want more trade adjustment assistance; they want their jobs.

Some say that the pending free trade agreements, that we should do a side letter to appease labor, or maybe a couple tiny provisions that fix the environment. My mom always told me, you can't fix what's broken. Our trade policies are broken.

It is time to start from the ground up. It is time to renegotiate the Peru, the Colombia and the Panama Free Trade Agreements. With the TPA deadlines quickly approaching, we cannot rush something through. The American public deserves to have the new majority renegotiate these trade deals.

This election sent a strong message. It is to change course in what the Bush administration has done with our failed trade policies. There is no quick fix to this solution, not when these agreements are based on a flawed model. These agreements compromise our port security, they privatize Social Security, they threaten our intellectual property rights, they undermine

States' rights, and they infringe on access to medicines.

I strongly agree with Chairman LEVIN that we need to address these issues, and we need to do it now. Nonbinding side letters are not good enough.

Regarding the Colombia Free Trade Agreement, there is no fix that can make this agreement acceptable. It is highly offensive that the Bush administration even initiated negotiations with a country infamous for having the highest rate of trade unionists assassinated. More than 2,000 labor union activists have been murdered in Colombia since 1990. More than 2,000 labor unionists murdered since 1990, with 60 assassinated in 2006 alone, one per week. Until the Colombian Government changes this abominable situation, the United States should not offer any enhanced trade relations to Colombia.

And then let me touch on the biggest issue of them all: fast track. Fast track delegates away Congress' constitutional authority. It undermines our right to have a say in what goes on in these trade deals. We must replace this outdated, failed trade negotiating system.

Over 3 million American manufacturing jobs, one out of every six manufacturing jobs, have been lost during the fast track era. Before fast track, we had balanced trade. The United States trade deficit has exploded as imports surged. The worldwide gulf between the rich and the poor has widened since fast track.

I could go on and on and on about fast track. Fast track has put us on the wrong track, and it is time to turn it around. Any acceptable version of fast track must include the bare minimum of some of the following:

It would restore Congress' right to decide which countries it is in our national interest to negotiate new agreements. It would set mandatory requirements for what must and must not be in every agreement, including core labor and environmental standards. It would require Congress to vote on a trade agreement content before it can be signed, and it would not allow for secretive negotiations. A new negotiating system must include more oversight on how past agreements are actually working. It would reinstate our system of checks and balances.

I am pleased that some of my colleagues are here this evening to join me in this trade discussion, and I look forward to their remarks. I would like to thank them for their leadership as well in this area.

I now would like to introduce Congressman PHIL HARE, a newly elected freshman from Illinois, to be the next speaker. PHIL knows firsthand about how these trade agreements affect our manufacturing industries. Prior to working for Congressman Lane Evans, PHIL's first job was at the Seaford Clothing Factory in Rock Island. During the 13 years, he cut linen for men's suits there.

PHIL served as a union leader and as the president of Unite Here Local 617. As district director for then-Congressman Lane Evans, PHIL HARE fought for the working men and women in his district. PHIL is a leader among the freshman class on trade issues.

PHIL, I want to thank you for your tremendous leadership on this very important issue that affects men and women throughout the United States. I yield to the good gentleman.

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Mr. HARE. I thank the gentleman from Maine, and I also want to just commend you for your leadership on this whole issue of trade.

When I first came to this body, I campaigned on the sole issue of trade; and they said there are a couple of people you need to look up right away. I needed to look up Representative MARCY KAPTUR and MIKE MICHAUD for standing up for ordinary people.

With all due respect to the President, I don't consider this fast track legislation; it is wrong track legislation. I am a card-carrying capitalist, and I have said this many, many times. But I came out of an industry, the clothing and textile industry. But, for the life of me, I don't understand, this President just doesn't seem to get it. We keep losing good-paying jobs overseas, and for the life of me we are one of the few countries I know that actually subsidize our manufacturers for going overseas, if you look at the east coast and look what happened in your area from Maine all the way down and you look what happened in the Midwest with Maytag.

Today I sat and I listened to a person from my district, Dave Bevard, who worked at the Maytag plant. He had 32 years in and his wife had 30, 62 years between the both of them. Here, these workers gave up two wage concessions, if you can believe that, to keep this plant open, $24 million from our State of Illinois in tax breaks to this company; and at the end of the day they ended up moving to Sonora, Mexico. The CEO of the company said, ''I don't care about the workers and the community. I am here to make a dollar for my shareholders.'' It didn't matter about the health care and the pensions.

And Dave brought up today, you know, we have trade readjustment funds and things of that nature, but, as the gentleman knows, by the time you get them you have to decide between your unemployment compensation and whether you are going to be retrained. Then they tell you, well, you should go into a field that is growing, maybe like health care. So he said, of the 2,500 people that lost their jobs at that plant, 400 people tried the medical care, thinking they were going to get into medical care. Well, that worked great for the schooling, but when it came to practical exercise to go in and be able to learn the trade and be able to do it, they only had room for 30 people. So, 370 people are left out in the cold.

Another woman wanted to go through and wanted to get into daycare and needed a 1-year program at the community college. They only had a 2-year program; and they said, well, maybe she should just try being a cosmetologist instead.

When you take a look at the way we do this and the way we treat our workers, I said today this is a moral issue that I think we in this Congress have.

I support trade. I will always support trade. I know our country needs it. But I ask, at what price? And I want to know why is it that this President feels he doesn't have to basically come to Congress for anything, as you know, but particularly when it comes to the trade issue. He can outsource it, he can fast track, and he can do whatever he wants to do, and there is no congressional accountability, no oversight. We are left with a package we can't even vote up or down half the time because he has the secret back-door deals.

I, for one, as a freshman am tired. I am tired of going back to my district and seeing people like Dave Bevard and his wife who, by the way, has cancer. He is going to lose his health care.

And I ask a question very simply of this administration and for those on the other side of the aisle and maybe some within my own party who think that this is the way to go. I want you to come to Gifford, and I want you to see what is left of that Maytag plant, and I want you to see the people whose lives have been affected by this and the lack of health care.

Their prescription programs that they had, now they have lost their prescription drug program that they had, it equals for some of them their prescriptions per month, the pension that they receive. Now, they don't even get a pension, they have no health care, and somebody is going to try to convince me that this trade deal is going to work and that this was in the best interest of our manufacturing base?

Now I can't in good conscience do that. I think we had some interesting hearings today, but, ultimately, we have to be able to stand up.

And I agree with the gentleman from Maine. We had a directive I think this past election. I campaigned on this issue, as you know; and I campaigned very strongly about it. I said, look, I support trade, I support fair trade. So I am a fair trader, and I think that is what we should all be. And I think we have an obligation, as I said before, to ask this administration but also ask of ourselves: Are we here to represent the Dave Bevards of this country? Or are we here to represent the CEO that took the jobs to Sonora, Mexico?

And they are going to keep doing it. Every single day we read of another small factory going. My clothing factory that I worked in was shut down, and now I hear that the remaining 350 people that were working there are hanging by a thread. Translation: In about a year, that plant is going to go simply because nobody wants to have

the initiative and the courage to stand up for an industry that has been hit, or dumping its steel. It goes on and on.

I don't want to use up the whole hour, but if the gentleman would just let me conclude by saying this. I would like to ask some of our folks on the other side that call me a protectionist, and I looked in the dictionary, and I think that means you are trying to protect something, and I am, and I know we are. We are trying to protect a basic fundamental right for people to have a decent-paying job.

You know, these aren't CEOs. These are ordinary people who want to put their kids through school, have health care. They want to be able to work, and work very hard, and be able to retire and not have to worry about it.

I am not going to stop on this issue, and I again applaud the gentleman from Maine for courage that he has. And I will promise you this, that I have said many times: I don't know how long I am going to be in this body, but as long as I am I am going to continue to come to this floor, I am going to continue to talk about those lost jobs and say we have to start thinking differently than we have before.

We have an obligation, and our obligation is to stand up for ordinary people. That is what I have always been about. And I think the basic job of a Member of Congress, when you really get down to it, after all is said and done, is all of us are here to do the best we can to help ordinary people out, to make their lives better, not complicated.

So to my friends on the other side that might think I am off base, I am not going to support fast track. I will vote against it. I am not going to have any part of outsourcing one more job from my district or from this country. I am going to stand up for workers, whether they are from Illinois or Maine or Ohio or Florida or wherever they are from, because we have a responsibility to do it. It is the right thing to do.

And, again, I just can't thank you enough, Congressman, for taking the lead on this. You and Representative KAPTUR have been great inspirations to me as a freshman here and campaigned on this issue of trade.

And, by the way, I would just say to people listening, it is okay to run on things you believe in and lead with your heart and on the right issues, and every now and then the good guys do come out on top. So I thank the gentleman for allowing me to participate this evening and look forward to any questions or discussion you might have.

Mr. MICHAUD. I thank you very much, Congressman HARE.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. WATSON). All Members are reminded to address their comments to the Chair.

Mr. MICHAUD. I apologize, Madam Speaker.

I would like to thank the gentleman for his kind remarks. It is I who ought to thank you and the freshman class for your leadership in this area. You have actually brought forward a whole new fresh discussion about trade and what it has done to this country. So I really appreciate your leadership and look forward to continuing working with you as we move forward in this area.

There is another Member I would like to recognize, not a member of the freshman class, but this Member has been a true advocate for fair trade. Congresswoman KAPTUR has been a tremendous leader in this fair trade fight.

MARCY came to Congress from a working-class background. Her family operated a small grocery where her mother worked, after serving on the original organizing committee of an auto trade union at Champion Spark Plug. MARCY knows firsthand how these unfair trade deals have affected industry throughout her congressional district in Ohio and has been a key player in our trade working group in the House.

I really appreciate all the leadership and expertise that you have brought forward on this issue, Congresswoman KAPTUR. You have been a true leader, and you have been a mentor to me ever since I got elected to Congress. So thank you, and I yield you such time as you may consume.

Ms. KAPTUR. Congressman MICHAUD, thank you so much for bringing us together tonight and for your great contributions to this debate. That is probably the major economic debate this Nation faces. It is a real pleasure to be here with you this evening. I thank you for yielding me some time.

And to Congressman PHIL HARE from Illinois, who has just hit the ground running here and who I think is such a tremendous addition to our membership and to this great struggle for the cause of all people in our country, the dignity of their work, the future for their families and the future of our communities.

And to Congressman STEVE LYNCH of Massachusetts, who works so respectably as an ironworker. He looks like that man that they have on that iron beam over New York City, that famous poster. Whenever I look at him, I think I see him. He is the one who is swinging the golf club with the ball or something.

It is a pleasure to be here with these gentlemen tonight, because they have all worked for a living, their families have worked for a living, and we need more people who bring this experience to the Congress of the United States.

The plant that Congressman MICHAUD discussed, Champion spark plugs, no longer exists in Toledo. Back when I was first elected, we tried so hard to get the Japanese to buy the spark plugs, the best plugs that were made in the whole country, Champion spark plugs.

I took them to Japan in 1985, and I said to Prime Minister Nakasone, ''Your companies aren't buying from our premier companies.'' Our trade deficit was beginning to really get bad back then, so I said, ''So I would like to suggest that we give you these plugs for free for your manufacturers, and let them try them.''

And we learned a lot about the keiratsu system of Japan and what a closed system indeed it is and that other companies couldn't bid into that production and that these very tight buying chains exist globally. Japan has been eating our lunch in the automotive market for a very long time now, but the Japanese market still remains closed, with less than 3 percent of the cars on their streets from anywhere else in the world. They didn't even take Yugos or bugs, VW bugs. So that market is a closed market, and we began to see how difficult it was to engage in trade with nations who truly were protectionists.

Congressman HARE talked about protectionist countries. You can see pretty clearly which ones they are when you look at what is on their shelves and what is on their streets.

I am here tonight to say that I have never supported fast track, because I don't believe Congress should ever let a fast ball go through here that we don't grab ahold of. And the problem is you can't amend a trade agreement. So even if you want to, as happened when we debated NAFTA, I can't remember a more piercing debate in this Congress other than votes on war. That NAFTA debate was the most significant economic debate we had here in 1993; and at the time that we debated that, it was purposefully brought to the floor in a way that we could not amend.

So let me just take one issue. We are going to have discussions this year on the issue of immigration. When that bill came down here, there were many of us who said we have to deal with the displacement that is going to happen in Mexico in the farm sector, because there is no transition provision in NAFTA and no currency exchange, that we knew that the Mexican farmers were going to be thrown off of their community oriented farming ejido systems. It has happened. No one wants to recognize it has happened, but over 2 million people were disgorged from their villages and towns, and they are wandering the continent, providing an endless stream of labor that is dirt cheap there and here. It is almost as if they didn't want us to talk about it because that fast track bill came through here.

Now, the NAFTA model is being used, they want to expand it to Colombia, they want to put it to Peru.

I wanted to say a word about Colombia this evening. I agree with Congressman MICHAUD. There is no nation in the world that allows the assassination of their labor leaders more than Colombia. Why would we want to sign a free trade agreement with a country that isn't free? Our cardinal rule ought to be: Free trade among free people.

When we look at what happened in Colombia recently, Chiquita brands, remember Chiquita Banana, which is headquartered in my State of Ohio, has just pleaded guilty to funding terrorism in Colombia. Several what are called unidentified high-ranking corporate officers of a subsidiary of Chiquita paid $1.7 million from 1997 through 2004 to fund the United Self-Defense Forces of Colombia, a group that our country says is a terrorist organization. And Chiquita also bribed other groups inside of Colombia.

The company has now admitted to this wrongdoing and agreed to pay $25 million in fines. They said that the money was paid to protect employees from violent paramilitaries who fight over the banana plantations. I wouldn't wish working on a Colombian banana plantation to any living human being.

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And yet we are about to sign a free trade agreement under fast track that we can't amend and stand up for the dignity of people in Colombia.

We know that the Colombian worker isn't safe; yet the President evidently thinks it is okay to sign an agreement where there is no transparent justice system, where bribes and protections and murders are every-day occurrences. Where are our values as a country? Why has it taken us almost 20 years from 1985 to 1995 to 2005, now it is 2007, to bring this issue up? We had to have so many casualties in this country. We tried 23 years ago so the hurt would not be so bad. And the gentlemen that are here this evening, Mr. LYNCH, Mr. MICHAUD, Mr. HARE, Mr. ELLISON, they represent those who are suffering in our country. There are people suffering in other countries, too.

I want to say I associate myself with the gentleman's remarks this evening. And what you said about those who have been murdered in Colombia, we know 72 were murdered in 2006, and the gentleman talked about prior assassinations of those who were trying to form groups there so they could earn a decent wage. Almost none have been prosecuted. It is like their lives have no meaning. So we need to set a higher standard. Maybe our Constitution really should stand for something and we should look for an agreement among the peoples of the Americas that uses democracy and liberty as its fundamental principles, not the diminishing of workers, be they farmers or industrial workers.

I oppose the Colombian free trade agreement and stand up for human rights, the middle class, the rule of law, and everything that this Nation should be committed to.

Mr. MICHAUD. Thank you, and I look forward to working with you as we move forward.

We also have been joined by Mr. ELLISON, who represents the Fifth District in Minnesota with distinction. Congressman ELLISON believes NAFTA and CAFTA have encouraged the movement of manufacturing and agricultural jobs out of Minnesota to be done under sweat-shop conditions in other countries.

A 2003 report by the Minnesota Fair Trade Coalition reported that at least a quarter and likely one-third of the net 45,000 manufacturing jobs that Minnesota lost from 2001 to 2003 were directly attributable to trade deals such as NAFTA.

Congressman ELLISON has been a leader among the freshman class, along with Congressman HARE, in fighting for fairer trade deals. I yield to Congressman ELLISON.

Mr. ELLISON. Thank you. I thank you for your leadership on this issue of fair trade. I think that the time is right, the time is now to begin talking about fair trade. I want to commend all of the Members here tonight talking about this critical issue.

This election sent a strong message: no staying the course on Bush's failed trade policy. So now what do we hear, that the Bush administration wants to send to Congress NAFTA expansion agreements with Peru and Colombia. Consider the problems that Democrats have endlessly raised in writing, in hearings, on the floor, think about these problems and the administration's trade agreement model, how we have continually demonstrated that the Bush trade model is killing American jobs and is an enemy of the middle class.

Then consider what the administration chose to put in the deals anyway. Democrats are for consumers' right to affordable medicine. The 2002 trade negotiation authority instructed the Bush administration not to lard up and pack up these trade deals with new protections for big pharmaceuticals that could cut poor consumers off from access to medications and cause endless deaths in poor countries. But the administration inserted this poison pill into the FTAs. The TRIPS-plus requirement needs to come out.

Democrats are against privatization of Social Security. We believe the elderly in whatever nation they are in should have safeguards for their security as they age. Yet the Peru free trade agreement requires Peru to open its social security system for privatization. That has to come out.

Democrats believe that foreign businesses operating on U.S. soil shouldn't have greater rights than U.S. businesses. And we believe that our environmental and health safeguards cannot be exposed to attack in international tribunals. But the administration included the extreme foreign investor rights and investor state enforcement of NAFTA's Chapter 11. That needs to come out as well.

Democrats believe in the right of Congress and the President to protect this Nation's security. We have made it clear that the trade pacts cannot subject our decisions about who should operate U.S. ports to attacks in international tribunals or demands for compensation. Yet although the Dubai Ports World operates Peru's ports and thus would have the right to such a claim, you included the ''landslide port activities'' in the Peru and Colombian agreements. That has to come out.

Democrats believe in reducing poverty in the developing world. We believe in providing farmers in the Andean nations opportunities to earn a living without resorting to illegal drugs that will end up on our streets here in the United States. But despite the warnings from Peruvian and Colombian Governments and the record of NAFTA displacing 1.7 million compesinos, the President has insisted on zeroing out corn, rice and bean tariffs in those things. That has to come out.

Democrats believe consumers have a right to safe food. But the administration included provisions allowing food imports that don't meet our standards. That needs to come out.

Democrats believe that when governments spend tax dollars, they must do so in the best interest of the taxpayers. But the administration included language in these FTA procurement texts that could expose Davis-Bacon prevailing wage laws, renewable energy standards and more to challenge. That must come out.

It would only require striking a sentence here or a word there to remove the FTA terms that directly conflict with these core Democratic Party values and goals.

And then there is what is missing, the enforceable labor and environmental standards in the core of the text of the agreement equal to the commercial provisions.

Regarding the Colombia FTA, there is no fix to that and there is nothing that can make this agreement acceptable in my view. It is highly offensive that the Bush administration would exploit the enormous discretion fast track provides even to initiate negotiations with a country infamous and, unfortunately, famous for having the highest rate of trade union assassinations. More than 2,000 labor activists have been murdered in Colombia since 1990. Sixty were assassinated in 2006 alone; one per week. The Colombian Army is implicated in many of these murders, but few have been prosecuted. Until the Colombian Government changes its situation, the United States should not offer any enhanced trade relations to Colombia.

Mr. MICHAUD, thank you for your excellent work and leadership. The American people deserve fair trade agreements. The American Congress must take back its constitutional authority to make sure that any agreement that the United States engages in is an agreement that is in the best interest of the American working people.

Mr. MICHAUD. Madam Speaker, it is my pleasure to introduce my co-founder of the Congressional Labor and Working Families Caucus, a member of the House Trade Working Group, Mr. STEVE LYNCH.

During his career as an ironworker, Congressman LYNCH worked at a General Motors plant in Framingham, Massachusetts, the General Dynamics shipyard in Quincy, Massachusetts, and the United States Steel plant in Gary, Indiana, all of which were shut down due to foreign competition and unfavorable trade conditions.

Mr. LYNCH's firsthand experience in seeing the effects of plant closures on American workers and on local communities has led him to focus on efforts to improve United States trade policy and help protect not only American workers but also American businesses which also feel strongly about these trade deals and have been working very closely with the United States Business and Industry Council to make sure that we have fair trade deals. I look forward to hearing Congressman LYNCH's remarks.

Mr. LYNCH. Thank you very much. I thank the gentleman for yielding. I want to join the rest of the Members here tonight to say how proud we are of the fashion in which you have defended American workers and led this cause for all Americans.

I rise tonight to address the House on the matter of the pending trade agreements with Peru and Colombia and the general trade promotion authority.

There has been much talk over the past couple of weeks and all of us have heard it about the desire of our country to export democracy to the Middle East. I just have to say that I am a firm believer that you do not export democracy through the Defense Department, as has been suggested by this administration.

What we are talking about here in these trade agreements, this is how you export democracy. If you are going to do it at all, it is through trade agreements which give other workers in other countries a fair opportunity to have a decent standard of living, and it is really incumbent upon us through the Commerce Department and these trade agreements to make sure that at the same time we protect our own workers, we also give a fair chance at a decent living to those of our neighbors internationally.

Just like the job loss that has been described by Mr. HARE, Ms. KAPTUR, Mr. ELLISON, and Mr. MICHAUD, as the gentleman from Maine indicated, I worked at a General Motors plant in Framingham, Massachusetts, and I saw the impact in Massachusetts and in Framingham of those 2,300 workers getting laid off.

The same thing happened at the General Dynamics shipyard where I worked in Quincy, Massachusetts, and I saw the impact there, as well as the steel plants in the Midwest that I worked at which have also been closed down.

What really gets me is as an ironworker hearing the talk in Washington, especially this administration, they talk about job loss like they talk about the weather, like it is something beyond their control, like it is a natural disaster that they have nothing to do with, when in reality when you look at the policies this administration has put forward, it is a deliberate cause and effect. The reason we are losing jobs is because of the policies that we have adopted.

Just like so many other so-called free trade agreements, this Colombia and Peru trade agreement contain no meaningful language or effective labor and environmental standards for workers in those countries, nor does it provide adequate protections to our own workers.

Madam Speaker, these trade agreements are based on deeply flawed models of NAFTA and CAFTA. We continually repeat the same mistakes and offer the same problematic language in our trade agreements. Instead of enforceable labor provisions, these free trade agreements merely suggest that those nations that we deal with adopt and enforce their own labor laws. They offer no assurance that existing labor problems will be resolved, and they allow labor law to be weakened or eliminated in the future with no possibility of recourse for those workers.

From our experience, we understand that attaching nonbinding side letters is not enough; especially when you consider, as my colleagues mentioned tonight, the record of deplorable labor conditions in the two countries under consideration: Peru and Colombia. They are among the worst examples of labor laws and protections and enforcements in the world.

Peru, as my colleague from Maine has pointed out, the U.S. State Department documented the failure of Peru's own labor laws to comply with U.S. internationally recognized worker rights and ILO core labor standards. Our own State Department included violations of child labor laws with an estimated one-quarter of all Peruvian children between the ages of 6 and 17 employed.

The State Department also indicated Peru's noncompliance with minimum wage guidelines with roughly half of the workforce, about 50 percent of the workforce in Peru, earning the minimum wage or below. These conditions are a far cry from free trade.

Instead, American workers are being asked to compete with underpaid, exploited and child labor workforces. One would think with such deplorable conditions in Peru, that the U.S. would insert enforceable labor standards in the agreement. However, the labor protections are weak and nonbinding.

The same goes for Colombia, a country that is infamous for having the highest trade union assassinations in the world. Mr. MICHAUD pointed out that more than 2,000 labor activists have been murdered in Colombia since 1990.

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Until the Colombian government takes action to change this volatile situation, the United States should not offer any enhanced trade agreements with Colombia.

We also must consider the national security implications of these agreements. Both Peru and Colombia harbor terrorist organizations with heavy involvement in narcotrafficking. While both countries have established financial intelligence units for analyzing and disseminating financial information connected with anti-terrorist financing regimes, greater cooperation from the Peruvian and Colombian government is crucial in undermining the funding mechanisms for these organizations. This crucial issue of national security cannot be overlooked when we consider these trade agreements.

Madam Speaker, while sanctions and serious remedies are granted to the commercial trade and investment provisions of these free trade agreements, the labor, environmental and international security standards are completely ineffectual.

There is no quick fix that can make trade agreements with these countries work for Colombian and Peruvian workers.

To truly strengthen the trade agreements, Congress must also strengthen its negotiating mechanism. Not only are free trade agreements flawed trade models, it is paired with a flawed blueprint for negotiation, and that is the trade promotion authority. Congress needs a new procedure for trade negotiations because we are being held responsible for the damage all over the world. Under the TPA, Congress cedes its ability to control the content of these U.S. trade pacts. Yet we are stuck time and time again with the political liability for the damage that these trade pacts cause.

This damage falls mainly to the American middle class, but also the Peruvian and Colombian agreements are replicating the same model of NAFTA and CAFTA that have been disastrous for the U.S. economy. Since NAFTA, over 1 million jobs have been lost nationwide, with over 23,000 jobs lost in my State of Massachusetts alone. This has reduced wage payments to U.S. workers by $7.6 billion for just 2004. The administration's trade agreement model is killing the American middle class, plain and simple.

Not only has NAFTA been harmful for American workers in Mexico, it displaced 1.7 million campesinos and forced them towards overcrowded cities and to enter the U.S. illegally. Yet the administration has evidently not learned from NAFTA's mistakes. Instead, the administration insisted on zeroing out corn, rice and bean tariffs, even in the face of warnings from the Peruvian and Colombian governments. Such measures will expand the NAFTA disaster to Peru and Colombia.

In their current form, the Peru and Colombian trade agreements will only export more economic hardship rather than democracy for foreign workers.

So I urge my colleagues and I urge everyone to reject the Peru and Colombian trade agreements until the rights

of labor and the environmental issues are contained in these agreements. They should be rejected.

I believe in the potential of free trade, like my colleagues Mr. HARE and Ms. KAPTUR and Mr. MICHAUD, but along with power, as the major world power, we have a responsibility to use that power in a way that softens the impact of globalization on our own American workers, as well as the workers from Peru and Colombia.

Mr. MICHAUD. Madam Speaker, I would like to thank the gentleman for his comments. We have talked a lot about the individual workers, but, also, this really devastates the community.

Three days after I got sworn in as a Member of Congress, the company I worked for filed bankruptcy. The Great Northern paid approximately 65 percent of the tax base in the town of East Millinocket. That had a devastating effect on what is going to happen to the school system as far as being able to get the taxes owed because of the mill going through bankruptcy. But also other small businesses in the community actually had to close down because they relied on the workers in the mill to help keep the small businesses going and running.

When you talk about getting retrained, my colleagues I worked with at the mill, they were up in the age of 50 or 60 years old. Now they have got to go back to school. A lot of them never went to school beyond high school. Now they had to go back and try to further their education, which is very difficult, and get trained. For what?

If you look at what happened in our State, we had mill after mill, paper machine after paper machine, shut down. It has been very, very difficult to find jobs in these communities, and it is very disheartening to see grown men and women for the first time in their lives that they actually had to go and ask for help for food. They had to raise funds to fund the food bank, and it is very difficult.

I just hope that our colleagues on both sides of the aisle have seen the failed trade policy that has come about starting with NAFTA, and I know it was a Democratic administration, but probably conceptually sounded good. But now we have got a track record of what NAFTA has brought us; and, hopefully, we have learned our lesson and will be able to move forward in the manner that we do have fair trade deals.

I will open it up for any discussion that my colleagues might have.

Mr. HARE. Madam Speaker, one of the things that I think we need to do here is we have to start bringing some commonsense back to all of this. I think sometimes we think in too broad of thoughts. For example, some of the questions I would ask is, why can we not make a television in this country anymore, why can we not make stereos, and why can we not have textile mills in this country? We have quality workers. They were trained. They knew what they were doing.

My colleague, Representative KAPTUR, and I have been talking about getting a group of Members of Congress to go around to areas that have been hit and to interview those workers who have lost their jobs and to put it on tape and to show that to people. I would appreciate the gentlewoman might want to comment about that.

But what we are talking about here, Madam Speaker, is letting ordinary people tell us what has happened to them. These are people who are our veterans. They fought in the wars. They have come back, and they are working in the factory. They lose everything they have ever had, and some of them with very little or no notice at all, and yet we are so quick to want to find work outside of this country when we have people going to bed in this country hungry. Those jobs in Ohio and in Maine and in Illinois, they are gone.

I think we have to start doing something proactive. We have to stop this hemorrhaging of jobs, and we have to start thinking about how we are going to keep the jobs that we have here and expanding them.

The late Senator Humphrey said that the American worker was the most productive worker in the world, and that has never changed. So I appreciate the gentleman for giving me a little bit of time. I thank you for allowing me to speak this evening, but perhaps the gentlewoman from Ohio might want to comment.

Ms. KAPTUR. I thank the gentleman for yielding.

Congressman HARE and I are thinking about going to track the whole Maytag saga, starting in his home community but then going over to Iowa and the whole buyout of Maytag by Wall Street and the shedding of jobs, thousands, thousands of jobs.

Then, in my home State of Ohio, 2,000 more jobs hang in the balance at a place called Hoover Vacuum, which was part of this leveraged buyout. There was an article recently in the paper about the Maytags now being made by Samsung in South Korea, 250,000 of them being recalled in this country because they are burning up. They are actually catching on fire because water is dripping off the back onto the electrical panel. That never happened with Maytag. The Maytag repairman really was in that little room, and nobody bothered him.

I think it is important for us as Members to tell the story, whether it is Maytag, whether it is Champion, Dixon Ticonderoga, companies that Congressman MICHAUD worked for, and whether it is Maytag. We need to help America give full voice to what is happening.

It is interesting how little is on television, because some of the very same advertisers that own the airwaves do not want this story on there.

I understand Lou Dobbs is coming to Congress this week for a hearing that Congressman SHERMAN is going to have. That is one of the few reporters that even talks about this, but for the most part you do not see this on the evening news.

So I am very anxious to travel and tell the Maytag story and then maybe tell the story of Brachs Candy and tell the story of some our steel mills and to give these workers, first, appreciation for the fine products that they have built and it is not their fault and to say that we understand, but we know we are outnumbered sometimes, but our numbers are growing.

Mr. HARE. They are.

Ms. KAPTUR. But our numbers are growing.

We said when NAFTA passed it was the first battle in a long war, and we knew there were going to be casualties, and it literally broke our heart because we knew what was going to happen on this continent.

But now we have the next wave that came in when Congressman MICHAUD arrived; and now, with 39 new Members in your class, Congressman HARE, to come here, and you cannot imagine what that means to the more senior Members.

Our only sadness is all the casualties that are out there and all the people that have had to suffer. We had hoped to protect America from that. We had hoped to protect those families, but we did not have the votes. But now I think we have the votes.

I know one thing, we have the American people. Sometimes things get a little convoluted once it comes into this city, but we know the American people are with us. Let us make them famous. They are the ones that have lived this. Let us put it on our Web sites. Let us tell their stories. If others will not, let us do that. They surely deserve that. They have lived it.

Mr. MICHAUD. You are absolutely right. The American people, they do get it, and that is why they sent so many freshmen Members here in this Congress on the very issue that they talked about in their campaigns, and that issue is trade.

We are heading for disaster, a perfect storm. We have the largest budgetary deficit in the United States history, with over 45 percent approximately is owned by foreigners. We have the largest trade deficit in our history, over $202 billion with China alone. It is over I think approximately, what, 7 percent of our GDP?

We are heading on a collision course. We must make sure that we have a strong manufacturing base here in the United States, and that is why I look forward to working with my colleagues here on the floor, look forward to working with a good, diverse group of the United States Business and Industry Council, labor, environmental groups, my colleagues across the aisle, Congressman WALTER JONES, DUNCAN HUNTER, TIM RYAN on our side of the aisle and BETTY SUTTON.

So I am really excited. We see new life here in Congress as it relates to trade, and we have just got to keep talking about trade so that our colleagues will start paying attention to what is going on here.

Ms. KAPTUR. I think that if we look at those people that are trying to sell off chunks of America piece by piece, I am offended by that. I am truly offended by it.

When I heard the announcement that Hershey, one of America's logo companies, right, was going to move production to Mexico, they are already making those big kisses there, I guess. I did not know that. When you think of all the dairy jobs in Pennsylvania, you think of all of the factory jobs, you think of all of the distribution jobs. I mean, this is a massive American company. It was America. It was America. And so now we are going to let that go? And then they dumbed down the recipe so the chocolate is not as good? They put more wax in it or whatever. Come on.

Do not take the American people for fools. We understand what is going on, and we know that we are being sold out. America is being sold out from under us, and the American people do not like it at all. They expect us to stand up for them.

So it is just a joy to have you here, to be a part of this effort, and to say that the Peru and Colombian free trade agreement that is supposed to come through here on fast track, again, it is more just of NAFTA. It is more of the same. We should not approve it.

But what has surprised me the most, as much as the American people have been hurt by NAFTA, if we go back, what has shocked me, what I never expected or anticipated, was all the casualties across the continent in terms of job loss and people hurt. I never thought I would see the people of Latin America rise up in Mexico, in Brazil, in these massive demonstrations. That has literally humbled me as a citizen of the continent to think that the poorest among us, many have been risking their lives, to say the pain on them is even greater than on us. Their wages have been cut in half. They are losing their little stakeholds in Mexico, for example, and they are just being thrown off their land, and yet they are going to Mexico City and demonstrating by the millions.

I never anticipated that that would happen, and I think what is going to happen here, those folks in Wall Street and other places thought they were going to be so smart. I think you are going to see another generation come behind us. They are going to create a charter for the people of the Americas that we should have created. Some of us wanted to, but we did not have the votes here, and I think that the backlash on NAFTA and on these kinds of free trade agreements that cause so much harm, I think Wall Street has only begun to see what is going to happen.

So I put my faith in the people, I put my faith in the institutions of good governance, and I hope that, I do not know how harshly God will judge those who have done so much harm, but it did not have to happen.

□ 2030

We don't have to repeat the mistakes of the past, so I thank my dear colleagues here this evening, Congressman MICHAUD and Congressman HARE and Congressman LYNCH and Congressman ELLISON, for understanding what it is going to take to turn this continent and our values to put the values forward that were the ideals.

When I think about John Kennedy and his Alliance For Progress, and you go down in Latin America and in every home there is a picture of John Kennedy because he cared for them. He cared for them first. I thought how did we go so far? Why couldn't we get a majority here? What was wrong with us back in the 1990s, that is, that we couldn't put that together? I see a rebirth of that spirit of idealism here this evening, and I know that the continent is waiting for us.

I thank my dear colleagues for sponsoring this Special Order this evening and for helping us speak on behalf of the people who expect us to be here for them.

Mr. MICHAUD. Thank you, and I thank Congressman HARE once again for coming to the floor this evening to talk about it. We have a lot to talk about. We have fast track, we have the trade deals we are talking about. We will be talking more about the value-added tax as that comes forward in a couple of weeks, and also the trade balancing act, which I will be resubmitting again in this Congress to look at trade in a comprehensive manner.

I look forward to working with my colleagues on both sides of the aisle. This is an American issue. This is an issue that is important to this country, important to our long-term stability.

2008 FISCAL YEAR BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. CAMPBELL) is recognized for 60 minutes as the designee of the minority leader.

Mr. CAMPBELL of California. Madam Speaker, tonight, and the next 60 minutes, we are going to talk a little bit about one of the major issues that will be on the floor here in the House of Representatives as people vote later this week, and that will be the budget of the United States Government for the next fiscal year, the fiscal year that begins later this year. It's called the 2008 fiscal year budget.

There will be several budgets offered; but if history is any guide, the one that is most likely to pass is the one that is being offered by the majority party, or the majority Democrats, in this case.

That budget is a travesty. Tonight, we are going to show you why, why that is not the budget that should pass, why that is not the budget that should govern the United States taxpayers' money over the next year. This budget that we will see later this week proposed by the Democrat majority has the largest tax increase in American history. Let me say that again: this budget you will see the Democrats propose this week has the largest tax increase in American history. It has no reform of any of the entitlements.

If we are going to save Medicare, we are going to save Social Security for future generations, as we will explain to you later, they are unsustainable. They have to be reformed. They have no reform whatsoever.

They do not save or preserve the Social Security surplus. You know, people pay Social Security taxes. When they do, they presume that money goes to pay for Social Security. Makes sense. That is why it's called a Social Security tax.

But, no, every year, a portion of that money is used to pay various other priorities of the Federal Government. The budget that the Democrats will propose this year for the next 5 years will not change that one little bit. Yes, this budget, Democrat budget later this week, is full of empty promises except one, to give you the largest tax increase in American history.

Now, let's bore into a few of these things. Let's look into a little bit of this in detail. In order to do that I have a few charts here. I don't want to have anyone have some flashback to Ross Perot, I know he had charts, so I have charts too. I have charts to show you what's happening.

This first one shows there is a misconception there, particularly on the Democratic side of the aisle, in spite of all the statistics, that somehow the deficit that we are in today was caused by the tax relief that was enacted back in 2003, that somehow allowing people at home to keep more of their own money to spend on their priorities, rather than Washington's priorities, that somehow allowing people to do that caused the deficit that we have today. It's absolutely not true.

If you look at this chart, you will see that total Federal revenues declined until 2003, when the tax relief was enacted, and they have risen and are now up somewhere around 46 percent. Since then, the Federal Government has 46 percent more revenue, 46 percent more money than it did in 2003.

I would ask the average American taxpayer at home, do you have 46 percent more money, more revenue, more income than you had in 2003? If you don't, you should understand, the Democrats believe that the 46 percent increase for the Federal Government wasn't enough, and that whatever you got, it was too much. Because they want to take some of what you have and put it right here in Washington, right here in the midst of the Federal Government.

So the tax relief did not cause the deficit, actually caused an increase in revenue. Spending caused the deficit, too much spending, something the budget, the Democrats are proposing the majority party does, is more. Their

proposal over the next 5 years is to spend more and more and more, yet raise your taxes to do it. So they are taking the thing that is reducing the deficit and getting rid of it, and taking the problem that has created the deficit spending and giving you more of it. Let me show you a few more things why these tax reductions actually resulted in more revenue.

They stimulate the economy. When you have more money, what do you do with it? You save it, you invest it. You spend it, you create jobs, you do all kinds of good things with it. That is why after the tax relief was enacted in 2003, we created more jobs, lots more jobs, every single month, not a single month without more jobs created in this country since the tax relief was enacted.

What else did the tax relief do? It also increased gross domestic product. That is basically the size of the total economy. If you look, after 2003, it's not so good, but after 2003, gross domestic product has increased dramatically every single quarter. So many charts, they are falling down. The chart fell down and so did the unemployment rate after the enactment of the tax decreases. Again, here they go. Unemployment up close to 6.5 percent, and where is it now? Down around 4.5 percent.

These things are not coincidences. These good things that happened to the economy did not suddenly hit just when the tax relief went into effect by coincidence. No. The tax relief left billions and billions of dollars in the American public's hands and in the American taxpayers' hands so they could use it for their purposes and help the economy grow. That is what we should be doing more of, not less of.

But the proposed Democratic budget does a lot less of that. Let's talk for a second about how much less. This proposed budget has the greatest increase in taxes in American history.

Now, I could tell average taxpayers, people at home, how much is that? Oh, it's $392.5 billion a year. What does that mean? They don't know what that means. But let me tell you and bring it home a little better. It means $3,035 for the average tax return in America per year, per year, folks.

As people sit at home and they watch this, imagine the Democrats' budget is saying to you, $3,000 per year, you have to pay more here to Washington so they can spend it on more of their priorities.

We often hear, gee, in Washington, the spenders like to say, the tax and spenders like to say, oh, we need to do this, and we have to get the money. Where are we going to find the money if we don't raise taxes?

Well, I would say this, where is the average American going to find that money? Do you think they just will say, $3,000 a year, oh, that is no problem. That is just about $250 a month. That is nothing. I have got lots of that. That is no problem, we are happy to do that.

I don't think so. I think that would cause a tremendous impact on the average American family, a tremendous impact on their budget, and not a good one if it would have the reverse of all these effects. It would start to drive unemployment up. It would start to drive job growth down. It would start to the drive the economy down. We need to stop this budget that will appear here on the floor this week.

Now, I would like to introduce the gentleman from South Carolina (Mr. BARRETT). Mr. BARRETT, before you begin speaking, I would like to point out to you, because I have these figures broken down by State, that the average South Carolinian under the Democrats' tax proposal would pay $2,482.66 more tax per year. So you might tell me, Mr. BARRETT of South Carolina, how do you think the average taxpayer in South Carolina is going to pay for that?

Mr. BARRETT of South Carolina. My friend was exactly right. We are talking about the largest tax increase in our history, $292 billion. My friend from California was exactly right. When you talk about facts and figures, it's one thing. But when you try to bring it home and let people understand exactly what it means to them personally, it's another thing.

Let me just give you some examples. Nationwide, if the Democrat budget were to happen to pass, we are talking about some nationwide impacts. Here we go, a family of four earning $40,000 will face a tax increase of $2,052. That is a family of four nationwide and 113 million taxpayers will see their taxes go up by an average $2,200. Actually, $2,216, but what the heck, it's government work, let's round it off a little bit. Over 5 million individuals and families who would have seen their income tax liabilities completely eliminated will now have to pay taxes.

So not only people that haven't paid taxes in the past now, another 5 million individuals are going to have to hit the tax rolls; 45 million families with children will face an average tax increase of $2,864; 15 million elderly individuals, elderly. Now, most of these are on fixed incomes, will pay an average tax increase of $2,934. And 27 million small business owners will pay an average tax increase, listen to this one now, listen to this one, $4,712. Let me read that one again, 27 million small business owners will pay an average tax increase of $4,712. Unbelievable.

Let's bring it home. I am from South Carolina, born and raised there. Let's put it in South Carolina terms. In South Carolina the impact of repealing the Republican tax relief would be felt. Here is how. It's higher than I thought: 1,300,000 taxpayers statewide who are benefiting from the new lower 10 percent bracket would see their taxes go up.

In South Carolina alone, 1.3 million people added to the 10 percent bracket; 447,000 married couples in the State of South Carolina would see higher taxes because of the increase in the marriage penalty. We are penalizing people to be married; 427,000 families with children would pay more taxes because the child tax credit would expire; and 212,000 investors, including seniors, would pay more because of an increase on tax rates on the capital gains and dividends.

The gentleman from California was there last Wednesday into Thursday morning when we passed it, we voted against it, but the Democrats passed their budget. It's full of empty promises, with the exception of two, more spending and higher taxes. That is a done deal; it's going to happen. The Democrat budget says it's the largest tax increase in American history. The Republican budget will say no tax increases.

□ 2045

The Democrat budget will say, immense new spending. The Republican will say, we will hold the line and we were going to increase accountability.

Entitlements, on the Democratic side, it is a complete failure, $77 million worth of entitlement savings, $77 million when we are talking about literally hundreds of billions of dollars in entitlement spending that they are going to do. The Republican budget says reforms, improvements in reforms, trying to make entitlement more sustainable and adding to the longevity of it. So it is plain and simple.

Again, the figure that the gentleman from California, Madam Speaker, quoted a little bit earlier, when you bring it home in South Carolina terms where everybody can understand it, where it hits their pocketbook, we are talking per year average for 5 years if the Democratic budget passes, $2,482.66 that my people in South Carolina will have to pay more.

And I ask the gentleman from California, I don't think that is a pretty good deal, do you?

Mr. CAMPBELL of California. I thank the gentleman for yielding.

I don't think it is a very good deal at all. What are they going to get for that? I think that is part of the question here. What exactly are they going to get for that?

Are they going to get some of the spending like we just saw passed in the bill last week, you know, maybe some things to help shrimp and peanuts and a few things like that? Is that the sort of stuff they are going to get? Are they going to get a bunch of earmarks? What are they going to get? I don't think they are going to get very much.

I yield back to the gentleman from South Carolina. Do you see much that your South Carolinian constituents will get for their $2,500 a year?

Mr. BARRETT of South Carolina. I thank the gentleman for yielding; and, no, I don't. Again, broken promises.

One of the ways that the Democrats want to fund all this new spending is reserve funds. And you talk about a

shell game. We are talking about setting up reserve funds so we can spend more money, but there is actually no money in the reserve funds because we are going to put the money in there later on.

Mr. CAMPBELL of California. Will the gentleman yield?

Can you explain that to me again?

Wait a minute. A reserve fund? I mean, a reserve fund to me is something where I put some money aside. You are telling me that they are saying they are setting up a reserve fund, the Democrats are, with zero money it.

I yield back to the gentleman.

Mr. BARRETT of South Carolina. Exactly. And as the gentleman from California knows, we had an empty jar, a big empty jar in our committee to illustrate that view.

One of the ways that the Democrats in their budget spend more money is they set up this empty reserve fund to be funded later, that the committees and the agencies and organizations can draw money out to spend more money, but yet there is no money in the reserve fund to spend. So you talk about a shell game. It is a shell game at its finest.

One of the things that I was proud of several weeks ago, I guess maybe it was 2 weeks ago, I was proud to be part of an RSC, the Republican Study Committee, a press conference that we had to talk about a Taxpayer Bill of Rights.

And, Madam Speaker, what we are talking about here is giving the taxpayers across the country more accountability for their government. Four simple things, things that we have talked about and things that we would like to see come to fruition. Let me tell you what they are.

Taxpayers should have the right to a Federal government that does not grow beyond their ability to pay for it. I don't think we see that in this budget, Madam Speaker.

Taxpayers should have the right to receive back every dollar they entrust to the government for their retirement. It is incredible what we have done and what we are continuing to do, Madam Speaker, in this Democratic budget.

Number three, taxpayers have a right to expect the government to balance the budget without having their taxes raised. As the gentleman from California well knows, the Republican budget that we will present later this week will do that in 5 years. We will balance the budget, save the Social Security fund, and do it all without raising taxes. The Democratic budget does not. It does not. Now they may say one thing, but the figures show something else.

And, last, taxpayers have a right to a simple and fair Tax Code that they understand. Boy, that is a tough one there. But it is a game of trying to be responsible to the taxpayers, as my friend from California knows. It is a game of making sure that our people keep their money. They know how to spend it more than we do in Washington, D.C., and I trust my people more.

Unfortunately, Madam Speaker, as my friend from California knows, this budget trusts the government more than it trusts the American taxpayer.

With that, I yield back.

Mr. CAMPBELL of California. Will the gentleman yield one more minute?

Let me just ask you one more question, and then we will go on.

The gentleman from South Carolina, so narrow it down. There will be a Republican alternative to the Democratic budget here that everyone on this floor will vote on this week. What are the major differences? I mean, could you lay out for me and for Madam Speaker and for anyone watching what are those differences?

And I yield.

Mr. BARRETT of South Carolina. I thank the gentleman for yielding.

I think it is very simple. Number one, we will balance the budget without raising taxes; and, number two, we will reform entitlements. Because, as you well know, over the next 5 years, Madam Speaker, entitlement spending will grow 19 percent. Now that is without me, without my friend from California, without anybody in this House lifting a single finger. Entitlement spending will grow 19 percent.

So the budget we bring to the floor this week will be very simple. We will slow the growth, not cut. We will slow the growth, because entitlement spending will still continue to grow. We will slow the growth of entitlement spending, and we will balance the budget without raising taxes.

And I yield back.

Mr. CAMPBELL of California. Thank you, Mr. BARRETT from South Carolina.

Now, Madam Speaker, so you don't think that we are just trying to do rhyming people here, we go from Mr. BARRETT of South Carolina to Mr. GARRETT of New Jersey. But before I yield to Mr. GARRETT from New Jersey, you know, I am from California, and California taxpayers, under the Democrats' proposal, would pay $3,331.09 more per taxpayer in California.

Now, I thought that was a lot. I thought that was a lot. It is one of the higher numbers on the page. But it is not as much as New Jersey. Taxpayers in New Jersey would pay $3,779.88 more in taxes under the Democrats proposal than they do now. And that is an average, again, per tax return filed per year. Almost $4,000.

I am glancing here and I think, Mr. GARRETT, there is only one other State that is going to pay, have more of an increase and that is Connecticut than New Jersey. So I am curious, Scott Garrett from New Jersey, what exactly do you think and what will people in New Jersey think and how will they deal with $4,000 a year more taxes?

I yield to the gentleman.

Mr. GARRETT of New Jersey. I appreciate the gentleman from California yielding.

New Jersey is proud to be number one in a number of things. But, quite honestly, we do not like to be proud, we are not proud of the fact that we are number one when it comes to paying taxes in this country, whether you are talking about local taxes, sales taxes, State income taxes, property taxes. I think we are just about number one in all of those combined.

Yet when you take that and you add what is happening here, this could be one of the most expensive weeks for the citizens of the State of New Jersey if this House proceeds with what the Democrat leadership plans to do.

Now, I have the privilege of serving with you, the gentleman from California, on the Budget Committee. And as you know, we just debated, if you will, the Democrats' budget proposal just last week. Actually, we had a number of hearings over the last 3 months now, during which time we have had a number of experts come and testify on various aspects of the Federal budget and the ramifications of not doing some things in the area of mandatory spending.

When you think about all the rhetoric that we have heard from the other side of the aisle, and maybe it was disquieting at some times, I think the one thing that maybe we can reach across the aisle here and maybe hear one language, one word that we are on the same page on at least, in rhetoric at least, is they agree with us on this one point and that is that we should get to a balanced budget at some point. The distinction, of course, is how they get there and how we get there.

Now, anyone who tuned in to C–SPAN, if people did tune in C–SPAN and listen to those budget hearings that we had, they may realize, or they watch the stuff on the floor, what have you, might realize just how complex the Federal budget is. With talk of rescissions and special orders and earmarks and everything, it is a hugely complex matter that we deal with; and I appreciate your expertise that you come to the House with to be able to handle this.

But, in reality, if you just step back for a minute, what we all do here on the House floor and in Budget Committee isn't a heck of a lot different than what every single American family, my own included, and the residents of the State of California and New Jersey have to do every single year, every week, every month when it comes to their own family budget, and that is to say they have to live within their means.

Now, Washington doesn't have a good track record on this, but that is what families have to do. When it comes to families, I guess families don't really have a choice to say whether we are going to have a balanced budget or not. Washington does. People know how much money they are earning.

Mr. CAMPBELL of California. Will the gentleman yield?

Mr. GARRETT of New Jersey. Absolutely.

Mr. CAMPBELL of California. I was going to say, one thing that you can do here in Washington is print money. The average family can't. If the Democrats were to pass this budget and give them that $4,000 or $3,800 tax increase in New Jersey, your citizens in New Jersey can't print money like the Federal Government to just run a deficit, can they?

I yield back to the gentleman.

Mr. GARRETT of New Jersey. No, you are absolutely right on point. The average family has to sit down and say, this is what my income is going to be for the week, the month or the year for the year ahead and say I am going to live within those means. At the same time, what they have to do is they have to set priorities. And I think that what the gentleman was also trying to elicit from the Democrats during this last budget hearing was to set priorities. What are your top-ranking priorities? What must we spend on and where should we spend it? And if there are other things that you don't want to spend on now because you don't have the money, what are they?

They would never agree to do that, if the gentleman recalls. That is why I think they came up with this hollow, empty trust fund which, in reality, they could have said the trust fund is this big, since it is empty, or they could have said it is this large. Because if there is no money in it, there is no limit to how large the empty promises are.

But the family budget can't do that, just like you said.

But the other thing that the Democrats in Washington are able to do, besides print money, that the average family can't do, you know what else the family can't do? They can't raise taxes. A family cannot simply go out and say, I am short on cash this week, so I am going to raise taxes. That is why I started off by saying, as you pointed out, that this is the most expensive week for a family in the Fifth Congressional District for the State of New Jersey.

Let me just give you one other number while I stand here. It was the New York Times, that paper did a study just recently looking at what the Democrats in the House and the Senate are proposing. They looked at it a little bit slightly differently but came up with a little bit different number, but still draws the point.

They looked at an average family of four making $70,000 in the State of New Jersey. Now, if you are from the State of New Jersey, I don't think anyone from either side of the aisle would say that a family making $70,000 is rich by any means. It is expensive to live in our State.

But they said that family, who did very well under the Republican tax decreases in 2003 that we passed with the creation of jobs and the like, that family, under the Democrats' budget that may pass this House this week, would see their taxes go up by $1,500.

So if you think you are rich at $70,000, which I guess the other side of the aisle thinks New Jerseyans making $70,000 are able to pay more in taxes, those taxes are going up by $1,500. I think that is a burden that that average family should not have to bear in light of the property tax.

The overall average is the number that you brought out for the entire State of New Jersey, approximately $3,000. You may have it in front of you. I don't have it here.

Mr. CAMPBELL of California. Will the gentleman yield? $3,779.98 for the entire State of New Jersey.

I yield back.

Mr. GARRETT of New Jersey. So around $3,800 or almost $4,000. And you think about it. What could that $4,000 be used for? If you are the family and the husband and wife sitting down with your family, well, I would like to use that $4,000 to go on vacation this year. I would like to be able to use it on some other niceties or what have you. Or maybe, if they can't use it on that, maybe they have health expenses.

I have a daughter in college right now. Maybe they have college expenses, other things like that. I am sure they could find a use for $4,000 to spend.

I will yield.

Mr. CAMPBELL of California. I think this discussion we are having right now gets to the core of the difference between what Democrats in Washington, how they look at things and how we Republicans in Washington look at things. They look at it from the sense of, well, if we don't raise these taxes, how is the government going to spend more money on this or spend more money on that, or how are they going to get to take that? Because that is what it amounts to. When you tax everybody else, you come here, the 435 of us, plus the 100 people in the other body, get to spend the money on the stuff they want to spend it on.

□ 2100

And so how can we spend that money if we don't do this?

You and I, Mr. GARRETT, look at it from the standpoint of families, of taxpayers, of people. What are they not going to be able to do in New Jersey with that almost $350 a month? I mean, that is a nice car payment. That is substantial child care. That is a chunk of a house payment. It is a lot of different things to a lot of people. And we look at everything from the sense of the family, the taxpayer. They come first and the government comes second. That is not the way the Democrats in this town look at it, is it?

I yield back to the gentleman.

Mr. GARRETT of New Jersey. Mr. Speaker, I appreciate the gentleman's yielding. I remember one of the comments from the other side of the aisle during budget process, I think you shook your head when they said this as well, where they said, Well, if we do a tax cut, the Federal Government is subsidizing that taxpayer. And we just shook our head at that because a tax cut is not a subsidy to the American taxpayer. A tax cut is simply saying to Mr. and Mrs. Taxpayer and family that you don't have to send quite as much of your hard-earned money each week to Washington. You are able to keep $3,800 of that money. And maybe you want to use that $3,800 in New Jersey to go on vacation to a beautiful State like the State of California.

Mr. CAMPBELL of California. Mr. Speaker, reclaiming my time, it is a matter of it is your money. When you earn it, when people earn the money, it is their money. It is not the government's money. It is their money and the government takes some of it for necessary operation to run government. But it is not like it is all the government's money and the government allows you to keep some. That is not the way we look at it.

I yield back to the gentleman

Mr. GARRETT of New Jersey. I will just close on these thoughts: the difference that we are seeing here between what the Democrats will be proposing in their budget and the Republican alternative budget that should also come before the floor is in three areas, I think. We are both aiming towards the same goal, fortunately, of trying to reach a balanced budget by 2012, 5 years from now. But the Republican budget will reach that goal of 2012 without raising taxes by almost $400 billion, which is what your chart behind you shows. And that is critical.

So, number one, we will not put a burden of almost $4,000, $3,800, on the families in the State of New Jersey, $1,500 if you are a family of four making $70,000.

Secondly, by not raising taxes we will not be undermining the pro-growth policies of this administration and of this government over the last 10 years. Those pro-growth policies, for New Jerseyans at least, have created tremendous employment, very low unemployment, so that that family that is making that $70,000 a year or more or less in New Jersey at least knows that the unemployment rate is almost at historic lows at this point. So they know there is the opportunity for jobs, and because of that, there is great opportunity to improve yourselves in careers and what have you. And because of that pro-growth policy, we have seen the deficit shrink by 26 percent.

And, thirdly, and I think this is very important to everyone at home, is that we are making sure on the Republican proposal that those dollars that we do spend, because we are always going to have some spending by the Federal Government, that those dollars will not be wasted, not waste, fraud, and abuse, but will be spent on those things that are critical to my State, to your State, to national security, to homeland security, and to our veterans as well.

So balance the budget without raising taxes, make sure we continue the

pro-growth tax policies that we have had in the past to create jobs, and make sure that those dollars are wisely spent. They all come under the umbrella of one thing, and you said it: to realize that these dollars come from the family budget. And our focus should be on the family budget and not on the Washington budget all the time.

Mr. CAMPBELL of California. Mr. Speaker, I thank the gentleman from New Jersey (Mr. GARRETT) so much for his comments and his hard work on these efforts and on these proposals to recognize that it is your money first, taxpayers. It is your money first. It is not the government's first that they let you keep some of. It is your money, and you should keep all of it except for the minimum amount necessary to properly run the government.

Now let us talk about a few more things on these taxes. Some of the rhetoric that people may hear from the majority party here is that this tax relief in 2003, 2001, this just gave tax cuts to the rich. We hear that over and over: ''tax cuts to the rich.'' Well, as Mr. GARRETT pointed out, a $70,000-a-year family of four in New Jersey is probably not rich, and they would be paying $1,500 or whatever the amount was that you said.

Let us look at some of this. Now, these are numbers in billions of dollars, Mr. Speaker; so they can't relate to per person. This is the total Democrat proposed tax increase. This orange slice stands for the people who save money because of the 10 percent income tax bracket. Now, the 10 percent income tax bracket is the lowest tax bracket that exists. It is at $15,000 of income for a married couple. So this amount of this tax is going to people with roughly a taxable income of about $15,000. That is rich? I don't think so.

Look at this slice right here, this red slice. This is people who get the child tax credit and the marriage penalty credit, these benefits which the Democrats have proposed to raise, to cut in half the child tax credit and to eliminate what was put in place sometime ago so that people don't get a penalty, don't pay more tax if two people both earn income get married. Under the old law, a lot of them pay more tax. Now a lot fewer of them pay more tax. This would get rid of that. Both of these phase out over a certain income level. So all of these are geared only for people at lower income levels.

Let us look at this chunk. This is the death tax, which can affect all kinds of people, whether it is the person who is deceased or whether it is one of the many beneficiaries of someone who is deceased. And we know how the death tax has been destructive for family farms, family businesses, people wanting to pass their home that maybe has been in the family for generations, maybe only for a short period of time, but they want their children to have it, and they can't because the death tax got in the way.

We are scheduled to have the death tax continue to decline. But the Democrat budget has proposed to put it way back into full force and effect with a rate, I believe, of up to 55 percent.

And then look at this chunk, the biggest chunk of all the marginal rates. That means seniors with dividends and capital gains income and people at all other schedules in the different tax brackets within the Tax Code. These tax increases affect everyone, not just the supposed rich.

And let us look at what this would do to certain tax rates: the 35 percent tax rate would go to 39.6. A capital gains tax rate of 15 would go to 20. The estate tax would go from 0 to 55 percent. The child tax credit, from $1,000 to $500. And the very lowest tax bracket starting at taxable income, technically, of 0 would go from 10 to 15 percent. So, again, tax increases on everybody all across the board.

We talked a lot about taxes tonight. But as I said when we started this conversation, the reason we have a deficit is not because we lowered taxes. Lowering taxes stimulated the economy, created more revenue for the Federal Government. Mr. Speaker, the reason we have a deficit is because we spend too much. And here is a chart showing how spending drives the long-term problems:

Here is our spending today, roughly 20 percent of the economy; so already the Federal Government is spending about $1 out of $5 that exists in the economy. But if we leave things alone, if we allow spending to go forward and grow as it is in law now and if we just left all these things alone, it will go by 2049, you see here, up to nearly double that, nearly 40 percent of the economy. So $4 out of every $10 in the economy would be government spending.

Now, what this chart doesn't show is in countries where they have done this sort of thing before. The private part of the economy contracts. It doesn't have money for investment. It doesn't have money for growth. If government takes 3,331 more dollars out of each taxpayer in California, as the Democrats have proposed to do to spend on some of this stuff, they don't have that money to save. They don't have that money to invest. They don't have that money to buy things that help stimulate the economy. The government has it. The government doesn't save it. The government doesn't invest it. The government just spends it. And as we know, in a lot of cases not particularly wisely. So that is what happens if we leave spending alone. That is why we have a deficit.

Even with the Democrats' proposed tax cuts, which is the orange line here, Mr. Speaker, you see it isn't going to work. The spending increases much faster than even after those tax increases.

So I say to the people who have put together the majority budget, what do you plan to do here? Are we ever going to deal with this rapid exponential growth in spending? Or are you planning to raise these taxes further? Is the $3,331 per taxpayer in California just the beginning? Are we looking over a 10- or 15-year period of time at twice that? Three times that? Four times that? The sort of thing it would take to get anywhere near this spending level?

Chairman Bernanke is the Chairman of the Federal Reserve. And the Federal Reserve, I think there is pretty general unanimity on both sides of the aisle, as well as with the economists, that the Federal Reserve has done a pretty good job of managing our economy for some time, interest rates and inflation; and they tend to know what could set this economy off course and what could keep it on course. And I think they deserve a lot of credit for keeping the economy on course, not just over the last 3 or 4 years but over the last 15 or 20 years.

But Chairman Bernanke said just earlier this year that ''without early and meaningful action to address entitlements, the U.S. economy could be seriously weakened with future generations bearing much of the cost.''

What does he mean by that? When he talks about entitlements, he is talking about Social Security, Medicare, Medicaid, things like that that the government does. And he said if we don't deal with it early and meaningfully, if we don't take early and meaningful action to deal with the growth in these retirements, that the economy is in trouble.

Now, the Democrat budget that will be on this floor later this week, let's see, it is a 5-year budget. What reform of entitlements does it include? Oh, yes. Zero. None. Not one change. Nothing in the entitlements over the next 5 years. Is that early reform? I don't think so. Is that meaningful reform? Well, if zero is meaningful, then maybe; but I don't think it is meaningful reform.

So let us look at what happens if we don't reform. Again, here is revenue, this black line. That is income coming into the Federal Government, roughly the same tax rates that we have today. But look at what happens to spending. It goes from a little more than we are taking in right now to nearly double. Nearly double if we don't reform. That is why Chairman Bernanke said, Mr. Speaker, that we need early and meaningful reform or this economy is in trouble, as he said, with future generations bearing much of the cost.

Mr. Speaker, we have a lot of discussion about children around here and what is good for children and how we are going to help children. Let me tell you something I know is not good for children, and that is sending them this kind of price tag for us, for our Medicare, our Social Security, our Medicaid over the next 15, 20 years, and asking them to pay double, at least, the tax rates, the tax burden, that we pay because we didn't act.

□ 2115

We know this is coming. This is not a Republican chart. This is not a Democratic chart. This is prepared by

the Congressional Budget Office, the Office of Management and Budget. Any number of nonpartisan government agencies agree. All the experts agree. On the Budget Committee that Mr. GARRETT and Mr. BARRETT and I sit on, every single expert who came in said that this entitlement spending, this planned growth in spending, is a disaster, a budget disaster, that we can see. It is a train coming down the track right into our eyes. But we are not blinded. It is not like we can't see it, Mr. Speaker. It is right here. We can see it. It is right here on this chart. We know it is coming, and we know the only way to deal with it is to reform these things.

So where are they? Where are those reforms? What will people do if that top tax rate rises?

Let me pull out one of these other charts. Just think about it. Doubling taxes. I realize it is quite a few years off, but if we don't deal with it now, we will get there. What does that mean? I guess that means the 39 percent rate would go almost 80 percent. That capital gains would have to go to 40. The estate tax, I guess you just take it all, which has happened in some countries before. The child tax credit, you probably get rid of it. And the lowest tax bracket would probably need to go up to 20 or 25 percent.

Those obviously aren't exact figures or anything like that, Mr. Speaker, but just to give a sense of what we are talking about here if we don't do something, if we don't change these processes and change this. Because if you look at this chart again, the reason we can see the train coming is, if we do nothing, absolutely nothing, to change Social Security, that is this one, Medicare and Medicaid is this one, interest on the debt is that one. If we did nothing to change existing law, it is not like you have to do more, that we have to take action to spend this money. This is the money that will get spent if we do nothing, if we leave it alone under existing law. That is why we have to take action, and it is for the kids.

Our kids can't bear this burden. People have said that if we allow this to happen that my children will be the first generation of Americans to have a lower standing of living than their parents. We have never had that happen in this country, and we should never let it happen in this country. The only way it is going to happen is if we shirk our responsibility today, because, gosh, it is 15 years off, let's deal with it later.

This isn't about destroying Social Security. This is about saving Social Security. Because you really can't pay for this. There isn't enough money in the economy. So we have to reform it. We have to change the way it works to save it.

That is why Republican budgets will say we should save the Social Security system. We shouldn't spend it. That is why it is part of the American Taxpayers' Bill of Rights, which a group of us Republicans introduced a few weeks ago, where we said if you pay money for your retirement it should only be spent on your retirement. It shouldn't be spent on something else.

This isn't about destroying Medicare or wrecking Medicare, as you will probably hear demagoguery on the other side. It is about saving it. It won't continue this way. There isn't enough money. We have to save it, and to save it we must reform it.

You will see proposals, you will see reform, but not in the Democratic budget that we see today. And that is what is so disappointing, Mr. Speaker. We can't ignore it. We shouldn't ignore it. It is right there. It is right before us.

Our children will look back at this time in the future as to what we did with their inheritance. And I don't mean about the death tax necessarily. I mean the inheritance of optimism that is so much a part of the American ethos, the optimism that the average American can always do better, that anyone can lift themselves up, that they can move things forward.

Instead, this is saying, no, we have to take more of your money. We have to move things backwards. You may not be able to have the same things that your parents had because we need more of your money for a failed and inefficient system.

That is not the America my parents left me, it is not the America that I want to leave my children, but it is the America that this Democratic budget is heading us towards.

Mr. Speaker, we do not need the largest tax increase in American history. We need to let people keep more of their money, not less. Families will not struggle because government doesn't spend enough. Families will struggle when government spends too much and takes too much of their money.

Mr. Speaker, we need a solvent Social Security system, a solvent retirement system, not one that takes the money that that is taken out of people's paycheck for their retirement and spends it on other things and not one that is unsustainable, that won't exist 20 or 30 years from now.

Mr. Speaker, we need a Medicare system, a healthcare system, where people control their own healthcare, where people control their own destiny, not where the government is telling them what to do and telling them how to do it and using one of the most inefficient methods and high cost to do so. We have to reform that, or it won't exist in the future.

Yes, this Democratic budget is full of empty promises. You will hear about them over the next few days and weeks. You will hear that they promise to spend more money on this and spend more money on that and spend more money on the other thing, and in some cases they are definitely planning to do that. What they are not telling you is where they are getting it, and they are getting it right out of your pocket.

In some cases, they are going to say we are going to spend more money on this and spend more money on that and grow this program and grow that program; and, as Mr. BARRETT from South Carolina said earlier, they don't actually have the money in the budget to do it. They are just telling you, oh, yeah, we are going to do it. But we will find the money later.

Well, you can be sure where they are going to get that money, probably the place they get the other money, right out of the American taxpayer. It is the only place to go, unless you cut spending somewhere else, which we are very happy to talk about, very willing to do. That is always something you do in budgets, you set those priorities.

Yes, it is a budget filled with empty promises, except one, the largest tax increase in American history.

Mr. Speaker, American taxpayers deserve better, and I hope that we will defeat this budget later this week.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ALTMIRE). All Members are reminded to address their comments to the Chair.

30–SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Connecticut (Mr. MURPHY) is recognized for 60 minutes.

Mr. MURPHY of Connecticut. Mr. Speaker, it is good to see you in the Chair this evening.

This has been a pretty amazing first 3 months for a new Member such as myself, who just joined this Chamber after having watched it from afar for a number of years. As our majority leader said at an engagement earlier tonight, this has really been one of the most remarkably productive Congresses in as long as he can remember being here. That is important. That is important to me.

Mr. Speaker, we are going to be joined later tonight by Ms. WASSERMAN SCHULTZ, who is just beginning her second term. I think she shares a lot of the same frustration that the new Members do, that for all of the important policy changes that this Congress has started, whether you want to talk about raising the minimum wage, starting to repeal some of these massive tax breaks we have given to the oil industry, the very important action that we took on Friday that we will talk about in terms of Iraq and the new direction that this Democratic Congress is beginning to set on what we do in Iraq, maybe the most important thing was that we started getting this place to work again and starting to give our constituents out there faith that Congress is back to work for the people of this country. Instead of sort of waiting for the special interests and

the lobbyists to line up and come into the offices of the prior leadership to tell them what they wanted, now actually we have got the American people, middle-class families, working class families, their priorities are back in charge here again. That is what makes me proud to be part of this group.

This is the hour that the 30–Something Working Group gets to spend on the floor of the House. I am proud to be a member of that group, a new member, proud that Speaker PELOSI has allowed us this opportunity.

We are going to cover I think a couple of subjects tonight. We will certainly talk about what happened here on Friday.

But I want to first just rewind for a second, to rewind to what happened when we first got here in January. Because it is interesting. I watched C–SPAN occasionally when I got home from the campaign trail, I got home from the State capital where I served in Connecticut for a few years, so I have some familiarity with some of the talk that goes on in this place.

But now I get to sort of listen it to with new ears, because now I listen to a lot of the revisionist history that gets thrown around this place late at night, listen to our friends on the other side of the aisle, and they are friends.

It is important to put up this chart, Mr. Speaker, to remind the American people that we actually can be friends when it actually comes to putting on the floor of the House of Representatives up or down votes on issues that matter to regular, middle-class families out there.

We can talk about 68 Republican votes along with the Democrats voting to implement the recommendations of the 9/11 Commission. When we raised the minimum wage, set that bill on a path forward in this House, we got 82 Republican votes for that. Stem cell research, passed 253–174, 37 Republicans. Better prescription drug programs for our elderly, 24 Republicans. And on and on and on.

When it matters, where you put up-or-down votes in front of this House for things that make lives better for regular people out there, you are going to have Republicans and Democrats agreeing. So we are friends. We are friends when we put things before us we can all agree on.

But there has been some revisionist history. There has been some interesting 20–20 hindsight happening on this floor often. We heard just a little bit of it before. A lot the decrying about the situation that our Federal budget has gotten into is pretty curious, seeing that the reason that I am here in large part is because a whole bunch of people out in northwestern Connecticut who voted for one person for 24 years decided that the budget priorities, along with the priorities on our foreign policy, were gravely out of whack.

A $9 trillion deficit, Mr. Speaker. A President that inherited a budget surplus, who ran on very fiscally conservative principles, managed to turn that into a record deficit in his first 6 years in office. A Republican Congress, I am sure there were some Democrats that were at the trough as well, but a Republican-led Congress that was complicit in racking up record amounts of debt that we know are not owned in large part by domestic banks but are increasingly owned by foreign banks, Asian banks and, in fact, it will put us in a very difficult position with when we are sitting down at a table to negotiate foreign policy with a lot of these foreign debt holders that have fairly decent leverage over us.

So we hear a lot about how we need to do something about this deficit. How it is our children, our children are going to be crippled under the weight of this deficit. They absolutely are. They absolutely are.

□ 2130

We had 6 years with a Republican President, 6 years with a Republican House, a Republican Senate for much of that time. Could have fixed it during that time; didn't get the job done.

Let's take a look at this chart for just one second. Let's make this clear, when we borrow money, all of this debt that we have racked up over the past several years, it is owned by Japan, China, the United Kingdom, Caribbean nations, Taiwan, OPEC nations, right down the line. That is who owns our foreign debt. That is what places us in incredibly compromising positions when we try to bring them to the table to be a multilateral player in actions throughout this world.

So here is why I am here: I am here because people in northwestern Connecticut wanted us to finally challenge this President on his disastrous policy in Iraq. I am here because they were sick and tired of the programs that make communities strong, the health care programs, education programs, job training programs, we are getting slashed and burned and cut to the bone by this Congress, while they gave away more and more massive tax breaks to their friends in the upper .1 percent of income earners in this Nation.

But they are also upset because the party that I think they thought was, you know, you see it in the polls, people for years and years and years thought that the Republicans were the ones that could manage their money and the Democrats they weren't so sure on. Well, they finally wised up after a while to realize that this place wasn't so responsible even under Republican rule; that in fact after budget after budget that got put before here, that President Bush put before this Congress was rubber-stamped over and over and over again and led to some of the most fiscally irresponsible policies that this Congress has ever seen, that this Nation, in fact, has ever seen. Largest Federal debt in the history of this country, growing by the day.

Now, here is the good news: it's changing. Now, as many times as folks on the other side of the aisle want to talk and use the term ''biggest tax increase in the history of the Federal Government,'' well, I'm still searching through that budget resolution, I'm still searching through what I am going to vote on this week and I don't see it. I don't see it because it's not there because we are actually going to do the responsible thing. Because what happened to create this Federal budget deficit was not just these massive tax breaks that they gave away to the folks way at the top, top, top of the income bracket, but they also spent money in a way that would have your eyes spin to the back of your head if you dug into some of the things they were doing here.

A Medicare prescription drug program that deliberately ties the hands of the Federal Government, doesn't allow the Federal Government to negotiate lower prices with the drug industry, Mr. Speaker, making millions, hundreds of millions, in dollars in profit for the drug industry at the expense of American taxpayers.

A defense policy which asks virtually no questions of how we spend our money in Iraq. We find out that there was $9 billion sent over to Iraq on pallets, thrown out of SUVs in duffel bags, unaccounted for; disappeared in that country. Stories of these pork barrel projects that would make your head spin, the ''bridge to nowhere'' in Alaska, simply the tip of the iceberg when it comes to some of the frivolous spending that happens from this supposedly fiscally conservative Congress.

You could run through the examples over and over and over again. Mr. Speaker, we just had a hearing in the Government Oversight Committee that I sit on where we found out that the government does audits, each Department does an audit every year to try to make sure that we are spending money in a fiscally sound manner, just like any business would, that government should act like a business. Well, the analogy isn't particularly apt in a lot of facets. But when you are talking about at least having generally accepted accounting principles to make sure that money comes in and goes out in an efficient manner, well, yes, we should start acting like a business does.

The only agency in the Federal Government that can't give a clean audit year after year after year, the Department of Defense. Nobody here is putting pressure on them to account for how they spend money, to make sure that the billions of dollars that we hand to the Department of Defense in order to protect this country is being spent in the means that make sure that we are not saddling our children or grandchildren with the enormous amount of debt that we have racked up in this Congress.

I mean, you want to talk about spending money wisely, our friends on the other side of the aisle have to look themselves in the mirror, have to wonder why this election happened. I know

that this war was a major factor in people's choice at the polls. I also know that were a lot of people in my district, and I have got the run of the economic spectrum in the Fifth Congressional District, from people living in places like New Britain and Waterbury that used to have good, solid middle-class jobs who are still struggling to get back to that level of sustenance, to folks that are doing pretty well with their lives that have made a buck in this economy. Those folks at the upper end of the economic spectrum are wondering how this government is spending their money.

So this week we are going to put a budget before this House. And Mr. MEEK, who has joined us and Ms. WASSERMAN SCHULTZ, who sits on the Appropriations Committee, can talk more intelligently than I can about this. We are going to finally put a budget before this House that is going to start to reflect the priorities of the American people; we are going to get our financial ship in order. All the things that folks over there talk about are actually going to be reality in this budget.

We are going to make sure that we invest in the programs that make America strong. We are going to make sure that we end this disastrous policy of unbalanced budgets. We can do it in the next 5 years. That budget says that we can and we will. And it is going to continue at a pretty important precedent that we have set in this Congress, which is to change course on some of the most disastrous policies of this administration, particularly the vote that we took on Friday on the war in Iraq, and I know that we will talk about that, but also start to get our fiscal ship in order, to put our money where our mouth is.

It is one thing for people to come up to this dais day after day after day and talk about fiscal responsibility. It is another thing to actually do it and put it into practice.

The budget that we are going to vote on will be, as I have learned, this place calls a pay-as-you-go budget. It is simply this, what every family lives with every day. You want to spend some new money, show how you are going to pay for it. You want to cut some taxes, show how you are going to account for it. Pretty simple budget rule, Mr. Speaker. But not to be too partisan here, it took a Democratic Congress in order to start playing by those very simple rules.

So, Mr. Speaker, I want to want to hand it over to Mr. MEEK for some words, who normally gets to kick off this hour. But let me say that it has been a proud first three months. Probably the proudest day I have had was on Friday, when we came together to stand up to the President's policy in Iraq. It is going to be another proud week this week when we set the budget policies of this country straight and we finally stand up to the President and don't do what every other Congress has done, which is take this massive document, throwing our deficit into an increasingly upward spiral, throwing our families into turmoil. We are going to finally take this very weighted document and hold it up to the light, not just rubber-stamp it.

It is going to be another good week here, Mr. Speaker. And with that, I yield to Mr. MEEK.

Mr. MEEK of Florida. Thank you so very much, Mr. MURPHY. It is an honor to be here on the floor with you. I look forward to having a discussion not only with you, but also other Members of the House about what is coming up this week. I know that you alluded to last week's action that took place here on this floor. Democrats and Republicans and the majority were able to pass an emergency supplemental war bill that would not only put benchmarks in to make sure that the Iraqi Government is doing all that they should do to make sure that they carry out their responsibility since the U.S. taxpayer will be spending over $100 billion and counting over in Iraq in this piece of legislation, this supplemental, but also the $400-plus billion that have already been spent.

And also security for the troops, making sure that Department of Defense regulations, Mr. Speaker, that have been put forth to protect our troops, that they have what they need: the up-armor that they need, the training that they need, the equipment that they need, the personal equipment that they need.

And also making sure that our troops, as it relates to their rotation into theater, that they actually get an opportunity to have a Defense Department that has to do what they said they would do, and making sure they have enough time to be with their families, make sure they are able to maintain a job, those that are Reservists and National Guard men and women back home. And to also make sure that their families have an opportunity to be a part of their father or their mother's lives, or their parents having an opportunity to enjoy their son or daughter. And I think that is so very, very important as family values, and it is also standing by our word.

If we can't stand by our word while they are enlisted or federalized to serve in Iraq and Afghanistan, then how do they expect for us to stand next to them and behind them when they are veterans and they are out in the world of veterans health care?

I can tell you also, Mr. Speaker, that I am very pleased with the fact that we did put something in the legislation that will hopefully point towards redeployment of our troops. This war will continue and continue and continue if left up to the President of the United States. But before I start talking about the action really that we took, passing that legislation, seeing the voice vote that took place in the Senate last week, moving on legislation even with a closer time line and different benchmarks, which, Mr. Speaker, you know we will come together in conference to talk about a little further and iron out and be able to get a work product to the President.

But as you know, today, March 26 of 2007, the number stands at 3,235 U.S. servicemen and women that have died in Iraq; some 13,415 of U.S. troops have been injured and returned back to battle. You have to think about it, injured and then returned back to battle; 10,000 U.S. troops have been injured and have not been able to return back to battle.

Hearing those numbers and hearing how they continue to move up, Mr. Speaker, even speaks further to the kind of oversight that this Congress must have in this conflict in Iraq, this civil war in Iraq, I must add, that we are officiating.

We know that the President had a press conference after we took our action here on the floor. I want to commend the Members again who voted in the affirmative to make sure that we were able to take action, the first time the U.S. Congress has taken action with benchmarks, even against profiteering with U.S. contractors that are the third largest, you may call it coalition partner, or the second largest outside of U.S. servicemen and women in Iraq. You would assume that there are other countries in the world, since this is such a world issue that the United States is involved in, you would assume that there would be a number of countries before U.S. contractors, but U.S. contractors are the second largest number of individuals that are there.

Mr. Speaker, when I talk about these numbers and when we talked about the action last week, the President, then he sprung into action. He had a press conference talking about how the Congress is now holding dollars back from our men and women in theater and asking us to please stop. Well, I am glad that I lived long enough over the weekend to come back here to the floor, Mr. Speaker, to not only share with the President, but those that may think that by us standing up on behalf of veterans health care, by us making sure that Walter Reed Hospital gets the necessary dollars they need to be able to take on the influx of men and women coming back from theater that are injured of the 10,772 that cannot and will not go back to theater and the 13,415, when that number continues to increase, that when they get their care in the field and then they move on to Germany and they get even further care, and some of them have to come back here to Washington, D.C. to even get physical therapy and all the things that they need to get back to the theater, if that is stopping the dollars from getting to the troops, then I think that we need to go back to a civics lesson of what this is all about.

We are putting dollars in what the Republican majority did not put in. Anything that the President asked for, the Republican majority rubber-stamped it. As a matter of fact, the Republican majority in the last Congress

was so loyal to the President of the United States that whatever he said, whatever he wanted, they did it. And guess what, Mr. Speaker? I am here to report that that is one of the big reasons why we have a Democratic majority right now in the U.S. House of Representatives and in the Senate. Some 30-odd seats were lost living under that philosophy. And all of the hours that we spent on this floor, all of the hours that we spent in committee saying that if you give us the opportunity to lead, we will lead. Democrats, Republicans, Independents and some Americans who never voted before in their life went out and voted last November.

Now, the President can have a press conference, that's fine, he is the President of the United States. I can go out and have a press conference. The bottom line is let's not have the people of the United States of America feel that the U.S. House and the Senate are holding money back from the troops. As a matter of fact, we have given more than what the President called for as it relates to armor. We've given the troops more as it relates to troop safety and force protection. We've added three new brigades to the Marines. We've added 36,000 more soldiers to the Army to make sure we are at the readiness level. Under the Republican majority of the 109th and the 108th Congress, as this war started and continued to escalate to the numbers of where it is now, our readiness levels, and when I speak of readiness levels, Mr. Speaker, I speak of the fact that if we had to go into another conflict, we are not ready.

□ 2145

There is not a National Guard unit right now that is ready to go to battle. Now, what do we mean by readiness? Making sure that they have the equipment, making sure that they have enough personnel to be able to rise to the occasion, all the specialists that are needed, all the striker brigades that are needed. We have 100 of them, but we are not at the readiness level that we need to be, and we haven't been at this low level that we are now since the Vietnam war. I am not giving out any national secrets. Everyone knows that this is the case. So if we know the obvious, why not take care of it?

We are doing more than what the President has asked for. The President just has a problem. Do you know what the problem is? It is the fact that the Congress has said: Guess what, Mr. President. I know you have been saying a lot over the last 4 or 5 years of this war, now within its fifth year, the third escalation of troops that you have sent over to Iraq; and we pass a nonbinding resolution in the majority and Republicans voted for that, too, saying that we disagree with that philosophy. The American people are far beyond the President on this issue. So we are here to represent the American people.

The second point, when you look at this issue of the binding resolution, it says that if the Iraqi government does not meet the benchmarks set by who, the President of the United States, George W. Bush, then the redeployment of troops will start. The clock will start at that point for a redeployment of a number of troops within 6 months.

What else took place? The President said that it is important that we are not there forever. Well, still living under going in the old direction, the President wants the prerogative to be able to say, well, they are going to be there as long as they need to be there, and there is not necessarily a plan, and you haven't given an opportunity for the plan to work of the new escalation of troops.

Well, guess what? We saw plan one, and the violence did not go down. We sat here and watched plan two, and the violence did not subside. They weren't using Vice President CHENEY's, the enemies are in the last throes of their insurgency, later to find out that that is not the truth.

So I guess we are just are supposed to continue to go on and on and on.

So, Mr. MURPHY, I guess when we start looking at the benchmarks, that is the problem. Why doesn't the President say, that is my problem; I have a problem with the fact that the U.S. Congress is saying they no longer want to go with my original thoughts? There is nothing wrong with that. He is an American. He can say it.

But the bottom line is every last one of us sitting in these seats here in Congress and across the hall in the Senate, our obligation is to the individuals that have sent us here. Our constituents that have Federalized us here to make decisions on their behalf.

We are not generals. Some of us served in the military, some of us did not serve in the military, some of us never wore a uniform in our lives, but I can tell you this much. We have been sent here to watch over the U.S. taxpayer dollars, have the well-being of our U.S. troops that are allowing us to salute one flag, and to make sure that our number one obligation is to be loyal to the American people, and not one person.

So I speak very firmly and I stand very firmly on this point. Because I sat here the last 4 years in the minority not having an opportunity to be a part of the decisionmaking, not even being able to agenda a bill in committee or subcommittee, not able to bring a bill up here on the floor that the Republican majority did not allow me to. I mean, under the rules, they didn't allow me to. To now say, well, the President says that we are holding up dollars, emergency dollars for the war in Iraq?

Let me just share a few other things, and then possibly we can go into an exchange.

In the summer of 2005, there was a shortfall as it relates to veterans' health care, $2.7 billion.

In March of 2006, the President's budget cut funding by $6 billion over 5 years that was passed by a Republican-controlled Congress. And the first time, Mr. MURPHY, that we had an opportunity to do anything, when I say the Democratic majority, the first action, and it was because of the inaction by the Republican Congress that did not pass the appropriations bills on time, that we passed a continuing resolution to keep this government running, and what did we do?

Well, we went into that bill and we made sure some of the special interest tax breaks and all of the things that the Republicans had in place, being loyal to individuals that had great influence in this House, and I am not talking about Members, I am talking about outside forces. We took $3.6 billion of the U.S. taxpayer dollars to increase the VA health care program and to make sure that their budget was in place so that our veterans would have somewhere that they can get care and their families.

That was our action. The President didn't ask for that. As a matter of fact, the President didn't even want it. But we did it because it was the right thing to do, and that was prior to the Walter Reed.

I keep saying that because that is so very, very important. People think that politicians and some folks do things just because somebody was looking or somebody said that you should do it or you are under some political pressure. That was a natural thing for the Democratic majority to do, and we did it.

And for the President to stand and say, well, you know, there is things in there that should not be in there and things that I didn't ask for. Well, guess what, we have to ask for it. I am even going to go down memory lane again.

January of 2003, the same administration, President Bush cuts veterans' health care for 164,000 veterans.

March of 2003, Republican budget cut $14 billion from veterans' health care, passed by the Congress, with 199 Democrats voting against it. That is House Concurrent Resolution 95, vote number 82.

March, 2004, Republican budget shortchanged veterans health care by $1.5 billion. It was passed by the Congress, 201 Democrats voting against it. That is House Concurrent Resolution 393, vote number 92.

March, 2005, President Bush's budget shortchanged veterans' health care by more than $2 billion for 2005 and cut veterans' health care by $14 billion over 5 years. That was passed with 201 Democrats voting against it. That is House Concurrent Resolution, vote number 88.

I think it is very important that we outline that.

Just like I said here earlier when I talked about the 2005 shortfall, after Democrats pressured the Bush administration and finally acknowledged that the 2006 shortfall for veterans' health care totaled $2.7 billion, Democrats fought all summer to make sure that

those dollars were placed back in the right direction as it relates to veterans' health care.

Also in March, 2006, President Bush's budget cut veterans' funding by $6 billion over 5 years, passed by the Republican-controlled Congress and, like I said, at $3.6 billion.

Mr. Speaker, we come to the floor and we mean business. We are not coming here to have a press conference and talk to some folks that may not quite understand exactly what is going on day to day in Congress. That is why we are here. We are here to make sure the American people know exactly what is going on here.

The reason why we speak very passionately about, you may say, well, it is Iraq, Iraq, Iraq, Iraq and, guess what, that other issue, Iraq. The reason we speak very passionately about that is that we have seen so much on this floor and so many words that Mr. MURPHY talked about earlier, Members going on passing out inaccurate information every now and then, or the spirit of the information, whichever way you want to frame it, and to see the hard-core reality of these issues are still not addressed.

I had something here where all of the veteran groups, I must add here, Mr. Speaker, ''This much-needed funding increase will allow the Department of Veterans Affairs to better meet its needs for the men and women returning from Iraq and Afghanistan, as well as all veterans who have served in the past.'' That is from the National Commander of Disabled American Veterans. That press release was March 21, 2007. ''The American Legion and its 2.8 million members applaud the Budget Committee for the budget resolution recommendation for $43.1 billion in discretionary funding for veterans. Your recommendations are close with the views that are estimated, that was estimated by the American Legion earlier this year.'' That is by the legislative director and the lead on the American Legion.

I think it is very, very important that Members understand that. Veteran groups are 110 percent, 110 percent, Mr. Speaker, about what this Democratic-controlled Congress is doing; and we are just getting started. This is Monday. We are talking about the things that we need to put in place to make sure that our men and women need to have what they need to have when they are in theater and when they are out of theater.

I challenge the President to think within his heart and within his mind that he would turn a new leaf, and making sure that when we send this emergency supplemental to his desk, if he vetoes it, it will be his action that will be delaying the dollars to go to our men and women in harm's way.

I have said once before last week, Mr. Speaker, I voted for two emergency supplementals, a lot that I did not agree with, but the last thing I wanted to do was to leave our men and women in harm's way without the necessary funding that they need. So if I, someone that has a different opinion than the President and the old Republican majority as it relates to this war in Iraq, we are all Americans first and, guess what, life is not perfect and everything is not going to come the way you want it to come when you want it to come.

There are other people in this democracy that have something to say about it, and I know there are Republicans in America that feel the way the way that we feel. I know that there are Independents in America that feel the way we feel, and I know that there are Democrats and those that are looking to vote in coming elections to be a part of this democracy.

So I come very proud of the work that has been done and the work that will continue to be done here in this House.

Mr. MURPHY of Connecticut. Mr. MEEK, just as a transition to Ms. WASSERMAN SCHULTZ, I would just say, elections matter; and there is probably no better example of that in recent history than the election in November. Things have just changed here. The air is different, the priorities are different, the rate of action is different.

And, Mr. MEEK, I get why we had to have an election in order to change course in Iraq. I understand that this is a very difficult subject that has divided people for a number of years. Over the past several years, people, large numbers of people came to the conclusion that we needed to change course from the President's policy, that we needed to put a Congress here that is going to start standing up to this guy and insisting that there are some other fights that matter in this world, and that we need to invest back in Afghanistan, that we need to make sure that our borders here are protected and that we needed to start redeploying our forces.

So I get that we had to go to a national referendum in order to set a new course. That is an important issue that has divided people.

Now, people have come down pretty firmly in the past 12 or 18 months on the side of a new direction. That is why Friday, to me, was maybe the most gratifying day in the short number that I have been here. But, Mr. MEEK, I don't get why we had to have an election to decide to support veterans.

Mr. MEEK of Florida. If I may, and then I will yield and you can share all the great information. And Ms. WASSERMAN SCHULTZ happens to be in between us today, so all we need is Mr. RYAN down here, and she will have a real challenge. But I can tell you from past experience of serving with her for 12 plus years now that she is very capable of rising to the occasion here.

Let me just point out, just today, Mr. MURPHY and Ms. WASSERMAN SCHULTZ, we took a vote. We took a vote saying that we would like for the appointed U.S. District Attorneys to come and be confirmed before Congress. Something that is very, very important, giving the chief judge an opportunity to appoint a temporary U.S. District Attorney, for that opportunity to take place because of what is happening now in the Justice Department. And I think it is important. I saw Ms. WASSERMAN SCHULTZ earlier talking today about this very subject.

But, on the Republican side, you have some Republicans that are saying it is just horrible of what is happening. Because if what we think or believe what happened, these political appointees and then they got taken out because they were either going after someone that the administration did not want them to go after or they weren't going after certain individuals as it relates to political motivation. And under what we may call regular order in the 109th Congress or the 108th Congress or beyond, the kind of grip that this administration had over the House and the Senate, the chokehold that they had over the House and Senate, this would have never been an issue. It never would have been followed up on. There never would have been a hearing.

Guess what? Now, Mr. Speaker, there are hearings in both House and Senate, and now the Attorney General is getting caught in his own words. One minute he had nothing to do with it, and he didn't know what anyone was talking about. Now we understand that he led a meeting even talking about this issue.

So when you look at it, and Mr. MURPHY and Ms. WASSERMAN SCHULTZ, 329 Members of the House. It goes to show you, with the right leadership in place, we have a Democratic majority, Republicans will vote, some Republicans will vote and move in the right direction. Only one Member of the Republican leadership voted for this commonsense approach. There are still Members on the Republican side that are in the leadership that are still holding on to what used to be. The election took place last November. You would think, well, maybe the American people are not with this.

So I am just saying that this issue is continuing to evolve, and I bring these examples up so that the Members can see that we have a lot of work to do. It is not about partisanship. This is about leadership, and we are providing the leadership here.

I know Ms. WASSERMAN SCHULTZ who serves on the Judiciary Committee can speak more eloquently on this issue. But this is one example amongst many. You called out those bipartisan votes at the beginning of the hour. We have to continue to embrace bipartisanship because that is what the American people want. They don't want us to be Democrats and Republicans. They want us to be Members of Congress watching out for the better good.

□ 2200

Ms. WASSERMAN SCHULTZ. Thank you, Mr. MEEK and Mr. MURPHY, it is great to be here again.

I had an opportunity to engage in some dialogue with the caucus chairman on the Republican side, the gentleman from Florida (Mr. PUTNAM). I fully expected to be engaged in a point-counterpoint discussion on the U.S. Attorney General and the U.S. Attorney scandal, and that he would be defensive, as many of his colleagues have been. But knowing Mr. PUTNAM as we do, he was very frustrated. He expressed deep concern. He was beyond comprehension how the administration could have dealt with this problem in the way that they did.

I was asked how I felt about it as a member of the Judiciary Committee. Quite honestly, under normal circumstances the President does have the right to appoint and unappoint and ask for the resignation of U.S. Attorneys that serve at his pleasure. Had it been a matter of him just saying, yes, I asked for their resignation, we have some other needs, we are moving in a different direction, whatever he said, just be straight with the American people. Just be straight with the Congress. If he had said, yes, I asked for their resignation, I can do that, I am the President. Fine.

But, instead, it is fabrication, it is distortion, it is no, it was not him, it was the guy behind the tree. It was his mother. Just own up to what you did.

Now, if the problem is what you did, you asked for their resignation because they were too good at their job and they were pursuing public corruption cases against Republicans, and we have colleagues that picked up the phone and put some pressure on these U.S. Attorneys whose resignation ultimately was asked for, that is a horse of a different color.

But this would have never exploded to the level it has if they had just said, yes, we did. What I pointed out in my conversion with Mr. PUTNAM, in past years, and I was happy to see he was frustrated and concerned and there is bipartisan concern about the action that this administration has taken repeatedly on the war in Iraq, on the U.S. Attorney firings, and on the handling of the Valerie Plame issue, and the list goes on and on.

Had there not been Democrats in charge of the Congress, this would have been another thing that would have been swept aside. They would have moved on or waited it out. They would have squeezed their eyes tight shut and hoped that this, too, would pass.

Mr. MURPHY of Connecticut. I know that some of this administration are supposedly not great students of history; but if you read of recent Presidencies, you might find out if you tell the truth right off the bat, you get yourself in a lot less trouble than if you try to place the blame.

Ms. WASSERMAN SCHULTZ. I want to go back to my ''mom'' analogy that I had last week. It is like how I deal with my kids. I told them, as all little kids, they get nervous when they have done something wrong. Sometimes they might not be completely truthful. And I have sat them down time and again, and said, listen, honey, if you just tell me the truth right away, it is going to be easier. I might be a little mad, but I am going to be more upset if I find out you lied on top of a lie. Young kids might not completely understand this, but grownups like the President and the Attorney General can certainly understand the more you stretch the truth, because we have to be careful about the words we use here, the harder it is to remember the last one you told, the last version of the truth you told.

Mr. MURPHY of Connecticut. Ms. WASSERMAN SCHULTZ, there is going to be a lot of stuff over the next couple months about Executive privilege and who said what, and there may be a lot of terms that may not seem like it matters to regular people.

The heart of the matter is the difference between America and some Third World nations out there is we have a system of blind justice which holds people accountable for their actions based on whether they were right or wrong, whether they broke the law or didn't break the law; not whether they have some powerful friend sitting in the halls and corridors of power in Washington, D.C. or their State legislature. That is what separates this country from a lot of other places in the world where you can get hauled off to jail simply because you have fallen in disfavor with someone who is in a high political position. That is the essence of the genius of this country, that we have made sure that our legal system operates separate from our political system.

There is going to be a lot of commotion about Executive privilege. What it comes down to is what may have happened is that this administration violated one of the basic principles of American democracy: don't mix justice with politics.

And you are very right, maybe people wouldn't have found out about this if we did have Democrats in the majority.

Ms. WASSERMAN SCHULTZ. We absolutely have to make sure that we continue to exercise the system of checks and balances in our oversight role here. If we don't, I am really fearful about what else. And we have already seen the evidence of how far this administration will push and how obsessed they are with the notion of a unitary Executive and the concentration of power that they have tried to gather in the Executive, through signing statements which are notations, whole paragraphs and pages and pages of notations on legislation that we pass here.

We will say ''X'' must happen. And in a signing statement, the President will actually write a note that says why he doesn't have to do ''X'' even though Congress passed a law and he signed it. He has exercised more than any other President combined the so-called right to, essentially if he doesn't think a provision in the law that we have passed is constitutional, he has exercised his belief that he can ignore it or not implement it. That is what the judiciary is for.

So between signing statements and the abuse of power with the PATRIOT Act and National Security Letters and essentially not being entirely straightforward, for lack of a better term, I am coming up with a lot of adjectives and synonyms for the ''L'' word here, there is an incredible effort being made that seems to require more energy than the straight-up truth does.

That is why the oversight role is so important. If we are not here asking questions, then the administration will run rough shod over the Constitution. They have proven that.

Mr. RYAN of Ohio. The sense I am getting from my district now is that this is all fine probably if everything is going okay for everyone else. But the fact that things aren't going well, people are struggling to pay for their health care and college tuition. They are living paycheck to paycheck, bankruptcies are up, foreclosures, and kids are getting killed because of an administration that has been less than forthright with the facts. I think that is what is stirring among the American people.

That is what happened in the election in November; and I think quite frankly the key to moving the kind of agenda we want to move here is going to be organize and tap that energy that is back home in a lot of our districts. Unless we do that, we are going to struggle. But I think we have the wind at our back. We have the American people at our back. They like what we are doing. There are good responses from the bill we passed on Friday.

□ 2210

We have got to get out of Iraq, and this President does not have the credibility to I think withstand the kind of pressure that is coming from the American people. The American people want out. They are tired of watching what is happening. Five more soldiers got killed, more kids maimed, more kids injured, more kids at Walter Reed, more kids go into a VA system that is less than adequate, and the American people are looking for the kind of changes that you have talked about, Congressman MEEK has talked about.

The bottom line I think is this, and whether you are talking about the war or anything else. For the war, it is like, well, there is only two options here. We either go down the road the President has taken us down and keep going or we have this alternative that we presented to get us out in the next year, hopefully earlier. An alternative to not going with our proposition is to continue to give the President a blank check, continue to have kids get killed, continue to not have a plan with absolutely no explanation as to what we are doing over there. No one even knows anymore.

To go along with the President's budget means that as we look through our notes here and the research we did, 1 million children who are currently covered under the SCHIP program will get cut out of it. Our plan, invest $50 billion to cover millions of children who are currently uninsured. Which way do you want to go? I mean, this is not brain surgery. The President wants to continue to give tax cuts to the top 1 percent. We want to cover kids with health care, without raising taxes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ALTMIRE). All Members are reminded to refrain from engaging in personalities toward the President.

Mr. RYAN of Ohio. Mr. Speaker, I thank the Speaker, but this Congress wants to add up to $50 billion to cover $50 million of new children on the State Children's Health Insurance Program. We want to get the Pell grant up to at least $4,600 and we reject the President's proposals for cuts.

Now, imagine the leadership in the United States of America in 2007, Mr. Speaker, 2007 where he is going to say we want to not fund Pell Grants, we want to not fund children's health insurance and we want to continue to spend $2 billion a week in Iraq.

Ms. WASSERMAN SCHULTZ. I thank the gentleman. On Friday, what we said was no more blank checks, no more war without a strategy and a plan to get our men and women in uniform home, no more sending troops over into combat, into harm's way without the armor they need, without the preparation they need, without the rest they need. All of those items were in that Iraq War supplemental.

The alternative, what the President preferred, was just give me the money, just give me the money; do not ask me any questions. He was opposed to his own benchmarks. The benchmarks that he laid out on January 10 were in the bill, the ones that he said the Iraqi people have to meet, that the Iraqi leadership has to meet, and we added some that said, you know what, you have to make sure that you think about protecting the men and women we are sending over there.

Mr. RYAN of Ohio. We said that you said these are the benchmarks, and guess what, we are going to hold you accountable for what you have said, because up to this point, you have been saying whatever you want and there has not been the kind of force of law which we passed out of here on Friday.

Ms. WASSERMAN SCHULTZ. Words are nice, but when you go, like each of us have, to Walter Reed Army Medical Center and you look those troops in the eye and you have a chance to spend some time with them, the words ring really hollow unless you know you can back those words up with some action, with some commitment, with some belief in the mission and understand how devoted these men and women are to getting the job done.

I mean, listen to some of the folks that are in that hospital, they all, to a person, have told me when I have been there, they want to go back. They want to get better, and they want to go back to join their comrades, their buddies, and help finish the job, but we have to make sure that we have their back.

Mr. RYAN of Ohio. Is that not interesting that the soldiers we talked to, Mr. Speaker, at Walter Reed, back home, the kids that have gone, come back, gone, come back, and they are going back again, the reason you hear about why these kids want to go back and you think why would you want to go back, they want to go back because their buddies are still there. They feel like if they go back that they will be able to save their lives.

The last couple of funerals I have been to with kids who were stop-loss and were supposed to come home but ended up staying longer than they probably should have and ended up not making it back, the reason they wanted to go back in the first place was to protect their friends, and that is the heroism, that is the valor, that is the nobility of the cause. That is why these kids go back.

To talk about that the debate last week, and many of us did not get an opportunity to speak for a variety of different reasons, but to hear, Mr. Speaker, some people say that if we bring these kids home, somehow that is going to make us less safe here in the United States, is an appalling argument, that this administration and this Republican Congress would rubber stamp this war to go over there, and that National Intelligence Estimate has told us that this war has created more terrorists, not less. It has created terrorists, Mr. Speaker, and then now that we have thousands and thousands and thousands of more people gunning for us here, these folks have the audacity to tell us, Mr. Speaker, that somehow us bringing our kids home is going to make us less safe.

Now, that, to me, is appalling and to continue that kind of disjointed logic is unacceptable to me because we have kids in our districts who are not back home. They are either in Iraq, and many of them have gotten killed under the guise of the war, and to tell us that by bringing our kids home and getting them out of a civil war is going to make us less safe does not make any sense because all of the intelligence in the whole world is saying this war in Iraq has completed the final piece of the fanaticism of the Middle East.

We have given anyone who kind of wanted to join but did not really want to, they are now joining. They are now a part of everything. They are now a part of the terrorist groups. They are now a part of the terrorist organizations. They now hate the United States more than they ever have, and so I find the whole operation appalling.

Mr. MURPHY of Connecticut. What we have gotten ourselves into, this is a religious war.

Mr. RYAN of Ohio. Civil war.

Mr. MURPHY of Connecticut. This is a religious war that we helped to create in part. It did not exist until the bull sort of rushed into the China shop, but I think we all find it appalling, some of us, this simplistic terminology that gets rolled out here that we cannot leave until victory has been achieved. Explain to me what victory is because if we have to stay there until we have completely eliminated a civil/religious conflict, well, it was not raging for the decades before we got there and is one that has almost no historical bounds. That is a difficult victory to ask our brave men and women to achieve, to try to somehow remediate a dispute between Shia and Sunni that cannot be resolved through the military actions of our men and women.

Victory is much broader than that. Victory is about going after the fight that really mattered in the first place which is in Afghanistan, Mr. Speaker. Victory is about making sure that we secure our borders here at home; that every container that comes into American ports gets checked; that every airport has the proper screening technology to make sure that the ports of entry who brought in the terrorists who harmed this country have all the technology they need to make sure that it never happens again.

□ 2220

That's victory in the end. So it's frustrating as a new Member to come down here and to listen to this new terminology get thrown out there that doesn't have any basis in reality. That is part of what we did on Friday as well, to start to broaden that definition of what victory means and try to challenge the people to rise to that.

Mr. RYAN of Ohio. On behalf of the American people, I think they are trying to see what we are trying to do. We are trying to end this war, stop the killing of our own kids, stop the maiming of our own soldiers, get them out of a civil war, try to calm down what's happening, stop the $8-plus billion a month that we are spending over there, and try to take some of that money and invest that into our own students, our own kids.

I was, just before I got here, having dinner with an old friend of mine, who is a Republican. He said, we have spent $400 billion, soon to be $500-and-some-billion dollars on this war. Can you just imagine, we could have covered all of our citizens for health care, we could have paid for everyone's college education, and, you know, gotten some stuff done in this country.

Instead, we have $500 billion, we have well over 3,000 kids have gotten killed, adults and soldiers, some 25,000 maimed or injured and God knows how many innocent Iraqi civilians, many of them children.

Ms. WASSERMAN SCHULTZ. As we conclude, the President is so stubborn and so ''my way or the highway,'' that his own definition of victory, the benchmarks that we have put in this bill, he is threatening to veto. That is

what is mind-boggling, even when we insert his milestones. Still, that is not acceptable.

If the gentleman would like to talk about our Web site.

Mr. RYAN of Ohio. Our e-mail is 30somethingdems@mail.house.gov if any Members would like to e-mail us or visit us at www.speaker.gov/30something, e-mail us, 30somethingdems@mail.house.gov.

Mr. MURPHY of Connecticut. The Web site now, Mr. RYAN, is updated.

Mr. RYAN of Ohio. All of the new statistics from our budget will be on there, I am sure.

I think this is an appropriate time to make the announcement of our key staffer for years and years and years here at the 30-something Working Group, Tom Manatos has gotten engaged. He is going to be married to a beautiful young Republican.

Ms. WASSERMAN SCHULTZ. Who works at the White House.

Mr. RYAN of Ohio. Who works at the White House, and the engagement, I guess, was blessed by the Greek Orthodox archbishop. How about that for off to a good start?

Mr. MURPHY of Connecticut. The bipartisan spirit preached by the 30-something working group put in practice.

Ms. WASSERMAN SCHULTZ. Absorbed, even, by the 30-something leadership.

Mr. RYAN of Ohio. Right up to the staff level.

Mr. Speaker, we yield back the balance of our time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KANJORSKI (at the request of Mr. HOYER) for today and the balance of the week on account of personal business.

Mr. LAMPSON (at the request of Mr. HOYER) for today and the balance of the week.

Ms. MILLENDER-MCDONALD (at the request of Mr. HOYER) for today and March 27.

Mr. UDALL of New Mexico (at the request of Mr. HOYER) for today and March 27.

Mr. WAMP (at the request of Mr. BOEHNER) for today on account of attending his son's 20th birthday.

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. TANNER) to revise and extend their remarks and include extraneous material:)

Mr. CONYERS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, today and March 27, 28, and 29.

Mr. GARRETT of New Jersey, for 5 minutes, March 27.

Ms. GRANGER, for 5 minutes, today.

Mr. FRANKS of Arizona, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today and March 27, 28, and 29.

ADJOURNMENT

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 27, 2007, at 10:30 a.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

960. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and promulgation of State Plan for Designated Facilities and Pollutants; Florida: Emissions Guidelines for Small Municipal Waste Combustion Units [EPA-R04-OAR-2006 -0140-200605(a); FRL-8276-7] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

961. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Amendments to the Minor New Source Review Program [EPA-R03-OAR-2006-0915; FRL-8276-3] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

962. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for Alaska [EPA-R10-OAR-2006-0377; FRL-8249-2] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

963. A letter from the Office of Managing Director, AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 97 of the Commission's Rules To Implement WRC-03 Regulations Applicable to Requirements for Operator Licenses in the Amateur Radio Service [WT Docket No. 05-235] Amendment of the Commisison's Rules Governing the Amateur Radio Services [WT Docket No. 04-140] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

964. A letter from the Office of Managing Director, AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule — Rechannelization of the 17.7-19.7 GHz Frequency Band for Fixed Microwave Services under Part 101 of the Commission's Rules [WT Docket No. 04-143] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

965. A letter from the Office of Managing Director, AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule — Petition of Mid-Rivers Telephone Cooperative, Inc. for Order Declaring It to be an Incumbent Local Exchange Carrier in Terry, Montana Pursuant to Section 251(h)(2) [WC Docket No. 02-78] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

966. A letter from the Office of Managing Director, AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule — Communications Assistance for Law Enforcement Act and Broadband Access and Services [ET Docket No. 04-295; RM-10865] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

967. A letter from the Office of Managing Director, AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Hennessey, Oklahoma) [MB Docket No. 05-85; RM-11164] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

968. A letter from the Office of Managing Director, AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Opelika and Waverly, Alabama) [MB Docket No. 05-79] Reclassification of License of Station WSTR(FM), Smyrna, Georgia) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

969. A letter from the Office of Managing Director, AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Hale Center, Texas) [MB Docket No. 05-114; RM-1190] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

970. A letter from the Office of Managing Director, AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Columbus, Indiana) [MB Docket No. 05-238; RM-11260] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

971. A letter from the Acting SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Optometrists as ''Acceptable Medical Sources'' to Establish a Medically Determinable Impairment.[Docket No. SSA-2006-0085] (RIN: 0960-AG05) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANGEL: Committee on Ways and Means. H.R. 493. A bill to prohibit discrimination on the basis of genetic information with respect to health insurance and employment; with an amendment (Rept. 110–28 Pt. 2). Ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 1019. A bill to

designate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the ''Rafael Martinez Nadal United States Customhouse Building'' (Rept. 110–70). Referred to the House Calendar.

Mr. OBERSTAR. Committee on Transportation and Infrastructure. H.R. 1138. A bill to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse'' (Rept. 110–71). Referred to the House Calendar.

Mr. OBERSTAR. Committee on Transportation and Infrastructure. H.R. 753. A bill to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the ''Clifford Davis/Odell Horton Federal Building''; with amendments (Rept. 110–72). Referred to the House Calendar.

Mr. HASTINGS of Florida. Committee on Rules. House Resolution 269. Resolution providing for consideration of the bill (H.R. 835) to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians (Rept. 110–73). Referred to the House Calendar.

Mr. HASTINGS of Florida. Committee on Rules. House Resolution 270. Resolution providing for consideration of the bill (H.R. 1401) to improve the security of railroads, public transportation, and over-the-road buses in the United States, and for other purposes (Rept. 110–74). 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:

H.R. 493. Referral to the Committee on Energy and Commerce extended for a period ending not later than March 29, 2007.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. BEAN (for herself, Mr. FRANK of Massachusetts, and Mr. GILLMOR):

H.R. 1675. A bill to suspend the requirements of the Department of Housing and Urban Development regarding electronic filing of previous participation certificates and regarding filing of such certificates with respect to certain low-income housing investors; to the Committee on Financial Services.

By Mr. BOREN (for himself, Mr. FRANK of Massachusetts, Mr. RENZI, and Mr. KILDEE):

H.R. 1676. A bill to reauthorize the program of the Secretary of Housing and Urban Development for loan guarantees for Indian housing; to the Committee on Financial Services.

By Mr. RANGEL (for himself and Mr. LEWIS of Georgia):

H.R. 1677. A bill to amend the Internal Revenue Code of 1986 to enhance taxpayer protections and outreach; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Mr. OBERSTAR, Mr. UDALL of Colorado, Mr. MICHAUD, Mr. MCGOVERN, Mr. FORTENBERRY, Mr. PITTS, Mr. WOLF, Ms. MCCOLLUM of Minnesota, Mr. BERMAN, Mr. EMANUEL, Mrs. MALONEY of New York, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. DEFAZIO, Mr. ACKERMAN, Mr. MCNULTY, Ms. WATSON, Mr. UDALL of New Mexico, Mr. RENZI, Mr. GRIJALVA, and Mr. PAYNE):

H.R. 1678. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. BURTON of Indiana, Mr. MAHONEY of Florida, Mr. SIRES, Mr. MACK, Mr. PENCE, Mr. BILIRAKIS, Mr. BUCHANAN, Ms. WASSERMAN SCHULTZ, Mr. FORTUÑO, Mr. MCCOTTER, and Mr. HASTINGS of Florida):

H.R. 1679. A bill to protect the environmental integrity of coral reefs and other coastal marine resources from exploration, development, and production activities for petroleum resources located in a maritime exclusive economic zone of the United States that is contiguous to a foreign exclusive economic zone; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Financial Services, and Oversight and Government Reform, 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. THOMPSON of Mississippi (for himself, Mr. KING of New York, Mr. LANGEVIN, Mr. MCCAUL of Texas, Mr. ETHERIDGE, Mr. DENT, Ms. LORETTA SANCHEZ of California, and Ms. JACKSON-LEE of Texas):

H.R. 1680. A bill to authorize the Secretary of Homeland Security to regulate the sale of ammonium nitrate to prevent and deter the acquisition of ammonium nitrate by terrorists; to the Committee on Homeland Security.

By Mr. LANTOS (for himself, Ms. ROS-LEHTINEN, Mr. FLAKE, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Mr. ACKERMAN, Mr. SIRES, and Mr. SCOTT of Georgia):

H.R. 1681. A bill to amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American National Red Cross in the 21st century, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRANK of Massachusetts (for himself, Mrs. BIGGERT, Mr. BLUMENAUER, Ms. WATERS, Mr. TAYLOR, Ms. MATSUI, Mr. MAHONEY of Florida, Ms. WASSERMAN SCHULTZ, Mr. BAKER, Mr. GARY G. MILLER of California, Mrs. JO ANN DAVIS of Virginia, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 1682. A bill to restore the financial solvency of the national flood insurance program, and for other purposes; to the Committee on Financial Services.

By Mr. HOEKSTRA (for himself, Mr. STUPAK, Mr. LARSEN of Washington, Mr. SOUDER, Mr. EHLERS, Mr. UPTON, Mr. BOOZMAN, Mr. MCHUGH, Mr. GILLMOR, Mr. CHABOT, Mr. VAN HOLLEN, Mr. MCCOTTER, Ms. KAPTUR, Mr. RYAN of Ohio, Mr. LATHAM, Mr. NUNES, Mr. RADANOVICH, and Mr. CAMP of Michigan):

H.R. 1683. A bill to amend the Public Health Service Act to provide for community projects that will reduce the number of individuals who are uninsured with respect to health care, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi (for himself, Mr. KING of New York, Mr. CARNEY, Mr. ROGERS of Alabama, Mr. ETHERIDGE, Mr. LANGEVIN, Mr. CUELLAR, Ms. CLARKE, and Ms. LORETTA SANCHEZ of California):

H.R. 1684. A bill to authorize appropriations for the Department of Homeland Security for fiscal year 2008, and for other purposes; to the Committee on Homeland Security.

By Mr. PRICE of Georgia:

H.R. 1685. A bill to protect information relating to consumers, to require notice of security breaches, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ETHERIDGE (for himself, Mr. ROGERS of Alabama, and Mr. THOMPSON of Mississippi):

H.R. 1686. A bill to amend the Homeland Security Act to require that uniforms, protective gear, badges, and identification cards of personnel be manufactured in the United States; to the Committee on Homeland Security.

By Mr. KIND (for himself, Mr. REGULA, Ms. HOOLEY, Mr. ROGERS of Alabama, Mr. SPRATT, Mr. MCDERMOTT, Mr. INSLEE, Mr. BOSWELL, Mr. TOWNS, Mr. SESSIONS, Mr. GORDON, Mr. ORTIZ, Mr. LATOURETTE, Mr. HIGGINS, Mr. WALSH of New York, Mr. COBLE, Mr. SHAYS, Mr. WELLER, Mr. KUHL of New York, Ms. WATSON, Mr. GRIJALVA, Ms. LEE, Mr. CARNAHAN, Mr. MOLLOHAN, Mr. PRICE of North Carolina, Mr. NADLER, Mr. PETRI, Mr. DOYLE, Ms. SCHAKOWSKY, Mr. ISRAEL, Ms. SUTTON, and Ms. BALDWIN):

H.R. 1687. A bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes; to the Committee on Education and Labor.

By Mr. SCOTT of Virginia:

H.R. 1688. A bill to amend the Social Security Act to provide health insurance coverage for children and pregnant women throughout the United States by combining the children and pregnant woman health coverage under Medicaid and SCHIP into a new All Healthy Children Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLER:

H.R. 1689. A bill to provide support to combat illegal downloading on college and university campuses; to the Committee on Education and Labor.

By Mrs. LOWEY:

H.R. 1690. A bill to improve airport screening and security; to the Committee on Homeland Security.

By Mrs. LOWEY (for herself, Mr. SHAYS, Mr. CROWLEY, Mr. DEFAZIO, Mr. GRIJALVA, Mr. FRANK of Massachusetts, Ms. BERKLEY, and Mr. MCNULTY):

H.R. 1691. A bill to end the use of conventional steel-jawed leghold traps on animals

in the United States; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Foreign Affairs, and the Judiciary, 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. PALLONE:

H.R. 1692. A bill to fight criminal gangs; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. COHEN, Ms. SUTTON, Mr. SIRES, Mrs. LOWEY, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, and Mr. CLAY):

H.R. 1693. A bill to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia at Constitution Gardens previously approved to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution; to the Committee on Natural Resources.

By Mr. REICHERT:

H.R. 1694. A bill to improve the financial assistance provided to State, local, and tribal governments by expanding the eligible use of funding under the Homeland Security Grant Program to include costs related to staff and law enforcement analysts engaged in information and intelligence sharing activities; to the Committee on Homeland Security.

By Mr. REICHERT:

H.R. 1695. A bill to establish a National Commission on the Prevention of Radicalization, to enhance information sharing, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REYES:

H.R. 1696. A bill to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo tribe to determine blood quantum requirement for membership in that Tribe; to the Committee on Natural Resources.

By Mr. ROGERS of Alabama (for himself, Mr. DAVID DAVIS of Tennessee, and Mr. JINDAL):

H.R. 1697. A bill to establish a Rural Policing Institute within the Federal Law Enforcement Training Center of the Department of Homeland Security to develop and provide for training programs for rural law enforcement agencies; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY (for herself, Mrs. MCCARTHY of New York, and Mr. GRIJALVA):

H.R. 1698. A bill to direct the Consumer Product Safety Commission to promulgate a consumer product safety standard for each durable infant or toddler product, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself and Mr. UPTON):

H.R. 1699. A bill to direct the Consumer Product Safety Commission to require certain manufacturers to provide consumer product registration forms to facilitate recalls of durable infant and toddler products; to the Committee on Energy and Commerce.

By Mr. WEINER (for himself, Mr. SCOTT of Virginia, and Mr. KELLER):

H.R. 1700. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes; to the Committee on the Judiciary.

By Mr. WELDON of Florida (for himself, Mr. NUNES, and Mr. SHAYS):

H.R. 1701. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from the harbor maintenance tax for certain shipping between United States mainland ports; to the Committee on Ways and Means.

By Ms. WOOLSEY (for herself, Ms. LEE, Mr. KUCINICH, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. SERRANO, Mr. STARK, Mr. BECERRA, Ms. CARSON, Mrs. CHRISTENSEN, Mr. ELLISON, Mr. FILNER, Mr. GUTIERREZ, Mr. HINCHEY, Mr. HONDA, Ms. KAPTUR, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. RUSH, Ms. SOLIS, and Ms. WATSON):

H.R. 1702. A bill to reallocate funds toward sensible priorities such as improved children's education, increased children's access to health care, expanded job training, and increased energy efficiency and conservation through a reduction of wasteful defense spending, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Energy and Commerce, Education and Labor, Homeland Security, Foreign Affairs, and 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 Mr. YOUNG of Alaska:

H.R. 1703. A bill to establish a coordinated avalanche protection program, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Oversight and Government Reform, 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. LANTOS (for himself, Mr. FORTENBERRY, Ms. ROS-LEHTINEN, Mr. PAYNE, Mr. SMITH of New Jersey, Mr. HASTINGS of Florida, Mr. ROYCE, Mr. JACKSON of Illinois, Mr. PITTS, Mr. MORAN of Virginia, Mr. DOOLITTLE, Ms. WATSON, Mr. FORTUÑO, Mr. RUSH, Mr. SCOTT of Georgia, Mr. KENNEDY, Mr. BERMAN, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Mr. Engel, Mr. FATTAH, Ms. CORRINE BROWN of Florida, Mr. JEFFERSON, Mr. SMITH of Washington, Mr. ABERCROMBIE, Mr. UDALL of Colorado, Ms. WOOLSEY, Mr. BURTON of Indiana, Mr. SHERMAN and Mr. BLAUMENAUER:)

H. Con. Res. 100. A concurrent resolution condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society; to the Committee on foreign Affairs.

By Ms. SHEA-PORTER (for herself, Mrs. DAVIS of California, Ms. LEE, Mr. RODRIGUEZ, Ms. SCHWARTZ, Mr. TOWNS, and Mrs. JONES of Ohio):

H. Res. 266. A resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on Education and Labor.

By Mr. KIRK (for himself, Mr. ANDREWS, Mr. SCOTT of Georgia, Mr. TIM MURPHY of Pennsylvania, Mr. SESTAK, Mr. KLEIN of Florida, Mr. CROWLEY, Mr. ENGEL, Mr. WEXLER, Mr. SIRES, Ms. LINDA T. SÁNCHEZ of California, Mr. BOOZMAN, Mr. CHABOT, Mr. MACK, Mr. BURTON of Indiana, Mr. MCCOTTER, Mr. HASTINGS of Florida, Mr. BOUSTANY, Mr. PATRICK MURPHY of Pennsylvania, Mr. SHIMKUS, Mr. CANTOR, Mr. ENGLISH of Pennsylvania, Mr. ISRAEL, Mr. MILLER of Florida, Mr. CARNAHAN, Ms. BEAN, Mr. BARROW, Ms. WASSERMAN SCHULTZ, Mr. MELANCON, Mr. LOBIONDO, Mr. CONAWAY, Mr. LYNCH, Mr. MAHONEY of Florida, Mr. MCNERNEY, Mr. FOSSELLA, Mr. KUHL of New York, Mr. SESSIONS, Mr. PENCE, Mr. GARRETT of New Jersey, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PLATTS, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. SHUSTER, Mr. PORTER, Mr. KNOLLENBERG, Mr. FEENEY, Mr. CANNON, Mr. MARIO DIAZ-BALART of Florida, Mr. CAMPBELL of California, Mr. GOODLATTE, Ms. SCHAKOWSKY, Mr. CULBERSON, Mr. CRENSHAW, Mrs. TAUSCHER, Mrs. MILLER of Michigan, Mr. RENZI, Mr. YOUNG of Florida, Ms. GIFFORDS, and Mr. JORDAN):

H. Res. 267. A resolution calling for the immediate and unconditional release of British marines and sailors held captive by Iran, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCINTYRE (for himself and Mr. PITTS):

H. Res. 268. A resolution supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; to the Committee on Education and Labor.

By Mr. BURGESS:

H. Res. 271. A resolution recognizing the heroism and sacrifice of Medal of Honor recipients, commending the efforts of the Medal of Honor Host City Program in Gainesville, Texas, to celebrate and honor the contributions of Medal of Honor recipients, and encouraging the expansion of the program; to the Committee on Armed Services.

By Ms. LEE (for herself, Mr. PAYNE, Mr. HASTINGS of Florida, Mr. MCDERMOTT, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. BUTTERFIELD, Mr. SCHIFF, Mr. ELLISON, Mr. FATTAH, Mr. LEWIS of Georgia, Mr. GRIJALVA, Mr. SERRANO, Mr. ENGEL, Mr. DAVIS of Illinois, and Ms. KILPATRICK):

H. Res. 272. A resolution commemorating the 200th anniversary of the abolition of the transatlantic slave trade; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. STUPAK introduced a bill (H.R. 1704) for the relief of Robert and Verda Shatusky; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 20: Mr. WAXMAN.

H.R. 23: Mr. SPACE, Ms. HARMAN, Mr. SHAYS, Mr. PASCRELL, MRS. BLACKBURN, Mr. MILLER of Florida, Mr. WALZ of Minnesota, Mr. OLVER, Mr. STARK, Mr. WESTMORELAND, Mr. DAVID DAVIS of Tennessee, Mr. KING of New York, Mr. BROWN of South Carolina, and Mr. PETERSON of Minnesota.

H.R. 39: Ms. SHEA-PORTER.

H.R. 45: Mr. MCGOVERN, Mr. BURGESS, and Ms. SCHAKOWSKY.

H.R. 66: Mr. SCOTT of Georgia, Mr. MILLER of North Carolina, and Mr. BUTTERFIELD.

H.R. 74: Mr. LATHAM and Mr. BLUMENAUER.
H.R. 89: Mr. REYES.
H.R. 146: Ms. GIFFORDS.
H.R. 191: Mr. DOOLITTLE.
H.R. 192: Mr. DOOLITTLE.
H.R. 193: Mr. BARTLETT of Maryland.
H.R. 234: Mr. WAXMAN, and Mr. MCNERNEY.
H.R. 303: Mr. WOLF, Ms. HARMAN, Mr. SCOTT of Georgia, Mr. DAVID DAVIS of Tennessee, Mr. COURTNEY, Mrs. EMERSON, and Mr. OLVER.
H.R. 315: Mr. HASTINGS of Washington.
H.R. 359: Mr. SHERMAN and Mr. BERMAN.
H.R. 368: Mr. GOODE, Mr. ALTMIRE, Mr. RENZI, Mr. TOWNS, Mr. ROSKAM, Mr. KENNEDY, Ms. LORETTA SANCHEZ of California, Mr. MICHAUD, Mr. CLEAVER, Mr. ROTHMAN, Mr. BACHUS, and Mr. CAPUANO.
H.R. 410: Mr. TOWNS.
H.R. 418: Mr. PORTER.
H.R. 462: Mr. BARTLETT of Maryland.
H.R. 463: Mr. COURTNEY.
H.R. 473: Mrs. MCMORRIS RODGERS and Mr. PLATTS.
H.R. 477: Ms. MCCOLLUM of Minnesota, Mr. JINDAL, and Mr. YARMUTH.
H.R. 493: Mr. DAVIS of Alabama and Mr. HILL.
H.R. 550: Mr. EHLERS, Mr. MOORE of Kansas, Mr. WOLF, Ms. ESHOO, Mr. DOGGETT, Ms. BERKLEY, Mr. LARSON of Connecticut, Mr. HOLT, Mr. DOOLITTLE, Mrs. WILSON of New Mexico, and Mr. SMITH of New Jersey.
H.R. 552: Mr. GILCHREST, Mr. HOLDEN, and Mr. DOYLE.
H.R. 620: Mr. SARBANES.
H.R. 649: Mr. PORTER.
H.R. 657: Mr. PASTOR and Mr. MILLER of Florida.
H.R. 661: Mr. PASCRELL and Mr. LARSON of Connecticut.
H.R. 670: Mr. WILSON of South Carolina.
H.R. 684: Ms. HIRONO.
H.R. 695: Mr. HOLT, Mr. MCCOTTER, Mr. MOORE of Kansas, and Mrs. EMERSON.
H.R. 699: Mrs. BACHMANN and Mr. LOBIONDO.
H.R. 704: Mr. MILLER of Florida.
H.R. 718: Mr. MCINTYRE, Mr. BRALEY of Iowa, Mr. SHULER, Mr. JONES of North Carolina, Mr. BAIRD, Mr. COURTNEY, Mr. BLUMENAUER, and Mr. FILNER.
H.R. 727: Mr. BOUSTANY.
H.R. 748: Mr. OBERSTAR, Mr. HALL of Texas, and Mr. FARR.
H.R. 758: Mrs. CAPPS.
H.R. 760: Mr. LAMPSON.
H.R. 808: Mr. MARKEY.
H.R. 816: Ms. BERKLEY.
H.R. 819: Mrs. BIGGERT and Mrs. GILLIBRAND.
H.R. 869: Ms. ZOE LOFGREN of California.
H.R. 881: Mr. GOODE.
H.R. 901: Mr. BOUCHER.
H.R. 913: Ms. ROS-LEHTINEN.
H.R. 943: Mr. ABERCROMBIE, Mr. WEXLER, Mr. LOBIONDO, Ms. KAPTUR, Mr. HOLDEN, and Mr. PAYNE.
H.R. 971: Mr. EDWARDS, Mr. JINDAL, Ms. SLAUGHTER, and Mr. STUPAK.
H.R. 997: Mr. MCKEON, Mr. GILCHREST, Mrs. MILLER of Michigan, Mr. MCCRERY, Mr. BISHOP of Utah, Mr. ROYCE, Mr. DAVIS of Kentucky, and Mr. ROGERS of Kentucky.
H.R. 1038: Mr. THORNBERRY, Ms. NORTON, Mr. HOLDEN, and Mr. COHEN.
H.R. 1042: Mr. FLAKE.
H.R. 1051: Ms. SCHAKOWSKY.
H.R. 1056: Mr. BARTLETT of Maryland.
H.R. 1058: Mr. BARTLETT of Maryland.
H.R. 1061: Mr. BAIRD and Ms. BALDWIN.
H.R. 1063: Mr. MARSHALL and Mr. ALEXANDER.
H.R. 1073: Mr. PRICE of North Carolina, Mr. HOLT, Mrs. MILLER of Michigan, Ms. SCHAKOWSKY, Mr. MURTHA, Mr. MCGOVERN, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1074: Mr. HILL and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1078: Mr. MORAN of Virginia, Mr. ROTHMAN, Mr. WEXLER, and Mr. ISRAEL.
H.R. 1093: Mr. BOUSTANY, Ms. WASSERMAN SCHULTZ, Mr. MICA, and Ms. CORRINE BROWN of Florida.
H.R. 1094: Mr. ALEXANDER.
H.R. 1103: Mr. GRIJALVA, Mr. SERRANO, Ms. JACKSON-LEE of Texas, and Mr. KUCINICH.
H.R. 1108: Mr. MARSHALL and Mr. CROWLEY.
H.R. 1117: Mr. CUMMINGS, Mr. HODES, and Ms. SHEA-PORTER.
H.R. 1120: Mr. WALBERG, Mr. CARNEY, Mr. PATRICK MURPHY of Pennsylvania, Mr. COLE of Oklahoma, Mr. MCCARTHY of California, Mr. GINGREY, Mr. PRICE of North Carolina, and Mr. TERRY.
H.R. 1121: Mr. MILLER of Florida.
H.R. 1122: Mr. MILLER of Florida.
H.R. 1139: Mr. DREIER and Mrs. NAPOLITANO.
H.R. 1146: Mr. SAM JOHNSON of Texas.
H.R. 1157: Mr. SMITH of New Jersey, Mrs. SCHMIDT, Mr. KANJORSKI, Mr. LATHAM, and Mr. RODRIGUEZ.
H.R. 1187: Ms. MCCOLLUM of Minnesota.
H.R. 1216: Mr. MORAN of Kansas, Mrs. MCCARTHY of New York, Mr. ISRAEL, and Mr. WEXLER.
H.R. 1222: Mr. BOSWELL, Mr. MARSHALL, and Mr. NADLER.
H.R. 1223: Mr. BOSWELL and Mr. NADLER.
H.R. 1225: Mr. LEVIN.
H.R. 1228: Mr. NADLER.
H.R. 1246: Mr. PRICE of North Carolina.
H.R. 1250: Mr. PEARCE.
H.R. 1280: Mr. FILNER and Mr. LARSON of Connecticut.
H.R. 1281: Mrs. NAPOLITANO and Mr. LEVIN.
H.R. 1289: Mr. GRIJALVA.
H.R. 1314: Mr. WICKER, Mr. BROWN of South Carolina, Mr. BILIRAKIS, Mr. KING of Iowa, and Mr. CRENSHAW.
H.R. 1324: Mr. MILLER of Florida.
H.R. 1330: Ms. GIFFORDS and Mrs. EMERSON.
H.R. 1346: Mr. WAXMAN and Mr. NADLER.
H.R. 1347: Ms. SHEA-PORTER.
H.R. 1353: Mr. ISRAEL and Mr. WEXLER.
H.R. 1363: Mr. MCDERMOTT, Mr. NADLER, and Ms. SUTTON.
H.R. 1380: Mr. MCDERMOTT.
H.R. 1391: Ms. JACKSON-LEE of Texas and Mr. ISRAEL.
H.R. 1392: Ms. GINNY BROWN-WAITE of Florida.
H.R. 1413: Mrs. MCCARTHY of New York.
H.R. 1422: Mr. RAHALL and Mr. BLUMENAUER.
H.R. 1434: Mr. KAGEN, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mr. MOORE of Kansas, Ms. JACKSON-LEE of Texas, Ms. BORDALLO, and Mr. WOLF.
H.R. 1441: Mr. BERMAN, Mr. BAIRD, and Mr. WEXLER.
H.R. 1448: Mr. GRIJALVA and Mr. WEXLER.
H.R. 1469: Mr. COSTELLO, Mr. SCOTT of Georgia, Ms. HOOLEY, Mr. WEXLER, Mr. WU, and Mr. DEFAZIO.
H.R. 1474: Mr. WOLF, Mr. MCINTYRE, Mr. BONNER, Mr. MOORE of Kansas, and Mr. MARSHALL.
H.R. 1479: Mr. NADLER.
H.R. 1493: Mrs. MILLER of Michigan.
H.R. 1498: Mr. GORDON.
H.R. 1506: Mr. PAYNE, Mr. MCNULTY, Mr. TAYLOR, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. SCHIFF, Ms. BALDWIN, Mr. ROTHMAN, Mr. HINCHEY, and Mr. NADLER.
H.R. 1524: Mr. LEVIN.
H.R. 1543: Mr. HOLDEN, and Ms. ROS-LEHTINEN.
H.R. 1551: Mr. RANGEL, Mr. ROTHMAN, Mr. ISRAEL, and Mr. MCHUGH.
H.R. 1554: Mr. PAUL.
H.R. 1560: Mr. WEXLER, Mr. WAXMAN, Mr. FILNER, and Mr. LOBIONDO.
H.R. 1565: Mr. FRANK of Massachusetts.
H.R. 1566: Mr. SERRANO.
H.R. 1576: Mr. SCHIFF, Mrs. MILLER of Michigan, Mr. DINGELL, and Mr. PLATTS.
H.R. 1586: Ms. FOXX, Mrs. DRAKE, Mr. SMITH of Texas, Mr. SHIMKUS, Mr. GERLACH, Mr. GARRETT of New Jersey, Mr. GARY G. MILLER of California, Mr. WAMP, Mr. RADANOVICH, Mr. TURNER, Mr. HENSARLING, Mr. BOOZMAN, and Mr. JORDAN.
H.R. 1588: Mr. MCNULTY.
H.R. 1595: Mr. GEORGE MILLER of California, Mr. LANTOS, Mr. SCOTT of Virginia, Ms. VELÁZQUEZ, Ms. LORETTA SANCHEZ of California, Mr. RODRIGUEZ, Ms. BERKLEY, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Mr. UDALL of Colorado, Mr. WU, Mrs. DAVIS of California, Mr. MILLER of Florida, and Mr. BUTTERFIELD.
H.R. 1633: Mr. COHEN.
H.R. 1640: Mr. BLUNT and Mr. TURNER.
H.R. 1645: Mr. HONDA and Ms. VELÁZQUEZ.
H.R. 1660: Mr. UDALL of Colorado and Mr. PERLMUTTER.
H.J. Res. 12: Mr. JINDAL.
H.J. Res. 14: Mr. SMITH of Washington.
H.J. Res. 37: Ms. SCHAKOWSKY.
H.J. Res. 39: Mr. MCCOTTER, Mr. FARR, and Mr. COHEN.
H. Con. Res. 28: Mr. LAMPSON.
H. Con. Res. 37: Mr. SESSIONS.
H. Con. Res. 49: Mr. PEARCE, Mr. WATT, Mr. PORTER, and Mr. BOREN.
H. Con. Res. 60: Mr. BOYD of Florida.
H. Con. Res. 68: Mr. ARCURI, Mr. PASCRELL, Mr. LANTOS, Mrs. BONO, Mr. PALLONE, Mr. FERGUSON, Mr. CAPUANO, Mr. RYAN of Ohio, Mr. SERRANO, Mr. KING of New York, and Mr. DAVIS of Illinois.
H. Con. Res. 75: Mr. JOHNSON of Georgia.
H. Con. Res. 85: Mr. HASTINGS of Florida.
H. Con. Res. 87: Mr. GALLEGLY, Mr. KLEIN of Florida, Mrs. LOWEY, Mr. WOLF, Mr. SHULER, and Mr. WYNN.
H. Con. Res. 92: Mr. WEXLER.
H. Res. 20: Mr. DOGGETT.
H. Res. 37: Mr. BECERRA.
H. Res. 55: Mrs. NAPOLITANO and Mr. FATTAH.
H. Res. 100: Mr. OBERSTAR.
H. Res. 119: Ms. HIRONO, Mr. INGLIS of South Carolina, and Mr. PETERSON of Minnesota.
H. Res. 121: Mr. JEFFERSON, Mr. FATTAH, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, Mr. HOLDEN, Mr. LARSON of Connecticut, and Mr. DOYLE.
H. Res. 154: Mr. MEEKS of New York, Mr. DOYLE, and Ms. JACKSON-LEE of Texas.
H. Res. 158: Mr. TANCREDO and Mr. CRENSHAW.
H. Res. 169: Mr. ELLSWORTH.
H. Res. 179: Mrs. WILSON of New Mexico, Ms. NORTON, Mr. LINCOLN DAVIS of Tennessee, Mr. NADLER, Mr. SOUDER, Mr. PAYNE, Mr. MCINTYRE, Mr. STARK, Mr. EMANUEL, and Mr. SHULER.
H. Res. 196: Mr. BAIRD.
H. Res. 197: Mr. STARK.
H. Res. 221: Mr. WATT.
H. Res. 231: Mrs. BACHMANN and Mr. MILLER of Florida.
H. Res. 233: Mr. LEWIS of Georgia.
H. Res. 235: Mr. ENGEL, Mrs. TAUSCHER, Mr. ISRAEL, Mr. BURTON of Indiana, Mr. MCNULTY, Mr. BROWN of South Carolina, Mr. BERMAN, Mr. WEINER, Mr. TOWNS, Ms. CORRINE BROWN of Florida, and Mr. BOYD of Florida.
H. Res. 243: Mr. MORAN of Virginia.
H. Res. 250: Mrs. BACHMANN, Mr. HASTERT, Mr. CANNON, Mr. ROGERS of Michigan, Mr. BURTON of Indiana, Mr. SMITH of Texas, Mr. GINGREY, Mr. PITTS, Mr. SENSENBRENNER, and Mr. CAMPBELL of California.
H. Res. 259: Mr. SALAZAR, Mr. SAXTON, Mr. KUHL of New York, Ms. SCHAKOWSKY, Mr. STUPAK, Mr. BLUMENAUER, Mr. BISHOP of Georgia, Mr. SHAYS, and Mr. MATHESON.
H. Res. 264: Mr. TOM DAVIS of Virginia.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

THE HONORABLE JAMES L. OBERSTAR,

COMPLIANCE WITH RULE XI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives. It is not clear if the definition of ''congressional earmark'' under clause 9(d) of rule XXI applies to technical corrections to SAFETEA–LU projects because these technical corrections do not provide new budget authority for such projects.

However, in the interests of full disclosure and transparency, the Committee has required Members of Congress to comply with all requirements of clause 9(d), 9(e), or 9(f) of rule XXI. The table included in House Report 110–62 provides a list of such provisions included in the bill. The following table provides a list of such additional provisions included in the bill, as amended, that the House of Representatives considers today:

H.R. 1195 Section	SAFETEA–LU Section	Legislative provision	Requested by
§ 105(a)(232)	§ 1702(2193)	In item number 2193 by striking the project description and by inserting ''710 Freeway Study to comprehensively evaluate the technical feasibility of a tunnel alternative to close the 710 Freeway gap, considering all practicable routes, in addition to any potential route previously considered, and with no funds to be used for preliminary engineering or environmental review except to the extent necessary to determine feasibility''.	Adam Schiff.
§ 105(a)(233)	§ 1702(2445)	In item number 2445 by striking the project description and by inserting ''$600,000 for road and pedestrian safety improvements on Main Street in the Village of Patchogue; $900,000 for road and pedestrian safety improvements on Montauk Highway, between NYS Route 112 and Suffolk County Road 101 in Suffolk County''.	Timothy H. Bishop.
§ 105(a)(234)	§ 1702(346)	In item number 346 by striking the project description and by inserting ''Hansen Dam Recreation Area access improvements including hillside stabilization and parking lot rehabilitation along Osborne Street between Glenoaks Boulevard and Dronfield Avenue''.	Howard L. Berman.
§ 105(a)(235)	§ 1702(449)	In item number 449 by striking the project description and inserting ''Route 30 and Mount Pleasant Road Interchange Safety Improvements, Westmoreland County, install light installations at intersection and consolidate entrances and exits to Route 30''.	Tim Murphy.
§ 110(3)	§ 1934(c)(451)	By striking item number 451	Luis G. Fortuño.
§ 110(4)	§ 1934(c)(452)	In item number 452 by striking ''$2,000,000'' and inserting ''$3,000,000''.	Luis G. Fortuño.
§ 201(o)(4)(A)(xii)	§ 3044(a)(57)	In item number 57 by striking the project description and inserting ''Wilmington, NC, maintenance/operations and administration/transfer facilities''.	Mike McIntyre.
§ 201(o)(6)	§ 3043(b)(33)	San Gabriel Valley—Gold Line Foothill Extension Phase II.—In evaluating the local share of the San Gabriel Valley—Gold Line Foothill Extension Phase II project authorized by section 3043(b)(33) of such Act (119 Stat. 1642) in the new starts rating process, the Secretary of Transportation shall give consideration to project elements of the San Gabriel Valley—Gold Line Foothill Extension Phase I project advanced with 100 percent non-Federal funds.	Adam Schiff and David Dreier.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, MONDAY, MARCH 26, 2007 No. 52

Senate

The Senate met at 2:30 p.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, whose power moves in the changes of the seasons and in the circuit of the stars, let Your gentle strength live in each of our hearts.

Today, infuse our Senators with Your wisdom so that in their coming and going they will walk in the path of Your will. Lord, keep them faithful. Amid the haste and hurry of their labors this week, remind them to spend time with You so that they experience You as the joy and strength of true living. Quicken their faith and hope; give them Your perfect calm as they aspire to honor You. Make their lives a gift of Your love to a hurting world.

Much like the gift of Bishop Gilbert Earl Patterson, Lord, we thank You and praise You for his life and witness. Today, comfort the millions who are mourning his death. We humbly pray these things in the Name of Him who was in the beginning and will be in the end. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 26, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there be an extra 30 minutes for morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, this afternoon, the Senate will be in a period for morning business. At 3:30 p.m., the Senate will proceed to consideration of the supplemental appropriations bill, H.R. 1591. As I announced earlier, there will be no rollcall votes today. This week is slated to be the last week of the work period prior to the Easter recess. However, we must work toward finishing the supplemental before we can do this, and I am going to be meeting in the next few minutes with the distinguished Republican leader to see if that is possible to do.

MEASURE PLACED ON THE CALENDAR—H.R. 545

Mr. REID. Mr. President, it is my understanding that H.R. 545 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for a second time.

The bill clerk read as follows:

A bill (H.R. 545) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

Mr. REID. Mr. President, I now object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The measure will be placed on the calendar.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 3:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I wish to make a brief statement, but I believe the majority leader may have one as well.

Mr. REID. Please, go ahead.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL

Mr. McCONNELL. Mr. President, the House of Representatives passed an emergency war spending bill on Friday that includes tens of billions of dollars for projects that have no connection whatsoever to the needs of our troops in Iraq and Afghanistan, that tells U.S. generals how to do their jobs, and which pulls out of thin air a date for evacuating U.S. troops from Iraq.

It was meant to send a message to the Commander in Chief, but its only real effect is to delay the delivery of urgent material support to our troops. The President has said he will veto any legislation that includes a surrender date and which substitutes the judgment of politicians in Washington for the judgment of commanders in the field. Those who voted for the House spending bill on Friday, therefore, knew it had no chance of being approved. It was an empty promise to the troops.

The Constitution gives Members of Congress a concrete way of expressing their opposition to a war, and that is to vote against funding it. But House Democrats are trying to have it both ways: They call their bill a statement against the very war it continues to fund, a promise of support for the troops that has no chance of being signed.

Who loses out in this strange calculus? American soldiers and marines deployed in Afghanistan and Iraq and their worried families here at home are the losers.

The Secretary of Defense said as much last week. He said delaying the approval of funds would slow the training of units already headed into Iraq and reduce the funds available for repairs to buildings and equipment. He said it would force the Army to consider cutting funds for renovations to barracks and cut off repairs to equipment that is needed to support troop deployment training.

The House brushed these concerns aside to express a point of view. But troops who have been sent into battle with assurances of support got another message: Don't count on it from us.

Some have said the Senate version of the war spending bill is more palatable. They say this because its date for withdrawal is only a goal. They think that by retaining this provision, they will eventually force Republicans to accept the notion that battlefield commanders should be tied to arbitrary timelines. Believe me, they are wrong.

The week before last, we prevented legislation that would have told our enemies the date on which we will give up. A majority in the Senate showed it won't approve a bill that shares our battle plan with the enemy or which tells soldiers and commanders how to do their jobs.

We won't let timelines be used as the toll booth for getting aid to the troops, and we need to send the President a bill that doesn't include them so he can sign it without delay. I urge my colleagues to put an end to this unfortunate and misguided effort to set an arbitrary date upon which to withdraw from Iraq and to strip language from this emergency spending bill that only guarantees our troops will have to wait for the help they need and the support they deserve.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Mr. REID. Mr. President, the first 3 months of the 110th Congress have been very productive. We have shown the American people that when Democrats and Republicans work together results flow. It is interesting, when that happens, there are a lot of positives that can be said by both parties. When we don't accomplish something, there is a lot of criticism that is shared by both parties.

This productive work began in January when we passed the ethics bill, the most sweeping reform in the history of our country. Next we worked to raise the minimum wage for the first time in a decade. After minimum wage, we finished the fiscal work of the last Congress, the 109th Congress, by passing a responsible continuing resolution with no earmarks. Then we went to homeland security and ensured that 5 years after 9/11, all the recommendations of the 9/11 Commission will be implemented. Last week, we passed a balanced budget which includes over $180 billion in tax breaks for middle-class families and says in the future, if you are going to lower taxes, if you are going to increase spending, you have to have some way to pay for it. Ethics, minimum wage, the continuing resolution, the 9/11 recommendations and the budget—it is a record of which all of us can be proud. But, of course, we have so much more to do. From stem cell to immigration to energy, there are challenges ahead, and this week the Senate will turn its attention to the most pressing challenge of them all—the debacle of Iraq.

Today we begin consideration of the 2007 supplemental appropriations bill. This legislation includes more than $121 billion. The vast majority—90 percent of it—is for the wars in Iraq and Afghanistan. It is also for enhancing military readiness generally, for improving veterans health care—and certainly in the wake of Walter Reed and other scandals regarding how veterans are being taken care of, this is certainly something that is necessary—for national priorities such as rebuilding the gulf coast and homeland security and I mention, Mr. President, drought assistance, farm disaster.

In the western part of the United States, because of this global climate change, we have had millions—I am speaking directly—millions, not thousands, but millions—of acres burned, and unless we figure out some way to restore that vegetation, that land is going foul, to say the least. That is what this is all about—farm aid assistance. Willie Nelson could sing for weeks about the need for this assistance to take place in the West. I am not an expert on wheat, corn, rice, and all those other products—a lot of people here are—but I am about rangelands and what has happened to Nevada.

The bill contains critical money, as I have indicated, for our troops. We need to get the money to them as quickly as we can. Our troops are serving under difficult conditions. The Senate will ensure they have everything they need to continue this fight as we have done.

Our support, though, for the troops does not stop at funding. We must also ensure our soldiers have a strategy for success. The Democratic-controlled Congress is listening to the American people and fighting to give our troops what they need and strategy—strategy worthy of their sacrifices. That is why in addition to the much needed changes for our troops, the bill also contains a strong message for President Bush: Change course in Iraq.

My friend, the distinguished Republican leader, criticized what is in this bill that will be reported to the floor shortly, saying it is not good for the troops. David Brooks, the very conservative editorial writer for the New York Times, said last Friday on the ''Jim Lehrer NewsHour'': This is ridiculous for anyone to criticize a democracy for debating the most important issue of the day, the war in Iraq. The very conservative David Brooks said this is what democracies are all about. The troops over there know this is good.

I have my BlackBerry on my hip. Someone BlackBerried his friend, one of my staff members, who is a full colonel in the Army National Guard out in Nevada. He keeps in touch with his friends. He said what happened in the House and what we put in our bill is good for the troops—this is a soldier e-mailing my friend from Iraq—because it lets the Iraqi Government know we are serious. He went on to say the deadline is important for the Iraqi people and the soldiers, and the Iraqi people know that.

Secretary Gates, when asked about this timeline, provisions in the bill relating to Iraq, said it doesn't affect the troops adversely at all.

Certainly the troops know we care about them. We give them everything they need. But last week, we entered the fifth year of this war. Think about that, the fifth year of this war, and there is no end in sight, I am sorry to say. The news this morning, when I first got up, was five more soldiers were killed yesterday, 238 this year alone. March 26, 238 dead Americans, just like the boy Raul Bravo, from Elco, NV. I talked to his mother—237 just like that young man. Three thousand two hundred forty-one so far in this war—dead Americans—25,000

wounded. One hospital in Texas has handled 250 amputations. There are 2,000 double amputees as a result of this war.

The war continues to move in the wrong direction and yet—instead of digging us out of the hole it created in Iraq—instead of stopping this downward spiral of destruction—instead of taking the fight to the terrorists who attacked us on September 11—this White House wants us to keep doing more of the same in Iraq.

In January, President Bush said he would escalate the conflict and send 21,500 new troops for a few months. Of course, we were misled on that. We now know the number is around 30,000, and they will be there indefinitely, and the President has said he might ask for more troops. There is no short-term surge, as the President has described. It is more of the same. The President is placing troops in the middle of an Iraqi sectarian civil war. More military solutions to a problem that General Petraeus, our top commander in Iraq, has said can only be solved politically. Our commander on the ground in Iraq has said that only 20 percent of it can be won militarily. That is not good enough for me. We need to find a new way forward.

If the President will not listen to the generals, if he will not listen to the American people, who have spoken for a new direction, then perhaps he will listen to us, Congress, when we send him a supplemental bill that acknowledges reality in Iraq. We must find a new way forward. The President can swagger all he wants, but we have 3,241 dead Americans.

The Iraq measure in this bill changes the mission of U.S. troops from policing a civil war to counterterror, training, and force protection. It rejects the notion that this war can be won militarily, and it sets a goal of redeploying our troops by March 2008. It includes a requirement for a political, diplomatic, and economic strategy to be implemented in conjunction with the redeployment.

The Iraq language is based on a simple premise: Iraq can be won only politically. In short, it offers a responsible strategy in Iraq that the American people asked for last November 7—a strategy that will enhance our country's ability to wage war on terror.

Contrary to what President Bush believes, the key to success in Iraq is not escalating the conflict by adding tens of thousands of additional troops to trod down the same dangerous road. It is to find a new way forward.

I urge my colleagues to support this supplemental. After 4 years of war, our troops deserve a strategy to help them complete the mission so they can come home.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I wish to thank our leader for his comments about the progress that has been made in the Senate on issues that affect the working middle-class families of this country and also for his responses on the issue of the war in Iraq, where there should be an opportunity, as we focus on the particular amendment, to get into that in greater detail. But I thank him for his very worthwhile comments this afternoon.

NORTHERN IRELAND PEACE PROCESS

Mr. KENNEDY. Mr. President, the leaders of Northern Ireland took another giant step toward lasting peace earlier today when Sinn Fein and the Democratic Unionist Party reached a landmark agreement to share power in a joint administration to be established on May 8. The agreement gives hope to all who have worked so long and so hard to bring unionists and nationalists together in government on a permanent basis.

Prime Minister Ahern of Ireland and Prime Minister Blair of Britain have been strong allies for peace. John Hume and many others have been heroes along the way. But the indispensable persons in this historic agreement today are Gerry Adams, the leader of Sinn Fein, and Ian Paisley, the leader of the Democratic Unionist Party. In reaching this agreement, they have acted to strengthen democracy and create a future of peace and stability for the future of that troubled land.

Today, the people of Northern Ireland salute them both for reaching this new day, and the world congratulates them as well. We know it was not an easy step to take. Their past disagreements have been intense and deep. The challenges they have faced often seemed irreconcilable, and the scars of the past have often seemed impossible to heal. Compromises have been difficult and painful to achieve. But with this agreement, Sinn Fein and the DUP have finally taken the essential step of looking forward together—not backward—and have agreed at long last to work with one another for the future of Northern Ireland.

The eyes of the world will be on them on May 8. All who care about lasting peace and stability look forward to the permanent restoration of the Northern Ireland Government at that time. In a world where political resolution often is elusive, these leaders deserve enormous credit for giving us hope.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I listened with interest to the remarks of the distinguished Senator from Massachusetts. I do, myself, feel a great sense of pleasure and comfort in what has transpired today with regard to Ireland, and I wanted to say so.

THE EMPLOYEE FREE CHOICE ACT

Mr. HATCH. Mr. President, on March 1, the other body passed the horribly misnamed ''Employee Free Choice Act,'' H.R. 800, and we may soon be called upon to consider that bill or a similar Senate counterpart. The bill was steamrolled through the House of Representatives in less than a month from its introduction, with only a single day of subcommittee hearings, at which only one expert witness critical of the bill was permitted to testify. It was considered in the House with only limited amendments allowed to be offered. Obviously, it is incumbent on us to make certain the Senate takes the opportunity for fuller debate on a measure of such wide impact.

The chairman of the Health, Education, Labor, and Pensions Committee has scheduled a hearing tomorrow, where we will undoubtedly hear how ''unfair'' the current unionization system is and how it must be amended to allow for greater unionization. I am sure we will have a full and robust debate in this body. But as we kick off this debate over whether to deny private ballots to workers who wish to unionize, it is my hope we will be able to at least hold fast and true to the facts. There should be a full debate on these facts.

There is ample evidence to indicate that we should be wary of amending the National Labor Relations Act, the NLRA, in a way that would upset the balance in national labor policy between labor and management and employer and employee. We must not rely on slogans, anecdotal stories, and questionable secretly commissioned and selective statistics about alleged unfair labor practices.

The NLRA and its attendant volumes of reported decisions and case precedent by the National Labor Relations Board is an extremely complicated, interwoven area of law. Amending it in the way the sponsors of H.R. 800 envision could rip a gaping hole in the precise weave of this complex fabric and have a dramatic impact with many unintended consequences.

It must also be considered that amending the NLRA will not only affect the welfare of unions, but it will also have a negative overall impact on workers, employers—especially small employers—and on the economy and America's ability to be competitive in a global economy.

So let us begin the discussion of the bill. The Employee Free Choice Act is designed to increase union membership, which currently stands at 7.4 percent of the private sector workforce. The bill would accomplish that through an artificial, union-controlled ''card check'' certification procedure in place of the traditional NLRB-supervised private ballot election or, as

some have called it, a secret ballot election.

In fact, the bill would radically upset the balance in labor and management and employer-employee relations by amending the National Labor Relations Act in three ways:

First, the bill would mandate union representation without a private ballot election among employees. The so-called Employee Free Choice Act mandates that the NLRB certify a union as the exclusive collective bargaining representative of employees when the union has demonstrated that a majority of the employees, 50 percent plus 1, have signed union authorization cards—or, in other words, the ''card check'' system without a private ballot election among employees.

Not only would this deny employees the right of private, NLRB-protected ballot elections on the question of initial union representation, but through operation of the NLRB's current ''certification bar'' doctrine, it would prevent employees from challenging the union's majority status through a decertification election for the certification year.

Secondly, the bill would guarantee union contracts where the Government would impose the wages, the terms, and conditions of employment for 2 years if the parties fail to agree after 90 days of bargaining and 30 days of mediation. That is because the so-called Employee Free Choice Act requires compulsory, binding arbitration of initial union contracts.

Specifically, under the so-called Employee Free Choice Act, an employer must begin bargaining within 10 days of the union's demand. Thereafter, if the union and the employer cannot reach an agreement within 90 days, the contract terms must be submitted to the Federal Mediation and Conciliation Service for a 30-day period of mediation. If the FMCS is unable to mediate an agreement between the parties, then it must refer the initial contract to an FMCS arbitration panel with the authority to issue a decision that is binding on the employer and union for a 2-year period.

Added to current law, the effect would be to deny employees the opportunity to approve, or ratify, the terms of the contract. They would be prevented by the NLRB's ''contract bar'' from initiating a private ballot decertification election challenging the union's continuing majority status for the 2-year term of the contract.

Finally, the bill would impose new antiemployer penalties. These include prioritizing NLRB investigations of unfair labor practice charges alleged to have been committed by an employer during an organizing campaign and possibly pursuing injunctive remedial action in Federal Court.

The proposal also provides for liquidated damages in the amount of two times any back pay found due and owing and subjects an employer to a civil penalty not to exceed $20,000 per violation of the NLRA. As this chart shows, the proponents of the so-called Employee Free Choice Act are asking the American worker to accept the denial of access to complete information about the union, the denial of a private ballot vote, the inability to decertify a union for at least 28 months after it is initially certified, the denial of the right to strike for a better deal after binding arbitration, potentially the denial of an employee's opportunity to vote on a contract, and the denial of knowing if a union is organizing at their place of work.

Let us look at that again. The effect of the Employee Free Choice Act dissolves workers' rights to access to complete information about the union, to vote in secret, to decertify the union for at least 28 months, to strike for a better deal—takes that away from them—to vote on a contract—takes that away from them—and to know if union organizing is taking place. It takes their rights away as workers.

This deceptively named bill has little to do with employee free choice. In fact, it would take away an employee's right to choose union representation through private ballot elections—some say ''secret ballot'' elections—something the unions have always fought for but now are going to throw away in their desire to unionize at all costs. Indeed, it has everything to do with guaranteeing union organizing to increase union membership, at a time when unions represent a steadily declining percentage of America's private sector workforce.

As you can see clearly from this chart, since the modern-day union movement in 1935, when you evaluate their percentage of the overall workforce, unions have had good years, up in here, and they have had many bad years.

As that chart clearly demonstrates, under the current system of NLRB overseeing private ballot elections in recent years, unions have lost membership.

Currently, I must underscore, union membership stands at 7.4 percent of the private sector workforce. Proponents of the Employee Free Choice Act seek to turn back time when it comes to the percentage of the American workforce that is unionized and that they want to be unionized.

I have no inherent problem with a fairly considered, fairly elected union. However, this bill attempts to increase union strength through an artificial, union-controlled ''card check'' certification procedure which tosses away the traditional NLRB-supervised private ballot election.

Where is the problem we are trying to fix? This bill would replace the time-honored, NLRB-protected private ballot election, the traditional system under which workers decide whether to be represented or not represented by a union. Instead, the system would be supplanted with the mandated ''card check'' procedure, where union organizers can pressure employees to sign union authorization cards which are then presented to the NLRB for certification of the union as the exclusive collective bargaining representative of all of the employees.

It is important for us to consider that the U.S. Supreme Court has repeatedly denounced union authorization cards as being ''inherently unreliable'' because of the types of peer pressures, some subtle and some not so subtle or benign, to sign the cards. In its 1969 Gissel Packing decision, the Court acknowledged that the use of authorization cards to determine majority support is unreliable and that private ballot elections are the ''most satisfactory—indeed the preferred method of ascertaining whether a union has majority support.''

Unions, likewise, prefer a NLRB-protected and supervised private ballot election, at least when they are faced with a decertification petition from their members to determine whether the union has majority support. That was demonstrated once again last month by union opposition to a proposed amendment to apply the ''card check'' provisions of the so-called Employee Free Choice Act to decertification elections. That amendment was defeated in the House committee's markup.

As one court stated with regard to ''card check'' authorization:

> It would be difficult to imagine a more unreliable method of ascertaining the real wishes of employees than a ''card check'' unless it were an employer's request for an open show of hands. The one is no more reliable than the other.

That is in the NLRB v. Logan Packing Company of the Fourth Circuit.

It is hard to believe we are seriously considering a bill to deny workers a private ballot vote so soon after the national elections. It is also inconsistent with our Nation's history of promoting private ballot elections for the disenfranchised members of society through the suffragette and civil rights movements, especially when we are fighting for the opportunity of individuals around the world to have the democratic right to a private ballot election that is free of intimidation and coercion.

I am reminded of a statement made on January 31 of this year by my longtime friend and colleague from Massachusetts on the need for fair elections:

> For too long, we've ignored the festering problem of deceptive practices intended to intimidate and deceive voters in our national elections. . . .''

Although I am not able to say this very often, I can say that I am in absolute agreement with my friend on that point. In every election, whether it is for President, local dog catcher, or union organization, we as representatives of the people whom we serve have an obligation to ensure our constituents' votes will be cast without fear of intimidation.

I assert—and I think many also would back this up—that a private ballot election overseen by the NLRB, a

Government agency, has a better chance to be more free and fair than one in which it is left to the union organizers to solicit cards in secret until they receive a majority of 50 plus 1. What happens to the other 49 percent? Are they just disenfranchised? The answer is yes.

Under the ''card check'' system, there is no inducement to allow employees to make an informed decision, learn all the facts, and hear arguments for and against unionization.

It is difficult for me to believe we would be considering a bill which would mandate that the Government impose wages, terms, and conditions of employment where the parties, new to collective bargaining, have not reached agreement after 90 days. This would destroy free collective bargaining and the entire labor law concept of ''impasse'' when the parties are unable to agree. Under the so-called Employee Free Choice Act, for first contracts, ''impasse'' would be defined as 90 days of bargaining before the Government steps in. Even basic labor law textbooks term compulsory binding arbitration as the ''antithesis of collective bargaining.''

These are radical changes in collective bargaining which have little to do with employee free choice. In fact, these amendments would disenfranchise workers by denying them private ballot elections and a vote on whether to accept wages, terms, and conditions the Government arbitration panel would impose on them.

Who would benefit from the passage of the so-called Employee Free Choice Act? I can tell you. Only unions. They would be virtually guaranteed organizing success, increased union membership, and more union dues.

As you can see from this chart, over the past 6 years, unions traditionally win approximately 50 to 60 percent of NLRB-supervised private ballot elections. In contrast, it is reported that ''card check'' elections yield unions success approximately 80 to 85 percent of the time. Who would benefit? I can tell you. Only unions.

Look at that chart again. ''Union Win Rates in Elections.'' The NLRB-supervised election, in 2000, the unions won 51 percent; in 2001, the unions won 54 percent; in 2002, they won 56 percent; in 2003, they won 57 percent; in 2004, they won 57 percent; in 2005, they won 61 percent; and in 2006, they won 61 percent.

Where ''card check'' elections have been held—because the employers have agreed to them, I guess, because they are certainly not law yet; that is why they are bringing this up—80–85 percent have become unionized even though 49 percent of the people in those companies have had nothing to say about it. It is not right. It is not the way to go.

Unions would be guaranteed first contracts for a period of 2 years under this bill.

Looking at the big picture, what would the so-called Employee Free Choice Act mean for our economy? Let me read from a recent article written by Jack and Suzy Welch in the March 12 issue of BusinessWeek magazine. Jack Welch is one of the alltime important business leaders in this country. Here is what they had to say:

> We know it must sound strange to oppose legislation that promises something as motherhood-y as ''free choice.'' But the title of this bill is pure propaganda. It won't encourage liberty or self-determination in the workplace; more likely it will introduce intimidation and coercion by labor organizers, who, after a long slide into near-oblivion, finally see a glorious new route to millions of dues-paying members. Their campaign could trigger a surge in unionization across U.S. industry—and in time, a reversion to the bloated economy that brought America to its knees in the late 1970s and early '80s and that today cripples much of European business. If you want to be reminded of what that looks like, drive through Pennsylvania's Lehigh Valley, as we did last weekend, and take a look at all the shuttered factories. Steel—like coal, autos, and so many other industries in the global economy—paid the inevitable price of unionization run amok.
>
> . . . The advance of the Employee Free Choice Act continues unabated. And so pretty soon, if enough business leaders and legislators don't stand up, it may well be: Hello again, unions. So long, American competitiveness. The change will not happen instantly. Companies will fight unions as if their lives depend on it, because they do. But given the logistics of the Employee Free Choice Act, any management campaign is hobbled. If you can't be at the kitchen table with the organizers and their hard stares, you probably can't win.

He sums it up:

> In those areas where employers have agreed to a ''card check,'' they have invariably become unionized and many employees unionized against their will with the obligation of paying dues.

Mr. President, I ask unanimous consent that the full article be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HATCH. Mr. President, I assert that this is the start of another historic Senate debate on national labor policy. It is unfortunate that I have to be involved in this because I was raised in the union movement. I am one of the few people who have served in Congress who actually earned a union card, who actually became a skilled building tradesman, who worked in the building construction trade unions for 10 years. I believe unions are important, but I believe they should have to earn their membership and not have it given to them.

In conclusion, as we enter this debate, let us not be fooled by the misinformation from the other side.

Take a look at this chart. They claim employers coerce employees to vote no. The truth is that in less than 2 percent of cases is it found that an employer has inappropriately interfered in a union organizing election.

They claim unions can't win elections under the current system. The truth is that unions won 62 percent of NLRB elections in 2005, the last year for which a complete set of statistics exists.

They claim American workers want to form unions using a ''card check'' system. The truth is that, according to a recent poll, 79 percent of Americans disagree with the elimination of private ballots when voting in union organizing elections.

The President has issued a Statement of Administration Policy that he would veto the so-called Employee Free Choice Act if it reached his desk. That should not make us complacent in the Senate. Even if a veto were necessary, Senate passage of a bill like that which was passed by the House would put us on record in future Congresses as being against private ballot elections for workers in union representation decisions, in support of Government-imposed wages, benefits, and other terms and conditions of employment through union contracts where workers themselves will be denied a ratification vote. Is that where we want to be a year or two from now? I, for one, do not believe we as a nation should head in that direction, and I urge my colleagues to resist any attempt to force unionization on the American workforce.

To paraphrase the movie ''The Godfather,'' I believe union bosses have made the American workforce a deal they can refuse. We must oppose any attempt to pass any iteration of the Employee Free Choice Act, and we must do it on behalf of the American worker.

Mr. President, I yield the floor.

EXHIBIT 1

[From Business Week, Mar. 12, 2007]

THE UNEMPLOYMENT ACT

(By Jack and Suzy Welch)

> Are you at all concerned about American competitiveness in the future?
>
> —*Srikanth Raghunathan, Irwin, Pa.*
>
> Yes. But not for the standard ''the sky is falling'' reasons, like the twin deficits, low-cost Chinese manufacturing, or intellectual property piracy. We believe those challenges will largely be ameliorated by market, political, and legal forces. No, we're as worried as can be that American competitiveness is about to be whacked by something no one seems to be talking about: the Employee Free Choice Act, which is currently weaving an insidious path through Congress toward becoming law. If it does, the long-thriving American economy will finally meet its match.
>
> You didn't read wrong. We know it must sound strange to oppose legislation that promises something as motherhood-y as ''free choice.'' But the title of this bill is pure propaganda. It won't encourage liberty or self-determination in the workplace; more likely it will introduce intimidation and coercion by labor organizers; who, after a long slide into near-oblivion, finally see a glorious new route to millions of dues-paying members. Their campaign could trigger a surge in unionization across U.S. industry—and in time, a reversion to the bloated economy that brought America to its knees in the late 1970s and early '80s and that today cripples much of European business. If you want to be reminded of what that looks like,

drive through Pennsylvania's Lehigh Valley, as we did last weekend, and take a look at all the shuttered factories. Steel—like coal, autos, and so many other industries in the global economy—paid the inevitable price of unionization run amok.

Make no mistake, We don't unilaterally oppose unions. Indeed, if a company is habitually unfair or unreasonable, it deserves what it gets from organized labor. But the problem with unions is that they make a sport out of killing productivity even when companies are providing good wages, benefits, and working conditions. It is not uncommon in a union shop to shut down production rather than allow a nonunion worker to flip a switch. Only a union or millwright electrician can do that job! Come on. Companies today can't afford such petty bureaucracy or the other excesses unions so often lead to, such as two people for every job and a litigious approach to even the smallest matters. Yes, managers and employees will sometimes disagree. But in the global economy, they have to work through those differences not as adversaries but as partners.

The Employee Free Choice Act undermines that. Here's how. Currently, when labor organizers want to launch a unionization effort, they ask each worker to sign a card as a show of support. If 30% or more employees do so, a federally supervised election can be called and conducted with one of the most revered mechanisms in democracy, the secret ballot. Thus, employees can vote their conscience, without fear of retribution from either union leaders or management.

By contrast; under the Employee Free Choice Act, organizers could start a union if 50% of employees, plus one more worker, sign cards. That's right—no more secret ballot. Instead, employees would likely get a phone call with a pointed solicitation, or worse, a home visit from a small team of organizers. You can just imagine the scenario. The organizers sit around the kitchen table and make their case, likely with a lot of passion. Then they slide a card in front of the employee with a pen. Who would say no? Who could?

Now, union supporters will tell you that they won't intimidate employees for votes, and regardless, management intimidates all the time by threatening to fire employees who vote union. But the system as it exists has safeguards, including heavy fines against companies that misbehave and automatic new elections.

Still, the advance of the Employee Free Choice Act continues unabated. And so pretty soon, if enough business leaders and legislators don't stand up, it may well be: Hello again, unions. So long, American competitiveness. The change won't happen instantly. Companies will fight unions as if their lives depend on it, because they do. But given the logistics of the Employee Free Choice Act; any management campaign is hobbled. If you can't be at the kitchen table with the organizers and their hard stares, you probably can't win.

It's too bad. In fact, its terrible. And ironic. First, because the ability to unionize already exists in America, thanks to the secret ballot. And second, because the Employee Free Choice Act ultimately only provides a free choice nobody would ever want: how to spend a government issued unemployment check.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

ENERGY

Mr. SALAZAR. Mr. President, I come to the Senate floor to speak about the issue of energy and the importance of this Senate and this Congress and this country moving forward with an authentic picture with respect to energy independence for our country. When I get up in the morning and think about the major issues that are facing our country, there are three issues which always come to mind.

The first is what is happening in Iraq and around the world and how we restore America's greatness and how we put Humpty Dumpty together again with respect to making sure America's greatness which we have enjoyed for the last two centuries is something we enjoy in the 21st century and beyond.

Second are the difficult and important domestic issues which we are attempting to confront today—the issue of health care and how we move forward to create a system of health insurance and health care availability for all the people of America, an issue which continues to confront us.

Third, the issue of energy and how we look forward. The issue of energy is something many of us in this Chamber and in the House of Representatives and the White House today will continue to work on, which is so important to all of us.

With respect to Iraq, we will be facing that issue here in the weeks and months ahead. I believe strongly there is unity in the United States of America in terms of our support for our troops. I believe there is a long-term desire for us to make sure what we do is establish stability in the Middle East.

I believe all of us want to make sure we are doing everything we can do to support our troops. Nonetheless, the debate will occur here on this floor this week and beyond. It is an important debate. It is a debate that involves perhaps the most important issue of our time. That is the issue of war and peace and the debate that is certainly appropriate to be held on the floor of the Senate.

With respect to health care, I am pleased with the efforts the Senate Finance Committee and the HELP Committee are undertaking, with the leadership of Senator BAUCUS and Senator KENNEDY and others, as we try to address the issue of health care. This year for sure we will move forward with a program that hopefully will expand the coverage of health insurance to the children of America. We think about 9 million children in this country today who have no health insurance. The expansion of the SCHIP program is something that is very important for all of these children across our many States who today do not have health insurance.

But the other issue, the energy issue, is one which is winding its way through our various committees in the Senate today. In the Agriculture Committee, under the leadership of Senator TOM HARKIN, we currently are looking at title 9 of the farm bill. We will have a robust law that will move us forward with a new agenda with respect to agriculture and energy.

In the Senate Energy Committee, under the leadership of Senators BINGAMAN and DOMENICI, we are working on several bills that will help us move forward toward energy independence.

In the Senate Finance Committee, under the leadership of Senator BAUCUS and Senator GRASSLEY, we have numerous initiatives on the table that will create incentives for us to have the kind of biofuels, solar energy, and the other kinds of energy that will create the new environment for us to be successful in a program on energy independence.

For me, when I think about energy, I see the dawning of a new age for my State of Colorado and also for America. It is a dawning of an age for America which we ought to embrace with vigor. It is the dawning of the age of a clean energy future for the United States of America. One year ago in my State I hosted the first Colorado Renewable Energy Summit. At the summit, there were more than 500 of us brought together to talk about our national energy policy and the energy opportunities we face in my State.

We put renewable energy in the headlines for Colorado, and we have kept energy at the top of Colorado's agenda for the past year. This last Saturday, 2 days ago, on March 24, 2007, we again summoned the people of Colorado and we had over 1,000 people who attended a summit at the Colorado Convention Center. We were joined in that summit by my colleague Senator WAYNE ALLARD, by Colorado Governor Ritter, the mayor, six Members of the U.S. House of Representatives, the president of the Colorado Senate, the speaker of the Colorado House of Representatives and, as I said, more than 1,000 people in my State who were interested in renewable energy and energy efficiency, not only for our State but for the entire country.

Because of the work we have taken on in the last year in Colorado, today we have a Colorado Renewable Energy collaboration. That laboratory is an incredible association with the National Renewable Energy Lab, the Colorado School of Mines, Colorado State University, and the University of Colorado at Boulder.

Even though the ink is not yet dry on the formation of the collaboration, these four great research institutions have already launched a world-class research program. It is called the Colorado Center for Bioresearch and Biofuels.

Colorado's private sector is moving forward, too, on a variety of different fronts. First, with respect to wind, Colorado has added over 60 megawatts of wind generation in the last 4 years. But consider what is on the agenda for 2007. In 2007, my State of Colorado will add another 775 megawatts. That is more than tripling the State's production of wind generation. That is an equivalent of the generation we get from approximately two full-fledged powerplants.

Beyond wind, we have embraced solar. Since the passage of a citizens' initiative in Colorado 2 years ago, Colorado's solar industries have seen a growth of 40 percent every year. The State's first commercial solar electricity project will be constructed in my native San Luis Valley in 2007. We moved from wind to solar to biodiesel. In 2004, there was no biodiesel produced in the State of Colorado. Today we have three plants in my State that are producing more than 30 million gallons a year, and a fourth plant is ready to start operations in the production of biodiesel.

We go beyond biodiesel to ethanol. Two years ago we had no ethanol plants in the State of Colorado. Today we have three ethanol plants that are producing 90 million gallons of ethanol, and we have a fourth plant that will come on line in 2007, adding 50 million more gallons per year, and several other plants that are in the planning stages.

That is not all. In my State of Colorado, we have moved forward with wind energy companies, with solar, photovoltaic designers, and manufacturers who are opening facilities in places such as Larimer County. Cellulosic ethanol companies, which are engaged in research and development, inform us within 2 years they will be at a point where cellulosic ethanol will be available in the commercial markets.

We have hybrid vehicle manufacturers who are doing the technology development and research in my State, hybrid and plug-in vehicle battery manufacturers, engine efficiency research companies, such as German manufacturers in El Paso County and Colorado Springs.

There is a whole lot more that is happening with respect to clean renewable energy in my State of Colorado. We have a long road ahead of us, but we have found our stride and we know the destination. We want America to be the world's center for renewable energy research, for development and for production. I want my State to play a significant role as we embrace that agenda.

Let's be clear about what is happening with respect to energy in the United States of America. Some of us need to remind ourselves it was not so long ago when President Nixon and then President Carter later on said we needed to embrace a new ethic of energy independence. This was in the 1970s, some 35, 40, 45 years ago when we were talking about the importance of energy independence, frankly, because of the economics that were driving it at the time. There was great concern with respect to the formation of OPEC and with respect to the volatility of markets that could disrupt the American economy.

We see what happened in response to the leadership in the 1970s where there were great investments made in technologies that would look at alternative fuels that would power our homes and cars in this country. But the driver of economics went away when the price of oil dropped to around $20, $21, $22, $23 per barrel. Over this last year, we saw the price of oil get up to $60 and $70 per barrel, and we saw the price of a gallon come up to $3 a gallon, in some places more than $3.50, $3.60 a gallon, the price of diesel following the same path. It became apparent at the time the economic driver was not the only significant driver here.

Mr. President, may I inquire as to the amount of time we have in morning business?

The ACTING PRESIDENT pro tempore. We have 7½ minutes remaining.

Mr. SALAZAR. May I inquire of my friend from West Virginia as to whether he planned on using any of the time in morning business.

Mr. BYRD. Mr. President, I do have an amendment, and I will speak to that amendment.

The ACTING PRESIDENT pro tempore. If the Senator from West Virginia does have not objection, we will allow the Senator from Colorado to finish his remarks, and then we will recognize the Senator from West Virginia.

Mr. BYRD. Very well.

Mr. SALAZAR. Mr. President, so I am clear on my time, I have about 7 minutes in morning business allocated to me under the current order?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. SALAZAR. Mr. President, let me continue with respect to the comments I was making concerning the issue of energy.

If you think about the 1970s and the 1980s, it was the economy that was at the root of what we were trying to do to develop solar energy and wind energy and looking at biofuels and the like. A lot has changed in those times. There is tremendous interest and a tremendous amount of energy being spent in each of our committees here in the Senate and the House of Representatives and in the White House and the Department of Energy on a clean energy future for America.

Some people will ask the question today: Well, is this another short-lived agenda in the same way it was in the 1970s and the 1980s? When you look at the charts and you see what we were investing in clean energy technology back in the 1970s and 1980s, it was significantly higher than what we are investing in the 1980s and the 1990s and the early 2000s.

I submit that things have changed because the drivers today are not only the economic drivers of our time. Today when we look at the energy issues we face in our world, it is not just about the volatility of the energy markets we see around the world and here in the United States, there are two other drivers that are equally as important. The first of those drivers has to be our national security. When you think about the fact that today we are importing about 60 percent of our oil from foreign countries, in the next 10 to 15 years, if projections continue the way they are, and growth continues the way it is expected to continue, we will be importing 70 percent of our oil from foreign countries.

If that occurs, then we will continue to compromise the foreign policy, the national security of this Nation in a manner none of us should ever allow to happen. In fact, it would be a dereliction of duty for this Congress, for the Senate, and for this country to allow that to happen.

In the latest skirmish with Israel and Lebanon, one has to ask the question about where that money was coming from that was funding the militia group of Hezbollah in its firing of nearly 10,000 rockets into the northern city of Haifa in northern Israel. One has to ask that question, where was the money coming from that would fund the 10,000 members of that militia group called Hezbollah in Lebanon and other places around the world?

Well, we do not need to look very far for the answer to that question. You and I know—you as the Presiding Officer are well aware of the security interests here in our country—very well that the money creating and funding the terrorist groups in places such as Lebanon is coming from oil. It is coming from oil we are paying $60 and $70 a barrel for today.

So the very national security of our country requires us, it demands of us, and we can do no less than to move forward with an agenda that grasps the imperative of energy independence in our world. That energy independence will come about with great opportunities as we look at a clean energy future for America. We will be able to derive jobs and create the kind of national economic security we need in the United States of America.

The final driver is the issue of global warming. The debate is about whether global warming is an issue that needs to be confronted in the United States of America, the debate that was being held several years ago. But I would imagine most people in the United States of America today are saying it is important for us to confront this issue.

In fact, as we are opening this day in the Senate, Senator BINGAMAN and Senator DOMENICI are holding a hearing with members of the European Union on the issue of global warming. Things have changed. Things have changed from the 1970s and the 1980s and the 1990s when America slept, and the only factor that was driving us to energy independence was the volatility of the markets.

Today the driver is national security. We cannot afford to compromise our national security by continuing to be overdependent, by continuing our current addiction to foreign oil. We cannot afford to ignore the issue of global warming that threatens the future of civilization. How we approach those issues and how we develop solutions that bring us to a positive movement forward is very important.

The issue of energy is one that can bring America together. To be sure, the last 6 years have seen a divided America on many issues, including Iraq. Energy can bring together Democrats and Republicans, progressives and conservatives, much as the Energy Futures Coalition has done in working with all of us. We crafted legislation that we call Set America Free. It is my hope that by the time the Senate finishes for the year or before we begin the August recess, we will have legislation that is bipartisan in nature, that will move us forward with a new energy future for America. That energy future will be one that is bound by a vision of a clean energy future that includes renewable energies, new technologies, and that goes after the low-hanging fruit of energy efficiency and addresses the issue of global warming.

I ask unanimous consent that a portion of a speech I gave at an energy summit in Colorado be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COLORADO NEW ENERGY SUMMIT—2007

This is the dawning of a new age for Colorado and America—this is the dawning of the age of America's clean energy future!

One year ago, we hosted the first Colorado renewable energy summit. That 2006 Summit brought more than 500 of us together to talk about our national energy policy and Colorado's energy opportunities. We put renewable energy in the headlines for Colorado, and we've kept energy at the top of Colorado's agenda for the past year.

This Saturday, March 24, 2007, over one thousand people from Colorado joined us for Colorado's New Energy Summit. We were joined by two United States Senators, the Colorado Governor, the Mayor of Denver, six Members of the U.S. House of Representatives, the President of the Colorado Senate, the Speaker of the Colorado House of Representatives . . . and more than one thousand Coloradans who want more renewable energy, improved energy efficiency, and greater energy independence.

One year ago, we talked about attracting more energy research projects and more energy entrepreneurs to Colorado. Today, we have the Colorado Renewable Energy Collaboratory, an incredible association of the National Renewable Energy Lab, the Colorado School of Mines, Colorado State University and the University of Colorado at Boulder. And even though the ink is not yet dry on the Collaboratory Agreement, these four great research institutions have already launched a world class research program: the Colorado Center for Biorefining and Biofuels—C2B2.

And Colorado's private clean energy sector is taking off, too.

Wind

Colorado has added 60 megawatts of wind capacity in the last two years.

And by the end of 2007, we will add another 775 megawatts, more than tripling the State's production of wind power to more than 1,000 megawatts.

Solar

Since the passage of Amendment 37, Colorado's solar rooftop industries have seen growth of 40% per year.

And the State's first commercial solar electricity project will be constructed in the San Luis Valley in 2007.

Biodiesel

In 2004, there was no biodiesel produced in Colorado.

Today, we have three plants producing more than 30 million gallons a year, and a fourth plant ready to start operations.

Ethanol

Two years ago, there were no ethanol plants in Colorado.

Today, three plants produce more than 90 million gallons per year, and a fourth plant will come on line in 2007, adding another 50 million gallons per year.

And that's not all. We have locally based:

Wind energy companies

Solar photovoltaic designers and manufacturers

Cellulosic ethanol companies, engaged in R&D and preparing to build biorefineries

Hybrid vehicle manufacturers

Hybrid and plug-in vehicle battery manufacturers

Engine efficiency research companies

And that's only the beginning.

Colorado's clean, renewable energy economy is on the move.

We have got a long road ahead of us, but we have found our stride and we know our destination: Colorado will be the world's center for renewable energy research, development and production.

AMERICA'S ENERGY CHALLENGES

We have come a long way in the past year, and we should be proud, but we must be realistic about the energy challenges that face us as a Nation and world.

ENERGY SECURITY AND INDEPENDENCE

First, energy policy is at the heart of our national security. The United States continues to import much more oil than we produce. Nearly two-thirds of our oil supplies come from abroad. And much of that oil, comes from unstable and even politically hostile regions. Our deep dependence on foreign oil means that our national security is constantly at risk. Our oil supply lines are long and fragile. Even worse, our dependence on foreign oil means that we're sending hundreds of billions of dollars overseas, much of which flows to regimes that are hostile or corrupt or both. Indeed, we are funding the very regimes that threaten our interests. It is foolish to think we can control our Nation's security if we can't control our energy lifelines.

It may be decades before we get the majority of liquid transportation fuels from renewable sources, but that doesn't mean renewables can't make a significant difference immediately. We produced nearly five billion gallons of ethanol in 2006, biodiesel is on the rise and cellulosic biofuels will be in commercial production by 2009. We can also look to other current or emerging technologies—hybrids and plug-in electrics—to reduce our thirst for oil.

There are a lot of good reasons to turn to renewable energy, but I start with this one: the most effective step to increase our national security in the twenty-first century is to reduce our dependence on foreign oil.

ENERGY AND ECONOMIC SUSTAINABILITY

The second energy challenge that we face is economic. We're not going to run out of oil any time soon, but we're going to run out of cheap oil. Oil from new reserves and alternative sources, like the deep Gulf of Mexico reserves and Canadian tar sands, will cost much more to find, to extract and to refine. On top of increased costs, we are going to see increasing competition from the rapidly growing economies qf China and India and other developing nations. That means demand pressures on top of supply pressures.

And it is not just our cars and trucks that run on oil—much of our current economy depends on oil and natural gas. We heat with it, we produce lubricants and fertilizers and commercial chemicals with it, and we make plastics and fibers and construction materials from it. The economic competitiveness of our economy will be determined in substantial part by how we cope with increasing energy costs. In coming decades, those economies that develop reliable, affordable sources of energy will thrive. Those economies that remain dependent on imported oil and gas will suffer.

But, there is also an economic opportunity. There is money to be made in creating new energy technologies, and there is money to be made in using them. America has led the world in developing renewable energy technologies, but we have lost much of our advantage because other nations have been much better at implementing those technologies. Solar energy, wind energy, biofuels—most of these technologies were originally developed here, but other nations have surpassed us in manufacturing or implementing these technologies. We should admire the Japanese and the Germans for their solar photovoltaics, the Israelis for concentrating on solar power, the Danes and Germans for their advances in wind technology, and the Brazilians for their ethanol, but there is no reason for us to import their technology when we can manufacture this equipment right here in America.

ENERGY AND RURAL AMERICA

I believe our economic future depends on our ability to create the energy technologies of tomorrow.

Nowhere is this more true than in rural America. With the advent of new energy technologies—including biofuels, wind and solar—rural America can become not only our food basket, but also our energy basket. At a time when we have record trade deficits and much of rural America is struggling economically, we should be investing in renewable energy from our farms and ranches instead of importing foreign oil.

And let me point out that all our energy does not have to come from 500 megawatt electric power plants or 100 million gallon a year ethanol plants. Big centralized plants will always have their place, but much of our energy can come from smaller production plants, whether it's a small wind farm or a community-owned biodiesel plant. Distributed generation of electricity and biofuels will play a major role in our energy future, and much of that energy production will benefit rural America, both by creating new sources of income and by reducing the cost of locally produced and locally used energy.

GLOBAL WARMING

The two drivers of national security and economic challenges and opportunities drive us toward a renewable energy and energy efficiency future. But there is a third driver, just as compelling: global warming. Average temperatures are rising, glaciers and sea ice are melting, and the overwhelming majority of scientists agree that our use of fossil fuels is a significant part of the problem.

There is no single solution to this crisis, no silver bullet. But there are lots of options that will contribute to a solution, including technologies and investments that increase energy efficiency and conservation. Currently available technologies, like fuel-efficient cars and compact fluorescent light bulbs, reduce energy consumption. Biofuels replace billions of gallons of gasoline and diesel, and biofuels reduce the net amount of greenhouse gas emissions because next year's crop will capture the emissions from this year's fuels. Once installed, solar and wind technologies produce electricity without generating any carbon dioxide.

And new technologies may enable us to use some fossil fuels without contributing to

global warming. IGCC—integrated gasification combined cycle—power plants, for example, may allow us to capture the carbon dioxide in coal before it is released to the atmosphere, so that the CO_2 can be used or can be sequestered deep underground.

With creativity and commitment, there are many actions that we can take that will substantially reduce greenhouse gas emissions and help to turn the tide of global warming.

Countless generations of human beings have in my State enjoyed this beautiful planet. But it is not certain that our grandchildren and great grandchildren will be able to enjoy snowcapped peaks, mountain streams, Colorado skiing, lush green forests and fields of grain. If we want them to see and enjoy Colorado's beauty and enjoy our State's natural resources, then we need to act—now. And what is true for Colorado is true for the Nation. Those of us who walk the Earth today are not solely responsible for the fact of global warming—the roots of this crisis go back to the Industrial Revolution—but it falls to us to do something about it. We must not fail.

The three great energy challenges that confront us at the dawn of the 21st century are daunting—national security, economic sustainability and the future of our planet. But we know we can and will confront these challenges. And part of the solution to each of these challenges lies in renewable energy and efficiency and other clean energy technologies. For the past 25 years, America has lacked the consistent political leadership and public commitment to pursue these new technologies, but their time has come and today we can unite America in the spirit of bipartisanship to confront these challenges.

STATE AND LOCAL LEADERSHIP

Much of the leadership in the areas of renewable energy and energy efficiency has come from local and state efforts. In November, 2004, the people of Colorado were the first in the Nation to enact a renewable energy standard by popular vote with the adoption of Amendment 37. Our General Assembly and our new Governor have taken up the baton and carried it forward with exciting new programs that will expand wind and solar power in Colorado. Other states have done the same.

ENERGY IN THE 110TH CONGRESS

So I applaud and encourage this kind of state and local leadership, but the ultimate success of our new energy policy and our new energy economy will also require national leadership in this 110th Congress.

I am proud to be a sponsor, with Senator Chuck Grassley, of Senate Concurrent Resolution 3 to adopt 25 25 as a national goal. Many of you know about this initiative. The goal is to produce 25% of our total energy needs from our farms, ranches and forests by the year 2025. Independent studies confirm we can achieve that goal. 25 25 makes economic sense. Achieving this goal will yield over 700 billion dollars in economic activity and create more than 4 million new jobs. A combination of energy conservation, energy efficiency and renewable energy can get us to our goal. We should establish the 25 25 resolution this Congress.

As a member of the Senate Agriculture Committee, I am also working on the 2007 Farm Bill with Senator Tom Harkin and my colleagues on that Committee. This new Farm Bill will include an expanded Energy Title that will create new programs and build upon existing programs to make the goal of 25 25 achievable. Just two weeks ago, Senator Harkin, Chairman of the Agriculture Committee, traveled to Colorado for two purposes: to visit NREL and to hold a Committee hearing on the Farm Bill. Senator Harkin and I agree that good farm policy means good energy policy in this new world.

I am also enthused by Senator Max Baucus and my colleagues on the Finance Committee as we do our part to address the energy challenges of our time. I have introduced a series of bills that will help us I produce more renewable energy, adopt more energy efficient technologies and combat global warming.

Senate Bill 672 is the Rural Community Energy Bonds Act. I support our big wind farms, but we need a lot of small wind farms, too, and we need a lot of small biomass and solar and other renewable energy projects. This bill will allow small renewable energy projects with at least 49 percent local ownership to qualify for tax-exempt bonds. That will make it easier for locally and community owned renewable energy projects in rural and small town America to find investors. And local ownership means that more of the profits from those projects will stay on Main Street in Colorado's small towns.

I have also introduced the Rural Wind Energy Development Act, Senate Bill 673. This bill will create a tax credit for every residential wind turbine installed and will also allow for accelerated depreciation on those turbines. For turbines under 100 kilowatts, there's a tax credit of $1,500 for each half-kilowatt of generating capacity. As I said earlier, we need more distributed generation, and this bill will help us develop it.

I am also working on several other bills to encourage renewable energy production and energy efficiency investments. The Securing America's Energy Independence Act will extend the energy tax credit for solar technologies and for residential energy efficiency improvements through 2016. If we want manufacturers to build these technologies and we want homeowners to buy them, we need to create reliable incentives that encourage planning and investment.

I am also proud to co-sponsor the DRIVE Act with Senator Bingaman and nearly 30 co-sponsors, with equal numbers of Republicans and Democrats. The Drive Act stands for Dependence Reduction through Innovation in Vehicles and Energy. This bill, Senate Bill 339, and other related legislation, will reduce oil consumption by 25% by 2025, impose Federal fleet conservation requirements, support research on electric vehicles, require the Federal government to purchase 15% of its electricity from renewable sources by 2015, and would phase-out incandescent light bulbs in favor of more energy efficient technologies. I am hopeful that this bill will pass in this Congress.

I'm also working with other members of the Senate Energy and Natural Resources Committee to draft a bill to require the use of 30 billion gallons of renewable fuels by 2020, to increase the funding for bioenergy research and development, and to offer financial support for renewable fuel production facilities, including cellulosic biofuel plants and biorefineries.

We should all recognize that we are going to be dependent on fossil fuels for a significant portion of our energy for the next several decades, so I'm sponsoring legislation to conduct a national assessment of our carbon sequestration capacity. As we continue to burn fossil fuels, we must find a way to reduce the volume of carbon dioxide released into the atmosphere. IGCC technology can achieve its promise only if we can effectively sequester the carbon dioxide that's captured.

CONCLUSION

Together, the 110th Congress can lead our State and our Nation to a new energy future.

Mr. SALAZAR. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 1591, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 641

(Purpose: An amendment in the nature of a substitute)

Mr. BYRD. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 641.

Mr. BYRD. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. BYRD. Madam President, today we take up a supplemental bill to fund our troops in the field, to send a strong message about the direction of the war in Iraq, to improve the veterans and defense health care system, to help the victims of Hurricane Katrina rebuild, to secure the homeland, and to provide emergency relief to farmers impacted by major drought and freezes. We are now in the fifth year—the fifth year—of the war, this terrible war.

I was against it. I voted against it. We are there. We are now in the fifth year of the war in Iraq. The debate about the war has deteriorated into a series of buzz words—preemptive war, mission accomplished, exaggerated intelligence, inadequate body armor, and surges—and on and on. Our job in the Senate is not to look backward but to look forward.

The Constitution clearly gives the Congress the power—yes, it does; it clearly gives the Congress, us, the power—to decide when this Nation should go to war, and it gives Congress the power of the purse, money. Money talks. Funding such conflicts is the responsibility of the Senate Appropriations Committee, the Senate Appropriations Committee. The buck stops here, and don't you ever forget it, the

Senate Appropriations Committee. Because of that power over the purse, it is certainly our duty to debate the future of the war in Iraq.

The bill before the Senate includes a provision that would give the war a new direction, and it points the way out—out, out—of the civil war in Iraq. There is no restriction on funding for the troops—no restriction on funding for the troops. We fully fund the needs of the troops. We do that, yes. In fact, the bill provides more funds than the President requested for the Department of Defense, with an increase of $1.3 billion for the defense health care system, $1 billion for equipping the Guard and Reserve, and $1.1 billion for military housing.

The language in the bill narrows the mission of our troops in Iraq, keeps pressure on the Iraqi Government to meet benchmarks on national reconciliation, requires the President—yes, hear me now; requires the President—to send Congress a phased redeployment plan. It sets a goal for the redeployment of most of the U.S. troops from Iraq by March 31, 2008.

This country was not attacked by Iraq on 9/11. There was not a single Iraqi, not one, involved in the devastation in New York, Washington, and Pennsylvania on that fateful day. According to our own Government, the perpetrators of 9/11, Osama bin Laden and his organization, are alive today and rebuilding in Afghanistan and Pakistan at this moment, as I speak, so help me God. Language in this bill would allow the President to refocus our military and our intelligence on the terrorists who actually attacked us on 9/11.

During the debate on this bill, assertions will be made, yes, that it is inappropriate to add to this bill funding to meet domestic needs. In fact, the White House has claimed that efforts to add funding for our veterans, for Katrina victims, and for homeland security will hold hostage the funds for the troops. What nonsense—hear me—nonsense. Just more buzzwords.

In fact, funding for the war is not the only critical need worthy of supplemental funding this year. The war must not obliterate every other concern. Last week, the Director of the Office of Management and Budget, Rob Portman, said the President would veto the bill if the Iraq language and additional spending remain in the bill. He said:

> We're disappointed the Senate is allowing politics—
>
> humbug—
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> to interfere with getting needed resources to our troops.

Politics? Politics? I ask the Senate, is it politics to ensure that the VA has a health care system that can provide first-rate care for the wounded? Is it? No. It is a moral imperative—yes, a moral imperative.

Is it politics to provide critical resources to help the gulf region rebuild after Hurricane Katrina? Is it? Is it politics? No, it is not politics. It is compassion—compassion.

Is it politics to help rural America recover from drought and freeze? Is it? No. It is common sense, do you hear me, common sense and good economics.

This bill meets some of the most urgent needs of our country. It includes $1.7 billion to ensure that the VA has the resources it needs to help the brave men and women wounded in the war. The VA needs resources in order to provide first-rate care to profoundly wounded, terribly wounded, horribly wounded soldiers. We are morally bound—hear me; yes, we are morally bound, aren't we, to care for our wounded troops. This is not politics. No. Shame. This is not politics; it is common decency.

This bill also includes $3.3 billion above the administration's request for the victims of Hurricanes Katrina, Rita, and Wilma. The President proposes to pay for the increased costs of repairing the existing levees in Louisiana by cutting the funding that Congress provided to improve the capacity of the levees to protect New Orleans from future hurricanes. Shame. That makes no sense.

The bill provides new resources to repair the levees. We will not follow a nonsensical strategy of repairing the existing levee system that failed during Katrina by cutting funding already appropriated for actual improvements to the levee system. We will not. We also include funding for health and education, for law enforcement, and for transit systems in the gulf region to help rebuild, to bring people back to work, and to bring the region back to life. Not politics, just plain old common sense.

The bill includes $4.2 billion for agricultural disaster relief. The agricultural economy has been hit with drought and freezes. In 2006, 69 percent of all counties in the United States were declared primary or contiguous disaster areas. Fourteen States had 100 percent of their counties declared disaster areas by the Department of Agriculture.

I commend Senator DORGAN and Senator FEINSTEIN and Senator BOND for their hard work on this disaster package.

Madam President, I ask unanimous consent that a letter from California Governor Arnold Schwarzenegger requesting agricultural disaster assistance be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 8, 2007.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.
Hon. ROBERT C. BYRD,
Chairman, Committee on Appropriations, Washington, DC.
Hon. THAD COCHRAN,
Ranking Member, Committee on Appropriations, Washington, DC.

DEAR MAJORITY LEADER REID, CHAIRMAN BYRD, SENATOR MCCONNELL AND SENATOR COCHRAN: As you prepare to begin work on the Emergency Supplemental to fund vital government programs, I implore you to include the Emergency Farm Assistance Act of 2007. The Farm Assistance Act provides much needed relief to California's multi-billion dollar agricultural industry, which has suffered devastating losses due to the recent record setting freeze, as well as the extreme heat wave in 2006 and flooding in 2005.

As you know, on January 11, 2007, an arctic air mass moved into the state and extreme cold air conditions pushed nighttime temperatures to record and near record lows throughout the state for the next 8–10 days. These extreme weather conditions had a devastating impact on California's agricultural industry, exacting catastrophic losses on our citrus, avocado, vegetable and strawberry crops. Agriculture plays a central role in our local economies, and as a result of the freeze, many farm communities and related businesses have suffered massive losses. To provide immediate relief, I directed state agencies to make state facilities available to local agencies for use as warming centers. We also contacted agricultural associations to ensure that growers were aware of cold weather, so that appropriate protective actions could be taken.

In response to these dire events, I directed the execution of the State Emergency Plan. In accordance with Section 401 of the Stafford Act, on January 12, 2007, I proclaimed a state of emergency for all 58 California counties. I also issued additional proclamations to specifically address the impacts of the freeze on the agricultural industry, small businesses and individuals in an effort to expedite federal assistance to the counties that were hardest hit. I have since requested that the President declare a major disaster for 31 California counties.

In spite of these significant efforts to protect crops, agricultural communities in California have sustained substantial crop losses and unknown long-term tree damage in excess of $1.14 billion. With the loss of a major portion of our agricultural crop, thousands of farmworkers and their families in impacted counties have been displaced due to job loss and loss of income. Despite the assistance farmers and ranchers are now receiving through the United States Department of Agriculture and the Small Business Administration, more aid is needed. It is clear that the full impact of this disaster will be ongoing and systemic.

The California Delegation has played a critical role in the development of the Farm Assistance Act. I applaud their bipartisan work to provide crucial assistance to our farmers and ranchers in need. To that end, I strongly support the Farm Assistance Act and its inclusion in the Emergency Supplemental. The unfolding crisis in our agricultural communities requires swift assistance and attention. California agriculture literally feeds the nation, and I urge you to include the Emergency Farm Assistance Act of 2007 as part of the Emergency Supplemental.

Thank you for your consideration of this important request.

Sincerely,

ARNOLD SCHWARZENEGGER.

Mr. BYRD. Providing agricultural disaster relief is not politics, no. It is good policy.

The bill that is before the Senate also includes $2 billion for securing the homeland. In the State of the Union, the President said:

The evil that inspired and rejoiced in 9/11 is still at work in the world. And so long as that's the case, America is still a nation at war.

Despite hundreds of innocent people being killed in train bombings in London, Madrid, Moscow, Tokyo, and Mombai, India, and despite the aviation sector remaining at a high terrorist threat level since August, the President did not request one extra dime—not one thin dime—in the supplemental for securing the homeland. This bill includes funding for purchasing explosive detection systems for our airports, for grants to help secure our rail and transit systems, and for securing our ports and borders. The money is needed now.

For 5½ years, since the attack on 9/11, this administration has raised fears of another terrorist attack. The administration has announced a high, or orange, threat level for possible terrorist attacks on eight different occasions. In every State of the Union Address, the President has stoked the fires of fear. Periodically, the Attorney General, the Secretary of Homeland Security, or the FBI Director helped to fan those flames. Yet the President consistently sends to Congress budgets for homeland security that do not reflect this perceived threat. Rather than spreading fear, the administration should be reducing vulnerabilities by doing everything it can to deter another attack. Providing funding to secure the homeland is not politics; it is an essential duty.

The President's ''rob Peter to pay Paul'' approach to funding domestic agencies has real and demonstrably severe consequences. The failed response to Hurricane Katrina proved that. The inability to provide first-class health care to our wounded veterans proved that. But we never learn.

Another important aspect of this bill is in the oversight and accountability that it mandates. For far too long—far too long—oversight has been a lost cause, yes, around this Congress. Tough questions are ditched in favor of softballs. Honest answers are buried in political spin. This legislation says ''no more.'' Real oversight is back, and it will not be denied. This legislation makes major investments in inspectors general, from the Special Inspector General for Iraq Reconstruction to inspectors general for the Department of State, the Department of Defense, and the Department of Justice. Let's hope we can begin to get the waste, fraud, and abuse in Government under control. The legislation presses forward with GAO audits of the use of these dollars as we try to put an end to the contractors' bonanza of big dollars free from the prying eyes of Congress or the public. Insisting that U.S. tax dollars are wisely spent is not politics. What is it? It is our duty. Hear me. It is our duty.

The Appropriations Committee has made careful choices. The White House assertion that spending in this bill is excessive or extraneous or political—humbug. It simply has no foundation. The committee has chosen to provide first-rate care to the war wounded, to provide resources to help the gulf region rebuild after Katrina, to improve homeland security, and to provide agricultural disaster assistance. This is a good bill. I urge prompt action on this legislation.

Madam President, I yield the floor.

Mr. COCHRAN. Madam President, this appropriations bill reported by our Committee on Appropriations responds to the President's request for supplemental funding for the Department of Defense and other departments and agencies. The bill provides $121.6 billion in emergency spending. Of this amount, $102.48 billion is provided to support Iraqi security forces to continue operations in Afghanistan and to wage the global war on terrorism. In testimony before our Appropriations Subcommittee on Defense, we were told this funding is needed by the end of April.

I am disappointed the bill contains language that sets forth a timetable for the withdrawal of troops from Iraq. The language amounts to a restatement of S.J. Res. 9, which a majority of Senators voted against, 50 to 48, on March 15. The Senate has spoken on this issue. Inclusion of this language as reported by the Appropriations Committee last week will only slow down the bill and invite a Presidential veto. We need to approve the funding now. Unnecessarily extending this debate is not going to serve the national interests. I will offer an amendment to strike this language from the bill.

In this bill, the Appropriations Committee also approved $14.8 billion for additional emergencies, including $7.9 billion for continuing the recovery from Hurricane Katrina. The affected States are making good progress, slow but steady and sure. But additional Federal resources are needed. The bill also includes $1.7 billion for veterans health care facilities, which signals the committee's continuing interest in ensuring that our veterans receive the quality care they deserve.

I applaud the chairman's goal, the distinguished Senator from West Virginia, of completing work on the bill this week. I am concerned, however, that the bill is almost $19 billion above the President's request. We need to be sure this spending is necessary and responsible. I look forward to working with my good friend from West Virginia to ensure that this is the case. It is imperative that we provide funding to our troops promptly, and it will remain my goal to put a bill on the President's desk that he can sign.

AMENDMENT NO. 643 TO AMENDMENT NO. 641

Madam President, I send an amendment to the desk and ask that it be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for himself, Mr. MCCAIN, Mr. LIEBERMAN, Mr. GRAHAM, Mr. WARNER, Mr. STEVENS, Mr. BROWNBACK, Mr. SHELBY, Mr. CRAIG, Mr. ALLARD, Mr. BENNETT, and Mr. ENZI, proposes an amendment numbered 643 to amendment No. 641.

Mr. COCHRAN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 643

(Purpose: To strike language that would tie the hands of the Commander-in-Chief by imposing an arbitrary timetable for the withdrawal of U.S. forces from Iraq, thereby undermining the position of American Armed Forces and jeopardizing the successful conclusion of Operation Iraqi Freedom)

On page 24, strike line 16 and all that follows through page 26, line 24 and insert:

"SEC. 1315. BENCHMARKS FOR THE GOVERNMENT OF IRAQ.—"

Mr. COCHRAN. Madam President, this is an amendment to the committee substitute which is now at the desk. The amendment will strike part of section 1315 of the bill titled ''Revision of United States Policy on Iraq.'' The majority of section 1315 of this act is a restatement of S.J. Res. 9, the United States Policy in Iraq Resolution of 2007.

Two weeks ago, the Senate voted against adopting S.J. Res. 9 by a vote of 50 to 48. Section 1315 calls for a prompt transition of the mission in Iraq to a limited mission; a phased redeployment of U.S. forces from Iraq within 120 days of enactment of this act; a goal of redeployment of all U.S. combat forces from Iraq by March 31, 2008, except for a limited number essential for protecting U.S. and coalition personnel and infrastructure, training, and equipping Iraqi forces, and conducting targeted counterterrorism operations.

Section 1315 also calls for a classified campaign plan for Iraq, including benchmarks and projected redeployment dates of U.S. forces from Iraq. Finally, it also includes an expression of the sense of Congress concerning benchmarks for the Government of Iraq, along with a reporting requirement by the commander, multinational forces, Iraq, which is currently General Petraeus, to detail the progress being made by the Iraqi Government on the benchmarks contained in this section.

This amendment does not remove the sense-of-the-Congress provision that is important to a number of Senators. I think all Senators share an earnest desire that the Iraqi Government move aggressively to undertake the measures necessary to ensure a stable and

free Iraq. The language to be removed by my amendment is essentially a restatement of S.J. Res. 9, which, as I said, on March 15 Senators defeated by a vote of 50 to 48.

Before announcing his new plan in Iraq, the President sought input from his top military and civilian advisers, along with Members of Congress, foreign leaders, and other military and foreign policy experts. He acknowledged there was no easy solution to the situation in Iraq and the Middle East, and he determined a temporary deployment of additional U.S. troops in Iraq to support Iraqi security forces would provide a new window of opportunity for Iraqi political and economic initiatives to take hold and reduce sectarian violence. This plan provides the best hope to bring stability to the country and to hasten the day when our troops will come home.

Earlier this year the National Intelligence Estimate entitled ''Prospects for Iraq's Stability: A Challenging Road Ahead,'' was delivered to the Congress. The National Intelligence Estimate indicated—and I am quoting now from an unclassified version:

> Coalition capabilities, including force levels, resources, and operations, remain an essential stabilizing element in Iraq. If coalition forces were withdrawn rapidly during the term of this Estimate—
>
> Which is 12 to 18 months—
>
> we judge that this almost certainly would lead to a significant increase in the scale and scope of sectarian conflict in Iraq, intensify Sunni resistance to the Iraqi government, and have adverse consequences for national reconciliation.
>
> If such a rapid withdrawal were to take place, we judge that the Iraqi security forces would be unlikely to survive as a nonsectarian national institution; neighboring countries—invited by Iraqi factions or unilaterally—might intervene openly in the conflict; massive civilian casualties and forced population displacement would be probable; Al-Qaida in Iraq would attempt to use parts of the country—particularly al Anbar province—to plan increased attacks in and outside of Iraq; and spiraling violence and political disarray in Iraq, along with Kurdish moves to control Kirkuk and strengthen autonomy, could prompt Turkey to launch a military incursion.

It is clear to me that it is in our national interests to support the President's new strategy, to help provide an opportunity for political and economic solutions in Iraq, and for more effective diplomatic efforts in the Middle East region. Of course, we know there are no guarantees of success, but according to the National Intelligence Estimate and the perspective of some of our most experienced foreign policy experts, maintaining the current course or withdrawal without additional stability in Iraq will be harmful to our national interests and to the entire region.

We need to do what we can to help stabilize this situation and bring our troops home. As a beginning point, for this strategy to work, we should show a commitment to success. I support the new initiative and urge the Senate to give it a chance to work. This does not mean we should not monitor the situation or that the plan should not be adjusted as new developments occur, but we need to let the forces move forward to brighten the prospects of stabilizing Iraq and bringing our troops home.

As Commander in Chief, the President needs our support. I support his efforts and the efforts of our troops. The Senate should provide the resources necessary to accomplish this mission, and these funds are included in this bill. Troop levels and missions need to be left to General Petraeus and his commanders who ought to have the flexibility to react to the situation on the ground in determining how to deploy troops as needed. Congress should not be tying the hands of our commanders or limiting their flexibility to respond to the threats on the battlefield.

The inclusion of unnecessarily restrictive language will ensure a Presidential veto, we are advised. In testimony before the Appropriations Subcommittee on Defense, we were told that the funding provided by this bill is needed by the end of April. We need to speed this funding to our troops, rather than slow it down by returning to a debate already settled by the Senate by a recorded vote.

Madam President, I urge the support of my amendment.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Madam President, I expect that a number of Senators will want to debate the Iraq amendment tomorrow. I look forward to a good debate on this matter.

I yield the floor and 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. KYL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

Mr. KYL. Madam President, I wish to speak to the amendment that was laid down by Senator COCHRAN from Mississippi, an amendment to strike language from the bill that is pending before us, language that would inhibit the ability of our commanders on the ground to carry out the message we have asked them to perform in Iraq.

As we are all aware, this security supplemental is designed to provide money for the conduct of our operations in Afghanistan and Iraq. There is a timetable here. The commanders have said they need, by April 15, the beginning part of this funding so they can carry out the missions we have asked them to perform. When I was there about a month ago, this message was given to me over and over when I would say: Is there anything I can do for you: Senator make sure we get the funding without the strings attached when we need that money.

So the President requested this security supplemental appropriations bill. The House has acted. The Senate has the bill before us this week. Madam President, this funding bill will do no good if it has limitations imposed in it that prevent us from carrying out the mission, and the President has already said if language that sets a timetable for the withdrawal of our troops is included, he will be forced to veto the bill. We understand that.

It makes no sense to me that we would go ahead and pass such a bill, knowing the President will veto it, because there would be no way for us to go back and redo it all before the April 15 time, when the troops begin to need this money. Many have suggested that this is actually a slow-bleed strategy on the part of some to put a poison pill in the bill, forcing the President to veto it, knowing it means the troops would not get the money they need when they need it. I would rather like to think that this is a genuine point of view on the part of some of my colleagues who believe we should put strings attached on this funding and somehow that will provide a more clear way for us to achieve our mission. I don't understand it, but I suspect somebody could argue that.

What I would like to do is support Senator COCHRAN's amendment to simply strike this language from the bill. If the President is able to continue to carry out the Petraeus plan and we have funding to do that, we will know soon enough whether it will enable us to achieve the mission. By the summertime or thereabouts, if it appears this surge is not working, then we will know that as well.

What I cannot understand is why anybody would want to pull the rug out from under the troops just at the time it appears the President's strategy is beginning to work. When I was there, there was already cautious optimism, signs of success of the plan—nobody wants to declare success or victory, of course, but that those elements of success continue to be manifested and be reported on.

I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, a piece by William Kristol and Frederick Kagan from the Weekly Standard of April 2, 2007, entitled ''Wrong on Timetables.''

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Madam President, this piece by William Kristol and Frederick Kagan tries to take the arguments that have been offered by the opposition in favor of a timetable and demonstrate why those arguments are incorrect. The first of the arguments is that the Iraqi Government needs stimulus by us, or a threat by us, that if they don't hurry up and do what they are supposed to do, we are going to pull out. This kind of strings attached, therefore, makes some sense. They point out

the fact that, first of all, the resolution itself that was defeated in this body a week or so ago by a vote of 48 to 50, that resolution, which would have established timetables, was defeated, among other things, because the Iraqis have already gotten the message.

It is not so much about sending a message to them as it is about sending a message to our enemies and to our allies and to our own troops, which says regardless of what you do, we are going to be out by a certain date. The problem with the goals and with the specifics that are supposed to be achieved, the benchmarks, so-called, in the legislation is that it matters not how well the Iraqi Government performs; we are still going to be out by a date certain. So it is not the kind of message we want to send to the Iraqi Government and, clearly, not the kind we want to send to our enemies who simply know they have to just wait us out.

Another argument is that American forces would be able to fight al-Qaida, and we don't need to be involved in the civil war of the Iraqis. It would take a lawyer to figure that out. You are going to have to have a lawyer with every squad on patrol to figure out whether they are fighting al-Qaida or somebody else or what kind of action can be taken. It is very hard to distinguish whom you are fighting when the fighting is going on. Al-Qaida is definitely a problem. What did al-Qaida do? They went over to bomb the Golden Mosque in Samarra, which got the Shiites to decide they had to provide protection with militias, which went over and attacked the Sunnis, who then went over and attacked the Shiites and achieved the objective that al-Qaida wanted: to foment violence among different factions within the country.

Where do you draw the line against fighting al-Qaida and someone else if someone else is doing al-Qaida's bidding? It is a very convoluted proposition. Clearly, you cannot have troops there to fight one specific enemy but not another, especially when they are so difficult to identify.

Finally, some think it is too late, that we have already lost, and we might as well figure out a way to get out. I haven't heard my colleagues talk that way because, under that scenario, you ought to cut off funding today and not wait for the 6 or 8 or 10 months called for under the resolution. As I said, the Senate defeated the virtually identical provision 2 weeks ago. One of the reasons is because our military is making progress. It is finding that, for example, in Sadr City, the mayor of Sadr City essentially invited the Iraqi and coalition forces in without a shot being fired. The forces of Moqtada al-Sadr have either gone underground or disbanded. Al-Sadr himself is believed to have gone to Iran. Prime Minister Maliki has made it clear he is not going to relent against the forces of the Sadr army. He has fired the Deputy Health Minister, one of Sadr's allies. He has turned a deaf ear to the complaints of al-Sadr. He oversaw the cleaning out of the Interior Ministry, which was a stronghold that was corrupting the Iraqi police. He has worked with other coalition leaders to deploy the Iraqi units pursuant to the Baghdad security plan. Interestingly, he has also visited the sheik in Ramadi, which is the capital of Anbar Province and formally the real base of al-Qaida operations, and has gotten cooperation with the tribal leaders in that area to join us in the effort against al-Qaida and other insurgents.

All of this is demonstrating cooperation of the Government in Baghdad, clearly refuting the notion that somehow the American policy has to be to threaten the Iraqis to cooperate with us or else we will leave and the only way to do that is by expressing that through a timetable. Clearly, the Iraqi Government is cooperating, and setting arbitrary deadlines would send exactly the wrong message both to our allies and, of course, to our enemies.

We need to express the view to our allies that we will be there to protect them when the going gets tough. The enemy is not simply going to lie down and allow this plan to continue to work. They will fight back. As somebody said, there are going to be good days and bad days, but our allies need to know that we will be there in the bad days and that we won't set an absolute deadline for getting out.

The other point I made earlier is the services need this supplemental appropriations bill, and that is why it is necessary for us to strike provisions of section 1315, provisions which would deny that funding without the strings that are attached.

To this point, I also alluded to the fact that section 1315 is internally contradictory and self-defeating. As I said, it provides benchmarks for the Iraqi leaders to meet and then says it doesn't matter whether they meet them, we are out of here. The resolution would not send any message that is constructive in any way and certainly is not changing the behavior of the administration.

There are some who might believe they could support section 1315 because it is less restrictive than the House language. Indeed, it is somewhat less restrictive, although essentially a distinction without a difference.

This bill has to go to conference. There has been a great deal of discussion by pundits and others that the more liberal element in the House of Representatives is going to insist upon, at a bare minimum, the language that passed the House of Representatives which they felt was too moderate to begin with. We are likely to get change in a conference that is language the President will have to veto, language which is closer to the House language than the Senate language. I think, therefore, Senators should not be acting under the illusion that we can go ahead and pass this language and make sure that either in conference everything gets taken out or at least this language, rather than the more difficult House language, will be what is sent to the President.

The reality is these are real bullets. This is not something with which to play around. I don't think we can be voting for something just because maybe in the conference committee we can try to make it a little bit better.

Madam President, I wish to get to this point that will, perhaps, put this in perspective. I can't remember another time in history when the United States in the middle of a war has set a deadline and basically told the world: We will be out by this specific date. To state the proposition is to illustrate how odd and destructive a proposition it is. If someone can come to the floor and tell me when this has been done in the past and when it has had a salutary effect on the conflict, I would be very interested and would certainly be willing to listen to how that might have a positive effect here. But even colleagues on the other side of the aisle several months ago expressed themselves on the matter of timetables and deadlines, and they know who they are; they acknowledge this is not the way to fight a war. One thing you cannot do is tell the enemy when you are going to be leaving because it simply allows the enemy to wait you out. Nothing has changed. That fact still remains, and it seems almost inconceivable to me that Members now would be deciding it is now OK to set a deadline and to set timetables.

Some might argue that it is just a goal, it is not a timetable. But the reality is there are both embodied in this section which we seek to strike. The beginning phrase is, ''The President shall commence the phased redeployment of United States forces from Iraq not later than 120 days after the date of enactment of the act.'' That is not a ''maybe,'' it is not an ''if everything goes well'' or ''if everything doesn't go well,'' it is a ''shall commence'' redeployment. The goal is ''with the goal of redeploying by March 31, 2008,'' but the ''shall commence'' is pursuant to that goal. So you have to start it, and then you keep going, and your goal is to get it done by March 31, 2008. The only exception is for the limited purposes of leaving troops behind to protect our infrastructure and coalition personnel, training and equipping Iraqi forces, and conducting targeted counterterrorism operations.

How do you decide how many troops you need to leave behind to conduct targeted counterterrorism operations when virtually everything we are doing in Iraq right now is counterterrorism? How do you decide we are going to be able to cut, say, in half the number of troops and still be able to effectively conduct targeted counterterrorism operations? If you are driving down a street to conduct a targeted counterterrorism operation and somebody begins firing on you, do you have to ask them whether they are a terrorist before you can return fire? Do you turn

to your lawyer sitting in the humvee with you: I want to comply with the law, so can I shoot back or not?

This is ludicrous. We cannot impose these kinds of conditions on our troops in the middle of combat and expect them to perform their mission safely. We send the best trained and best equipped troops into harm's way, and we need to give them the other tool they need to prevail; that is, the ability to carry out their mission as their commanders have defined it for them, not as it is micromanaged by a bunch of lawyers in Washington or Members of the Congress.

So, No. 1, this isn't just a wish that we redeploy. It begins ''shall commence the phased redeployment not later than 120 days after the date of enactment of this act,'' and the goal is to have it all done by March 31 of next year. That is so destructive in the middle of war that I just can't believe my colleagues would actually contemplate doing that or that they can believe putting these kinds of limitations on our troops is a realistic way to fight a war—conducting targeted counterterrorism operations but not returning fire against, what, against somebody defined as an insurgent, maybe? I don't understand it, and I don't know how many lawyers it is going to take to understand it. Our troops on the ground who are in the middle of a conflict certainly are not going to be able to fight and defend themselves under restrictions such as these, which is, I gather, precisely why the President says he will have to veto it.

That gets me to my last point. I can understand why, Madam President, if you felt this was a lost cause, you would want to just say: Let's have a vote to get out and be done with it and not fund the troops. But instead, there are some—and I am not suggesting in the Congress but there are some who have talked about this as a very clever strategy. They say the opponents of the President and the Congress are going to be able to say they voted to support the troops because they voted for a supplemental appropriations bill for that purpose, knowing all along, however, that it is a false exercise because it puts restrictions on the troops fighting the war that they can't possibly live with, so the President has to veto it. But he will get the blame, not them.

Well, that is too clever by half. The American people understand this. I urge, if any of my colleagues are considering supporting this for that reason, that they fail to appreciate that the American people, yes, would like to bring our troops home, they would like to see this conflict ended, but, no, they do not want it to end with an American defeat. They do not want to see us defeated and, most especially, I can't imagine anybody who wants to have our troops continue the war for a limited duration of time under rules which put them in great danger, which is what this would do. So the President has to veto it.

What happens when he vetoes the bill, if this is the form in which we pass it? We are now beyond April 15, the time the troops need the money, and yet Congress has still not acted to provide the security supplemental funding. The Defense Department now has to terminate contracts so they can switch money from this account over to this account and begin a very costly and time-consuming process of trying to make do while Congress makes up its mind, to make sure they can get the money to the troops so they can continue their operations.

Maybe secretly there are some out there who hope all of this will gradually reduce the ability of the troops to perform their mission so that it becomes a proposition where our strategy, even under the best of circumstances, can't succeed. In other words, the Petraeus plan fails because we couldn't get the support to the troops when they needed the support.

I hope that certainly my colleagues in the House and Senate will not buy into that proposition, will not pull the rug out from under our troops just when it appears this plan is showing signs of success. That slow-bleed strategy would not only ensure that we would lose everything we have gained so far, including the prospect of a success, but that our troops would be put in more danger now than they would be either by supporting them or simply by leaving. It would leave them in a middle ground, in the middle of a fire but without the ability to properly defend themselves.

Maybe some believe that would force our hand and just bring them home anyway, acknowledge defeat, and be done with it. I don't think that is what the American people want. If anybody is thinking that is the strategy behind this proposition, I think they are not only misreading American public opinion but do not have the best interests of our troops in mind.

Since that is the rationale behind this resolution, as offered by my colleagues, I am sure that is not the case. But that is why we need to strike this particular section from the bill.

We will talk later about some other items that need to be stricken as well. It is amazing to me, and I won't get into all the pork that is in this bill, but here we have a security supplemental, emergency funding to support the troops, and we decide to lard it up with all manner of items that are not emergencies, have nothing to do with supporting the troops, but because everybody knows this is a must-pass bill, they figure this is a real good opportunity for them to get things in the bill that might otherwise be very difficult to pass in the Congress.

Just a couple ideas: $3.5 million related to guided tours of the U.S. Capitol. I am all for guided tours of the U.S. Capitol, but is this an emergency?

There is $13 million for mine safety research. I am sure mine safety is important to research. Is this an emergency which can't be put in a regular appropriations bill?

We are targeting funding for sugar beets. I presume I like sugar beets—I am not sure—but I don't think it is an emergency for which we need to spend $24 million.

There is another $3 million funding for sugarcane, which I understand goes to one Hawaiian cooperative.

Here is something which would appeal to all the politicians: $100 million for security related to the Republican and Democratic Presidential nominating conventions. Is that next month, Madam President? I have forgotten. Nominating conventions would be in July and August, not of this year but the following year—not exactly an emergency we need to fund in an emergency security supplemental to conduct this war.

Do my colleagues hear what I am saying? Politicians have decided this is a good train to get on board because it has to move, we have to fund the troops. Since it is hard for us to get the Senate and the House to act on these items otherwise, we will just try to attach them to this bill.

We will have other amendments to try to remove these extraneous matters from this funding bill. But what I wanted to talk about today was primarily my concern that if we don't strike this section which has the timetables for withdrawal, then one of two things is going to happen: Either the President vetoes the bill and it then takes us forever to get a clean bill to the President, with the result that the troops don't have the funding they need and the strategy that is currently working becomes a self-fulfilling prophecy for those who say it can't work because they have denied the funds for it to work, or these provisions remain and, of course, it is impossible to conduct operations with these strings attached for our troops. Either way, it is a heck of a way to fight a war. And it illustrates to me that we ought not try to micromanage this conflict from the Halls of Congress. We have plenty of other things that should occupy our time than developing a strategy and the rules of engagement for fighting a war when we have perfectly good people, such as General Petraeus who was unanimously confirmed by this body, to develop a plan and see to it that it is properly executed. We have sent him over to do it. I suggest we give him and his troops the support they need to get the job done.

I would support the amendment of the Senator from Mississippi to strike this section from the bill.

Madam President, I yield the floor.

[From the Weekly Standard, Apr. 2, 2007]

WRONG ON TIMETABLES

(By William Kristol and Frederick W. Kagan)

Let's give congressional Democrats the benefit of the doubt: Assume some of them earnestly think they're doing the right thing to insist on adding to the supplemental appropriation for the Iraq war benchmarks and

timetables for withdrawal. Still, their own arguments—taken at face value—don't hold up.

Democrats in Congress have made three superficially plausible claims: (1) Benchmarks and timetables will ''incentivize'' the Maliki government to take necessary steps it would prefer to avoid. (2) We can gradually withdraw over the next year so as to step out of sectarian conflict in Iraq while still remaining to fight al Qaeda. (3) Defeat in Iraq is inevitable, so our primary goal really has to be to get out of there. But the situation in Iraq is moving rapidly away from the assumptions underlying these propositions, and their falseness is easier to show with each passing day.

(1) The Iraqi government will not act responsibly unless the imminent departure of American forces compels it to do so. Those who sincerely believe this argument were horrified by the president's decision in January to increase the American military presence in Iraq. It has now been more than ten weeks since that announcement—long enough to judge whether the Maliki government is more or less likely to behave well when U.S. support seems robust and reliable.

In fact, since January 11, Prime Minister Nuri al-Maliki has permitted U.S. forces to sweep the major Shiite strongholds in Baghdad, including Sadr City, which he had ordered American troops away from during operations in 2006. He has allowed U.S. forces to capture and kill senior leaders of Moktada al-Sadr's Mahdi Army—terrifying Sadr into fleeing to Iran. He fired the deputy health minister—one of Sadr's close allies—and turned a deaf ear to Sadr's complaints. He oversaw a clearing-out of the Interior Ministry, a Sadrist stronghold that was corrupting the Iraqi police. He has worked with coalition leaders deploy all of the Iraqi Army units required by the Baghdad Security Plan. In perhaps the most dramatic move of all, Maliki visited Sunni sheikhs in Ramadi, the capital of Anbar province and formerly the base of al Qaeda fighters and other Sunni Arab insurgents against his government. The visit was made possible because Anbar's sheikhs have turned against al Qaeda and are now reaching out to the government they had been fighting. Maliki is reaching back. U.S. strength has given him the confidence to take all these important steps.

(2) American forces would be able to fight al Qaeda at least as well, if not better, if they were not also engaged in a sectarian civil war in Iraq. The idea of separating the fight against al Qaeda from the sectarian fighting in Iraq is a delusion. Since early 2004, al Qaeda in Iraq (AQI) has sought to plunge Iraq into sectarian civil war, so as to critically weaken the government, which is fighting it. AQI endeavors to clear Shiites out of mixed areas, terrorize local Sunnis into tolerating and supporting AQI, and thereby establish safe havens surrounded by innocent people it then dragoons into the struggle. Now, heartened by the U.S. commitment to stay, Sunni sheikhs in Anbar have turned on AQI. In response, AQI has begun to move toward Baghdad and mixed areas in Diyala, attempting to terrorize the locals and establish new bases in the resulting chaos. The enemy understands that chaos is al Qaeda's friend. The notion that we can pull our troops back into fortresses in a climate of chaos—but still move selectively against al Qaeda—is fanciful. There can be no hope of defeating or controlling al Qaeda in Iraq without controlling the sectarian violence that it spawns and relies upon.

(3) Isn't it too late? Even if we now have the right strategy and the right general, can we prevail? If there were no hope left, if the Iraqis were determined to wage full-scale civil war, if the Maliki government were weak or dominated by violent extremists, if Iran really controlled the Shiites in Iraq—if these things were true, then the new strategy would have borne no fruit at all. Maliki would have resisted or remained limp as before. Sadr's forces would have attacked. Coalition casualties would be up, and so would sectarian killings. But none of these things has happened. Sectarian killings are lower. And despite dramatically increased operations in more exposed settings, so are American casualties. This does not look like hopelessness.

Hope is not victory, of course. The surge has just begun, our enemies are adapting, and fighting is likely to intensify as U.S. and Iraqi forces begin the main clear-and-hold phase. The Maliki government could falter. But it need not, if we do not. Unfortunately, four years of setbacks have conditioned Americans to believe that any progress must be ephemeral. If the Democrats get their way and Gen. Petraeus is undermined in Congress, the progress may indeed prove short-lived. But it's time to stop thinking so hard about how to lose, and to think instead about how to reinforce and exploit the success we have begun to achieve. The debate in Washington hasn't caught up to the realities in Baghdad. Until it does, a resolute president will need to prevent defeatists in Congress from losing a winnable war in Iraq.

Mr. CORNYN. Madam President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Madam President, I agree with the Senator from Arizona that the consequences of playing politics with this important funding for our troops is simply the wrong strategy; that what we have is a game of chicken between the House of Representatives, which is larding up a supplemental appropriations bill with a bunch of extraneous pork, and the President, recognizing that there are nonsecurity provisions in that supplemental appropriations, has said if that and the timetable for withdrawal from Iraq is included as part of this emergency supplemental, he will veto it. So this is a high-risk game of chicken, with the impact of delaying passage of the supplemental being felt directly by our troops on the ground, if that is in fact the result.

Last week, Secretary Gates made clear the consequences of not quickly passing the supplemental funding necessary to support our troops. The downstream effects will directly impact our soldiers, sailors, marines, and airmen. By not moving expeditiously to pass a clean supplemental bill that can pass the Senate and be signed by the President, the majority risks extending the tours of our troops scheduled to come home from Iraq and slowing the repair of equipment necessary to equip them, as well as the training of Iraqi soldiers who are designed to replace them.

Any delay in funding will not prevent a buildup of security forces in Iraq but, instead, threaten to dramatically impact forces already on the ground. Secretary Gates has said this kind of disruption to key programs will have a genuinely adverse effect on the readiness of the Army and the quality of life for soldiers and their families. So I can't imagine why in the world our colleagues on the other side of the aisle, the new majority, would want to risk that.

This supplemental is necessary to pay for training and equipping the soldiers in Iraq and Afghanistan. If approved, the supplemental will pay for military operations in Iraq and Afghanistan, repairing and replacing equipment damaged or destroyed in combat, and new technologies to protect U.S. servicemembers. This last provision includes a new generation of body armor, better armored vehicles, and countermeasures against improvised explosive devices. IEDs have caused about 70 percent of the casualties in Iraq. The supplemental also will provide funding for training and equipping the Iraqi and Afghan security forces.

If this supplemental appropriations bill is not passed by April 15, the military will be forced to consider the following: curtailing and suspending home station training for Reserve and Guard units; slowing the training of units slated to deploy next to Iraq and Afghanistan; cutting the funding for upgrading and renovating the barracks and other facilities that support quality of life for our troops and their families; and stopping the repair of equipment necessary to support predeployment training. This is what Secretary of Defense Robert Gates has said on March 22, 2007.

If the supplemental is not passed by May 15, the military will be forced to consider the following: reducing the repair work done at Army depots; delaying or curtailing the deployment of brigade combat teams to their training rotations. This, in turn, will cause additional units in theater to have their tours extended because other units are not ready to take their place. Delaying the formation of new brigade combat teams; implementation of civilian hiring freeze; prohibiting the execution of new contracts and service orders, including service contracts for training events and facilities; and, finally, holding or canceling the order of repair parts to nondeployed units in the Army.

All of these, according to Secretary of Defense Robert Gates, on March 22, 2007.

When the new majority took over Congress, they promised change. In fact, the first bill passed in the Senate was an ethics bill that, in part, helped improve transparency in the way we spend taxpayers' money in Washington. While that ethics bill remains in limbo, the 110th Congress has returned to the tried-and-true technique of inserting mystery earmarks that have nothing to do with funding our troops or fighting the war on terror into a war supplemental bill.

During the election season, many on the other side called the 109th Congress

the ''do-nothing'' Congress. The 110th Congress is quickly becoming the ''say anything and do-nothing Congress'' when it comes to fiscal discipline. Last week, when the Senate debated the budget, the majority spoke of the need for fiscal discipline, even as it passed the $700 billion tax hike for taxpayers over the next 5 years.

The chairman of the Senate Budget Committee was quoted as saying:

> We have a responsibility to govern, and you can't govern without a budget.

But governing takes more than simply passing a budget. Governing also includes the discipline to live within a budget.

Unfortunately, both the Senate and the House failed in their first test by including billions more in the war supplemental than the President requested. As I mentioned, President Bush has already threatened to veto the House bill; not all because of the timetable it imposes for our troops' withdrawal from Iraq but also because the bill is full of pork.

In today's edition of the Politico, they did a fine job of identifying some of the most egregious examples of pork included in the House bill. They highlighted $5 million for tropical fish breeders and transporters for losses from a virus last year; $25 million for spinach that growers and handlers were unable to market, up to 75 percent of their losses; $60.4 million for the National Marine Fisheries Service to be distributed among fishing communities, Indian tribes, individuals, small businesses, including fishermen, fish processors, and related businesses, and other persons for assistance to mitigate the economic and other social effects by a commercial fishery failure.

It also includes $74 million for the payment of storage, handling, and other associated costs for the 2007 crop of peanuts to ensure proper storage of peanuts for which a loan is made, and the House bill also includes $120 million for the shrimp and menhaden fishing industries to cover consequences of Hurricane Katrina.

Now, I have to confess, even though I like to fish a little myself, I had never even heard of menhaden, so I went on the Internet to something called the Menhaden Fact Sheet. This is, if you will recall, $120 million for the shrimp and menhaden fishing industries to cover consequences of Hurricane Katrina. Well, as it turns out, according to the Wikipedia, the free encyclopedia on the Internet, the menhaden are fish of the—well, I can't even pronounce the Latin phrase, but they are of the herring family.

It says here, describing this menhaden that the taxpayer is being asked to pay $120 million in this emergency war supplemental: to support the gulf menhaden and Atlantic menhaden which are characterized by a series of smaller spots behind the main, humeral spot and larger scales than yellowfin menhaden and finescale menhaden. In addition, yellowfin menhaden tail rays are a bright yellow in contrast to those of the Atlantic menhaden, which are grayish. Menhaden range in weight up to 1 pound or more. At sea, schools of Atlantic menhaden may contain millions of members. Common names for Atlantic menhaden are mossbunkers and fatback. In Florida, yellowfin menhaden are called pogies, and are the preferred species for use as strip bait.

This is important. It talks about the range, since this is supposedly done as part of the Hurricane Katrina relief measure. It says gulf menhaden range from the Yucatan Peninsula to Tampa Bay, FL, with finescaled menhaden from the Yucatan to Louisiana—I guess we are getting a little closer now to where Hurricane Katrina hit—yellowfin menhaden from Louisiana to North Carolina, the Atlantic menhaden ranges from Jupiter Inlet, FL, to Nova Scotia. The various species of menhaden occur anywhere from estuarine waters outward to the Continental Shelf.

It says that menhaden are essentially filter feeders, straining microscopic plankton, algae, et cetera, from the water they swim through open-mouthed. Unlike mullet, they are not bottom feeders. Due to their feeding habits, they must be caught by cast netting to be used as live bait.

This is the most interesting part of the article. It says: menhaden are not used for human consumption. Most recently, menhaden has begun to be exploited as a source of omega-3 fatty acid fish oil for commercial human consumption, further threatening menhaden populations.

I certainly don't know what the purpose is of this $120 million for shrimp and the menhaden fishing industries, but I can't see in this description, or anywhere else in this legislation, why this is an emergency or why it ought to be included in an emergency war supplemental. If anything, the inclusion of this kind of appropriation in this emergency war supplemental in the House bill trivializes the importance of providing the money that will help our troops deployed in Afghanistan and Iraq in harm's way.

Here is what the Senate bill included: $24 million for funding of sugar beets; $3 million funding for sugar cane, all of which goes to a Hawaiian cooperative; $100 million for dairy product losses; an additional $31 million for a 1-month extension of the Milk Income Loss Contract Program; 13 million for Ewe Lamb Replacement and Retention Program; $115 million for the conservation security program; $100 million for small agricultural dependent businesses; $13 million for mine safety technology research; $50 million for fisheries disaster mitigation fund.

There is so much pork included in this supplemental appropriations bill, both in the House version and in the Senate proposal, that it warranted a front-page story and editorial in USA Today. An editorial in USA Today questioned:

> Which is worse: Leaders offering peanuts for a vote of this magnitude, or Members allowing their votes to be bought for peanuts.

The editorial went on to conclude:

> These provisions demean a bill that, if enacted, would affect the lives of troops in Iraq and Afghanistan, the balance of power in the Middle East and America's long-term security.

In short, what we have is that my colleagues on the other side of the aisle are willing to put money into pet projects—which may or may not be worthy endeavors, we will never know—and yet are unwilling to adequately fund the needs of our military. For all their talk of earmark reform and transparency earlier this year, my colleagues seemed to have forgotten all of that when they put together the supplemental appropriations bill.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. STABENOW). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALEXANDER. 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 Tennessee is recognized.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak as in morning business for up to 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FIRING OF U.S. ATTORNEYS

Mr. ALEXANDER. Madam President, my late friend Alex Haley, the author of Roots, lived his life by 6 words: ''Find the Good and Praise It.'' I thought of those 6 words in connection with the current discussion about the firing of 8 United States Attorneys.

The Democrats are making political hay out of these firings at a time when the Senate should be focused on Iraq, terrorism, health care costs, excessive federal spending, energy independence and keeping our brainpower advantage so we can keep our good jobs here instead of seeing them move overseas.

U.S. Attorneys have always been political appointees serving at the pleasure of the president. President Clinton fired them all on his first day in office. Such partisanship is nothing new. Former Attorney General Griffin Bell recently said that the custom once was for U.S. attorneys simply to vacate their offices on the day a new president was inaugurated, knowing that new political appointees would soon arrive to take their desks.

In the summer of 1963, in between my first and second year at New York University Law School, I worked in Attorney General Robert Kennedy's office as an intern. I was so impressed that, after graduation, I drove to Chattanooga to apply for a job as an Assistant U.S. Attorney. The interview went fine until the U.S. Attorney for the Eastern District of Tennessee asked about my politics.

''I'm a Republican,'' I said.

''Sorry,'' he said, ''We only hire Democrats.''

''But the Attorney General said the administration of justice was non-partisan,'' I replied.

''That word hasn't gotten down here,'' the U.S. Attorney said.

Yet the historic political nature of these appointments is no excuse for the excessive partisanship, amateurishness and bumbling exhibited by the firing of these eight U.S. Attorneys in the middle of the President's term. The best way to put in relief what is wrong with these firings is to remember Alex Haley's admonition, ''Find the Good and Praise It,'' and point to an example of how political appointees can by their courageous action earn respect for the administration of justice.

I have a personal interest in the example I offer. Nearly 30 years ago—on January 17, 1979—I was sworn into office 3 days early as Governor of Tennessee in order to prevent the incumbent Governor from issuing 52 pardons and commutations to prisoners the FBI believed had paid cash for their release.

The U.S. Attorney for the Middle District of Tennessee, Hal Hardin—a Democrat appointed by President Carter—telephoned to ask me to take office early. Hardin was working with the State attorney general, William Leech, another Democrat, to arrange the unprecedented early swearing-in. Because Hardin and Leech were able to rise above partisanship, the Speakers of the Senate and House and Chief Justice as well as the Secretary of State—also all Democrats—participated in my early swearing-in and the ouster of a Democratic incumbent Governor.

As it turned out, I was the only Republican in the group.

As then-Speaker of the House and later Governor Ned McWherter said, ''We are Tennesseans first.''

The story of January 17, 1979 was recently retold by Judge William C. Koch, Jr., a member of the Tennessee Court of Appeals, in the March 2007 issue of the Nashville Bar Journal. Judge Koch was on the staff of the State attorney general at that time and later was counsel when I was Governor.

In the spirit of ''Find the Good and Praise It,'' I offer for the RECORD Judge Koch's article as an example of how our system of political appointment of U.S. Attorneys can and should operate, in contrast to the example of the 8 firings and the response to those firings that we are discussing today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Nashville Bar Journal, Mar. 2007]

THEY WERE TENNESSEANS FIRST

(By Judge William C. Koch, Jr.)

Cries of ''let's kill all the lawyers'' have been heard ever since Shakespeare wrote Henry VI. Some believe that lawyers and judges have caused—or at least contributed to—most of society's ills. Because the legal profession provides such a convenient target, lawyer-bashing remains fashionable in some circles.

Despite the din of criticism, the truth is that our nation has looked to lawyers for guidance and leadership in times of crisis. An appellate lawyer from Virginia wrote the Declaration of Independence. A trial lawyer from Illinois signed the Emancipation Proclamation. A former criminal prosecutor led the citizens of New York during the dark days following the destruction of the Twin Towers. And it was a Tennessee lawyer who, as a member of the Senate Watergate Committee, helped establish that not even the President of the United States is above the law.

Lawyers and the courts have also been instrumental in facilitating orderly transitions of governmental power in times of controversy and unrest. Most recently, the nation and the world looked on as lawyers and courts resolved the legal disputes surrounding the 2000 presidential election. Almost thirty years ago, two Tennessee lawyers orchestrated one of this country's most unique transitions of governmental power right here in Tennessee. My purpose is to recount some of what Hal Hardin and Bill Leech did in less than twenty-four hours on Wednesday, January 17, 1979.

Governor Ray Blanton's administration was clouded by controversy from its very beginning in January 1975. Many of these controversies involved state prisoners. In October 1976, a rumored federal ''clemency for cash'' investigation made front page headlines when FBI agents raided the office of Governor Blanton's lawyer and seized over one hundred files. In August 1977, the Governor fired Marie Ragghianti, his handpicked chairman of the parole board. Ms. Rigghianti hired Fred Thompson, and litigation followed.

Perhaps the most notorious controversy involved Roger Humphreys, the son of one of Governor Blanton's political allies, who had been convicted in 1975 of murdering his former wife and her boyfriend. Humphreys shot his two victims eighteen times with a two-shot derringer. Governor Blanton arranged for Humphreys to become a trustee and then gave him a job as a state photographer. When questioned, the governor insisted that Humphreys was ''a fine young man'' and bragged that he planned to pardon Humphreys before he left office.

The reaction to Governor Blanton's promise to pardon Roger Humphreys was swift and furious. The Tennessee House of Representatives passed HJR 271 urging Governor Blanton not to pardon him. A bipartisan committee, chaired by former Governor Winfield Dunn, a Republican, and John Jay Hooker, a prominent Democrat, started a statewide petition drive to urge the Governor not to pardon Humphreys. Governor Blanton announced on the eve of the 1978 general election that ''after prayerful consideration'' he would not pardon Humphreys. However, two weeks after the election, Governor Blanton announced that he had changed his mind and that he was again considering a pardon for Humphreys.

The public's outrage increased during December 1978. The FBI arrested Governor Blanton's lawyer in his office at the Capitol and charged him with selling pardons. The lawyer had clemency papers and marked money in his possession when we was arrested. One week later, Governor Blanton appeared before a federal grand jury and proclaimed as he was leaving the courthouse, ''I have nothing to hide.''

Governor Blanton's activities eventually prompted Senator Victor Ashe, a Republican from Knoxville, to ask William M. Leech, Jr., Tennessee's new Attorney General, to decide whether the governor-elect could become governor before the inauguration set by the legislature for January 20, 1979. While Bill Leech, a populist Democrat from Santa Fe, had been in the eye of the storm before, he did not relish answering this question. On January 3, 1979, his office issued Opinion No. 79–3 concluding that Republican Governor-elect Lamar Alexander could take the oath of office and become governor any time after midnight on January 15, 1979. General Leech decided against releasing the opinion to the public immediately.

On January 5,1979, Governor Blanton confirmed that he had been notified that he was a target of the federal grand jury ''clemency for cash'' investigation. In addition, the United States Attorney for the Middle District of Tennessee sent a letter to the parole board identifying twenty-six prisoners who were implicated in the growing ''clemency for cash'' investigation. Despite these developments, Governor Blanton continued to joke with the press about his plans to pardon Roger Humphreys.

Even though the Attorney General's opinion was not released to the public until January 15, 1979, rumors about the possibility of an early swearing-in began to circulate on Capitol Hill. Speaker of the House Ned Ray McWherter confirmed that the General Assembly might inaugurate the Governor-elect early if Governor Blanton issued any mass commutations. Lamar Alexander, an accomplished lawyer himself, downplayed the Attorney General's opinion. After consulting privately with the Speaker McWherter and Lieutenant Governor John Wilder, he stated that it would be ''totally inappropriate for me to assume power wholly on my own initiative.''

Speaker McWherter's fears were realized on Monday, January 15, 1979. Around 8:00 p.m. on that cold, rainy evening, Governor Blanton returned to his office in the Capitol. He was joined by his new lawyer and his Commissioner of Correction, and later by Secretary of State Gentry Crowell. Over the course of the next three hours, Governor Blanton signed clemency papers for 52 prisoners, including Roger Humphreys. As he signed Humphreys's papers, the Governor commented, ''This takes guts.'' Mr. Crowell replied, ''Yeah, well some people have more guts than they've got brains.''

The press corps quickly learned that Governor Blanton was in his office, and the reporters were waiting for him when he left the Capitol after 11:00 p.m. The Governor confirmed that he had signed a number of clemency documents, but he was coy about how many and for whom. Governor Blanton did not tell the reporters that Rogers Humphreys's clemency was being hand-carried to the state prison at that very moment. By the time the Secretary of State confirmed that Humphreys was among the 52 prisoners receiving clemencies, Humphreys had already left the prison a free man.

News of the 52 late night clemencies hit like a bombshell on January 16, 1979. State and federal officials—both Democrat and Republican—expressed dismay and began looking for ways to undo what Governor Blanton had done. The Governor's office fueled the controversy when the Governor's new lawyer announced that Governor Blanton might issue 18 more clemencies, including one ''big name,'' before the governor-elect's inauguration.

General Leech was in Washington on January 16, 1979 to argue a case before the United States Supreme Court. His pregnant wife had also gone into labor. He completed the argument and telephoned his office with directions to modify Opinion No. 79–3 to state that a court might hold that the Governor-elect could only take the oath of office at the scheduled inauguration. General Leech

arrived in Nashville later that evening and went directly to the hospital. His son was born the next morning.

It was at this point that Hal D. Hardin, the United States Attorney in Nashville, stepped up to the plate. Hardin, a ''yellow dog'' Democrat, had been appointed United States Attorney by President Jimmy Carter in July 1977. Prior to that appointment, he had been the widely respected presiding judge on the Circuit Court for Davidson County. In fact, Governor Blanton himself had placed Mr. Hardin on the bench in 1975. Despite Governor Blanton's protestations that the ''clemency for cash'' investigation was a partisan Republican conspiracy, Hardin had been involved with the investigation for more than a year.

Mr. Hardin had learned from a confidential source that Governor Blanton was preparing to issue clemencies for 18 to 20 more prisoners who were implicated in the ongoing ''clemency for cash'' investigation. Rather than waiting for events to unfold, Mr. Hardin, without the knowledge of the FBI or his staff, telephoned Lamar Alexander on the morning of January 17, 1979. He told Alexander that he was calling as a Tennessean and explained that he had received reliable information that Governor Blanton was preparing to issue additional clemencies, and he recommended that the Governor-elect consider taking office three days early in what Lamar Alexander later described as a ''swift and secret coup.''

Lamar Alexander had high regard for Hal Hardin. However, rather than acting on his own, he asked Hardin relay the information to Speaker McWherter, Lieutenant Governor Wilder, and General Leech. Hardin placed separate telephone calls to Speaker McWherter and Lieutenant Governor Wilder. He suggested a meeting among the three of them. Speaker McWherter and Lieutenant Governor Wilder decided against the meeting because they were concerned that a private meeting might violate the Sunshine Law. Instead, they asked him to meet with General Leech. Mr. Hardin telephoned General Leech, and a short time later, General Leech and two senior members of his staff met with Mr. Hardin in a hotel room across the street from the federal courthouse that Hardin had rented under an assumed name. Both Hardin and Leech understood that they had been given the responsibility to chart a course of action for the leaders of state government. The discussion was tense and sometime heated despite their close personal and professional relationship. For several hours, they reviewed Opinion No. 79–3 and eventually determined that the original opinion was correct. They also discussed how Governor Blanton might react and formulated contingency plans. When the meeting concluded, both General Leech and Mr. Hardin agreed to advise the state officials that the only way to prevent Governor Blanton from issuing more clemencies would be for Lamar Alexander to take the oath of office immediately.

Mr. Hardin returned to his office following the meeting in the hotel room. General Leech telephoned Lamar Alexander. He told the Governor-elect that despite his earlier misgivings about Opinion No. 79–3, he was now convinced that state law permitted the Governor-elect to assume office before the inauguration and that removing Governor Blanton from office was not only appropriate but necessary. Then General Leech met with Speaker McWherter and Lieutenant Governor Wilder and reiterated what he had told the Governor-elect. The legislative leaders were convinced that Governor Blanton should be removed from office, and Speaker McWherter telephoned Lamar Alexander and told him, ''It's time for leadership . . . We will support you.''

Numerous telephone conversations involving Lamar Alexander, Speaker McWherter, Lieutenant Governor Wilder, and General Leech followed.

They agreed that bipartisanship was essential and that Tennessee's citizens should understand that Tennessee's elected leaders were united in this decision. They decided that the legislative leaders, the constitutional officers, and the Attorney General- all Democrats—should be present at the ceremony, and they agreed on a statement that Alexander would read before he took the oath of office. They also decided that the ceremony should take place in the courtroom at the Supreme Court Building in Nashville and that Chief Justice Joseph Henry, also a Democrat, should be invited to administer the oath of office.

Shortly after 5:00 p.m., Speaker McWherter, Lieutenant Governor Wilder, the constitutional officers, and the members of the media walked from the Legislative Plaza to the Supreme Court. They were joined there by Lamar Alexander, his family, and several of Alexander's senior advisors. Chief Justice Henry administered the oath. The somber ceremony lasted six minutes. The press conference that followed lasted much longer. It was not lost on the media that the new governor was a Republican while most of the other officials involved in the ceremony were Democrats. One television reporter attempted to obtain a partisan comment from Speaker McWherter. However, Speaker McWherter, who would later serve as Governor with distinction, cut the reporter short saying, ''Let me say to you. First, I'm a Tennessean, and I think this is in the interest of Tennessee regardless of the party.''

Just before the ceremony began, General Leech telephoned Governor Blanton to inform him he was no longer Governor. Following the call, Governor Blanton complained that ''there was no courtesy extended to me today.'' Agents of the FBI circulated through the Capitol serving grand jury subpoenas on Governor Blanton's staff. Hal Hardin decided not to attend the ceremony. Rather than remaining in his office, he went for a long drive to be alone with his thoughts and to reflect on the events of the day.

As soon as the ceremony ended, several senior members of now Governor Alexander's staff made their way to the Capitol to secure the Governor's office. They found Governor Blanton's lawyer in his office preparing clemency papers for 30 more prisoners. Lewis R. Donelson, a Memphis lawyer who had already been named as the new Commissioner of Finance and Administration, refused to permit the lawyer to leave the building with the papers. When Governor Blanton telephoned to question his authority, Mr. Donelson replied that he was acting ''by the authority of the new governor.'' In response to Governor Blanton's assertion that he was still the governor, Mr. Donelson replied, ''Not anymore.''

A full discussion of the aftermath of the events of January 17, 1979 must await another day. Governor Alexander appointed Fred Thompson as special counsel to oversee his Administration's response to the clemency crisis. Governor Alexander's formal inauguration took place as planned on January 20, 1979. For the second time, Governor Alexander took the oath administered by Chief Justice Henry in the presence of Speaker McWherter, Lieutenant Governor Wilder and the constitutional officers. While litigation in the federal and state court would follow, the transition of governmental power proceeded with bipartisan dignity. Governor Alexander announced that ''today ought to be a happy one because the people and their government are back together again.''

Courage does not always draw attention to itself. Hal Hardin did not attend the inauguration. Bill Leech was present but did not play a prominent role in the ceremonies. While Lamar Alexander, Ned Ray McWherter, and John Wilder deserve credit for their personal courage and decisive demonstration of bipartisanship, the principal figures in this political drama agree that the events of January 17, 1979 would not have unfolded the way they did had it not been for Hal Hardin and Bill Leech. These lawyers placed the rule of law and governmental integrity ahead of political expediency and personal reputation. In the words of Speaker McWherter, they were Tennesseans first and their actions sprang from their desire to protect the interests of all Tennesseans, regardless of party.

Mr. ALEXANDER. I thank the Senator from Washington. I yield the floor.

MORNING BUSINESS

Mrs. MURRAY. I ask unanimous consent the Senate now proceed to Morning Business with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. 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. LIEBERMAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPLEMENTAL APPROPRIATIONS

Mr. LIEBERMAN. Madam President, I rise to speak in support of the amendment to strike section 1315 of the supplemental appropriations bill now before the Senate. The motion to strike was proposed earlier today by the Senator from Mississippi, Mr. COCHRAN. I am honored to be a cosponsor of it. I wish to explain to my colleagues why I am cosponsoring it.

This is a bill that is quite necessary to the funding of our military effort in Iraq and more broadly. The bill has kind of grown like Topsy and has a lot of other stuff in it. Maybe I am reflecting on the fact that I am going to see my grandchildren soon. One of my favorite Dr. Seuss books is about Thidwick the moose. Thidwick is a glorious moose with large antlers. Various creatures in the forest begin to occupy, ultimately quite unjustifiably, Thidwick's antlers until they fall off. There are parts of this supplemental appropriations bill that in my opinion, respectfully, do not belong there. Most significant of those is section 1315, which our motion would strike.

Section 1315 would order a withdrawal of American troops in Iraq to begin 120 days after passage, regardless of conditions on the ground, regardless of the recommendations of General Petraeus, regardless of the opinions of our partners in Iraq and throughout

the region, regardless of whether security is improving or deteriorating, the most significant of all. The withdrawal would be ordered by this section of the bill regardless of whether security was improving or deteriorating on the ground. It is the wrong measure at the wrong time. Ultimately, it will be a lot of sound and fury that signifies nothing but, more importantly, that accomplishes nothing and may do harm.

Why do I say it will accomplish nothing? Because everyone in this Chamber knows that the President of the United States could not have been more clear: If section 1315 is in this bill and is sent to his desk, he will veto it. In my opinion, he should veto it. Everyone in this Chamber knows there are not the votes in either House of Congress to override that veto. So that all that would have been accomplished is a delay in getting essential support to our troops in Iraq and Afghanistan, support they need and on which they are counting. That is unacceptable.

Obviously, Iraq and what has happened there, what is happening now is on our minds. We should discuss it. There are ways in which we can appropriately legislate with regard to Iraq. In fact, in this bill before us, there is a section on benchmarks which establishes for ourselves and for the Iraqi Government some benchmarks, some goals that we have in mind for what they primarily, on their own, should be achieving as they move to secure Baghdad and the rest of the country and to take control of their own destiny, an Iraqi Government governing the Iraqi people, which was the aim of our overthrow of Saddam Hussein.

The benchmarks are in there, inspired by the good work done by Senator NELSON of Nebraska, Senator WARNER of Virginia. Senator MCCAIN and I, earlier in the debate on Iraq a couple of months ago, were prepared to introduce an amendment to have such benchmarks. So there was constructive work that could be done. The benchmarks in this bill are in the form of a sense of Congress. They are a message. But they are not tied to a deadline. The measure that passed the House last week actually has some benchmarks that are tied to triggers that would begin withdrawal from Iraq.

President Eisenhower, speaking as a general, once said, now famously because it has been quoted often in these debates about Iraq, and I paraphrase: Anyone who sets a deadline, who argues for a deadline to be set in war doesn't understand war.

I believe what General Eisenhower was saying is that war is a dynamic process, a terrible process, a deadly process, one we try, through the exercise of all our diplomatic strength, to avoid. But when you are in a war, you have to give some deference not just to the generals you authorized to be in command but to the reality on the ground. War is ever changing. I believe Eisenhower must have intended, when he said deadlines should not be set in war, that there are two occasions which would justify a withdrawal. One is when the mission is accomplished. When the purpose for which a nation entered a war is accomplished, then one withdraws in victory. The second occasion when one would withdraw, based on what is happening on the ground, not some arbitrary deadline set far from the battlefield, would be if those in charge conclude that it is impossible to achieve the mission, to achieve the purpose for which the military action, the war, was commenced. Then a retreat occurs, a retreat which is a retreat in defeat.

As difficult as it has gone in Iraq and as many mistakes as have been made, as many setbacks as have occurred, as much as these mistakes and setbacks have stirred feelings of anger and frustration among the American people, which are totally understandable, justified, we have not reached the point in Iraq, in my considered judgment, where it is ready for a retreat because we have lost all hope of achieving our purposes there, which are to create a self-governing, self-sustaining Iraqi Government that will be our ally, particularly in the war against terrorism, as opposed to our enemy, and would create a model, a path, an alternative path to a better future in the Arab world, the Islamic world, than the death, hatred, and suicidal ambitions of al-Qaida and the other Islamic extremists, such as those who attacked us on September 11.

We are in a long and difficult war, and the price paid by our heroic soldiers and their families has been heavy. I understand the feelings of anger and frustration among the American people. But what is not understandable, with all respect, is for Congress now to let the passions of this moment, in Washington, obscure what is happening at this moment in Baghdad and in Anbar. Our actions should be driven by the real-war conditions in Iraq, not by the mindset here in Washington.

So I ask my colleagues to keep their minds open as we begin this very important and, critical debate. Our national security, in my opinion, is on the line in the outcome of this debate. The lives of our troops in Iraq and Afghanistan are on the line, quite literally, in the outcome of this debate.

I ask my colleagues to keep their minds open and to make a judgment as to whether this section—ordering a withdrawal from Iraq within 120 days, regardless of what happens on the ground; to be essentially completed by March of next year when most American troops would be withdrawn, regardless of what is happening on the ground in Iraq—to keep their minds open as to whether this is the right time for such a measure, whether it is the right measure, and whether it has any chance to do anything but to send a mixed message from this Congress, particularly to those who are fighting for us.

I ask my colleagues to look from here, for a moment, at what is actually happening on the ground in Baghdad and in Anbar Province, to the west, under the new security strategy with the new troops GEN David Petraeus is implementing.

Here is what I hear people saying—this is preliminary, this is early, but it is encouraging—sectarian fighting between Sunni and Shia is down significantly in districts in Baghdad where American and Iraqi forces have entered. That means the number of people killed in sectarian conflict, violent acts, death squads in Baghdad is down significantly in those districts where Iraqi and American forces have entered and established a presence.

As security improves, many Iraqi families that fled from their homes are returning to Baghdad. Moqtada al-Sadr, the head of the Mahdi militia, who has been so anti-American, has disappeared and many of his top lieutenants have been arrested.

The Government of Prime Minister Maliki, the Government in Iraq, has shown the kind of strength and decisiveness that is an obvious and necessary precondition for progress there.

I ask my colleagues to consider the testimony given to the Homeland Security and Governmental Affairs Committee, which I am privileged to chair, last Wednesday by Stuart Bowen, Jr., the Special Inspector General for Iraqi Reconstruction. Anybody who has followed Mr. Bowen's work knows this is a straight shooter. He is not in there to protect anybody. He is not in there to spin. He has told it as he sees it. He has been extremely critical of so much of what has happened in Iraq, particularly, obviously, within the jurisdiction the law gives him as Inspector General, which is to see how our money has been spent. He has documented waste in ways that are truly infuriating.

So when Stuart Bowen says something encouraging about what he sees in Iraq, that matters to me, and I believe it should matter to others. Last Wednesday, before the committee, Mr. Bowen said the week before he had returned from his 15th visit to Iraq. He said:

> It's been about twenty months—
>
> Almost 2 years—
>
> since I have returned from Iraq with a sense of cautious optimism. I have that now.

That is significant. Why on Earth—with independent testimony from Iraq that there are preliminary, encouraging signs of the effect of the new troops, the new plan, the new leader—why on Earth would we at this time order a withdrawal of those troops to begin within 120 days regardless?

Why, in the face of these encouraging developments, would this Chamber demand that the essence of the plan that has brought about these encouraging developments should end? Why, just several weeks after confirming GEN David Petraeus to lead our effort in Iraq, would this Chamber block him from carrying out the strategy he

shaped, is now implementing, and appears to be working?

In my opinion, the deadline for withdrawal from Iraq that is in this bill now is a deadline for defeat, where victory and success are still possible. There are no guarantees, of course, in war. That is why we adjust our judgments according to what is happening on the ground. So there are no guarantees that the encouraging first results of the implementation of the Petraeus plan will continue and go to full success—no guarantees.

But I can tell you this: If we adopt an arbitrary order to begin to withdraw our troops, regardless of what is happening on the ground in Iraq in the war, it will guarantee failure. That failure will have profound consequences for Iraq, which I believe will break up into not just full-fledged civil war but the kind of ethnic slaughter that drew us a decade ago into Bosnia to stop. And we will have withdrawn and be expected to stand by and let it happen.

Of course, ultimately it will lead to what will be claimed as a victory for the forces of Islamic extremism, our enemies in this war we are fighting. It will, in my opinion, ultimately embolden them to strike us here at home again.

So I appeal to my colleagues, as this debate on this amendment to strike begins, let's have a good debate. That is our nature. That is the essence of our democracy and of this Senate in which we are privileged to serve. But I ask my colleagues, in the end, to step back and think carefully about what this section 1315 would bring about, and instead of undermining General Petraeus, or at best sending a mixed message to him and his troops, let's give him and his troops the unified support and time they need to succeed for us.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

I withdraw the suggestion of an absence of a quorum, seeing my friend and colleague from Oklahoma now on the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Oklahoma.

Mr. COBURN. Mr. President, the Senate is going to take up, tomorrow, in rather full detail, an emergency supplemental spending bill. I think it is real important, first, for the American people to know what an emergency supplemental bill is supposed to be. It is supposed to be about funding unforeseen problems we could not have anticipated in the regular appropriations process. For a very small amount of this bill, that may be true.

This bill is $121 billion of your grandchildren's and great-grandchildren's money. This bill does not have to stay within the budgetary limitations Congress sets on itself. This bill goes outside every rule we have in terms of controlling the budget, living within our means, and it says: Here is a credit card.

Now, by the way, on the way to funding the war in Iraq, the wisdom of the Senate has added—and it is $21 billion in the House—about $18.9 billion in a wish list. It is a Christmas tree. If each of us in our own personal lives ran our businesses or our households the way Congress is running the emergency supplemental process, we would do it for about 1 year. Then we would be going to bankruptcy court, and we would be losing the vast majority of our possessions because we would not have been deemed to be responsible with the assets we had.

There lies the problem. It is the culture of Congress that thinks we can put a hood over the American people's eyes so they will not know what we are about to do in the next 4 or 5 days in this Chamber. You are going to hear all the reasons in the world why somebody needs something, except it is never going to be held in contrast to the loss of the standard of living of our grandchildren. Yes, there are agricultural needs out there we should have funded a year ago.

The chairman of the Budget Committee said when he would get in power, when the Democrats would get in power, they were going to pay for it—except here we have an emergency agriculture supplemental bill, a good portion of which is needed but it is not paid for. There is no offset anywhere else in the hundreds of billions of dollars' worth of waste in the discretionary side of the budget alone, to reduce something else so we can take care of those who need us now.

There is another aspect to this funding bill; that is, the politics that plays into it over the debate on the Iraq war. What we are seeing play out is a double-edged sword of how do we hurt the troops in the field by adding things to a supplemental bill to take care of them, when there has already been a threatened veto over the bill because it adds $18.9 billion more than what the President asked for to fund the war.

So as you listen, in the next 4 or 5 days, to the Senate debate this bill, there are a couple things you ought to pay attention to, and you ought to ask yourself the question: Where is the money coming from to pay for this bill? Where is the sacrifice from the generations today to do what the Members of this body want to do?

There is no sacrifice. We are not calling on anybody to sacrifice. What we are saying is: Those unborn, those young, those who are about to be born, and the children of those who are young, unborn or about to be born are the ones who are going to pay for it.

It portends a great moral question of our society today: How is it we can totally turn upside down the heritage of this country, the heritage of a country that has been built on the following premise: "I am going to work hard. I am going to sacrifice. And I am going to serve so that my children and grandchildren get ahead"? Have we become such a selfish country that we do not care about the next two generations?

I think the Senate has spoken, at least the appropriators have spoken. They have said "yes," it is OK to do things such as pay for the conventions, in August, of the Democratic and Republican Parties for the additional funds that will be needed for police enforcement with an emergency bill. Our grandchildren are not going to benefit from that. The political process today is. But we put it in this bill because it means if we put it in this bill, it will not be charged against the regular budget process. It is another way to spend more money. So let's move more things into the emergency category, so we do not have to be responsible when the rest of the appropriations bills come through the Senate.

Think about this: You have a grandchild sitting on your knee and you say: Yes, back in 2007, they had a party in Minneapolis and in Denver, and they charged it to you. You may get to go to college, you may not, but I just want you to know we had a good time at our conventions. How about $100 million for businesses that have under $15 million in revenue a year that have suffered some loss from a drought over the last 2 or 3 years. We already have several organizations within the Federal Government: Farm Service Agency, loan capabilities from the Department of Agriculture, the Small Business Administration. All are qualified to loan money to businesses that work in the agricultural area but, no, we set aside. We expanded the farm program with this bill to give $100 million to small businesses that have been hurt. If you are not connected to agriculture and you have been hurt, where is the bill to help you? Where does the precedent stop in terms of your small business?

What about the fact that gas prices rose and some auto dealers went out of business? Where is the $100 million for them? What about the fact that energy prices have gone up and small business profits all across the country have been severely damaged because if they are energy dependent, their costs have risen significantly? Where is the $100 million? Where does it stop? Where does it stop that we steal—when do we stop stealing from our grandchildren?

There is also in this emergency provision $3.5 million for tours of the Capitol. An emergency, that we have to have the money now, otherwise we won't have tours in the Capitol? That isn't right, but that is what is in the bill: $3.5 million. Why? So we can have $3.5 million more to play with when we get inside the budget now that we are outside the budget.

Oh, and I forgot to mention the fact the administration isn't innocent in this either, because the war in Iraq is hardly an emergency. As a matter of fact, it is in its fourth year. The administration should know what they need. Rather than send a supplemental up here, it should be in the Defense appropriations bill. It should have been in the bill we passed this last year. But instead, even the administration is complicit.

Who is going to stand and speak for the future against the processes the Congress uses today to fund and grow the Government, not worrying about how we pay for it in the future? Will you? Will you challenge this process? Will you say enough is enough? Will you do your part as a citizen of this country to make a difference, to hold people accountable here, rather than let the continued culture—and I call it a culture which actually the majority party ran on. It is a culture of corruption. When you do for you and steal from those who are weak and have no access or ability to pay it, that is corruption. It is morally corrupt. It is a process by which we undermine the very foundation upon which our country has become strong. If we continue it, what we will see is a weakened nation.

We now have $70 trillion of unfunded liabilities for Medicare, Medicaid, and Social Security. Think about that for a minute. Go figure out how many zeroes are associated with $1 trillion. If you had everyone who was worth more than $1 billion in the world sell all of their assets tomorrow and give every bit of that to the U.S. Government, it wouldn't even pay the interest for 1 year. How is it we can be going down this road? How is it we can be turning our backs on the principles that made us great as a nation—the idea of personal responsibility even applied to Senators, and accountability, and transparency. We are going to hear a lot of stories about what is and isn't happening with this bill over the next 3 or 4 days, but the question I hope the American people will ask themselves is where is the money coming from? Where is the money coming from? If it is not in a pot somewhere and if it is not saved, somebody is going to have to pay for it.

This money is coming from the big Visa card of the Federal Government. We are going to ''cha-ching'' and we are going to say: Grandchildren, you have to pay for this war in Iraq, plus another $19 billion, because we don't have the courage to hold this Government accountable. We don't even have the courage to hold ourselves accountable. We don't have the courage to eliminate the duplication, the fraud, and the waste that accounts for over $200 billion every year in this $3 trillion budget. There is no courage here to face that. We can do oversight hearings, and we have done so. Senator CARPER and myself did 46, more than any other committee of Congress, over the last 2 years. What we found was almost $200 billion of either duplicative programs, wasteful programs, or outright fraud. Yet where is the Congress offsetting those with this bill? No. It is too hard work. You might offend somebody. The next election is more important than the next generation. Being here is more important than doing what is the best thing for our Nation.

So I hope as we approach this bill, the American public will ask that question about where the sacrifice comes from to do this. Where does the sacrifice come from? Unfortunately, it is going to come from the next 2 generations. It is hard to identify what that means, but with $9 trillion of actual outstanding debt we have now and the $70 trillion of unfunded liability, it doesn't take a great imagination to understand how that might impact our children and grandchildren, with high interest rates, lack of ability to afford a college education, inability to own a home, buy a new car. All of those things are coming as we continue to steal the future from our children and our grandchildren. The big government credit card. It is only available because there is a lack of backbone and spine in the Congress to do what is necessary to give the American people true value from their Government. It is hard. A lot of people get upset. But I would much rather stand here and try to change it now than try to explain to my grandchildren why we didn't change it, why we didn't do that.

I have some hope the American people are starting to wake up to the budgetary gimmicks and processes the Congress uses. When they really awaken, what they are going to do is change who runs this place. It is going to be real citizen legislators. It is going to be people who care about the future more than they care about today. It is going to be people who care about a heritage that continues to be and create and hold forth the greatest experiment in freedom that has ever been. Without that change, as Will Durant said:

> Great societies are never conquered from without until they rot from within.

This is part of the rotting process we are going to see over the next 5 days in the Senate. If people summon courage, summon long-term viewpoint, summon sacrifice of giving up of themselves, whether it be position or power so we can create something better, the country will be all the better for that. If we don't, there won't be a headline that says: ''Grandchildren hurt by supplemental bill,'' but it doesn't mean they won't be. The fact is they will.

It is interesting the accounting that Washington uses. Last year the official number on the deficit was $175 billion, but the real number, the amount the debt went up, was $360 billion. If you are at home and you have a checkbook and you spend $175 more than you had in the checkbook, but at the end of the year you charged another $200 on top of it, you really spent it all, and you went into debt for that whole amount. But we don't do what national accounting standards say. We play a game. We take the Social Security money and we lessen the effect of what we are doing through Social Security and 30 some other trust funds such as the inland waterway trust fund and several others, and the retirement of the employees of the Federal Government that is not funded, and we add all that back and we make it look better than it is.

The idea behind a half lie is a whole truth, but it is not. A half truth is a whole lie.

So my hope is when we have this debate on this bill, this $121 billion bill, America will say: Wait a minute. Why aren't you paying for it? Why aren't you trimming some of the fat? Why aren't you trimming some of the problems? Why aren't you doing that? Because it is hard. That is not a good enough reason to undermine the future of this country.

Mr. President, I appreciate the opportunity to come and speak this evening and the staff staying here.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask that morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007—Continued

Mr. REID. Mr. President, I ask unanimous consent that the substitute amendment be agreed to, the bill, as amended, be considered as original text for the purpose of further amendments, and that no points of order be considered waived by virtue of this agreement; further, that the pending Cochran amendment remain in order, notwithstanding this agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 641) was agreed to.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on Calendar No. 84, H.R. 1591, the emergency supplemental 2007 appropriations bill.

Harry Reid, Robert C. Byrd, Jack Reed, Patrick Leahy, B.A. Mikulski, Byron L. Dorgan, Christopher J. Dodd, Dianne Feinstein, Richard J. Durbin, Chuck Schumer, Debbie Stabenow, Barbara Boxer, Herb Kohl, Jay Rockefeller, Joe Biden, E. Benjamin Nelson, Daniel K. Akaka, Ted Kennedy.

Mr. REID. Mr. President, I ask unanimous consent that the live quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. CON. RES. 21

AMENDMENT NO. 589

Mr. KYL. The fiscal year 2006 and fiscal year 2007 budget resolutions included an importation reserve fund for drugs imported from countries ''with strong safety laws.'' Yet the Dorgan-Snowe amendment omits that language. Does the Senator from New Hampshire agree that under the Dorgan-Snowe amendment, the term ''safe importation'' means from countries ''with strong safety laws''?

Mr. GREGG. Yes. The term ''safe importation'' means importation only from countries with strong safety laws. The additional language ''with strong safety laws,'' which was included in last year's budget, was redundant, but the absence of those words does not alter the meaning, in my opinion. ''Safe importation'' refers to the importation of prescription drugs from countries that require the review of drugs for safety and effectiveness by an entity of the government of the country; that require the methods used in and the facilities and controls used for the manufacture, processing, and packing of drugs in the country to be adequate to preserve their identity, quality, purity, strength, and efficacy; that require the labeling and promotion of drugs to be in accordance with the approval of the drug and whose valid marketing authorization system is equivalent to the systems in the United States.

GENOMICS AND PERSONALIZED MEDICINE ACT

Mr. BURR. Mr. President, I rise today to express my support for S. 976, the Genomics and Personalized Medicine Act of 2007, which my distinguished colleague from Illinois, Senator OBAMA, and I introduced on March 23, 2007. Senator OBAMA introduced this legislation last year. We have worked together on some revisions, and I am proud to join him in cosponsoring the legislation this year.

I believe this legislation will help improve the quality and safety of health care by providing a better understanding of what causes certain diseases. Through a coordinated research initiative and safer genetic tests, patients and doctors will be empowered to make more informed decisions about medical treatments.

This bill will advance the study of human genes and their functions to better predict patients' susceptibility to certain diseases or conditions and better customize drugs and medical treatments to meet patients' unique needs. By facilitating genomics research, fostering a capable genomics workforce, and encouraging the development of high quality genetic tests, patients will be better informed about the medical care they need.

I am proud that North Carolina is a leader in genomics and personalized medicine research. Duke University's Institute for Genome Sciences and Policy and the University of North Carolina at Chapel Hill's Institute for Pharmacogenomics and Individualized Therapy are both conducting significant research efforts in this area and support a stronger Federal focus on genomics. This legislation will increase Federal support for initiatives at Duke and Chapel Hill—a win-win for North Carolina and patients.

Specifically, this bill establishes an Interagency Working Group at the U.S. Department of Health and Human Services to pull together and accelerate genomics research by developing standardized terminology and establishing quality standards and guidelines for the collection, processing, and storage of genomic samples and data. It advances genomics research by establishing a national biobanking distributed database that collects and integrates genomic data to simplify pooled data analysis. The bill also develops biobanking initiatives at academic medical centers across the country, including biobanks containing biological specimens. It will improve genetics and genomics training by developing model training programs, residency curricula and teaching materials, and by integrating genetics and genomics into clinical and public health practice by developing health professional guidelines.

The bill will also encourage drug sponsors and device companies to develop companion diagnostic tests, and it will improve Federal oversight and regulation of genetic tests by identifying which tests require review and which agency—the Centers for Medicare and Medicaid Services or the Food and Drug Administration—should have oversight over specific categories of tests. It requires the Centers for Disease Control and Prevention to evaluate direct-to-consumer marketing of genetic tests to which consumers have direct access and to educate the public about genomics and its applications. It also asks the Agency for Healthcare Research and Quality to assess the clinical utility and cost-effectiveness of companion diagnostic tests that guide prescribing decisions.

ADDITIONAL STATEMENTS

BURLINGTON COMMUNITY HEALTH CENTER

• Mr. HARKIN. Mr. President, this spring, the new community health center in Burlington, IA, officially opened for business. Having secured funding for the center and attended the groundbreaking ceremony last June, I know how important this health care facility is to Burlington and the surrounding communities. At long last, Des Moines County has a permanent, unified medical and dental clinic, which has been sorely needed for many years.

This is a truly unique community health center. It is housed on the grounds of Southeastern Community College, and there is an agreement between the CHC board and the community college to allow nursing and health aide students to do some of their training in the center. This gives the center an edge in recruiting staff, and it gives students hands-on training opportunities right there on campus. Clearly, this is a win-win-win arrangement for the center, for the community college, and for the entire Burlington community.

I salute Ron Kemp and others who had the vision to create this new community health center, and the persistence to transform their vision into bricks and mortar. The facility is welcoming, modern, and well-equipped. The staff members are truly an inspiration. They have a special passion for their work, and take pride in the fact that they are providing first-rate health care to underserved communities.

Dr. Martin Luther King, Jr., used to say that ''Life's most persistent and urgent question is: What are you doing for others?'' The staff members at the community health centers of Southeast Iowa have answered that question in powerful ways. They have committed themselves to providing high-quality health care to all comers, regardless of ability to pay. All are welcomed equally. All are served with professionalism and excellence. As chair of the Health and Human Services Appropriations Subcommittee, I am 100 percent committed to securing appropriate funding for community health centers all across America. One thing I know for certain: Every dollar Congress appropriates for centers like the one in Burlington is a dollar spent wisely and frugally. It never ceases to amaze me how their staff members are able to do so much—and to serve so many people—with such limited resources.

I dare say that no one in the health care profession faces greater challenges than those who choose to work in community health centers. These challenges include chronic illness, cultural and linguistic differences, geographical barriers, and homelessness, to name just a few. Nothing stops these dedicated professionals.

And one more thing: community health centers have a well-deserved reputation for caring and kindness. They offer a direct and personal style of health care. They follow up. They care about prevention and wellness.

So I am deeply grateful to Executive Director Ron Kemp, to President Beverly Simone of Southeastern Community College, to the center's dedicated board members, to Ted Boesen, executive director of the Iowa/Nebraska Primary Care Association, and to all the other people who made this new facility possible. They work their hearts out to provide the very best health care to some of our most needy citizens. I deeply appreciate their passion, their compassion, and their dedication to public service.

HONORING LAS PLANTADAS

• Mr. MENENDEZ. Mr. President, today I wish to honor Las Plantadas, a group of women incarcerated for resisting the dictatorial regime of Cuba for nearly half a century. The National Association of Cuban American Women will gather on Saturday, March 24, 2007, to honor a group of Las Plantadas—Ana Lazara Rodriguez, Miriam Ortega, Genoveva Felixgraw, Clara Berta Canton Gomez, Olga Morgan and Gladys B. Campaneria Herrera—with the Elena Mederos Award during a Women's History Month Celebration at Schuetzen Park, in North Bergen, NJ.

The Elena Mederos Award was instituted by the National Association of Cuban American Women in memory of Dr. Elena Mederos, 1900–1981, a human rights activist, who is considered the most prominent Cuban woman of the 20th Century.

Ana Lazara Rodriguez, a doctor, was imprisoned when she was a 19-year-old medical student for participating in protests against the Cuban dictatorship. She was released in 1979 and traveled to the United States via Costa Rica. In May 1995, she published ''Diary of a Survivor,'' a book detailing her experiences while incarcerated.

Miriam Ortega was born in Ciego de Avila, Cuba. She was imprisoned for 18 years for working against the Castro regime. She was released and moved to the United States, where she continues in her determination to fight for a free Cuba.

Clara Berta Canton Gomez was born in Havana, Cuba. In 1962, State security agents searched the home of her parents seeking her brother who was involved in efforts against the Castro regime. Because they did not speak against their family member, Clara and her parents were incarcerated and sentenced to serve 30 years in prison. Released after 7 years, Clara has dedicated her time to fight for the release of political prisoners. She dreams of returning to see a free Cuba.

Olga Morgan was born in Santa Clara, Las Villas. When she was working against the Batista dictatorship, she met her husband, William Alexander Morgan, with whom she has two children, Olguita and Loretta. Olga and her husband were imprisoned in 1960 and 1961. Her husband was executed with the regime proclaiming both he and Olga a ''high risk for the revolution.'' Olga was released in 1971, and after being denied a travel document in 1978, she reached the shores of the United States in the 1980 Mariel boatlift.

Gladys B. Campaneria Herrera was born in Matanzas and raised in Havana. Between 1959 to 1963 she fought against the Castro regime, for which she was arrested in 1964 and sentenced to 3 years in prison. While she was in prison, she suffered greatly. She was released and moved to the United States, where she has lived in New York and worked in New Jersey as a reporter for various Spanish media outlets. An avid writer, Gladys has authored more than 150 poems and songs. She continues to fight for a free Cuba.

The inspiring stories of these women, and of the nearly 3000 other Cuban women who have been imprisoned, tortured, and endured many punishments for refusing to accept a dictatorial regime are a symbol of the dignity and courage of women and a reminder of the need to continue to fight for human rights around the world.

There is no doubt that Las Plantadas are exemplary leaders and profoundly committed individuals who are role models for the Nation. Therefore, I am pleased to pay tribute to Las Plantadas, and I know my colleagues will join in wishing them continued success in their quest for human rights and a free Cuba.•

TRIBUTE TO JUDGE ELSIJANE TRIMBLE ROY

• Mrs. LINCOLN. Mr. President, every year during the month of March, we honor the women who have made a lasting impact on our country's history with Women's History Month. This month, I want to pay tribute to a true Arkansas pioneer who passed away earlier this year, Judge Elsijane Trimble Roy.

Judge Roy has been referred to as ''Arkansas' Lady of Many Firsts.'' Only the third woman to graduate from the University of Arkansas law school in 1939, Judge Roy was the first female in the state of Arkansas to be appointed as circuit judge in 1966. In 1975, then-Governor David Pryor appointed Judge Roy to the Arkansas Supreme Court, making her the first woman to serve as an Arkansas Supreme Court Justice. Just 2 years later, newly elected President Jimmy Carter selected Judge Roy to serve on the Federal bench, and she was given the distinct honor of becoming Arkansas' first female Federal judge, as well as the first female judge appointed to the eighth Circuit.

The daughter of Federal judge Thomas C. Trimble, Judge Roy and her father also held the distinction of being the first father and daughter to serve as Federal judges. In fact, Judge Roy served in the same courtroom that her father presided over for nearly 20 years. She often mentioned that she could feel his presence, and in a 1996 interview with the Arkansas Democrat Gazette, she noted that ''It's meant so much to me to be able to try cases in the same court. I look up there, and he helps me with the hard cases.''

A gifted athlete who loved sports, Judge Roy was a star player for the Lonoke High School basketball team in Lonoke, AR, and was a two-time women's singles champion at the University of Arkansas.

Judge Roy was devoted to both her family and her faith. She was a proud mother, grandmother, and later in life, a great-grandmother. Judge Roy was also an aunt to many nieces and nephews. She was a longtime member of First Baptist Church in Lonoke and taught Sunday school class when she lived in Blytheville, AR. According to her obituary, Judge Roy gave credit to the Lord for her many judicial appointments, saying, ''I have always felt I have been brought to these positions by the Lord.'' The center of her faith was her favorite Bible verse, Micah 6:8, which reads, ''What does the Lord require of you but to do justice, love mercy, and walk humbly with your God.''

A truly remarkable woman, Judge Roy received many honors in her life, including the Outstanding Appellate Judge of 1976–1977 by the Arkansas Trial Lawyers Association. One honor, however, stands out above others. In 1976, Judge Roy was chosen as Arkansas Democrat's Woman of the Year, a distinction her mother also earned. She received a plaque for that honor, and in a 1979 Arkansas Democrat article, Judge Roy said, ''If anything is ever written about me, I want it to contain the words on that plaque. Throughout my career, the things written there are the things I have lived for.''

The plaque reads:

> As a law clerk, lawyer, and trial judge, Elsijane Trimble Roy established a reputation for integrity, intelligence, and independence. As the first woman on the Arkansas Supreme Court, she has become a symbol of pride and inspiration to all women.

Judge Roy, you have been a source of pride and inspiration to all women, not only in Arkansas, but throughout our great land. You will most certainly be missed.•

DIERKS, ARKANSAS, CELEBRATES 100TH ANNIVERSARY

• Mr. PRYOR. Mr. President, it is with the greatest pleasure that today I honor Dierks, AR, which will soon be celebrating its 100th anniversary. Dierks is located in Howard County which lies in the southwestern part of my State. It was named after a German family that immigrated to the United States in the mid-1800s. The family established a major sawmill known as Hardscrabble, and when the community was incorporated in 1907, it changed its name to Dierks.

The Weyerhaeuser Company purchased most of the Dierks' family holdings in 1969. Weyerhaeuser employs some 600 people in Howard County and is one of the county's largest employers.

Dierks is also one of many of Arkansas's fine recreation destinations. Visitors take advantage of Dierks Lake which offers boating, fishing, waterskiing, camping, and sightseeing. Among fishermen, the lake is best known for its large-mouth bass and crappie. Catfish and bream can also be caught in abundance. The beautiful surroundings make it among one of the most scenic spots in the State.

Mr. President, I ask my colleagues to join me today in congratulating Dierks on its 100th anniversary and in wishing its 1,300 citizens a wonderful day of celebration.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 545. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 93. A bill to authorize NTIA to borrow against anticipated receipts of the Digital Television 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 (Rept. No. 110–38).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

S. 261. A bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

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. 888. A bill to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. LANDRIEU:

S. 983. A bill for the relief of Michael Anthony Hurley; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. 984. A bill for the relief of Jiao Ying Li; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 985. A bill to establish a pilot program to provide low interest loans to nonprofit, community-based lending intermediaries, to provide midsize loans to small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. REID (for himself and Mr. SANDERS):

S. 986. A bill to expand eligibility for Combat-Related Special Compensation paid by the uniformed services in order to permit certain additional retired members who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for that disability and Combat-Related Special Compensation by reason of that disability; to the Committee on Armed Services.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 987. A bill to enhance the energy security of the United States by promoting biofuels and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MIKULSKI (for herself, Mr. WARNER, Mr. LEVIN, Mr. VOINOVICH, Mr. LEAHY, Mr. LIEBERMAN, Mr. GREGG, Ms. COLLINS, Mr. ENZI, Ms. SNOWE, Mr. SUNUNU, Mr. STEVENS, Mr. KENNEDY, and Mr. CARDIN):

S. 988. A bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers; to the Committee on the Judiciary.

By Mrs. LINCOLN:

S. 989. A bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 990. A bill to fight criminal gangs; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DEMINT:

S. Res. 123. A resolution reforming the congressional earmark process; to the Committee on Rules and Administration.

By Mr. BIDEN:

S. Res. 124. A resolution congratulating the European Union on the 50th anniversary of the signing of the Treaty of Rome creating the European Economic Community among 6 European countries and laying the foundations for peace, stability, and prosperity in Europe; considered and agreed to.

ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUYE, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 57, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 254

At the request of Mr. ENZI, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 254, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 406

At the request of Mrs. HUTCHISON, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 406, a bill to ensure local governments have the flexibility needed to enhance decision-making regarding certain mass transit projects.

S. 413

At the request of Mrs. CLINTON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 413, a bill to amend the Bank Holding Company Act of 1956 and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 474

At the request of Mrs. HUTCHISON, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 474, a bill to award a congressional gold medal to Michael Ellis DeBakey, M.D.

S. 502

At the request of Mr. CRAPO, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 502, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gains rates.

S. 506

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 506, a bill to improve efficiency in the Federal Government through the use of high-performance green buildings, and for other purposes.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Pennsylvania (Mr. CASEY) was added as

a cosponsor 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. 576

At the request of Mr. DODD, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 576, a bill to provide for the effective prosecution of terrorists and guarantee due process rights.

S. 582

At the request of Mr. SMITH, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 597

At the request of Mrs. FEINSTEIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 604

At the request of Mr. LAUTENBERG, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 604, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 638

At the request of Mr. ROBERTS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 638, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 656

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 673

At the request of Mr. SALAZAR, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 673, a bill to amend the Internal Revenue Code of 1986 to provide credits for the installation of wind energy property, including by rural homeowners, farmers, ranchers, and small businesses, and for other purposes.

S. 682

At the request of Mr. KENNEDY, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from New Hampshire (Mr. SUNUNU), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Texas (Mrs. HUTCHISON), the Senator from Utah (Mr. HATCH), the Senator from North Dakota (Mr. CONRAD), the Senator from Connecticut (Mr. DODD) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 682, a bill to award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation.

S. 756

At the request of Mr. DODD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 756, a bill to authorize appropriations for the Department of Defense to address the equipment reset and other equipment needs of the National Guard, and for other purposes.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. BROWN) 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. 831

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Rhode Island (Mr. WHITEHOUSE) 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. 871

At the request of Mr. LIEBERMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 883

At the request of Mrs. FEINSTEIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 883, a bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers.

S. 888

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 888, a bill to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances.

S. 903

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 903, a bill to award a Congressional Gold Medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 914

At the request of Mr. VOINOVICH, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 914, a bill to authorize the States (and subdivisions thereof), the District of Columbia, territories, and possessions of the United States to provide certain tax incentives to any person for economic development purposes.

S. 959

At the request of Mrs. CLINTON, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 959, a bill to award a grant to enable Teach for America, Inc., to implement and expand its teaching program.

S. 969

At the request of Mr. DODD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 969, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 980

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 980, a bill to amend the Controlled Substances Act to address online pharmacies.

S. CON. RES. 3

At the request of Mr. SALAZAR, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself and Mr. SANDERS):

S. 986. A bill to expand eligibility for Combat-Related Special Compensation paid by the uniformed services in order to permit certain additional retired members who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for that disability and Combat-Related Special Compensation by reason of that disability; to the Committee on Armed Services.

Mr. REID. Mr. President, before I introduce my legislation, The Combat Related Special Compensation Act of 2007, I would like to briefly talk about the unfair treatment and the deplorable health care conditions found at the Walter Reed Army Medical Center. I feel that the current situation there has some bearing on my legislation.

Walter Reed is one of the Army's best-known and premier medical facilities for wounded service members in the country. Numerous reports by the Government Accounting Office and transcripts of congressional testimony

indicate that many of our military facilities for wounded outpatients are in disarray. These facilities are plagued by mold, mice, stained carpets, and a system ill equipped to handle another generation of psychologically scarred veterans.

Nearly 4,000 outpatients are currently in the military's Medical Holding companies, which oversee the wounded. Soldiers and veterans across the country report bureaucratic neglect similar to Walter Reed's: untrained staff; misplaced paperwork; lost computer generated medical appointments; and long waits for consultations. These serious problems have resulted from bureaucratic red tape and substandard health care conditions. This situation is unacceptable. We have not fulfilled our covenant, nor have we kept our promise to take care of our troops.

Our dedicated service members took an oath to serve our Nation. We as policy makers have a moral obligation to take care of these dedicated service men and women that have shown heroic patriotism in Afghanistan and Iraq.

''As described in the Washington Post'', It is not just a problem at Walter Reed: others describe depressing living conditions for outpatients at military bases throughout the country. Let me share with you the comments of a 70-year-old soldier, Mr. Oliva, who is worried about the military health care our wounded will receive. He described his own troubling experiences at the VA hospital in Livermore, CA.

''It is not just Walter Reed,'' Mr. Oliva states. ''The VA hospitals are not good either except for the staff members who work so hard. It brings tears to my eyes when I see my brothers and sisters having to deal with these conditions.''

Mr. Oliva is but one voice in a vast outpouring of emotion and anger about the treatment of wounded outpatients at Walter Reed. Stories of neglect and substandard care have flooded in from soldiers, their family members, veterans, doctors and nurses working inside the system. This is appalling and an embarrassment to our Nation.

I am particularly concerned that some of the highest ranking officials were aware of the problem for almost two years, but took no action to correct the situation. While we have seen some positive signs from the fallout over the scandal, such as the firing of the head of Walter Reed and the establishment of a bipartisan commission, more must be done.

Our soldiers receive first class care in combat, and they should receive the same level of care in our own country. Congress must lead the way in this effort. We must continue our efforts and pass legislation that will improve the quality of life for all of America's heroes, including providing them with the benefits they have earned.

Today, I join with many of my Senate colleagues to fight and end the ban on current receipt so that disabled veterans can get the fair benefits they deserve. We have made some progress over the last few years, but as everyone knows, we still have a lot of work to do.

The legislation I am introducing today—the Combat-Related Special Compensation Act of 2007, would continue to chip away at this unfair policy, by giving pro-rated retirement benefits to our service men and women who are forced into early retirement because of their combat-related injuries.

Our veterans on a day-to-day basis sacrifice their life for our country. As public servants, we Americans owe it to our dedicated service men and women to end this inequity. We must support our troops; we must ensure that those who serve us with dignity and valor receive these deserving benefits. They have earned it and they deserve it.

My legislation will take care of soldiers who had hoped to make the military a career, but were discharged prematurely for an injury sustained in combat and forced to retire medically before attaining 20 years of service.

Like many of you, I have visited military hospitals on several occasions and have seen first hand the injuries sustained by our military personnel. Many of the members have reached the 10-, 12-, 14-year marks of their military careers and have been forced to retire medically before they meet the 20-year requirement to receive full benefits. Right now, these soldiers receive combat-related disability benefits, but are not eligible to receive retirement benefits because they cannot fulfill the 20-year service requirement.

This is a travesty to treat our dedicated service men and women inequitably. It's wrong.

We should not penalize veterans because they incurred a combat-related injury while serving their country. This legislation will ensure they will receive both their prorated military retirement pay, along with their disability compensation.

Let me point out that this legislation is especially important given the injuries sustained by these troops that are currently serving in Afghanistan, Iraq, and other theaters throughout the world. This legislation is essential for the more than 23,000 injured personnel who are returning from war. The widespread use of improvised explosive devices (IED) has created numerous amputees and therefore, result in an increase in medically discharged veterans. As described in stories reported by the Washington Post, a 25-year-old soldier got to close to an IED in Iraq and was sent to Walter Reed, where doctors did all they could before shipping the soldier to the VA for the remainder of his life. Will this young soldier be one of the victims of war that do not receive disability compensation and military retirement pay?

Mr. President, ensuring our veterans receive retirement benefits they have earned is the right thing to do, especially in light of recent issues surrounding the treatment of patients at Walter Reed. We must never forget the sacrifices our service men and women have made to protect our freedom. They serve because they love this great country. Taking care of our veterans is not only the right thing to do; it is also important for our efforts to win the war on terror. In our all-volunteer military, it is critical to attract and retain professional and dedicated soldiers. In turn, they expect that we will honor our commitments to provide health care and other primary benefits for them and their families.

By ending this unfair policy, we now have an opportunity to show our gratitude to our veterans. If we are to truly honor the sacrifices of our veterans, we need to ensure that those who were injured in defense of our Nation receive these well deserved benefits.

While our Nation is at war, there is no better honor we could bestow upon them than to pass this legislation.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 986

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 ''Combat-Related Special Compensation Act of 2007''.

SEC. 2. EXPANSION OF COMBAT-RELATED SPECIAL COMPENSATION ELIGIBILITY FOR CHAPTER 61 MILITARY RETIREES.

(a) ELIGIBILITY.—Subsection (c) of section 1413a of title 10, United States Code, is amended by striking ''entitled to retired pay who—'' and all that follows and inserting ''who—

''(1) is entitled to retired pay (other than by reason of section 12731b of this title); and

''(2) has a combat-related disability.''.

(b) COMPUTATION.—Paragraph (3) of subsection (b) of such section is amended—

(1) by designating the text of that paragraph as subparagraph (A), realigning that text so as to be indented 4 ems from the left margin, and inserting before ''In the case of'' the following heading: ''IN GENERAL.—''; and

(2) by adding at the end the following new subparagraph:

''(B) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—In the case of an eligible combat-related disabled uniformed services retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service, the amount of the payment under paragraph (1) for any month shall be reduced by the amount (if any) by which the amount of the member's retired pay under chapter 61 of this title exceeds the amount equal to 21½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2008, and shall apply to payments for months beginning on or after that date.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 987. A bill to enhance the energy security of the United States by promoting biofuels and for other purposes; to the Committee on Energy and Natural Resources.

Mr. President, I am very pleased to introduce the Biofuels for Energy Security and Transportation Act of 2007, along with my co-sponsor, Senator DOMENICI. This bipartisan bill will increase our use of home-grown biofuels and reduce our dependence on imported oil.

The bill establishes a new Renewable Fuel Standard. Starting in 2008, the new renewable fuel standard will require 8.5 billion gallons of renewable fuel. The standard increases gradually to 15 billion gallons per year by 2015. After 2015, a complementary ''advanced biofuel'' standard takes effect. This standard requires 3 billion gallons per year of advanced biofuels in 2016 and increases steadily to reach 21 billion gallons per year in 2022, for a total renewable fuel standard of 36 billion gallons per year in 2022.

The bill includes a number of provisions to expand the renewable transportation fuel infrastructure of the United States. A pilot program for renewable fuel corridors is created. Funding for biofuels research is increased, with new research centers established to include more of the country's diverse biofuels feedstocks. To promote the growth of local biorefineries, a national biorefinery information center is established. Further toward that end, a competitive grant program is established to develop infrastructure to support local biorefineries.

Finally, the bill calls for a number of studies that will explore how we should move forward with biofuels. Studies include: the feasibility of nationwide ethanol blended gasoline at levels between 10 and 25 percent (E10 to E25); the feasibility of dedicated ethanol pipelines; optimization of flex fuels vehicles, which are currently optimized to run on gasoline, to run on E85; an assessment of the state of advanced biofuels technology, in advance of the advanced biofuel standard in 2015; and allowing for renewable fuel standard credit generation through plug in hybrids.

The introduction of this bill is the beginning of what I hope will be a substantive exploration of the comprehensive set of issues surrounding the role of biofuels in meeting our future energy security.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 987

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Biofuels for Energy Security and Transportation Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
TITLE I—RENEWABLE FUEL STANDARD
Sec. 101. Renewable fuel standard.
TITLE II—RENEWABLE FUELS INFRASTRUCTURE
Sec. 201. Infrastructure pilot program for renewable fuels.
Sec. 202. Bioenergy research and development.
Sec. 203. Bioresearch centers for systems biology program.
Sec. 204. Loan guarantees for renewable fuel facilities.
Sec. 205. Grants for renewable fuel production research and development in certain States.
Sec. 206. Grants for infrastructure for transportation of biomass to local biorefineries.
Sec. 207. Biorefinery information center.
Sec. 208. Conversion assistance for cellulosic biomass, waste-derived ethanol, approved renewable fuels.
Sec. 209. Alternative fuel database and materials.
Sec. 210. Fuel tank cap labeling requirement.
TITLE III—STUDIES
Sec. 301. Study of advanced biofuels technologies.
Sec. 302. Study of increased consumption of ethanol-blended gasoline with higher levels of ethanol.
Sec. 303. Pipeline feasibility study.
Sec. 304. Study of optimization of alternative fueled vehicles to use E-85 fuel.
Sec. 305. Study of credits for use of renewable electricity in electric vehicles.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADVANCED BIOFUEL.—

(A) IN GENERAL.—The term ''advanced biofuel'' means fuel derived from renewable biomass other than corn kernels.

(B) INCLUSIONS.—The term ''advanced biofuel'' includes—

(i) ethanol derived from cellulose, hemicellulose, or lignin;

(ii) ethanol derived from sugar or starch, other than ethanol derived from corn kernels;

(iii) ethanol derived from waste material, including crop residue, other vegetative waste material, animal waste, and municipal solid waste;

(iv) diesel-equivalent fuel derived from renewable biomass, including vegetable oil and animal fat;

(v) biogas produced by the anaerobic digestion or fermentation of organic matter from renewable biomass; and

(vi) butanol produced by the fermentation of renewable biomass.

(2) CELLULOSIC BIOMASS ETHANOL.—The term ''cellulosic biomass ethanol'' means ethanol derived from any cellulose, hemicellulose, or lignin that is derived from renewable biomass.

(3) CONVENTIONAL BIOFUEL.—The term ''conventional biofuel'' means ethanol derived from corn kernels.

(4) RENEWABLE BIOMASS.—

(A) IN GENERAL.—The term ''renewable biomass'' means any organic matter that is available on a renewable or recurring basis.

(B) INCLUSIONS.—The term ''renewable biomass'' includes—

(i) renewable plant material, including—

(I) feed grains;

(II) other agricultural commodities;

(III) other plants and trees grown for energy production; and

(IV) algae; and

(ii) waste material, including—

(I) crop residue;

(II) other vegetative waste material (including wood waste and wood residues);

(III) animal waste and byproducts (including fats, oils, greases, and manure); and

(IV) municipal solid waste.

(C) EXCLUSIONS.—The term ''renewable biomass'' does not include old-growth timber of a forest from the late successional stage of forest development.

(5) RENEWABLE FUEL.—

(A) IN GENERAL.—The term ''renewable fuel'' means motor vehicle fuel, boiler fuel, or home heating fuel that is—

(i) produced from renewable biomass; and

(ii) used to replace or reduce the quantity of fossil fuel present in a fuel mixture used to operate a motor vehicle, boiler, or furnace that would otherwise operate using fossil fuel.

(B) INCLUSION.—The term ''renewable fuel'' includes—

(i) conventional biofuel; and

(ii) advanced biofuel.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(7) SMALL REFINERY.—The term ''small refinery'' means a refinery for which the average aggregate daily crude oil throughput for a calendar year (as determined by dividing the aggregate throughput for the calendar year by the number of days in the calendar year) does not exceed 75,000 barrels.

TITLE I—RENEWABLE FUEL STANDARD

SEC. 101. RENEWABLE FUEL STANDARD.

(a) RENEWABLE FUEL PROGRAM.—

(1) REGULATIONS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the President shall promulgate regulations to ensure that motor vehicle fuel, home heating oil, and boiler fuel sold or introduced into commerce in the United States (except in noncontiguous States or territories), on an annual average basis, contains the applicable volume of renewable fuel determined in accordance with paragraph (2).

(B) PROVISIONS OF REGULATIONS.—Regardless of the date of promulgation, the regulations promulgated under subparagraph (A)—

(i) shall contain compliance provisions applicable to refineries, blenders, distributors, and importers, as appropriate, to ensure that the requirements of this subsection are met; but

(ii) shall not—

(I) restrict geographic areas in the contiguous United States in which renewable fuel may be used; or

(II) impose any per-gallon obligation for the use of renewable fuel.

(C) RELATIONSHIP TO OTHER REGULATIONS.—Regulations promulgated under this paragraph shall, to the maximum extent practicable, incorporate the program structure, compliance, and reporting requirements established under the final regulations promulgated to implement the renewable fuel program established by the amendment made by section 1501(a)(2) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1067).

(2) APPLICABLE VOLUME.—

(A) CALENDAR YEARS 2008 THROUGH 2022.—

(i) RENEWABLE FUEL.—For the purpose of paragraph (1), subject to clause (ii), the applicable volume for any of calendar years 2008 through 2022 shall be determined in accordance with the following table:

Calendar year:	Applicable volume of renewable fuel (in billions of gallons):
2008	8.5
2009	10.5
2010	12.0
2011	12.6

Calendar year:	Applicable volume of renewable fuel (in billions of gallons):
2012	13.2
2013	13.8
2014	14.4
2015	15.0
2016	18.0
2017	21.0
2018	24.0
2019	27.0
2020	30.0
2021	33.0
2022	36.0

(ii) ADVANCED BIOFUELS.—For the purpose of paragraph (1), of the volume of renewable fuel required under clause (i), the applicable volume for any of calendar years 2016 through 2022 for advanced biofuels shall be determined in accordance with the following table:

Calendar year:	Applicable volume of advanced biofuels (in billions of gallons):
2016	3.0
2017	6.0
2018	9.0
2019	12.0
2020	15.0
2021	18.0
2022	21.0

(B) CALENDAR YEAR 2023 AND THEREAFTER.—Subject to subparagraph (C), for the purposes of paragraph (1), the applicable volume for calendar year 2023 and each calendar year thereafter shall be determined by the President, in coordination with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, based on a review of the implementation of the program during calendar years 2007 through 2022, including a review of—

(i) the impact of renewable fuels on the energy security of the United States;

(ii) the expected annual rate of future production of renewable fuels, including advanced biofuels; and

(iii) the impact of the use of renewable fuels on other factors, including job creation, the price and supply of agricultural commodities, rural economic development, and the environment.

(C) MINIMUM APPLICABLE VOLUME.—Subject to subparagraph (D), for the purpose of paragraph (1), the applicable volume for calendar year 2023 and each calendar year thereafter shall be equal to the product obtained by multiplying—

(i) the number of gallons of gasoline that the President estimates will be sold or introduced into commerce in the calendar year; and

(ii) the ratio that—

(I) 36,000,000,000 gallons of renewable fuel; bears to

(II) the number of gallons of gasoline sold or introduced into commerce in calendar year 2022.

(D) MAXIMUM QUANTITY DERIVED FROM CONVENTIONAL BIOFUEL FEEDSTOCKS.—For the purpose of paragraph (1), the applicable volume for calendar year 2023 and each calendar year thereafter shall not exceed 15,000,000,000 gallons of conventional biofuel.

(b) APPLICABLE PERCENTAGES.—

(1) PROVISION OF ESTIMATE OF VOLUMES OF GASOLINE SALES.—Not later than October 31 of each of calendar years 2008 through 2021, the Administrator of the Energy Information Administration shall provide to the President an estimate, with respect to the following calendar year, of the volumes of gasoline projected to be sold or introduced into commerce in the United States.

(2) DETERMINATION OF APPLICABLE PERCENTAGES.—

(A) IN GENERAL.—Not later than November 30 of each of calendar years 2008 through 2022, based on the estimate provided under paragraph (1), the President shall determine and publish in the Federal Register, with respect to the following calendar year, the renewable fuel obligation that ensures that the requirements of subsection (a) are met.

(B) REQUIRED ELEMENTS.—The renewable fuel obligation determined for a calendar year under subparagraph (A) shall—

(i) be applicable to refineries, blenders, and importers, as appropriate;

(ii) be expressed in terms of a volume percentage of gasoline sold or introduced into commerce in the United States; and

(iii) subject to paragraph (3)(A), consist of a single applicable percentage that applies to all categories of persons specified in clause (i).

(3) ADJUSTMENTS.—In determining the applicable percentage for a calendar year, the President shall make adjustments—

(A) to prevent the imposition of redundant obligations on any person specified in paragraph (2)(B)(i); and

(B) to account for the use of renewable fuel during the previous calendar year by small refineries that are exempt under subsection (g).

(c) VOLUME CONVERSION FACTORS FOR RENEWABLE FUELS BASED ON ENERGY CONTENT OR REQUIREMENTS.—

(1) IN GENERAL.—For the purpose of subsection (a), the President shall assign values to specific types of advanced biofuels for the purpose of satisfying the fuel volume requirements of subsection (a)(2) in accordance with this subsection.

(2) ENERGY CONTENT RELATIVE TO ETHANOL.—For advanced biofuel, 1 gallon of the advanced biofuel shall be considered to be the equivalent of 1 gallon of renewable fuel multiplied by the ratio that—

(A) the number of British thermal units of energy produced by the combustion of 1 gallon of the advanced biofuel (as measured under conditions determined by the Secretary); bears to

(B) the number of British thermal units of energy produced by the combustion of 1 gallon of pure ethanol (as measured under conditions determined by the Secretary to be comparable to conditions described in subparagraph (A)).

(3) TRANSITIONAL ENERGY-RELATED CONVERSION FACTORS FOR CELLULOSIC BIOMASS ETHANOL.—For any of calendar years 2008 through 2015, 1 gallon of cellulosic biomass ethanol shall be considered to be the equivalent of 2.5 gallons of renewable fuel.

(d) CREDIT PROGRAM.—

(1) IN GENERAL.—The President, in consultation with the Secretary and the Administrator of the Environmental Protection Agency, shall implement a credit program to manage the renewable fuel requirement of this section in a manner consistent with the credit program established by the amendment made by section 1501(a)(2) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1067).

(2) MARKET TRANSPARENCY.—In carrying out the credit program under this subsection, the President shall facilitate price transparency in markets for the sale and trade of credits, with due regard for the public interest, the integrity of those markets, fair competition, and the protection of consumers and agricultural producers.

(e) SEASONAL VARIATIONS IN RENEWABLE FUEL USE.—

(1) STUDY.—For each of calendar years 2007 through 2020, the Administrator of the Energy Information Administration shall conduct a study of renewable fuel blending to determine whether there are excessive seasonal variations in the use of renewable fuel.

(2) REGULATION OF EXCESSIVE SEASONAL VARIATIONS.—If, for any calendar year, the Administrator of the Energy Information Administration, based on the study under paragraph (1), makes the determinations specified in paragraph (3), the President shall promulgate regulations to ensure that 25 percent or more of the quantity of renewable fuel necessary to meet the requirements of subsection (a) is used during each of the 2 periods specified in paragraph (4) of each subsequent calendar year.

(3) DETERMINATIONS.—The determinations referred to in paragraph (2) are that—

(A) less than 25 percent of the quantity of renewable fuel necessary to meet the requirements of subsection (a) has been used during 1 of the 2 periods specified in paragraph (4) of the calendar year;

(B) a pattern of excessive seasonal variation described in subparagraph (A) will continue in subsequent calendar years; and

(C) promulgating regulations or other requirements to impose a 25 percent or more seasonal use of renewable fuels will not significantly—

(i) increase the price of motor fuels to the consumer; or

(ii) prevent or interfere with the attainment of national ambient air quality standards.

(4) PERIODS.—The 2 periods referred to in this subsection are—

(A) April through September; and

(B) January through March and October through December.

(f) WAIVERS.—

(1) IN GENERAL.—The President, in consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, may waive the requirements of subsection (a) in whole or in part on petition by one or more States by reducing the national quantity of renewable fuel required under subsection (a), based on a determination by the President (after public notice and opportunity for comment), that—

(A) implementation of the requirement would severely harm the economy or environment of a State, a region, or the United States; or

(B) extreme and unusual circumstances exist that prevent distribution of an adequate supply of domestically-produced renewable fuel to consumers in the United States.

(2) PETITIONS FOR WAIVERS.—The President, in consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, shall approve or disapprove a State petition for a waiver of the requirements of subsection (a) within 90 days after the date on which the petition is received by the President.

(3) TERMINATION OF WAIVERS.—A waiver granted under paragraph (1) shall terminate after 1 year, but may be renewed by the President after consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency.

(g) SMALL REFINERIES.—

(1) TEMPORARY EXEMPTION.—

(A) IN GENERAL.—The requirements of subsection (a) shall not apply to small refineries until calendar year 2013.

(B) EXTENSION OF EXEMPTION.—

(i) STUDY BY SECRETARY.—Not later than December 31, 2008, the Secretary shall submit to the President and Congress a report

describing the results of a study to determine whether compliance with the requirements of subsection (a) would impose a disproportionate economic hardship on small refineries.

(ii) EXTENSION OF EXEMPTION.—In the case of a small refinery that the Secretary determines under clause (i) would be subject to a disproportionate economic hardship if required to comply with subsection (a), the President shall extend the exemption under subparagraph (A) for the small refinery for a period of not less than 2 additional years.

(2) PETITIONS BASED ON DISPROPORTIONATE ECONOMIC HARDSHIP.—

(A) EXTENSION OF EXEMPTION.—A small refinery may at any time petition the President for an extension of the exemption under paragraph (1) for the reason of disproportionate economic hardship.

(B) EVALUATION OF PETITIONS.—In evaluating a petition under subparagraph (A), the President, in consultation with the Secretary, shall consider the findings of the study under paragraph (1)(B) and other economic factors.

(C) DEADLINE FOR ACTION ON PETITIONS.—The President shall act on any petition submitted by a small refinery for a hardship exemption not later than 90 days after the date of receipt of the petition.

(3) OPT-IN FOR SMALL REFINERIES.—A small refinery shall be subject to the requirements of subsection (a) if the small refinery notifies the President that the small refinery waives the exemption under paragraph (1).

(h) PENALTIES AND ENFORCEMENT.—

(1) CIVIL PENALTIES.—

(A) IN GENERAL.—Any person that violates a regulation promulgated under subsection (a), or that fails to furnish any information required under such a regulation, shall be liable to the United States for a civil penalty of not more than the total of—

(i) $25,000 for each day of the violation; and

(ii) the amount of economic benefit or savings received by the person resulting from the violation, as determined by the President.

(B) COLLECTION.—Civil penalties under subparagraph (A) shall be assessed by, and collected in a civil action brought by, the Secretary or such other officer of the United States as is designated by the President.

(2) INJUNCTIVE AUTHORITY.—

(A) IN GENERAL.—The district courts of the United States shall have jurisdiction to—

(i) restrain a violation of a regulation promulgated under subsection (a);

(ii) award other appropriate relief; and

(iii) compel the furnishing of information required under the regulation.

(B) ACTIONS.—An action to restrain such violations and compel such actions shall be brought by and in the name of the United States.

(C) SUBPOENAS.—In the action, a subpoena for a witness who is required to attend a district court in any district may apply in any other district.

(i) EFFECTIVE DATE.—Except as otherwise specifically provided in this section, this section takes effect on January 1, 2008.

TITLE II—RENEWABLE FUELS INFRASTRUCTURE

SEC. 201. INFRASTRUCTURE PILOT PROGRAM FOR RENEWABLE FUELS.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall establish a competitive grant pilot program (referred to in this section as the ''pilot program''), to be administered through the Vehicle Technology Deployment Program of the Department of Energy, to provide not more than 10 geographically-dispersed project grants to State governments, local governments, metropolitan transportation authorities, or partnerships of those entities to carry out 1 or more projects for the purposes described in subsection (b).

(b) GRANT PURPOSES.—A grant under this section shall be used for the establishment of refueling infrastructure corridors, as designated by the Secretary, for gasoline blends that contain at least 85 percent renewable fuel or diesel fuel that contains at least 10 percent renewable fuel, including—

(1) installation of infrastructure and equipment necessary to ensure adequate distribution of renewable fuels within the corridor;

(2) installation of infrastructure and equipment necessary to directly support vehicles powered by renewable fuels; and

(3) operation and maintenance of infrastructure and equipment installed as part of a project funded by the grant.

(c) APPLICATIONS.—

(1) REQUIREMENTS.—

(A) IN GENERAL.—Subject to subparagraph (B), not later than 90 days after the date of enactment of this Act, the Secretary shall issue requirements for use in applying for grants under the pilot program.

(B) MINIMUM REQUIREMENTS.—At a minimum, the Secretary shall require that an application for a grant under this section—

(i) be submitted by—

(I) the head of a State or local government or a metropolitan transportation authority, or any combination of those entities; and

(II) a registered participant in the Vehicle Technology Deployment Program of the Department of Energy; and

(ii) include—

(I) a description of the project proposed in the application, including the ways in which the project meets the requirements of this section;

(II) an estimate of the degree of use of the project, including the estimated size of fleet of vehicles operated with renewable fuel available within the geographic region of the corridor;

(III) an estimate of the potential petroleum displaced as a result of the project, and a plan to collect and disseminate petroleum displacement and other relevant data relating to the project to be funded under the grant, over the expected life of the project;

(IV) a description of the means by which the project will be sustainable without Federal assistance after the completion of the term of the grant;

(V) a complete description of the costs of the project, including acquisition, construction, operation, and maintenance costs over the expected life of the project; and

(VI) a description of which costs of the project will be supported by Federal assistance under this subsection.

(2) PARTNERS.—An applicant under paragraph (1) may carry out a project under the pilot program in partnership with public and private entities.

(d) SELECTION CRITERIA.—In evaluating applications under the pilot program, the Secretary shall—

(1) consider the experience of each applicant with previous, similar projects; and

(2) give priority consideration to applications that—

(A) are most likely to maximize displacement of petroleum consumption;

(B) demonstrate the greatest commitment on the part of the applicant to ensure funding for the proposed project and the greatest likelihood that the project will be maintained or expanded after Federal assistance under this subsection is completed;

(C) represent a partnership of public and private entities; and

(D) exceed the minimum requirements of subsection (c)(1)(B).

(e) PILOT PROJECT REQUIREMENTS.—

(1) MAXIMUM AMOUNT.—The Secretary shall provide not more than $20,000,000 in Federal assistance under the pilot program to any applicant.

(2) COST SHARING.—The non-Federal share of the cost of any activity relating to renewable fuel infrastructure development carried out using funds from a grant under this section shall be not less than 20 percent.

(3) MAXIMUM PERIOD OF GRANTS.—The Secretary shall not provide funds to any applicant under the pilot program for more than 2 years.

(4) DEPLOYMENT AND DISTRIBUTION.—The Secretary shall seek, to the maximum extent practicable, to ensure a broad geographic distribution of project sites funded by grants under this section.

(5) TRANSFER OF INFORMATION AND KNOWLEDGE.—The Secretary shall establish mechanisms to ensure that the information and knowledge gained by participants in the pilot program are transferred among the pilot program participants and to other interested parties, including other applicants that submitted applications.

(f) SCHEDULE.—

(1) INITIAL GRANTS.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register, Commerce Business Daily, and such other publications as the Secretary considers to be appropriate, a notice and request for applications to carry out projects under the pilot program.

(B) DEADLINE.—An application described in subparagraph (A) shall be submitted to the Secretary by not later than 180 days after the date of publication of the notice under that subparagraph.

(C) INITIAL SELECTION.—Not later than 90 days after the date by which applications for grants are due under subparagraph (B), the Secretary shall select by competitive, peer-reviewed proposal up to 5 applications for projects to be awarded a grant under the pilot program.

(2) ADDITIONAL GRANTS.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall publish in the Federal Register, Commerce Business Daily, and such other publications as the Secretary considers to be appropriate, a notice and request for additional applications to carry out projects under the pilot program that incorporate the information and knowledge obtained through the implementation of the first round of projects authorized under the pilot program.

(B) DEADLINE.—An application described in subparagraph (A) shall be submitted to the Secretary by not later than 180 days after the date of publication of the notice under that subparagraph.

(C) INITIAL SELECTION.—Not later than 90 days after the date by which applications for grants are due under subparagraph (B), the Secretary shall select by competitive, peer-reviewed proposal such additional applications for projects to be awarded a grant under the pilot program as the Secretary determines to be appropriate.

(g) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than 60 days after the date on which grants are awarded under this section, the Secretary shall submit to Congress a report containing—

(A) an identification of the grant recipients and a description of the projects to be funded under the pilot program;

(B) an identification of other applicants that submitted applications for the pilot program but to which funding was not provided; and

(C) a description of the mechanisms used by the Secretary to ensure that the information and knowledge gained by participants in the pilot program are transferred among the pilot program participants and to other interested parties, including other applicants that submitted applications.

(2) EVALUATION.—Not later than 2 years after the date of enactment of this Act, and annually thereafter until the termination of the pilot program, the Secretary shall submit to Congress a report containing an evaluation of the effectiveness of the pilot program, including an assessment of the petroleum displacement and benefits to the environment derived from the projects included in the pilot program.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $200,000,000, to remain available until expended.

SEC. 202. BIOENERGY RESEARCH AND DEVELOPMENT.

Section 931(c) of the Energy Policy Act of 2005 (42 U.S.C. 16231(c)) is amended—

(1) in paragraph (1), by striking ''$213,000,000'' and inserting ''$326,000,000'';

(2) in paragraph (2), by striking ''$251,000,000'' and inserting ''$377,000,000''; and

(3) in paragraph (3), by striking ''$274,000,000'' and inserting ''$398,000,000''.

SEC. 203. BIORESEARCH CENTERS FOR SYSTEMS BIOLOGY PROGRAM.

Section 977(a)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16317(a)(1)) is amended by inserting before the period at the end the following: '', including the establishment of at least 7 bioresearch centers that focus on biofuels, of which at least 1 center shall be located in each of the 4 Petroleum Administration for Defense Districts with no subdistricts and 1 center shall be located in each of the subdistricts of the Petroleum Administration for Defense District with subdistricts''.

SEC. 204. LOAN GUARANTEES FOR RENEWABLE FUEL FACILITIES.

(a) IN GENERAL.—Section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) is amended by adding at the end the following:

''(f) RENEWABLE FUEL FACILITIES.—

''(1) IN GENERAL.—The Secretary may make guarantees under this title for projects that produce advanced biofuel (as defined in section 2 of the Biofuels for Energy Security and Transportation Act of 2007).

''(2) REQUIREMENTS.—A project under this subsection shall employ new or significantly improved technologies for the production of renewable fuels as compared to commercial technologies in service in the United States at the time that the guarantee is issued.

''(3) ISSUANCE OF FIRST LOAN GUARANTEES.—The requirement of section 20320(b) of division B of the Continuing Appropriations Resolution, 2007 (Public Law 109–289, Public Law 110–5), relating to the issuance of final regulations, shall not apply to the first 6 guarantees issued under this subsection.

''(4) PROJECT DESIGN.—A project for which a guarantee is made under this subsection shall have a project design that has been validated through the operation of a continuous process pilot facility with an annual output of at least 50,000 gallons of ethanol.

''(5) MAXIMUM GUARANTEED PRINCIPAL.—The total principal amount of a loan guaranteed under this subsection may not exceed $250,000,000 for a single facility.

''(6) AMOUNT OF GUARANTEE.—The Secretary shall guarantee 100 percent of the principal and interest due on 1 or more loans made for a facility that is the subject of the guarantee under paragraph (3).

''(7) DEADLINE.—The Secretary shall approve or disapprove an application for a guarantee under this subsection not later than 90 days after the date of receipt of the application.

''(8) REPORT.—Not later than 30 days after approving or disapproving an application under paragraph (7), the Secretary shall submit to Congress a report on the approval or disapproval (including the reasons for the action).''.

(b) IMPROVEMENTS TO UNDERLYING LOAN GUARANTEE AUTHORITY.—

(1) DEFINITION OF COMMERCIAL TECHNOLOGY.—Section 1701(1) of the Energy Policy Act of 2005 (42 U.S.C. 16511(1)) is amended by striking subparagraph (B) and inserting the following:

''(B) EXCLUSION.—The term 'commercial technology' does not include a technology if the sole use of the technology is in connection with—

''(i) a demonstration plant; or

''(ii) a project for which the Secretary approved a loan guarantee.''.

(2) SPECIFIC APPROPRIATION OR CONTRIBUTION.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by striking subsection (b) and inserting the following:

''(b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—

''(1) IN GENERAL.—No guarantee shall be made unless—

''(A) an appropriation for the cost has been made; or

''(B) the Secretary has received from the borrower a payment in full for the cost of the obligation and deposited the payment into the Treasury.

''(2) LIMITATION.—The source of payments received from a borrower under paragraph (1)(B) shall not be a loan or other debt obligation that is made or guaranteed by the Federal Government.

''(3) RELATION TO OTHER LAWS.—Section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not apply to a loan or loan guarantee made in accordance with paragraph (1)(B).''.

(3) AMOUNT.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by striking subsection (c) and inserting the following:

''(c) AMOUNT.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall guarantee up to 100 percent of the principal and interest due on 1 or more loans for a facility that are the subject of the guarantee.

''(2) LIMITATION.—The total amount of loans guaranteed for a facility by the Secretary shall not exceed 80 percent of the total cost of the facility, as estimated at the time at which the guarantee is issued.''.

(4) SUBROGATION.—Section 1702(g)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16512(g)(2)) is amended—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B).

SEC. 205. GRANTS FOR RENEWABLE FUEL PRODUCTION RESEARCH AND DEVELOPMENT IN CERTAIN STATES.

(a) IN GENERAL.—The Secretary shall provide grants to eligible entities to conduct research into, and develop and implement, renewable fuel production technologies in States with low rates of ethanol production, including low rates of production of cellulosic biomass ethanol.

(b) ELIGIBILITY.—To be eligible to receive a grant under the section, an entity shall—

(1)(A) be an institution of higher education (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)) located in a State described in subsection (a); or

(B) be a consortium of such institutions of higher education, industry, State agencies, or local government agencies located in the State; and

(2) have proven experience and capabilities with relevant technologies.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for each of fiscal years 2008 through 2010.

SEC. 206. GRANTS FOR INFRASTRUCTURE FOR TRANSPORTATION OF BIOMASS TO LOCAL BIOREFINERIES.

(a) IN GENERAL.—The Secretary shall conduct a program under which the Secretary shall provide grants to local governments and other eligible entities (as determined by the Secretary) (referred to in this section as ''eligible entities'') to promote the development of infrastructure to support the transportation of biomass to local biorefineries, including by portable processing equipment.

(b) PHASES.—The Secretary shall conduct the program in the following phases:

(1) DEVELOPMENT.—In the first phase of the program, the Secretary shall make grants to eligible entities to assist the eligible entities in the development of local projects to promote the development of infrastructure to support the transportation of biomass to local biorefineries, including by portable processing equipment.

(2) IMPLEMENTATION.—In the second phase of the program, the Secretary shall make competitive grants to eligible entities to implement projects developed under paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 207. BIOREFINERY INFORMATION CENTER.

(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of Agriculture, shall establish a biorefinery information center to make available to interested parties information on—

(1) renewable fuel resources, including information on programs and incentives for renewable fuels;

(2) renewable fuel producers;

(3) renewable fuel users; and

(4) potential renewable fuel users.

(b) ADMINISTRATION.—In administering the biorefinery information center, the Secretary shall—

(1) continually update information provided by the center;

(2) make information available to interested parties on the process for establishing a biorefinery; and

(3) make information and assistance provided by the center available through a toll-free telephone number and website.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 208. CONVERSION ASSISTANCE FOR CELLULOSIC BIOMASS, WASTE-DERIVED ETHANOL, APPROVED RENEWABLE FUELS.

(a) DEFINITIONS.—In this section:

(1) APPROVED RENEWABLE FUEL.—The term ''approved renewable fuels'' means an alternative or replacement fuel that—

(A) has been approved under title III of the Energy Policy Act of 1992 (42 U.S.C. 13211 et seq.); and

(B) is made from renewable biomass.

(2) PRODUCER.—The term ''producer'' means—

(A) a merchant producer;

(B) a farm or dairy cooperative; or

(C) an association of agricultural producers.

(3) WASTE-DERIVED ETHANOL.—The term ''waste-derived ethanol'' means ethanol derived from—

(A) animal waste (including poultry fat and poultry waste) and other waste material; or

(B) municipal solid waste.

(b) CONVERSION ASSISTANCE.—The Secretary may provide grants to producers of cellulosic biomass ethanol, waste-derived ethanol, and approved renewable fuels in the United States to assist the producers in building eligible production facilities described in subsection (c) for the production of ethanol or approved renewable fuels.

(c) ELIGIBLE PRODUCTION FACILITIES.—A production facility shall be eligible to receive a grant under this section if the production facility—

(1) is located in the United States; and

(2) uses renewable biomass.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $400,000,000 for fiscal year 2008;

(2) $500,000,000 for fiscal year 2009; and

(3) $600,000,000 for fiscal year 2010.

SEC. 209. ALTERNATIVE FUEL DATABASE AND MATERIALS.

The Secretary and the Director of the National Institute of Standards and Technology shall jointly establish and make available to the public—

(1) a database that describes the physical properties of different types of alternative fuel; and

(2) standard reference materials for different types of alternative fuel.

SEC. 210. FUEL TANK CAP LABELING REQUIREMENT.

Section 406(a) of the Energy Policy Act of 1992 (42 U.S.C. 13232(a)) is amended—

(1) by striking ''The Federal Trade Commission'' and inserting the following:

''(1) IN GENERAL.—The Federal Trade Commission''; and

(2) by adding at the end the following:

''(2) FUEL TANK CAP LABELING REQUIREMENT.—Beginning with model year 2010, the fuel tank cap of each alternative fueled vehicle manufactured for sale in the United States shall be clearly labeled to inform consumers that such vehicle can operate on alternative fuel.''.

TITLE III—STUDIES

SEC. 301. STUDY OF ADVANCED BIOFUELS TECHNOLOGIES.

(a) IN GENERAL.—Not later than October 1, 2012, the Secretary shall offer to enter into a contract with the National Academy of Sciences under which the Academy shall conduct a study of technologies relating to the production, transportation, and distribution of advanced biofuels.

(b) SCOPE.—In conducting the study, the Academy shall—

(1) include an assessment of the maturity of advanced biofuels technologies;

(2) consider whether the rate of development of those technologies will be sufficient to meet the advanced biofuel standards required under section 101;

(3) consider the effectiveness of the research and development programs and activities of the Department of Energy relating to advanced biofuel technologies; and

(4) make policy recommendations to accelerate the development of those technologies to commercial viability, as appropriate.

(c) REPORT.—Not later than November 30, 2014, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing the results of the study conducted under this section.

SEC. 302. STUDY OF INCREASED CONSUMPTION OF ETHANOL-BLENDED GASOLINE WITH HIGHER LEVELS OF ETHANOL.

(a) IN GENERAL.—The Secretary (in cooperation with the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, and the Secretary of Transportation) shall conduct a study of the feasibility of increasing consumption in the United States of ethanol-blended gasoline with levels of ethanol that are not less than 10 percent and not more than 25 percent, including a study of production and infrastructure constraints on increasing the consumption.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under this section.

SEC. 303. PIPELINE FEASIBILITY STUDY.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of Agriculture and the Secretary of Transportation, shall conduct a study of the feasibility of the construction of dedicated ethanol pipelines.

(b) FACTORS.—In conducting the study, the Secretary shall consider—

(1) the quantity of ethanol production that would make dedicated pipelines economically viable;

(2) existing or potential barriers to dedicated ethanol pipelines, including technical, siting, financing, and regulatory barriers;

(3) market risk (including throughput risk) and means of mitigating the risk;

(4) regulatory, financing, and siting options that would mitigate risk in those areas and help ensure the construction of 1 or more 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 initial dedicated ethanol pipelines will require to invest in the pipelines;

(6) technical factors that may compromise the safe transportation of ethanol in pipelines, identifying remedial and preventative measures to ensure pipeline integrity; and

(7) such other factors as the Secretary considers appropriate.

(c) REPORT.—Not later than 15 months after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under this section.

SEC. 304. STUDY OF OPTIMIZATION OF ALTERNATIVE FUELED VEHICLES TO USE E-85 FUEL.

(a) IN GENERAL.—The Secretary shall conduct a study of methods of increasing the fuel efficiency of alternative fueled vehicles by optimizing alternative fueled vehicles to operate using E-85 fuel.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the study, including any recommendations of the Secretary.

SEC. 305. STUDY OF CREDITS FOR USE OF RENEWABLE ELECTRICITY IN ELECTRIC VEHICLES.

(a) DEFINITION OF ELECTRIC VEHICLE.—In this section, the term ''electric vehicle'' means an electric motor vehicle (as defined in section 601 of the Energy Policy Act of 1992 (42 U.S.C. 13271)) for which the rechargeable storage battery—

(1) receives a charge directly from a source of electric current that is external to the vehicle; and

(2) provides a minimum of 80 percent of the motive power of the vehicle.

(b) STUDY.—The Secretary shall conduct a study on the feasibility of issuing credits under the program established under section 101(d) to electric vehicles powered by electricity produced from renewable energy sources.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the results of the study, including a description of—

(1) existing programs and studies on the use of renewable electricity as a means of powering electric vehicles; and

(2) alternatives for—

(A) designing a pilot program to determine the feasibility of using renewable electricity to power electric vehicles as an adjunct to a renewable fuels mandate;

(B) allowing the use, under the pilot program designed under subparagraph (A), of electricity generated from nuclear energy as an additional source of supply;

(C) identifying the source of electricity used to power electric vehicles; and

(D) equating specific quantities of electricity to quantities of renewable fuel under section 101(d).

BY Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 990. A bill to fight criminal gangs; to the Committee on the Judiciary.

Mr. MENDENEZ. Mr. President, today, all across America, organized criminal gangs plague our communities, destroying the lives of thousands of young children and adults each and every year. Unfortunately, this plague is currently not being treated effectively, and as a result has grown in size and power in almost every State in the Nation. In order to effectively counter this growing threat, we cannot continue to believe it is only a State and local issue that predominantly occurs in highly urbanized areas. Instead, we must recognize that it has escalated into a national issue—reaching small rural towns, suburban areas, and big cities alike—and affecting our country as a whole.

In light of this, it is clear that we must recalibrate our efforts and—in addition to our local initiatives—comprehensively confront gang violence at the national level. That is why I rise today, along with my colleague, Senator LAUTENBERG, to introduce the Fighting Gangs and Empowering Youth Act of 2007.

Combining the efforts of Federal, State, and local agencies, this legislation would utilize a multi-pronged approach in order to comprehensively deal with all aspects of gang violence. From rigorously enforcing and appropriately sentencing criminal acts, to exposing and eliminating the root causes of gang pervasiveness, this bill would simultaneously deter gang violence while proactively targeting the sources that have led to its expanding prevalence.

Like most of the problems we face as a society, gang violence can most effectively be handled by addressing its root causes. In order to grow in size and power, gangs need a large, self-replenishing pool of recruits to draw upon. They prey on areas that suffer from high dropout rates, crippling poverty, and rampant unemployment—areas where hope is often in short supply. All

too often children who live in these areas are caught in a tragic web of gang violence simply because they can envision no other alternative.

It is in these circumstances, where a 15-year-old child sees life in a gang as not just their best option, but often their only option—that gang membership thrives. It is in these circumstances, where children do not anticipate living to celebrate their 30th birthday—that gangs flourish. Not only does this environment destroy the life of the individual recruited—it also serves to strengthen the gang, further reinforcing a vicious cycle.

Thus, any effort undertaken to combat gang violence must address the environment that transforms promising, young adolescents into ruthless tools of a criminal enterprise. While we will probably never be able to completely eliminate all acts of violence from our society, there is much we can do to instill in our children the skills they need to pursue a law abiding life. To this end, my legislation would authorize funds for afterschool and community-based programs designed to economically empower young people. Disadvantaged students will be given the opportunity to realize their potential, through tutoring, mentoring, and job training programs as well as college preparation classes and tuition assistance. Additionally, millions of dollars would be authorized to enhance and expand anti-gang and anti-violence programs in elementary and secondary schools, ensuring that students can focus solely on learning, without having to be concerned for their personal safety. By providing ''at-risk'' youth with the resources and opportunities necessary to succeed in life, they will be far less susceptible to the pressures to join a criminal gang.

This bill would also attack one of the roots of gang violence—gang recruiters, who seek out young, economically disadvantaged, at-risk youth and pressure them to join. Currently, there is no Federal law specifically forbidding gang recruitment. This legislation would change that—making it illegal for a gang member to solicit or recruit others into a gang—and would incarcerate an offender for up to 10 years if the person being recruited was 18 or older, or up to 20 years if the individual was under the age of 18. This provision would effectively target the kingpins of gangs, who cowardly order younger members to do their violent bidding, callously sacrificing their lives like pawns on a chessboard.

For those who have made wrong choices in life, but are still capable of rehabilitation, this bill would expand adult and juvenile offender reentry demonstration projects to help with post-release and transitional housing, while promoting programs that hire former prisoners, and establish reentry planning procedures within communities. To be eligible for early release, prisoners with drug addictions would be required to participate in treatment programs both while they are imprisoned as well as during their transition period back into society. All offenders would be encouraged to participate in educational initiatives such as job training, GED preparation, and a myriad of other programs designed to provide offenders with the skills necessary to become legally employed when they are released from prison. By providing such individuals with an alternative choice to a life of crime, lives can be transformed and recidivism rates amongst ex-convicts will be reduced.

In addition to programs focused on gang violence prevention, we must provide law enforcement officials at every level of government with all of the tools and resources necessary for them to safely and effectively protect and serve their communities. All too often these heroic officers are caught in the crossfire of gang violence, and all too often they make the ultimate sacrifice so that others may live.

One tragic example involves the late Detective Kiernan Shields from East Orange, New Jersey. Detective Shields was a rising star in the East Orange Police Department, living his lifelong dream of serving his community as an officer of the peace. He was a devoted, loving husband and proud father of three children, who was remembered by his peers and colleagues not just as a multi-talented person with a great sense of humor, but as the epitome of a role model in an area that desperately needed one. Unfortunately, New Jersey lost one of its bravest and finest sons on the evening of August 7, 2006, when Detective Shields was ruthlessly shotgunned to death by a reputed member of the Bloods gang, as he valiantly ran toward the sound of echoing gunfire—Ran toward the gunfire.

This single act of heroism is consistent with the way police officers across this Nation live their daily lives. These are the people who are fighting day in and day out to keep our communities safe. The best way to honor the victims of gang violence and those who are still fighting it is to fully commit ourselves to eradicating this cancer.

To assist our frontline warriors in their daily struggle against gang violence, my proposal would provide law enforcement officials on every level of government with the resources and information they need to accurately track and effectively neutralize criminal gangs. Specifically, this legislation would establish a program similar to the current Community Oriented Policing Services (COPS) program to augment the number of police officers combating gangs in our local communities, and would authorize $700 million annually for it. Additional funds would be used to provide more forensic examiners to investigate, and more attorneys to prosecute, gang crimes. These measures would show that we pay homage not just with our words, but more importantly, with our actions, as we recognize the heroic deeds performed by law enforcement officials every single day.

As is true with almost all problems, a better understanding of how gangs operate translates into a better understanding of how best to counter them. That is why this bill would authorize additional funding for the National Youth Gang Survey to increase the number of law enforcement agencies whose data is collected and included in the annual survey and provide money to upgrade technology to better identify gang members and include them in the National Gang Database. Additionally, this legislation would expand the Uniform Crime Reports (UCRs) to include local gang and other crime statistics from the municipal level, while also requiring the Attorney General to distinguish those crimes committed by juveniles. The bill also requires consolidation and standardization of criminal databases, enabling law enforcement all across the country to better share information.

For those who still choose a life of crime, this proposal would increase the penalties for crimes committed in the furtherance of a gang. Gangs are dependent on committing crimes such as witness intimidation, illegal firearm possession, and drug trafficking—implementing these violent instruments to augment their power. Subsequently, when these crimes are committed in the furtherance of gang activity, they can be more detrimental to society than if they were committed in isolation. Thus, these tougher sentencing requirements for crimes committed in the furtherance of a gang are not only appropriate, but necessary to deter gang violence and shield society from its most dangerous and unremorseful criminals.

Taken together, the provisions of this bill develop a comprehensive approach to gang violence by focusing on prevention, deterrence, and enforcement. Failure to address all of these gang violence catalysts in their entirety would leave us with an incomprehensive approach that would do little to quell the scourge of gang violence. Therefore, I urge my colleagues to support the Fighting Gangs and Empowering Youth Act, and by doing so, give law enforcement and our communities the means to thoroughly and comprehensively counter the growing specter of gang violence that afflicts our great Nation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 123—REFORMING THE CONGRESSIONAL EARMARK PROCESS

Mr. DEMINT submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 123

Resolved,

SECTION 1. CONGRESSIONAL EARMARK REFORM.

The Standing Rules of the Senate are amended by adding at the end the following:

''RULE XLIV

''EARMARKS

''1. It shall not be in order to consider——

''(a) a bill or joint resolution reported by a committee unless the report includes a list, which shall be made available on the Internet in a searchable format to the general public for at least 48 hours before consideration of the bill or joint resolution, of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

''(b) a bill or joint resolution not reported by a committee unless the chairman of each committee of jurisdiction has caused a list, which shall be made available on the Internet in a searchable format to the general public for at least 48 hours before consideration of the bill or joint resolution, of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill (and the name of any Member who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration; or

''(c) a conference report to accompany a bill or joint resolution unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list, which shall be made available on the Internet in a searchable format to the general public for at least 48 hours before consideration of the conference report, of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

''2. For the purpose of this rule—

''(a) the term 'congressional earmark' means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

''(b) the term 'limited tax benefit' means—

''(1) any revenue provision that—

''(A) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

''(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

''(2) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986; and

''(c) the term 'limited tariff benefit' means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

''3. A Member may not condition the inclusion of language to provide funding for a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by another Member, Delegate, or Resident Commissioner.

''4. (a) A Member who requests a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (or an accompanying joint statement of managers) shall provide a written statement to the chairman and ranking member of the committee of jurisdiction, including—

''(1) the name of the Member;

''(2) in the case of a congressional earmark, the name and address of the intended recipient or, if there is no specifically intended recipient, the intended location of the activity;

''(3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Member;

''(4) the purpose of such congressional earmark or limited tax or tariff benefit; and

''(5) a certification that the Member or spouse has no financial interest in such congressional earmark or limited tax or tariff benefit.

''(b) Each committee shall maintain the written statements transmitted under subparagraph (a). The written statements transmitted under subparagraph (a) for any congressional earmarks, limited tax benefits, or limited tariff benefits included in any measure reported by the committee or conference report filed by the chairman of the committee or any subcommittee thereof shall be published in a searchable format on the committee's or subcommittee's website not later than 48 hours after receipt on such information.

''5. It shall not be in order to consider any bill, resolution, or conference report that contains an earmark included in any classified portion of a report accompanying the measure unless the bill, resolution, or conference report includes to the greatest extent practicable, consistent with the need to protect national security (including intelligence sources and methods), in unclassified language, a general program description, funding level, and the name of the sponsor of that earmark.''.

SENATE RESOLUTION 124—CONGRATULATING THE EUROPEAN UNION ON THE 50TH ANNIVERSARY OF THE SIGNING OF THE TREATY OF ROME CREATING THE EUROPEAN ECONOMIC COMMUNITY AMONG 6 EUROPEAN COUNTRIES AND LAYING THE FOUNDATIONS FOR PEACE, STABILITY, AND PROSPERITY IN EUROPE

Mr. BIDEN submitted the following resolution; which was considered and agreed to:

S. RES. 124

Whereas after a half century of war and upheaval, and in the face of economic and political crises and the threat of communism, European visionaries began a process to bring the countries of Europe into closer economic and political cooperation to help secure peace and prosperity for the peoples of Europe;

Whereas, on March 25, 1957, 6 European countries—the Federal Republic of Germany, France, Italy, Belgium, the Netherlands, and Luxembourg—signed the Treaty of Rome, creating the European Economic Community;

Whereas the Treaty of Rome established a customs union between the signatory countries, but also did much more, creating a framework that has broadened and deepened over time into the European Union, promoting the free movement of people, services, and capital, and common policies among the countries in important areas, and that has helped secure the spread of peace and stability in Europe;

Whereas the European Economic Community expanded to bring more European countries into closer union, with the United Kingdom, Denmark, and Ireland joining in 1973, Greece joining in 1981, and Spain and Portugal joining in 1986;

Whereas the member countries of the European Economic Community agreed to the Single European Act in 1987, paving the way for a single European market, and on February 7, 1992, the member countries of the European Community signed the Treaty of Maastricht, furthering the economic and political ties among the member countries and creating the European Union;

Whereas the European Union has continued to grow so that the European Union now comprises 27 countries with a population of over 450,000,000, after the successful unification of Germany in 1990 and the joining of 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, and the European Union continues to consider expanding to include other countries central to the history and future of Europe;

Whereas the European Union has developed a broad acquis communautaire covering policies in the economic, security, diplomatic, and political areas, has established a single market, has built an economic and monetary union, including the Euro currency, and has built an area of freedom, security, peace, and justice, extending stability to its neighbors;

Whereas the European Union played a key role at the end of the Cold War in helping to spread free markets, democratic institutions and values, and respect for human rights to the former central European communist states;

Whereas the United States and the European Union have shared a unique partnership based on a common heritage, shared values, and mutual interests, and have worked together to strengthen international cooperation and institutions, to create a more open international trading system, to ensure transatlantic and global security, to preserve and promote peace, freedom, and democracy, 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 to promote prosperity, peace, and democracy: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the European Union and the member countries of the European Union on the 50th anniversary of the historic signing of the Treaty of Rome;

(2) commends the European Union for the critical role it and its predecessor organizations have played in spreading peace, stability, and prosperity throughout Europe; and

(3) affirms the desire of the United States to strengthen the transatlantic partnership with the European Union and with all of its member countries.

AMENDMENTS SUBMITTED AND PROPOSED

SA 641. Mr. BYRD proposed an amendment to the bill H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

SA 642. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 641 proposed by Mr. BYRD to the bill H.R. 1591, supra; which was ordered to lie on the table.

SA 643. Mr. COCHRAN (for himself, Mr. MCCAIN, Mr. LIEBERMAN, Mr. GRAHAM, Mr. WARNER, Mr. STEVENS, Mr. BROWNBACK, Mr. SHELBY, Mr. CRAIG, Mr. ALLARD, Mr. BENNETT, and Mr. ENZI) proposed an amendment to amendment SA 641 proposed by Mr. BYRD to the bill H.R. 1591, supra.

SA 644. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 1591, supra; which was ordered to lie on the table.

SA 645. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 1591, supra; which was ordered to lie on the table.

SA 646. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 1591, supra; which was ordered to lie on the table.

SA 647. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1591, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 641. Mr. BYRD proposed an amendment to the bill H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I

GLOBAL WAR ON TERROR SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for ''Public Law 480 Title II Grants'', during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $475,000,000, to remain available until expended.

GENERAL PROVISION—THIS CHAPTER

SEC. 1101. There is hereby appropriated $82,000,000 to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): *Provided,* That any such funds made available to reimburse the Commodity Credit Corporation shall only be used to replenish the Bill Emerson Humanitarian Trust.

CHAPTER 2

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $500,000, to remain available until September 30, 2008.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses, General Legal Activities'', $4,093,000, to remain available until September 30, 2008.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses, United States Attorneys'', $5,000,000, to remain available until September 30, 2008.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For an additional amount for ''Salaries and Expenses, United States Marshals Service'', $25,000,000, to remain available until September 30, 2008.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses,'' $1,736,000, to remain available until September 30, 2008.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $348,260,000, of which $338,260,000 is to remain available until September 30, 2008 and $10,000,000 is to remain available until expended to implement corrective actions in response to the findings and recommendations in the Department of Justice Office of Inspector General report entitled, ''A Review of the Federal Bureau of Investigation's Use of National Security Letters''.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $25,100,000, to remain available until September 30, 2008.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $4,000,000, to remain available until September 30, 2008.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $17,000,000, to remain available until September 30, 2008.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $8,870,270,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,100,410,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,495,827,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,218,587,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $147,244,000.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $77,523,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $9,073,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $474,978,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $41,533,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $20,373,379,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $4,865,003,000, of which $120,293,000 shall be transferred to Coast Guard, ''Operating Expenses'', for reimbursement for activities in support of activities requested by the Navy.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,101,594,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $6,685,881,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $2,790,669,000, of which—

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

(2) not to exceed $200,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided to United States military operations, notwithstanding any other provision of law: *Provided,* That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further,* That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $74,049,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $111,066,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $13,591,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $10,160,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $83,569,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $38,429,000.

AFGHANISTAN SECURITY FORCES FUND

For an additional amount for ''Afghanistan Security Forces Fund'', $5,906,400,000, to remain available until September 30, 2008.

IRAQ SECURITY FORCES FUND

For an additional amount for ''Iraq Security Forces Fund'', $3,842,300,000, to remain available until September 30, 2008.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Iraq Freedom Fund'', $455,600,000, to remain available for transfer until September 30, 2008.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

For an additional amount for ''Joint Improvised Explosive Device Defeat Fund'', $2,432,800,000, to remain available until September 30, 2009.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $619,750,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $111,473,000, to remain available until September 30, 2009.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $3,400,315,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $681,500,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $10,589,272,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $963,903,000, to remain available until September 30, 2009.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $163,813,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $159,833,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $722,506,000, to remain available until September 30, 2009.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $1,703,389,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $1,431,756,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $78,900,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $6,000,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,972,131,000, to remain available until September 30, 2009.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $903,092,000, to remain available until September 30, 2009.

NATIONAL GUARD AND RESERVE EQUIPMENT

For an additional amount for ''National Guard and Reserve Equipment'', $1,000,000,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $125,576,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $308,212,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $233,869,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $522,804,000, to remain available until September 30, 2008.

REVOLVING AND MANAGEMENT FUNDS

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for ''National Defense Sealift Fund'', $5,000,000.

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,315,526,000.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $2,466,847,000; of which $2,277,147,000 shall be for operation and maintenance; of which $118,000,000, to remain available for obligation until September 30, 2009, shall be for Procurement; and of which $71,700,000, to remain available for obligation until September 30, 2008, shall be for Research, development, test and evaluation.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $254,665,000, to remain available until expended: *Provided*, That these funds may be used only for such activities related to Afghanistan and Central Asia: *Provided further*, That the Secretary of Defense may transfer such funds only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: *Provided further*, That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

RELATED AGENCY

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for ''Intelligence Community Management Account'', $71,726,000.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. Appropriations provided in this chapter are available for obligation until September 30, 2007, unless otherwise provided in this chapter.

(TRANSFER OF FUNDS)

SEC. 1302. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $3,500,000,000 of the funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2007 (Public Law 109–289; 120 Stat. 1257), except for the fourth proviso: *Provided further*, That funds previously transferred to the ''Joint Improvised Explosive Device Defeat Fund'' and the ''Iraq Security Forces Fund'' under the authority of section 8005 of Public Law 109–289 and transferred back to their source appropriations accounts shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under section 8005.

SEC. 1303. Funds appropriated in this chapter, or made available by the transfer of funds in or pursuant to this chapter, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 1304. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal years 2006 or 2007 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 1305. During fiscal year 2007, the Secretary of Defense may transfer not to exceed $6,300,000 of the amounts in or credited to the Defense Cooperation Account, pursuant to 10 U.S.C. 2608, to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided*, That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary shall report to the Congress all transfers made pursuant to this authority.

SEC. 1306. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this title under the heading, ''Drug Interdiction and Counter-Drug Activities, Defense'', not to exceed $60,000,000 may be used for support for counter-drug activities of the Governments of Afghanistan, Kazakhstan, and Pakistan: *Provided*, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—

(1) Except as specified in subsection (b)(2) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Laws 106–398, 108–136, and 109–364) and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2007.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to said Governments for counter-drug activities.

SEC. 1307. (a) From funds made available for operations and maintenance in this title to the Department of Defense, not to exceed $456,400,000 may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi and Afghan people.

(b) QUARTERLY REPORTS.—Not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

SEC. 1308. During fiscal year 2007, supervision and administration costs associated with projects carried out with funds appropriated to ''Afghanistan Security Forces Fund'' or ''Iraq Security Forces Fund'' in this chapter may be obligated at the time a construction contract is awarded: *Provided,* That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 1309. Section 1005(c)(2) of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109–364) is amended by striking ''$310,277,000'' and inserting ''$376,446,000''.

SEC. 1310. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

SEC. 1311. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code;

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations; and

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 1312. Section 9007 of Public Law 109–289 is amended by striking ''20'' and inserting ''287''.

SEC. 1313. INSPECTION OF MILITARY MEDICAL TREATMENT FACILITIES, MILITARY QUARTERS HOUSING MEDICAL HOLD PERSONNEL, AND MILITARY QUARTERS HOUSING MEDICAL HOLDOVER PERSONNEL. (a) PERIODIC INSPECTION REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall inspect each facility of the Department of Defense as follows:

(A) Each military medical treatment facility.

(B) Each military quarters housing medical hold personnel.

(C) Each military quarters housing medical holdover personnel.

(2) PURPOSE.—The purpose of an inspection under this subsection is to ensure that the facility or quarters concerned meets acceptable standards for the maintenance and operation of medical facilities, quarters housing medical hold personnel, or quarters housing medical holdover personnel, as applicable.

(b) ACCEPTABLE STANDARDS.—For purposes of this section, acceptable standards for the operation and maintenance of military medical treatment facilities, military quarters housing medical hold personnel, or military quarters housing medical holdover personnel are each of the following:

(1) Generally accepted standards for the accreditation of non-military medical facilities, or for facilities used to quarter individuals with medical conditions that may require medical supervision, as applicable, in the United States.

(2) Standards under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(c) ADDITIONAL INSPECTIONS ON IDENTIFIED DEFICIENCIES.—

(1) IN GENERAL.—In the event a deficiency is identified pursuant to subsection (a) at a facility or quarters described in paragraph (1) of that subsection—

(A) the commander of such facility or quarters, as applicable, shall submit to the Secretary a detailed plan to correct the deficiency; and

(B) the Secretary shall reinspect such facility or quarters, as applicable, not less often than once every 180 days until the deficiency is corrected.

(2) CONSTRUCTION WITH OTHER INSPECTIONS.—An inspection of a facility or quarters under this subsection is in addition to any inspection of such facility or quarters under subsection (a).

(d) REPORTS ON INSPECTIONS.—A complete copy of the report on each inspection conducted under subsections (a) and (c) shall be submitted in unclassified form to the applicable military medical command and to the congressional defense committees.

(e) REPORT ON STANDARDS.—In the event no standards for the maintenance and operation of military medical treatment facilities, military quarters housing medical hold personnel, or military quarters housing medical holdover personnel exist as of the date of the enactment of this Act, or such standards as do exist do not meet acceptable standards for the maintenance and operation of such facilities or quarters, as the case may be, the Secretary shall, not later than 30 days after that date, submit to Congress a report setting forth the plan of the Secretary to ensure—

(1) the adoption by the Department of standards for the maintenance and operation of military medical facilities, military quarters housing medical hold personnel, or military quarters housing medical holdover personnel, as applicable, that meet—

(A) acceptable standards for the maintenance and operation of such facilities or quarters, as the case may be; and

(B) standards under the Americans with Disabilities Act of 1990; and

(2) the comprehensive implementation of the standards adopted under paragraph (1) at the earliest date practicable.

SEC. 1314. From funds made available for the ''Iraq Security Forces Fund'' for fiscal year 2007, up to $155,500,000 may be used, notwithstanding any other provision of law, to provide assistance, with the concurrence of the Secretary of State, to the Government of Iraq to support the disarmament, demobilization, and reintegration of militias and illegal armed groups.

SEC. 1315. REVISION OF UNITED STATES POLICY ON IRAQ. (a) FINDINGS.—Congress makes the following findings:

(1) Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or have served bravely and honorably in Iraq.

(2) The circumstances referred to in the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243) have changed substantially.

(3) United States troops should not be policing a civil war, and the current conflict in Iraq requires principally a political solution.

(4) United States policy on Iraq must change to emphasize the need for a political solution by Iraqi leaders in order to maximize the chances of success and to more effectively fight the war on terror.

(b) PROMPT COMMENCEMENT OF PHASED REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ.—

(1) TRANSITION OF MISSION.—The President shall promptly transition the mission of United States forces in Iraq to the limited purposes set forth in paragraph (2).

(2) COMMENCEMENT OF PHASED REDEPLOYMENT FROM IRAQ.—The President shall commence the phased redeployment of United States forces from Iraq not later than 120 days after the date of the enactment of this Act, with the goal of redeploying, by March 31, 2008, all United States combat forces from Iraq except for a limited number that are essential for the following purposes:

(A) Protecting United States and coalition personnel and infrastructure.

(B) Training and equipping Iraqi forces.

(C) Conducting targeted counter-terrorism operations.

(3) COMPREHENSIVE STRATEGY.—Paragraph (2) shall be implemented as part of a comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq.

(4) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to Congress a report on the progress made in transitioning the mission of the United States forces in Iraq and implementing the phased redeployment of United States forces from Iraq as required under this subsection, as well as a classified campaign plan for Iraq, including strategic and operational benchmarks and projected redeployment dates of United States forces from Iraq.

(c) BENCHMARKS FOR THE GOVERNMENT OF IRAQ.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) achieving success in Iraq is dependent on the Government of Iraq meeting specific benchmarks, as reflected in previous commitments made by the Government of Iraq, including—

(i) deploying trained and ready Iraqi security forces in Baghdad;

(ii) strengthening the authority of Iraqi commanders to make tactical and operational decisions without political intervention;

(iii) disarming militias and ensuring that Iraqi security forces are accountable only to the central government and loyal to the constitution of Iraq;

(iv) enacting and implementing legislation to ensure that the energy resources of Iraq benefit all Iraqi citizens in an equitable manner;

(v) enacting and implementing legislation that equitably reforms the de-Ba'athification process in Iraq;

(vi) ensuring a fair process for amending the constitution of Iraq so as to protect minority rights; and

(vii) enacting and implementing rules to equitably protect the rights of minority political parties in the Iraqi Parliament; and

(B) each benchmark set forth in subparagraph (A) should be completed expeditiously and pursuant to a schedule established by the Government of Iraq.

(2) REPORT.—Not later than 30 days after the date of the enactment of this Act, and every 60 days thereafter, the Commander, Multi-National Forces-Iraq shall submit to Congress a report describing and assessing in detail the current progress being made by the Government of Iraq in meeting the benchmarks set forth in paragraph (1)(A).

CHAPTER 4

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for ''Defense Nuclear Nonproliferation'', $63,000,000.

CHAPTER 5

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $140,000,000, to remain available until September 30, 2008.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'', for air and marine operations on the Northern Border and the Great Lakes, including the final Northern Border air wing, $75,000,000, to remain available until September 30, 2008.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $20,000,000, to remain available until September 30, 2008.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For an additional amount for ''Aviation Security'', $660,000,000; of which $600,000,000 shall be for procurement and installation of checked baggage explosives detection systems, to remain available until expended; and $60,000,000 shall be for air cargo security, to remain available until September 30, 2008.

FEDERAL AIR MARSHALS

For an additional amount for ''Federal Air Marshals'', $15,000,000, to remain available until September 30, 2008.

PREPAREDNESS

MANAGEMENT AND ADMINISTRATION

For an additional amount for ''Office of the Chief Medical Officer'' for nuclear preparedness and other activities, $18,000,000, to remain available until September 30, 2008.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For an additional amount for ''Infrastructure Protection and Information Security'' for chemical site security activities, $18,000,000, to remain available until September 30, 2008.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

For an additional amount for ''Administrative and Regional Operations'' for necessary expenses related to title V of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq. (as amended by section 611 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 701 note; Public Law 109–295))), $20,000,000, to remain available until September 30, 2008: *Provided,* That none of the funds available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure.

STATE AND LOCAL PROGRAMS

For an additional amount for ''State and Local Programs'', $850,000,000; of which $190,000,000 shall be for port security pursuant to section 70107(l) of title 46 United States Code; $625,000,000 shall be for intercity rail passenger transportation, freight rail, and transit security grants; and $35,000,000 shall be for regional grants and technical assistance to high risk urban areas for catastrophic event planning and preparedness: *Provided,* That none of the funds made available under this heading may be obligated for such regional grants and technical assistance until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure: *Provided further,* That funds for such regional grants and technical assistance shall remain available until September 30, 2008.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For an additional amount for ''Emergency Management Performance Grants'' for necessary expenses related to the Nationwide Plan Review, $100,000,000.

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For an additional amount for expenses of ''United States Citizenship and Immigration Services'' to address backlogs of security checks associated with pending applications and petitions, $30,000,000, to remain available until September 30, 2008: *Provided,* That none of the funds made available under this heading shall be available for obligation until the Secretary of Homeland Security, in consultation with the United States Attorney General, submits to the Committees on Appropriations of the Senate and the House of Representatives a plan to eliminate the backlog of security checks that establishes information sharing protocols to ensure United States Citizenship and Immigration Services has the information it needs to carry out its mission.

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For an additional amount for ''Research, Development, Acquisition, and Operations'' for air cargo research, $15,000,000, to remain available until expended.

DOMESTIC NUCLEAR DETECTION OFFICE

RESEARCH, DEVELOPMENT, AND OPERATIONS

For an additional amount for ''Research, Development, and Operations'' for non-container, rail, aviation and intermodal radiation detection activities, $39,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1501. None of the funds provided in this Act, or Public Law 109–295, shall be available to carry out section 872 of Public Law 107–296.

SEC. 1502. Section 550 of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 121 note) is amended by adding at the end the following:

''(h) This section shall not preclude or deny any right of any State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security that is more stringent than a regulation, requirement, or standard of performance issued under this section, or otherwise impair any right or jurisdiction of any State with respect to chemical facilities within that State, unless there is an actual conflict between this section and the law of that State.''.

CHAPTER 6

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $1,261,390,000, to remain available until September 30, 2008: *Provided,* That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further,* That of the funds provided under this heading, $280,300,000 shall not be obligated or expended until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for the permanent basing of U.S. military personnel in Iraq.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $347,890,000, to remain available until September 30, 2008: *Provided,* That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $34,700,000, to remain available until September 30, 2008: *Provided,* That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

CHAPTER 7

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $815,796,000, to remain available until September 30, 2008, of which $70,000,000 for World Wide Security Upgrades is available until expended: *Provided,* That of the funds appropriated under this heading, not more than $20,000,000 shall be made available for public diplomacy programs: *Provided further,* That prior to the obligation of funds pursuant to the previous proviso, the Secretary of State shall submit a report to the Committees on Appropriations describing a comprehensive public diplomacy strategy, with goals and expected results, for fiscal years 2007 and 2008: *Provided further,* That within 15 days of enactment of this Act, the Office of Management and Budget shall apportion $15,000,000 from

amounts appropriated or otherwise made available by chapter 8 of title II of division B of Public Law 109–148 under the heading ''Emergencies in the Diplomatic and Consular Service'' for emergency evacuations: *Provided further,* That of the amount made available under this heading for Iraq, not to exceed $20,000,000 may be transferred to, and merged with, funds in the ''Emergencies in the Diplomatic and Consular Service'' appropriations account, to be available only for emergency evacuations and terrorism rewards.

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $36,500,000, to remain available until December 31, 2008: *Provided,* That of the funds appropriated under this heading, not less than $1,500,000 shall be made available for activities related to oversight of assistance furnished for Iraq and Afghanistan with funds appropriated in this Act and in prior appropriations Acts: *Provided further,* That $35,000,000 of these funds shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for ''Educational and Cultural Exchange Programs'', $25,000,000, to remain available until expended.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $59,000,000, to remain available until September 30, 2008.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $200,000,000, to remain available until September 30, 2008.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'' for activities related to broadcasting to the Middle East, $10,000,000, to remain available until September 30, 2008.

FOREIGN OPERATIONS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for ''Child Survival and Health Programs Fund'', $161,000,000, to remain available until September 30, 2008: *Provided,* That notwithstanding any other provision of law, funds made available under the heading ''Millennium Challenge Corporation'' and ''Global HIV/AIDS Initiative'' in prior Acts making appropriations for foreign operations, export financing and related programs may be made available to combat the avian influenza, subject to the regular notification procedures of the Committees on Appropriations.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For an additional amount for ''International Disaster and Famine Assistance'', $187,000,000, to remain available until expended: *Provided,* That of the funds appropriated under this heading, not less than $65,000,000 shall be made available for assistance for internally displaced persons in Iraq, not less than $18,000,000 shall be made available for emergency shelter, fuel and other assistance for internally displaced persons in Afghanistan, not less than $10,000,000 shall be made available for assistance for northern Uganda, not less than $10,000,000 shall be made available for assistance for eastern Democratic Republic of the Congo, and not less than $10,000,000 shall be made available for assistance for Chad.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $5,700,000, to remain available until September 30, 2008.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', $4,000,000, to remain available until September 30, 2008: *Provided,* That of the funds appropriated under this heading, not less than $3,000,000 shall be made available for activities related to oversight of assistance furnished for Iraq with funds appropriated in this Act and in prior appropriations Acts, and not less than $1,000,000 shall be made available for activities related to oversight of assistance furnished for Afghanistan with funds appropriated in this Act and in prior appropriations Acts.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund'', $2,602,200,000, to remain available until September 30, 2008: *Provided,* That of the funds appropriated under this heading that are available for assistance for Iraq, not less than $100,000,000 shall be made available to the United States Agency for International Development for continued support for its Community Action Program in Iraq, of which not less than $5,000,000 shall be made available for the fund established by section 2108 of Public Law 109–13: *Provided further,* That of the funds appropriated under this heading that are available for assistance for Afghanistan, not less than $10,000,000 shall be made available to the United States Agency for International Development for continued support for its Afghan Civilian Assistance Program: *Provided further,* That of the funds appropriated under this heading, not less than $6,000,000 shall be made available for assistance for elections, reintegration of ex-combatants, and other assistance to support the peace process in Nepal: *Provided further,* That of the funds appropriated under this heading, not less than $3,200,000 shall be made available, notwithstanding any other provision of law, for assistance for Vietnam for environmental remediation of dioxin storage sites and to support health programs in communities near those sites: *Provided further,* That funds made available pursuant to the previous proviso should be matched, to the maximum extent possible, with contributions from other governments, multilateral organizations, and private sources: *Provided further,* That of the funds made available under this heading, not less than $6,000,000 shall be made available for typhoon reconstruction assistance for the Philippines: *Provided further,* That of the funds made available under this heading, not less than $110,000,000 shall be made available for assistance for Pakistan, of which not less than $5,000,000 shall be made available for political party development and election monitoring activities: *Provided further,* That of the funds appropriated under this heading, not less than $2,000,000 shall be made available to support the peace process in northern Uganda: *Provided further,* That of the funds made available under the heading ''Economic Support Fund'' in Public Law 109–234 for Iraq to promote democracy, rule of law and reconciliation, $2,000,000 should be made available for the United States Institute of Peace for programs and activities in Afghanistan to remain available until September 30, 2008.

DEPARTMENT OF STATE

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

For an additional amount for ''Assistance for Eastern Europe and the Baltic States'', $214,000,000, to remain available until September 30, 2008, for assistance for Kosovo.

DEMOCRACY FUND

For an additional amount for ''Democracy Fund'', $465,000,000, to remain available until September 30, 2008: *Provided,* That of the funds appropriated under this heading, not less than $385,000,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, for democracy, human rights, and rule of law programs in Iraq: *Provided further,* That prior to the initial obligation of funds made available under this heading for Iraq for the Political Participation Fund or the National Institutions Fund, the Secretary of State shall submit a report to the Committees on Appropriations describing a comprehensive, long-term strategy, with goals and expected results, for strengthening and advancing democracy in Iraq: *Provided further,* That of the funds appropriated under this heading, not less than $5,000,000 shall be made available for media and reconciliation programs in Somalia.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for ''International Narcotics Control and Law Enforcement'', $210,000,000, to remain available until September 30, 2008.

Of the amounts made available for procurement of a maritime patrol aircraft for the Colombian Navy under this heading in Public Law 109–234, $13,000,000 are rescinded.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $143,000,000, to remain available until September 30, 2008: *Provided,* That of the funds appropriated under this heading, not less than $65,000,000 shall be made available for assistance for Iraqi refugees including not less than $5,000,000 to rescue Iraqi scholars, and not less than $18,000,000 shall be made available for assistance for Afghan refugees.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for ''United States Emergency Refugee and Migration Assistance Fund'', $55,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $27,500,000, to remain available until September 30, 2008.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE PROGRAM

For an additional amount for ''International Affairs Technical Assistance'', $2,750,000, to remain available until September 30, 2008.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $220,000,000, to remain available until September 30, 2008, for assistance for Lebanon.

PEACEKEEPING OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Peacekeeping Operations'', $323,000,000, to remain available until September 30, 2008, of which up to $128,000,000 may be transferred, subject to the regular notification procedures of the Committees on Appropriations, to ''Contributions to International Peacekeeping Activities'', to be made available, notwithstanding any other provision of law, for assessed costs of United Nations Peacekeeping Missions: *Provided,* That of the funds appropriated under this heading, not less than $45,000,000 shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961, for assistance for Liberia for security sector reform.

GENERAL PROVISIONS—THIS CHAPTER

AUTHORIZATION OF FUNDS

SEC. 1701. Funds appropriated by this title may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

EXTENSION OF AVAILABILITY OF FUNDS

SEC. 1702. Section 1302(a) of Public Law 109–234 is amended by striking ''one additional year'' and inserting in lieu thereof ''two additional years''.

EXTENSION OF OVERSIGHT AUTHORITY

SEC. 1703. Section 3001(o)(1)(B) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95–452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2397) and section 2 of the Iraq Reconstruction Accountability Act of 2006 (Public Law 109–440), is amended by inserting ''or fiscal year 2007'' after ''fiscal year 2006''.

DEBT RESTRUCTURING

SEC. 1704. Amounts appropriated for fiscal year 2007 for ''Bilateral Economic Assistance—Department of the Treasury—Debt Restructuring'' may be used to assist Liberia in retiring its debt arrearages to the International Monetary Fund, the International Bank for Reconstruction and Development, and the African Development Bank.

JORDAN

(INCLUDING TRANSFER OF FUNDS)

SEC. 1705. Of the funds appropriated by this Act for assistance for Iraq under the heading ''Economic Support Fund'' that are available to support Provincial Reconstruction Team activities, up to $100,000,000 may be transferred to, and merged with, funds appropriated by this Act under the headings ''Foreign Military Financing Program'' and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' for assistance for Jordan: *Provided,* That funds transferred pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

LEBANON

SEC. 1706. Prior to the initial obligation of funds made available in this Act for assistance for Lebanon under the headings ''Foreign Military Financing Program'' and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', the Secretary of State shall certify to the Committees on Appropriations that all practicable efforts have been made to ensure that such assistance is not provided to or through any individual, or private or government entity, that advocates, plans, sponsors, engages in, or has engaged in, terrorist activity: *Provided,* That this section shall be effective notwithstanding section 534(a) of Public Law 109–102, which is made applicable to funds appropriated for fiscal year 2007 by the Continuing Appropriations Resolution, 2007, as amended.

HUMAN RIGHTS AND DEMOCRACY FUND

SEC. 1707. The Assistant Secretary of State for Democracy, Human Rights and Labor shall be responsible for all policy, funding, and programming decisions regarding funds made available under this Act and prior Acts making appropriations for foreign operations, export financing and related programs for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor.

INSPECTOR GENERAL OVERSIGHT OF IRAQ AND AFGHANISTAN

SEC. 1708. (a) IN GENERAL.—Subject to paragraph (2), the Inspector General of the Department of State and the Broadcasting Board of Governors (referred to in this section as the ''Inspector General'') may use personal services contracts to engage citizens of the United States to facilitate and support the Office of the Inspector General's oversight of programs and operations related to Iraq and Afghanistan. Individuals engaged by contract to perform such services shall not, by virtue of such contract, be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. The Secretary of State may determine the applicability to such individuals of any law administered by the Secretary concerning the performance of such services by such individuals.

(b) CONDITIONS.—The authority under paragraph (1) is subject to the following conditions:

(1) The Inspector General determines that existing personnel resources are insufficient.

(2) The contract length for a personal services contractor, including options, may not exceed 1 year, unless the Inspector General makes a finding that exceptional circumstances justify an extension of up to 2 additional years.

(3) Not more than 20 individuals may be employed at any time as personal services contractors under the program.

(c) TERMINATION OF AUTHORITY.—The authority to award personal services contracts under this section shall terminate on December 31, 2008. A contract entered into prior to the termination date under this paragraph may remain in effect until not later than December 31, 2009.

(d) OTHER AUTHORITIES NOT AFFECTED.—The authority under this section is in addition to any other authority of the Inspector General to hire personal services contractors.

FUNDING TABLES

SEC. 1709. (a) Funds provided in this Act for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the report accompanying this Act:

''Diplomatic and Consular Programs''.

''Educational and Cultural Exchange Programs''.

''International Disaster and Famine Assistance''.

''Economic Support Fund''.

''Assistance for Eastern Europe and Baltic States''.

''Democracy Fund''.

''Migration and Refugee Assistance''.

''Nonproliferation, Anti-Terrorism, Demining and Related Programs''.

''Peacekeeping Operations''.

(b) Any proposed increases or decreases to the amounts contained in the tables in the accompanying report shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

BENCHMARKS FOR CERTAIN RECONSTRUCTION ASSISTANCE FOR IRAQ

SEC. 1710. (a) BENCHMARKS.—Notwithstanding any other provision of law, fifty percent of the funds appropriated by this Act for assistance for Iraq under the headings ''Economic Support Fund'' and ''International Narcotics and Law Enforcement'' shall be withheld from obligation until the President certifies to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives that the Government of Iraq has—

(1) enacted a broadly accepted hydro-carbon law that equitably shares oil revenues among all Iraqis;

(2) adopted legislation necessary for the conduct of provincial and local elections, taken steps to implement such legislation, and set a schedule to conduct provincial and local elections;

(3) reformed current laws governing the de-Baathification process to allow for more equitable treatment of individuals affected by such laws;

(4) amended the Constitution of Iraq consistent with the principles contained in Article 137 of such constitution; and

(5) allocated and begun expenditure of $10,000,000,000 in Iraqi revenues for reconstruction projects, including delivery of essential services, on an equitable basis.

(b) EXEMPTIONS.—The requirement to withhold funds from obligation pursuant to subsection (a) shall not apply with respect to funds made available under the heading ''Economic Support Fund'' that are administered by the United States Agency for International Development for continued support for the Community Action Program, assistance for civilian victims of the military operations, and the Community Stabilization Program in Iraq, or for programs and activities to promote democracy, governance, human rights, and rule of law.

(c) REPORT.—At the time the President certifies to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives that the Government of Iraq has met the benchmarks described in subsection (a), the President shall submit to such Committees a report that contains a detailed description of the specific actions that the Government of Iraq has taken to meet each of the benchmarks referenced in the certification.

RELIEF FOR IRAQI, HMONG AND OTHER REFUGEES WHO DO NOT POSE A THREAT TO THE UNITED STATES

SEC. 1711. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows: ''The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney

General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection, or that subsection (a)(3)(B)(vi)(III) shall not apply to a group. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or non-statutory), including but not limited to section 2241 of title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 242 and only to the extent provided in section 242(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of title 8.''.

(b) AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—Section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) is amended—

(1) in clause (vi) in the matter preceding section (I), by striking ''As'' and inserting ''Except as provided in clause (vii), as''; and

(2) by adding at the end the following new clause:

''(vii) Notwithstanding clause (vi), for purposes of this section the Hmong, the Montagnards, the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, and the Karenni National Progressive Party shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State and Secretary of Homeland Security to exercise their discretionary authority pursuant to 212(d)(3)(B)(i) (8 U.S.C. 1182(d)(3)(B)(i)).''.

(c) DURESS EXCEPTION.—Section 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)) is amended by adding ''other than an act carried out under duress'' after ''act'' and before ''that the actor knows''.

(d) TECHNICAL CORRECTION.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking ''Subclause (VII)'' and inserting ''Subclause (IX)''.

(e) REGULATIONS.—Section 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)) is amended by adding the following subsection:

''(iii) Not later than 180 days after the date of enactment of this Act, the Secretary of the Department of Homeland Security and Secretary of State shall each publish in the Federal Register regulations establishing the process by which the eligibility of a refugee, asylum seeker, or individual seeking to adjust his immigration status is considered eligible for any of the exceptions authorized by clause (i), including a timeline for issuing a determination.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(1) removal proceedings instituted before, on, or after the date of enactment of this section; and

(2) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

SPENDING PLAN AND NOTIFICATION PROCEDURES

SEC. 1712. Not later than 45 days after enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a report detailing planned expenditures for funds appropriated under the headings in this chapter, except for funds appropriated under the headings ''International Disaster and Famine Assistance'', ''Office of the United States Agency for International Development Inspector General'', and ''Office of the Inspector General'': *Provided,* That funds appropriated under the headings in this chapter, except for funds appropriated under the headings named in this section, shall be subject to the regular notification procedures of the Committees on Appropriations.

TITLE II

KATRINA RECOVERY, VETERANS' CARE AND FOR OTHER PURPOSES

CHAPTER 1

GENERAL PROVISION—THIS CHAPTER

EMERGENCY FORESTRY CONSERVATION RESERVE PROGRAM

SEC. 2101. Section 1231(k)(2) of the Food Security Act of 1985 (16 U.S.C. 3831(k)(2)) is amended by striking ''During calendar year 2006, the'' and inserting ''The''.

CHAPTER 2

DEPARTMENT OF JUSTICE

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For an additional amount for ''State and Local Law Enforcement Assistance'', for discretionary grants authorized by subpart 2 of part E, of title I of the Omnibus Crime Control and Safe Streets Act of 1968, notwithstanding the provisions of section 511 of said Act, $170,000,000, to remain available until September 30, 2008: *Provided,* That of the amount made available under this heading, $70,000,000 shall be for local law enforcement initiatives in the gulf coast region related to the aftermath of Hurricanes Katrina and Rita, of which no less than $55,000,000 shall be for the State of Louisiana: *Provided further,* That of the amount made available under this heading, $100,000,000 shall be for reimbursing State and local law enforcement entities for security and related costs, including overtime, associated with the 2008 Presidential Candidate Nominating Conventions, of which $50,000,000 shall be for the city of Denver, Colorado and $50,000,000 shall be for the city of St. Paul, Minnesota: *Provided further,* That the Department of Justice shall report to the Committees on Appropriations of the House and the Senate on a quarterly basis on the expenditure of the funds provided in the previous proviso.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research, and Facilities'', for necessary expenses related to fisheries disasters, $165,900,000, to remain available until September 30, 2008: *Provided,* That of the amount provided under this heading, the National Marine Fisheries Service shall cause $60,400,000 to be distributed among eligible recipients of assistance for the commercial fishery failure designated under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)) and declared by the Secretary of Commerce on August 10, 2006: *Provided further,* That of the amount provided under this heading, $105,500,000 shall be for necessary expenses related to the consequences of Hurricanes Katrina and Rita on shrimp and fishing industries.

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

For an additional amount for ''Procurement, Acquisition and Construction'', for necessary expenses related to disaster response and preparedness of the Gulf of Mexico coast, $6,000,000, to remain available until September 30, 2008.

FISHERIES DISASTER MITIGATION FUND

For an additional amount for a ''Fisheries Disaster Mitigation Fund'', $50,000,000, to remain available until expended for use in mitigating the effects of commercial fisheries failures and fishery resource disasters as determined under the Magnuson Stevens Act (16 U.S.C. 1801 et seq.) or the Interjurisdictional Fisheries Act (16 U.S.C. 4101 et seq.): *Provided,* That the Secretary of Commerce shall obligate funds provided under this heading according to the Magnuson Stevens Conservation Act, as amended, the Interjurisdictional Fisheries Act, as amended, or other Acts as the Secretary determines to be appropriate.

GENERAL PROVISION—THIS CHAPTER

SEC. 2201. Up to $48,000,000 of amounts made available to the National Aeronautics and Space Administration in Public Law 109–148 and Public Law 109–234 for emergency hurricane and other natural disaster-related expenses may be used to reimburse hurricane-related costs incurred by NASA in fiscal year 2005.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $150,000,000, to remain available until expended, which may be used to continue construction of projects related to interior drainage for the greater New Orleans metropolitan area.

OPERATION AND MAINTENANCE

For an additional amount for ''Operation and Maintenance'' to dredge navigation channels related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $3,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for ''Flood Control and Coastal Emergencies'', as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricanes Katrina and Rita and for other purposes, $1,557,700,000, to remain available until expended: *Provided,* That $1,300,000,000 of the amount provided may be used by the Secretary of the Army to carry out projects and measures to provide the level of protection necessary to achieve the certification required for the 100-year level of flood protection in accordance with the national flood insurance program under the base flood elevations in existence at the time of construction of the enhancements for the West Bank

and Vicinity and Lake Ponchartrain and Vicinity, Louisiana, projects, as described under the heading ''Flood Control and Coastal Emergencies'', in chapter 3 of Public Law 109–148: *Provided further*, That $150,000,000 of the amount provided may be used to support emergency operations, repairs and other activities in response to flood, drought and earthquake emergencies as authorized by law: *Provided further*, That $107,700,000 of the amount provided may be used to implement the projects for hurricane storm damage reduction, flood damage reduction, and ecosystem restoration within Hancock, Harrison, and Jackson Counties, Mississippi substantially in accordance with the Report of the Chief of Engineers dated December 31, 2006, and entitled ''Mississippi, Coastal Improvements Program Interim Report, Hancock, Harrison, and Jackson Counties, Mississippi'': *Provided further*, That projects authorized for implementation under this Chief's report shall be carried out at full Federal expense, except that the non-Federal interests shall be responsible for providing any lands, easements, rights-of-way, disposal areas, and relocations required for construction of the project and for all costs associated with operation and maintenance of the project: *Provided further*, That any project using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors.

DEPARTMENT OF INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for ''Water and Related Resources'', $18,000,000, to remain available until expended for drought assistance: *Provided*, That drought assistance may be provided under the Reclamation States Drought Emergency Act or other applicable Reclamation authorities to assist drought plagued areas of the West.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2301. The Secretary is authorized and directed to reimburse local governments for expenses they have incurred in storm-proofing pumping stations, constructing safe houses for operators, and other interim flood control measures in and around the New Orleans metropolitan area, provided the Secretary determines those elements of work and related expenses to be integral to the overall plan to ensure operability of the stations during hurricanes, storms and high water events and the flood control plan for the area.

SEC. 2302. The limitation concerning total project costs in section 902 of the Water Resources Development Act of 1986, as amended (33 U.S.C. 2280), shall not apply during fiscal year 2008 to any water resources project for which funds were made available during fiscal year 2007.

SEC. 2303. (a) The Secretary of the Army is authorized and directed to utilize funds remaining available for obligation from the amounts appropriated in chapter 3 of Public Law 109–234 under the heading ''Flood Control and Coastal Emergencies'' for projects in the greater New Orleans metropolitan area to prosecute these projects in a manner which promotes the goal of continuing work at an optimal pace, while maximizing, to the greatest extent practicable, levels of protection to reduce the risk of storm damage to people and property.

(b) The expenditure of funds as provided in subsection (a) may be made without regard to individual amounts or purposes specified in chapter 3 of Public Law 109–234.

(c) Any reallocation of funds that are necessary to accomplish the goal established in subsection (a) are authorized. Reallocation of funds in excess of $250,000,000 or 50 percent, whichever is less, of the individual amounts specified in chapter 3 of Public Law 109–234 require notifications of the House and Senate Committees on Appropriation.

CHAPTER 4

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Disaster Loans Program Account'' for administrative expenses to carry out the disaster loan program, $25,069,000, to remain available until expended, which may be transferred to and merged with ''Small Business Administration, Salaries and Expenses''.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2401. ECONOMIC INJURY DISASTER LOANS. (a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Small Business Administration;

(2) the term ''covered small business concern'' means a small business concern—

(A) that is located in any area in Louisiana or Mississippi for which the President declared a major disaster because of Hurricane Katrina of 2005 or Hurricane Rita of 2005;

(B) that has not more than 50 full-time employees; and

(C) that—

(i)(I) suffered a substantial economic injury as a result of Hurricane Katrina of 2005 or Hurricane Rita of 2005, because of a reduction in travel or tourism to the area described in subparagraph (A); and

(II) demonstrates that, during the 1-year period ending on August 28, 2005, not less than 45 percent of the revenue of that small business concern resulted from tourism or travel related sales; or

(ii)(I) suffered a substantial economic injury as a result of Hurricane Katrina of 2005 or Hurricane Rita of 2005; and

(II) operates in a parish or county for which the population on the date of enactment of this Act, as determined by the Administrator, is not greater than 75 percent of the population of that parish or county before August 28, 2005, based on the most recent United States population estimate available before August 28, 2005;

(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); and

(4) the term ''small business concern'' has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) APPROPRIATION.—

(1) IN GENERAL.—There are appropriated, out of any money in the Treasury not otherwise appropriated, $25,000,000 to the Administrator, which, except as provided in paragraph (2) or (3), shall be used for loans under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) to covered small business concerns.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts made available under paragraph (1), not more than $8,750,000 may be transferred to and merged with ''Salaries and Expenses'' to carry out the disaster loan program of the Small Business Administration.

(3) OTHER USES OF FUNDS.—The Administrator may use amounts made available under paragraph (1) for other purposes authorized for amounts in the ''Disaster Loans Program Account'' or transfer such amounts to and merge such amounts with ''Salaries and Expenses'', if—

(A) such amounts are—

(i) not obligated on the later of 5 months after the date of enactment of this Act and August 29, 2007; or

(ii) necessary to provide assistance in the event of a major disaster; and

(B) not later than 5 days before any such use or transfer of amounts, the Administrator provides written notification of such use or transfer to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

SEC. 2402. OTHER PROGRAMS. (a) HUBZONES.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''or'';

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(F) an area in which the President has declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) as a result of Hurricane Katrina of August 2005 or Hurricane Rita of September 2005, during the time period described in paragraph (8).''; and

(2) by adding at the end the following:

''(8) TIME PERIOD.—The time period for the purposes of paragraph (1)(F)—

''(A) shall be the 2-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007; and

''(B) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007.''.

(b) RELIEF FROM TEST PROGRAM.—Section 711(d) of the Small Business Competitive Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended—

(1) by striking ''The Program'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), the Program''; and

(2) by adding at the end the following:

''(2) EXCEPTION.—

''(A) IN GENERAL.—The Program shall not apply to any contract related to relief or reconstruction from Hurricane Katrina of 2005 or Hurricane Rita of 2005 during the time period described in subparagraph (B).

''(B) TIME PERIOD.—The time period for the purposes of subparagraph (A)—

''(i) shall be the 2-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007; and

''(ii) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007.''.

CHAPTER 5

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an additional amount for ''Disaster Relief'' for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $4,310,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2501. (a) IN GENERAL.—Notwithstanding any other provision of law, including any agreement, the Federal share of assistance, including direct Federal assistance, provided for the States of Louisiana, Mississippi, Alabama, and Texas in connection with Hurricanes Katrina and Rita under sections 403, 406, 407, and 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173, and

5174) shall be 100 percent of the eligible costs under such sections.

(b) APPLICABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Federal share provided by subsection (a) shall apply to disaster assistance applied for before the date of enactment of this Act.

(2) LIMITATION.—In the case of disaster assistance provided under sections 403, 406, and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Federal share provided by subsection (a) shall be limited to assistance provided for projects for which applications have been prepared for the Federal Emergency Management Agency before the date of enactment of this Act.

SEC. 2502. (a) Section 2(a) of the Community Disaster Loan Act of 2005 (Public Law 109–88; 119 Stat. 2061) is amended by striking ": *Provided further*, That notwithstanding section 417(c)(1) of the Stafford Act, such loans may not be canceled".

(b) Chapter 4 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 471) is amended under the heading "Disaster Assistance Direct Loan Program Account" under the heading "Federal Emergency Management Agency" under the heading "Department of Homeland Security", by striking "*Provided further*, That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled:".

SEC. 2503. Section 2401 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 460) is amended by striking "12 months" and inserting "24 months".

CHAPTER 6

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Wildland Fire Management", $100,000,000, to remain available until expended, for urgent wildland fire suppression activities: *Provided*, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of the Interior notifies the House and Senate Committees on Appropriations in writing of the need for these additional funds: *Provided further*, That such funds are also available for repayment to other appropriations accounts from which funds were transferred for wildfire suppression.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for "Resource Management" for the detection of highly pathogenic avian influenza in wild birds, including the investigation of morbidity and mortality events, targeted surveillance in live wild birds, and targeted surveillance in hunter-taken birds, $7,398,000, to remain available until September 30, 2008.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for "Operation of the National Park System" for the detection of highly pathogenic avian influenza in wild birds, including the investigation of morbidity and mortality events, $525,000, to remain available until September 30, 2008.

HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $15,000,000, to remain available until September 30, 2008: *Provided*, That the funds provided under this heading shall be provided to the State Historic Preservation Officer, after consultation with the National Park Service, for grants for disaster relief in areas of Louisiana impacted by Hurricanes Katrina or Rita: *Provided further*, That grants shall be for the preservation, stabilization, rehabilitation, and repair of historic properties listed in or eligible for the National Register of Historic Places, for planning and technical assistance: *Provided further*, That grants shall only be available for areas that the President determines to be a major disaster under section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) due to Hurricanes Katrina or Rita: *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That no more than 5 percent of funds provided under this heading for disaster relief grants may be used for administrative expenses.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research" for the detection of highly pathogenic avian influenza in wild birds, including the investigation of morbidity and mortality events, targeted surveillance in live wild birds, and targeted surveillance in hunter-taken birds, $5,270,000, to remain available until September 30, 2008.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System" for the implementation of a nationwide initiative to increase protection of national forest lands from foreign drug-trafficking organizations, including funding for additional law enforcement personnel, training, equipment and cooperative agreements, $12,000,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Wildland Fire Management", $400,000,000, to remain available until expended, for urgent wildland fire suppression activities: *Provided*, That such funds shall only become available if funds provided previously for wildland fire suppression will be exhausted imminently and the Secretary of Agriculture notifies the House and Senate Committees on Appropriations in writing of the need for these additional funds: *Provided further*, That such funds are also available for repayment to other appropriation accounts from which funds were transferred for wildfire suppression.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2601. (a) For fiscal year 2007, payments shall be made from any revenues, fees, penalties, or miscellaneous receipts described in sections 102(b)(3) and 103(b)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note), not to exceed $100,000,000, and the payments shall be made, to the maximum extent practicable, in the same amounts, for the same purposes, and in the same manner as were made to States and counties in 2006 under that Act.

(b) There is appropriated $425,000,000 to be used to cover any shortfall for payments made under this section.

(c) Titles II and III of Public Law 106–393 are amended, effective September 30, 2006, by striking "2006" and "2007" each place they appear and inserting "2007" and "2008", respectively.

SEC. 2602. Disaster relief funds from Public Law 109–234, 120 Stat. 418, 461, (June 30, 2006), chapter 5, "National Park Service—Historic Preservation Fund," for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, may be used to reconstruct destroyed properties that at the time of destruction were listed in the National Register of Historic Places and are otherwise qualified to receive these funds: *Provided*, That the State Historic Preservation Officer certifies that, for the community where that destroyed property was located, that the property is iconic to or essential to illustrating that community's historic identity, that no other property in that community with the same associative historic value has survived, and that sufficient historical documentation exists to ensure an accurate reproduction.

CHAPTER 7

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH AND TRAINING

For an additional amount for "Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research and Training", to carry out section 501 of the Federal Mine Safety and Health Act of 1977 and section 6 of the Mine Improvement and New Emergency Response Act of 2006, $13,000,000 for research to develop mine safety technology, including necessary repairs and improvements to leased laboratories: *Provided*, That progress reports on technology development shall be submitted to the House and Senate Committees on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives on a quarterly basis: *Provided further*, That the amount provided under this heading shall remain available until September 30, 2008.

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW-INCOME HOME ENERGY ASSISTANCE

For an additional amount for "Low-Income Home Energy Assistance" under section 2604(a) through (d) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(a) through (d)), $320,000,000.

For an additional amount for "Low-Income Home Energy Assistance" under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)), $320,000,000.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Public Health and Social Services Emergency Fund" to prepare for and respond to an influenza pandemic, $820,000,000, to remain available until expended: *Provided*, That this amount shall be for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: *Provided further*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile: *Provided further*, That notwithstanding section 496(b) of the Public Health Service Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic vaccine and other biologicals, where the Secretary finds such a contract necessary to secure sufficient supplies of such vaccines or biologicals: *Provided further*, That funds appropriated herein may be transferred to other appropriation accounts of the Department of Health and Human Services, as determined by the Secretary to be appropriate,

to be used for the purposes specified in this sentence.

COVERED COUNTERMEASURE PROCESS FUND

For carrying out section 319F–4 of the Public Health Service Act (42 U.S.C. 247d–6e) to compensate individuals for injuries caused by H5N1 vaccine, in accordance with the declaration regarding avian influenza viruses issued by the Secretary of Health and Human Services on January 26, 2007, pursuant to section 319F–3(b) of such Act (42 U.S.C. 247d–6d(b)), $50,000,000, to remain available until expended.

DEPARTMENT OF EDUCATION

HIGHER EDUCATION

For an additional amount under part B of title VII of the Higher Education Act of 1965 (''HEA'') for institutions of higher education (as defined in section 102 of that Act) that are located in an area in which a major disaster was declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act related to hurricanes in the Gulf of Mexico in calendar year 2005, $30,000,000: *Provided*, That such funds shall be available to the Secretary of Education only for payments to help defray the expenses (which may include lost revenue, reimbursement for expenses already incurred, and construction) incurred by such institutions of higher education that were forced to close, relocate or significantly curtail their activities as a result of damage directly caused by such hurricanes and for payments to enable such institutions to provide grants to students who attend such institutions for academic years beginning on or after July 1, 2006: *Provided further*, That such payments shall be made in accordance with criteria established by the Secretary and made publicly available without regard to section 437 of the General Education Provisions Act, section 553 of title 5, United States Code, or part B of title VII of the HEA.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2701. Section 105(b) of title IV of division B of Public Law 109–148 is amended by adding at the end the following new sentence: ''With respect to the program authorized by section 102 of this Act, the waiver authority in subsection (a) of this section shall be available until the end of fiscal year 2008.''

(INCLUDING RESCISSION)

SEC. 2702. (a) From unexpended balances of the amounts made available in the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States (Public Law 107–38) for the Employment Training Administration, Training and Employment Services under the Department of Labor, $3,589,000 are rescinded.

(b) For an additional amount for the Centers for Disease Control and Prevention for carrying out activities under section 5011(b) of the Emergency Supplemental Appropriations Act to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (Public Law 109–148), $3,589,000.

SEC. 2703. Notwithstanding section 2002(c) of the Social Security Act (42 U.S.C. 1397a(c)), funds made available under the heading ''Social Services Block Grant'' in division B of Public Law 109–148 shall be available for expenditure by the States through the end of fiscal year 2008.

SEC. 2704. ELIMINATION OF REMAINDER OF SCHIP FUNDING SHORTFALLS FOR FISCAL YEAR 2007. (a) ELIMINATION OF REMAINDER OF FUNDING SHORTFALLS, TIERED MATCH, AND OTHER LIMITATION ON EXPENDITURES.—Section 2104(h) of the Social Security Act (42 U.S.C. 1397dd(h)), as added by section 201(a) of the National Institutes of Health Reform Act of 2006 (Public Law 109–482), is amended—

(1) in the heading for paragraph (2), by striking ''REMAINDER OF REDUCTION'' and inserting ''PART''; and

(2) by striking paragraph (4) and inserting the following:

''(4) ADDITIONAL AMOUNTS TO ELIMINATE REMAINDER OF FISCAL YEAR 2007 FUNDING SHORTFALLS.—

''(A) IN GENERAL.—The Secretary shall allot to each remaining shortfall State described in subparagraph (B) such amount as the Secretary determines will eliminate the estimated shortfall described in such subparagraph for the State for fiscal year 2007.

''(B) REMAINING SHORTFALL STATE DESCRIBED.—For purposes of subparagraph (A), a remaining shortfall State is a State with a State child health plan approved under this title for which the Secretary estimates, on the basis of the most recent data available to the Secretary as of the date of the enactment of this paragraph, that the projected federal expenditures under such plan for the State for fiscal year 2007 will exceed the sum of—

''(i) the amount of the State's allotments for each of fiscal years 2005 and 2006 that will not be expended by the end of fiscal year 2006;

''(ii) the amount of the State's allotment for fiscal year 2007; and

''(iii) the amounts, if any, that are to be redistributed to the State during fiscal year 2007 in accordance with paragraphs (1) and (2).

''(C) APPROPRIATION; ALLOTMENT AUTHORITY.—For the purpose of providing additional allotments to remaining shortfall States under this paragraph there is appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as are necessary for fiscal year 2007.''.

(b) CONFORMING AMENDMENTS.—Section 2104(h) of such Act (42 U.S.C. 1397dd(h)) (as so added), is amended—

(1) in paragraph (1)(B), by striking ''subject to paragraph (4)(B) and'';

(2) in paragraph (2)(B), by striking ''subject to paragraph (4)(B) and'';

(3) in paragraph (5)(A), by striking ''and (3)'' and inserting ''(3), and (4)''; and

(4) in paragraph (6)—

(A) in the first sentence__

(i) by inserting ''or allotted'' after ''redistributed''; and

(ii) by inserting ''or allotments'' after ''redistributions''; and

(B) by striking ''and (3)'' and inserting ''(3), and (4)''.

(c) GENERAL EFFECTIVE DATE; APPLICABILITY.—Except as otherwise provided, the amendments made by this section take effect on the date of enactment of this Act and apply without fiscal year limitation.

SEC. 2705. Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not, prior to the date that is 2 years after the date of enactment of this Act, take any action to finalize, or otherwise implement provisions—

(1) contained in the proposed rule published on January 18, 2007, on pages 2236 through 2258 of volume 72, Federal Register (relating to parts 433, 447, and 457 of title 42, Code of Federal Regulations) or any other rule that would affect the Medicaid program established under title XIX of the Social Security Act or the State Children's Health Insurance Program established under title XXI of such Act in a similar manner; or

(2) restricting payments for graduate medical education under the Medicaid program.

(b) INCREASE IN BASIC REBATE FOR SINGLE SOURCE DRUGS AND INNOVATOR MULTIPLE SOURCE DRUGS.—Section 1927(c)(1)(B)(i) of the Social Security Act (42 U.S.C. 1396r–8(c)(1)(B)(i)) is amended—

(1) in subclause (IV), by striking ''and'' after the semicolon;

(2) in subclause (V)—

(A) by inserting ''and before April 1, 2007,'' after ''1995,''; and

(B) by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(VI) after March 31, 2007, is 20 percent.''.

SEC. 2706. (a) For grant years beginning in 2006–2007, the Secretary of Health and Human Services may waive the requirements of, with respect to Louisiana, Mississippi, Alabama, and Texas and any eligible metropolitan area in Louisiana, Mississippi, Alabama, and Texas, the following sections of the Public Health Service Act:

(1) Section 2612(e)(1) of such Act (42 U.S.C. 300ff–21(b)(1)).

(2) Section 2617(b)(7)(E) of such Act (42 U.S.C. 300ff–27(b)(7)(E)).

(3) Section 2617(d) of such Act (42 U.S.C. 300ff–27(d)), except that such waiver shall apply so that the matching requirement is reduced to $1 for each $4 of Federal funds provided under the grant involved.

(b) If the Secretary of Health and Human Services grants a waiver under subsection (b), the Secretary—

(1) may not prevent Louisiana, Mississippi, Alabama, and Texas or any eligible metropolitan area in Louisiana, Mississippi, Alabama, and Texas from receiving or utilizing, or both, funds granted or distributed, or both, pursuant to title XXVI of the Public Health Service Act (42 U.S.C. 300ff–11 et seq.) because of the failure of Louisiana, Mississippi, Alabama, and Texas or any eligible metropolitan area in Louisiana, Mississippi, Alabama, and Texas to comply with the requirements of the sections listed in paragraphs (1) through (3) of subsection (a);

(2) may not take action due to such noncompliance; and

(3) shall assess, evaluate, and review Louisiana, Mississippi, Alabama, and Texas or any eligible metropolitan area's eligibility for funds under such title XXVI as if Louisiana, Mississippi, Alabama, and Texas or such eligible metropolitan area had fully complied with the requirements of the sections listed in paragraphs (1) through (3) of subsection (a).

(c) For grant years beginning in 2008, Louisiana, Mississippi, Alabama, and Texas and any eligible metropolitan area in Louisiana, Mississippi, Alabama, and Texas shall comply with each of the applicable requirements under title XXVI of the Public Health Service Act (42 U.S.C. 300ff–11 et seq.).

CHAPTER 8

LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

CAPITOL POWER PLANT

For an additional amount for ''Capitol Power Plant'', $25,000,000, for emergency utility tunnel repairs and asbestos abatement, to remain available until September 30, 2011: *Provided*, That the Architect of the Capitol may not obligate any of the funds appropriated under this heading without approval of an obligation plan by the Committees on Appropriations of the Senate and House of Representatives.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' of the Government Accountability Office, $374,000, to remain available until expended.

CHAPTER 9

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, AIR FORCE RESERVE

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for ''Military Construction, Air Force Reserve'', $3,096,000, to remain available until September 30, 2011: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

Of the funds appropriated for ''Military Construction, Air Force Reserve'' under Public Law 109–114, $3,096,000 are hereby rescinded.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT, 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $3,136,802,000, to remain available until expended.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for ''Medical Services'', $454,131,000, to remain available until expended, of which $50,000,000 shall be for the establishment of new Level I comprehensive polytrauma centers; $9,440,000 shall be for the establishment of polytrauma residential transitional rehabilitation programs; $20,000,000 shall be for additional transition caseworkers; $30,000,000 shall be for substance abuse treatment programs; $20,000,000 for readjustment counseling; $10,000,000 shall be for blind rehabilitation services; $100,000,000 shall be for enhancements to mental health services; $8,000,000 shall be for polytrauma support clinic teams; $5,356,000 for additional polytrauma points of contacts; and $201,335,000 shall be for treatment of Operation Enduring Freedom and Operation Iraqi Freedom veterans.

MEDICAL ADMINISTRATION

For an additional amount for ''Medical Administration'', $250,000,000, to remain available until expended.

MEDICAL FACILITIES

For an additional amount for ''Medical Facilities'', $595,000,000, to remain available until expended, of which $45,000,000 shall be used for facility and equipment upgrades at the Department of Veterans Affairs polytrauma rehabilitation centers and the polytrauma network sites; and $550,000,000 shall be for non-recurring maintenance as identified in the Department of Veterans Affairs Facility Condition Assessment report: *Provided*, That the amount provided under this heading for non-recurring maintenance shall be allocated in a manner outside of the Veterans Equitable Resource Allocation and specific to the needs and geographic distribution of Operation Enduring Freedom and Operation Iraqi Freedom veterans: *Provided further*, That within 30 days of enactment of this Act the Secretary shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for non-recurring maintenance prior to obligation.

MEDICAL AND PROSTHETIC RESEARCH

For an additional amount for ''Medical and Prosthetic Research'', $30,000,000, to remain available until expended, which shall be used for research related to the unique medical needs of returning Operation Enduring Freedom and Operation Iraqi Freedom veterans.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For an additional amount for ''General Operating Expenses'', $46,000,000, to remain available until expended, for the hiring and training of new pension and compensation claims processing personnel.

INFORMATION TECHNOLOGY SYSTEMS

For an additional amount for ''Information Technology Systems'', $36,100,000, to remain available until expended, of which $20,000,000 shall be for information technology support and improvements for processing of OIF/OEF veterans benefits claims, including making electronic DOD medical records available for claims processing and enabling electronic benefits applications by veterans; $1,000,000 shall be for the digitization of benefits records; and $15,100,000 shall be for electronic data breach and remediation and prevention.

CONSTRUCTION, MINOR PROJECTS

For an additional amount for ''Construction, Minor Projects'', $355,907,000, to remain available until expended, of which $36,000,000 shall be for construction costs associated with the establishment of polytrauma residential transitional rehabilitation programs.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2901. (a) Notwithstanding any other provision of law, none of the funds in this or any other Act shall be used to downsize staff or to close, realign or phase out essential services at Walter Reed Army Medical Center until equivalent medical facilities at the Walter Reed National Military Medical Center at Naval Medical Center, Bethesda, Maryland, and/or the Fort Belvoir, Virginia, Community Hospital have been constructed and equipped, and until the Secretary of Defense has certified in writing to the Congress that:

(1) the new facilities at Walter Reed National Military Medical Center at Bethesda and/or the Fort Belvoir Community Hospital are complete and fully operational, and

(2) replacement medical facilities at Walter Reed National Military Medical Center at Bethesda have adequate capacity to meet both the existing and projected demand for complex medical care and services, including outpatient and medical hold facilities, for combat veterans and other military personnel.

(b) Not later than 30 days after enactment of this Act, the Secretary of Defense shall provide to the Committees on Appropriations of the Senate and House of Representatives a report and proposed timetable outlining the Department's plan to transition patients, staff and medical services to the new facilities at Bethesda and Fort Belvoir without compromising patient care, staffing requirements or facility maintenance at the Walter Reed Medical Center.

(c) To ensure that the quality of care provided by the Military Health System is not diminished during this transition, the Walter Reed Army Medical Center shall be adequately funded, to include necessary renovation and maintenance of existing facilities, to continue the maximum level of inpatient and outpatient services.

SEC. 2902. Within existing funds appropriated to Departmental Administration, General Operating Expenses for fiscal year 2007, and within 30 days after enactment of this Act, the Department of Veterans Affairs shall contract with the National Academy of Public Administration for the purpose of conducting an independent study and analysis of the organizational structure, management and coordination processes, including Seamless Transition, utilized by the Department of Veterans affairs to:

(1) provide health care to active duty and veterans of Operation Enduring Freedom and Operation Iraqi Freedom; and

(2) provide benefits to veterans of Operation Enduring Freedom and Operation Iraqi Freedom.

SEC. 2903. The Director of the Congressional Budget Office shall, not later than November 15, 2007, submit to the Committees on Appropriations of the House of Representatives and the Senate a report projecting appropriations necessary for the Departments of Defense and Veterans Affairs to continue providing necessary health care to veterans of the conflicts in Iraq and Afghanistan. The projections should span several scenarios for the duration and number of forces deployed in Iraq and Afghanistan, and more generally, for the long-term health care needs of deployed troops engaged in the global war on terrorism over the next ten years.

CHAPTER 10

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for the Emergency Relief Program as authorized under section 125 of title 23, United States Code, $388,903,000, to remain available until expended: *Provided*, That of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, $388,903,000 are rescinded: *Provided further*, That such rescission shall not apply to the funds distributed in accordance with sections 130(f) and 104(b)(5) of title 23, United States Code; sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of Public Law 109–59; and the first sentence of section 133(d)(3)(A) of such title: *Provided further*, That section 4103 of title III of this Act shall not apply to the first proviso under this paragraph.

FEDERAL TRANSIT ADMINISTRATION

FORMULA GRANTS

For an additional amount to be allocated by the Secretary to recipients of assistance under chapter 53 of title 49, United States Code, directly affected by Hurricanes Katrina and Rita, $75,000,000, for the operating and capital costs of transit services, to remain available until expended: *Provided*, That the Federal share for any project funded from this amount shall be 100 percent.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

OFFICE OF INSPECTOR GENERAL

For an additional amount for the Office of Inspector General, for the necessary costs related to the consequences of Hurricanes Katrina and Rita, $5,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3001. Notwithstanding part 750 of title 23, Code of Federal Regulations (or a successor regulation), if permitted by State law, a nonconforming sign that is or has been damaged, destroyed, abandoned, or discontinued as a result of a hurricane that is determined to be an act of God (as defined by State law) may be repaired, replaced, or reconstructed if the replacement sign has the same dimensions as the original sign, and said sign is located within a State found within Federal Emergency Management Agency Region IV or VI. The provisions of this section shall cease to be in effect twenty-four months following the date of enactment of this Act.

SEC. 3002. Section 21033 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) is amended by adding after the third proviso: '': *Provided further*, That notwithstanding the previous proviso, except for applying the 2007 Annual Adjustment Factor and making any other specified adjustments, public housing agencies that are eligible for

assistance under section 901 in Public Law 109–148 (119 Stat. 2781) shall receive funding for calendar year 2007 based on the amount such public housing agencies were eligible to receive in calendar year 2006''.

TITLE III

OTHER MATTERS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' of the Farm Service Agency, $75,000,000, to remain available until expended: *Provided*, That this amount shall only be available for the modernization and repair of the computer systems used by the Farm Service Agency (including all software, hardware, and personnel required for modernization and repair): *Provided further*, That of this amount $27,000,000 shall be made available 60 days after the date on which the Farm Service Agency submits to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office a spending plan for the funds.

GENERAL PROVISIONS—THIS CHAPTER

(RESCISSION)

SEC. 3101. Of the unobligated balances of funds made available pursuant to section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401G(a)), $75,000,000 are rescinded.

SEC. 3102. (a) Section 1237A(f) of the Food Security Act of 1985 (16 U.S.C. 3837a(f)) is amended in the first sentence by striking ''fair market value of the land less the fair market value of such land encumbered by the easement'' and inserting ''fair market value of the land as determined in accordance with the method of valuation used by the Secretary as of January 1, 2003''.

(b) Section 1238I(c)(1) of the Food Security Act of 1985 (16 U.S.C. 3838i(c)(1)) is amended by inserting at the end the following:

''(C) VALUATION.—The Secretary shall determine fair market value under this paragraph in accordance with the method of valuation used by the Secretary as of January 1, 2003.''.

SEC. 3103. Subsection (b)(1) of section 313A of the Rural Electrification Act shall not apply in the case of a cooperative lender that has previously received a guarantee under section 313A and such additional guarantees shall not exceed the amount provided for in Public Law 110–5.

CHAPTER 2

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3201. Section 20314 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) is amended by striking ''Resources.'' and inserting in lieu thereof: ''Resources: *Provided*, That $22,762,000 of the amount provided be for geothermal research and development activities.''.

SEC. 3202. Hereafter, federal employees at the National Energy Technology Laboratory shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 3203. PROHIBITION ON CERTAIN USES OF FUNDS BY BPA. None of the funds made available under this or any other Act shall be used during fiscal year 2007 to make, or plan or prepare to make, any payment on bonds issued by the Administrator of the Bonneville Power Administration (referred in this section as the ''Administrator'') or for an appropriated Federal Columbia River Power System investment, if the payment is both—

(1) greater, during any fiscal year, than the payments calculated in the rate hearing of the Administrator to be made during that fiscal year using the repayment method used to establish the rates of the Administrator as in effect on October 1, 2006; and

(2) based or conditioned on the actual or expected net secondary power sales receipts of the Administrator.

CHAPTER 3

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3301. The structure of any of the offices or components within the Office of National Drug Control Policy shall remain as they were on October 1, 2006. None of the funds appropriated or otherwise made available in the Continuing Appropriations Resolution, 2007 (Public Law 110–5) may be used to implement a reorganization of offices within the Office of National Drug Control Policy without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 3302. Funds made available in section 21075 of the Continuing Appropriations Resolution, 2007 (Public Law 110–5) shall be made available to a 501(c)(3) entity: (1) with a wide anti-drug coalition network and membership base, and one with a demonstrated track record and specific expertise in providing technical assistance, training, evaluation, research, and capacity building to community anti-drug coalitions; (2) with authorization from Congress, both prior to fiscal year 2007, and in fiscal years 2008 through 2012, to perform the duties described in subsection (1) of this section; and (3) that has previously received funding from Congress, including through a competitive process as well as direct funding, for providing the duties described in subsection (1) of this section: *Provided*, That funds appropriated in section 21075 shall be obligated within sixty days after enactment of this Act.

SEC. 3303. Funds made available under section 613 of Public Law 109–108 (119 Stat. 2338) for Nevada's Commission on Economic Development shall be made available to the Nevada Center for Entrepreneurship and Technology (CET).

SEC. 3304. From the amount provided by section 21067 of the Continuing Appropriations Resolution, 2007 (Public Law 110–5), the National Archives and Records Administration may obligate monies necessary to carry out the activities of the Public Interest Declassification Board.

SEC. 3305. None of the funds appropriated or otherwise made available in section 21063 of the Continuing Appropriations Resolution, 2007 (Public Law 110–5) for the ''General Services Administration, Real Property Activities, Federal Buildings Fund'', may be obligated for design, construction, or acquisition until the House and Senate Committees on Appropriations approve a revised detailed plan, by project, on the use of such funds: *Provided*, That the new plan shall include funding for completion of courthouse construction projects which received funding in fiscal year 2006 above a level of $5,000,000: *Provided further*, That such plan shall be provided by the Administrator of the General Services Administration to the House of Representatives and the Senate Committees on Appropriations within seven days of enactment.

SEC. 3306. Notwithstanding the notice requirement of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006, 119 Stat. 2509 (Public Law 109–115), as continued in section 104 of the Continuing Appropriations Resolution, 2007 (Public Law 110–5), the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided for fiscal year 2007 under the Federal Payment to the District of Columbia Courts for facilities among the items and entities funded under that heading for operations.

SEC. 3307. (a) Not later than 90 days after the date of enactment of this Act, the Secretary of the Treasury, in coordination with the Securities and Exchange Commission and in consultation with the Departments of State and Energy, shall prepare and submit to the Senate Committee on Appropriations, the House of Representatives Committee on Appropriations, the Senate Foreign Relations Committee, and the House Foreign Affairs Committee an unclassified report, suitable to be made public, that contains the names of (1) all companies trading in securities that are registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781) which either directly or through a parent or subsidiary company, including partly-owned subsidiaries, conduct business operations in Sudan relating to natural resource extraction, including oil-related activities and mining of minerals; and (2) the names of all other companies, which either directly or through a parent or subsidiary company, including partly-owned subsidiaries, conduct business operations in Sudan relating to natural resource extraction, including oil-related activities and mining of minerals. The reporting provision shall not apply to companies operating under licenses from the Office of Foreign Assets Control or otherwise expressly exempted under United States law from having to obtain such licenses in order to operate in Sudan.

(b) Not later than 20 days after enactment, the Secretary of the Treasury shall inform the aforementioned committees of Congress of any statutory or other legal impediments to the successful completion of this report.

(c) Not later than 45 days following the submission to Congress of the list of companies conducting business operations in Sudan relating to natural resource extraction required above, the General Services Administration shall determine whether the United States Government has an active contract for the procurement of goods or services with any of the identified companies, and provide notification to the appropriate committees of Congress of the companies, nature of the contract, and dollar amounts involved.

(INCLUDING RESCISSION)

SEC. 3308. (a) Of the funds provided for the General Services Administration, ''Office of Inspector General'' in section 21061 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5), $8,000,000 are rescinded.

(b) For an additional amount for the General Services Administration, ''Office of Inspector General'', $8,000,000, to remain available until September 30, 2008.

SEC. 3309. Section 21073 of the Continuing Appropriations Resolution, 2007 (Public Law 110–5) is amended by adding a new subsection (j) as follows:

''(j) Notwithstanding section 101, any appropriation or funds made available to the District of Columbia pursuant to this division for 'Federal Payment for Foster Care Improvement in the District of Columbia' shall be available in accordance with an expenditure plan submitted by the Mayor of the District of Columbia not later than 60 days after the enactment of this section which details the activities to be carried out with such Federal Payment.''.

CHAPTER 4

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3401. Any unobligated balances remaining from prior appropriations for United States Coast Guard, ''Retired Pay'' shall remain available until expended in the account

and for the purposes for which the appropriations were provided, including the payment of obligations otherwise chargeable to lapsed or current appropriations for this purpose.

SEC. 3402. INTEGRATED DEEPWATER SYSTEM. (a) COMPETITION FOR ACQUISITION AND MODIFICATION OF ASSETS.—

(1) IN GENERAL.—The Commandant of the Coast Guard shall utilize full and open competition for any contract entered into after the date of enactment of this Act that provides for the acquisition or modification of assets under, or in support of, the Integrated Deepwater System Program of the Coast Guard.

(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following:

(A) The acquisition or modification of the following asset classes for which assets of the class and related systems and components under the Integrated Deepwater System are under a contract for production:

(i) National Security Cutter;

(ii) Maritime Patrol Aircraft;

(iii) Deepwater Command, Control, Communications, Computer, Intelligence, Surveillance, and Reconnaissance (C4ISR) System; and

(iv) HC–130J Fleet Introduction.

(B) The modification of any legacy asset class under the Integrated Deepwater System Program being performed by a Coast Guard entity.

(b) CHAIR OF PRODUCT AND OVERSIGHT TEAMS.—The Commandant of the Coast Guard shall assign an appropriate officer or employee of the Coast Guard to act as chair of each of the following:

(1) Each integrated product team under the Integrated Deepwater System Program.

(2) Each higher-level team assigned to the oversight of a product team referred to in paragraph (1).

(c) LIFE-CYCLE COST ESTIMATE.—The Commandant of the Coast Guard may not enter into a contract for lead asset production under the Integrated Deepwater System Program until the Commandant obtains an independent estimate of life-cycle costs of the asset concerned.

(d) REVIEW OF ACQUISITIONS AND MAJOR DESIGN CHANGES.—

(1) IN GENERAL.—With the exception of assets covered under (a)(2) of this section, the Commandant of the Coast Guard may not carry out an action described in paragraph (2) unless an independent third party with no financial interest in the development, construction, or modification of any component of the Integrated Deepwater System Program, selected by the Commandant for purposes of the subsection, determines that such action is advisable.

(2) COVERED ACTIONS.—The actions described in the paragraph are as follows:

(A) The acquisition or modification of an asset under the Integrated Deepwater System Program.

(B) The implementation of a major design change for an asset under the Integrated Deepwater System Program.

(e) LINKING OF AWARD FEES TO SUCCESSFUL ACQUISITION OUTCOMES.—The Commandant of the Coast Guard shall require that all contracts under the Integrated Deepwater System Program that provide award fees link such fees to successful acquisition outcomes (which shall be defined in terms of cost, schedule, and performance).

(f) CONTRACTUAL AGREEMENTS.—

(1) IN GENERAL.—The Commandant of the Coast Guard may not award or issue any contract, task or delivery order, letter contract modification thereof, or other similar contract, for the acquisition or modification of an asset under the Integrated Deepwater System Program unless the Coast Guard and the contractor concerned have formally agreed to all terms and conditions.

(2) EXCEPTION.—A contract, task or delivery order, letter contract, modification thereof, or other similar contract described in paragraph (1) may be awarded or issued if the head of contracting activity of the Coast Guard determines that a compelling need exists for the award or issue of such instrument.

(g) DESIGNATION OF TECHNICAL AUTHORITY.—The Commandant of the Coast Guard shall designate the Assistant Commandant of the Coast Guard for Engineering and Logistics as the technical authority for all engineering, design, and logistics decisions pertaining to the Integrated Deepwater System Program.

(h) REPORT ON PERSONNEL REQUIRED FOR ACQUISITION MANAGEMENT.—Not later than 30 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives; the Committee on Commerce, Science and Transportation of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives a report on the resources (including training, staff, and expertise) required by the Coast Guard to provide appropriate management and oversight of the Integrated Deepwater System Program.

(i) COMPTROLLER GENERAL REPORT ON PROGRESS.—Not later than 60 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Appropriations of the Senate and the House of Representatives; the Committee on Commerce, Science and Transportation of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives a report describing and assessing the progress of the Coast Guard in complying with the requirements of this section.

SEC. 3403. None of the funds provided in this Act or any other Act may be used to alter or reduce operations within the Civil Engineering Program of the Coast Guard nationwide, including the civil engineering units, facilities, design and construction centers, maintenance and logistics command centers, the Coast Guard Academy and the Coast Guard Research and Development Center, except as specifically authorized by a statute enacted after the date of enactment of this Act.

CHAPTER 5

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3501. Section 20515 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) is amended by inserting before the period: ''; and of which, not to exceed $143,628,000 shall be available for contract support costs under the terms and conditions contained in Public Law 109-54''.

SEC. 3502. Section 20512 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) is amended by inserting after the first dollar amount: '', of which not to exceed $7,300,000 shall be transferred to the 'Indian Health Facilities' account; the amount in the second proviso shall be $18,000,000; the amount in the third proviso shall be $525,099,000; the amount in the ninth proviso shall be $269,730,000; and the $15,000,000 allocation of funding under the eleventh proviso shall not be required''.

SEC. 3503. Section 20501 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) is amended by inserting after $55,663,000: ''of which $13,000,000 shall be for Save America's Treasures''.

SEC. 3504. Of the funds made available to the United States Fish and Wildlife Service for fiscal year 2007 under the heading ''Land Acquisition'', not to exceed $1,980,000 may be used for land conservation partnerships authorized by the Highlands Conservation Act of 2004.

SEC. 3505. The Administrator of the Environmental Protection Agency shall grant to the Water Environment Research Foundation (WERF) such sums as were directed in fiscal year 2005 and fiscal year 2006 for the On-Farm Assessment and Environmental Review program: *Provided*, That not less than 95 percent of funds made available shall be used by WERF to award competitively a contract to perform the program's environmental assessments: *Provided further*, That WERF shall not retain more than 5 percent of such sums for administrative expenses.

CHAPTER 6

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(TRANSFER OF FUNDS)

Of the amount provided by the Continuing Appropriations Resolution, 2007 for ''National Institute of Allergy and Infectious Diseases'', $49,500,000 shall be transferred to ''Public Health and Social Services Emergency Fund'' to carry out activities relating to advanced research and development as provided by section 319L of the Public Health Service Act.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 3601. Section 20602 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) is amended by inserting the following after ''$5,000,000'': ''(together with an additional $7,000,000 which shall be transferred by the Pension Benefit Guaranty Corporation as an authorized administrative cost)''.

SEC. 3602. Section 20625(b)(1) of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) is amended by—

(1) striking ''$7,172,994,000'' and inserting ''$7,176,431,000'';

(2) amending subparagraph (A) to read as follows:

''(A) $5,454,824,000 shall be for basic grants under section 1124 of the Elementary and Secondary Education Act of 1965 (ESEA), of which up to $3,437,000 shall be available to the Secretary of Education on October 1, 2006, to obtain annually updated educational-agency-level census poverty data from the Bureau of the Census;''; and

(3) amending subparagraph (C) to read as follows:

''(C) not to exceed $2,352,000 may be available for section 1608 of the ESEA and for a clearinghouse on comprehensive school reform under part D of title V of the ESEA;''.

SEC. 3603. (a) From the amounts available for Department of Education, Safe Schools and Citizenship Education as provided by the Continuing Appropriations Resolution, 2007, $321,500,000 shall be available for Safe and Drug-Free Schools State Grants and $247,335,000 shall be available for Safe and Drug-Free Schools National Programs.

(b) Of the amount available for Safe and Drug-Free National Programs, not less than $25,000,000 shall be for competitive grants to local educational agencies to address youth violence and related issues.

(c) The competition under subsection (b) shall be limited to local educational agencies that operate schools currently identified as persistently dangerous under section 9532 of the Elementary and Secondary Education Act of 1965.

SEC. 3604. The provision in the first proviso under the heading ''Rehabilitation Services and Disability Research'' in the Department of Education Appropriations Act, 2006, relating to alternative financing programs under section 4(b)(2)(D) of the Assistive Technology Act of 1998 shall not apply to funds appropriated by the Continuing Appropriations Resolution, 2007.

(TRANSFER OF FUNDS)

SEC. 3605. Notwithstanding sections 20639 and 20640 of the Continuing Appropriations Resolution, 2007, as amended by section 2 of the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5), the Chief Executive Officer of the Corporation for National and Community Service may transfer an amount of not more than $1,360,000 from the account under the heading ''National and Community Service Programs, Operating Expenses'' under the heading ''Corporation for National and Community Service'', to the account under the heading ''Salaries and Expenses'' under the heading ''Corporation for National and Community Service''.

SEC. 3606. Section 1310.12(a) of title 45 of the Code of Federal Regulations (October 1, 2004) shall be effective 30 days after enactment of this Act except that any vehicles in use to transport Head Start children as of January 1, 2007, shall not be subject to a requirement under that part regarding rear emergency exit doors for two years after the date of enactment.

The Secretary of Health and Human Services shall revise the allowable alternate vehicle standards described in that part 1310 (or any corresponding similar regulation or ruling) to exempt from Federal seat spacing requirements and supporting seating requirements related to compartmentalization any vehicle used to transport children for a Head Start program if the vehicle meets federal motor vehicle safety standards for seating systems, occupant crash protection, seat belt assemblies, and child restraint anchorage systems consistent with that part 1310 (or any corresponding similar regulation or ruling). Such revision shall be made in a manner consistent with the findings of the National Highway Traffic Safety Administration, pursuant to its study on occupant protection on Head Start transit vehicles, related to the Government Accountability Office report GAO–06–767R.

(INCLUDING RESCISSION)

SEC. 3607. (a) From the amounts made available by the Continuing Appropriations Resolution, 2007 (Public Law 109–289, as amended by the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5)) for the Office of the Secretary, General Departmental Management under the Department of Health and Human Services, $1,000,000 are rescinded.

(b) For the activities carried out by the Secretary of Education under section 3(a) of Public Law 108–406 (42 U.S.C. 15001 note), $1,000,000.

(INCLUDING RESCISSION)

SEC. 3608. (a) From the amounts made available by the Continuing Appropriations Resolution, 2007 for ''Department of Education, Student Aid Administration'', $2,000,000 are rescinded.

(b) For an additional amount for ''Department of Education, Higher Education'' under part B of title VII of the Higher Education Act of 1965 which shall be used to make a grant to the University of Vermont for the Educational Excellence Program, $2,000,000.

SEC. 3609. Section 1820 of the Social Security Act (42 U.S.C. 1395i–4) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

''(j) DELTA HEALTH INITIATIVE.—

''(1) IN GENERAL.—The Secretary is authorized to award a grant to the Delta Health Alliance, a nonprofit alliance of academic institutions in the Mississippi Delta region, to solicit and fund proposals from local governments, hospitals, health care clinics, academic institutions, and rural public health-related entities and organizations for research development, educational programs, health care services, job training, planning, construction, and the equipment of public health-related facilities in the Mississippi Delta region.

''(2) FEDERAL INTEREST IN PROPERTY.—With respect to funds used under this subsection for construction or alteration of property, the Federal interest in the property shall last for a period of 1 year following completion or until the Federal Government is compensated for its proportionate interest in the property if the property use changes or the property is transferred or sold, whichever time period is less. At the conclusion of such period, the Notice of Federal Interest in such property shall be removed.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection in fiscal year 2007 and in each of the five succeeding fiscal years.''.

CHAPTER 7

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3701. Section 2(c) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 121d(c)) is amended by adding at the end the following:

''(3) The Secretary of the Senate may transfer from the fund to the Senate Employee Child Care Center proceeds from the sale of holiday ornaments by the Senate Gift Shop for the purpose of funding necessary activities and expenses of the Center, including scholarships, educational supplies, and equipment.''.

(INCLUDING RESCISSION)

SEC. 3702. (a) Of the funds provided for the ''Capitol Guide Service and Special Services Office'' in section 20703(a) of the Continuing Appropriations Resolution, 2007 (as added by section 2 of the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5)), $3,500,000 are rescinded.

(b) For an additional amount for ''Capitol Guide Service and Special Services Office'', $3,500,000, to remain available until September 30, 2008.

CHAPTER 8

GENERAL PROVISION—THIS CHAPTER

SEC. 3801. Notwithstanding any other provision of law, appropriations made by Public Law 110–5, or any other Act, which the Secretary of Veterans Affairs contributes to the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund under the authority of section 8111(d) of title 38, United States Code, shall remain available until expended for any purpose authorized by section 8111 of title 38, United States Code.

CHAPTER 9

GENERAL PROVISIONS—THIS CHAPTER

CONSULTATION REQUIREMENT

SEC. 3901. Of the funds provided in the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5) for the United States-China Economic and Security Review Commission, $1,000,000 shall be available for obligation only in accordance with a spending plan submitted to and approved by the Committees on Appropriations which addresses the recommendations of the Government Accountability Office's audit of the Commission.

TECHNICAL AMENDMENT

SEC. 3902. (a) Notwithstanding any other provision of law, subsection (c) under the heading ''Assistance for the Independent States of the Former Soviet Union'' in Public Law 109–102, shall not apply to funds appropriated by the Continuing Appropriations Resolution, 2007 (Public Law 109–289, division B) as amended by Public Laws 109–369, 109–383, and 110–5.

(b) Section 534(k) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102) is amended, in the second proviso, by inserting after ''subsection (b) of that section'' the following: ''and the requirement that a majority of the members of the board of directors be United States citizens provided in subsection (d)(3)(B) of that section''.

(c) Subject to section 101(c)(2) of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5), the amount of funds appropriated for ''Foreign Military Financing Program'' pursuant to such Resolution shall be construed to be the total of the amount appropriated for such program by section 20401 of that Resolution and the amount made available for such program by section 591 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102) which is made applicable to the fiscal year 2007 by the provisions of such Resolution.

CHAPTER 10

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount to carry out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, $4,800,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund and to be subject to the same terms and conditions pertaining to funds provided under this heading in Public Law 109–115: *Provided*, That not to exceed the total amount provided for these activities for fiscal year 2007 shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 4001. Hereafter, funds limited or appropriated for the Department of Transportation may be obligated or expended to grant authority to a Mexican motor carrier to operate beyond United States municipalities and commercial zones on the United States-Mexico border only to the extent that—

(1) granting such authority is first tested as part of a pilot program;

(2) such pilot program complies with the requirements of section 350 of Public Law 107–87 and the requirements of section 31315(c) of title 49, United States Code, related to pilot programs; and

(3) simultaneous and comparable authority to operate within Mexico is made available to motor carriers domiciled in the United States.

SEC. 4002. Section 21033 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) is amended by adding after the second proviso: '': *Provided further*, That

paragraph (2) under such heading in Public Law 109–115 (119 Stat. 2441) shall be funded at $149,300,000, but additional section 8 tenant protection rental assistance costs may be funded in 2007 by using unobligated balances, notwithstanding the purposes for which such amounts were appropriated, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'', the heading ''Housing Certificate Fund'', and the heading ''Project-Based Rental Assistance'' for fiscal year 2006 and prior fiscal years: *Provided further*, That paragraph (3) under such heading in Public Law 109–115 (119 Stat. 2441) shall be funded at $47,500,000: *Provided further*, That paragraph (4) under such heading in Public Law 109–115 (119 Stat. 2441) shall be funded at $5,900,000: *Provided further*, That paragraph (5) under such heading in Public Law 109–115 (119 Stat. 2441) shall be funded at $1,281,100,000, of which $1,251,100,000 shall be allocated for the calendar year 2007 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in calendar year 2006, and of which up to $30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to $20,000,000 to be for fees associated with section 8 tenant protection rental assistance''.

SEC. 4003. The dates for subsidy reductions and demonstrations for discontinuance of reductions in operating subsidy under the new operating fund formula, pursuant to HUD regulations at 24 CFR 990.230, shall be moved forward so that the first demonstration date for asset management compliance shall be September 1, 2007, and reductions in subsidy for calendar year 2007 shall be limited to the 5 percent amount referred to in such regulations. Any public housing agency that has filed information to demonstrate compliance on or prior to April 15, 2007 shall be permitted to re-file the same or different information to demonstrate such compliance on or before September 1, 2007.

CHAPTER 11

GENERAL PROVISIONS—THIS ACT

AVAILABILITY OF FUNDS

SEC. 4101. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

EMERGENCY DESIGNATION FOR TITLE I

SEC. 4102. Amounts provided in title I of this Act are designated as emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

EMERGENCY DESIGNATION FOR TITLE II

SEC. 4103. Amounts provided in title II of this Act are designated as emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE IV—EMERGENCY FARM RELIEF

SEC. 401. SHORT TITLE.

This title may be cited as the ''Emergency Farm Relief Act of 2007''.

SEC. 402. DEFINITIONS.

In this title:

(1) ADDITIONAL COVERAGE.—The term ''additional coverage'' has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(2) APPLICABLE CROP.—The term ''applicable crop'' means 1 or more crops planted, or prevented from being planted, during, as elected by the producers on a farm, 1 of—

(A) the 2005 crop year;

(B) the 2006 crop year; or

(C) that part of the 2007 crop year that takes place before the end of the applicable period.

(3) APPLICABLE PERIOD.—The term ''applicable period'' means the period beginning on January 1, 2005 and ending on February 28, 2007.

(4) DISASTER COUNTY.—The term ''disaster county'' means—

(A) a county included in the geographic area covered by a natural disaster declaration; and

(B) each county contiguous to a county described in subparagraph (A).

(5) HURRICANE-AFFECTED COUNTY.—The term ''hurricane-affected county'' means—

(A) a county included in the geographic area covered by a natural disaster declaration related to Hurricane Katrina, Hurricane Rita, Hurricane Wilma, or a related condition; and

(B) each county contiguous to a county described in subparagraph (A).

(6) INSURABLE COMMODITY.—The term ''insurable commodity'' means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(7) LIVESTOCK.—The term ''livestock'' includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) poultry;

(D) sheep;

(E) swine; and

(F) other livestock, as determined by the Secretary.

(8) NATURAL DISASTER DECLARATION.—The term ''natural disaster declaration'' means a natural disaster declared by the Secretary during the applicable period under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)).

(9) NONINSURABLE COMMODITY.—The term ''noninsurable commodity'' means a crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

Subtitle A—Agricultural Production Losses

SEC. 411. CROP DISASTER ASSISTANCE.

(a) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying losses described in subsection (c).

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–55), including using the same loss thresholds for quantity and economic losses as were used in administering that section, except that the payment rate shall be 55 percent of the established price, instead of 65 percent.

(2) NONINSURED PRODUCERS.—For producers on a farm that were eligible to acquire crop insurance for the applicable production loss and failed to do so or failed to submit an application for the noninsured assistance program for the loss, the Secretary shall make assistance in accordance with paragraph (1), except that the payment rate shall be 20 percent of the established price, instead of 50 percent.

(c) QUALIFYING LOSSES.—Assistance under this section shall be made available to producers on farms, other than producers of sugar beets, that incurred qualifying quantity or quality losses for the applicable crop due to damaging weather or any related condition (including losses due to crop diseases, insects, and delayed harvest), as determined by the Secretary.

(d) QUALITY LOSSES.—

(1) IN GENERAL.—In addition to any payment received under subsection (b), the Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make payments to producers on a farm described in subsection (a) that incurred a quality loss for the applicable crop of a commodity in an amount equal to the product obtained by multiplying—

(A) the payment quantity determined under paragraph (2);

(B)(i) in the case of an insurable commodity, the coverage level elected by the insured under the policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) in the case of a noninsurable commodity, the applicable coverage level for the payment quantity determined under paragraph (2); by

(C) 55 percent of the payment rate determined under paragraph (3).

(2) PAYMENT QUANTITY.—For the purpose of paragraph (1)(A), the payment quantity for quality losses for a crop of a commodity on a farm shall equal the lesser of—

(A) the actual production of the crop affected by a quality loss of the commodity on the farm; or

(B)(i) in the case of an insurable commodity, the actual production history for the commodity by the producers on the farm under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) in the case of a noninsurable commodity, the established yield for the crop for the producers on the farm under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(3) PAYMENT RATE.—

(A) IN GENERAL.—For the purpose of paragraph (1)(B), the payment rate for quality losses for a crop of a commodity on a farm shall be equal to the difference between (as determined by the applicable State committee of the Farm Service Agency)—

(i) the per unit market value that the units of the crop affected by the quality loss would have had if the crop had not suffered a quality loss; and

(ii) the per unit market value of the units of the crop affected by the quality loss.

(B) FACTORS.—In determining the payment rate for quality losses for a crop of a commodity on a farm, the applicable State committee of the Farm Service Agency shall take into account—

(i) the average local market quality discounts that purchasers applied to the commodity during the first 2 months following the normal harvest period for the commodity;

(ii) the loan rate and repayment rate established for the commodity under the marketing loan program established for the commodity under subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.);

(iii) the market value of the commodity if sold into a secondary market; and

(iv) other factors determined appropriate by the committee.

(4) ELIGIBILITY.—

(A) IN GENERAL.—For producers on a farm to be eligible to obtain a payment for a quality loss for a crop under this subsection—

(i) the amount obtained by multiplying the per unit loss determined under paragraph (1)

by the number of units affected by the quality loss shall be reduced by the amount of any indemnification received by the producers on the farm for quality loss adjustment for the commodity under a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(ii) the remainder shall be at least 25 percent of the value that all affected production of the crop would have had if the crop had not suffered a quality loss.

(B) INELIGIBILITY.—If the amount of a quality loss payment for a commodity for the producers on a farm determined under this paragraph is equal to or less than zero, the producers on the farm shall be ineligible for assistance for the commodity under this subsection.

(5) ELIGIBLE PRODUCTION.—The Secretary shall carry out this subsection in a fair and equitable manner for all eligible production, including the production of fruits and vegetables, other specialty crops, and field crops.

(e) ELECTION OF CROP YEAR.—If a producer incurred qualifying crop losses in more than 1 of the crop years during the applicable period, the producers on a farm shall elect to receive assistance under this section for losses incurred in only 1 of the crop years.

(f) PAYMENT LIMITATION.—

(1) LIMITATION.—Assistance provided under this section to the producers on a farm for losses to a crop, together with the amounts specified in paragraph (2) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary.

(2) OTHER PAYMENTS.—In applying the limitation in paragraph (1), the Secretary shall include the following:

(A) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producers on the farm receive for losses to the same crop.

(B) The value of the crop that was not lost (if any), as estimated by the Secretary.

(g) TIMING.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make payments to producers on a farm for a crop under this section not later than 60 days after the date the producers on the farm submit to the Secretary a completed application for the payments.

(2) INTEREST.—If the Secretary does not make payments to the producers on a farm by the date described in paragraph (1), the Secretary shall pay to the producers on a farm interest on the payments at a rate equal to the current (as of the sign-up deadline established by the Secretary) market yield on outstanding, marketable obligations of the United States with maturities of 30 years.

SEC. 412. DAIRY ASSISTANCE.

The Secretary shall use $95,000,000 of funds of the Commodity Credit Corporation to make payments to dairy producers for dairy production losses in disaster counties.

SEC. 413. MILK INCOME LOSS CONTRACT PROGRAM.

Section 1502(c)(3) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982(c)(3)) is amended—

(1) in subparagraph (A), by adding ''and'' at the end;

(2) in subparagraph (B), by striking ''August'' and all that follows through the end and inserting ''September 30, 2007, 34 percent.''; and

(3) by striking subparagraph (C).

SEC. 414. LIVESTOCK ASSISTANCE.

(a) LIVESTOCK COMPENSATION PROGRAM.—

(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—Effective beginning on the date of enactment of this Act, the Secretary shall use funds of the Commodity Credit Corporation to carry out the 2002 Livestock Compensation Program announced by the Secretary on October 10, 2002 (67 Fed. Reg. 63070), to provide compensation for livestock losses during the applicable period for losses (including losses due to blizzards that began in calendar year 2006 and continued in January 2007) due to a disaster, as determined by the Secretary, except that the payment rate shall be 80 percent of the payment rate established for the 2002 Livestock Compensation Program.

(2) ELIGIBLE APPLICANTS.—In carrying out the program described in paragraph (1), the Secretary shall provide assistance to any applicant for livestock losses during the applicable period that—

(A)(i) conducts a livestock operation that is located in a disaster county, including any applicant conducting a livestock operation with eligible livestock (within the meaning of the livestock assistance program under section 101(b) of division B of Public Law 108–324 (118 Stat. 1234)); or

(ii) produces an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1));

(B) demonstrates to the Secretary that the applicant suffered a material loss of pasture or hay production, or experienced substantially increased feed costs, due to damaging weather or a related condition during the calendar year, as determined by the Secretary; and

(C) meets all other eligibility requirements established by the Secretary for the program.

(3) MITIGATION.—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock compensation program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

(4) PAYMENTS FOR REDUCTION IN GRAZING ON FEDERAL LAND.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary shall make payments to livestock producers that are in proportion to any reduction during calendar year 2007 in grazing on Federal land in a disaster county leased by the producers a result of actions described in subparagraph (B).

(B) FEDERAL ACTIONS.—Actions referred to in subparagraph (A) are actions taken during calendar year 2007 by the Bureau of Land Management or other Federal agency to restrict or prohibit grazing otherwise allowed under the terms of the lease of the producers in order to expedite the recovery of the Federal land from drought, wildfire, or other natural disaster declared by the Secretary during the applicable period.

(5) LIMITATION.—The Secretary shall ensure, to the maximum extent practicable, that producers on a farm do not receive duplicative payments under this subsection and another Federal program with respect to any loss.

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make livestock indemnity payments to producers on farms that have incurred livestock losses during the applicable period (including losses due to blizzards that began in calendar year 2006 and continued in January 2007) due to a disaster, as determined by the Secretary, including losses due to hurricanes, floods, anthrax, wildfires, and extreme heat.

(2) PAYMENT RATES.—Indemnity payments to a producer on a farm under paragraph (1) shall be made at a rate of not less than 30 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(c) EWE LAMB REPLACEMENT AND RETENTION.—

(1) IN GENERAL.—The Secretary shall use $13,000,000 of funds of the Commodity Credit Corporation to make payments to producers located in disaster counties under the Ewe Lamb Replacement and Retention Payment Program under part 784 of title 7, Code of Federal Regulations (or a successor regulation) for each qualifying ewe lamb retained or purchased during the period beginning on January 1, 2006, and ending on December 31, 2006, by the producers.

(2) INELIGIBILITY FOR OTHER ASSISTANCE.—A producer that receives assistance under this subsection shall not be eligible to receive assistance under subsection (a).

(d) ELECTION OF PRODUCTION YEAR.—If a producer incurred qualifying production losses in more than one of the production years, the producers on a farm shall elect to receive assistance under this section in only one of the production years.

(e) EXCEPTION.—Notwithstanding any other provision of this section, livestock producers on a farm shall be eligible to receive assistance under subsection (a) or livestock indemnity payments under subsection (b) if the producers on a farm—

(1) have livestock operations in a county included in the geographic area covered by a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to blizzards, ice storms, or other winter–related causes during the period of December 2006 through January 2007; and

(2) meet all eligibility requirements for the assistance or payments other than the requirements relating to disaster declarations by the Secretary under subsections (a) and (b)(1).

SEC. 415. FLOODED CROP AND GRAZING LAND.

(a) IN GENERAL.—The Secretary shall compensate eligible owners of flooded crop and grazing land in the State of North Dakota.

(b) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive compensation under this section, an owner shall own land described in subsection (a) that, during the 2 crop years preceding receipt of compensation, was rendered incapable of use for the production of an agricultural commodity or for grazing purposes (in a manner consistent with the historical use of the land) as the result of flooding, as determined by the Secretary.

(2) INCLUSIONS.—Land described in paragraph (1) shall include—

(A) land that has been flooded;

(B) land that has been rendered inaccessible due to flooding; and

(C) a reasonable buffer strip adjoining the flooded land, as determined by the Secretary.

(3) ADMINISTRATION.—The Secretary may establish—

(A) reasonable minimum acreage levels for individual parcels of land for which owners may receive compensation under this section; and

(B) the location and area of adjoining flooded land for which owners may receive compensation under this section.

(c) SIGN-UP.—The Secretary shall establish a sign-up program for eligible owners to apply for compensation from the Secretary under this section.

(d) COMPENSATION PAYMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the rate of an annual compensation payment under this section shall be equal to 90 percent of the average annual per acre rental payment rate (at the time of entry into the contract) for comparable crop or grazing land that has not been flooded and remains in production in the county where the flooded land is located, as determined by the Secretary.

(2) REDUCTION.—An annual compensation payment under this section shall be reduced by the amount of any conservation program rental payments or Federal agricultural commodity program payments received by the owner for the land during any crop year for which compensation is received under this section.

(3) EXCLUSION.—During any year in which an owner receives compensation for flooded land under this section, the owner shall not be eligible to participate in or receive benefits for the flooded land under—

(A) the Federal crop insurance program established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(B) the noninsured crop assistance program established under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); or

(C) any Federal agricultural crop disaster assistance program.

(e) RELATIONSHIP TO AGRICULTURAL COMMODITY PROGRAMS.—The Secretary, by regulation, shall provide for the preservation of cropland base, allotment history, and payment yields applicable to land described in subsection (a) that was rendered incapable of use for the production of an agricultural commodity or for grazing purposes as the result of flooding.

(f) USE OF LAND.—

(1) IN GENERAL.—An owner that receives compensation under this section for flooded land shall take such actions as are necessary to not degrade any wildlife habitat on the land that has naturally developed as a result of the flooding.

(2) RECREATIONAL ACTIVITIES.—To encourage owners that receive compensation for flooded land to allow public access to and use of the land for recreational activities, as determined by the Secretary, the Secretary may—

(A) offer an eligible owner additional compensation; and

(B) provide compensation for additional acreage under this section.

(g) FUNDING.—

(1) IN GENERAL.—The Secretary shall use $6,000,000 of funds of the Commodity Credit Corporation to carry out this section.

(2) PRO-RATED PAYMENTS.—In a case in which the amount made available under paragraph (1) for a fiscal year is insufficient to compensate all eligible owners under this section, the Secretary shall pro-rate payments for that fiscal year on a per acre basis.

SEC. 416. SUGAR BEET AND SUGAR CANE DISASTER ASSISTANCE.

(a) IN GENERAL.—The Secretary shall use $24,000,000 of funds of the Commodity Credit Corporation to provide assistance to sugar beet producers that suffered production losses (including quality losses) for the applicable crop.

(b) REQUIREMENT.—The Secretary shall make payments under subsection (a) in the same manner as payments were made under section 208 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 544), including using the same indemnity benefits as were used in carrying out that section.

(c) HAWAII.—The Secretary shall use $3,000,000 of funds of the Commodity Credit Corporation to assist sugarcane growers in Hawaii by making a payment in that amount to an agricultural transportation cooperative in Hawaii, the members of which are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)).

(d) ELECTION OF CROP YEAR.—If a producer incurred qualifying crop losses in more than one of the crop years during the applicable period, the producers on a farm shall elect to receive assistance under this section for losses incurred in only one of the crop years.

SEC. 417. NONINSURED CROP ASSISTANCE PROGRAM.

Section 196(c) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(c)) is amended by adding at the end the following:

''(5) LOSS ASSESSMENT FOR GRAZING.—The Secretary shall permit the use of 1 claims adjustor certified by the Secretary to assess the quantity of loss on the acreage or allotment of a producer devoted to grazing for livestock under this section.''.

SEC. 418. REDUCTION IN PAYMENTS.

The amount of any payment for which a producer is eligible under this subtitle shall be reduced by any amount received by the producer for the same loss or any similar loss under—

(1) the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148; 119 Stat. 2680);

(2) an agricultural disaster assistance provision contained in the announcement of the Secretary on January 26, 2006, or August 29, 2006;

(3) the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 418); or

(4) the Livestock Assistance Grant Program announced by the Secretary on August 29, 2006.

Subtitle B—Small Business Economic Loss Grant Program

SEC. 421. SMALL BUSINESS ECONOMIC LOSS GRANT PROGRAM.

(a) DEFINITION OF QUALIFIED STATE.—In this section, the term ''qualified State'' means a State in which at least 50 percent of the counties of the State were declared to be primary agricultural disaster areas by the Secretary during the applicable period.

(b) GRANTS TO QUALIFIED STATES.—

(1) IN GENERAL.—The Secretary shall use $100,000,000 of funds of the Commodity Credit Corporation to make grants to State departments of agriculture or comparable State agencies in qualified States.

(2) AMOUNT.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall allocate grants among qualified States described in paragraph (1) based on the average value of agricultural sector production in the qualified State, determined as a percentage of the gross domestic product of the qualified State.

(B) MINIMUM AMOUNT.—The minimum amount of a grant under this subsection shall be $500,000.

(3) REQUIREMENT.—To be eligible to receive a grant under this subsection, a qualified State shall agree to carry out an expedited disaster assistance program to provide direct payments to qualified small businesses in accordance with subsection (c).

(c) DIRECT PAYMENTS TO QUALIFIED SMALL BUSINESSES.—

(1) IN GENERAL.—In carrying out an expedited disaster assistance program described in subsection (b)(3), a qualified State shall provide direct payments to eligible small businesses in the qualified State that suffered material economic losses during the applicable period as a direct result of weather-related agricultural losses to the crop or livestock production sectors of the qualified State, as determined by the Secretary.

(2) ELIGIBILITY.—

(A) IN GENERAL.—To be eligible to receive a direct payment under paragraph (1), a small business shall—

(i) have less than $15,000,000 in average annual gross income from all business activities, at least 75 percent of which shall be directly related to production agriculture or agriculture support industries, as determined by the Secretary;

(ii) verify the amount of economic loss attributable to weather-related agricultural losses using such documentation as the Secretary and the head of the qualified State agency may require;

(iii) have suffered losses attributable to weather-related agricultural disasters that equal at least 50 percent of the total economic loss of the small business for each year a grant is requested; and

(iv) demonstrate that the grant will materially improve the likelihood the business will—

(I) recover from the disaster; and

(II) continue to service and support production agriculture.

(B) EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT AND SEASONAL FARMWORKERS.—

(i) Funds made available by this subtitle may be used to carry out assistance programs in States that are consistent with the purpose and intent of the program authorized at section 2281 of the Food, Agriculture, Conservation and Trade Act of 1990 (42 U.S.C. 5177a).

(ii) In carrying out this subparagraph, a qualified State may waive the gross income requirement at subparagraph (A)(i) of this paragraph.

(3) REQUIREMENTS.—A direct payment to small business under this subsection shall—

(A) be limited to not more than 2 years of documented losses; and

(B) be in an amount of not more than 75 percent of the documented average economic loss attributable to weather-related agriculture disasters for each eligible year in the qualified State.

(4) INSUFFICIENT FUNDING.—If the grant funds received by a qualified State agency under subsection (b) are insufficient to fund the direct payments of the qualified State agency under this subsection, the qualified State agency may apply a proportional reduction to all of the direct payments.

Subtitle C—Forestry

SEC. 431. TREE ASSISTANCE PROGRAM.

(a) DEFINITION OF TREE.—In this section, the term ''tree'' includes—

(1) a tree (including a Christmas tree, ornamental tree, nursery tree, and potted tree);

(2) a bush (including a shrub, nursery shrub, nursery bush, ornamental bush, ornamental shrub, potted bush, and potted shrub); and

(3) a vine (including a nursery vine and ornamental vine).

(b) PROGRAM.—Except as otherwise provided in this section, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance under the terms and conditions of the tree assistance program established under subtitle C of title X of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.) to—

(1) producers who suffered tree losses in disaster counties; and

(2) fruit and tree nut producers in disaster counties.

(c) COSTS.—Funds made available under this section shall also be made available to cover costs associated with tree pruning,

tree rehabilitation, and other appropriate tree-related activities as determined by the Secretary.

(d) SCOPE OF ASSISTANCE.—Assistance under this section shall compensate for losses resulting from disasters during the applicable period.

Subtitle D—Conservation

SEC. 441. EMERGENCY CONSERVATION PROGRAM.

The Secretary shall use an additional $35,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures, including wildfire recovery efforts in Montana and other States, identified by the Administrator of the Farm Service Agency as of the date of enactment of this Act through the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.), of which $3,000,000 shall be to repair broken irrigation pipelines and damaged and collapsed water tanks, $1,000,000 to provide emergency loans for losses of agricultural income, and $2,000,000 to repair ditch irrigation systems in conjunction with the Presidential declaration of a major disaster (FEMA–1664–DR), dated October 17, 2006, and related determinations issued under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act): *Provided*, That the Secretary may transfer a portion of these funds to the Natural Resources Conservation Service, to include Resource Conservation and Development councils.

SEC. 442. EMERGENCY WATERSHED PROTECTION PROGRAM.

The Secretary shall use an additional $50,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures identified by the Chief of the Natural Resources Conservation Service as of the date of enactment of this Act through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

SEC. 443. CONSERVATION SECURITY PROGRAM.

Section 20115 of Public Law 110–5 is amended by striking ''section 726'' and inserting in lieu thereof ''section 726; section 741''.

Subtitle E—Farm Service Agency

SEC. 451. FUNDING FOR ADDITIONAL PERSONNEL AND ADMINISTRATIVE SUPPORT.

The Secretary shall use $30,000,000 of funds of the Commodity Credit Corporation—

(1) of which $9,000,000 shall be used to hire additional County Farm Service Agency personnel to expedite the implementation of, and delivery under, the agricultural disaster and economic assistance programs under this title; and

(2) to be used as the Secretary determines to be necessary to carry out this and other agriculture and disaster assistance programs.

Subtitle F—Miscellaneous

SEC. 461. CONTRACT WAIVER.

In carrying out this title and section 101(a)(5) of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005 (Public Law 108–324; 118 Stat. 1233), the Secretary shall not require participation in a crop insurance pilot program relating to forage.

SEC. 462. INSECT INFESTATIONS.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Animal and Plant Health Inspection Service, shall use not less than $20,000,000 of funds made available from the Commodity Credit Corporation for the Animal and Plant Health Inspection Service to survey and control insect infestations in the States of Nevada, Idaho, and Utah.

(b) USE OF FUNDS.—Funds described in subsection (a) shall be used in a manner that promotes cooperative efforts between Federal programs (including the plant protection and quarantine program of the Animal and Plant Health Inspection Service) and State and local programs carried out, in whole or in part, with Federal funds to fight insect outbreaks.

SEC. 463. FUNDING.

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title, to remain available until expended.

SEC. 464. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

Subtitle G—Emergency Designation

SEC. 471. EMERGENCY DESIGNATION.

The amounts provided under this title are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

This Act may be cited as the ''U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007''.

SA 642. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 641 proposed by Mr. BYRD to the bill H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, line 13, strike ''$150,000,000'' and insert ''$755,000,000''.

On page 60, line 16, insert after ''area'' the following: ''*Provided*, That $605,000,000 shall be for construction of the Inner Harbor Navigation Canal Lock replacement project, to remain available until expended''.

SA 643. Mr. COCHRAN (for himself, Mr. MCCAIN, Mr. LIEBERMAN, Mr. GRAHAM, Mr. WARNER, Mr. STEVENS, Mr. BROWNBACK, Mr. SHELBY, Mr. Craig, Mr. ALLARD, Mr. BENNETT, and Mr. ENZI) proposed an amendment to amendment SA 641 proposed by Mr. BYRD to the bill H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 24, strike line 16 and all that follows through page 26, line 24 and insert:

''SEC. 1315. BENCHMARKS FOR THE GOVERNMENT OF IRAQ.—''

SA 644. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, line 19 strike $214,000,000 and insert $214,000,001

SA 645. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

In the amendment strike $214,000,001 and insert $214,000,002.

SA 646. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

''SEC. _____. Notwithstanding any other provision of law, the Secretary of Veterans Affairs is authorized to convey without consideration to the State of Texas all right, title, and interest of the United States in and to a parcel of real property comprising the location of the Marlin, Texas Department of Veterans Affairs Medical Center. In so conveying, the Secretary need not comply with Federal laws relating to the environment and historic preservation. However, the Secretary may at his discretion undertake environmental cleanup at a cost not to exceed $500,000 utilizing appropriations available for the environmental cleanup of sites under the Department's jurisdiction. The purpose of the conveyance is to permit the State of Texas to utilize the property for purposes of a prison.''

SA 647. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, between lines 7 and 8, insert the following:

SEC. 2504. MAJOR DISASTER OR EMERGENCY BENEFITS.

(a) FRAUD IN CONNECTION WITH MAJOR DISASTER OR EMERGENCY BENEFITS.—

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

''§ 1040. Fraud in connection with major disaster or emergency benefits

''(a) Whoever, in a circumstance described in subsection (b) of this section, knowingly—

''(1) falsifies, conceals, or covers up by any trick, scheme, or device any material fact; or

''(2) makes any materially false, fictitious, or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or representation,

in any matter involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with a major disaster declaration under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or an

emergency declaration under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191), or in connection with any procurement of property or services related to any emergency or major disaster declaration as a prime contractor with the United States or as a subcontractor or supplier on a contract in which there is a prime contract with the United States, shall be fined under this title, imprisoned not more than 30 years, or both.

''(b) A circumstance described in this subsection is any instance where—

''(1) the authorization, transportation, transmission, transfer, disbursement, or payment of the benefit is in or affects interstate or foreign commerce;

''(2) the benefit is transported in the mail at any point in the authorization, transportation, transmission, transfer, disbursement, or payment of that benefit; or

''(3) the benefit is a record, voucher, payment, money, or thing of value of the United States, or of any department or agency thereof.

''(c) In this section, the term 'benefit' means any record, voucher, payment, money or thing of value, good, service, right, or privilege provided by the United States, a State or local government, or other entity.''.

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

''1040. Fraud in connection with major disaster or emergency benefits.''.

(b) INCREASED CRIMINAL PENALTIES FOR ENGAGING IN WIRE, RADIO, AND TELEVISION FRAUD DURING AND RELATION TO A PRESIDENTIALLY DECLARED MAJOR DISASTER OR EMERGENCY.—Section 1343 of title 18, United States Code, is amended by inserting: ''occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), or'' after ''If the violation''.

(c) INCREASED CRIMINAL PENALTIES FOR ENGAGING IN MAIL FRAUD DURING AND IN RELATION TO A PRESIDENTIALLY DECLARED MAJOR DISASTER OR EMERGENCY.—Section 1341 of title 18, United States Code, is amended by inserting: ''occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), or'' after ''If the violation''.

(d) DIRECTIVE TO SENTENCING COMMISSION.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this subsection, the United States Sentencing Commission forthwith shall—

(A) promulgate sentencing guidelines or amend existing sentencing guidelines to provide for increased penalties for persons convicted of fraud or theft offenses in connection with a major disaster declaration under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or an emergency declaration under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191); and

(B) submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an explanation of actions taken by the Commission pursuant to subparagraph (A) and any additional policy recommendations the Commission may have for combating offenses described in that subparagraph.

(2) REQUIREMENTS.—In carrying out this subsection, the Sentencing Commission shall—

(A) ensure that the sentencing guidelines and policy statements reflect the serious nature of the offenses described in paragraph (1) and the need for aggressive and appropriate law enforcement action to prevent such offenses;

(B) assure reasonable consistency with other relevant directives and with other guidelines;

(C) account for any aggravating or mitigating circumstances that might justify exceptions, including circumstances for which the sentencing guidelines currently provide sentencing enhancements;

(D) make any necessary conforming changes to the sentencing guidelines; and

(E) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

(3) EMERGENCY AUTHORITY AND DEADLINE FOR COMMISSION ACTION.—The Commission shall promulgate the guidelines or amendments provided for under this subsection as soon as practicable, and in any event not later than the 30 days after the date of enactment of this Act, in accordance with the procedures set forth in section 21(a) of the Sentencing Reform Act of 1987, as though the authority under that Act had not expired.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, April 11, 2007, at 10 a.m., to conduct an oversight hearing on the Smithsonian Institution.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee on 224–6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a Roundtable Discussion during the session of the Senate on Monday, March 26, 2007, at 2:30 p.m. in room SD–G50 of the Dirksen Senate Office Building.

The purpose of the Roundtable is to discuss the progress of the European Union's Emissions Trading Scheme and to receive information on lessons learned for policymakers who want to better understand how a market-based trading program could operate efficiently and effectively in the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities be authorized to meet during the session of the Senate on Monday, March 26, 2007, at 2 p.m., to receive a briefing on the reorganization of the office of the Under Secretary of Defense for Policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Human Rights and the Law be authorized to meet on Monday, March 26, 2007, at 3 p.m., to conduct a hearing on ''Legal Options to Stop Human Trafficking,'' in Room 226 of the Dirksen Senate Office Building.

Grace Chung Becker, Deputy Assistant Attorney General for Civil Rights, United States Department of Justice, Washington, DC; Katherine Kaufka, Supervising Attorney, Counter-Trafficking Services Program, National Immigrant Justice Center, Heartland Alliance for Human Needs & Human Rights, Chicago, IL; Martina E. Vandenberg, Attorney, Jenner & Block, Washington, DC; and Holly J. Burkhalter, Vice President, International Justice Mission, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mrs. MURRAY. 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 Monday, March 26, 2007, at 2:30 p.m., for a hearing entitled, Understanding the Realities of REAL ID: A Review of Efforts to Secure Drivers' Licenses and Identification Cards.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. COCHRAN. Madam President, I ask unanimous consent that Yvonne Stone, a detailee from the Department of Veterans Affairs, be granted floor privileges for the duration of the debate on H.R. 1591, the emergency war supplemental.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I also ask unanimous consent that Earl Rilington and Eric Perritt, Fellows serving in my office, be granted floor privileges for the duration of the debate on H.R. 1591, the fiscal year 2007 emergency supplemental appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Madam President, I ask unanimous consent that Adam Morrison and Tad Gallion be granted floor privileges during the debate on this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. I ask unanimous consent that my State Department fellow, Mike Stanton, and my Marine Corps fellow, Mark Carlton, be granted floor

privileges for the duration of debate on H.R. 1591 supplemental appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered

UNANIMOUS CONSENT AGREEMENT—NOMINATION OF GEORGE WU

Mr. REID. Mr. President, I ask unanimous consent that tomorrow at 11:50 a.m., the Senate proceed to executive session to consider the nomination of George Wu to be a U.S. district judge, Calendar No. 38; that there be 20 minutes for debate equally divided between the chairman and ranking member of the Judiciary Committee; that at the conclusion of or yielding back of time, the Senate vote on the confirmation of the nomination; that following the vote, the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE EUROPEAN UNION

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 124 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 124) congratulating the European Union on the 50th anniversary of the signing of the Treaty of Rome/creating the European Economic Community among 6 European countries and laying the foundations for peace, stability, and prosperity in Europe.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The resolution (S. Res. 124) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 124

Whereas after a half century of war and upheaval, and in the face of economic and political crises and the threat of communism, European visionaries began a process to bring the countries of Europe into closer economic and political cooperation to help secure peace and prosperity for the peoples of Europe;

Whereas, on March 25, 1957, 6 European countries—the Federal Republic of Germany, France, Italy, Belgium, the Netherlands, and Luxembourg—signed the Treaty of Rome, creating the European Economic Community;

Whereas the Treaty of Rome established a customs union between the signatory countries, but also did much more, creating a framework that has broadened and deepened over time into the European Union, promoting the free movement of people, services, and capital, and common policies among the countries in important areas, and that has helped secure the spread of peace and stability in Europe;

Whereas the European Economic Community expanded to bring more European countries into closer union, with the United Kingdom, Denmark, and Ireland joining in 1973, Greece joining in 1981, and Spain and Portugal joining in 1986;

Whereas the member countries of the European Economic Community agreed to the Single European Act in 1987, paving the way for a single European market, and on February 7, 1992, the member countries of the European Community signed the Treaty of Maastricht, furthering the economic and political ties among the member countries and creating the European Union;

Whereas the European Union has continued to grow so that the European Union now comprises 27 countries with a population of over 450,000,000, after the successful unification of Germany in 1990 and the joining of 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, and the European Union continues to consider expanding to include other countries central to the history and future of Europe;

Whereas the European Union has developed a broad acquis communautaire covering policies in the economic, security, diplomatic, and political areas, has established a single market, has built an economic and monetary union, including the Euro currency, and has built an area of freedom, security, peace, and justice, extending stability to its neighbors;

Whereas the European Union played a key role at the end of the Cold War in helping to spread free markets, democratic institutions and values, and respect for human rights to the former central European communist states;

Whereas the United States and the European Union have shared a unique partnership based on a common heritage, shared values, and mutual interests, and have worked together to strengthen international cooperation and institutions, to create a more open international trading system, to ensure transatlantic and global security, to preserve and promote peace, freedom, and democracy, 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 to promote prosperity, peace, and democracy: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the European Union and the member countries of the European Union on the 50th anniversary of the historic signing of the Treaty of Rome;

(2) commends the European Union for the critical role it and its predecessor organizations have played in spreading peace, stability, and prosperity throughout Europe; and

(3) affirms the desire of the United States to strengthen the transatlantic partnership with the European Union and with all of its member countries.

PERMITTING USE OF THE ROTUNDA OF THE CAPITOL

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of H. Con. Res. 66.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A 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.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 66) was agreed to.

ORDERS FOR TUESDAY, MARCH 27, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, March 27; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, that there then be a period for morning business for 60 minutes with Senators permitted to speak therein for up to 10 minutes each, the first 30 minutes under the control of the Republicans, and the final 30 minutes under the control of the majority; that at the close of morning business, the Senate resume consideration of H.R. 1591; that on Tuesday, following the vote on the judicial nomination, the Senate stand in recess until 2:15 p.m. in order to accommodate the respective party conference work periods. I further ask unanimous consent that Members have until 2:30 to file first-degree amendments for the matter pending.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business today, I ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:56 p.m., adjourned until Tuesday, March 27, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate March 26, 2007:

DEPARTMENT OF THE INTERIOR

R. LYLE LAVERTY, OF COLORADO, TO BE ASSISTANT SECRETARY FOR FISH AND WILDLIFE, VICE HAROLD CRAIG MANSON.

DEPARTMENT OF STATE

JANET E. GARVEY, OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF

MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

R. NIELS MARQUARDT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MADAGASCAR, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNION OF COMOROS.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) MICHAEL J. LYDEN, 0018

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) CHRISTINE S. HUNTER, 0000
REAR ADM. (LH) ADAM M. ROBINSON, JR., 0000

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

THOMAS I. ANDERSON, 0000
GLEN M. BAKER, 0000
WAYNE E. BALE, 0000
RONALD D. BLUNCK, 0000
MARY J. BRANDT, 0000
PHILLIP R. BROWN, 0000
STANLEY D. BRUNTZ, 0000
THADDEUS E. BURR, 0000
CONRAD C. CALDWELL III, 0000
WILLIAM S. CARLE, 0000
WENZELL E. CARTER, JR., 0000
DAVID R. CHESSER, 0000
EDWARD J. CHUPEIN, JR., 0000
ROBERT J. CLARK, 0000
CARL E. CROFT, 0000
PAUL D. CUMMINGS, 0000
WILLIAM E. DAY III, 0000
JOHN W. DUGAN, 0000
JAMES K. EDENFIELD, 0000
TIMOTHY J. EVANS, 0000
DOUGLAS A. FARNHAM, 0000
DAVID K. FAUST, 0000
BRENT J. FEICK, 0000
JAMES E. FREDREGILL, 0000
DENNIS J. GALLEGOS, 0000
KENNETH L. GAMMON, 0000
DAVID R. GANN, 0000
ROBERT M. GENTRY, 0000
RICHARD P. GREENWOOD, 0000
MURRAY A. HANSEN, 0000
JAMES C. HAY, JR., 0000
THOMAS J. HAYEK, 0000
PAIGE P. HUNTER, 0000
DOUGLAS R. JACOBSON, 0000
MATTHEW P. JAMISON, 0000
JOHN S. JOSEPH, 0000
RICHARD W. KELLY, 0000
BRIAN W. LEAKWAY, 0000
JEROME P. LIMOGE, JR., 0000
DALE R. MARKS, 0000
BETTY J. MARSHALL, 0000
JAMES T. MATLOCK III, 0000
JOHN E. MCNEIL, 0000
SCOTT A. MCPHERSON, 0000
PHILLIP S. MICHAEL, 0000
DONALD F. MOFFORD, 0000
JAMES J. MONTAGUE, 0000
CLAYTON W. MOUSHON, 0000
MARTIN J. PARK, 0000
MITCHELL L. PERRY, 0000
JEFFREY W. PETTIGREW, 0000
EDWARD J. PIECEK, 0000
WILLIAM Q. PLATT III, 0000
CHARLES B. POWLEY, 0000
SAMUEL H. RAMSAY III, 0000
JAMES F. REAGAN, 0000
KEVIN F. REILLY, 0000
DAVID L. REYNOLDS, 0000
DEREK P. ROGERS, 0000
JEFFERY A. SABOTKA, 0000
GEORGE E. SCHERZER, JR., 0000
STEPHEN P. SHAFFER, 0000
DANEIL C. SHEA, 0000
MARK E. SHEEHY, 0000
JEFFREY M. SILVER, 0000
DAVID C. SNAKENBERG, 0000
RONALD W. SOLBERG, 0000
KURT D. SONDERMAN, 0000
CHRISTOPHER A. STRATMANN, 0000
JASVANT S. SURANI, 0000
WILLIAM R. SWANSON, 0000
MICHAEL T. THOMAS, 0000
CAROL A. TIMMONS, 0000
ANDREW P. URBANSKY, 0000
PHILIP M. VANEAU, 0000
MARK J. VANKOOTEN, 0000
BRIAN L. VOGNILD, 0000
THERESA A. VOTINELLI, 0000
CHARLES W. WEDDLE, JR., 0000
HAROLD L. WESTBROOK, JR., 0000
GREGORY T. WHITE, 0000
WILLIAM C. WOLFARTH, 0000
HARRY W. YOUNG, JR., 0000
MUSSARET A. ZUBERI, 0000

EXTENSIONS OF REMARKS

A TRIBUTE TO AGNES E. GREEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Agnes E. Green. Agnes E. Green is the eldest of seven children born to David and Agnes Cokley, and the mother of one son, Eric. She is currently the Assistant Director of Public Affairs at Spring Creek Towers and the Editor-in-Chief of its newspaper, The Spring Creek Sun.

Born and raised in Brooklyn's Bedford-Stuyvesant and now a resident of Prospect Heights, Agnes is an activist who possesses a strong desire to obtain the greatest good for her community.

While living in Crown Heights where her son was raised, she became active in the parent associations and often served as president. Her leadership was rewarded and she became a member on the Executive Board of the citywide United Parents Association and later the Board President.

As a parent leader, Agnes gained a reputation as an independent, outspoken voice for all children's entitlement to a quality education and parents' rights to participate in their education. Because of her advocacy, she was asked by leaders of the CSD 17 Presidents' Council to represent them in the race for a seat on Community School Board 17. With the collective energy of parents and community support, she was elected in 1983 and in every Board election thereafter, until the New York City School Board was dissolved in 2004.

As a first term Board member, Agnes surprised many by becoming President of the CSB 17 and held other officer and committee chair positions throughout her 17 years as an elected school official.

She was appointed by Mayor Edward I. Koch to serve on the newly created AIDS panel for school-aged children in August 1985. She was the first parent representative to serve during one of the most contentious periods in the City's public school history. The panel reviewed the medical status and family history of children diagnosed HIV positive.

The end of the School Board did not diminish Agnes' commitment to urging the improvement of public school education. She is a founding member of Black New Yorkers for Educational Excellence, a citywide progressive organization whose mission is to actively work for education as a means of liberation.

Agnes, an honor student throughout public school, was also Bushwick High School's first Black and first female to be elected President of the Student Government Association. Her college education began at Brooklyn College and formally ended at New York University where she majored in Broadcast Journalism and minored in English literature.

After attending NYU, Agnes was hired by WCBS Newsradio 88 where she worked for 19 years. She began as a News Desk Assistant and quickly rose to Chief News Desk Assistant. Through her many years at WCBS Radio she won numerous awards.

Agnes is currently the producer and host of Everyday People and Everyday Voices aired monthly on Brooklyn Community Access Television.

Her passions include outdoor music concerts, jazz festivals, live theatrical productions, taking photos, and collecting Black memorabilia.

Madam Speaker, I would like to recognize this outstanding journalist for all of her work.

Madam Speaker, I urge my colleagues to join me in paying tribute to Agnes E. Green.

PAYING TRIBUTE TO MAUREEN CLARK

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. PORTER. Madam Speaker, I rise today to honor and congratulate Mrs. Maureen Clark for being awarded National Board Certification in Career and Technical Education Communication Arts by the National Board for Professional Teaching Standards.

Maureen is 1 of 2 educators at Foothill High School in Henderson, Nevada to become nationally certified. National Board Certification is a process that requires 1 to 3 years of preparation and testing. Maureen completed an extensive portfolio of assignments, essays, and videotapes as well as tests which assessed her knowledge of the individual subjects she teaches. Once obtaining National Board Certification, a teacher is given the highest honor of professional teaching excellence. Only 116 of more than 20,000 teachers in the Clark County School District, less than 1 percent, have earned this distinction.

Mrs. Clark has a long and distinguished career as an educator. She received her Bachelor's Degree in Art Education from the University of Minnesota, Minneapolis and a Master's in Art Education from Northern Arizona University. She is an 18-year veteran teacher, teaching the last 7 years at Foothill High School. She currently teaches classes in Computer Graphics, Website Science, and Computer Graphic and 3D Animation. It is said that Mrs. Clark's classes are in high demand by Foothill students and her teaching approaches are described as innovative and exciting. After school, Mrs. Clark is the adviser for SkillsUSA, a club and national organization that prepares students for college by training them in technical, skilled, and service occupations. Under her advisement, SkillsUSA has competed and earned numerous state awards for its technology innovations. Maureen has made a profound difference in our community and we are most fortunate to have this leadership which positively impacts student achievement.

Madam Speaker, I am proud to honor Maureen Clark. Her efforts to improve the educational experiences of the student at Foothill High School are commendable. I congratulate her on her much deserved recognition and I wish her continued success.

A TRIBUTE TO LILLIAN ROBERTS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise to pay tribute to Ms. Lillian Roberts. Lillian Roberts is currently the Executive Director of District Council 37 of the AFSCME, AFL–CIO union. She represents 121,000 public workers in New York City, 50,000 of them retirees, 1,000 titles and 56 locals. She is also Vice President of the New York State AFL–CIO, Vice President of the NYC Central Labor Council and Secretary of the Municipal Labor Committee.

Lillian became a union activist as a Nurse's Aide working in a Chicago hospital in the 1950s. She spearheaded the creation of five locals and led an organizing drive at four Chicago hospitals.

Lillian came to New York City, built DC 37's hospital division and became Associate Director of DC 37. She distinguished herself by her skill as an organizer and her ability to connect with rank-and-file members. She established the DC 37 Education fund, the largest union-based adult education program in the country that offers union members a four-year degree with the College of New Rochelle. This program has become a model for unions nationwide.

During the late 1970s and 1980s, Lillian brought into the union thousands of workers in federally funded jobs. She found that experience to be a blueprint for creating unionized jobs for welfare recipients. She also developed the DC 37 Municipal Employees Legal Services program, which provides legal services to members and the DC 37 Personal Services Unit, which offers counseling to those with personal problems.

In 1981, Lillian became the first African-American woman named New York State Commissioner of Labor. During her 6-year tenure, she lead the 7,500 employee body to increase the annual job placement level by 5 percent, obtained federal approval of a state plan for a Public Employees Occupational Safety and Health Program, and computerized unemployment insurance offices and the Job Service program.

Lillian was first elected DC 37 Executive Director in 2002 after serving as consultant to the union she helped build. She was re-elected to a 3-year term in January of 2004. In January of 2007, Ms. Roberts was overwhelmingly re-elected for her 3rd term.

Lillian currently leads the union where she had been a previous Associate Director and consultant. In the 1960s and 1970s, she played a major role in organizing new members into DC 37 and establishing an array of

benefits that became the envy of the Nation's labor movement.

With housing costs rising, Lillian approached Mayor Bloomberg with a proposal to give DC 37 members and municipal workers an affordable way to meet the City's requirement that they live in the 5 boroughs. The result is the innovative DC 37 Affordable Housing Program. This program allows DC 37 members and city workers preference for 5 percent of units in city-sponsored lotteries for affordable homes and apartments, down payment grants through the NYC Department of Housing Preservation and Development, and homebuyer training and education through Neighborhood Housing Services.

Lillian's leadership is rooted in the lessons she learned while growing up on welfare on Chicago's South Side and fighting for better working conditions as a Nurse's Aide. Growing up as 1 of 5 siblings in conditions of poverty, she was instilled with a deep concern for the needy and a passion for fighting social injustices.

Lillian has been a member of numerous boards including: Board of Trustees of the College of New Rochelle; the State University of New York, the National Equal Rights Committee and the National Committee for Labor Israel.

Madam Speaker, I would like to recognize this labor activist. for all of her accomplishments and her empathy for area workers.

Madam Speaker, I urge my colleagues to join me in paying tribute to Lillian Roberts.

U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

SPEECH OF

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 23, 2007

Mr. CAPUANO. Mr. Speaker, I rise today to share my thoughts on H.R. 1591: the U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act of 2007. After a great deal of reflection, I have decided to support this legislation. With today's vote, we are taking an important step toward ending the war in Iraq and bringing our troops home.

This legislation does not go far enough for me. I pushed for a vote on a course of action that would have gotten us out of Iraq much sooner and stipulated that all funding go toward drawing down troops. The House Rules Committee did not allow a vote on this position, and even if they had, I know that there are not enough votes to support it.

Today's vote was a very difficult one for me and I have been carefully weighing the impact of this legislation for weeks. In the final analysis, I decided that H.R. 1591 carried enough practical and symbolic weight that if it needed my vote to pass the House, then I should support it.

For me, the most important component of this legislation is that it stipulates the withdrawal of troops must begin no later than March 1, 2008 and be completed within 180 days. It also establishes specific benchmarks that the Iraqi government must meet, benchmarks that mirror the criteria President Bush himself set forth in his 2007 State of the Union address. If real progress on these benchmarks is not made by July 1, 2007, then U.S. troop redeployment will begin immediately and must be completed within 180 days.

President Bush has been threatening to veto this bill for weeks and I fully expect he will do so if it reaches his desk in its current form. Regardless, the House is sending an important message to the President today by passing this legislation. In the weeks and months ahead, I will continue to do everything I can to end this war. There may not have been enough votes today to bring a faster end to this war, but there were enough to establish a date certain for withdrawal. With today's vote in the House we are closer than we have ever been to ending this war.

U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

SPEECH OF

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 23, 2007

Mr. JEFFERSON. Mr. Speaker, I rise today in support of H.R. 1591, the U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act.

In order to have an open and honest debate on the war in Iraq, we must differentiate between the situation that existed in Iraq when we first arrived there, and the situation that exists today. No longer do we find ourselves facing a united front, the clearly identifiable enemy of insurgents and Saddam loyalists. The current instability in Iraq has become a sectarian civil war, a war in which we have no business participating. We cannot use the parameters of a war that have since changed. We are not aiding the enemy in any way by setting responsible, logical benchmarks, nor are we 'micromanaging' our war effort. The situation has changed, and so must the course we take.

This bill gives us the framework needed to focus our efforts on those who actually mean us harm, and extricate us from a situation in which we are nothing more than a police force, caught in the middle of a sectarian conflict. By committing to a gradual plan of benchmarks and a firm date of withdrawal, we create an environment in which the Iraqi people themselves become responsible for their future. No longer will they be reliant upon our presence to establish their own nation. The United States will be an important ally of the new Iraq, not an enforcer of the status quo in their nation.

I am also pleased that this bill includes several measures to aid our communities along the Gulf Coast. Waiving the local match requirements and forgiving Community Disaster Loans will help the city of New Orleans recover financially from the effects of Katrina. These financial troubles have since been compounded by the Administration's stubborn refusal to treat our disaster, the worst the Nation has ever seen, the same way that all others have been treated. For all previous localities receiving Community Disaster Loans, ranging from Hurricane Andrew to 9/11, 97 percent have been forgiven. This bill would take the long overdue step of forgiving the loans that were extended to communities along the Gulf Coast. Free of this burden that has been unfairly put upon them, our communities can continue their extensive rebuilding efforts.

Our hurricane protection system, battered by Hurricanes Katrina and Rita, is still not in the condition it was in before the storm. With hurricane season beginning again just a few months from now, we cannot afford to leave the city unprotected for another year. The money included in this bill for the Corps of Engineers ensures the safety of all citizens in the New Orleans area. The Corps should not be forced to delay action on critical hurricane protection projects because they lack the necessary funding. We have already seen the devastation that can be wrought by a hurricane; it is crucial that the Corps have the resources it needs to protect our city.

I also wish to highlight several other important programs within this bill whose importance cannot be overstated. We face a housing crisis in New Orleans, with public units drastically reduced in number, and no suitable plan for replacing such units in the short term. Eighty million dollars is provided in this bill for HUD tenant rental assistance so that our citizens can return home as soon as possible. Our elementary education system is in dire need of experienced teachers and administrators. Our colleges and universities were closed for months, and sustained significant physical damages. Sixty million dollars has been provided in this bill, and represents another step in the rejuvenation of our educational establishments. Additional funding for the Small Business Administration's disaster loan program has been provided, and is sorely needed for future disasters. The slow pace at which such loans were administered in the immediate months after Katrina was shameful, and by supporting this bill we have committed to ensure that it never happens again.

I urge my colleagues to support this supplemental appropriations bill, which provides everything needed by our troops in Iraq, while setting a course for our necessary disengagement. The people of this great country eloquently expressed their disapproval regarding the course of this war in the November elections and, on their behalf, we should do no less than heed their wishes.

PAYING TRIBUTE TO JOANN STRAND

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. PORTER. Madam Speaker, I rise today to honor and congratulate Mrs. Joann Strand for being awarded National Board Certification in Adolescence and Young Adulthood Secondary Language Arts by the National Board for Professional Teaching Standards.

Joann is 1 of 2 educators at Foothill High School in Henderson, Nevada to become nationally certified. National Board Certification is a process that requires 1 to 3 years of preparation and testing. Mrs. Strand completed an extensive portfolio of assignments, essays, and videotapes as well as tests which assessed her knowledge of the individual subjects she teaches. Once obtaining National Board Certification, a teacher is given the

highest honor of professional teaching excellence. Only 116 of more than 20,000 teachers in the Clark County School District, less than 1 percent, have earned this distinction.

Mrs. Strand has a long and distinguished career as an educator beginning with a Bachelor's Degree from Bemidji State University and a Master's Degree in Secondary Language Arts from the University of Nevada, Las Vegas. She has been an employee of the Clark County School District for 19 years and has spent the past 8 years at Foothill High School as a member of the English Department. Mrs. Strand is also a co-creator with a fellow teacher of Young Entrepreneur Services, Inc., YES, Inc., is a unique company classroom which has been recognized throughout the district for its unique approach to instructing students. This class applies real world business work situations with the necessities of an English class. Mrs. Strand is known by her colleagues as a tireless worker who is both inspiring and relentless in her pursuit of excellence. Joann has made a profound difference in our community and we are most fortunate to have this leadership which positively impacts student achievement.

Madam Speaker, I am proud to honor Joann Strand. Her efforts to improve the educational experiences of the student at Foothill High School are commendable. I congratulate her on her much deserved recognition and I wish her continued success.

A TRIBUTE TO MS. AURORA BROWN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Brooklyn resident Aurora Brown. Ms. Brown is a native New Yorker and a third generation West Indian who sites education as the strength of her lineage. The Amsted's (family name) were the first black school teachers in Virginia. Ms. Brown taught scholastic and college preparatory classes to youth for employment opportunities. Her students have successfully gone on to colleges and universities such as Morehouse, Spelman and Hampton through her mentoring.

As the Chief Executive Officer and Co-Founder of S&B Cleaning Services, Inc., Ms. Brown's mission to incorporate was derived from previous experiences of managing several janitorial companies and being employed by federal affiliates including 26 Federal Plaza, New York, New York.

Ms. Brown received The Council City of New York Proclamation Award in December of 2005 and the Partner in Education Award from the Occupational Training Center of New York in June of 2004. Known for her generosity and fairness when dealing with clients and employees, she makes it her business to oversee personally the human resources development of employing disadvantaged and handicapped individuals.

Ms. Brown's work ethic serves as encouragement for women to venture out and become business owners. She states, ''through long hours, trials, and tribulations, moments were grueling, but definitely worth the effort.'' She also admits the company motto was her driving force when faced with opposition and adversity. Tedious daily functions of operating a business, she makes time to give to her community as a facilitator of public functions, contributing donations, fundraising for the welfare of child care. Ms. Brown, in conjunction with public officials and local affiliates, has donated toys to the Young Minds Daycare Center for the 2005 holiday season. Her personal choice for donations in 2006 was Family Life Foster Care.

Ms. Brown has others to thank in establishing herself, such as family, friends, and associates, but likes to acknowledge that her Executive Vice-President Edwin Santiago is a key component in the developmental operation of rapid growth of this organization; she also takes pride in acknowledging that her employees are the backbone of S&B Cleaning Services, Inc. There is much more you can expect to see that Ms. Brown has yet to reveal. Just like her company motto ''There's not much we don't do.''

Madam Speaker, I would like to recognize Ms. Aurora Brown for her accomplishments in business.

Madam Speaker, I urge my colleagues to join me in paying tribute to Ms. Aurora Brown.

HONORING ANDREW WISE

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Ms. CORRINE BROWN of Florida. Madam Speaker, I rise today to honor Mr. Andrew Wise of the Neighborhood Housing & Development Corporation in Gainesville, Florida.

On Tuesday, March 20, 2007, Andrew Wise was honored with the Dorothy Richardson Awards for Resident Leadership from NeighborWorks America.

Mr. Wise combined his passion for Neighborhood Housing & Development Corporation (NHDC) and his networking skills to recruit a remarkable stream of community, business and educational leaders who have become active in the NHDC organization. NHDC is a non-profit homeownership center that has been in existence since 1982. The organization's goal is to promote and provide decent and affordable housing for low-to-moderate income residents of North Central Florida.

Mr. Wise has been an eloquent NHDC ambassador to the many church, community and civic organizations to which he belongs. Within NHDC, his board tenure and experience have made him the go-to person for new board members—especially community residents—in understanding the array of NHDC programs and their many and varied funding sources. He has been invaluable in helping new members move past this steep learning curve by getting them to focus on the mission of the organization and how its board and staff are so instrumental in transforming lives and uplifting the community.

Created in 1991, the Dorothy Richardson Awards for Resident Leadership celebrate the outstanding contributions of dedicated community leaders across the United States. Each year, the NeighborWorks network honors residents who exemplify the qualities of Dorothy Richardson, a Pittsburgh activist who helped advance the community-based development movement that informed the formation of the NeighborWorks network.

My congratulations and respect go out to Mr. Wise on his lifetime of work and commitment to earn this award.

HONORING THE CAREER OF DENNIS GJERDINGEN

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. NEAL of Massachusetts. Madam Speaker, today I wish to recognize and honor a dedicated and innovative educator, Mr. Dennis Gjerdingen, upon his retirement after 26 years as principal of the Clarke School for the Deaf in Northampton, Massachusetts.

Dennis became interested in childhood deafness when, in 1964, he learned that his newborn son was deaf. He trained as a teacher of social studies and English at Minnesota State University, received his masters in Speech and Hearing at Washington University in St. Louis and did post-masters work there in Educational Administration. He spent 14 years at Central Institute for the Deaf in St. Louis, as a classroom teacher, researcher, associate professor, assistant to the director and as headmaster, before coming to Clarke School for the Deaf in 1981. He is the 6th president in Clarke's 140-year history.

Clarke School is an international leader in teaching listening, speech, language and academic skills to deaf children and assisting families and training professionals to work with them. During his tenure, Mr. Gjerdingen has reorganized the Clarke School and its structure to position Clarke for a rapidly changing future. He designed and administered new Clarke programs, including the creation of the Center for Oral Education on the Northampton campus that helps people of all ages with hearing loss. In the last 10 years, Mr. Gjerdingen spearheaded a strategic plan to expand Clarke to 5 campuses with 4 new schools for young children in Boston, MA, Jacksonville, FL, New York City, and Philadelphia, PA. Clarke School for the Deaf now impacts the lives of more than 10,000 children and adults annually through its educational programs, research, curriculum development and professional training.

The author of more than 30 articles in professional journals, Mr. Gjerdingen is widely recognized as an expert in the field. In 1987 he was appointed by Congress to the Commission on the Education of the Deaf that reported directly to Congress and the President. During this appointment, he helped author a report from which major legislation was adopted. He has also served as president of the International Alexander Graham Bell Association.

It is my great privilege to honor Mr. Gjerdingen for his commitment to providing greater educational opportunities for deaf children and their families and professionals around the country.

PAYING TRIBUTE TO THE SCHWARTZ FAMILY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the Schwartz family for their philanthropic efforts in the Jewish Community of Las Vegas and for their many contributions to provide the Las Vegas Valley with a new community center and synagogue.

The Schwartz family, principals of Great American Capital, a real estate development company found in Las Vegas, have been leaders in the development, acquisition, operation and management of high quality commercial and residential real estate projects in Nevada and Southern California. As a result of their civic generosity, the construction of the Beit Allon Chabad of Summerlin Community Center and Synagogue was completed and opened in April of 2006. This facility has emerged as one of the most magnificent synagogues in Las Vegas and includes the finest, up-to-date facilities for education, socializing, and catering affairs. For their humanitarian efforts and community service the Schwartz family is being recognized as inaugural recipients of the Chabad of Summerlin Founder's Award.

Madam Speaker, I am proud to honor the Schwartz family. Their commitment to the Jewish Community is commendable and I congratulate them on their much deserved recognition. I thank them for their dedication and loyalty and wish them the best in their future endeavors.

A TRIBUTE TO MELINDA JAMES-DELROSARIO, RN, BSN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Brooklyn, New York resident Melinda DelRosario. Melinda DelRosario was born in Panama City in the Republic of Panama. She attended the Instituto Nacional in the Republic of Panama and became the youngest member of the senior choir and usher ministry at Rio Abajo Methodist Church. Upon migrating to the U.S. Ms. DelRosario attended Eramus High School in Brooklyn, New York. In pursuit of a nursing career she earned a BSN Degree at St. Joseph College in Brooklyn, New York graduating with Phi Beta Kappa honors.

Upon graduation from St. Joseph College, she assumed various administrative positions in home care and hospitals, among them; Kings Brook Jewish Medical Center as an Administrative Supervisor/Administrator on duty.

Currently, Melinda oversees the Nurse Connection Program with Village Care of New York in conjunction with Roche Pharmaceutical Company. Ms. DelRosario is an HIV Nurse and consultant. She also instructs doctors and nurses in the administration of fuzeon therapy for HIV positive patients. In addition, Melinda provides in home instruction to patients and counseling to families.

Besides working as a healthcare provider, Melinda has been a prolific community activist and commonly known for her spirit of cooperation and punctuality. Twenty-five years ago, she became a member of "The Diggers." This is an organization led by Mr. Roman Foster who researched historical facts on the building and construction of the Panama Canal. This research resulted in the production of a documentary which provided narratives and anecdotes with the contributions of West Indians and the Caribbean works in Panama during the Canal's construction.

Melinda James-DelRosario was also a member of the Madison Democratic Club; the former Secretary of the Panamanian Nurses Association and the Caribbean Nurses Association; Travel Coordinator with MIPOPA which is an organization group headed by Dr. Carlos E. Russell which advocates the rights of Panamanians to vote abroad. She is a member of Panama Vote 2004, an organization led by Dr. George Priestly, which raised funds to support the candidacy of President Martin Torrijos and Probisida, an organization dedicated to providing assistance to HIV positive patients.

Melinda is also a civic minded, community oriented individual who embraces the concept of caring and sharing in issues affecting those who have been disenfranchised.

Madam Speaker, I would like to recognize Melinda James-DelRosario for her good works and accomplishments in our community.

Madam Speaker, I urge my colleagues to join me in paying tribute to Melinda James-DelRosario.

TRIBUTE TO THE FIRST ANNUAL CESAR CHAVEZ MARCH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. KILDEE. Madam Speaker, I rise today to recognize the 20th anniversary of the naming of Chavez Drive and the first annual Cesar Chavez March in my hometown of Flint, Michigan. A celebration and fundraiser for the United Farm Workers members will be held on March 31st to coincide with what would have been the late Cesar Chavez's 80th birthday.

Born on a family farm, March 31, 1927, Cesar Chavez witnessed firsthand the suffering of migrant workers. When the family lost the farm during the Great Depression, Cesar toiled in the fields following crops across the Southwest. After serving in the US Navy during World War II he returned to farm work and began his lifelong commitment to justice for migrant workers.

During the 1960s Cesar Chavez, in reaction to the conditions he witnessed in the fields, became a union activist. Adopting the techniques of industrial unions like the UAW, Cesar fought against agribusiness and unfair laws that forbade farm workers from organizing. A nationwide boycott of table grapes and a 25-day hunger strike brought the United Farm Workers international attention. His leadership and personal commitment forced agribusiness to sign the first union contract with the United Farm Workers. He labored to improve the health and safety of the workers. He fought successfully to end the use of harmful chemicals like DDT and benefited not only the worker but the consumer as well.

When Cesar Chavez died in 1993, over 40,000 people attended his funeral. In a show of respect for the man who had changed so many lives, our nation posthumously awarded him the Presidential Medal of Freedom.

Madam Speaker, Flint, Michigan was the first community in our nation to honor this great humanitarian by naming a street after Cesar Chavez. I ask the House of Representatives to join me in honoring the memory of Cesar Chavez and his legacy to the American people.

U.S. TROOP READINESS, VETERANS' HEALTH AND IRAQ ACCOUNTABILITY ACT, 2007

SPEECH OF

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 23, 2007

Mrs. DAVIS of California. Mr. Speaker, I rise today in support of H.R. 1591.

On May 1, 2003, on the U.S.S. *Abraham Lincoln* off the coast of San Diego, President Bush announced to the American public and the world that the mission in Iraq had been accomplished.

Now, nearly 4 years later, our military is still deeply involved in Iraq—with no end in sight.

This spending measure puts pressure on the Iraqi government to follow through on their political and security promises and ensures that our government will take the necessary steps to scale down our military involvement in Iraq.

In fact, it actually gives the Iraqis the leverage they need to push the agenda beyond a military solution.

This legislation may not be the preferred way to end this conflict, but not one good choice remains.

Up until now, Congress has been AWOL in its oversight responsibility. As a result, our military readiness has suffered.

Without this legislation, the readiness and strength of United States military will continue to degrade.

As a member of the House Armed Services Committee, I cannot sit idly by and watch our Army and our National Guard be stretched to the brink.

Nor can we tolerate the strategic risk posed by devoting so much of our military's time, training and equipment to the conflict in Iraq.

Mr. Speaker, without this legislation, the administration will not be held accountable to achieve progress and success.

Now is the time to exert oversight of this conflict and make the difficult, but necessary choice of establishing requirements and expectations.

From the deck of the U.S.S. *Lincoln* President Bush said, "Other nations in history have fought in foreign lands and remained to occupy and exploit. Americans, following a battle, want nothing more than to return home."

Mr. Speaker, Americans have bravely fought for 4 years to protect the United States and bring hope to the people of Iraq. For the sake of our military readiness, international credibility and safety of Americans in harm's way in Iraq, it is time to make plans to bring them home.

I urge my colleagues on both sides of the aisle to take a hard look at where we are today in Iraq, and vote for legislation that will provide the funding our troops badly need and accountability for success and results in Iraq.

PAYING TRIBUTE TO FRANK J. FERTITTA AND LORENZO J. FERTITTA

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my good friends Frank J. Fertitta, Chairman of the Board and C.E.O. of Station Casino and Lorenzo J. Fertitta, Vice Chairman of the Board and President of Station Casino as well as the entire Fertitta family.

Through the consistent efforts of Frank and Lorenzo Fertitta, Station Casino was recently recognized by Fortune magazine as one of the top 100 companies to work for nationwide. The management of Station Casino, which has received this recognition for 3 consecutive years, has enacted several policies aimed at bettering the quality of life for its team members. One such program, initiated by Frank and Lorenzo, provides team members with assistance becoming homeowners. Another program offers assistance to team members seeking to become U.S. Citizens; this program offers assistance such as citizenship application classes, study material for the citizenship examination, and payroll advances for citizenship application. As a result of this program, in 2006, 28 Station team members gained U.S. citizenship and currently 260 more team members are attending citizenship classes.

In addition to implementing programs to enhance certain aspects of their employees' lives, Frank and Lorenzo Fertitta have cultivated a working environment founded upon ideals of camaraderie, respect and fairness.

Madam Speaker, I am proud to honor my good friends Frank Fertitta, Lorenzo Fertitta and the entire Fertitta family. Their dedication to their employees is commendable and I wish them continued success in their future endeavors.

A TRIBUTE TO JOYCE McDONALD

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. I rise today to pay tribute to Brooklyn resident Joyce McDonald. Joyce McDonald was born to parents Willie and Florence McDonald and raised in Brooklyn's Farragut Houses. Joyce is the third eldest of seven children. She was reared in a household where unconditional love was practiced and family values were instilled.

Joyce attended P.S. 287, Sands JHS 265 as well as Fashion Industry High School. Her love and compassion for people led her to become a volunteer at Cumberland Hospital as a Junior Nurse's Aide at 16-years-old for the terminally ill. Joyce's teenaged years were not always so hopeful.

During her teen years into adulthood, Joyce made many bad choices. Thirty years afterward, she changed direction. Joyce has survived various forms of mental and physical abuses which include rape, attempted suicide, depression and a 25-year heroin addiction. In 1995, Joyce tested positive for HIV and was later diagnosed with AIDS.

Despite her diagnosis, Joyce continued to share her life's story and artistic talents with the world.

Without any formal art training, Joyce McDonald is currently a world renowned artist. Her work has been exhibited in galleries, schools, universities, shelters, nursing homes and hospitals. Her testimony and art has been shared throughout the country via the media.

Joyce has received numerous awards, including: the 2002 Martin Luther King, Jr. Service Award, the 2003 Church of the Open Door Woman of the Year Award, the 2004 Isler's Award from the Women's Empowerment Movement, and the 2004 Governor's Citation from Maryland. In 2005, Joyce was one of nine Magnificent Women of Brooklyn honored by Senator Velmanette Montgomery and received a citation from the New York Assembly. She has also received the Dr. Martin Luther King Award from Emmanuel Baptist Church.

Joyce McDonald's talents include being an artist, sculptress, designer, writer, singer, poet and motivational speaker. These are talents she attributes to her family, including her Dad who is now deceased, her Mother, her two married daughters and their spouses and her six grandchildren.

Madam Speaker, I would like to recognize the impressive achievements of this extraordinary individual, who through her own pain found it within herself to help others.

Madam Speaker, I urge my colleagues to join me in paying tribute to this wonderful person and her creative works.

GULF COAST HURRICANE HOUSING RECOVERY ACT OF 2007

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1227) to assist in the provision of affordable housing to low-income families affected by Hurricane Katrina:

Ms. McCOLLUM of Minnesota. Mr. Chairman, I rise to speak on the amendment offered by Mrs. BIGGERT. The region affected by Hurricane Katrina could use additional affordable housing units beyond those occupied at the time of the hurricane. However, this is a problem that exists for many communities across the country and should be addressed in a comprehensive manner by adequately funding the Department of Housing and Urban Development.

In the 4th Congressional District of Minnesota, the average wait time for public housing is over 5 years, and most waiting lists are closed. There is a deficit of 12,635 affordable housing units for very low-income families. It is a serious problem when too many families do not have safe, stable housing.

The Administration's response to this problem was to flat fund the Section 8 program, ensuring that our communities cannot address the waiting lists that currently exist, and to propose significant cuts to Community Development Block Grants.

We need a comprehensive solution to affordable housing needs—both in the Gulf Coast Region and across the country. I strongly support the Gulf Coast Hurricane Recovery Act, and will support efforts to increase access to safe affordable housing for all Americans.

PAYING TRIBUTE TO THE INY FAMILY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the Iny Family for their numerous contributions to the Jewish Community of Las Vegas and for their many contributions to provide the Las Vegas Valley with a new community center and synagogue.

The Iny Family, principals of Great American Capital, a real estate development company found in Las Vegas, have been leaders in the development, acquisition, operation and management of high quality commercial and residential real estate projects in Nevada and Southern California. As a result of their civic generosity, the construction of the Beit Allon Chabad of Summerlin Community Center and Synagogue was completed and opened in April of 2006. This facility has emerged as one of the most magnificent synagogues in Las Vegas and includes the finest, up-to-date facilities for education, socializing, and catering affairs. For their humanitarian efforts and community service, the Iny Family is being recognized as inaugural recipients of the Chabad of Summerlin Founder's Award.

Madam Speaker, I am proud to honor the Iny Family. Their commitment to the Jewish Community is commendable and I congratulate them on their much deserved recognition. I thank them for their dedication and loyalty and wish them the best in their future endeavors.

A TRIBUTE TO EUGENIA ''GENIE'' SWINSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Ms. Eugenia Elizabeth Swinson. Eugenia Swinson, or ''Genie,'' was born in Savannah, GA, to Eugene and Carrie Swinson. She was raised on Long Island's South Shore Bay in New York. Genie and her 9 siblings are products of the Bay Shore Public School District. After graduation, all of them attended college. Genie decided upon C.W. Post College with a major of vocal music.

During her studies at Post, she toured Europe her freshman year with the Chamber and Madrigal Ensembles. Upon returning from the tour, she decided to move to California to launch a professional singing career. This turned out be a wise decision because once there she had an opportunity to work with

Quincy Jones on the Brothers Johnson debut album as well as tour with Boz Scaggs under the stage name of ''Pepper Swinson.'' There would be many more bands that would come her way.

She returned to New York due to illness, however, after recuperating, she moved to Israel to sing. After working in the Givatiem and Tel Aviv, Israel, she once again returned to New York, this time with a new skill. She had mastered the Hebrew language. Almost immediately after arriving in the United States, Genie's health took a turn for the worse. She began a battle with end stage renal disease, due to Systemic Lupus Erythmatosis. This would mean 7 years of dialysis before a successful kidney transplant at Beth Israel Hospital in Boston, Massachusetts.

While in New York, Genie decided to return to C.W. Post College to earn her undergraduate degree in modern languages with a minor in music. She studied Spanish, Hebrew and Arabic. After the transplant, Genie landed a job with the New York City Board of Education as a teacher of Spanish. She received her masters degree in multicultural education from the College of Mount Saint Vincent in Bronx, New York. She is currently a teacher at a Theatre Arts School in the Bronx and also gives private voice lessons in her home. Genie actively continues her studies in languages. Italian and Portuguese are her current passions. ''It's my favorite pastime.''

Not long after her transplant, she was approached by a representative from the New York Organ Donor Network and became a volunteer spokesperson for that organization. She appeared at several speaking and singing engagements on behalf of the Network. At several events she sang ''Another Chance to Give'' (La Vispera de Vida) in both English and Spanish in an effort to bring awareness to the need for organ and tissue donors.

It was her position as the official spokesperson for the Network that led her to an opportunity to sing the national anthem before games at both Yankee Stadium and Madison Square Garden for both professional teams. Today, Genie remains a strong advocate of organ and tissue transplantation.

Genie has modeled for Mode Magazine and continues to sing for Wilson Pickett's back up band, The Midnight Movers. Accompanied by jazz pianist Dr. Billy Taylor, she recently sang at a gala given by the Jazz Foundation of America which honored its co-founder Ann Ruckert.

''I am a collector of people,'' said Genie. ''I have the same friends today that I had in the second grade. Naturally, I've added on to that distinctive group, but those friends are still an important part of my life. I like to spend time, reading, studying languages and spoiling my nieces, nephews and God's children. I'm honored to be a part of this distinctive group,'' added Genie.

Madam Speaker, I would like to honor Genie for sharing her beautiful talents with the rest of us. Through all of her adversity she continued to grace us with her gift of song.

Madam Speaker, I urge my colleagues to join me in paying tribute to Eugenia ''Genie'' Swinson.

TRIBUTE TO 2007 JOHNSON COUNTY MOVERS AND SHAKERS AWARD WINNERS

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. MOORE of Kansas. Madam Speaker, I rise today to note an important event in the Third Congressional District of Kansas. On April 10, 2007, the Volunteer Center of Johnson County in Overland Park, KS, will honor outstanding youth volunteers. Eighty young people have been nominated by school personnel and nonprofit organizations for their dedication and service to the community. Youth volunteerism continues to grow and be a strong force in Johnson County. These 80 youth exemplify the true meaning of volunteerism and giving back to their community, and it is my honor to recognize each student volunteer and his/her school.

Alexander Abramovitz, Shawnee Mission North; Molly Allison-Gallimore, Homeschool; Sydney Ayers, Barstow; Ava Azad, Blue Valley; Lisa Barry, Olathe South; Lindsay Beardall, Shawnee Mission South; Alexandria Bieber, Mill Valley; Abbey Blick, Shawnee Mission East; Ashley Boots, Olathe Northwest; Sarah Briggs, Trailridge Middle; Kristina Buchanan, Trailridge Middle School; Kim Burnell, Olathe North; Amy Byarlay, Olathe South; Sarah Campbell, Blue Valley North; Kelsey Charles, Blue Valley West; Jenna Christensen, Shawnee Mission North; Becca Doran, Shawnee Mission West; Katherine Ebling, Blue Valley; and Marissa Erickson, Olathe South.

Evan Gage, Blue Valley Northwest; Jennifer Garren, Shawnee Mission West; Kathryn Garrett, Shawnee Mission West; Kevin Garrett, Shawnee Mission West; Michael Garrett, Westridge Middle; Lindsey Gerber, Olathe North; Jean Gianakon, Shawnee Mission North; Allison Golub, Blue Valley West; Kaley Hagemann, Olathe East; Jessica Hebenstreit, Pembroke Hill; Tess Hedrick, Shawnee Mission East; Logan Heley, Antioch Middle School; Lauren Hiatt, Olathe North; Spencer Hill, Shawnee Mission Northwest; Jing Jian, Olathe North; Janelle Johnston, Shawnee Mission West; Michele Kerns, Blue Valley West; Rachel Knapp, Westridge Middle; and Jessica Kruger, Olathe North.

Hailey Lapin, Blue Valley Northwest; K. Clemence Lawson, Olathe Northwest; Jake Ludemann, Shawnee Mission North; Sarah Martin, Shawnee Mission West; Magdalena May, Olathe North; Kaela McWherter, Blue Valley North; Courtney Miller, Blue Valley West; Rebecca Miller, Olathe North; Jovana Mirabile, St. Thomas Aquinas; Peri Montgomery, Shawnee Mission West; Megan Moomau, Olathe North; Alyssa Morrison, Mill Valley High School; Stephanie Nemer, Spring Hill High School; Evan Neuman, Trailridge Middle; Alexandra Olsen, Prairie Trail Junior High; Sam Parkinson; Sweta Patel, Olathe North; Meredith Pavicic, St. Teresa's Academy; and Lauren Peterson, Shawnee Mission Northwest.

Angela Podoll, Westridge Middle; Courtney Rathke, Olathe North; Kaytlin Renfro, Shawnee Mission East; Bryce Reynolds, Olathe Northwest; Kyle Reynolds, Olathe Northwest; Cassie Rhodes, Spring Hill High School; Kaitlyn Rittgers, Olathe Northwest; Alex Rorie, Mission Valley; Beth Russell, Olathe Northwest; Michael Shoykhet, Olathe North; Devin Smith, Olathe North; Elaina Smith, Prairie Trail Junior High; Haylee Solcum, Trailridge Middle School; Peter Spitsnogle, Shawnee Mission East; Jessica Stack, Olathe Northwest; Alexandria Szalawiga, Olathe South High School; Nicole Tepper, Mill Valley High School; Irene Wang, Olathe North; Danielle Weathers, Mill Valley; Marin Willis, Spring Hill Middle; Jessica Wilson, Spring Hill High School; Alexis Young, Chisholm Trail Junior High; and Jenny Zhong, Blue Valley Northwest.

A TRIBUTE TO DEBORAH BATTLE POINTER

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Brooklyn resident Deborah Battle Pointer. Deborah Battle Pointer is a true child of the Diaspora with Carolinian, Jamaican and Black Foot Indian roots. She was born and raised in Connecticut and received a Bachelor of Science Degree in Psychology from SUNY Cortland and a Master's Degree in Education from Cambridge College. The issues of access and equality for all have been important cornerstones in her academic career. For the past 30 years, she has worked in higher education, and served her community as a volunteer while maintaining her involvement in the creative arts.

Deborah was the first Associate Dean of Admissions and Financial Aid at Cornell University, the first black woman to hold the position of Director of Admissions at Columbia University's School of Engineering and former Director of Financial Aid at both Columbia College and SUNY Downstate Medical Center. While residing in Ithaca, New York, she was elected to the Ithaca School Board where she served two terms.

Ms. Pointer is a co-founder and Co-Executive Producer of ''Russell Simmons Presents Def Poetry,'' a television series shown on the Home Box Office cable network. She was also an Executive Consultant to the Broadway hit show, Def Poetry. The television series aired for the first time in December of 2001 and continues to be a hit on HBO today. Deborah and other Executive Producers of Def Poetry were recognized with a Peabody Award for Excellence in Television for the HBO program and received a Tony Award for the Broadway production in 2003.

In October of 2001, under the company name Bone Bristle Entertainment LLC, Deborah and her business partners created a poetry anthology published by Random House, ''Bum Rush the Page.'' The anthology features works of 200 poets and has sold more than 15,000 copies. She has recently published a children's picture book, ''I Am Hip-Hop'' through her non-profit organization Healium Inc. founded by Deborah Pointer and Ronald Grant. Healium Inc. is dedicated to the efforts of ending child abuse.

Deborah is currently a consultant to the Chairman of the Department of Pediatrics at the Children's Hospital at Downstate where she is involved in development and community outreach. She is also one of a few African-American Christmas and Kwanzaa ornament designers and was featured as an Editor's Choice in ''Decorative Gifts and Accessories'' magazine.

Ms. Pointer has authored several magazine articles on financing and college education

and has worked on a series of videotapes on financial aid for students. The videotapes aired on Public Broadcasting Stations in the New York tri-state area. For many years she was a consultant to ESPN on selecting the High School Athlete of the Year. Deborah is currently a member of the Brooklyn Borough President's Task Force on BCAT, President of the Rutland Road Block Association and a member of numerous other organizations.

Madam Speaker, I would like to recognize the impressive achievements of Deborah Battle Pointer and her commitment to the children of Brooklyn, New York. I also want to thank Ms. Pointer for sharing her gifts with the rest of us.

Madam Speaker, I urge my colleagues to join me in paying tribute to this wonderful and talented woman.

MOURNING THE LOSS OF DAVID BROWN

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. WILSON of South Carolina. Madam Speaker, I rise today in honor of a true public servant of South Carolina's Second Congressional District. David Brown, chief executive officer of Beaufort Memorial Hospital of Beaufort, South Carolina, passed away Monday, March 19, 2007. Brown fell ill last month and was hospitalized at Johns Hopkins University Hospital, where he passed.

Brown ably led the hospital during a time of tremendous growth. The facility is now twice the size it was when Brown took over in 1996. During his tenure as CEO, Brown developed a long-term affiliation with Duke University Health System in heart and cancer care. Most recently, he worked with Beaufort to bring additional workforce housing to the area and led the hospital's expansion of services across the Broad River.

Brown, son of Emerson M. Brown and the late Winifred Ryan Brown, was born in 1951 in Germany, where his father was assigned as a U.S. foreign service officer. Brown also lived in India, the Netherlands, and Canada and attended high school in Switzerland and in Maine. He earned a bachelor of arts degree in 1974 and a masters of business administration with honors in 1976, both from Boston University.

Brown began his career in healthcare in 1976 as assistant executive director of Prince George's County Foundation for Medical Care in Landover, Md., and became executive director within a year.

In 1982 he joined the Greater Southeast Community Hospital in Washington as vice president for professional services. Before leaving the Washington area in 1996, Brown became president and CEO of the Greater Southeast Community Hospital Foundation, which operated two hospitals as well as long-term care facilities, home health agencies, pharmacies and other health care-related businesses.

Brown is survived by his daughter, Caitlin Ryan Brown; son, Ryan David Brown; father, Emerson Brown of Reed City, Mich.; sister, Catherine W. Brown of Washington; and brother, Christopher G. Brown of Columbus, Ohio.

A TRIBUTE TO CLAUDETTE AUDIGE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Brooklyn, New York resident, Ms. Claudette Audige. Claudette Audige was born on December 7, 1962, in Kingston, Jamaica. She has been a resident of New York for more than 21 years. Ms. Audige is the wife of Andre Audige and the mother of 3 beautiful children, Chase, Chad and Jodie.

Claudette Audige has been an experienced loan consultant for more than 20 years. She is noted for her wisdom and compassion for encouraging home ownership. She has inspired and helped many people to save their homes as well as purchase a home.

Most of Mrs. Audige's extensive community involvement has been with young people. She was a counselor at Good Samaritan Church, in the Bronx, and St. Michaels, in Sheldon, New York. Her community activities include participation in the McDonald's sing along concert series, a drug awareness campaign, and the neighborhood gang violence awareness program. The assistance she provides for children goes beyond the call of duty since she works closely with the youth in her community.

She is sensitive to the needs of homeowners and it is out of that compassion that led her to become a financial consultant. In addition, the high rate of housing foreclosures among her friends and family was another incentive for her to embark on this profession. Claudette gives workshops to new homeowners and advises them of their financial status. Due to her own past financial hardships, she has developed a flair for assisting people to accumulate wealth through the power of prayer and financial wisdom. Financial empowerment guides and motivates Mrs. Audige to teach others to accumulate wealth and prosperity.

This extraordinary woman goes above and beyond the call of duty and is commendable to the standards befitting the praised, virtuous woman described in Proverbs.

Her motto is "if I can help someone let not my living be in vain." Claudette Audige strives to educate the young and the old to possess the knowledge of financial wisdom. She believes that everyone can own a home with the proper education.

Madam Speaker. I would also like to recognize the impressive works of Claudette Audige as well as her commitment to the Brooklyn community.

Madam Speaker. I urge my colleagues to join me in paying tribute to this wonderful woman for all that she does for current and prospective homeowners.

RECOGNITION OF THE HUNTINGTON VETERANS AFFAIRS MEDICAL CENTER

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. RAHALL. Madam Speaker, I rise today in recognition of the Huntington Veterans Affairs Medical Center (VAMC) located in Huntington, West Virginia. I am so proud to report that the Huntington VAMC was named the "Best Performing Facility" for 2006.

This is a well deserved honor for the dedicated employees of the Huntington VAMC who work so hard to ensure that our Nation's veterans receive the quality they deserve. This honor is even greater considering this is not the first time the Huntington VAMC has been singled out for its high quality care. Just two years ago, this center received similar recognition from the VA.

It is wonderful to know that the veterans who call West Virginia home have such a top-notch medical facility to provide care. As we all recognize, our veterans are our heroes and these heroes deserve only the best care available.

It is important that we remember our veterans have given so much to the future of our country and have asked for so little in return. Our veterans, as our soldiers today, remain foremost in the thoughts and prayers of all West Virginians.

I am honored that the Huntington VAMC is in my district. I hope that this entire body will take a minute to congratulate the hard-working men and women of the Huntington VAMC and to honor the sacrifices that our brave servicemembers have made and continue to make.

A TRIBUTE TO AY'TASHA T. HANTON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Brooklyn resident Ay'Tasha T. Hanton. Ms. Hanton is the proud daughter of Edna M. Fulton, and Willie E. Hanton Sr., stepdaughter of Maudine Hanton, who she affectionately calls "Mom." Ay'Tasha was born in New York City as the only daughter of seven children. Ay'Tasha's father expired when she was 1½ years old. Without the relationship of her father, she faced many challenges. With the loving support of her mother, family and friends, she matured into a strong, independent woman.

A nine-year employee of the New York City Health and Hospitals Corporation, Ay'Tasha has extensive knowledge in Finance Administration, Policy and Procedures, Performance Improvement, Graphic Design, Community Affairs and Healthcare Administration. In April of 1998, her career in health care began when she became the Coordinating Manager of Chemical Dependency Outpatient Services and the Mental Health Geriatric Program at Cumberland Diagnostic and Treatment Center serving the Fort Greene Community. As an Assistant to the Sr. Associate Director, Ay'Tasha worked diligently to aide the Chemical Dependency patients who strived daily to maintain sobriety from their addictions. She also worked attentively to aide the Geriatric population as they faced the uneasiness of Mental Health.

In October of 2005, Ay'Tasha was reassigned as the NYS OASAS (Office of Alcoholism and Substance Abuse Services) Administrator of Chemical Dependency Inpatient and Outpatient Services at Woodhull Medical

Center, where she studied the communities' statistics.

Recognizing her statistical talents, Ay'Tasha was given additional responsibilities by the Associate Executive Director of the Division of Chemical Dependency for the North Brooklyn Health Network in the newly established Performance Improvement Department, helping the Assistant Director in strategizing ways to support the population suffering from substance abuse addictions.

Her most recent opportunity towards climbing the corporate ladder came in March of 2006 when she was assigned to assist the Associate Director of Psychiatry in restructuring Woodhull's Psychiatric Emergency Department. As the Administrative Manager of Psych ED, Consultation and Liaison Services and the Chemical Dependency Inpatient Detoxification Units, Ay'Tasha is also faced with the daily challenge of aiding the Psychiatric patients as well as encouraging, mentoring and challenging her staff to heightened levels, while advocating for the Williamsburg and Bedford Stuyvesant communities.

Throughout her HHC career under the umbrella of the Department of Psychiatry, Ay'Tasha has been a member of many committees such as Cumberland's Open Access Team, Billing/Finance, Information Technology and Community Affairs.

Ay'Tasha's walls are lined with many awards, certificates, and presentations as a testament of her hard work. She has also received extensive continuing education in Healthcare Professionalism such as Managerial, Administrative Assistant, Graphic Design, and the list continues. Ay'Tasha's most heartfelt accomplishment is her Associate of Arts Degree in Biblical Studies from Bethel Bible Institute. Ay'Tasha is presently seeking her Bachelors Degree in Health Administration.

Ay'Tasha understands the importance of children. She nurtures her nieces, nephews, godchildren and a host of other youth. Not only is she an inspiration to children, Ay'Tasha mentors young women in her community. Ay'Tasha encompasses the true identity of a role model in today's society.

Madam Speaker, I would like to recognize the impressive achievements of Ay'Tasha T. Hanton for her commitment to her community.

Madam Speaker, I urge my colleagues to join me in paying tribute to this wonderful person and the great things she has done.

U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

SPEECH OF

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, March 23, 2007

Mr. JORDAN of Ohio. Mr. Speaker, I stand in opposition to H.R. 1591, a measure that would set dangerous and unprecedented timelines for U.S. troop withdrawal from Iraq.

On September 11, 2001, terrorists attacked the United States of America, killing thousands of innocent people in a horrific fashion and forever changing America's role in the fight against global terrorism.

Just days later, President Bush and leaders of this Congress together affirmed America's commitment to leading a global war on terrorism. Our goals are to bring those responsible for 9/11 to justice while working to prevent future acts of terrorism.

Since then, the bravery of our troops, the courage of our leaders, and most importantly the vigilance of the American people have helped prevent further attacks on American soil.

Our strategy of taking the fight to the terrorists is working. Our continued efforts in Operation Enduring Freedom and Operation Iraqi Freedom are making a real difference, both there and here at home. We are moving closer to the day when the Iraqi army and police force will be adequately prepared to take full control of their country.

What day will they be prepared to do so? Our military commanders might have a good idea. Leaders of the Iraqi military might know. Neither have set a date certain—neither have published a time line for withdrawal, because they understand the danger in doing so.

As a Member of Congress, I do not know the exact day this withdrawal should happen. In short, I believe it should be on the day when we have achieved our objective. As a Congressman, I expect continued, measurable progress toward that day—and, like every American, I hope that day is soon. But it is too early to tell what day that is; if telling emboldened our enemy and put our troops in harm's way, I wouldn't tell.

Yet according to the measure before us today, a majority of my colleagues apparently believe they know the exact day. They've picked a day when—whether the job is finished or not—we will pack up and go home.

This is bad public policy, it is bad military strategy, and it cuts the very legs out from under the soldiers who have so bravely fought the battles to keep America safe. The road to this day has been long, sometimes difficult, but largely successful. If we remain committed to leading the fight to keep the American people safe from terrorism, then we owe it to our military commanders to help them finish their job without arbitrary and capricious intervention from politicians.

Mr. Speaker, the timelines for troop withdrawal are not the only bad idea in this legislation. Woven into a bill that is designed to fund our military is more than $20 billion in non-emergency spending on such items as peanut storage and spinach farmers.

Millions of Americans wake up and go to work each morning to provide for their families and help make America a better place. As the saying goes, they work hard, play by the rules, and pay their taxes.

These are the families I keep in mind each time I cast a vote on public policy.

This measure contains hundreds of millions in taxpayer dollars being diverted from national defense to pork-barrel spending to benefit the pet projects of certain interests.

Like many Americans, I am outraged by the reports that Democrat leaders are promising this and additional pork-barrel spending in exchange for Democrat votes for this measure.

Each of these dollars came from taxpayers, and taxpayers deserve better.

Mr. Speaker, there are good things in this bill, like funding for our troops in battle, improved health care for our soldiers and veterans—things I am proud to support.

However, when weighing the good and bad in this measure, the pro-family, pro-troop, pro-American vote is easy to identify. That vote, in this case, is "no," and I urge my colleagues to join me in opposing the measure.

A TRIBUTE TO AIDA T. WILSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Ms. Aida T. Wilson. Aida T. Wilson was born in Panama City in the Republic of Panama. She is the eldest of five children born to Olga and Charles Tyrell. After completing high school at Santa Familia School for Dressmaking in Panama City, she was immediately employed by Maloul Brothers for five years in Colon, City of Panama.

Ms. Wilson migrated to the United States in 1956 and immediately began to further her education by attending several adult education programs while employed as a seamstress. She was later employed by one of New York City's most prestigious department stores Lord and Taylor. After serving in several positions she became their Merchandising Auditor. She retired in 1994 after 37 years of service with the company. Following one year of retirement, she was hired to work on a part-time basis at Community Board 5 in East New York as a Community Service Aide and has maintained this position for the past 11 years.

Ms. Wilson has been a communicant of St. Laurence Church RC for the past 30 years. She has served on their Board of Trustees; as member and past President of the Laurencian Guild (Rosary Society); Chairperson of the Liturgy Committee; Treasurer of the Church AARP Chapter; and presently a Lector at Sunday Masses and a member of the Parish Pastoral Planning Committee. Mrs. Wilson is an active member and Past President of the Brooklyn New Lots Lions Club and Part District Treasurer for the Lions of District 20 K1 (Brooklyn and Queens). For her lionistic activism, she has been recognized with many awards and citations including the Distinguished Service Award for Community Service, Lion of the Year, Knights of the Blind Award and the highest recognition by an association, The Melvin Jones Fellowship.

Aida Wilson is married to Lloyd G. Wilson, (retired MTA Motorman). This union brought forth a son Rodney, and a daughter Sharon who have blessed them with six grandchildren: Tyrell and Cherrell Wilson, Jazine Miller, Eryka, Elissa, and Jessica Hill. A step granddaughter Kristin Reid Hill, son-in-law Eric Hill and daughter-in-law Angela A. Wilson.

Madam Speaker, I would like to recognize this pillar of our community for all of her good works and kind gestures.

Madam Speaker, I urge my colleagues to join me in paying tribute to Aida T. Wilson.

INTRODUCTION OF THE INFANT AND TODDLER DURABLE PRODUCT SAFETY ACT AND THE DANNY KEYSAR CHILD PRODUCT SAFETY NOTIFICATION ACT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Ms. SCHAKOWSKY. Madam Speaker, today I am once again introducing two bills that would help prevent needless deaths and injuries of young children: the Infant and Toddler Durable Product Safety Act and the Danny Keysar Child Product Safety Notification Act. These bills would help us protect infant and toddlers from dangerous products, both before they arrive on the shelves—and after they end up in homes.

The Infant and Toddler Durable Product Safety Act would require infant and toddler products to receive a federal seal of approval before they are sold. This bill is long overdue.

Currently, most consumers believe that, because a product is on a shelf, it is safe. A Coalition for Consumer Rights' survey in Illinois found that 75 percent of adults believe that the government oversees pre-market testing for children's products; 79 percent believe that manufacturers are required to test the safety of those products before they are sold. For most products, neither is true.

In fact, there are no mandatory safety standards for the majority of the children's products being sold today. The majority of the standards that are in place are ''voluntarily'' set by the very industries looking to make profits. They are also allowed to police themselves about whether the standards are enforced.

Let me stress what that means: although there may be voluntary standards in place, there are no requirements that all potential hazards are addressed in those standards. For instance, the voluntary standards for bassinets set by the industry did not have height requirement for the sides or any test to make sure the baby couldn't fall out. Only because of the tenacity of advocates like Kids in Danger, was one finally set. There are also no consequences for the manufacturer if the standards are not met, and no requirements for products to be tested to see if the standards are met. This is true even for baby carriers, cradles, play pens, and high chairs. For the few products that do have mandatory federal standards, because there are no testing requirements, the standards are meaningless.

Although the Consumer Products Safety Commission—the CPSC—requires no testing and manufacturers mayor may not perform their own tests, do not be mistaken, children's products are tested. They are tested in our own homes, with our children and grandchildren as test dummies. The cost of those tests can be a panicked child, amputated fingers, fractured skulls, or a dead child.

Unfortunately, a trip to the emergency room or the morgue is often the only way to know if a product is unsafe. This is unacceptable.

Parents and caregivers must have assurance that when they buy a product, it will be safe. Therefore, the Infant and Toddler Durable Product Safety Act would not only require the CPSC to issue mandatory safety standards for infant and toddler products, it would require the testing and certification of these products by an independent third party before they are allowed to be sold to anyone.

To protect children should unsafe products make it into their homes—as is currently happening—we also have to make sure that we can get the hazards out as soon as possible. The Danny Keysar Child Product Safety Notification Act would help us do that by requiring that all children's durable products sold have recall registration cards attached to them and that manufacturers directly contact those who fill them out should there be a recall.

Although there is a shocking number of recalled products, our current recall system is failing. Actual notice of a recall is dependent on news outlets picking up the story and spreading the word. Notification targeted to owners of the products is rare, and many parents remain unaware of the dangers even when products are recalled. In fact, many families still have the dangerous products listed in this report in their homes because they have not happened to turn on the television at the right time or read the right newspaper. We need to make sure that notification is directed at the families that have bought these faulty products so they don't have to rely on chance to hear the news.

My colleague, Rep. FRED UPTON, and I named our bill that would help solve this problem the Danny Keysar Child Product Safety Notification Act because his story is a tragic example of the inadequacy of our current recall practices.

Danny Keysar, the precious 17-month old son of Linda Ginzel and her husband, Boaz Keysar, died when the Playskool Travel-Lite portable crib he had been napping in at his babysitter's home collapsed. The rails of the crib folded into a ''V''-shaped wedge when he stood up, trapping his neck. He was strangled to death. It was May 12, 1998, five years after the CPSC had ordered it off the shelves because it was so dangerous.

Word of its hazard had not reached Danny's parents, the caregiver with whom he was staying, or a state safety inspector who visited the home just eight days before Danny's death. Had the Child Product Safety Notification Act been in effect, there would have been a much greater chance of saving Danny's life—and the 11 children who have since died from the TravelLite.

We know that recall registration cards work. My bill is modeled after the National Highway and Transportation Safety Administration's recall system for car seats. Since NHTSA started requiring car seats to have registration cards in 1993, the number of families registering increased by at least tenfold. In fact, 53 percent of parents who obtained cards mailed in the cards. Recall repair rates have gone up by 56 percent—all for a mere 43-cents per item. This bill will give families a much greater chance to repair, return, or discard any dangerous products that have made it into their children's nursery.

It is past due that we give parents the security they deserve and children the safety they need. I urge my colleagues to support these two bills.

INTRODUCTION OF HOUSE RESOLUTION 267 CONDEMNING THE ISLAMIC REPUBLIC OF IRAN FOR ITS SEIZURE OF BRITISH SAILORS AND MARINES

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. KIRK. Madam Speaker, today I introduced House Resolution 267 with my fellow Iran Working Group co-Chair Congressman ROB ANDREWS (D–NJ) and Iran Working Group Vice-Chairs Dr. CHARLES BOUSTANY (R–LA) and RON KLEIN (D–FL). This resolution condemns the Islamic Republic of Iran for seizing 15 British sailors and marines in the Persian Gulf and calls for their immediate release. These sailors and marines, based on the HMS Cornwall, had finished a routine search of a civilian vessel in Iraqi waters at the time of the kidnapping. The Iranian regime now says it may charge the sailors and marines for illegally entering Iranian-controlled waters.

The British soldiers were captured a day before the UN debated additional sanctions for Iran's continued efforts to enrich uranium. The sanctions were unanimously approved, and include a ban on arms sales from Iran as well as freezing assets of 28 people and organizations involved with the nation's nuclear programs.

Our resolution also asks the Security Council to explore new economic sanctions against Iran, including a restriction on gasoline imports. Despite its status as a top oil producing nation, Iran is highly dependent on foreign gasoline due to severe mismanagement of its domestic energy supply. An international restriction on foreign gasoline is the most effective economic lever in our diplomatic toolbox to prevent further Iranian hostility, deny Iran's ability to militarize the Persian Gulf and enforce Iran's nonproliferation commitments.

The Iranian regime defied international law by seizing sailors in waters outside of its jurisdiction. Our resolution sends a strong message of condemnation from the House of Representatives.

I want to thank Reps. ANDREWS, BOUSTANY and KLEIN for leading with me on this resolution. I look forward to working with them and the more than fifty original cosponsors on this important initiative.

INTRODUCTION OF THE BLUE WATER HIGHWAY ACT OF 2007

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. WELDON of Florida. Madam Speaker, today I introduced the Blue Water Highway Act of 2007.

As Members of this body know, the ability to cost-effectively transport goods to domestic markets is vital to our economy. It's becoming increasingly clear, however, that economic and population growth is far outpacing our ability to maintain and expand our existing transportation infrastructure, posing serious, long-term challenges to our current reliance upon land-based shipping.

In Florida and around the country, roadway congestion and driver shortages are already making it difficult for trucking companies to expand capacity. Freight shipping by rail is encountering serious capacity problems in some regions, as well. And, recent estimates indicate that overall freight traffic will continue to increase exponentially in the coming years—up as much as 70 percent by 2020.

Madam Speaker, we are presented with a choice as we seek to address this capacity crunch: We can try to engineer our way out of the current situation at hundreds of billions of dollars in new federal expenditures. Or, we can find alternate innovative modes of transportation that will help absorb some of the traffic our growing economy continues to create.

While we must continue to invest in our surface transportation infrastructure, I believe that an alternative, environmentally sound mode of transportation is at our fingertips that will lessen highway congestion, save energy, and reduce air pollution.

Short sea shipping, or what I call the ''Blue Water Highway,'' involves shipping cargo by sea between U.S. ports. By establishing a ''highway'' along our coast where smaller cargo ships travel from port to port along the Eastern Seaboard, Gulf Coast, Pacific Coastline, and the Great Lakes, we have the opportunity to significantly reduce highway congestion in an environmentally friendly and economically sound manner. Additionally, sea-based shipping would mitigate against wear and tear on our highways, potentially delaying the need for expensive taxpayer-funded improvement projects and allowing such funds instead to be used to free traffic congestion.

Though getting the Blue Water Highway up and running is no small task, I believe that a modest tax policy change provided in my legislation would significantly encourage the development of a short sea shipping industry.

The Blue Water Highway Act of 2007 would amend the Internal Revenue Code to exempt cargo shipped between U.S. mainland ports from the harbor maintenance tax. This simple tax reform would remove the primary prohibitive cost to short sea shipping, allowing designated cargo vessels to travel from Port Canaveral in Florida, to Baltimore, and then onto New York and Bridgeport, Conn. making other port calls along the way without having to pay the cargo tax each time it enters a port.

Madam Speaker, amending the harbor maintenance tax is a reasonable policy objective that would go a long way toward moving short sea shipping from the backwater of the shipping industry.

HONORING THE BREESE CENTRAL LADY COUGARS BASKETBALL TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. SHIMKUS. Madam Speaker, today I rise to honor the Breese Central Lady Cougars basketball team on their success in winning the championship game of the 28th annual Class A state tournament at Redbird Arena in Normal, Illinois.

Jessica Hemann, Courtney Strieker, Leann Voss, Britni Holtmann, K.C. Root, Christy Rolfingsmeyer, Katie Robben, Kelsie Netemeyer, Katelin Wiegmann, Tiffany Hilmes, Katie Scheer, Lauren Budde, and Cassandra Deiters make up this victorious team of athletes, which are lead by Head Coach Nathan Rueter and Assistant Coaches Angela Witte and Kelly Hasheider.

The Number 11 State-Ranked Breese Central ladies received medals after winning against Number 9 State-Ranked Rochester in a 47–41 victory.

I am very pleased to congratulate the Breese Central Lady Cougars on their victory and wish them the best of luck for next season.

TRIBUTE TO DOLORES HUERTA

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. BACA. Madam Speaker, I rise today to voice my strong support for H. Res. 37. This resolution honors Dolores Huerta for her commitment to protecting the rights of women and children everywhere, and improving the lives of farm workers.

I want to thank my colleague from California, Rep. HILDA SOLIS, for sponsoring this resolution.

Since 1955, Dolores Huerta has been a preeminent figure in the civil rights movement. She has dedicated her life to fighting for the rights of workers, women, and children. Dolores has lived a life full of compassion and love for her fellow man. Her actions helped to change the way farm workers were treated and further established fair treatment and respectable working conditions for them.

As a strong female leader, Dolores Huerta defied cultural and gender stereotypes. She has been awarded the Eleanor D. Roosevelt Human Rights Award and was inducted into the Women's Hall of Fame in 1993. Together with Cesar Chavez, she founded the National Farm Workers Association, now the United Farm Workers Organizing Committee.

Beyond her professional work, she is a proud mother of 11 children and many grandchildren and great-grandchildren.

I urge my colleagues to send a message of support for the rights of all workers and to honor the accomplishments of a true revolutionary, Dolores Huerta, by supporting H. Res. 37.

RECOGNIZING LOYOLA UNIVERSITY CHICAGO'S CENTER FOR PUBLIC SERVICE

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. EMANUEL. Madam Speaker, I rise today to recognize; Loyola University Chicago for its enduring commitment to community service and its creation of the Center for Public Service. I am pleased that the Center will house the congressional papers of former Congressman Henry J. Hyde and former Congressman Dan Rostenkowski.

Loyola's Center for Public Service will undertake the task of encouraging citizens to dedicate their lives to civil service and government. Through research and discourse, this non-partisan academic unit will increase education on important policy issues.

Both Congressman Hyde and Congressman Rostenkowski attended Loyola, so it seems fitting that their work will be preserved there.

Congressman Hyde recently retired from Congress after serving the people of the Sixth district of Illinois for 15 terms. The former Dean of the Illinois delegation served as Chairman of the Judiciary Committee from 1995–2001 and was later Chairman of the International Relations Committee.

Congressman Rostenkowski, or Mr. Chairman as he is still known, served my district in the House and was a legislative force for 34 years. As the Chairman of the Ways and Means Committee, he played an important role in tax and trade policy for thirteen years.

Madam Speaker, I congratulate Loyola University Chicago for its creation of the Center for Public Service and its collection of the congressional papers of former Congressmen Henry J. Hyde and Dan Rostenkowski. I wish its faculty, staff and students the best of luck as they pursue lives of public service.

TRIBUTE TO SAM MURPHEY FOR A LIFETIME OF DEDICATED SERVICE TO THE NATION AND THE PEOPLE OF CENTRAL TEXAS

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. EDWARDS. Madam Speaker, I rise today to honor a dedicated public servant of the people of Central Texas, Sam Murphey. Sam is about to embark on a well-deserved retirement after 22 years of service in the U.S. Army and 16 years looking after the needs of the people of Central Texas as my right-hand man and District Director.

Sam Murphey is a decorated soldier and veteran whose distinguished service in the United States Army and his service to the constituents of Central Texas is unparalleled in my experience. The positive impact Sam has had is immeasurable and proof that one person can truly make a difference in the lives of others. Sam is known by many names: husband, father, grandfather, motivator, leader, and confidante. I join the many others who are fortunate to call him ''friend''.

Sam graduated from the University of Texas in 1967 earning a bachelors degree in business administration and a commission in the Regular Army of the United States as a 2nd Lieutenant of Field Artillery. Sam later earned his master of science degree in management from the University of Central Texas in 1981 and he has completed an additional 18 post-graduate hours of study in political science.

Following his graduation from the University of Texas, Sam began a 22-year career in the U.S. Army that took him to assignments in the United States, Europe, Korea and Vietnam. He spent his combat tour in Vietnam as a Field Artillery Forward Observer and Liaison Officer with the 173rd Airborne Brigade. Other notable experiences during his military career include a teaching assignment in the Gunnery Department of the U.S. Army Field Artillery School, graduation from the Marine Corps

Command and Staff College, and an assignment at the U.S. Air Force Academy as Air Officer Commanding of Cadet Squadron 29. He retired from the Army at Fort Hood, Texas on October 1, 1989.

In March 1991, as a newly elected Congressman, I was wise enough to hire Sam as my primary contact for the military and veterans communities in what was then District 11. Sam excelled in that role and became the District Director in January 1996. As a local veterans leader, his counsel and advice have been indispensable over the years.

Among many other accomplishments, Sam played a key leadership role in the successful fight to save the Waco VA hospital from closure and helped make it into a national center of excellence. The massive modernization of Fort Hood in the 1990s had Sam Murphey's fingerprints all over it. Countless soldiers and their families have benefited from Sam's hard work to make dramatic improvements in barracks, housing, and training facilities at Fort Hood. Sam was also instrumental in opening Gray Army Airfield to commercial aviation, providing land for the Central Texas Veterans Cemetery and Tarleton State's upper level institution in Killeen.

As a district director, it goes without saying that Sam is very active in local community affairs, but he also spends much of his free time to give back to the community. He continues to serve as Vice Chairman of the Board of Directors of Heart O' Texas Federal Credit Union. He is a past president of the University of Central Texas Alumni Association, and has taught government and business classes at the University of Central Texas and Central Texas College as a member of their adjunct faculty. He is a past chairman of the Harker Heights Chamber of Commerce Board of Directors and served 6 years as Commissioner on the Harker Heights Planning and Zoning Commission. He is a co-founder of the Harker Heights Economic Development Corporation and is a past president of the Central Texas—Fort Hood Chapter of the Association of the United States Army and of the Central Texas Chapter of the Military Officers Association of America. He is a graduate of Leadership Temple and Leadership Killeen and is a co-founder of the Leadership Belton program. He was recently named Chairman of the Harker Heights Chamber of Commerce Military Affairs Committee.

Sam and his wonderful wife Peggy, his much, much better half, are retiring at the same time to enjoy their beautiful family together in Harker Heights, Texas. Peggy is retiring after a career of service to the soldiers and families at Fort Hood, a place that I had the privilege to represent for 14 years and is very close to my heart. The Good Lord has blessed Sam and Peggy with two children, Steven and Kathleen and five grandchildren, Samantha and Steven Murphey, Hartley, Elle and Sophia Corsi.

May the Good Lord continue to watch over them and as Sam is fond of saying, ''bless their little hearts.''

Thank you, Sam for your personal friendship and for your service to the people of Central Texas and the citizens of our Nation. We wish you and your family all the best in the years ahead.

TRIBUTE TO GARY PLAYER

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. WESTMORELAND. Madam Speaker, I rise today to carry on a tradition started by the late Congressman Charlie Norwood, whose death this year was a great loss to Georgia and the U.S. House of Representatives. Each year on the eve of the Masters golf tournament in his hometown of Augusta, GA., Congressman Norwood would honor a golfer of great acclaim before his colleagues in the House.

This year, that tribute belongs to Gary Player, a world-renowned golfer whose accomplishments extend far beyond the links. In April, Mr. Player will tee up at the Augusta National for the Masters tournament for the 50th consecutive year, a remarkable achievement of longevity in any career. Few events in sports compare to the grace and beauty of the Masters tournament, and for a half century, Mr. Player has played an important role in one of the most cherished and most watched sporting events in the world.

Gary Player's record is the envy of countless golfers. It includes 159 victories worldwide. He holds nine major championships including: three Masters, three British Opens, two U.S. Opens and one PGA Championship. In addition, he has won the World Match Play Championship four times.

Outside the game of golf, Mr. Player has dedicated his life to family—he is celebrating his 50th wedding anniversary this year—and to serving the underprivileged.

In 1983, he established the Gary Player Foundation to address the education crisis in South Africa. The Player family started the Blair Atholl School—complete with a primary school of 400 students, a pre-elementary school for 75, a community resource center and a sports complex. The foundation ensures high-quality education, a nutritional feeding scheme and basic medical care for each child.

Besides his foundation, Gary Player hosts the annual Nelson Mandela Invitational Golf Tournament, one of the largest charity events in South Africa. To recognize his many achievements, Gary Player was awarded an Honorary Doctor of Laws from the Saint Andrews University in 1995.

Gary Player has lived an incredible life and he doesn't take those blessings for granted. He has said, ''I have been so lucky with golf, with my family, with my health, all I can be is thankful.'' Let us wish him continued luck and thanks for his accomplishments on and off the course. Mr. Player, good luck in Augusta.

ON THE INTRODUCTION OF THE DHS SAFE ACT TO ENHANCE THE SECURITY OF DEPARTMENT OF HOMELAND SECURITY BADGES, IDENTIFICATION CARDS, UNIFORMS, AND PROTECTIVE EQUIPMENT

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2007

Mr. ETHERIDGE. Madam Speaker, today I have introduced, together with my colleagues from the Committee on Homeland Security, Chairman Thompson of Mississippi and Mr. Rogers of Alabama, legislation that will prevent terrorists or others with bad intent from posing as Homeland Security officials or officers. This common sense bill will require the Department of Homeland Security to make sure that sensitive material—badges, identification cards, uniforms, and protective gear—is made in the United States. As these items would be vulnerable to theft in transit, it just makes sense to make sure they start and stay in America.

When the Department of Homeland Security buys identification cards overseas, there is no system in place to ensure that they are not stolen and misappropriated by terrorists, who could then pass into restricted areas with fraudulent credentials. In countries with less robust ethical and management standards for business, manufacturers might even be willing to sell uniforms or badges to the highest bidder. The men and women who serve in positions that protect our security are put at risk by a policy that does not secure these materials, and the practice of purchasing them overseas without appropriate safeguards must end.

It is certainly not uncommon for cargo to be hijacked or lost, particularly in the staging areas at our Nation's ports of entry. The potential theft of uniforms, badges, or ID cards by the truckload pose a clear threat. These items are meant to serve as validation that those charged with securing our country are who they say they are; misappropriation is unacceptable.

This legislation will not slow down the Department at all with regard to purchases; it merely ensures that sensitive materials are kept securely inside the United States when appropriate. The bill contains a waiver for small purchases and for material that will be used outside of the United States. It gives the Department the flexibility to procure materials outside of the United States if necessary and as long as steps are taken to prevent misappropriation.

This legislation is focused and targeted at the area of greatest risk in procurement. I urge my colleagues in the House of Representatives to support it.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 27, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 28

9:30 a.m.
Armed Services
Strategic Forces Subcommittee
To hold hearings to examine the Strategic Forces Program in review of the Defense Authorization Request for fiscal year 2008 and the future years Defense Program, with the possibility of a closed session in SR–222 following the open session.
SR–232A

Joint Economic Committee
To hold hearings to examine the current economic outlook.
SH–216

9:45 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for the Department of Labor.
SD–124

10 a.m.
Environment and Public Works
To hold hearings to examine reducing government building operational costs through innovation and efficiency, focusing on legislative solutions.
SD–406

Finance
To hold hearings to examine risks and reform, focusing on the role of currency in the U.S.-China relationship.
SD–215

Commerce, Science, and Transportation
Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee
To hold hearings to examine the future of the Coast Guard Dive Program.
SR–253

Rules and Administration
Business meeting to consider S. 223, to require Senate candidates to file designations, statements, and reports in electronic form.
SR–301

Appropriations
State, Foreign Operations, and Related Programs Subcommittee
To hold hearings to examine the proposed budget estimates for fiscal year 2008 for the United States Agency for International Development and foreign assistance programs.
SD–138

10:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings to examine the proposed budget estimates for fiscal year 2008 for the United States Navy.
SD–192

Aging
To hold hearings to examine affordable drug coverage that works for Wisconsin, focusing on preserving senior care.
SD–562

11:45 a.m.
Foreign Relations
Business meeting to consider S. 193, to increase cooperation on energy issues between the United States Government and foreign governments and entities in order to secure the strategic and economic interests of the United States, S. 613, to enhance the overseas stabilization and reconstruction capabilities of the United States Government, H.R. 1003, to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy, S. Res. 30, expressing the sense of the Senate regarding the need for the United States to address global climate change through the negotiation of fair and effective international commitments, S. Res. 65, condemning the murder of Turkish-Armenian journalist and human rights advocate Hrant Dink and urging the people of Turkey to honor his legacy of tolerance, S. Res. 76, calling on the United States Government and the international community to promptly develop, fund, and implement a comprehensive regional strategy in Africa to protect civilians, facilitate humanitarian operations, contain and reduce violence, and contribute to conditions for sustainable peace in eastern Chad, and Central African Republic, and Darfur, Sudan, and the nominations of Paul J. Bonicelli, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, Curtis S. Chin, of New York, to be United States Director of the Asian Development Bank, with the rank of Ambassador, Eli Whitney Debevoise II, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development, Sam Fox, of Missouri, to be Ambassador to Belgium, Zalmay Khalilzad, of Maryland, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador and the Representative of the United States of America in the Security Council of the United Nations, Margrethe Lundsager, of Virginia, to be United States Executive Director of the International Monetary Fund, Katherine Almquist, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, Douglas Menarchik, of Texas, to be an Assistant Administrator of the United States Agency for International Development. (Reappointment), and Ford M. Fraker, of Massachusetts, to be Ambassador to the Kingdom of Saudi Arabia.
SD–419

2:30 p.m.
Appropriations
Interior, Environment, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for United States Forest Service.
SD–124

Commerce, Science, and Transportation
Space, Aeronautics, and Related Agencies Subcommittee
To hold hearings to examine transitioning to a next generation Human Space Flight System.
SR–253

3 p.m.
Appropriations
Financial Services and General Government Subcommittee
To hold hearings to examine the proposed budget estimates for fiscal year 2008 for the Department of the Treasury.
SD–192

Health, Education, Labor, and Pensions
To hold hearings to examine No Child Left Behind Reauthorization, focusing on effective strategies for engaging parents and communities in schools.
SD–430

3:30 p.m.
Armed Services
Personnel Subcommittee
To hold hearings to examine active component, reserve component, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2008 and the future years Defense Program.
SR–232A

MARCH 29

9:15 a.m.
Indian Affairs
To hold an oversight hearing to examine Indian trust fund litigation.
SR–485

9:30 a.m.
Armed Services
To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2008 and the future years Defense Program, with the possibility of a closed session in SR–222 following the open session.
SD–106

Foreign Relations
To hold hearings to examine an update on Iran; may be followed by a business meeting to consider pending calendar business.
SD–419

Small Business and Entrepreneurship
Business meeting to markup S. 163, to improve the disaster loan program of the Small Business Administration.
SR–428A

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of AMVETS, American Ex-Prisoners of War, Military Order of the Purple Heart, Gold Star Wives of America, Fleet Reserve Association, the Retired Enlisted Association, Military Officers Association of America, and the National Association of State Directors of Veterans Affairs.
SD–226

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine the nomination of David James Gribbin IV, of Virginia, to be General Counsel of the Department of Transportation.
SR–253

Environment and Public Works
Business meeting to consider S. 801, to designate a United States courthouse located in Fresno, California, as the ''Robert E. Coyle United States Courthouse'', S. 521, to designate the Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, as the ''Gerald W. Heany Federal Building and United States Courthouse and Customhouse'', the Public Buildings Cost Reduction Act, the Water Resources Development Act of 2007, and the nominations of Roger Romulus Martella, Jr., of Virginia, to be Assistant Administrator of the Environmental Protection Agency, and Bradley Udall, of Colorado, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence In National Environmental Policy Foundation.
SD–406

Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine eliminating and recovering improper payments, focusing on the Office of Management and Budget report entitled ''Improving the Accuracy and Integrity of Improper Payments''.
SD–342

Finance
To hold hearings to examine clean energy from the margins to the mainstream.
SD–215

Judiciary
To continue hearings to examine Department of Justice hiring and firing of United States Attorneys, focusing on preserving prosecutorial independence.
SH–216

2 p.m.
Judiciary
Business meeting to consider S. 236, to require reports to Congress on Federal agency use of data mining, S. 376, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, S. 849, 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), S. 119, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts, S. 621, to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II, and S. Res. 108, designating the first week of April 2007 as ''National Asbestos Awareness Week'' and to discuss the possibility of the issuance of certain subpoenas in connection with investigation into replacement of United States Attorneys.
SD–226

2:30 p.m.
Intelligence
Closed business meeting and hearing regarding certain intelligence matters.
SH–219

MARCH 30

10 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for the Office of the Senate Sergeant at Arms and Doorkeeper, and the United States Capitol police.
SD–138

APRIL 10

10 a.m.
Commerce, Science, and Transportation
To hold an oversight hearing to examine the Federal Trade Commission (FTC).
SR–253

APRIL 11

9:30 a.m.
Veterans' Affairs
To hold hearings to examine issues relative to Filipino veterans.
SR–418

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the availability and affordability of property and casualty insurance in the Gulf Coast and other coastal regions.
SD–538

Rules and Administration
To hold an oversight hearing to examine the Smithsonian Institution.
SR–301

APRIL 17

10 a.m.
Judiciary
To hold an oversight hearing to examine the Department of Justice.
SD–106

APRIL 25

2 p.m.
Veterans' Affairs
To hold an oversight hearing to examine the Department of Veterans Affairs, focusing on mental health issues.
SR–418

APRIL 26

10 a.m.
Commerce, Science, and Transportation
Science, Technology, and Innovation Subcommittee
To hold hearings to examine clean coal technology.
SR–253

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3727–S3780

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 983–990, and S. Res. 123–124. **Page S3750**

Measures Reported:

S. 93, to authorize NTIA to borrow against anticipated receipts of the Digital Television 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. (S. Rept. No. 110–38).

S. 261, to amend title 18, United States Code, to strengthen prohibitions against animal fighting, with an amendment.

S. 627, 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.

S. 888, to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances. **Page S3750**

Measures Passed:

Treaty of Rome 50th Anniversary: Senate agreed to S. Res. 124, congratulating the European Union on the 50th anniversary of the signing of the Treaty of Rome, creating the European Economic Community among 6 European countries and laying the foundations for peace, stability, and prosperity in Europe. **Page S3779**

Use of Capitol Rotunda: Senate agreed to 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. **Page S3779**

Emergency Supplemental Appropriations: Senate began consideration of H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, taking action on the following amendments proposed thereto:

Pages S3735–42, S3747–48

Adopted:

Byrd Amendment No. 641, in the nature of a substitute. (By unanimous consent, the amendment will be considered as original text for the purpose of further amendment). **Pages S3735–42, S3747**

Pending:

Cochran Amendment No. 643 (to Amendment No. 641), to strike language that would tie the hands of the Commander-in-Chief by imposing an arbitrary timetable for the withdrawal of U.S. forces from Iraq, thereby undermining the position of American Armed Forces and jeopardizing the successful conclusion of Operation Iraqi Freedom.

Pages S3737–42, S3747

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 28, 2007. **Pages S3747–48**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Tuesday, March 27, 2007; provided further that members have until 2:30 p.m., on Tuesday, March 27, 2007 to file first-degree amendments to the bill. **Page S3779**

WU Nomination—Agreement: A unanimous-consent agreement was reached providing that at 11:50 a.m., on Tuesday, March 27, 2007, Senate begin consideration of the nomination of George H. Wu, to be United States District Judge for the Central District of California; that there be 20 minutes, equally divided and controlled, for debate between the Chairman and Ranking Member of the Committee on the Judiciary; that, upon conclusion of debate, Senate vote on the confirmation of the nomination. **Page S3779**

Nominations Received: Senate received the following nominations:

R. Lyle Laverty, of Colorado, to be Assistant Secretary for Fish and Wildlife.

Janet E. Garvey, of Massachusetts, to be Ambassador to the Republic of Cameroon.

R. Niels Marquardt, of California, to be Ambassador to the Republic of Madagascar, and to serve

concurrently and without additional compensation as Ambassador to the Union of Comoros.

3 Navy nominations in the rank of admiral.

A routine list in the Air Force. **Pages S3779–80**

Measures Placed on the Calendar: **Page S3750**

Additional Cosponsors: **Pages S3750–51**

Statements on Introduced Bills/Resolutions: **Pages S3751–59**

Additional Statements: **Pages S3748–50**

Amendments Submitted: **Pages S3760–78**

Notices of Hearings/Meetings: **Page S3778**

Authorities for Committees to Meet: **Page S3778**

Privileges of the Floor: **Pages S3778–79**

Adjournment: Senate convened at 2:30 p.m., and adjourned at 6:56 p.m., until 10 a.m. on Tuesday, March 27, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3779.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL INSTITUTES OF HEALTH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2008 for mind, brain and behavioral research at the National Institutes of Health, after receiving testimony from Thomas R. Insel, Director, National Institute of Mental Health, Nora D. Volkow, Director, National Institute on Drug Abuse, Ting-Kai Li, Director, National Institute on Alcohol Abuse and Alcoholism, James F. Battey, Jr., Director, National Institute on Deafness and Other Communication Disorders, and Story C. Landis, Director, National Institute of Neurological Disorders and Stroke, all of the National Institutes of Health, Department of Health and Human Services.

OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR POLICY REORGANIZATION

Committee on Armed Services: Subcommittee Emerging Threats and Capabilities met to receive a briefing on the reorganization of the Office of the Under Secretary of Defense for Policy from Christopher R. Henry, Principal Deputy Under Secretary for Policy, and Thomas W. O'Connell, Assistant Secretary for Special Operations and Low-Intensity Conflict, both of the Department of Defense.

MARKET-BASED CARBON DIOXIDE TRADING

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the progress of the European Union's Emissions Trading Scheme and to receive information on lessons learned from the Scheme for policymakers who want to better understand how a market-based trading program could operate efficiently and effectively in the United States, after receiving testimony from Jos Delbeke, European Union Commission, Brussels, Belgium; Per-Otto Wold, Point Carbon, Oslo, Norway; Garth Edward, Shell Oil, London, England; Jean-Yves Caneill, Electricte de France, Paris; Bruno Vanderborght, Holcim Cement, Zurich, Switzerland; and Denny Ellerman, The Massachusetts Institute of Technology Sloan School of Management, Cambridge.

REAL ID ACT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the Real ID Act of 2005 and the proposed regulations released by the Department of Homeland Security on March 1, 2006, implementing Act, focusing on efforts to secure drivers' licenses and identification cards, after receiving testimony from Richard C. Barth, Assistant Secretary of Homeland Security for Policy Development; Texas State Senator Leticia Van de Putte, Austin, on behalf of the National Conference of State Legislatures; Mayor Mufi Hannemann, Honolulu, Hawaii; and David Quam, National Governors Association, Timothy D. Sparapani, American Civil Liberties Union, and Jim Harper, Cato Institute, all of Washington, D.C.

HUMAN TRAFFICKING

Committee on the Judiciary: Subcommittee on Human Rights and the Law concluded a hearing to examine the problem of human trafficking and the legal options to stop the problem, after receiving testimony from Grace Chung Becker, Deputy Assistant Attorney General, Civil Rights Division, Department of Justice; Katherine Kaufka, National Immigrant Justice Center, Chicago, Illinois; and Martina E. Vandenberg, Jenner and Block LLP, and Holly J. Burkhalter, International Justice Mission, both of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 1675–1703; 1 private bill, H.R. 1704; and 6 resolutions, H. Con. Res. 100 and H. Res. 266–268, 271–272, were introduced.

Pages H3079–80

Additional Cosponsors: **Pages H3080–81**

Reports Filed: Reports were filed today as follows:

H.R. 1019, to designate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the ''Rafael Martinez Nadal United States Customhouse Building'' (H. Rept. 110–70);

H.R. 1138, to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse'' (H. Rept. 110–71);

H.R. 753, to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the ''Clifford Davis/Odell Horton Federal Building'', with amendments (H. Rept. 110–72);

H.R. 493, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, with an amendment (H. Rept. 110–28, Pt. 2);

H. Res. 269, providing for consideration of H.R. 835, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians (H. Rept. 110–73); and

H. Res. 270, providing for consideration of H.R. 1401, to improve the security of railroads, public transportation, and over-the-road buses in the United States (H. Rept. 110–74). **Pages H3078–79**

Speaker: Read a letter from the Speaker wherein she appointed Representative Castor to act as Speaker pro tempore for today. **Page H3019**

Recess: The House recessed at 12:39 p.m. and reconvened at 2:00 p.m. **Page H3020**

Permanent Select Committee on Intelligence—Appointment: The Chair announced that the Speaker's appointment of the remaining 19 members of the Permanent Select Committee on Intelligence on January 17, 2007, is made notwithstanding the requirement of clause 11(a)(1)(C) of rule X. **Page H3021**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Clifford Davis/Odell Horton Federal Building Designation Act: H.R. 753, amended, to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the ''Clifford Davis/Odell Horton Federal Building'';

Pages H3021–22

Agreed to amend the title so as to read: ''To redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the 'Clifford Davis and Odell Horton Federal Building'.''.

Page H3022

Rafael Martinez Nadal United States Customhouse Building Designation Act: H.R. 1019, to designate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the ''Rafael Martinez Nadal United States Customhouse Building'';

Pages H3022–23

J. Herbert W. Small Federal Building and United States Courthouse Designation Act: H.R. 1138, to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse''; **Pages H3023–24**

Maritime Pollution Prevention Act of 2007: H.R. 802, amended, to amend the Act to Prevent Pollution from ships to implement MARPOL Annex VI, by a ⅔ yea-and-nay vote of 359 yeas to 48 nays, Roll No. 187; **Pages H3025–28, H3053**

Agreed to amend the title so as to read: ''To amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI.''. **Page H3053**

Disadvantaged Business Disaster Eligibility Act: H.R. 1468, amended, to ensure that, for each small business participating in the 8(a) business development program that was affected by Hurricane Katrina of 2005, the period in which it can participate is extended by 18 months; **Pages H3029–31**

Animal Fighting Prohibition Enforcement Act of 2007: H.R. 137, amended, to amend title 18, United States Code, to strengthen prohibitions against animal fighting, by a ⅔ yea-and-nay vote of 368 yeas to 39 nays, Roll No. 188;

Pages H3031–36, H3053–54

Amending chapter 35 of title 28, United States Code, to provide for a 120-day limit to the term of a United States attorney appointed on an interim basis by the Attorney General: H.R. 580, amended, to amend chapter 35 of title 28, United States Code, to provide for a 120-day limit to the term of a United States attorney appointed on an interim basis by the Attorney General, by a ⅔ yea-

and-nay vote of 329 yeas to 78 nays, Roll No. 189; and **Pages H3036–41, H3054–55**

Amending the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections: H.R. 1195, amended, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections. **Pages H3041–52**

Recess: The House recessed at 3:13 p.m. and reconvened at 5 p.m. **Page H3031**

Recess: The House recessed at 6:15 p.m. and reconvened at 6:30 p.m. **Page H3053**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed until Tuesday, March 27th:

Supporting the goals and ideals of Professional Social Work Month and World Social Work Day: H. Res. 266, to support the goals and ideals of Professional Social Work Month and World Social Work Day. **Pages H3028–29**

NATO Freedom Consolidation Act of 2007: The House agreed by unanimous consent to S. 494, to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO—clearing the measure for the President. **Pages H3055–56**

Senate Message: Message received from the Senate today appears on page H3060.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H3053, H3053–54, and H3054–55. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:23 p.m.

Committee Meetings

SELECT INTELLIGENCE OVERSIGHT

Committee on Appropriations: Subcommittee on Select Intelligence Oversight met in executive session to hold a hearing on the National Security Agency. Testimony was heard from departmental witnesses.

INTERNATIONAL TRADE IMPACTS ON WORKERS

Committee on Education and Labor: Held a hearing on How Effective are Existing Programs in Helping Workers Impacted by International Trade? Testimony was heard from public witnesses.

IRAQI VOLUNTEERS

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing on Iraqi Refugees: What is America's Obligation? Testimony was heard from Ellen Sauerbrey, Assistant Secretary, Bureau of Population, Refugees, and Migration, Department of State; and public witnesses.

GENERIC BIOTECH DRUGS

Committee on Oversight and Government Reform: Held a hearing on Safe and Affordable Biotech Drugs—The Need for a Generic Pathway. Testimony was heard from Janet Woodcock, M.D., Deputy Commissioner, Operations and Chief Medical Officer, FDA, Department of Health and Human Services; and public witnesses.

RAIL AND PUBLIC TRANSPORTATION SECURITY ACT OF 2007

Committee on Rules: Granted, by a vote of 7 to 4, a structured rule. The rule provides 1 hour and 20 minutes of general debate on H.R. 1401, Rail and Public Transportation Security Act of 2007, with 1 hour equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill except those arising under clauses 9 and 10 of Rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Homeland Security shall be considered as an original bill for the purpose of amendment and shall be considered as read.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. 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 1 motion to recommit with or without instructions. Testimony was heard from Chairman Thompson and Chairman Oberstar, Representatives Jackson-Lee of Texas, Arcuri, Cohen, King of New York, Lungren, Dent, Brown-Waite, Mica, Brown of South Carolina and Sessions.

HAWAIIAN HOMEOWNERSHIP OPPORTUNITY ACT

Committee on Rules: Granted, by a vote of 7 to 4, a closed rule. The rule provides 1 hour of general debate on H.R. 835, Hawaiian Homeownership Opportunity Act of 2007, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule waives all points of order against the bill and against its consideration except those arising under clauses 9 and 10 of Rule XXI. The rule provides that the bill be considered as read. Finally, the rule provides 1 motion to recommit with or without instructions. Testimony was heard from Representatives Abercrombie and Hirono.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D389)*

H.R. 584, 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''. Signed on March 23, 2007. (Public Law 110–15)

COMMITTEE MEETINGS FOR TUESDAY, MARCH 27, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the nominations of James R. Clapper, Jr., of Virginia, to be Under Secretary of Defense for Intelligence, Claude M. Kicklighter, of Georgia, to be Inspector General, Department of Defense, S. Ward Casscells, of Texas, to be an Assistant Secretary of Defense, and William Charles Ostendorff, of Virginia, to be Principal Deputy Administrator, National Nuclear Security Administration, with the possibility of an executive session in SR–222 following the open session, 9:30 a.m., SH–216.

Subcommittee on Emerging Threats and Capabilities, to receive a closed briefing on Special Operations Command's global operation, 3:30 p.m., S–407, Capitol.

Committee on Commerce, Science, and Transportation: to hold hearings to examine competition and consumer choice relating to exclusive sports programming, 10 a.m., SR–253.

Committee on Finance: business meeting to consider subcommittee assignments for the 110th Congress, time to be announced, SD–215.

Full Committee, to hold hearings to examine opportunities and challenges in the U.S.-China economic relationship, 10 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the Employee Free Choice Act, focusing on restoring economic opportunity for working families, 9:30 a.m., SD–430.

Full Committee, to hold hearings to examine ensuring safe medicines and medical devices for children, 1 p.m., SD–430.

Committee on the Judiciary: to hold oversight hearings to examine the Federal Bureau of Investigation, 9:30 a.m., SD–106.

Committee on Veterans' Affairs: to hold an oversight hearing to examine Department of Veterans Affairs and Department of Defense cooperation and collaboration, focusing on health care issues, 9:30 a.m., SR–418.

Select Committee on Intelligence: to hold closed hearings to examine intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Energy, and Research, hearing to review credit availability in rural America, 10 a.m., 1302 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, on State and Local Grants, 10 a.m., and on Bureau of Prisons/U.S. Marshal Service/Office of Federal Detention Trustee, 2 p.m., H–309 Capital.

Subcommittee on Financial Services and General Government, on SEC, 10 a.m., 2220 Rayburn.

Subcommittee on Homeland Security, on Priorities in Enforcing Immigration Laws and Temporary Worker Program, 2 p.m., 2358 Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on National Park Service, 9:30 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on public witnesses, 10 a.m., and 2 p.m., 2359 Rayburn.

Subcommittee on Legislative Branch, Government Printing Office: Budget/Printing Technology in the 21st Century, 1:30 p.m., H–144 Capitol.

Subcommittee on State, Foreign Operations, and Related Programs, on International Organizations and International Peacekeeping Programs, 10 a.m., 2362B Rayburn.

Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies, on Housing Needs of Special Populations, 10 a.m., 2358 Rayburn.

Committee on Armed Services, Subcommittee on Air and Land Forces, hearing on Army ground force acquisition programs, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on the state of the military health care system, 9 a.m., 2212 Rayburn.

Subcommittee on Readiness, hearing on the readiness of the Army and Air National Guard, 3 p.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on the Fiscal Year 2008 National Defense Authorization Budget Request for missile defense programs, 3 p.m., 2212 Rayburn.

Committee on Education and Labor, Subcommittee on Workforce Protections, hearing on Providing Fairness to Workers Who Have Been Misclassified as Independent Contractors, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled ''Climate Change—International Issues, Engaging Developing Countries,'' 10 a.m., 2322 Rayburn.

Subcommittee on Health, hearing entitled ''Insuring Bright Futures: Improving Access to Dental Care and Proving A Healthy Start for Children,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions, hearing entitled ''Subprime and Predatory Lending: New Regulatory Guidance, Current Market Conditions, and Effects on Regulated Financial Institutions,'' 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled ''Perspectives on Natural Disaster Insurance,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, to mark up the following measures: H.R. 982, ADVANCE Democracy Act of 2007; H.R. 1405, Wildlife GAINS Act of 2007; H.R. 1441, Stop Arming Iran Act; H.R. 1469, Senator Paul Simon Study Abroad Foundation Act of 2007; the American Red Cross Governance Modernization Act of 2007; the Torture Victims Relief Reauthorization Act of 2007; H. Res. 100, Expressing the sympathy of the House of Representatives to the families of women and girls murdered in Guatemala and encouraging the Government of Guatemala to bring an end to these crimes; H. Res. 158, Observing the 200th anniversary of the abolition of the British slave trade and encouraging the people of the United States, particularly the youth of the United States, to remember the life and legacy of William Wilberforce, a member of the British House of Commons who devoted his life to the suppression and abolition of the institution of slavery, and to work for the protection of human rights throughout the world; H. Res. 196, Supporting the goals and ideals of World Water Day; and H. Res. 240, 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, 10:30 a.m., 2172 Rayburn.

Subcommittee on Asia, the Pacific, and the Global Environment, hearing on U.S.-China Relations, 2 p.m., 2200 Rayburn.

Subcommittee on International Organizations, Human Rights, and Oversight and the Subcommittee on the Middle East and South Asia, joint hearing on Can Iraq Pay for its Own Reconstruction? 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee Crime, Terrorism, and Homeland Security, hearing on Criminal Justice Responses to Offenders with Mental Illness; followed by a markup of H.R. 1593, To reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planing and implementation, 1 p.m., 2141 Rayburn.

Committee on Natural Resources, oversight hearing on Access Denied: The Growing Conflict Between Fishing, Hunting, and Energy Development on Federal Lands, 10:30 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, to mark up H.R. 1124, To extend the District of Columbia College Access Act of 1999, 2 p.m., 2154 Rayburn.

Committee on Rules, to consider the following: H.R. 1538, Wounded Assistance Act of 2007; and H. Con. Res. 99, revising the congressional budget for the United States Government for the fiscal year 2007, establishing the congressional budget for the United States Government for fiscal year 2008, and setting forth appropriate budgetary levels for fiscal years 2009 through 2012, 4 p.m., H–313 Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on Crimes Against Americans on Cruise Ships, 10 a.m., 2167 Rayburn.

Subcommittee on Highways and Transit, hearing on the Structure of the Federal Fuel Tax and the Long-Term Viability of the Highways Trust Fund, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Health, hearing on Mental Health and Substance Abuse Parity, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on Integration of Domestic Intelligence, 2 p.m., H–405 Capitol.

Next Meeting of the SENATE

10 a.m., Tuesday, March 27

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of H.R. 1591, Emergency Supplemental Appropriations. At 11:50 a.m., Senate will begin consideration of the nomination of George H. Wu, to be United States District Judge for the Central District of California and after a period of debate vote on confirmation thereon.

(Senate will recess following the vote on the nomination (listed above) until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, March 27

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H.R. 1562—Katrina Housing Tax Relief Act of 2007; (2) H.R. 1132—National Breast and Cervical Cancer Early Detection Program Reauthorization Act of 2007; (3) H.R. 477—Stroke Treatment and Ongoing Prevention Act; and (4) H.R. 727—Trauma Care Systems Planning and Development Act of 2007. Consideration of H.R. 1401—Rail and Public Transportation Security Act of 2007 (Subject to a Rule).

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