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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 21, 2007.

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

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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 debate. 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 gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

SAFE ACT RE-INTRODUCTION

Ms. ROYBAL-ALLARD. Mr. Speaker, to help address domestic violence in our country, I rise to announce the reintroduction of the Security and Financial Empowerment Act, or as it is better known, the SAFE Act. Domestic violence is a personal and social tragedy that negatively impacts all of our society.

On average, every day in our country, more than three women are murdered by their husband or boyfriend, and nearly one-third of American women report being physically or sexually abused by a husband or boyfriend at some point in their lives.

The physical and psychological consequences of domestic violence are exacerbated by the less obvious economic consequences. For example, one of the key reasons survivors stay in or return to an abusive environment is because they are financially dependent upon their abuser to provide for them and their children. As a result of the abuse, employed women often lose their jobs due to frequent tardiness or absenteeism or because their abuser stalks and harasses them at work.

To help break this cycle of violence, I have introduced the SAFE Act with representative TED POE.

The SAFE Act would provide employed survivors of domestic violence with greater employment protections and increased economic stability.

Specifically, the SAFE Act would enable the survivors of domestic violence to pursue legal assistance, medical care and meet other immediate needs associated with violence in their lives without the fear of losing their job.

If survivors of abuse are fired or forced to leave their job as a result of the abuse, the SAFE Act makes them eligible for unemployment benefits. The SAFE Act also helps employers address the negative impact of domestic violence in the workplace.

While it is true that domestic violence is a personal tragedy, it is also true that it has costly negative consequences to employers who pay an estimated $3–13 billion a year in sick leave, absenteeism and lost productivity.

The SAFE Act helps businesses save money by helping to reduce absenteeism and lost productivity and by enabling businesses to retain valuable and experienced employees, thereby avoiding the high cost associated with training new staff.

In summary, the SAFE Act empowers survivors of domestic violence. It protects the bottom line of business, and it improves the quality of life of our American society.

Mr. Speaker, I thank the many advocacy groups for their support of the SAFE Act and for the work they do every day to end domestic and sexual violence in our country.

And I sincerely thank Representative POE for his cosponsorship, and I look forward to working with him and my colleagues in Congress to pass the SAFE Act and empower women against the violence in their life.

FOOD STAMP CHALLENGE

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

Mr. MCGOVERN. Mr. Speaker, today is my final day on the Food Stamp Challenge, an initiative where public officials eat for 1 week on a food stamp budget, $21 for the week. That is $3 a day, or $1 per meal. This amount reflects the national average of the food stamp benefit.

Mr. Speaker, the purpose of the Food Stamp Challenge is to raise awareness of the crucial role the food stamp program serves in the lives of 26 million Americans each month, including over 450,000 in my State of Massachusetts.

Three of my esteemed colleagues, Representatives JO ANN EMERSON, JAN SCHAKOWSKY and TIM RYAN, joined me in taking the challenge over the past week. And although we may be less energetic and perhaps crankier than when we started the challenge nearly a week ago, each of us has learned a great deal.

Certainly my wife, Lisa, and I have gained valuable insights from our experience on a very tight budget. We have much more sympathy over how the lack of energy and the hard choices of

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how to stretch the budget and put food on the table might also stretch one's patience and stress a marriage. We can imagine the worry and pain of parents if we had to feed our children on this kind of budget.

These are just a few of our reflections over the past week. Yet truly our most valuable lesson came from the scores of individuals who reached out to us to share their personal experiences struggling to put food on the table for their families. Whether they posted comments on our blog or called my office and spoke with my staff, these individuals taught Lisa and me about how hardworking Americans manage to provide for themselves and their families in spite of inadequate food stamp benefit levels.

They talked about having to make tough trade-offs between paying utility bills, buying clothes for their children, addressing medical needs and purchasing food. They also described the trade-off between eating to be healthy or eating to be full. These kinds of trade-offs are unfair and unacceptable.

Mr. Speaker, America can and should do more for low-income individuals and families working hard to survive each and every day. One way we can do that is through the Feeding America's Families Act, a bill that I introduced earlier this month with my colleague, Congresswoman JO ANN EMERSON.

The Feeding America's Families Act would strengthen the food stamp program to better meet the needs of low-income Americans. It raises the minimum benefit from $10 a month—an amount that has not increased since the 1970s—to about $30 a month. It also indexes current benefit levels to the rate of inflation, ensuring that the purchasing power of food stamps remains constant.

Furthermore, because access to the food stamp program should be the right of every lawfully residing person in this country, the bill restores eligibility to all legal immigrants, a provision that was removed in 1996.

On Sunday, May 13, Mother's Day, the New York Times editorial stated that ''bolstering food stamps must be Congress's top priority in this year's farm bill.'' Well, I could not agree more. My week on the Food Stamp Challenge has not only strengthened my conviction, I encourage all of my colleagues to cosponsor H.R. 2129, Feeding America's Families Act, and other legislative efforts to bolster and improve our Federal hunger and nutrition programs.

The cliche tells us that where there's a will there's a way. But in this case, there is a very clear way. The question is, do we have the political will? I believe we do.

EVA R. BACA

The SPEAKER pro tempore (Mr. MCGOVERN). Pursuant to the order of the House of January 4, 2007, the gentleman from Colorado (Mr. SALAZAR) is recognized during morning-hour debate for 5 minutes.

Mr. SALAZAR. Mr. Speaker, this morning as we stand here in our Nation's Capitol, family and friends in Colorado are gathered together to celebrate the life of a truly great American, a wonderful human being. The child of Mexican immigrants, Eva Baca was born on January 1, 1929 in Pueblo, Colorado. She graduated from Pueblo Central High School and attended Colorado State College. Ms. Baca, as a member of the first graduating class in 1965. As a widowed mother of two, she balanced motherhood and her studies while attending Adams State College, receiving her master's in education in 1968.

Upon graduation, Ms. Baca taught at Lakeview and Hellbeck Elementary Schools. She went on to get her principal's certificate, and in 1972 she took her first administrative position at the new Eastwood Heights Elementary School. There she instituted new reading programs for children from low-income families.

Eva Baca was a strong advocate for the community in which she lived and worked to provide opportunities and increased accessibility to Pueblo's isolated, east side neighborhood. In 1983, Eva Baca was named director of Title I programs for Pueblo School District No. 60, a position she held for a decade until her retirement. Eva Baca has been recognized throughout Colorado and across the country with various honors and awards. Everyone who had the privilege of knowing her has a wonderful story to tell.

Most recently, she received the lifetime achievement award by the Pueblo Latino Chamber of Commerce for her outstanding educational leadership and contributions to the lives of countless children in her community.

On Thursday, Eva Baca passed away in Pueblo. She was a loving mother to Joyce and Robert Anderson, and Gilbert Baca; a cherished grandmother to Karl, Megan, Lindsey and Nick. She was a fearless educator and dear friend.

In 1993, Eastwood Heights Elementary School, the school that she gave so many years of her life, was renamed in her honor. Today, 250 children attend Eva R. Baca Elementary School, a living tribute to a woman who spent her life focused on those around her.

John Lubbock wrote, ''The important thing is not so much that every child should be taught, as that every child should be given the wish to learn.''

For the countless children that Eva Baca has given the wish to learn, we thank her.

RECESS

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

Accordingly (at 10 o'clock and 44 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

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

On this day, May 21, 1944, Judge Learned Hand gave a speech at ''I Am an American Day'' in Central Park, New York. In it he expressed his faith in You, O Lord, and Your designs for this country. He said, ''Liberty lies in the hearts of men and women; when it dies, there is no constitution, no law, no court can even do much to help it. While it lies there it needs no constitution, no law, no court to save it.

''What then is the spirit of liberty?'' he asked rhetorically in 1944.

''I cannot define it,'' he said.

''I can only tell you my own faith. The spirit of liberty is the spirit which is not too sure that it is right . . . ''

But he went on: ''In the spirit of that America for which our young men and women are at this moment fighting and dying; in that spirit of liberty and of America, I ask you to rise with me and pledge our faith in the glorious destiny of our beloved country.''

Lord, to this kind of act of faith we add our own prayer and hope today and say: ''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 gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX 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.

HONORING CAPTAIN LARRY BAUGUESS

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

Ms. FOXX. Mr. Speaker, I rise today to honor the incredible sacrifice, patriotism and valor of the life of Captain Larry Bauguess of Moravian Falls, North Carolina. Captain Bauguess, an officer in the 82nd Airborne, fell in the line of duty last week as he left a meeting on the Pakistan and Afghanistan border and came under enemy fire. He was a man of true courage and principle who served our Nation with distinction with the United States Army since 1993.

He was a man who not only knew the value of liberty but also cherished his family, never taking their love or respect for granted. He will be remembered as a paratrooper of great valor, impeccable honor and tremendous faith, a father who gave his children an unblemished legacy, a husband of unflagging commitment, a son who evoked the greatest pride.

Captain Bauguess is survived by his wife, Wesley, and two daughters, Ryann and Ellie. His absence leaves a hole in the Bauguess family, the 82nd Airborne and in his community.

I am confident that he will long be remembered as a man who knew the meaning of sacrifice and the call of duty to family and country.

Mr. Speaker, my thoughts and my prayers are with Captain Bauguess' wife, daughters and extended family. May they sense God's comforting presence during this trying time. Our Nation is blessed to call him an honored son. We pledge our commitment to the family he left behind, and we mourn his passing.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 18, 2007.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on May 18, 2007, at 3:10 p.m. and said to contain a message from the President whereby he notifies the Congress he has extended the national emergency with respect to the Development Fund for Iraq.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO THE DEVELOPMENT FUND FOR IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–36)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication. This notice states that the national emergency declared in Executive Order 13303 of May 22, 2003, as modified in scope and relied upon for additional steps taken in Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004, and Executive Order 13364 of November 29, 2004, is to continue in effect beyond May 22, 2007.

The threats of attachment or other judicial process against (i) the Development Fund for Iraq, (ii) Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof, and interests therein, or (iii) any accounts, assets, investments, or any other property of any kind owned by, belonging to, or held by, on behalf of, or otherwise for the Central Bank of Iraq obstruct the orderly reconstruction of Iraq. These threats also impede the restoration and maintenance of peace and security and the development of political, administrative, and economic institutions in Iraq. These threats continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency protecting the Development Fund for Iraq, certain other property in which Iraq has an interest, and the Central Bank of Iraq and maintain in force the measures to respond to this threat.

GEORGE W. BUSH.
THE WHITE HOUSE, *May 18, 2007.*

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess until approximately 3 p.m.

□ 1502

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 3 o'clock and 2 minutes p.m.

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.

INDUSTRIAL BANK HOLDING COMPANY ACT OF 2007

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 698) to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 698

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Industrial Bank Holding Company Act of 2007''.

SEC. 2. INDUSTRIAL BANK HOLDING COMPANY REGULATION.

(a) DEFINITIONS.—

(1) INDUSTRIAL BANK.—Section 3(a) of the Federal Deposit Insurance Act (12 U.S.C. 1813(a)) is amended by adding at the end the following new paragraph:

''(4) INDUSTRIAL BANK.—The term 'industrial bank' means any insured State bank that is an industrial bank, industrial loan company, or other institution that is excluded, pursuant to section 2(c)(2)(H) of the Bank Holding Company Act of 1956, from the definition of the term 'bank' for purposes of such Act.''.

(2) INDUSTRIAL BANK HOLDING COMPANY.—Section 3(w) of the Federal Deposit Insurance Act (12 U.S.C. 1813(w)) is amended by adding at the end the following new paragraphs:

''(8) INDUSTRIAL BANK HOLDING COMPANY.—The term 'industrial bank holding company' means any company that—

''(A) controls (as determined by the Corporation pursuant to section 2(a) of the Bank Holding Company Act of 1956), directly or indirectly, any industrial bank; and

''(B) is not—

''(i) 1 or more of the following: a bank holding company, a savings and loan holding company, a company that is subject to the Bank Holding Company Act of 1956 pursuant to section 8(a) of the International Banking Act of 1978, or a holding company regulated by the Securities and Exchange Commission pursuant to section 240.15c3-1(a)(7) of title 17 of the Code of Federal Regulations (as in effect on January 29, 2007); or

''(ii) controlled by a company described in clause (i).

''(9) CAPITAL TERMS RELATING TO INDUSTRIAL BANK HOLDING COMPANIES.—

''(A) ADEQUATELY CAPITALIZED.—With respect to an industrial bank holding company, the term 'adequately capitalized' means a level of capitalization which meets or exceeds all applicable Federal regulatory capital standards.

''(B) WELL CAPITALIZED.—With respect to an industrial bank holding company, the term 'well capitalized' means a level of capitalization which meets or exceeds the required capital levels for well capitalized industrial bank holding companies established by the Corporation.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS TO OTHER DEFINITIONS.—

(A) APPROPRIATE FEDERAL BANKING AGENCY.—Section 3(q)(3) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)(3)) is amended—

(i) by striking ''or a foreign'' and inserting '', any foreign''; and

(ii) by inserting ''and any industrial bank holding company and any subsidiary of an industrial bank holding company (other than a bank)'' after ''insured branch''.

(B) DEPOSITORY INSTITUTION HOLDING COMPANY.—Section 3(w)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(w)(1)) is amended—

(i) by striking ''or a savings'' and inserting ''any savings''; and

(ii) by inserting ''and any industrial bank holding company'' before the period at the end.

(b) INDUSTRIAL BANK HOLDING COMPANY REGISTRATION AND OWNERSHIP.—The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by adding at the end the following new section:

''SEC. 51. INDUSTRIAL BANK HOLDING COMPANY REGULATION.

''(a) ACQUISITION OF INDUSTRIAL BANK SHARES OR ASSETS.—Section 3 of the Bank Holding Company Act of 1956 (other than section 3(c)(3)(B) of that Act) shall apply to any company that is or would become an industrial bank holding company in the same manner as such section applies to a company that is or would become a bank holding company, except that for purposes of applying this subsection—

''(1) any reference to a 'bank holding company' in such section 3 shall be deemed to be a reference to an 'industrial bank holding company';

''(2) any reference to a 'bank' in such section 3 shall be deemed to be a reference to an 'industrial bank';

''(3) any reference to the 'Board' in such section 3 shall be deemed to be a reference to the Corporation;

''(4) any reference to the 'Bank Holding Company Act Amendments of 1970' in such section 3 shall be deemed to be a reference to the 'Industrial Bank Holding Company Act of 2007';

''(5) any reference to a 'home State' in such section 3 shall be deemed to be a reference to—

''(A) with respect to an industrial bank holding company, the State in which the total deposits of all banking subsidiaries of such company were the largest on the later of—

''(i) January 28, 2007; or

''(ii) the date on which the company becomes an industrial bank holding company under this section; and

''(B) with respect to an industrial bank, the home State of the bank as determined under section 44(g);

''(6) any reference to a 'host State' in such section 3 shall be deemed to be a reference to—

''(A) with respect to an industrial bank holding company, a State, other than the home State of the company, in which the company controls, or seeks to control, an industrial bank subsidiary; and

''(B) with respect to an industrial bank, the host State of the bank as determined under section 44(g);

''(7) any reference to an 'out-of-State bank holding company' in such section 3 shall be deemed to be a reference to, with respect to any State, an industrial bank holding company whose home State is another State; and

''(8) any reference to an 'out-of-State bank' in such section 3 shall be deemed to be a reference to, with respect to any State, an industrial bank whose home State is another State.

''(b) APPLICATION PROCESS.—An application filed under subsection (a) to acquire control of an industrial bank shall be treated as an application for a deposit facility for purposes of this Act and any other Federal law.

''(c) REGISTRATION.—

''(1) IN GENERAL.—Each industrial bank holding company shall register with the Corporation on forms prescribed by the Corporation before the end of the 180-day period beginning on the later of—

''(A) the date the company becomes an industrial bank holding company; or

''(B) the date of the enactment of the Industrial Bank Holding Company Act of 2007.

''(2) INFORMATION TO BE INCLUDED.—Each registration submitted under paragraph (1) shall include such information, under oath, with respect to the financial condition, ownership, operations, management, and intercompany relationships of the industrial bank holding company and subsidiaries of such holding company, and other factors (including information described in subsection (d)(1)(C)), as the Corporation may determine to be appropriate to carry out the purposes of this section.

''(3) EXTENSION OF TIME FOR SUBMITTING COMPLETE INFORMATION.—Upon application by an industrial bank holding company and subject to such requirements, factors, and evidence as the Corporation may require, the Corporation may extend the period described in paragraph (1) within which such company shall register and file the requisite information.

''(d) REPORTS AND EXAMINATIONS.—

''(1) REPORTS.—

''(A) REPORTS REQUIRED.—Each industrial bank holding company and each subsidiary of an industrial bank holding company, other than an industrial bank, shall file with the Corporation such reports as may be required by the Corporation.

''(B) FORM AND MANNER.—Reports filed under subparagraph (A) shall be made under oath and shall be in such form and for such periods, as the Corporation may prescribe.

''(C) INFORMATION.—Each report filed under subparagraph (A) shall contain such information as the Corporation may require concerning—

''(i) the operations of the industrial bank holding company and the holding company's subsidiaries;

''(ii) the financial condition of the industrial bank holding company and such subsidiaries, together with information on systems maintained within the holding company or within any such subsidiary for monitoring and controlling financial and operating risks, and transactions with insured depository institution subsidiaries of the holding company;

''(iii) compliance by the industrial bank holding company and the holding company's subsidiaries with all applicable Federal and State law; and

''(iv) such other information as the Corporation may require.

''(D) ACCEPTANCE OF EXISTING REPORTS.—For purposes of this paragraph, the Corporation may accept reports that an industrial bank holding company or any subsidiary of such company has provided or has been required to provide to any other Federal or State supervisor or to any appropriate self-regulatory organization.

''(2) EXAMINATIONS.—

''(A) IN GENERAL.—Each industrial bank holding company and each subsidiary of each such holding company (other than an industrial bank) shall be subject to such examinations by the Corporation as the Corporation may prescribe for purposes of this section.

''(B) FURNISHING REPORTS TO OTHER AGENCIES.—Examination and other reports made or received under this section may be furnished by the Corporation to any other appropriate Federal agency or any appropriate State bank supervisor or other State financial supervisory agency.

''(C) USE OF REPORTS FROM OTHER AGENCIES.—The Corporation may use, for the purposes of this subsection, reports of examination made by any other appropriate Federal agency, any appropriate State bank supervisor, or any other State financial supervisory authority with respect to any industrial bank holding company or subsidiary of any such holding company, to the extent the Corporation may determine such use to be feasible for such purposes.

''(3) CAPITAL.—

''(A) IN GENERAL.— The Corporation may not, by regulation, guideline, order, or otherwise, prescribe or impose any capital or capital adequacy rules, guidelines, standards, or requirements on any functionally regulated affiliate (as defined in section 45) of any depository institution that is controlled by an industrial bank holding company that—

''(i) is not a depository institution; and

''(ii) is—

''(I) in compliance with the applicable capital requirements of the appropriate Federal supervisory agency of the affiliate (including the Securities and Exchange Commission or State insurance authority);

''(II) properly registered as an investment adviser under the Investment Advisers Act of 1940, or with any State; or

''(III) is licensed as an insurance agent with the appropriate State insurance authority.

''(B) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed as preventing the Corporation from imposing capital or capital adequacy rules, guidelines, standards, or requirements with respect to—

''(i) activities of a registered investment adviser other than with respect to investment advisory activities or activities incidental to investment advisory activities; or

''(ii) activities of a licensed insurance agent other than insurance agency activities or activities incidental to insurance agency activities.

''(e) ACCESS TO INFORMATION.—

''(1) INFORMATION PROVIDED BY CORPORATION.—Any confidential supervisory information, including examination or other reports, pertaining to an industrial bank furnished by the Corporation to any other Federal agency or any appropriate State supervisory agency shall remain confidential unless the Corporation, in writing, otherwise consents.

''(2) DEFERENCE TO DEPOSITORY INSTITUTION EXAMINATIONS.—Any appropriate Federal supervisory agency of a holding company of an industrial bank shall, to the fullest extent possible, forego any examination of any depository institution subsidiary of the holding company and use the reports of examinations of the institution made by the appropriate Federal banking agency and the appropriate State bank supervisor in lieu of a direct examination.

''(3) INFORMATION TO BE PROVIDED TO CORPORATION.—

''(A) REQUEST TO AGENCY.—Upon request by the Corporation, an appropriate Federal supervisory agency may provide to the Corporation information regarding the condition of an industrial bank, any holding company that controls such industrial bank, or any other affiliate of any such holding company that is necessary to assess risk to the industrial bank.

''(B) AVAILABILITY FROM HOLDING COMPANY DIRECTLY.—Notwithstanding section 45, section 115 of the Gramm-Leach-Bliley Act, or any other provision of law (including any regulation), if the information requested under subparagraph (A) is not provided to the Corporation, and the information is necessary to assess risk to the industrial bank, the Corporation may require the holding company or affiliate referred to in such subparagraph with respect to such bank to provide such information to the Corporation.

''(4) EXAMINATIONS BY CORPORATION.—

''(A) IN GENERAL.—Subject to subparagraph (B) and notwithstanding section 45, section 115 of the Gramm-Leach-Bliley Act, or any other provision of law (including any regulation), no law shall be construed as preventing the Corporation from examining an affiliate of an industrial bank pursuant to paragraph (2), (3), or (4) of section 10(b), as may be necessary to disclose fully the relationship between the industrial bank and the affiliate, and the effect of such relationship on the industrial bank, if the Corporation finds such examination necessary to determine the condition of an industrial bank.

''(B) FUNCTIONALLY REGULATED AFFILIATES.— Before the Corporation may examine any affiliate of an industrial bank that is—

''(i) a broker, a dealer, an investment company, or an investment advisor, or

''(ii) an entity that is subject to consolidated supervision by the Securities and Exchange Commission, other than a depository institution,

the Corporation shall request the Commission to provide the information that the Corporation is seeking to obtain through examination and may proceed with the examination only if the requested information is not provided by the Commission in a timely manner.

''(f) LIMITATION ON CONTROL.—

''(1) IN GENERAL.—Except as provided in paragraph (3) or (4), no industrial bank may be controlled, directly or indirectly, by a commercial firm.

''(2) COMMERCIAL FIRM DEFINED.—For purposes of this section, the term 'commercial firm' means any entity at least 15 percent of the annual gross revenues of which on a consolidated basis, including all affiliates of the entity, were derived from engaging, on an on-going basis, in activities that are not financial in nature or incidental to a financial activity during at least 3 of the prior 4 calendar quarters, as determined by the Corporation in accordance with regulations which the Corporation shall prescribe.

''(3) PRE-2003 EXCLUSIONS.—

''(A) GRANDFATHERED INSTITUTIONS.—Paragraph (1) shall not apply with respect to any industrial bank—

''(i) which became an insured depository institution before October 1, 2003, or pursuant to an application for deposit insurance which was approved by the Corporation before such date; and

''(ii) with respect to which there is no change in control, directly or indirectly, of the bank after September 30, 2003, that requires a registration under this section or an application under section 7(j) or 18(c), section 3 of the Bank Holding Company Act of 1956, or section 10 of the Home Owners' Loan Act, except a direct or indirect change of control in which—

''(I) immediately prior to such change in control neither the ultimate acquiring holding company nor the ultimate acquired holding company is a commercial firm;

''(II) immediately after such change of control the resulting ultimate holding company is not a commercial firm; and

''(III) the resulting ultimate holding company is subject to consolidated supervision by the Office of Thrift Supervision or a holding company regulated by the Securities and Exchange Commission pursuant to section 240.15c3-1(a)(7) of title 17 of the Code of Federal Regulations (as in effect on January 29, 2007).

''(B) CORPORATE REORGANIZATIONS PERMITTED.—The acquisition of direct or indirect control of the industrial bank referred to in subparagraph (A)(ii) shall not be treated as a 'change in control' for purposes of such subparagraph if—

''(i) the company acquiring control is itself directly or indirectly controlled by a company that was an affiliate of such bank on the date referred to in such subparagraph, and remains an affiliate at all times after such date; and

''(ii) the transaction through which the company acquired control of the industrial bank constituted solely a corporate reorganization of a company that controlled the industrial bank on the date referred to in such subparagraph.

''(4) PRE-2007 EXCLUSIONS.—

''(A) GRANDFATHERED COMMERCIAL FIRMS.—Paragraph (1) shall not apply to any commercial firm—

''(i) which became a holding company of an industrial bank by virtue of acquiring control of an industrial bank on or after October 1, 2003, and before January 29, 2007;

''(ii) which does not acquire control of any other depository institution after January 28, 2007;

''(iii) with respect to which there is no change in control, directly or indirectly, of any depository institution subsidiary after January 28, 2007, that requires a registration under this section or an application under section 7(j) or 18(c), section 3 of the Bank Holding Company Act of 1956, or section 10 of the Home Owners' Loan Act; and

''(iv) each industrial bank subsidiary of which remains in compliance with the limitations contained in subparagraph (B).

''(B) ACTIVITY AND BRANCHING LIMITATIONS.—An industrial bank subsidiary of a commercial firm described in clauses (i), (ii) and (iii) of subparagraph (A) is in compliance with the requirements of this subparagraph for purposes of subparagraph (A)(iv) so long as the industrial bank—

''(i) engages only in activities in which the industrial bank was engaged on January 28, 2007; and

''(ii) does not acquire, establish, or operate any branch, deposit production office, loan production office, automated teller machine, or remote service unit in any State other than the home State of the bank or any host State in which such bank operated branches on January 28, 2007.

''(C) CORPORATE REORGANIZATIONS PERMITTED.—The acquisition of direct or indirect control of a depository institution subsidiary referred to in subparagraph (A)(iii) shall not be treated as a 'change in control' for purposes of such subparagraph if—

''(i) the company acquiring control is itself directly or indirectly controlled by a company that was an affiliate of such subsidiary on the date referred to in such subparagraph, and remains an affiliate at all times after such date; and

''(ii) the transaction through which the company acquired control of the depository institution constituted solely a corporate reorganization of a company that controlled the depository institution on the date referred to in such subparagraph.

''(g) PROCEDURES AND TIMING FOR TERMINATION OF ACTIVITIES OR DIVESTITURE.—

''(1) TRANSITION PROVISION.—

''(A) IN GENERAL.—Any company that fails to comply with the provisions of subsection (f) shall divest its ownership or control of each industrial bank subsidiary of the company not later than the end of the 2-year period beginning on the first date that the company ceased to comply with subsection (f).

''(B) EXTENSION OF TIME PERIOD.—

''(i) IN GENERAL.—Upon application by a holding company that controls an industrial bank, the appropriate Federal supervisory agency of such holding company may extend the 2-year period referred to in subparagraph (A) with respect to such company for not more than 1 year if, in such agency's judgment, such an extension would not be detrimental to the public interest.

''(ii) FACTORS.—In making any decision to grant an extension under clause (i) to a holding company of an industrial bank, the appropriate Federal supervisory agent of such holding company shall consider whether—

''(I) the company has made a good faith effort to divest such interests; and

''(II) such extension is necessary to avert substantial loss to the company.

''(2) CONDITIONS BEFORE DIVESTITURE.—During the 2-year period referred to in paragraph (1)(A) with respect to any company and any extension of such period, the appropriate Federal supervisory agency may impose any conditions or restrictions on the company or any subsidiary of the company (other than a bank), including restricting or prohibiting transactions between the company or subsidiary and any depository institution subsidiary of the company, as are appropriate under the circumstances.

''(3) TERMINATION OF ACTIVITIES OR DIVESTITURE OF NONBANK SUBSIDIARIES CONSTITUTING SERIOUS RISK.—

''(A) IN GENERAL.—Notwithstanding any other provision of this section, the appropriate Federal supervisory agency may, whenever such agency has reasonable cause to believe that the continuation by a holding company of an industrial bank of any activity or of ownership or control of any nonbank subsidiary of such holding company, other than a nonbank subsidiary of a depository institution, constitutes a serious risk to the financial safety, soundness, or stability of a depository institution subsidiary of the holding company and is inconsistent with sound banking principles or with the purposes of this section, at the election of the holding company—

''(i) order such holding company or any such nonbank subsidiary, after due notice and opportunity for hearing, and after considering the views of the appropriate Federal banking agency and, if applicable, appropriate State bank supervisor, to terminate such activities or to terminate (within 120 days or such longer period as the appropriate Federal supervisory agency may direct in unusual circumstances) the ownership or control by such holding company or nonbank subsidiary of any such depository institution subsidiary either by sale or by distribution of the shares of the depository institution subsidiary, in accordance with subparagraph (B), to the shareholders of the holding company of the industrial bank; or

''(ii) order the holding company of the industrial bank, after due notice and opportunity for hearing, and after consultation with the appropriate State bank supervisor for the industrial bank, to terminate (within 120 days or such longer period as the appropriate Federal supervisory agency may direct) the ownership or control of any such industrial bank by such company.

''(B) PRO RATA DISTRIBUTION.—Any distribution to shareholders referred to in clause (i) shall be pro rata with respect to all of the shareholders of the distributing company, and such company shall not make any charge to any shareholder in connection with such distribution.

''(4) FOREIGN BANK OWNERSHIP.—

''(A) INDUSTRIAL BANKS.—After January 28, 2007, no foreign bank may acquire, directly or indirectly, control of an industrial bank unless the Board of Governors of the Federal Reserve System has determined by order, or in the case of a foreign bank that is a savings and loan holding company the Board of Governors of the Federal Reserve System and the Director of Office of Thrift Supervision have jointly determined by order, in connection with the change in control or acquisition of the industrial bank and after consultation with the Corporation, that the

foreign bank is subject to comprehensive supervision or regulation on a consolidated basis by the appropriate authorities in the bank's home country in accordance with the standard in section 3(c)(3)(B) of the Bank Holding Company Act of 1956.

''(B) CONFORMING AMENDMENT.—Notwithstanding any other provision of law, after the date of enactment of the Industrial Bank Holding Company Act of 2007, the Director of the Office of Thrift Supervision shall not approve any acquisition of a savings association under section 10(e)(2) of the Home Owners' Loan Act by a foreign bank that is subject to the Bank Holding Company Act of 1956 pursuant to section 8(a) of the International Banking Act of 1978 and that is not a bank holding company unless the Director of the Office of Thrift Supervision and the Board of Governors of the Federal Reserve System have jointly determined, by order, in connection with the acquisition of the savings association that the foreign bank is subject to comprehensive supervision or regulation on a consolidated basis by the appropriate authorities in the bank's home country in accordance with the standard in section 3(c)(3)(B) of the Bank Holding Company Act of 1956.

''(5) HOLDING COMPANY RESPONSIBILITY.—

''(A) SOURCE OF STRENGTH.—Notwithstanding section 45, a holding company of an industrial bank—

''(i) shall serve as a source of financial and managerial strength to the subsidiary banks of such holding company; and

''(ii) shall not conduct the operations of the holding company in an unsafe or unsound manner.

''(B) IMPLEMENTATION.—The appropriate Federal supervisory agency of the holding company of an industrial bank shall implement the requirements under subparagraph (A).

''(h) ADMINISTRATIVE PROVISIONS.—

''(1) AGENT FOR SERVICE OF PROCESS.—The Corporation may require any industrial bank holding company, or persons connected with such holding company if it is not a corporation, to execute and file a prescribed form of irrevocable appointment of agent for service of process.

''(2) RELEASE FROM REGISTRATION.—The Corporation may at any time, upon the Corporation's own motion or upon application, release a registered industrial bank holding company from any registration previously made by such company, if the Corporation determines that such company no longer controls any industrial bank.

''(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) APPROPRIATE FEDERAL SUPERVISORY AGENCY.—The term 'appropriate Federal supervisory agency' means, with respect to a company that controls an industrial bank—

''(A) the Corporation, in the case of a company that is an industrial bank holding company;

''(B) the Board of Governors of the Federal Reserve System, in the case of a company that is a bank holding company or that is subject to the Bank Holding Company Act of 1956 pursuant to section 8(a) of the International Banking Act of 1978;

''(C) the Office of Thrift Supervision, in the case of a company that is a savings and loan holding company; and

''(D) the Securities and Exchange Commission, in the case of a company that is regulated by the Commission pursuant to section 240.15c3-1(a)(7) of title 17 of the Code of Federal Regulations (as in effect on January 29, 2007).

''(2) RULE OF CONSTRUCTION.—Under the definition of the term 'appropriate Federal supervisory agency' in paragraph (1), more than 1 agency may be an appropriate Federal supervisory agency with respect to any given company that controls an industrial bank.''.

(c) ENFORCEMENT.—

(1) Section 8(b) of the Federal Deposit Insurance Act (12 U.S.C. 1818(b)) is amended by adding at the end the following new paragraph:

''(11) INDUSTRIAL BANK HOLDING COMPANIES.—This subsection and subsections (c) through (s) and subsection (u) of this section shall apply to any industrial bank holding company, and to any subsidiary (other than a bank) of an industrial bank holding company in the same manner as such subsections apply to State nonmember insured banks.''.

(2) Section 8(h)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1818(h)(2)) is amended by striking ''(2) Any party to'' and inserting ''(2) Any party aggrieved by an order of any appropriate Federal supervisory agency under section 51 or any party to''.

(3) Section 8(i) of the Federal Deposit Insurance Act (12 U.S.C. 1818(i)) is amended by striking ''or 39'' each place such term appears and inserting '', 39, or 51''.

(d) PROMPT CORRECTIVE ACTION.—Section 38(f)(2)(H) of the Federal Deposit Insurance Act (12 U.S.C. 1831o(f)(2)(H)) is amended by—

(1) by striking ''BANK HOLDING COMPANY.—Prohibiting any bank'' and inserting ''HOLDING COMPANY.—

''(i) BANK HOLDING COMPANY.—Prohibiting any bank''; and

(2) by adding at the end the following new clause:

''(ii) INDUSTRIAL BANK HOLDING COMPANY.—Prohibiting any industrial bank holding company having control of the insured depository institution from making any capital distribution without the prior approval of the Corporation.''.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 10(e)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1820(e)(2)) is amended by inserting ''or section 51'' after ''subsection (b)(4)''.

(2) Section 1101(6) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401(6)) is amended—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by inserting ''and'' after the semicolon; and

(C) by inserting after paragraph (C) the following new paragraph:

''(D) any industrial bank holding company (as defined in section 3(w)(8) of the Federal Deposit Insurance Act);''.

(3) Section 115 of the Gramm-Leach-Bliley Act (12 U.S.C. 1820a) is amended—

(A) in subsection (a), by striking ''or'' after ''bank holding company'' and inserting '', industrial bank holding company, or'';

(B) in subsection (d)—

(i) by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively; and

(ii) by inserting after paragraph (4) the following new paragraph:

''(5) INDUSTRIAL BANK HOLDING COMPANY.—The term 'industrial bank holding company' has the same meaning as in section 3(w)(8) of the Federal Deposit Insurance Act.''.

(4) Section 304(g)(1) of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2803(g)(1)) is amended by inserting '', industrial bank holding company,'' after ''bank holding company''.

SEC. 3. REGULATIONS.

The Corporation shall prescribe such regulations as the Corporation determines to be appropriate to carry out the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. FRANK) and the gentleman from Ohio (Mr. GILLMOR) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, at the outset, I ask that all Members have 5 legislative days to revise and extend their remarks on this legislation and to include in the RECORD extraneous material thereon.

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

There was no objection.

Mr. FRANK of Massachusetts. Mr. Speaker, the House today revisits the subject of the industrial loan corporation.

Industrial loan corporations were created early in the last century as a kind of a niche at a time when it was felt that banks did not adequately serve working people, people of lower incomes.

When Congress dealt with the situation of banking reform in the 1980s, Congress decided to limit this form to six States, which now have the right to issue industrial loan charters, and recognize that the general business of banking was now being carried out in a way that did not require these niche banks, which Congress did not want to at that time wipe out banks that had been appropriately established under existing law.

But it's clear that they were regarded as a somewhat nonconforming use. There are people today who talk about what a good thing the industrial loan corporations are. None of them, however, seem to me to have shown the courage of their convictions, because those who believe that the industrial loan corporation should continue to flourish and grow, as will happen if we don't pass the bill, ought to be abolishing that restriction that says only six States can issue those charters.

I cannot think of any other financial instrument of which we have general approval where only six States are allowed to charter them. People who genuinely believe in the ILCs are the ones who ought to be pushing legislation. They do not. They implicitly accept the fact that they are an exception to a general principle.

The particular general principle to which they are an exception is the one which we have affirmed recently when we did the Gramm-Leach-Bliley bill, namely that banking and commerce should be separate.

Now, let me be very clear. If an entity that is in the manufacturing business or the retail business or any other business wants to get into financing its purchases, or even wants to lend money to people, they wouldn't be affected by this as long as they were willing to forgo deposit insurance.

We are here because if you become an official bank, as ILCs can be to this extent, you get various benefits from the Federal Government, including deposit insurance. So this is not the Federal

Government intruding on purely private business decisions, it is the Federal Government saying, look, we have set up the system of deposit insurance. We have set up other things that apply to banks. We want to restrict those services to entities which are only in the banking business. We do not want people who have as their primary business a manufacturer or wholesale or retail sales also dealing with banking. We think that is an unwise mixture. We think that the decisions that are made that we want to insure through the depository insurance system ought to be made purely on the banking aspects of this and not because the bank will make money on the side from where the purchase goes.

Now, people have asked, why this legislation now? The answer is that for a variety of reasons, I am not fully aware of why, this situation changed drastically in the last few years.

ILCs, as they exist today, are not a problem. No one is talking about abolishing them. In the State of Utah, where they are most important, and where there continues to be strong support for them, there is opposition to them even in some of the other States that have the right to charter them, the estimate we received from the Utah bank supervisor was that 93 percent of the assets of ILCs meet the test that we would apply here in this bill to everybody.

That test, by the way, is the one that we took out of Gramm-Leach-Bliley; namely, that to be in the banking business, you have to be at least 85 percent a financial institution, though we do recognize there will be some incidentals. Ninety-three percent of the Utah ILCs meet this.

The problem is over the last few years, a number of large manufacturing and commercial entities have decided that they would like to get into the ILC business. So people have said to us, why are you upsetting the status quo? We are not. Here, to be honest, we are preserving, we think, the status quo, which is the principle of the separation of banking, commerce, a banking system which exists under that rubric and a small niche for some banks which, for historical reasons, were allowed not necessarily to follow this.

What's changing the status quo is the application from a number of large entities, Wal-Mart, Home Depot, many others, to get into the ILC business. We believe that does not really reflect what Congress intended in the 1980s. It's not illegal under current law, but we think that Congress did not anticipate then that large commercial and manufacturing entities would seek substantially to broaden the ILC approach.

There were people who disagreed with us that we should preserve the distinction between banking and commerce. I asked them, where is that bill?

Again, those who would support by not changing the law a broad expansion of the ILCs are the ones who are seeking drastic change in our banking laws. They are, in effect, saying, you know, this distinction between banking and commerce you make is arbitrary, it has been outdated, let's get rid of it.

Well, the way to get rid of that is for people to bring forward a bill. I can promise them as chairman of the Financial Services Committee, we will have a hearing, we will consider it. But let them bring forward a bill, and let's do that as a conscious decision of the Congress of the United States.

I will oppose it, I think most Members will, which is probably why they don't want to bring it forward. But let's not do it in a kind of a back-door way by the expansion of what had been intended to be a residual niche kind of banking. This bill today would say that going forward, it doesn't wipe out existing entities, but going forward, ILC charters will only be granted to those that are at least 85 percent financial.

I want to give my thanks to the Chair of the Federal Deposit Insurance Commission, Chairman Bair. They have been put in a tough situation, because the law theoretically allows them to create an infinite number of new ILCs with no respect whatsoever for the banking and commerce distinction. Once this House passed a bill on the subject, although it did not pass the Senate, a phrase one often hears, the FDIC at our request has imposed a moratorium on new ILC charters.

But the FDIC is a law-abiding organization. Chairwoman Bair has an appropriate understanding of the role of the regulatory body in a democratic system. She will not forever maintain a moratorium, nor should she. What she did was, quite appropriately, give Congress the chance to legislate. We are beginning that process today.

I hope that we will pass the bill, that it will go to the Senate and they will pass something, and we will be able to work out legislation which will essentially preserve the distinction between banking and commerce. The necessity for us to act now is that if we do not act, the status quo will be greatly transformed, and the distinction we have long maintained in our law between banking and commerce, instead of admitting a fairly small exception where six States can do it, and where even in the State where it is most prominent only 7 percent of the assets under this form are the exception, we will then see a general erosion. Erosion may understate it; a general abolition of the line between banking and commerce. We do not think that is appropriate, and passing this bill is the way to stop it.

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

Mr. GILLMOR. I want to thank Chairman FRANK for all his leadership on this issue, not just in this session, but in previous sessions, and also thank Ranking Member SPENCER BACHUS for his consistent support of the principles embodied in this legislation.

Chairman FRANK and I have cosponsored meaningful reform of the ILC charter option for a number of years now. We have gotten a bill, passed the House twice, it died in the Senate. I think this year, though, the third time may be the charm. I think we have substantially more support for this legislation in the Senate than in the past.

While it's available in only a handful of States, the ILC charter is the last loophole remaining for commercial firms wishing to engage in full-service banking.

While a majority of current commercial owners of industrial banks refrain from using all the banking powers available to them, the broad ILC charter does allow for a complete mixing of banking and commerce, which I and other objective observers, such as Alan Greenspan, Chairman Ben Bernanke and others, consider to be financially unwise.

The trend in Congress over the past several decades has been one of removing loopholes and exceptions in the bank law. We did it most recently in 1987 and in 1999, and the trend is clear: If you want to engage in full-service banking, you must become a bank or a thrift holding company.

Chartering an ILC in Utah is really your only option to make an end run around our bank laws, and the secret is out. ILC assets have grown more than 3,500 percent over the past decade. Applications for new ILCs look nothing like they did 80 years ago when this charter was created. States such as California, Maryland and others have taken notice of this alarming trend in ILC applications and have installed roadblocks to an extension of the charter.

State action alone is insufficient, however. It's time that Congress address this policy concern, using the time which was wisely given to us by the FDIC-imposed moratorium. I also want to commend Chairman Bair and the FDIC for listening to the concerns of Congress and imposing that moratorium.

Should Congress fail to send H.R. 698 to the President, we will be increasingly in danger of creating a parallel banking system to that which we have now and which has served the country very well. Both financial and commercial firms will look to this industrial bank option as a way to escape the rules that apply to everybody else. The banking system is well served by the different charter options available to them, but the universe in which an industrial bank can operate is more expansive than any other.

This is poor public policy. Simply saying that since no ILC has yet taken full advantage, that Congress shouldn't act, is wrong.

We are currently in a time of banking stability. Up until recently the FDIC had gone a record 952 days without a bank failure. But I don't like to think about the type of hit that the deposit insurance fund would have taken,

and the hit that taxpayers would have taken, if Enron had had an industrial bank prior to their collapse.

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This bill is a combination of significant bipartisan effort undertaken by myself and Chairman FRANK to strike a balance between protecting those ILCs already in existence and preventing any further widening of this loophole by commercial firms.

The list of supporters for this reform measure is long and growing. We have 145 cosponsors of this measure to date, and the other body has already begun its deliberations of an identical bill.

So I want to sincerely thank Chairman FRANK, Ranking Member BACHUS, and their staff for the hard work on this bill, and urge my colleagues to support this bipartisan legislation.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I now yield as much time as he may consume to the gentleman from Utah (Mr. MATHESON), a former member of our committee with whom many of us disagree but who, representing the State of Utah, has been a very staunch and articulate defender of a form of banking which is very important in his State.

Mr. MATHESON. I thank Chairman FRANK for his good work. I have great respect for Chairman FRANK, and I have great respect for my colleague Mr. GILLMOR. On this particular issue, I respectfully have a different point of view, but I do understand the time and effort that has gone into looking at this issue.

I think it is important to note that when we look at legislation, we often are trying to solve problems and achieve progress. That is what Congress does, and my concern here is this is legislation that is a solution in search of the problem.

We already have a number of banks that have been chartered with commercial parents, and we have a track record of regulation of this type of institution that is a stellar track record. Quite frankly, I think the Federal Deposit Insurance Corporation, the FDIC, and the State of Utah, which regulates these particular banks, has a great track record. So I fear that we have moved down a path where we said, ''Oh, gee, these things could happen; therefore, let's stop this industry from moving in the direction that it has been moving.''

I think it is important for us to show concern and make sure we don't go down a path that could have negative implications, but in this case where we have already had a number of banks chartered and a track record that is so solid and none of these potential problems have manifested themselves, I question whether Congress should be moving in this direction.

As this debate has moved along, we have also said, well, what about the auto companies? Maybe we should carve out an exemption for them. What about the ones that already exist? Like Target already has one. We need to cut out an exemption for them.

As you start to slice and dice this industry and allow certain exemptions here and there, that calls into question the basic premise of if there really is a problem to have commercial ownership of this industry.

I will close with just one other point of fact. I noted in the hearing before the Financial Services Committee a couple weeks ago a comment by one of the witnesses was made that I have heard periodically throughout this debate. They said: My gosh, what if Enron and WorldCom had one of these? Where would we be then?

And my answer is: Based on the track record of this industry, I would like to think that, while those parent companies had their financial difficulties, the subsidiary bank would have been fine. We have examples right now where the parent company, like Conseco, went into bankruptcy, and their industrial loan company based in Utah was shielded from all those financial problems and, quite frankly, sold at a premium.

So that shows that the style of regulation, which is different, it is a different style of regulation called ''bottom up'' or ''bank centric'' regulation, it shows that type of regulation has worked, it has protected against transgressions, and I think that track record is something we need to keep in mind.

So as this issue percolates along, it is clear this bill is going to pass the House today. I suspect the Senate may have a different type of bill as well. And as this issue perks along, I just encourage everyone to keep an open mind about looking at the actual track record, understanding the magnitude of the potential problems, but also keeping in mind that more choices for consumers, greater efficiency for our economy, those are good things, too, and they ought to be balanced in this overall debate.

Again, I really thank the chairman for giving me some time when I am speaking out. Quite frankly, I am going to vote against the bill, but I appreciate him giving me time to speak today.

Again, I respect all my colleagues that worked on this, and I look forward to continuing to work with them on the adjusted loan bank issue in the future.

Mr. GILLMOR. Mr. Speaker, let me commend the gentleman from Utah for an articulate presentation. He is protecting the hometown industry, and there is nothing wrong with that.

I think this bill, though, involves something much broader than that; and it involves a very important financial principle that has been recognized for decades, which is a separation of banking and commerce.

Really, the fact that some of these ILCs have not utilized all the powers they could have isn't really an argument against this bill. Because the business plan of some of the new industrial companies trying to take over ILCs, Home Depot is a great example, is totally different than what the history in the past has been. So that history I don't think is really relevant to what this bill is aimed at.

But that having been said, I am very pleased to yield as much time as he may consume to the ranking member, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, I rise in support of this legislation. I really believe that we do need enhanced regulatory supervisions over the ILCs, and this legislation does that. The Federal Reserve and other Federal regulators have urged us to enhance the regulation, and that is what this does.

It also does two things; and every year that we wait to pass this, it becomes a bigger problem. But we grandfather the existing ILCs. If we had done this bill 2 or 3 years ago, we would have had much fewer of these and we wouldn't have the problems that we have today, talking about, well, this commercial firm has one, this commercial doesn't.

But it was through no fault of the chairman of the full committee. Mr. FRANK, when he was ranking member, pushed this very hard as a solution to this problem, as did the subcommittee chairman, Mr. GILLMOR, and I want to commend both of them for their hard work over the past several years.

I also want to particularly commend the chairman of the committee, Mr. FRANK. He has really made this a collaborative effort. It has been a bipartisan effort; and I hope the bill, because of that, is a better bill.

I think we are going to have a good vote here. I do think, because it is a bipartisan effort and it is a compromise, that we will have, hopefully, better success in not only passing this bill out of the House but seeing it ultimately enacted into law.

These ILCs, and they are ILCs, industrial loan companies, now they are industrial bank holding. This is the Industrial Bank Holding Company Act, because they really have evolved into bank holding companies; and what these started out primarily as is just a small loan company where industrial employees were able to borrow money. It is very similar to a credit union. The only difference is they didn't join as members. They just borrowed money, because they really didn't have access to a commercial bank at that time, and that was the whole reason for these.

As the chairman said and as the subcommittee Chair said, all of these exist in six States. The vast majority of the assets of ILCs are chartered in Utah; California and Nevada being the other States that have significant numbers of them.

As the subcommittee Chair has said, these things have grown 3,500 percent just since we started focusing on this.

It is really growing out of control. And what it does, we made a policy decision several years ago in this Congress that we would not allow commercial firms to operate banks, and this will really enforce that policy decision that we made.

As they have grown in size and nature and complexity, several not only regulatory but policy issues have been presented, not only to the Congress, but to the regulators. One of the concerns, as the subcommittee Chair and the chairman have both referred to, is a concern over mixing banking and commerce, which is really not what the American financial system is all about. Japan and other systems have allowed a mixing of commerce and banking, and we are evolving, but they have run into problems. We would like to avoid those problems.

An exemption in the current law permits any type of company, including a commercial firm, to acquire an ILC in six States. We want to close that loophole. We want to stop that.

Let me conclude by saying I do have one concern, and I am going to have a colloquy with the chairman in a moment. But I am concerned that this bill, and it is not intended and I know the chairman has said previously we hope to address this in the Senate or in conference, but I am concerned that it may discriminate against our domestic automobile manufacturing dealers.

The reason I say that is most automobile companies today, including the large foreign automobile manufacturers, have set up ILCs. General Motors has set up an ILC. But Chrysler and Ford do not have ILCs. And, as drafted today, the bill would allow the foreign automobile manufacturers as well as GM, and I am going to clarify that in the colloquy, to continue their ILCs. However, Ford and Chrysler, or DaimlerChrysler, which may end up to be Chrysler, does not have an ILC.

I am concerned not only that that is a disadvantage to the automobile companies but to the Nation's dealers that sell Ford and Chrysler products. People are going into this every day, they are thinking ILCs give them a competitive advantage, and I don't want to see Chrysler and Ford shut out of having an opportunity to have this advantage.

As the process moves forward, I would like to work with both the chairman and the ranking member to ensure the legislation does not create an unlevel playing field that harms our domestic automobile industry.

At this time, I would like to pose a question to the chairman.

Under the committee reported bill, Chairman FRANK, a number of firms that already controlled industrial banks before January 29, 2007, are grandfathered from the new prohibition on control of industrial banks by commercial firms. The grandfathered firms that control a particular industrial bank are subject to a disposition agreement with the FDIC that is affected by the outcome of this legislation. Under the agreement, the FDIC has the power to waive the disposition requirement, depending on the state of the law, in 2008.

My question is whether it is the committee's intention that the decision to grandfather these firms supercedes this particular prior agreement and makes a waiver unnecessary, provided the grandfathered firms abide by all of the limitations imposed on grandfathered firms and operate under the supervision of the appropriate Federal supervisory agency.

Mr. FRANK of Massachusetts. If the gentleman would yield to me, let me say, and I want to pay tribute to members of the staffs on both sides, Mr. Paese and Mr. Yi on my side here, who did a lot of negotiating. There are a lot of regulators involved here, the FDIC as the primary regulator, but the Federal Reserve and the Securities and Exchange Commission, the Comptroller, and we did the best we could to try and not have this be a means of changing existing relationships.

So I can assure the gentleman from Alabama that he has precisely stated our intent. When we grandfathered these firms in this bill, it was our purpose and is our purpose to let them continue to operate the existing industrial banks under the limitations of the bill and under the supervision of each grandfathered firm's appropriate supervisory agency.

So I hope that would respond to the question. It is our intention essentially to ratify the existing arrangements by law, which would, of course, preclude the need for a waiver if the law is clear about what it does.

Mr. BACHUS. Chairman, your response does indeed clarify the situation, and I thank you for doing that. And I again thank you and the gentleman from Ohio (Mr. GILLMOR) for their work on this important bill.

I would also like to join with you. You have both praised Chairman Bair, and I think she has done an exceptional job of trying to sort through this difficult situation. And I would also like to commend the OTS and the Federal Reserve for working a compromise on some of the supervisory questions that were presented by this bill. Late last week, they came to an agreement between themselves.

Mr. FRANK of Massachusetts. If the gentleman would yield. With some encouragement.

Mr. BACHUS. Yes, and I appreciate that encouragement; and I know they do, too.

At this time, I again commend the chairman. I think this is a very good bill that deserves the support of all the membership.

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

Mr. FRANK of Massachusetts. I just want to respond to my good friend from Utah. He made an interesting point which is, well, if these are terrible, why don't you abolish them? That, of course, becomes a Catch-22. I guarantee you that if we had proposed in fact to abolish or severely restrict existing ones, he would have been justifiably a lot less happy than he is today.

□ 1530

Congress made a decision. We don't always make the best decisions when we look back; we often make good decisions, but not perfect ones. We believe it would be unfair to undo what was originally done by law.

I would note again that even in the State of Utah, which has become the primary focal point for the industrial loan corporations, 93 percent of the entities functioning as industrial loan corporations in Utah would be unaffected by this bill. They would be able to expand because they meet the 85 percent financial test.

As to the others, we believe that it is those who have finally figured out the potential of the industrial loan corporation going forward who are trying to change things. People have said to us, well, there's been no problem. Why are you doing this? Well, for once, maybe not once, let's not be too self-denigratory, we're doing this to get ahead of the problem. Yes, that's precisely the case. The ILCs have not caused problems. It is the, I believe, overwhelming view of people here and people who have watched the banking business and who believe in the separation of banking and commerce that if we don't act, we will see some problems. So that is what we are doing here. And I hope that this bill passes with a large margin, and we can pretty soon engage with our colleagues in the Senate about putting a final product on the desk of the President.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 698, 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. FRANK of Massachusetts. 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.

LEONARD W. HERMAN POST OFFICE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1722) to designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the ''Leonard W. Herman Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1722

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

SECTION 1. LEONARD W. HERMAN POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, shall be known and designated as the ''Leonard W. Herman Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Leonard W. Herman Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

As a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleague in the consideration of H.R. 1722, which names the postal facility in Boca Raton, Florida, after Leonard W. Herman.

H.R. 1722, which was introduced by Representative ROBERT WEXLER on March 27, 2007, was reported from the Oversight Committee on May 1, 2007, by a voice vote. This measure, which has been cosponsored by 24 Members, has the support of the entire Florida congressional delegation.

Mr. Leonard Herman was a bombardier in the United States Army, and he flew numerous missions over Germany during World War II. He displayed heroic actions and earned high honors and several distinguished medals for his bravery.

Perhaps one of Mr. Herman's greatest achievements was his contribution in seeking to save the lives of thousands of ''survivors'' of German concentration camps who were dying because of the lack of adequate food, clothing and medical supplies. According to accounts by Professor Robert L. Hilliard, ''Leonard Herman took it upon himself to advise and seek help from many of our government leaders regarding the plight of the survivors. His efforts were instrumental in President Truman's learning about displaced persons' situations in the U.S.-occupied Germany. The President changed U.S. policy and issued orders to provide the assistance and materials needed by the Holocaust survivors. Lieutenant Herman played an important role in saving thousands of these lives.''

And so, Mr. Speaker, I commend my colleague, Representative ROBERT WEXLER from Florida, for introducing this legislation, and I urge swift passage.

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

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

It is an honor for me to speak today about a true American hero who epitomized bravery and loyalty to his country. Leonard Herman was a decorated World War II veteran who helped save the lives of his fellow servicemen, as well as thousands of civilian victims of the war. He was also instrumental in bringing appropriate attention to President Truman regarding the needs of Holocaust survivors and other displaced persons.

Leonard Herman served as a bombardier with the U.S. Army and flew in countless combat missions over Germany. Honoring his country, he proudly completed two tours of duty. Among his awards are the Purple Heart, the Air Medal, three Oak Leaf Clusters, and the Distinguished Flying Cross. Fighting against heavy enemy fire, his valiant skills as a bombardier directly saved the lives of his fellow crewmen on repeated occasions.

During the war he saw firsthand the plight of his fellow Jews, the Holocaust survivors, and urgently began a letter-writing campaign to senior U.S. Government officials, as well as to President Truman.

Through his determination, U.S. policies towards these victims and other displaced persons were enacted so as to provide the food, shelter and clothing they desperately needed to begin new lives.

Today we honor Leonard Herman for his great service to his country and his humanitarian achievements by naming this post office for him.

Mr. WEXLER. Mr. Speaker, I rise to honor a distinguished and decorated Jewish war veteran, Mr. Leonard Herman, by naming the postal facility at 601 Banyan Trail in Boca Raton, Florida, as the Leonard W. Herman Post Office. Mr. Herman signed up for two tours of duty during World War II, serving as First Lieutenant from December 12, 1942 through January 29, 1946. His courage during the war and the tenacity with which he fought, after the war, to change U.S. policy towards the survivors and displaced persons of concentration camps makes him a real American hero.

As a bombardier in the United States Army, Leonard Herman flew numerous combat missions over Germany and committed numerous acts of bravery that helped save countless lives. On October 8, 1943, he shot down an enemy fighter aircraft as it closed in on his plane. This courageous act saved his crewmen and earned him the Distinguished Flying Cross Award. In addition, the heroism he displayed during his tour won him several high honors, including an Air Medal, three Oak Leaf Clusters and the Purple Heart.

Perhaps one of Mr. Herman's greatest achievements was his contribution to the efforts of a few young soldiers, including his brother Edward Herman, who sought to save the lives of thousands of ''survivors'' of German concentration camps who continued to die because of the lack of adequate food, clothing and medical supplies. According to the accounts of Professor Robert L. Hilliard, ''Lt. Leonard Herman took it upon himself to advise and seek the help from many of our government leaders regarding the plight of the survivors. His efforts were instrumental in President Truman's learning about the Displaced Persons situation in U.S. occupied Germany. The President changed U.S. policy and issued orders to provide the assistance and material needed by the Holocaust survivors. Lt. Herman played an important role in saving thousands of their lives.''

It is my greatest honor to sponsor this legislation that will recognize Mr. Leonard Herman for his bravery and service to this country. The Post Office designation is a fitting and long overdue tribute. I urge Members of the Committee to support this bill.

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

Mr. DAVIS of Illinois. Mr. Speaker, to close, I want to commend the gentleman from Florida for introducing this resolution. We have no further speakers, and I would yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 1722.

The question was taken.

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

Mr. DAVIS of Illinois. 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.

STAFF SERGEANT OMER ''O.T.'' HAWKINS POST OFFICE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2078) to designate the facility of the United States Postal Service located at 14536 State Route 136 in Cherry Fork, Ohio, as the ''Staff Sergeant Omer 'O.T.' Hawkins Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2078

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

SECTION 1. STAFF SERGEANT OMER T. ''O.T.'' HAWKINS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 14536 State Route 136 in Cherry Fork, Ohio, shall be known and designated as the ''Staff Sergeant Omer T. 'O.T.' Hawkins Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Staff Sergeant Omer T. 'O.T.' Hawkins Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

As a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleague in the consideration of H.R. 2078, which names the postal facility in Cherry Fork, Ohio, after Omer T. ''O.T.'' Hawkins.

H.R. 2078 was introduced by Representative JEAN SCHMIDT on April 30, 2007, and was reported from the Oversight Committee on May 1, 2007, by voice vote. This measure, which has been cosponsored by 16 Members, has the support of the entire Ohio congressional delegation.

Staff Sergeant Omer T., better known as ''O.T.,'' Hawkins, died on Thursday, October 14, 2004, in Ar Ramadi, Iraq, when his convoy was hit by a roadside bomb. He was assigned to the 44th Engineer Battalion based in Camp Howze, Korea. His Army colleagues have described him as ''a tremendous warrior coupled with compassion'' and said that ''his skill as a superb non-commissioned officer who could influence any soldier defined his life and the principles he defended.''

Staff Sergeant Hawkins graduated from North Adams High School on a Friday in 1991, and that following Monday he enlisted in the Army. Miss Cherry Frederick, his sister, said, and I quote, ''The only thing that he ever wanted to do was go into the military.'' Family and friends will forever remember Staff Sergeant Hawkins' dedication and service to his country.

Mr. Speaker, I commend my colleague, Representative SCHMIDT from Ohio, for introducing this legislation. I urge swift passage of this bill.

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

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

Mr. Speaker, I rise this afternoon to pay tribute to a remarkable soldier and another true American hero. On October 14, 2004, SSGT Omer ''O.T.'' Hawkins from Cherry Fork, Ohio, gave his life in service to our Nation. He was killed when his convoy hit a roadside bomb outside Ar Ramadi, Iraq. O.T. was only 31 years old.

Born on November 29, 1972, O.T. always knew that he wanted to join the Army. When he was only 10 years old, O.T. wrote a letter to the Army asking if he could sign up despite his being so young. At North Adams High School, O.T. showed his leadership while participating in many school activities. He was a member of the Academic Team, played baseball and was voted ''Most Likely to Succeed'' by his senior class.

After high school he could have pursued just about any career, yet the military remained his number one love and lifelong goal. Only 2 days after his high school graduation, and 8 years after he wrote that priceless letter to the Army expressing his desire to join, he reported to basic training.

O.T. was not only following his personal dream, he was following in the footsteps of his father who served proudly as an engineer in the Marine Corps.

Once in the Army, O.T. quickly developed a leadership style armed with an arsenal of wit and knowledge, a perfect combination that was recognized by his comrades and superiors. Having served on tours of duty in Afghanistan, Bosnia, Egypt, Kosovo and Somalia, O.T. was a deeply respected and beloved leader. His colleagues have described him, as ''a stunning leader and a great man,'' and said that ''his aura always gave great hope to his soldiers.''

O.T. loved this country more than anything else and was proud to serve in the protection of its citizens. Friends and family will forever remember O.T.'s dedication to the cause of freedom and his commitment to bringing that cherished freedom to people around the world where he served.

It is with gratitude for his bravery and sacrifice and for the sacrifice of those who loved him that I ask all Members to join me in naming the Cherry Fork, Ohio, postal facility in his honor.

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

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

Ms. FOXX. Mr. Speaker, I yield as much time as she may consume to my distinguished colleague from the State of Ohio (Mrs. SCHMIDT).

□ 1545

Mrs. SCHMIDT. Mr. Speaker, I rise today in support of H.R. 2078, legislation to name the United States Postal Facility in Cherry Fork, Ohio, as the ''Staff Sergeant Omer T. 'O.T.' Hawkins Post Office.'' I would urge my colleagues to support this legislation to honor an American hero who made the ultimate sacrifice for our Nation.

Born on November 29, 1972, O.T. always knew he wanted to be a soldier; and at the age of 10 he actually wrote the Army requesting that he become a member of the Army. In high school, he was a member of the academic team and was voted ''Most Likely to Succeed.'' Instead of going to college or taking another career path, just shortly after graduation he joined the Army.

In the Army, O.T. quickly developed a leadership style armed with an arsenal of wit and knowledge that was admired by all who served with him. His deployments took him across the globe, including Desert Storm, Somalia, Haiti, Egypt twice, Bosnia, and Kosovo. His colleagues described him as a tremendous soldier, someone who loved his country.

U.S. Army SSGT Omer O.T. Hawkins died on Thursday, October 14, 2004, in Ar Ramadi, Iraq, when his convoy was hit by a roadside bomb. His letter as an innocent young boy illustrates the lifelong desire O.T. had to serve his country and why I am humbled to sponsor this bill honoring him.

He believed in what he did, and his last message was:

> ''I will continue to fight when others falter and grow weary of their duty. I firmly believe in the Constitution. In fact, I believe it applies to all humanity, not just America.''

I would like to share a poem written by O.T.'s nephew Joshua for his funeral:

> ''A soldier isn't judged by how good his aim is or how many bullets he's used. He isn't judged by how many lives he's taken or how many ribbons decorate his uniform. He won't be judged by how many wars he's fought or enemies he's made.
>
> ''A soldier is judged by how many flags hang for him and how many yellow ribbons decorate cars for him.
>
> ''I know my Uncle O.T. is above us smiling because he knows that in 20 years people won't remember how many medals he received but how hard he fought for his country.''

Please help ensure that future generations of SSGT O.T. Hawkins' family, friends, and neighbors in Cherry Fork, Ohio, never forget how hard he fought for his country.

Please support H.R. 2078.

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

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

Just to close, let me just indicate there are heroes and sheroes all around us. Many of them are indeed giants who give of themselves in such a way that others pay little note to. And so when we take the time to name a Federal installation after a soldier who gave his or her life, in essence we are taking some of the dirt from around, taking the person out of the hole, and elevating them to the status of giant that they really are and have been.

So I commend my colleague from Ohio for introducing this legislation, and I urge its passage.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 2078.

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.

STAFF SERGEANT MARVIN ''REX'' YOUNG POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1425) to designate the facility of the United States Postal Service located at 4551 East 52nd Street in Odessa, Texas, as the ''Staff Sergeant Marvin 'Rex' Young Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1425

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

SECTION 1. STAFF SERGEANT MARVIN "REX" YOUNG POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 4551 East 52nd Street in Odessa, Texas, shall be known and designated as the ''Staff Sergeant Marvin 'Rex' Young Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Staff Sergeant Marvin 'Rex' Young Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

As a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in consideration of H.R. 1425, which names a postal facility in Odessa, Texas, after Marvin ''Rex'' Young.

H.R. 1425, which was introduced by Representative MICHAEL CONAWAY on March 9, 2007, was reported from the Oversight Committee on March 29, 2007, by voice vote. This measure, which has been cosponsored by 31 Members, has the support of the entire Texas congressional delegation.

On August 21, 1968, Staff Sergeant Marvin Young was assigned to Company C, 1st Battalion (Mechanized), 5th Infantry. He was leading a patrol when the 25th Infantry Division came under attack by a large force of North Vietnamese. The squad leader was killed, and Staff Sergeant Young assumed command and repeatedly exposed himself to enemy fire to help his men. Despite orders to pull back, he remained behind to assist several of his men who were unable to withdraw. With critical injuries to his body, he continued to fight to cover the withdrawal of his troops. The enemy engulfed his position, and he was killed.

Staff Sergeant Young's parents were presented the Medal of Honor at the White House on April 7, 1970, by President Richard Nixon.

Mr. Speaker, I commend my colleague Representative MICHAEL CONAWAY from Texas for introducing this legislation and urge swift passage.

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

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

Mr. Speaker, it is an honor for me to speak on the floor today to name a post office in Odessa, Texas, for a truly great American.

Marvin ''Rex'' Young was a genuine war hero at the young age of 21. He grew up in Odessa, Texas, and was quite athletic during high school, playing both football and baseball. A smart student, he also enjoyed art and spent time painting. His plans were to attend Texas Tech University after graduating from high school, but, unfortunately, he never got the chance.

Rex Young joined the U.S. Army in September of 1966 and was deployed to Vietnam in 1967. He served with Company C, 1st Battalion (Mechanized), 5th Infantry, 25th Infantry Division as a staff sergeant. He was wounded twice during the war, once in December, 1967, and again in February, 1968. But it was on August 21, 1968, in a true act of heroism that he would provide the ultimate sacrifice for his country.

He was acting as a squad leader on a reconnaissance mission in South Vietnam. His unit was attacked by the enemy and received a barrage of incoming fire. The forward platoon lost its commander, so Rex Young instinctively took command and organized his men into a defensive position, all the while under heavy enemy fire.

In attempting to withdraw, he allowed his men to retreat while he stayed behind providing covering fire. It was during this action that he was critically injured. Heroically, he still managed to help the other members of his unit to retreat while continuing to cover for them. As more infantrymen pulled back, he remained behind to ensure their safe withdrawal. While the group fought its way back, he was hit again in the leg and in the arm. Fearing that seeking medical aid would slow down his team, he refused it. It was there that he sacrificed himself for the safety of his comrades.

It was this act of selfless bravery, courageous leadership, and heroism that earned him the country's highest military award, the Congressional Medal of Honor. The medal was posthumously awarded to his family by President Nixon on April 17, 1970. It is for those same reasons that we name this post office for Marvin ''Rex'' Young in his hometown.

I ask all Members to join me in supporting H.R. 1425.

Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Texas and the person who introduced this resolution (Mr. CONAWAY).

Mr. CONAWAY. Mr. Speaker, I appreciate the gentlewoman's yielding.

Next Monday, our Nation will pay tribute to all the young men and women who fought and died so bravely and honorably for our Nation. On Memorial Day, we will celebrate with parades and speeches and flag waving and fireworks, as we should. From the Revolutionary War to the war we are fighting today, we celebrate and remember the fallen as a group. For those of us who have lost a loved one in a war or through the service of this country, Memorial Day has a deep meaning.

For the family and friends of the men who served with Marvin ''Rex'' Young, the last Monday of May is much more than just symbolic. On this day, Rex's family and friends and fellow soldiers remember and honor his brave actions on behalf of his country.

On August 21, 1968, while in battle in Vietnam, Rex sacrificed his life to save the lives of his friends and comrades. He was awarded the Medal of Honor for his bravery and sacrifice. Mr. Speaker, today I ask my colleagues to honor the life and memory and heroism of Staff Sergeant ''Rex'' Young.

Rex was born in Alpine, Texas, on May 11, 1947, the third and youngest child to Marilyn and Roy Young. Rex's mother has provided this picture of Rex serving in Vietnam back in 1967 and 1968.

The family moved to Odessa when Rex was a child. I met Rex when we were both attending Odessa Permian High School. Rex was a year ahead of me and graduated in 1965. He was a gifted athlete, played both football and baseball while at Permian. His mother said Rex was more interested in just being on the team and contributing, but he was much more than that. He was a star player. Childhood friends remember Rex as an exceptional athlete who could have written his own ticket in baseball. And they remember him as a very unselfish guy, so they were not surprised when he was awarded the Medal of Honor for his bravery in battle.

After graduation, Rex attended Odessa College and Kentfield Junior College in California and then joined the United States Army on September 15, 1966. He completed basic training at Fort Bliss, Texas, and advanced infantry training at Fort Lewis, Washington, and then departed for Vietnam on October 20, 1967. He was assigned to Company C, 1st Battalion (Mechanized), 5th Infantry of the 25th Infantry Division, known as the ''Bobcats.'' Rex earned his first Purple Heart from a shrapnel wound on December 7, 1967; and he earned his second Purple Heart on February 1, 1968, during the TET Offensive.

On August 21, 1968, Rex was killed by enemy fire as he provided protective fire to shelter elements of his platoon as they were withdrawn to safety. It was in these final selfless acts that Rex saved so many of his friends' lives.

Jesus said in John 15:13, ''Greater love hath no man than this, that he lay down his life for his friends.''

I would like to read from the citation that describes Rex's final moments on this Earth:

''Staff Sergeant Young distinguished himself at the cost of his life while serving as a squad leader with Company C. While conducting a reconnaissance mission, Company C was suddenly engaged by an estimated regimental-size force of the North Vietnamese Army. During the initial volley of fire, the point element of the 1st Platoon was pinned down, sustaining several casualties, and the active platoon leader was killed. Sergeant Young unhesitatingly assumed command of the platoon and immediately began to organize and deploy his men into a defensive position in order to repel the attacking force. As a human wave attack advanced on Sergeant Young's platoon, he moved from position to position, encouraging and directing fire on the hostile insurgents while exposing himself to the hail of enemy bullets.

''After receiving orders to withdraw to a better defensive position, he remained behind to provide covering fire for the withdrawal. Observing that a small element of the point squad was unable to extract itself from its position, and completely disregarding his personal safety, Sergeant Young began moving toward their position, firing as he maneuvered.

□ 1600

''When halfway to their position, he sustained a critical head injury, yet he continued his mission and ordered the element to withdraw.

''Remaining with the squad as it fought its way to the rear, he was twice seriously wounded, once in the arm and once in the leg. Although his leg was badly shattered, Sergeant Young refused assistance that would have slowed down the retreat of his comrades, and he ordered them to continue their withdrawal while he provided protective covering fire. With indomitable courage and heroic self-sacrifice, he continued his self-assigned mission until the enemy engulfed his position. By his gallantry, at the cost of his life, and which is in the highest tradition of military service, Staff Sergeant Young has reflected great credit on himself, his unit and the United States Army.''

In the heavy fighting that day, Company C suffered 17 men killed, 21 wounded. And no one knows how many other men would have died that day had Rex not stepped in to save his friends.

For his gallantry and self-sacrifice, Sergeant Young was posthumously promoted to staff sergeant. Rex earned his country's highest award for bravery, the Medal of Honor. In addition to the medal, Staff Sergeant Young was awarded the Combat Infantryman's Badge, the Bronze Star with ''V'' Device, Purple Heart with two Oak Leaf Clusters, the National Defense Service Medal, the Vietnam Service Medal, the Republic of Vietnam Military Merit Medal and the Republic of Vietnam Cross of Gallantry with Palm.

Rex was buried with full military honors at Sunset Memorial Gardens Cemetery in Odessa, Texas. Near him lie many other Odessans who perished in the Vietnam War. Fifty feet north rests another Medal of Honor recipient, Alfred ''Mac'' Wilson, Corporal, United States Marine Corps.

Rex's sister Margaret now lies next to him. His brother Charles Ray and his father are also deceased. His mother lived in Odessa for many years. She has recently moved to McKinney to be close to her friends.

Rex's last day on Earth was almost 39 years ago. Because he and I are close to the same age, I think often of all the experiences that I have had that he willingly gave up that hot, fateful day halfway around the world.

I am loved by a wonderful woman, and together we have raised four children. I have watched them grow into responsible adults. I have watched the boys play football and basketball, baseball and golf. I watched my daughters lead cheers as a cheerleader and a team mascot. I have watched our sons take beautiful young women to be their wives. I walked one of my daughters down the aisle so that her mother and I could give her in marriage to a starry-eyed young man. I have held our seven grandchildren in my arms and looked into the eyes of America's future. And I buried a wife and a father. These are life experiences that Rex should have had. All of these experiences that I know Rex must have looked forward to, the good and the bad, were sacrificed on freedom's altar in his heroic acts that day so long ago.

Mr. Speaker, next Monday our Nation celebrates Memorial Day, a day set aside each year to honor all of the Rex Youngs our country has produced and who have made that same supreme sacrifice that Rex made. This includes, of course, the brave men and women who for the past 5-plus years have stood between us and some very bad, soulless people that want to destroy our way of life.

I would like to challenge each of us that in addition to honoring these men and women as a group, that we think about them on an individual basis. By that I mean that each of us should have a specific person that we think about, honor and celebrate each and every time sacrifices are mentioned. It could be somebody in our family, it could be a friend or somebody that you know through a history lesson, but my challenge to you is this: That every time you are reminded of all the lives that have been given in defense of this country, that you think about a specific life given. For me, Mr. Speaker, that life is Rex Young.

With that, Mr. Speaker, it is with great pleasure and gratitude that I ask this House to honor SSG Marvin ''Rex'' Young by naming the post office at 4551 East 52nd Street in Odessa, Texas, after him. By doing so, his memory will live on not just in the hearts of those of us who knew him, but also by everyone that uses or drives by that post office and sees his name.

His Nation honored him with its highest honor for bravery. I now ask that his Nation honor his memory by taking one more official act. I ask each of you to vote in favor of this legislation.

Ms. FOXX. Mr. Speaker, I think it is very appropriate that this week, just before Memorial Day, we are honoring these several people who have sacrificed their lives so that the rest of us can be here and be free. I particularly want to thank Mr. CONAWAY for his comments about not just recognizing in a collective way the people who have given their lives and who have served, but who have done it in a personal way. This morning I had the honor to recognize Mr. Larry Bauguess, who has recently lost his life in Afghanistan on behalf of our country.

I urge all Members to support the passage of H.R. 1425.

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

Mr. DAVIS of Illinois. Mr. Speaker, to close, I want to thank the gentleman from Texas for his introduction of this legislation. I also want to thank Mr. CONAWAY for his passionate description of the life of one of our heroes. I would certainly concur and urge that we pass this resolution. I am very pleased to support it, and I urge passage.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 1425.

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. FOXX. 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.

GEORGE B. LEWIS POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2077) to designate the facility of the United States Postal Service located at 20805 State Route 125 in Blue Creek, Ohio, as the ''George B. Lewis Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2077

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

SECTION 1. GEORGE B. LEWIS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 20805 State Route 125 in Blue Creek, Ohio, shall be known and designated as the ''George B. Lewis Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''George B. Lewis Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

As a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in the consideration of H.R. 2077, which names the postal facility in Blue Creek, Ohio, after George B. Lewis.

H.R. 2077 was introduced by Representative JEAN SCHMIDT on April 30, 2007, and was reported from the Oversight Committee on May 1, 2007, by a voice vote.

This measure, which has been cosponsored by 16 Members, has the support of the entire Ohio congressional delegation.

George Lewis began his career in public service with the Federal Government on February 1, 1946, when he enlisted in the United States Navy. After his discharge from the Navy, George returned from Adams County to work on the family cattle farm until September 1, 1950, when he was drafted by the Army and sent to Korea. He rose in the ranks quickly, earning the rank of tank sergeant. He was honorably discharged from the Army on June 12, 1952.

George was hired as the Blue Creek Postmaster on November 5, 1955, where he served ably until his retirement on September 27, 1992.

Mr. Speaker, I commend my colleague, Representative JEAN SCHMIDT from Ohio, for introducing this legislation, and I urge its passage.

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

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

Mr. Speaker, I rise today to honor the dedicated public servants working for American citizens in making our neighborhoods a better place in which to live. George B. Lewis, the Blue Creek Postmaster, is one such man.

Lewis' career serving his country began when he enlisted in the United States Navy in February 1946. He then returned to his work on the family cattle farm in Adams County until September 1950, when at the age of 22 he was drafted by the Army and sent to Korea. In Korea, Lewis was recognized as a leader, and he earned the rank of tank sergeant.

Honorably discharged in 1952, Lewis again returned to work on the family farm. Three years later, Lewis was appointed to the position of the Blue Creek Postmaster, a job he held until retirement. Not only did George Lewis serve his community as postmaster for 47 years, but he played a major role in forming the Jefferson Township Volunteer Fire Department and then went on to serve as the chief of that department.

He was also very active in the community, sitting on the Adams County Hospital Board, the Adams County Agricultural Society and Fair Board director. As the proud father of five children, he also served as the president of the Jefferson Township Parent-Teacher Association.

Lewis died on October 25, 2000, from lung cancer. With his recognized accomplishments in the Armed Forces, his devotion and services to Blue Creek as postmaster, and his longtime record of community service, it is fitting for to us pay tribute to the lifetime achievements of George B. Lewis by naming the Blue Creek Ohio, postal facility in his honor.

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

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

Ms. FOXX. Mr. Speaker, I yield as much time as she may consume to my distinguished colleague from the State of Ohio (Mrs. SCHMIDT).

Mrs. SCHMIDT. Mr. Speaker, I rise in strong support of H.R. 2077, legislation to name the United States postal facility in Blue Creek, Ohio, the ''George B. Lewis Post Office Building.''

George Lewis is the perfect example of what it is to be an American. This is an individual who served his country on the battlefield, and then came back home to serve his country on the farm field.

George Lewis was born on April 22, 1928, in Peebles, Ohio, a farming community in Adams County, the second of five children. George spent his entire life, save 2 years fighting the Korean War, in Adams County, where he devoted his entire life to improve it.

George Lewis began his career in public service with the Federal Government on February 1, 1946, still a few months short of his 18th birthday when he enlisted in the Navy. After his discharge from the Navy, George returned to Adams County to work on the family cattle farm until September 1, 1950, when he was called to duty and drafted into the Army and sent to Korea at the age of 22.

He rose in the ranks quickly, earning the rank of tank sergeant. He saw battle on several occasions and earned several medals and awards for his service. He was honorably discharged in 1952 and returned back to the family farm to do the work.

George was hired as the Blue Creek Postmaster on November 5, 1955, where he served ably until his retirement on September 27, 1992. He was known to all in his community as the Blue Creek Postmaster. He retired with 40 years of Federal Government service.

During his career as postmaster, George remained active in his community, not just only on the family farm which his family has held for over 200 years. He was instrumental, as was mentioned, in forming the Jefferson Township Volunteer Fire Department, serving as its chief, and was an honorary lifetime member. He also continued in his public service with the Adams County Hospital Board, the Adams County Agricultural Society, the Fair Board director, and was president of the Jefferson Township Parent-Teacher Association. Lastly, he was a member of the Moores Chapel United Methodist Church.

George was known as the ''go-to guy'' because he could fix anything from a tractor to a toaster, and he never said no to anyone. He was known for his willingness to help everyone, friends or strangers, and had a quick wit and a common sense which made him universally respected in his community.

□ 1615

George died on October 25, 2000, after a battle with lung cancer. He was survived by his wife of over 45 years, Juanita, five children and six great-grandchildren.

George B. Lewis lived as a humble and practical man. He was not afraid of hard work, hard situations or hard decisions. He faced life with courage, common sense and a feeling of responsibility for Blue Creek, where his entire family still resides to this day on that same family farm.

I urge my colleagues to honor this man and support this legislation.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H.R. 2077, and I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I urge passage of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 2077.

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.

HONORING THE LIFE, LEGACY AND ACCOMPLISHMENTS OF LAMAR HUNT

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 53) recognizing the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League, and the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. Res. 53

Whereas Lamar Hunt was born on August 2, 1932, in El Dorado, Arkansas;

Whereas Lamar Hunt graduated from Southern Methodist University with a Bachelor of Science in Geology in 1956, and was a 3 year reserve end on the varsity football team and was a distinguished alumni and avid supporter;

Whereas at the age of 27, Lamar Hunt created the American Football League and founded the Dallas Texans, which were later renamed the Kansas City Chiefs when Hunt relocated the team in 1963;

Whereas for 40 years Lamar Hunt owned and was a vital participant in the Kansas City Chiefs Football Club and created the Championship Game between the American Football League and the National Football League that became known as the Super Bowl, a moniker Hunt coined;

Whereas under the leadership of Lamar Hunt, the Kansas City Chiefs won the American Football League Championship game in 1962, 1966, and 1969, and won the National Football League Super Bowl IV Championship in 1970;

Whereas Lamar Hunt, a man of unwavering and deep humility, played an important role in the design, ongoing development, and direction of the modern-day National Football League and served as the driving force behind the merger of the American and National football leagues in 1970;

Whereas Lamar Hunt advocated for innovative and progressive changes to enhance football in the National Football League, including the installation of the 2-point conversion option for professional football, names on the backs of the uniforms, that the trophy given to the winner of the Super Bowl be named in honor of the late and revered Vince Lombardi, and an additional Thanksgiving game be added to the National Football League schedule;

Whereas Lamar Hunt's biggest influence on the professional football over the years was his quiet, yet persuasive voice of reason;

Whereas Lamar Hunt's name is rightfully mentioned alongside other legends in professional football history for his commitment to putting the betterment of the professional football leagues ahead of any potential individual gain, few individuals helped change the face of American football for the better than this quiet Texan;

Whereas Lamar Hunt, as the founder of the American Football League, helped pave the way for much of the modern growth of professional football;

Whereas possibly the greatest tribute to his contributions to the sport was the naming by the American Football League of the Lamar Hunt Trophy, which is presented annually to the champion of the American Football Conference;

Whereas Lamar Hunt was also one of the founding investors in the 6-time World Champion Chicago Bulls of the National Basketball Association and was the owner of 13 distinctive championship rings from 5 different professional sports associations, including the American Football League and National Football League, Major League Soccer, National Basketball Association, North American Soccer League, and the United States Soccer ''Open Cup'';

Whereas in total, Lamar Hunt was selected to 8 Halls of Fame, including the United States Soccer Hall of Fame in 1982, the International Tennis Hall of Fame in 1993, the Missouri Sports Hall of Fame in 1995, the Texas Sports Hall of Fame in 1984, the Texas Business Hall of Fame 1997, and the Kansas City Business Hall of Fame 2004;

Whereas Lamar Hunt was the first American Football League figure to be enshrined into the Professional Football Hall of Fame in 1972;

Whereas in 1981 Lamar Hunt was inducted into the National Football League Alumni Association's prestigious Order of the Leather Helmet and in February of 1993, and received the Francis J. ''Reds'' Bagnell Award from the Maxwell Football Club of Philadelphia for continuing positive contributions to the game;

Whereas in 1991 the 91-year-old U.S. Open Cup was renamed the ''Lamar Hunt U.S. Open Cup.'';

Whereas that same year Lamar Hunt received the U.S. Soccer Federation Hall of Fame Medal of Honor, joining former U.S. Soccer President Alan Rothenberg as the only other individual to earn that prestigious distinction;

Whereas in 2005 the U.S. Soccer Foundation honored Lamar Hunt with its Lifetime Achievement Award;

Whereas Lamar Hunt brought smiles to millions of children who walked through the gates of his twin theme parks in Kansas City, Worlds and Oceans of Fun;

Whereas in addition to his outstanding leadership of the Kansas City Chiefs, Lamar Hunt served his community throughout his lifetime through philanthropic endeavors and the donation of his time in both Kansas City and Dallas;

Whereas 2 of the projects closest to Lamar Hunt included Southern Methodist University, his alma mater where he served as co-chairman of the university's campaign that raised $60,000,000 to build a new 32,000-seat football stadium that opened in 2000 and to which he and his wife Norma donated $5,000,000; and the Heart of a Champion Foundation, a nonprofit foundation that he launched in 2001;

Whereas Lamar Hunt was also a supporter of the Nelson-Atkins Museum in Kansas City, and was a benefactor of the Dallas Symphony Orchestra, the Dallas Museum of Art, and a host of causes related to children's charities, education, and fine arts; and

Whereas on December 13, 2006, Lamar Hunt succumbed to cancer at the Dallas Presbyterian Hospital in Dallas, Texas at the age of 74: Now, therefore, be it

Resolved, That the House of Representatives, on this occasion less than one month after the death of Lamar Hunt—

(1) expresses its deepest condolences to Lamar Hunt's wife of 42 years, Norma, his 4 children, Lamar Jr., Sharon Munson, Clark, and Daniel, and his 14 grandchildren; and

(2) recognizes the outstanding contributions that Lamar Hunt made to the Kansas City Chiefs, the National Football League, and the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Kansas City, Missouri, Representative EMANUEL CLEAVER, the sponsor of this legislation.

Mr. CLEAVER. Mr. Speaker, the National Football League, the American sports community and the business leadership in Western Missouri lost a true treasure on December 13, 2006, when the Kansas City Chiefs founder, Lamar Hunt, peacefully passed away at Presbyterian Hospital in Dallas, Texas, at the age of 74.

Mr. Speaker, this great American is survived by his wife, Norma, and their four children, some of whom are here with us today.

Lamar Hunt is recognized as one of the greatest sportsmen in American history. He served as the guiding force behind the formation of both the American Football League and the Kansas City Chiefs franchise. Hunt served as a positive influence on the game of football for 47 years, dating back to his conception of the American Football League in 1959.

He was the first AFL figure to be enshrined into the Pro Football Hall of Fame. This was a remarkable feat, if you consider that he had become involved in the game just 13 years earlier.

It was Lamar Hunt who served as the catalyst, who brought together a group of people whimsically known as the ''Foolish Club.'' He was able to convince eight men to put money up to start a football league that no one thought could survive. This was truly an impossible dream. But the fledgling league took foot on the field for the 1960 season; and on June 8, 1966, the AFL–NFL merger was announced by the NFL Commissioner, Pete Rozelle. On January 15, Lamar Hunt's Kansas City Chiefs were participating in the first Super Bowl.

It is worth noting that when the owners met after the merger and began to discuss this football game that would be the bowl game of bowl games, far more noteworthy than the Rose Bowl or the Cotton Bowl or the Sugar Bowl, it was Lamar Hunt who said the bowl game of bowl games should be called the Super Bowl, and thus was born what is now one of the most watched events on this planet.

Before there was a player, coach or general manager in the league, there was Lamar Hunt. There was the late Patriots' owner William Sullivan who remarked at Hunt's Hall of Fame induction ceremony that ''Hunt was the cornerstone, the integrity, of the league. Without him, there would have been no AFL.''

Mr. Speaker, I had the opportunity to serve as Mayor of Kansas City for 8 years. But even before that, during my time on the City Council, I had the great pleasure of meeting and working with Lamar Hunt. Over the years, I can tell you that I have met many, many men and women, some heads of state. I have met kings and one queen. I have never met a person on this Earth yet who had the humility of Lamar Hunt. I have never seen a man who did so much, who accomplished great things at the level of Lamar Hunt, who could walk around this Capitol and no one would know him because he would be opening doors for everyone and trying to serve.

In the tradition of my religion, humility is held perhaps higher than any other characteristic. In fact, in my tradition, the great prophets all praised people with humility, and the pharisees, who did not have humility, who praised themselves, were denounced.

Lamar Hunt was an innovator. For years and years he advocated the two-point conversion in the NFL. Finally, in 1994, the owners bought into the concept, which is why today there is a two-point conversion. This man would create things in his mind, and he had the ability to share those things.

I attribute, as well as many other African Americans, Lamar Hunt with the credit for African Americans moving into all realms of pro football. Before the AFL, there were only a few African Americans playing in the NFL. For a lot of the young people who watch TV today, they would probably find that somewhat amusing. But it was quite possible in the 1950s and even the early 1960s to watch an NFL game and see maybe one or two and, in some instances, maybe no African Americans at all.

But when Lamar Hunt started the AFL, he went to the Historically Black Colleges and Universities and began to create players. And what a crop of players he brought in.

Willie Lanier, middle linebacker. In those days, and young people will probably find this amazing, people in sports would say African Americans can't play middle linebacker. That is the quarterback of defense. They can't play quarterback. Willie Lanier, who is in the building at this time, Mr. Speaker, became a member of the Pro Football Hall of Fame. He was the starting middle linebacker for the Kansas City Chiefs for 11 years.

Then there was Buck Buchanan at a little school that most people had never even heard of, a black college called Grambling. Buck Buchanan, Pro Football Hall of Fame. Otis Taylor. And the list goes on and on. And when you look at all of the other teams in the AFL, they, too, would go into these schools. So in addition to being an innovator, he was a great humanitarian.

Hunt was not able to ever see his long-held dream of hosting a Super Bowl in Kansas City. It was something that he worked on. But, before he died, the NFL owners passed a proposal to bring the NFL's championship game to Kansas City in February of the year 2015.

Mr. Hunt was a great man, a great leader. He did a lot for our community. I had the pleasure of traveling with him around the world. I had the chance to see him in many, many situations; and I can tell you, this was a giant, even though he never tried to project himself as a giant in any situation, he tried to just blend in. But there is no way the history of the National Football League can be complete without a major section entitled ''Lamar Hunt.''

Mr. Speaker, I ask all Members to join me in supporting H. Res. 53, which is to honor the life and legacy and accomplishments of Lamar Hunt.

The National Football League, the American sports community, and the Business Community of Kansas City lost a true treasure on December 13, 2006 when Chiefs Founder Lamar Hunt peacefully passed away at Presbyterian Hospital in Dallas, Texas at the age of 74.

He is survived by his wife, Norma and their four children, Lamar, Jr., Sharron Munson, Clark and Daniel. He was also the proud grandfather of 14 grandchildren. Recognized as one of the greatest sportsmen in American history, Hunt served as the guiding force behind the formation of both the American Football League and the Kansas City Chiefs franchise. Hunt served as a positive influence on the game for 47 years dating back to his conception of the American Football League in '59. He was the first AFL figure to be enshrined into the Pro Football Hall of Fame in '72, a remarkable feat considering he became involved in the game just 13 years earlier. Hunt served as the catalyst, who brought together the whimsically-named ''Foolish Club'' comprised of the eight original AFL owners. His ''impossible dream'' became a reality when his fledgling league took foot on the field for the '60 season. On June 8, 1966, the AFL–NFL merger was announced by NFL Commissioner Pete Rozelle and on January 15, 1967, Hunt's Kansas City Chiefs were participating in the inaugural Super Bowl.

''Before there was a player, coach or a general manager in the league there was Lamar Hunt,'' late Patriots owner William Sullivan remarked at Hunt's Hall of Fame induction ceremony. ''Hunt was the cornerstone, the integrity of the league. Without him, there would have been no AFL.'' Despite his many accomplishments, Hunt's humility was one of his most unwavering and most endearing traits. While he modestly declined to take credit for his efforts, he truly played an important role in the design, ongoing development and direction of the modern-day National Football League. Whether it was serving as the driving force behind the formation of the AFL, serving as a key player in the AFL–NFL merger talks in the '60s, or overseeing many crucial issues concerning pro football and the Chiefs franchise during the past 4 decades, few individuals helped change the face of America's favorite game for the better than this quiet Texan. In addition to being a principal negotiator in the merger of the AFL and NFL in the late '60s, he was a contributor to the design of the NFL playoff format. He is also credited with accidentally putting the name ''Super Bowl'' on the NFL's championship game—the name coming from his children's toy ''Super Ball.''

For many years, he was a persistent advocate of the 2-point conversion option for pro football—an old college and AFL rule that was finally adopted by the NFL in '94. Hunt had also lobbied for many years that an additional Thanksgiving game be added to the NFL schedule and in 2006, those efforts were rewarded when the Chiefs hosted the first-ever Thanksgiving contest at Arrowhead Stadium. Perhaps Hunt's biggest influence on the league over the years was his quiet, yet persuasive voice of reason. Hunt's name is rightfully mentioned alongside other legendary family surnames in pro football history such as Halas, Mara and Rooney for his commitment to putting the betterment of the league ahead of any potential individual gain. As the founder of the AFL, he helped pave the way for much of the modem growth of pro football. Possibly the greatest tribute to his contributions to the sport was the naming by the league of the Lamar Hunt Trophy, which is presented annually to the champion of the American Football Conference. The early days of the AFL were problem-filled and often tenuous, but Hunt saw his Dallas Texans franchise achieve on-field success. In 1962, the Texans won the AFL Championship with a double-overtime victory over the Houston Oilers, the first of 3 titles won by the Texans/Chiefs during the league's 10-year existence.

After three years in Dallas, Hunt moved his team to Kansas City in '63, where the organization was renamed the Chiefs. Hunt truly helped put Kansas City on the ''big-league'' map, thanks to a star-studded football team that was the winningest in the 10-year history of the American Football League. Hunt's team repeated as AFL champions in both 1966 and 1969. By winning the 1966 AFL title, the Chiefs earned the right to play in the first Super Bowl against the NFL Champion Green Bay Packers. Three years later, the Chiefs claimed Kansas City's first major sports championship by defeating the Minnesota Vikings in Super Bowl IV. In the late 1960s, Hunt was closely involved in the original development plans for Arrowhead Stadium, a facility which provided the Chiefs and their fans with one of the most decided home-field advantages in all of sports. While other venues of a similar vintage have long since been termed obsolete or have been demolished, Arrowhead continues to serve as a point of pride for the Chiefs and the Kansas City community.

Thanks in large part to the vision and lobbying efforts of Hunt, Jackson County Missouri voters approved a 3/8 cent sales tax in April of 2006. That measure is expected to raise $425 million for the Truman Sports Complex, of which $325 million has been earmarked to renovate Arrowhead in order to bring the facility up to today's state-of-the-art standards. Those improvements should only further solidify Arrowhead's status as one of America's foremost sporting venues.

Hunt's longtime dream of hosting a Super Bowl in Kansas City appeared to become a reality when NFL Commissioner Paul Tagliabue announced on November 16, 2005 that NFL owners had passed a proposal to bring the NFL's championship game to Kansas City in February of 2015.

Unfortunately, a provision in April's election that would have resurrected the ''rolling roof'' concept for Arrowhead Stadium did not pass. The ''rolling roof'' was part of Hunt's initial vision for Arrowhead Stadium in the '60s. In its

21st century incarnation, the ''rolling roof'' would have provided a climate-controlled facility suitable for hosting the Super Bowl, the Final Four and other prestigious events.

While Hunt did not realize his goal of seeing an NFL title game played in Kansas City, he worked diligently to bring other prominent sporting contests to Arrowhead over the years. The ''Home of the Chiefs'' served as host of the Dr Pepper Big 12 Conference Championship Game in 2000, 2003, 2004 and 2006. In addition to numerous other collegiate football contests, the Chiefs hosted several international soccer matches at Arrowhead thanks to Hunt's influence.

Hunt's decision to hire Chiefs President, General Manager and CEO Carl Peterson in December '88 set the stage for a football renaissance in Kansas City. During the decade of the '90s, Hunt and Peterson, earned the distinction of becoming just the fourth Owner/General Manager combination to preside over a franchise for all 10 years of a 100-win decade as Kansas City compiled a stellar 102–58 (.638) regular season record from '90–99. Under Hunt's stewardship, the Chiefs developed an intensely-loyal fan following, not just in Mid-America, but across the country and around the globe. Hunt took great satisfication in the fact that the Chiefs boasted season-ticket holders from 48 of the 50 states (all but Maine and Vermont), the District of Columbia, Puerto Rico and Canada. He was also appreciative of the fact that Kansas City was selected to represent the NFL in 4 American Bowl contests—Berlin, Germany ('90), Tokyo, Japan ('94, '98) and Monterrey, Mexico ('96).

While the Chiefs always remained Hunt's most prized sporting entity, his passion for athletics encompassed more than just the game of football. Appropriately nicknamed ''Games'' during his childhood, Hunt's love of sports was his true lifeblood, an enthusiasm which led to his involvement in 6 different professional sports leagues and 7 sports franchises.

In addition to his formative role in the creation of the American Football League, Hunt was involved in the development of both the North American Soccer League and a tennis promotion company, World Championship Tennis. Hunt's involvement in those ventures resulted years later in his induction into the respective Halls of Fame of both United States Soccer (located in Oneonta, New York) in '82 and International Tennis (located in Newport, Rhode Island) in '93. He was also inducted into the state Sports Halls of Fame of both Missouri ('95) and Texas ('84). In total, Hunt was selected to 8 ''Halls of Fame,'' including the Texas Business Hall of Fame ('97) and the Kansas City Business Hall of Fame (2004). In '81, Hunt was inducted into the NFL Alumni Association's prestigious Order of the Leather Helmet and in February of '93, he received the Francis J. ''Reds'' Bagnell Award from the Maxwell Football Club of Philadelphia for continuing positive contributions to the game.

Truly a sportsman for all seasons, Soccer America Magazine named Hunt one of its ''25 Most Influential People'' in '99 after the 91-year-old U.S. Open Cup was renamed the ''Lamar Hunt U.S. Open Cup.'' That same year he also received the U.S. Soccer Federation Hall of Fame Medal of Honor, joining former U.S. Soccer President Alan Rothenberg as the only other individual to earn that prestigious distinction. In 2005, the U.S. Soccer Foundation honored Hunt with its Lifetime Achievement Award. The Hunt Family served as the Investor/Operators of the Kansas City Wizards franchise of Major League Soccer from '95–06 and reveled as the Wizards claimed the 2000 MLS Cup. The Hunt Family still oversees the operations of 2 MLS franchises, F.C. Dallas and the Columbus Crew.

The Hunt Sports Group has been at the forefront of stadium development in the United States, beginning with America's first soccer-specific stadium, 22,555-seat Crew Stadium which opened in '99. In 2005, Pizza Hut Park was completed in Frisco, Texas, giving the Dallas area one of the world's most unique and futuristic soccer facilities. Hunt was also one of the founding investors in the 6-time World Champion Chicago Bulls of the National Basketball Association. In total, Hunt was the owner of 13 distinctive championship rings from 5 different professional sports associations (AFL/NFL, MLS, NBA, NASL and the U.S. Soccer ''Open Cup''). His football championship litany included a Super Bowl IV ring from the '69 Chiefs, as well as AFL title rings from the '62 Texans and '66 Chiefs. A highly-successful businessman outside of sports, one of Hunt's most notable innovations was Sub-Tropolis, the world's largest underground business complex, located just north of Arrowhead Stadium. This naturally climate-controlled, subterranean industrial park serves as home to over 50 local, national and international businesses. Hunt also envisioned and developed Worlds of Fun, a 165-acre family entertainment complex which opened in '73, as well as the 60-acre family water recreation park, Oceans of Fun which was completed in '82. While both of those entities were sold in '95, Hunt Midwest Enterprises, Inc. continues to oversee a diverse range of business interests, including limestone mining and real estate development.

Hunt was born on August 2, 1932 in El Dorado, Arkansas and graduated from SMU with a B.S. in Geology in '56. While at SMU, he was a 3-year reserve end on the Varsity Football Team. Hunt was an avid supporter of his alma mater and was an annual fixture at the Cotton Bowl. He and his wife Norma were also involved in numerous philanthropic and civic efforts in Dallas, across the state of Texas and in the Kansas City community.

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

Mr. Speaker, the world of professional sports lost one of its strongest enthusiasts this past December when Lamar Hunt lost his long battle with prostate cancer.

Widely known throughout the professional sports industry, his inspirational career helped the National Football League, the Major Soccer League and the National Hockey League become the massive successes they are today.

Born in El Dorado, Arkansas, and raised in Dallas, Texas, Lamar Hunt was a passionate sports fanatic. He played on his college football team at Southern Methodist University, but his real involvement began when he applied for an expansion to the National Football League in 1959. He was turned down, and a year later he decided with a group of eight others to form the American Football League. Facing tough competition from the NFL, he was determined to become the owner of a Texas football team. His first team ownership came with the founding of the Dallas Texans.

A few years later, the team moved to Kansas City and became the Kansas City Chiefs, which Hunt would continue to own until the time of his death. His Chiefs went on to play in the first-ever Super Bowl game, which, by the way, was the term he coined as the championship game between the two leagues.

Lamar Hunt was instrumental in the merger between the National Football League and the American football League in 1970. Beyond football, he made similar efforts in the fields of soccer, tennis and hockey. He helped establish the World Championship Tennis Circuit, Major League Soccer, and its predecessor, the North American Soccer League. At the time of his death, he owned two MLS teams, the FC Dallas and the Columbus Crew. He even furthered his ownership enterprise as one of the original owners of the Chicago Bulls NBA team.

Among his numerous awards and honors, he has been inducted into the Pro Football Hall of Fame, the National Soccer Hall of Fame and the International Tennis Hall of Fame. The American Football League trophy presented each year to the AFL champion team is aptly named the Lamar Hunt Trophy.

It is only right that we honor Lamar Hunt for his innovation, dedication and enthusiasm to the national sports industry. His achievements in sports and charitable contributions, as well as his work in theme parks and industrial parks, are to be commended. He was an inspiration to those in the NFL, and his legacy will continue through his teams.

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

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

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in the consideration of H. Res. 53, which honors the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League and the United States of America.

□ 1630

H. Res. 53, which has 52 cosponsors, was introduced by the gentleman from Missouri (Mr. CLEAVER) on January 11, 2007. H. Res. 53 was reported from the Oversight Committee on May 1, 2007, by voice vote.

Mr. Speaker, as already has been indicated, America lost a great sportsman and businessman when the Kansas City Chiefs football team owner, Mr. Lamar Hunt, passed away on December 13, 2006, at Presbyterian Hospital in Dallas, Texas, at the age of 74.

Mr. William Sullivan, the late Patriots football team owner, said, ''Before there was a player, coach or a general manager in the league, there was Lamar Hunt. Hunt was the cornerstone, the integrity of the league. Without him, there would have been no American Football League.''

In the 1950s, Mr. Hunt on several occasions approached the National Football League to buy a franchise for his hometown of Dallas, Texas, but he was repeatedly denied. Frustrated by this, he decided to organize a rival pro football circuit, the American Football League, in 1960. Mr. Hunt was the owner of the Dallas Texans, one of the eight original teams that formed the AFL. Mr. Hunt's Dallas Texans won the championship in 1962. Soon after, he moved the team to Kansas City in 1963. He renamed them the Kansas City Chiefs. The team won the AFL championship in 1966, and the Super Bowl IV title in 1969.

I want to commend my colleague Mr. CLEAVER not only for introduction of this legislation, but his passionate indication of what the life of Lamar Hunt was, for his personal experiences and contributions not only to the game of football, but to the game of life.

Listening to Representative CLEAVER it becomes clear that not only was Mr. Hunt a giant of a football man, but he was a giant of a humanitarian, a giant of a man who could take ideas and convey those in such a way that others would buy into them, while at the same time continuing to live out the thoughts that Kipling had: If you can talk with kings and queens and not lose the common touch; if all men count with you, but none too much; and if you can fill the unforgiving moment with 60 seconds' worth of distance run, yours will be the world and all that is in it. And what is more, you will be a man, my son.

Lamar Hunt was indeed a giant of a man. I urge passage of this legislation.

Mr. GRAVES. Mr. Speaker, I rise to celebrate the life of one of Kansas City's legendary figures.

Lamar Hunt made a positive and lasting impression on Kansas City. He was a man who seemingly touched every life that crossed his path. He was known for his easy-going, engaging personality. He will be remembered not only for what he accomplished, but for the way he treated people.

Mr. Hunt was an innovator. He is credited with making the National Football League what it is today. He coined the term ''Super Bowl'', championed the 2-point conversion and brought American soccer into the mainstream. He was inducted into 3 different professional sports halls of Fame—football, tennis and soccer.

His beloved Kansas City Chiefs played in the American Football League and won the Super Bowl in 1969. The Chiefs are as much a part of Kansas City as barbeque and jazz, thanks to Mr. Hunt's leadership.

Mr. Hunt though was an innovator in other ways too. He built both Worlds of Fun and Oceans of Fun as state of the art theme parks in Kansas City. He also built the Subtropolis Office Complex in the limestone caves around Kansas City.

Mr. Speaker, simply stated, Lamar Hunt was a giant among men.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 53, to recognize the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League, and the United States.

The National Football League and the American sports community lost a true treasure on December 13, 2006 when Chiefs Founder Lamar Hunt passed away in Dallas, Texas at the age of 74. Lamar Hunt was an independent thinker, a trailblazer who refused to be denied his dream. Recognized as one of the greatest sportsmen in American history, Hunt served as the guiding force behind the formation of both the American Football League and the Kansas City Chiefs franchise.

Hunt served as a positive influence on the game for 47 years dating back to his conception of the American Football League in 1959. He was the first AFL figure to be enshrined into the Pro Football Hall of Fame in 1972, a remarkable feat considering he became involved in the game just 13 years earlier.

Hunt served as the catalyst who brought together the ''Foolish Club'' comprised of the 8 original AFL owners. His ''impossible dream'' became a reality when his fledgling league took foot on the field for the 1960 season. On June 8, 1966, the AFL–NFL merger was announced by NFL Commissioner Pete Rozelle and on January 15, 1967, Hunt's Kansas City Chiefs were participating in the inaugural Super Bowl. Lamar Hunt's Kansas City Chiefs returned to the Super Bowl in 1970 and defeated the Minnesota Vikings by a score of 23–7 in Super Bowl IV.

Despite his many accomplishments, Hunt's humility was one of his most unwavering and most endearing traits. While he modestly declined to take credit for his efforts, Hunt truly played an important role in the design, ongoing development and direction of the modern-day National Football League. Lamar Hunt was also a risk taker. He signed a great number of African-American players onto the Kansas City Chiefs football team at a time when few other football teams took that chance. So, Lamar Hunt rose above the crowd and nestled on top of the football and sports apex where few others sat.

Whether it was employing more African-Americans, serving as the driving force behind the formation of the AFL, serving as a key player in the AFL–NFL merger talks in the '60s, or overseeing many crucial issues concerning pro football and the Chiefs franchise during the past 4 decades, few individuals helped change the face of America's favorite game for the better than this quiet Texan.

In addition to being a principal negotiator in the merger of the AFL and NFL in the late '60s, he was a contributor to the design of the NFL playoff format. He is also credited with accidentally putting the name ''Super Bowl'' on the NFL's championship game—the name coming from his children's toy ''Super Ball.''

As the founder of the AFL, he helped pave the way for much of the modern growth of pro football. Possibly the greatest tribute to his contributions to the sport was the naming by the league of the Lamar Hunt Trophy, which is presented annually to the champion of the American Football Conference.

Mr. Speaker, I ask all of my colleagues to join me in recognizing the enormous contributions Lamar Hunt has made the sports world and beyond.

Mr. SKELTON. Mr. Speaker, let me congratulate the gentleman from Missouri, the Honorable EMANUEL CLEAVER, for spearheading the effort in Congress to honor Kansas City Chiefs Founder Lamar Hunt, who passed away in December 2006 after living a long and distinguished life. As the Fifth District's U.S. representative and the former mayor of Kansas City, Missouri, Mr. CLEAVER understands better than anyone in the House how special Lamar Hunt's Chiefs are to the Kansas City community and to people all throughout the Show-Me State.

Missouri's Fourth District, which I am privileged to represent, includes portions of the Kansas City suburbs and most of the rural, west central section of the State. Many of the Missourians who call the Fourth District home are proud Chiefs fans. They don jerseys, t-shirts, hats, and flags emblazoned with the red team color of the Chiefs and travel great distances to watch the Chiefs play at Arrowhead Stadium. Among the people, there is a great deal of pride for the Chiefs.

Missourians who love the Kansas City Chiefs and the National Football League, NFL, owe a debt of gratitude to Chiefs founder Lamar Hunt, who in 1963 moved the Dallas Texans to Kansas City. For 40 years, Mr. Hunt owned and was a critical participant in the Chiefs football club. Under his leadership, the Chiefs won the American Football League Championship game in 1966 and in 1969 and won the National Football League Super Bowl IV Championship in 1970. And, while the team has been competitive through most of its history, it experienced a renaissance after Mr. Hunt hired General Manager Carl Peterson in 1988.

Mr. Hunt also helped mold the direction of the modern-day NFL and served as the driving force behind the merger of the American and National football leagues in 1970. He founded the American Football League at the age of 27 and created and named the championship game known as the Super Bowl. Throughout his career, he advocated for innovative and progressive changes to enhance the NFL, including the inclusion of the two point conversion option for professional football, placing names on the backs of the uniforms, naming the Super Bowl trophy after Vince Lombardi, and adding another Thanksgiving game to the NFL schedule.

In recognition of Mr. Hunt's work in football, he was enshrined in the Professional Football Hall of Fame in 1972, was inducted into the NFL Alumni Association's prestigious Order of the Leather Helmet, and received the Francis J. ''Reds'' Bagnell Award from the Maxwell Football Club of Philadelphia. The NFL also named the American Football Conference, AFC, trophy, which is presented each year to the AFC champion, the ''Lamar Hunt Trophy.''

In addition to football, Mr. Hunt was dedicated to other sports, including soccer, basketball, and tennis. He was also a highly successful businessman and philanthropist.

Mr. Speaker, Lamar Hunt was a remarkable man. Though he was born in Arkansas and lived much of his life in Texas, his decision to establish the Kansas City Chiefs in Missouri has endeared him to Show-Me State residents. And, he made his mark in the history of

the United States by helping to create the NFL, which is revered by so many Americans. As the House of Representatives prepares to pass legislation today to honor Mr. Hunt's life and legacy, let us remember his unique contributions to Missouri and to our country.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the late Lamar Hunt, a tireless contributor to the National Football League, NFL, and to the United States.

Originally from El Dorado, Arkansas, Lamar Hunt was educated in Texas at Southern Methodist University, where he obtained a Bachelor of Science degree in Geology and served as a 3-year reserve end on the varsity football team.

At the young age of 27, Hunt persevered through much criticism and founded the Dallas Texans, now known as the Kansas City Chiefs, and facilitated the creation of the American Football League. By undertaking these two tasks, he paved the way for the expansion of professional football.

Hunt's impeccable management skills and keen perception of the game propelled him to spearhead groundbreaking developments in the NFL. These developments include, among many others, the installation of the 2-point conversion option and the inclusion of names on the back of game jerseys. Although known for such contributions to the NFL, Hunt's commitment to the community went far beyond the football field.

Hunt was an avid supporter of societal betterment, hosting and sponsoring many philanthropic efforts. He made significant financial contributions to higher learning institutions, the Heart of a Champion foundation, and the fine arts, notably the Dallas Symphony Orchestra and the Dallas Museum of Art.

In closing, Lamar Hunt was a very special man who touched the lives of many Americans. I am delighted and honored to recognize such a distinguished, forward thinking gentleman, and I urge my colleagues to join me in saluting this remarkable citizen.

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

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H. Res. 53, and I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I urge passage of this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 53.

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

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL HURRICANE PREPAREDNESS WEEK

Mr. MELANCON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 402) supporting the goals and ideals of National Hurricane Preparedness Week.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 402

Whereas the Atlantic and Central Pacific hurricane season begins June 1 and ends November 30, and the East Pacific hurricane season runs from May 15 through November 30;

Whereas an average of 11 tropical storms develop per year over the Atlantic Ocean, Caribbean Sea, and Gulf of Mexico and an average of 6 of these storms become hurricanes;

Whereas in an average 3-year period roughly 5 hurricanes strike the United States coastline, sometimes resulting in multiple deaths, with 2 typically being ''major'' or ''intense'' category 3 hurricanes, as measured on the Saffir-Simpson Hurricane Scale;

Whereas millions of Americans face great risk from tropical storms or hurricanes, because 50 percent of Americans live along the coast and millions of tourists visit the oceans each year;

Whereas the 2005 Atlantic hurricane season was the busiest on record and extends the active hurricane cycle that began in 1995—a trend experts agree is likely to continue for years to come;

Whereas the 2005 Atlantic hurricane season included 28 named storms, including 15 hurricanes in which 7 were category 3 or higher;

Whereas, during a hurricane, homes, businesses, public buildings, and infrastructure may be damaged or destroyed by heavy rain, strong winds, and storm surge; debris can break windows and doors; roads and bridges can be washed away; homes can be flooded; and destructive tornadoes can occur well away from the storm's center;

Whereas experts at the National Oceanic and Atmospheric Administration's National Hurricane Center in the National Weather Service agree that it is critical to know if you live in a hurricane prone area, to know your home's vulnerability to storm surge, flooding, and wind, and to develop a written family disaster plan based on this knowledge;

Whereas the National Hurricane Center recommends that people in hurricane-prone areas prepare a personal evacuation plan that identifies ahead of time their home's vulnerability to storm surge, flooding, and wind; the safest areas in their home for each hurricane hazard; several options of places to go if ordered to evacuate; and the telephone numbers of these places as well as a road map of the local area;

Whereas the National Hurricane Center recommends that people in hurricane-prone areas assemble a disaster supply kit before hurricane season begins that includes a first aid kit and essential medications; canned food and can opener; at least three gallons of water per person per day for three to seven days; protective clothing, rainwear, and bedding or sleeping bags; a battery-powered radio, flashlight, and extra batteries; special items (including medications) for infants, elderly, or disabled family members; and written instructions on how to turn off electricity, gas, and water in case authorities advise these actions;

Whereas the National Hurricane Center recommends that prior to hurricane season people prepare for high winds by installing hurricane shutters or having available precut outdoor plywood boards for each window of a home; ensuring they can reinforce garage doors; and making trees more wind resistant by removing diseased and damaged limbs;

Whereas the National Hurricane Center recommends that citizens know that the term ''Hurricane Watch'' means hurricane conditions are possible in the specified area of the Watch, usually within 36 hours, and that the term ''Hurricane Warning'' means hurricane conditions are expected in the specified area of the Warning, usually within 24 hours;

Whereas the National Hurricane Center recommends that people know what to do when a Hurricane Watch is issued, that is, listen to NOAA Weather Radio or local radio or TV stations for up-to-date storm information; prepare to bring inside any lawn furniture, outdoor decorations, and anything that can be picked up by the wind; prepare to cover all windows of their homes and reinforce their garage door; fill their car's gas tank; recheck manufactured home tie-downs; and recheck their disaster supply kit;

Whereas the National Hurricane Center recommends that people know what to do when a Hurricane Warning is issued, that is, listen to the advice of local officials, and leave if told to do so; complete preparation activities; if they are not advised to evacuate, stay indoors, away from windows; be aware that the calm ''eye'' is deceptive and does not mean the storm is over; and be alert for tornadoes;

Whereas in the 1970s, '80s, and '90s, inland flooding was responsible for more than half of the deaths associated with tropical storms and hurricanes in the United States and the National Weather Service recommends that when a hurricane threatens the United States, people determine whether they live in a potential flood zone; if advised to evacuate, do so immediately; keep abreast of road conditions through the news media; move to a safe area before access is cut off by flood water; do not attempt to cross flowing water because as little as six inches of water may cause one to lose control of a vehicle; and develop a flood emergency action plan;

Whereas the National Oceanic and Atmospheric Administration provides more detailed information about hurricanes and hurricane preparedness via its Web site http://www.nhc.noaa.gov/HAW2/; and

Whereas a National Hurricane Preparedness Week will be the week of May 20–26, 2007: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Hurricane Preparedness Week;

(2) encourages the staff of the National Oceanic and Atmospheric Administration, especially at the National Weather Service and the National Hurricane Center, and other appropriate Federal agencies, to continue their outstanding work to educate people in the United States about hurricane preparedness; and

(3) urges the people of the United States to recognize such a week as an opportunity to learn more about the work of the National Hurricane Center to forecast hurricanes and to educate citizens about the potential risks associated with hurricanes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. MELANCON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. MELANCON. 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 H. Res. 402.

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

There was no objection.

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

Mr. Speaker, I am here today with a resolution with my friend, the gentleman from Florida (Mr. MARIO DIAZ-BALART), that will help to make America aware of hurricanes and the devastation. This resolution supports the goals and ideals of National Hurricane Preparedness Week. It encourages the staff of the National Oceanic and Atmospheric Administration, especially at the National Weather Service and the National Hurricane Center and other appropriate Federal agencies, to continue their outstanding work to educate people in the United States about hurricane preparedness.

It also urges the people of the United States to recognize such a week as an opportunity to learn more about the work of the National Hurricane Center to forecast hurricanes and to educate citizens about the potential risks associated with hurricanes.

In light of the storms and devastation caused by Katrina and Rita in August and September of 2005, I think it is appropriate that America be aware of the situations with hurricanes, particularly since some 53 percent of all Americans live along the coastal areas of this country.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Louisiana for his help. Before I discuss this important issue, I want to thank Chairman GORDON and Ranking Member HALL and their great staffs for allowing this important resolution that has been brought here before you to move forward so quickly.

Mr. Speaker, I rise today in support of House Resolution 402, supporting the goals and ideals of National Hurricane Preparedness Week as established by the National Hurricane Center. Hurricane Preparedness Week began yesterday, May 20, and lasts through May 26 of this year.

Next Friday, June 1, marks the beginning of the hurricane season, unfortunately, in the Atlantic and central Pacific Oceans. Hurricane season lasts 6 months, until November 30, and those are 6 months that those of us in Florida pay close attention to.

The goal of Hurricane Preparedness Week is to inform the public about hurricane hazards and to provide knowledge that can be used to take action. We have to be ready. This information can be used to save lives and to protect your home and your property.

History has taught us that a lack of hurricane awareness and preparation are common among all major hurricane disasters, but by knowing your vulnerability and what actions you as an individual and family can take, you can reduce the effects of a hurricane disaster.

One of the biggest lessons learned from the recent wave of hurricanes is that residents should have enough supplies to survive for at least 3 days after the landfall of a hurricane. Oftentimes government and law enforcement personnel are engaged in restoring safety and calming the situation and trying to reach people after a landfall of a hurricane. Ideally residents should have enough food, water and supplies to at least last them 3 days until the authorities can actually get there and lend a hand.

Millions of Americans face great risks from tropical storms and hurricanes. More than 50 percent of Americans live along the coast, and millions of tourists visit the oceans and the coasts each year.

The statistics associated with hurricanes are frankly staggering. An average of 11 tropical storms develop each year over the Atlantic Ocean, the Caribbean Sea, and the Gulf of Mexico. Six of those storms will probably become hurricanes.

The 2005 Atlantic hurricane season was the busiest on record, including 28 named storms, 15 hurricanes in which 7 were a Category 3 or higher. As a Coastal State, Floridians are keenly aware of Mother Nature's wrath and fury, especially when it comes to hurricanes.

In just 2 short years, eight hurricanes have made landfall in Florida from 2004–2005. They were Charlie, Frances, Ivan, Jeanne, Dennis, Katrina, Wilma and Rita. We have heard and read and had to deal with the consequences of those storms.

As we have learned in the past few years, hurricanes pose serious threats to our country. Unfortunately, massive storms can result in casualties, deaths, and millions of dollars in economic damage and destruction. During hurricanes, homes, businesses and other buildings can be damaged by heavy rain, strong winds, and storm surge. Homes can be flooded. Tornadoes can be spun off, and power can be wiped out for days or weeks and sometimes longer.

Experts at NOAA's National Hurricane Center in the National Weather Service agree that it is critical to do a few things: Number one, to determine if you live in a hurricane-prone area. Much of Florida is. Also, know your home's vulnerabilities to storm surge, flooding, wind, and develop a written family disaster plan based on this knowledge.

Once you determine your vulnerability to a hurricane, the National Hurricane Center recommends that people in hurricane-prone areas, such as Florida, assemble a disaster supply kit before the hurricane season begins. Be ready now; don't wait until the storm is on its way. That includes things like a first aid kit with essential medications, and nonperishable food items such as canned goods; at least 3 gallons of water per person per day for at least 3 to 7 days, and that is crucial. You might be able to survive without a lot of things, but you cannot survive without clean water. They recommend battery-powered radios and flashlights and extra batteries; and special items, including formula for infants, and medications for elderly or disabled family members.

As we have learned in south Florida, the forecasters, the meteorologists and hurricane specialists at the National Hurricane Center are often the best source of the most valuable information on hurricane preparedness. They spend countless hours providing valuable information and warnings to individuals located in the potential path of a hurricane, and millions of Americans have come to rely on their steady advice and counsel.

Mr. Speaker, I urge all Americans living in hurricane-prone areas to use Hurricane Preparedness Week as an opportunity to learn more about the approaching hurricane season and to be prepared before a hurricane threatens our land. We must all learn from our experiences and be prepared.

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

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

Mr. Speaker, Mr. MARIO DIAZ-BALART covered the subject matter of the resolution with a tremendous explanation of why we need to be attentive to National Hurricane Week. This June 1 begins the 2007 hurricane season here in the United States, and I hope that recognition here on the floor today will make people aware throughout this country, particularly the people affected by these hurricanes, aware of the dangers and the need to pay attention to oncoming storms.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. BILIRAKIS), who I served with in the State legislature.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman from Louisiana (Mr. MELANCON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) for sponsoring this resolution, which I strongly support. It is a very important resolution.

Mr. Speaker, I rise today in strong support of this resolution supporting the goals and ideals of National Hurricane Preparedness Week.

As we approach what is expected to be yet another very active hurricane season, it is imperative that we help raise awareness on the importance of being the best prepared for the worst-case scenario.

How can any of us ever forget the horrific scenes etched into our minds after witnessing the devastation caused by Hurricanes Katrina and Rita? Nearly 2 years later, the gulf coast region and those affected by these storms are still suffering.

I was alarmed when FEMA Director David Paulison testified before the Homeland Security Committee last week and informed us that FEMA's revised national response plan will not be completed until sometime in June.

Given that we have already had a named storm before the official beginning of hurricane season, I hope FEMA is working expeditiously to get this plan finalized.

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Mr. Speaker, we all agree that the response of the State, local and Federal Governments were inadequate, and there is much work to be done. However, disaster readiness should not solely lie on the shoulders of government. I hope that individuals will use this week as a reminder that they, too, must prepare themselves, as Mr. DIAZ-BALART said.

I have urged my constituents to develop family disaster plans and create supply kits. It is also important that they follow local weather forecasts and heed any emergency hurricane warnings they receive. These and other simple steps can help save lives.

Mr. Speaker, while I'm pleased that we are here today to debate this vitally important issue, I also must express some frustration. Most of our States are plagued with some form of natural disaster. In my State, these menaces have caused the most financially crippling crisis we have been confronted with in years, namely, the unaffordable costs of homeowners' insurance.

Due to the onslaught of hurricanes and tornados in recent years, these rates have doubled or even tripled. This has caused many of my constituents throughout Florida, of course, to leave their homes or risk everything by opting not to get coverage.

While there are no overnight solutions to help solve this crisis, I believe that this body can take steps to help encourage citizens in disaster-prone areas to better mitigate their property from their storms. I have introduced H.R. 913, the Hurricane Tornado and Mitigation Investment Act, which would accomplish that goal. I'm proud my good friend from Florida is an original cosponsor.

Mr. Speaker, some Members have raised concerns that this is only a Florida or a coastal State issue. However, I will conclude my remarks with this statistic. For every dollar spent by FEMA for mitigating disasters, about $4 is saved on what would have eventually been spent fixing damage from a storm. That's significant.

Taxpayers from every State have contributed billions of dollars spent recovering from the aftermaths of hurricanes such as Katrina and Rita. Encouraging our citizens to safeguard their property will save Americans in every State billions of dollars.

Furthermore, it would reduce the skyrocketing costs of homeowners' insurance and allow my constituents and constituents all over the country, your constituents, Mr. Speaker, to raise their children in the State that they want to and retire in the State that they want to retire.

I'm seeing some big problems in my State, Mr. Speaker. As I said, people are leaving the State, and it's a real shame. It's a real shame. They can't afford the homeowners' insurance.

I encourage my colleagues to cosponsor H.R. 913 and pray that this hurricane season is not as active as predicted.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, we have no further speakers, and I yield back the remaining part of my time.

Ms. BORDALLO. Mr. Speaker, I rise in support of H. Res. 402, a resolution to support the goals and ideals of National Hurricane Preparedness Week. I thank my colleague from Florida (Mr. DIAZ-BALART) for his leadership on this issue and for introducing this resolution.

Sponsored by the National Oceanic and Atmospheric Administration, NOAA, this year the National Hurricane Preparedness Week will be observed from May 20–26, 2007. National Hurricane Preparedness Week is aimed to inform and educate people in the United States about how to prepare for major storms and hurricanes and mitigate the risks to individuals, families, and communities associated with potentially deadly storms. A lack of awareness and preparation by individuals, families, and communities can contribute to the destructive effects of hurricanes, major storms, and other natural disasters.

The people of Guam know well the devastating effects of major storms. This resolution correctly notes that the Central Pacific hurricane season begins on June 1 and ends November 30. Guam, during that period of time, routinely is hit by powerful typhoons that have winds in excess 150 miles per hour.

The hazards associated with hurricanes or typhoons and other major storms are not limited to high winds and massive rains. Storm surges, flooding, and the loss of essential services are also among the serious threats to safety, health, and public order associated with such storms.

The key to managing the full range of threats is planning and coordination among local, State, and Federal officials. The government and people of Guam are well prepared for these storms and to manage their aftermaths largely as a result of the high level of coordination that exists between local and Federal representatives on Guam. In fact, communities across the United States can learn from the model practiced and utilized by the Government of Guam in order to achieve effective coordination between local, State, and Federal authorities.

I encourage other at-risk communities across the United States to heed the advice provided by Federal authorities during National Hurricane Preparedness Week. I also encourage at-risk communities to, throughout the year, be vigilant in their efforts to review, revise, and modernize their planning and capabilities to respond to major storms.

Planning and preparation is also the responsibility of each family in at-risk communities. Some simple strategies can be followed to help mitigate the risk to individual and families before, during and after major storms. They are: development of a family plan; the creation of a disaster supply kit; the securing of home and property; and the sharing of information.

I urge my colleagues to support H. Res. 402.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 402, which puts this House on record in strong support of the goals and ideals of National Hurricane Preparedness Week. As we near the 2-year anniversary of Hurricane Katrina, one of the most devastating natural disasters that our country has ever known, we still have a great deal of work to do to secure our Nation from further weather catastrophes. I strongly urge my colleagues to support this legislation, which encourages increased public awareness about how to prepare for a hurricane.

Mr. Speaker, Hurricane Katrina was one of the worst storms in American history, its magnitude rivaled only by the catastrophic failure of the Federal government to adequately respond to the resulting suffering in a manner befitting our great Nation.

This year's hurricane season officially begins on June 1, and scientific predictions do not bode well. Forecasters anticipate a ''very active'' year for storms along the Atlantic coastline, with researchers at Colorado State University anticipating 17 named storms, including 9 hurricanes. According to these predictions, there is a 74 percent chance that at least one major hurricane will strike the U.S. coastline.

This time we have fair warning. We know how devastating a hurricane can be, and we know we are likely to see another storm of the magnitude of Hurricane Katrina. We know that our disaster prevention, preparedness, and relief mechanisms and agencies are woefully inadequate. We can no longer use ignorance as an excuse, and we cannot allow ourselves to be caught unprepared once again.

This legislation recognizes the extreme destructive power of hurricanes; their potential to destroy homes and livelihoods as well as essential infrastructure. We may not be able to predict exactly how, when, or where a hurricane will make landfall, but we do know what areas of the country are particularly vulnerable to hurricanes. We know what basic steps, such as developing a written family disaster plan or establishing evacuation routes, residents of these areas can and should take to prepare themselves. And most of all, we know that hurricanes will continue to pose a threat in the years to come, a threat which we cannot ignore.

In recognition of this knowledge, this bill acknowledges this week, May 20–26, as National Hurricane Preparedness Week. It encourages the staff of the National Oceanic and Atmospheric Administration, especially at the National Weather Service and the National Hurricane Center, and other appropriate Federal agencies, to continue to educate people in the United States about hurricane preparedness.

Additionally, this legislation urges the people of the United States to recognize such a week as an opportunity to learn more about the work of the National Hurricane Center in forecasting hurricanes and in educating citizens about the potential risks associated with hurricanes.

Mr. Speaker, Hurricane Katrina was responsible for $81.2 billion in damage, as well as for the deaths of 1,836 persons. We have a responsibility to provide the American people with a disaster preparedness system that works. We must ensure that, should another storm of Katrina's magnitude make landfall on America's coastline, we will not have to witness the atrocious suffering that we saw in the

summer of 2005. I strongly support this legislation, and I urge my colleagues to do so as well.

Mr. MELANCON. Mr. Speaker, I thank Mr. DIAZ-BALART so much and Mr. BILIRAKIS. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. MELANCON) that the House suspend the rules and agree to the resolution, H. Res. 402.

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

A motion to reconsider was laid on the table.

21ST CENTURY COMPETITIVENESS ACT OF 2007

Mr. WU. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2272) to invest in innovation through research and development, and to improve the competitiveness of the United States.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2272

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 ''21st Century Competitiveness Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SCIENCE AND MATHEMATICS SCHOLARSHIPS AND EDUCATION IMPROVEMENT

Sec. 101. Findings.
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TITLE I—SCIENCE AND MATHEMATICS SCHOLARSHIPS AND EDUCATION IMPROVEMENT

SEC. 101. FINDINGS.

Congress finds the following:

(1) The National Science Foundation has made significant and valuable contributions to the improvement of K–12 and undergraduate science, technology, engineering, and mathematics education throughout its 56 year history.

(2) Under section 3 of the National Science Foundation Act of 1950 (42 U.S.C. 1862), the National Science Foundation is explicitly required to strengthen science, mathematics, and engineering research potential and education programs at all levels.

SEC. 102. DEFINITIONS.

In this title:

(1) The term ''cost of attendance'' has the meaning given that term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll).

(2) The term ''Director'' means the Director of the National Science Foundation.

(3) The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(4) The term ''mathematics and science teacher'' means a mathematics, science, or technology teacher at the elementary school or secondary school level.

Subtitle A—Science Scholarships

SEC. 111. SHORT TITLE.

This subtitle may be cited as the ''10,000 Teachers, 10 Million Minds Science and Math Scholarship Act''.

SEC. 112. FINDINGS.

Congress finds the following:

(1) The prosperity the United States enjoys today is due in no small part to investments the Nation has made in research and development over the past 50 years.

(2) Corporate, government, and national scientific and technical leaders have raised concerns that current trends affecting the science and technology enterprise of the Nation could result in erosion of this past success and jeopardize future prosperity.

(3) The National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine were tasked in a congressional request to recommend actions that the Federal Government could take to enhance the science and technology enterprise so that the United States can successfully compete, prosper, and be secure in the global community of the 21st century.

(4) The Academies' highest priority recommendation in its report, ''Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future'', is to improve K–12 mathematics and science education, and the Academies' first recommended action item is to institute a major scholarship program to recruit and educate annually 10,000 mathematics and science teachers.

SEC. 113. POLICY OBJECTIVE.

In carrying out the program under section 10 of the National Science Foundation Authorization Act of 2002, the National Science Foundation shall seek to increase by up to 10,000 per year the number of elementary and secondary mathematics and science teachers in the Nation's schools having both exemplary subject knowledge and pedagogical skills.

SEC. 114. ROBERT NOYCE TEACHER SCHOLARSHIP PROGRAM.

(a) PROGRAM AMENDMENTS.—Section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1) is amended—

(1) by inserting ''teacher'' after ''noyce'' in the section heading;

(2) in subsection (a)(1)—

(A) by striking ''to provide scholarships, stipends, and programming designed'';

(B) by inserting ''and to provide scholarships and stipends to students participating in the program'' after ''science teachers''; and

(C) by inserting ''Teacher'' after ''Noyce'';

(3) in subsection (a)(3)(A)—

(A) by striking ''encourage top college juniors and seniors'' and inserting ''recruit and prepare undergraduate students''; and

(B) by inserting ''qualified as'' after ''to become'';

(4) in subsection (a)(3)(A)(ii)—

(A) by striking ''programs to help scholarship recipients'' and inserting ''academic courses and early field teaching experiences designed to prepare students participating in the program'';

(B) by striking ''programs that will result in'' and inserting ''such preparation as is necessary to meet requirements for''; and

(C) by striking ''licensing; and'' and inserting ''licensing;'';

(5) in subsection (a)(3)(A)(iii)—

(A) by striking ''scholarship recipients'' and inserting ''students participating in the program'';

(B) by striking ''enable the recipients'' and inserting ''enable the students''; and

(C) by striking ''; or'' and inserting ''; and'';

(6) in subsection (a)(3)(A) by inserting at the end the following new clause:

''(iv) providing summer internships for freshman students participating in the program; or'';

(7) in subsection (a)(3)(B)—

(A) by striking ''encourage'' and inserting ''recruit and prepare''; and

(B) by inserting ''qualified as'' after ''to become'';

(8) by amending clause (ii) of subsection (a)(3)(B) to read as follows:

''(ii) offering academic courses and field teaching experiences designed to prepare stipend recipients to teach in elementary schools and secondary schools, including such preparation as is necessary to meet requirements for teacher certification or licensing; and'';

(9) in subsection (a) by inserting at the end the following new paragraph:

''(4) ELIGIBILITY REQUIREMENT.—To be eligible for an award under this section, an institution of higher education (or consortia of such institutions) shall ensure that specific faculty members and staff from the institution's mathematics, science, or engineering departments and specific education faculty are designated to carry out the development and implementation of the program. An institution of higher education may also include teacher leaders to participate in developing the pedagogical content of the program and to supervise students participating in the program in their field teaching experiences. No institution of higher education shall be eligible for an award unless faculty from the institution's mathematics, science, or engineering departments are active participants in the program.

''(5) AWARDS.—In awarding grants under this section, the Director shall endeavor to ensure that the recipients are from a variety of types of institutions of higher education. In support of this goal, the Director shall broadly disseminate information about when and how to apply for grants under this section, including by conducting outreach to Historically Black Colleges and Universities that are part B institutions as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) and minority institutions (as defined in section 365(3) of that Act (20 U.S.C. 1067k(3))).'';

(10) in subsection (b)(1)(A)—

(A) by striking ''scholarship or stipend'';

(B) by inserting ''and summer internships'' after ''number of scholarships''; and

(C) by inserting ''the type of activities proposed for the recruitment of students to the program,'' after ''intends to award,'';

(11) in subsection (b)(1)(B)—

(A) by striking ''scholarship or stipend''; and

(B) by striking ''; and'' and inserting '', which may include a description of any existing programs at the applicant's institution that are targeted to the education of mathematics and science teachers and the number of teachers graduated annually from such programs;'';

(12) in subsection (b)(1), by striking subparagraph (C) and inserting the following:

''(C) a description of the academic courses and field teaching experiences required under subsection (a)(3)(A)(ii) and (B)(ii), including—

''(i) a description of the undergraduate program that will enable a student to graduate within 5 years with a major in mathematics, science, or engineering and to obtain teacher certification or licensing;

''(ii) a description of the field teaching experiences proposed; and

''(iii) evidence of agreements between the applicant and the schools or school districts that are identified as the locations at which field teaching experiences will occur;

''(D) a description of the programs required under subsection (a)(3)(A)(iii) and (B)(iii), including activities to assist new teachers in fulfilling their service requirements under this section; and

''(E) an identification of the applicant's mathematics, science, or engineering faculty and its education faculty who will carry out the development and implementation of the program as required under subsection (a)(4).'';

(13) in subsection (b)(2)—

(A) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (C), (D), (E) and (F), respectively;

(B) by inserting after subparagraph (A) a new subparagraph as follows:

''(B) the extent to which the applicant's mathematics, science, or engineering faculty and its education faculty have worked or will work collaboratively to design new or revised curricula that recognizes the specialized pedagogy required to teach mathematics, science, and technology effectively in elementary and secondary schools;''; and

(C) by amending subparagraph (F), as so redesignated by subparagraph (A) of this paragraph, to read as follows:

''(F) the ability of the applicant to recruit students who are individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b).'';

(14) in subsection (c)(1)(B), by striking ''2 years'' and inserting ''3 years'';

(15) in subsection (c)(3)—

(A) by striking ''$7,500'' and inserting ''$10,000''; and

(B) by striking ''2 years of scholarship support'' and inserting ''3 years of scholarship support, unless the Director establishes a policy by which part-time students may receive additional years of support'';

(16) in subsection (c)(4)—

(A) by striking ''6 years'' and inserting ''8 years'';

(B) by inserting '', with a maximum service requirement of 6 years'' after ''was received''; and

(C) by striking ''Service required under this paragraph shall be performed in a high-need local educational agency.'';

(17) in subsection (c), by adding at the end a new paragraph as follows:

''(5) EXCEPTION.—The period of service obligation under paragraph (4) is reduced by 1 year for scholarship recipients whose service is performed in a high-need local educational agency. The Director shall establish and maintain a central clearinghouse of information on teaching opportunities available in high-need local educational agencies throughout the United States, which shall be made available to individuals having a service obligation under this section.'';

(18) in subsection (d)(1), by striking ''to receive certification or licensing to teach'' and inserting ''established under subsection (a)(3)(B)'';

(19) in subsection (d)(2), by inserting ''and professional achievement'' after ''academic merit'';

(20) in subsection (d)(3), by striking ''1 year'' and inserting ''16 months'';

(21) in subsection (d)(4)—

(A) by striking ''6 years'' and inserting ''4 years''; and

(B) by striking ''for each year a stipend was received'';

(22) in subsection (e)—

(A) by inserting ''or section 10A'' after ''under this section''; and

(B) in paragraph (1) by inserting ''or section 10A'' after ''subsection (d)'';

(23) in subsection (f)(1), by inserting ''or section 10A'' after ''under this section'';

(24) in subsection (g)(2)(A)—

(A) by striking ''Treasurer of the United States,'' and inserting ''Treasurer of the United States.''; and

(B) by striking ''multiplied by 2.'';

(25) in subsection (h), by inserting ''or section 10A'' after ''under this section'';

(26) in subsection (i)(3), by inserting ''or had a career in'' after ''is working in'';

(27) in subsection (i)—

(A) by striking ''and'' at the end of paragraph (4);

(B) in paragraph (5), by inserting ''or section 10A'' after ''subsection (d)'';

(C) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(D) by adding at the end the following:

''(6) the term 'teacher leader' means a mathematics or science teacher who works to improve the instruction of mathematics or science in kindergarten through grade 12 through—

''(A) participating in the development or revision of science, mathematics, engineering, or technology curricula;

''(B) serving as a mentor to mathematics or science teachers;

''(C) coordinating and assisting teachers in the use of hands-on inquiry materials, equipment, and supplies, and when appropriate, supervising acquisition and repair of such materials;

''(D) providing in-classroom teaching assistance to mathematics or science teachers; and

''(E) providing professional development, for the purposes of training other teacher leaders, to mathematics and science teachers.''; and

(28) by adding at the end the following:

''(j) MATHEMATICS AND SCIENCE SCHOLARSHIP GIFT FUND.—In accordance with section 11(f) of the National Science Foundation Act of 1950, the Director is authorized to accept donations from the private sector to support scholarships, stipends, or internships associated with programs under this section.

''(k) ASSESSMENT OF TEACHER SERVICE AND RETENTION.—Not later than 4 years after the date of enactment of this subsection, the Director shall transmit to Congress a report on the effectiveness of the program carried out under this section. The report shall include the proportion of individuals receiving scholarships or stipends under the program who—

''(1) fulfill their service obligation required under this section in a high-need local educational agency;

''(2) elect to fulfill their service obligation in a high-need local educational agency but fail to complete it, as defined in subsection (g);

''(3) remain in the teaching profession beyond their service obligation; and

''(4) remain in the teaching profession in a high-need local educational agency beyond their service obligation.''.

(b) SPECIAL PARTNERSHIP PROGRAM FOR STIPENDS.—The National Science Foundation Authorization Act of 2002 is amended by inserting after section 10 the following new section:

''SEC. 10A. SPECIAL PARTNERSHIP PROGRAM FOR STIPENDS.

''(a) IN GENERAL.—As part of the Robert Noyce Teacher Scholarship Program established under section 10, the Director shall establish a separate type of award for eligible entities described in subsection (b). Stipends under this section shall be available only to mathematics, science, and engineering professionals who, while receiving the stipend, are enrolled in a program to receive certification or licensing to teach.

''(b) ELIGIBILITY.—In order to be eligible to receive a grant under this section, an institution of higher education (or consortia of such institutions) shall enter into a partnership with one or more private sector nonprofit organizations, local or State government organizations, and businesses. The members of the partnership shall provide the teaching supplements described in subsection (f).

''(c) USE OF GRANTS.—Grants provided under this section shall be used by institutions of higher education or consortia to develop and implement a program to encourage science, mathematics, or engineering professionals to become qualified as mathematics and science teachers, through—

''(1) administering stipends in accordance with this section;

''(2) offering academic courses and field teaching experiences designed to prepare stipend recipients to teach in elementary and secondary schools, including such preparation as is necessary to meet the requirements for certification or licensing; and

''(3) offering programs to stipend recipients, both during and after matriculation in the program for which the stipend is received, to enable recipients to become better mathematics and science teachers, to fulfill the service requirements of this section, and to exchange ideas with others in their fields.

''(d) SELECTION PROCESS.—

''(1) MERIT REVIEW.—Grants shall be provided under this section on a competitive, merit-reviewed basis.

''(2) APPLICATIONS.—An eligible institution of higher education or consortium seeking funding under this section shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require. The application shall include, at a minimum—

''(A) a description of the program that the applicant intends to operate, including the number of stipends the applicant intends to award, the type of activities proposed for the recruitment of students to the program, and the amount of the teaching supplements to be provided in accordance with subsection (f);

''(B) a description of the selection process that will be used in awarding stipends, including a description of the rigorous, nationally recognized test that will be administered during the selection process in order to determine whether individuals applying for stipends have advanced content knowledge of science or mathematics;

''(C) evidence that the applicant has the capability to administer the program in accordance with the provisions of this section, which may include a description of any existing programs at the applicant's institution that are targeted to the education of mathematics and science teachers and the number of teachers graduated annually from such programs;

''(D) a description of the academic courses and field teaching experiences described in subsection (c)(2), including—

''(i) a description of an educational program that will enable a student to obtain teacher certification or licensing within 16 months; and

''(ii) evidence of agreements between the applicant and the schools or school districts that are identified as the locations at which field teaching experiences will occur;

''(E) a description of the programs described in subsection (c)(3), including activities to assist new teachers in fulfilling their service requirements under this section; and

''(F) evidence that the partnership will provide the teaching supplements required under subsection (f).

''(3) CRITERIA.—In evaluating the applications submitted under paragraph (2), the Director shall consider, at a minimum—

''(A) the ability of the applicant to effectively carry out the program and to meet the requirement of subsection (f);

''(B) the extent to which the applicant's mathematics, science, or engineering faculty and its education faculty have worked or will work collaboratively to design new or revised curricula that recognizes the specialized pedagogy required to teach mathematics and science effectively in elementary and secondary schools;

''(C) the extent to which the applicant is committed to making the program a central organizational focus;

''(D) the degree to which the proposed programming will enable stipend recipients to become successful mathematics and science teachers;

''(E) the number and quality of the students that will be served by the program; and

''(F) the ability of the applicant to recruit students who would otherwise not pursue a career in teaching.

''(e) STIPENDS.—Individuals shall be selected to receive stipends under this section primarily on the basis of their content knowledge of science or mathematics as demonstrated by their performance on a test designated in accordance with subsection (d)(2)(B). Among individuals demonstrating equivalent content knowledge, consideration may be given to financial need and to the goal of promoting the participation of individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b).

''(f) TEACHING SUPPLEMENTS.—The members of a partnership shall identify a source of non-Federal funding to provide salary supplements to individuals who participate in the program under this section during the period of their service obligation under subsection (h).

''(g) AMOUNT AND DURATION.—Stipends under this section shall be not less than $10,000 per year, except that no individual shall receive for any year more than the cost of attendance at that individual's institution. Individuals may receive a maximum of 16 months of stipend support.

''(h) SERVICE OBLIGATION.—If an individual receives a stipend under this section, that individual shall be required to complete, within 6 years after completion of the educational program for which the stipend was awarded, 4 years of service as a mathematics or science teacher in a public secondary school.''.

(c) CONFORMING AMENDMENT.—Section 8(6) of the National Science Foundation Authorization Act of 2002 is amended—

(1) in the paragraph heading by inserting ''TEACHER'' after ''NOYCE''; and

(2) by inserting ''Teacher'' after ''Noyce''.

Subtitle B—Mathematics and Science Education Improvement

SEC. 121. MATHEMATICS AND SCIENCE EDUCATION PARTNERSHIPS AMENDMENTS.

Section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n) is amended—

(1) in subsection (a)(2)—

(A) by striking ''(A)'';

(B) by striking subparagraph (B);

(C) by inserting '', through 1 or more of its departments in science, mathematics, or engineering,'' after ''institution of higher education''; and

(D) by striking ''a State educational agency'' and inserting ''education faculty from the participating institution or institutions of higher education, a State educational agency,'';

(2) in subsection (a)(3)(B)—

(A) by inserting ''content-specific'' before ''professional development programs'';

(B) by inserting ''which are'' before ''designed''; and

(C) by inserting ''and which may include teacher training activities to prepare mathematics and science teachers to teach challenging mathematics, science, and technology college-preparatory courses, including Advanced Placement and International Baccalaureate courses'' after ''and science teachers'';

(3) in subsection (a)(3)(C)—

(A) by inserting ''and laboratory experiences'' after ''technology''; and

(B) by inserting ''and laboratory'' after ''provide technical'';

(4) in subsection (a)(3)(I) by inserting ''including model induction programs for teachers in their first 2 years of teaching,'' after ''and science,'';

(5) in subsection (a)(3)(K) by striking ''developing and offering mathematics or science enrichment programs for students, including after-school and summer programs;'' and inserting ''developing educational programs and materials and conducting mathematics, science, and technology enrichment programs for students, including after-school programs and summer camps for students described in subsection (b)(2)(G);'';

(6) in subsection (a) by inserting at the end the following:

''(8) MASTER'S DEGREE PROGRAMS.—Activities carried out in accordance with paragraph (3)(B) shall include the development and offering of master's degree programs for in-service mathematics and science teachers that will strengthen their subject area knowledge and pedagogical skills, as described in section 123 of the Act enacting this paragraph. Grants provided under this section may be used to develop and implement courses of instruction for the master's degree programs, which may involve online learning, and develop related educational materials.

''(9) MENTORS FOR TEACHERS AND STUDENTS OF CHALLENGING COURSES.—Partnerships carrying out activities to prepare mathematics

and science teachers to teach challenging mathematics, science, and technology college-preparatory courses, including Advanced Placement and International Baccalaureate courses, in accordance with paragraph (3)(B) shall encourage companies employing scientists, mathematicians, or engineers to provide mentors to teachers and students and provide for the coordination of such mentoring activities.

''(10) INVENTIVENESS.—Activities carried out in accordance with paragraph (3)(H) may include the development and dissemination of curriculum tools that will help foster inventiveness and innovation.'';

(7) in subsection (b)(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and inserting after subparagraph (D) the following new subparagraph:

''(E) the extent to which the evaluation described in paragraph (1)(E) will be independent and based on objective measures;'';

(8) in subsection (b) by inserting at the end the following:

''(4) MINIMUM AND MAXIMUM GRANT SIZE.—A grant awarded under this section shall be not less than $75,000 or greater than $2,000,000 for any fiscal year.'';

(9) in subsection (c)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(C) by inserting after paragraph (1) the following new paragraphs:

''(2) REPORT ON MODEL PROJECTS.—The Director shall determine which completed projects funded through the program under this section should be seen as models to be replicated on a more expansive basis at the State or national levels. Not later than 1 year after the date of enactment of this paragraph, the Director shall transmit a report describing the results of this study to the Committee on Science and Technology and the Committee on Education and Labor of the House of Representatives and to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(3) REPORT ON EVALUATIONS.—Not later than 4 years after the date of enactment of this paragraph, the Director shall transmit a report summarizing the evaluations required under subsection (b)(1)(E) of grants received under this program and describing any changes to the program recommended as a result of these evaluations to the Committee on Science and Technology and the Committee on Education and Labor of the House of Representatives and to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate. Such report shall be made widely available to the public.''; and

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

''(d) DEFINITIONS.—In this section—

''(1) the term 'mathematics and science teacher' means a mathematics, science, or technology teacher at the elementary school or secondary school level; and

''(2) the term 'science', in the context of elementary and secondary education, includes technology and pre-engineering.''.

SEC. 122. TEACHER INSTITUTES.

(a) NATIONAL SCIENCE FOUNDATION INSTITUTES.—

(1) IN GENERAL.—The Director shall establish a grant program to provide for summer or academic year teacher institutes or workshops authorized by section 9(a)(3)(B) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n(a)(3)(B)) and shall allow grantees under the Teacher Institutes for the 21st Century program to operate 1 to 2 week summer teacher institutes with the goal of reaching the maximum number of in-service mathematics and science teachers, particularly elementary and middle school teachers, to improve their content knowledge and pedagogical skills.

(2) PREPARATION TO TEACH CHALLENGING COURSES.—The Director shall ensure that activities supported for awards under paragraph (1) include the development and implementation of teacher training activities to prepare mathematics and science teachers to teach challenging mathematics, science, and technology college-preparatory courses, including Advanced Placement and International Baccalaureate courses.

(3) AWARDS.—In awarding grants under this section, the Director shall give priority to applications that propose programs that will attract mathematics and science teachers from local educational agencies that—

(A) are receiving grants under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq) as a result of having within their jurisdictions concentrations of children from low income families; and

(B) are experiencing a shortage of highly qualified teachers, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), in the fields of science, mathematics, or technology.

(b) LABORATORY SCIENCE TEACHER PROFESSIONAL DEVELOPMENT.—There are authorized to be appropriated to the Secretary of Energy for the Laboratory Science Teacher Professional Development program, $3,000,000 for fiscal year 2008, $8,000,000 for fiscal year 2009, $10,000,000 for fiscal year 2010, $10,000,000 for fiscal year 2011, and $10,000,000 for fiscal year 2012.

SEC. 123. GRADUATE DEGREE PROGRAM.

(a) IN GENERAL.—The Director shall ensure that master's degree programs for in-service mathematics and science teachers that will strengthen their subject area knowledge and pedagogical skills are instituted in accordance with section 9(a)(8) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n(a)(8)). The degree programs shall be designed for current teachers, who will enroll as part-time students, and to allow participants to obtain master's degrees within a period of 3 years.

(b) DISTRIBUTION OF AWARDS.—The Director shall, in awarding grants to carry out subsection (a), consider the distribution of awards among institutions of higher education of different sizes and geographic locations.

(c) PROGRAM ACTIVITIES.—Activities supported through master's degree programs established under subsection (a) may include—

(1) development of courses of instruction and related educational materials;

(2) stipends to defray the cost of attendance for students in the degree program; and

(3) acquisition of computer and networking equipment needed for online instruction under the degree program.

SEC. 124. CURRICULA.

Nothing in this title, or the amendments made by this title, shall be construed to limit the authority of State governments or local school boards to determine the curricula of their students.

SEC. 125. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS TALENT EXPANSION PROGRAM.

(a) AMENDMENTS.—Section 8(7) of the National Science Foundation Authorization Act of 2002 is amended—

(1) in subparagraph (A) by striking ''competitive, merit-based'' and all that follows through ''in recent years.'' and inserting ''competitive, merit-reviewed multiyear grants for eligible applicants to improve undergraduate education in science, mathematics, engineering, and technology through—

''(i) the creation of programs to increase the number of students studying toward and completing associate's or bachelor's degrees in science, technology, engineering, and mathematics, particularly in fields that have faced declining enrollment in recent years; and

''(ii) the creation of centers (in this paragraph referred to as 'Centers') to develop undergraduate curriculum, teaching methods for undergraduate courses, and methods to better train professors and teaching assistants who teach undergraduate courses to increase the number of students completing undergraduate courses in science, technology, engineering, and mathematics, including the number of nonmajors, and to improve student academic achievement in those courses.

Grants made under clause (ii) shall be awarded jointly through the Education and Human Resources Directorate and at least 1 research directorate of the Foundation.'';

(2) by amending subparagraph (B) to read as follows:

''(B) In selecting projects under subparagraph (A)(i), the Director shall strive to increase the number of students studying toward and completing baccalaureate degrees, concentrations, or certificates in science, mathematics, engineering, or technology who are—

''(i) individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b); or

''(ii) graduates of a secondary school that is administered by a local educational agency that is receiving grants under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq) as a result of having within its jurisdiction concentrations of children from low income families.'';

(3) in subparagraph (C)—

(A) by inserting ''(i)'' before ''The types of'';

(B) by redesignating clauses (i) through (vi) as subclauses (I) through (VI), respectively;

(C) by striking ''under this paragraph'' and inserting ''under subparagraph (A)(i)''; and

(D) by adding at the end the following new clause:

''(ii) The types of activities the Foundation may support under subparagraph (A)(ii) include—

''(I) creating model curricula and laboratory programs;

''(II) developing and demonstrating research-based instructional methods and technologies;

''(III) developing methods to train graduate students and faculty to be more effective teachers of undergraduates;

''(IV) conducting programs to disseminate curricula, instructional methods, or training methods to faculty at the grantee institutions and at other institutions;

''(V) conducting assessments of the effectiveness of the Center at accomplishing the goals described in subparagraph (A)(ii); and

''(VI) conducting any other activities the Director determines will accomplish the goals described in subparagraph (A)(ii).'';

(4) in subparagraph (D)(i), by striking ''under this paragraph'' and inserting ''under subparagraph (A)(i)'';

(5) in subparagraph (D)(ii), by striking ''under this paragraph'' and inserting ''under subparagraph (A)(i)'';

(6) after subparagraph (D)(iii), by adding at the end the following new clause:

''(iv) A grant under subparagraph (A)(ii) shall be awarded for 5 years, and the Director may extend such a grant for up to 2 additional 3 year periods.'';

(7) in subparagraph (E), by striking ''under this paragraph'' both places it appears and inserting ''under subparagraph (A)(i)'';

(8) by redesignating subparagraph (F) as subparagraph (J); and

(9) by inserting after subparagraph (E) the following new subparagraphs:

''(F) Grants awarded under subparagraph (A)(ii) shall be carried out by a department or departments of science, mathematics, or engineering at institutions of higher education (or a consortia thereof), which may partner with education faculty. Applications for awards under subparagraph (A)(ii) shall be submitted to the Director at such time, in such manner, and containing such information as the Director may require. At a minimum, the application shall include—

''(i) a description of the activities to be carried out by the Center;

''(ii) a plan for disseminating programs related to the activities carried out by the Center to faculty at the grantee institution and at other institutions;

''(iii) an estimate of the number of faculty, graduate students (if any), and undergraduate students who will be affected by the activities carried out by the Center; and

''(iv) a plan for assessing the effectiveness of the Center at accomplishing the goals described in subparagraph (A)(ii).

''(G) In evaluating the applications submitted under subparagraph (F), the Director shall consider, at a minimum—

''(i) the ability of the applicant to effectively carry out the proposed activities, including the dissemination activities described in subparagraph (C)(ii)(IV); and

''(ii) the extent to which the faculty, staff, and administrators of the applicant institution are committed to improving undergraduate science, mathematics, and engineering education.

''(H) In awarding grants under subparagraph (A)(ii), the Director shall endeavor to ensure that a wide variety of science, technology, engineering, and mathematics fields and types of institutions of higher education, including 2-year colleges and minority-serving institutions, are covered, and that—

''(i) at least 1 Center is housed at a Doctoral/Research University as defined by the Carnegie Foundation for the Advancement of Teaching; and

''(ii) at least 1 Center is focused on improving undergraduate education in an interdisciplinary area.

''(I) The Director shall convene an annual meeting of the awardees under this paragraph to foster collaboration and to disseminate the results of the Centers and the other activities funded under this paragraph.''.

(b) REPORT ON DATA COLLECTION.—Not later than 180 days after the date of enactment of this Act, the Director shall transmit to Congress a report on how the Director is determining whether current grant recipients in the Science, Technology, Engineering, and Mathematics Talent Expansion Program are making satisfactory progress as required by section 8(7)(D)(ii) of the National Science Foundation Authorization Act of 2002 and what funding actions have been taken as a result of the Director's determinations.

SEC. 126. HIGH-NEED LOCAL EDUCATIONAL AGENCY DEFINITION.

Section 4(8) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n note) is amended to read as follows:

''(8) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' means a local educational agency that—

''(A) is receiving grants under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq) as a result of having within its jurisdiction concentrations of children from low income families; and

''(B) is experiencing a shortage of highly qualified teachers, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), in the fields of science, mathematics, or engineering.''.

SEC. 127. TEACHER LEADERS.

The National Science Foundation Authorization Act of 2002 is amended—

(1) in section 4(11)—

(A) by striking ''MASTER TEACHER'' and inserting ''TEACHER LEADER'';

(B) by striking ''master teacher'' and inserting ''teacher leader''; and

(C) in subparagraph (E), by striking ''master teachers'' and inserting ''teacher leaders''; and

(2) in section 9—

(A) in subsection (a)(3)(E), by striking ''master teachers'' and inserting ''teacher leaders''; and

(B) in subsection (a)(4)—

(i) by striking ''MASTER TEACHERS'' and inserting ''TEACHER LEADERS''; and

(ii) by striking ''master teachers'' each place it appears and inserting ''teacher leaders''.

SEC. 128. LABORATORY SCIENCE PILOT PROGRAM.

(a) FINDINGS.—The Congress finds the following:

(1) To remain competitive in science and technology in the global economy, the United States must increase the number of students graduating from high school prepared to pursue postsecondary education in science, technology, engineering, and mathematics.

(2) There is broad agreement in the scientific community that learning science requires direct involvement by students in scientific inquiry and that laboratory experience is so integral to the nature of science that it must be included in every science program for every science student.

(3) In America's Lab Report, the National Research Council concluded that the current quality of laboratory experiences is poor for most students and that educators and researchers do not agree on how to define high school science laboratories or on their purpose, hampering the accumulation of research on how to improve labs.

(4) The National Research Council found that schools with higher concentrations of non-Asian minorities and schools with higher concentrations of poor students are less likely to have adequate laboratory facilities than other schools.

(5) The Government Accountability Office reported that 49.1 percent of schools where the minority student population is greater than 50.5 percent reported not meeting functional requirements for laboratory science well or at all.

(6) 40 percent of those college students who left the science fields reported some problems related to high school science preparation, including lack of laboratory experience and no introduction to theoretical or to analytical modes of thought.

(7) It is in the national interest for the Federal Government to invest in research and demonstration projects to improve the teaching of laboratory science in the Nation's high schools.

(b) GRANT PROGRAM.—Section 8(8) of the National Science Foundation Authorization Act of 2002 is amended—

(1) by redesignating subparagraphs (A) through (F) as clauses (i) through (vi), respectively;

(2) by inserting ''(A)'' before ''A program of competitive''; and

(3) by inserting at the end the following new subparagraphs:

''(B) In accordance with subparagraph (A)(v), the Director shall establish a research pilot program designated as 'Partnerships for Access to Laboratory Science' to award grants to partnerships to improve laboratories and provide instrumentation as part of a comprehensive program to enhance the quality of mathematics, science, engineering, and technology instruction at the secondary school level. Grants under this subparagraph may be used for—

''(i) purchase, rental, or leasing of equipment, instrumentation, and other scientific educational materials;

''(ii) maintenance, renovation, and improvement of laboratory facilities;

''(iii) development of instructional programs designed to integrate the laboratory experience with classroom instruction and to be consistent with State mathematics and science academic achievement standards;

''(iv) training in laboratory safety for school personnel;

''(v) design and implementation of hands-on laboratory experiences to encourage the interest of individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b) in mathematics, science, engineering, and technology and help prepare such individuals to pursue postsecondary studies in these fields; and

''(vi) assessment of the activities funded under this subparagraph.

''(C) Grants may be made under subparagraph (B) only to a partnership—

''(i) for a project that includes significant teacher training and professional development components; or

''(ii) that establishes that appropriate teacher training and professional development is being addressed, or has been addressed, through other means.

''(D) Grants awarded under subparagraph (B) shall be to a partnership that—

''(i) includes an institution of higher education or a community college;

''(ii) includes a high-need local educational agency;

''(iii) includes a business or eligible nonprofit organization; and

''(iv) may include a State educational agency, other public agency, National Laboratory, or community-based organization.

''(E) The Federal share of the cost of activities carried out using amounts from a grant under subparagraph (B) shall not exceed 50 percent.

''(F) The Director shall require grant recipients to submit a report to the Director on the results of the project supported by the grant.''.

(c) REPORT.—The Director shall evaluate the effectiveness of activities carried out under the research pilot projects funded by the grant program established pursuant to the amendment made by subsection (b) in improving student performance in mathematics, science, engineering, and technology. A report documenting the results of that evaluation shall be submitted to the Committee on Science and Technology of the House of Representatives and the Committees on Commerce, Science, and Transportation and on Health, Education, Labor, and Pensions of the Senate not later than 5 years after the date of enactment of this Act. The report shall identify best practices and materials developed and demonstrated by grant awardees.

(d) AUTHORIZATION OF APPROPRIATIONS.—From the amount authorized in section 303(a)(2)(B), (b)(2)(B), and (c)(2)(B) of this Act, there are authorized to be appropriated

to carry out this section and the amendments made by this section $5,000,000 for fiscal year 2008, and such sums as may be necessary for each of the 2 succeeding fiscal years.

SEC. 129. STUDY ON LABORATORY EQUIPMENT DONATIONS FOR SCHOOLS.

Not later than 2 years after the date of enactment of this Act, the Director shall transmit a report to the Congress examining the extent to which institutions of higher education are donating used laboratory equipment to elementary and secondary schools. The Director, in consultation with the Secretary of Education, shall survey institutions of higher education to determine—

(1) how often, how much, and what type of equipment is donated;

(2) what criteria or guidelines the institutions are using to determine what types of equipment can be donated, what condition the equipment should be in, and which schools receive the equipment;

(3) whether the institutions provide any support to, or follow-up with the schools; and

(4) how appropriate donations can be encouraged.

TITLE II—SCIENCE AND ENGINEERING RESEARCH

SEC. 201. SHORT TITLE.

This title may be cited as the ''Sowing the Seeds Through Science and Engineering Research Act''.

SEC. 202. NATIONAL SCIENCE FOUNDATION EARLY CAREER AWARDS FOR SCIENCE AND ENGINEERING RESEARCHERS.

(a) IN GENERAL.—The Director of the National Science Foundation shall carry out a program to award grants to scientists and engineers at the early stage of their careers at institutions of higher education and organizations described in subsection (c)(2) to conduct research in fields relevant to the mission of the Foundation. The existing Faculty Early Career Development (CAREER) Program may be designated as the mechanism for awarding such grants.

(b) SIZE AND DURATION OF AWARD.—The duration of awards under this section shall be 5 years, and the amount per year shall be at least $80,000.

(c) ELIGIBILITY.—Award recipients shall be individuals who are employed in a tenure-track position as an assistant professor or equivalent title, or who hold an equivalent position, at—

(1) an institution of higher education in the United States; or

(2) an organization in the United States that is a nonprofit, nondegree-granting research organization such as a museum, observatory, or research laboratory.

(d) SELECTION.—Award recipients shall be selected on a competitive, merit-reviewed basis.

(e) SELECTION PROCESS AND CRITERIA FOR AWARDS.—An applicant seeking funding under this section shall submit a proposal to the Director at such time, in such manner, and containing such information as the Director may require. In evaluating the proposals submitted under this section, the Director shall consider, at a minimum—

(1) the intellectual merit of the proposed work;

(2) the innovative or transformative nature of the proposed research;

(3) the extent to which the proposal integrates research and education, including undergraduate education in science and engineering disciplines; and

(4) the potential of the applicant for leadership at the frontiers of knowledge.

(f) AWARDS.—In awarding grants under this section, the Director shall endeavor to ensure that the recipients are from a variety of types of institutions of higher education and nonprofit, nondegree-granting research organizations. In support of this goal, the Director shall broadly disseminate information about when and how to apply for grants under this section, including by conducting outreach to Historically Black Colleges and Universities that are part B institutions as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) and minority institutions (as defined in section 365(3) of that Act (20 U.S.C. 1067k(3))). In awarding grants under this section, the Director shall give special consideration to eligible early-career researchers who have followed alternative career paths such as working part-time or in nonacademic settings, or who have taken a significant career break or other leave of absence.

(g) AUTHORIZATION OF APPROPRIATION.—For each of the fiscal years 2008 through 2012, the Director shall allocate at least 3.5 percent of funds appropriated to the National Science Foundation for Research and Related Activities to the grants program under this section, except to the extent that a sufficient number of meritorious grant applications have not been received for a fiscal year.

(h) REPORT.—Not later than 6 months after the date of enactment of this Act, the Director shall transmit to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report describing the distribution of the institutions from which individuals have participated in the Faculty Early Career Development Program since fiscal year 2001 among each of the categories of institutions of higher education defined by the Carnegie Foundation for the Advancement of Teaching and the organizations in subsection (c)(2).

(i) EVALUATION.—Not later than 2 years after the date of enactment of this Act, the Director shall transmit to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report evaluating the impact of the program carried out under this section on the ability of young faculty to compete for National Science Foundation research grants.

SEC. 203. DEPARTMENT OF ENERGY EARLY CAREER AWARDS FOR SCIENCE AND ENGINEERING RESEARCHERS.

(a) IN GENERAL.—The Director of the Office of Science of the Department of Energy shall carry out a program to award grants to scientists and engineers at the early stage of their careers at institutions of higher education and organizations described in subsection (c)(2) to conduct research in fields relevant to the mission of the Department, giving priority to grants to expand domestic energy production and use through coal-to-liquids technology and advanced nuclear reprocessing.

(b) SIZE AND DURATION OF AWARD.—The duration of awards under this section shall be up to 5 years, and the amount per year shall be at least $80,000.

(c) ELIGIBILITY.—Award recipients shall be individuals who are employed in a tenure-track position as an assistant professor or equivalent title, or who hold an equivalent position, at—

(1) an institution of higher education in the United States; or

(2) an organization in the United States that is a nonprofit, nondegree-granting research organization such as a museum, observatory, or research laboratory.

(d) SELECTION.—Award recipients shall be selected on a competitive, merit-reviewed basis.

(e) SELECTION PROCESS AND CRITERIA FOR AWARDS.—An applicant seeking funding under this section shall submit a proposal to the Director of the Office of Science at such time, in such manner, and containing such information as the Director may require. In evaluating the proposals submitted under this section, the Director shall consider, at a minimum—

(1) the intellectual merit of the proposed work;

(2) the innovative or transformative nature of the proposed research;

(3) the extent to which the proposal integrates research and education, including undergraduate education in science and engineering disciplines; and

(4) the potential of the applicant for leadership at the frontiers of knowledge.

(f) COLLABORATION WITH NATIONAL LABORATORIES.—In awarding grants under this section, the Director shall give priority to proposals in which the proposed work includes collaboration with the Department of Energy National Laboratories.

(g) AWARDS.—In awarding grants under this section, the Director shall endeavor to ensure that the recipients are from a variety of types of institutions of higher education and nonprofit, nondegree-granting research organizations. In support of this goal, the Director shall broadly disseminate information about when and how to apply for grants under this section, including by conducting outreach to Historically Black Colleges and Universities that are part B institutions as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) and minority institutions (as defined in section 365(3) of that Act (20 U.S.C. 1067k(3))).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy to carry out the Director's responsibilities under this section $25,000,000 for each of the fiscal years 2008 through 2012.

(i) REPORT ON RECRUITING AND RETAINING EARLY CAREER SCIENCE AND ENGINEERING RESEARCHERS AT THE NATIONAL LABORATORIES.—Not later than 3 months after the date of enactment of this Act, the Director of the Office of Science shall transmit to the Committee on Science and Technology of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate a report on efforts to recruit and retain young scientists and engineers at the early stages of their careers at the Department of Energy National Laboratories. The report shall include—

(1) a description of Department of Energy and National Laboratory policies and procedures, including financial incentives, awards, promotions, time set aside for independent research, access to equipment or facilities, and other forms of recognition, designed to attract and retain young scientists and engineers;

(2) an evaluation of the impact of these incentives on the careers of young scientists and engineers at Department of Energy National Laboratories, and also on the quality of the research at the National Laboratories and in Department of Energy programs;

(3) a description of what barriers, if any, exist to efforts to recruit and retain young scientists and engineers, including limited availability of full time equivalent positions, legal and procedural requirements, and pay grading systems; and

(4) the amount of funding devoted to efforts to recruit and retain young researchers and the source of such funds.

SEC. 204. INTEGRATIVE GRADUATE EDUCATION AND RESEARCH TRAINEESHIP PROGRAM.

(a) FUNDING.—For each of the fiscal years 2008 through 2012, the Director of the National Science Foundation shall allocate at

least 1.5 percent of funds appropriated for Research and Related Activities to the Integrative Graduate Education and Research Traineeship program.

(b) COORDINATION.—The Director shall coordinate with Federal departments and agencies, as appropriate, to expand the interdisciplinary nature of the Integrative Graduate Education and Research Traineeship program.

(c) AUTHORITY TO ACCEPT FUNDS FROM OTHER AGENCIES.—The Director is authorized to accept funds from other Federal departments and agencies to carry out the Integrative Graduate Education and Research Traineeship program.

SEC. 205. PRESIDENTIAL INNOVATION AWARD.

(a) ESTABLISHMENT.—The President shall periodically present the Presidential Innovation Award, on the basis of recommendations received from the Director of the Office of Science and Technology Policy or on the basis of such other information as the President considers appropriate, to individuals who develop one or more unique scientific or engineering ideas in the national interest at the time the innovation occurs.

(b) PURPOSE.—The awards under this section shall be made to—

(1) stimulate scientific and engineering advances in the national interest;

(2) illustrate the linkage between science and engineering and national needs;

(3) show the potential of such innovation to substantively enhance the economic competitiveness of the United States through development of commercializable intellectual property; and

(4) provide an example to students of the contribution they could make to society by entering the science and engineering profession.

(c) CITIZENSHIP.—An individual is not eligible to receive the award under this section unless at the time such award is made the individual—

(1) is a citizen or other national of the United States; or

(2) is an alien lawfully admitted to the United States for permanent residence who—

(A) has filed an application for naturalization in the manner prescribed by section 334 of the Immigration and Nationality Act (8 U.S.C. 1445); and

(B) is not permanently ineligible to become a citizen of the United States.

(d) PRESENTATION.—The presentation of the award shall be made by the President with such ceremonies as he may deem proper, including attendance by appropriate Members of Congress.

SEC. 206. NATIONAL COORDINATION OFFICE FOR RESEARCH INFRASTRUCTURE.

(a) IN GENERAL.—The Office of Science and Technology Policy shall establish a National Coordination Office for Research Infrastructure. Such Office shall—

(1) identify and prioritize the deficiencies in research facilities and major instrumentation located at academic institutions and at national laboratories that are available for use by academic researchers; and

(2) institute and coordinate the planning by Federal agencies for the acquisition, refurbishment, and maintenance of research facilities and major instrumentation required to address the deficiencies identified under paragraph (1).

In prioritizing the deficiencies identified under paragraph (1), the Office shall consider research needs in areas relevant to the Nation's economic competitiveness.

(b) STAFFING.—The Director of the Office of Science and Technology Policy shall appoint individuals to serve in the Office established under subsection (a) from among the principal Federal agencies that support research in the sciences, mathematics, and engineering, and shall at a minimum include individuals from the National Science Foundation and the Department of Energy.

(c) REPORT.—The Director of the Office of Science and Technology Policy shall provide annually a report to Congress at the time of the President's budget proposal—

(1) describing the research infrastructure needs identified in accordance with subsection (a);

(2) listing research facilities projects and budget proposals, by agency, for major instrumentation acquisitions that are included in the President's budget proposal; and

(3) explaining how these facilities projects and instrumentation acquisitions relate to the deficiencies and priorities arrived at in accordance with subsection (a).

SEC. 207. RESEARCH ON INNOVATION AND INVENTIVENESS.

In carrying out its research programs on science policy and on the science of learning, the National Science Foundation may support research on the process of innovation and the teaching of inventiveness.

SEC. 208. REPORT ON NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY EFFORTS TO RECRUIT AND RETAIN EARLY CAREER SCIENCE AND ENGINEERING RESEARCHERS.

Not later than 3 months after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall transmit to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report on efforts to recruit and retain young scientists and engineers at the early stages of their careers at the National Institute of Standards and Technology laboratories and joint institutes. The report shall include—

(1) a description of National Institute of Standards and Technology policies and procedures, including financial incentives, awards, promotions, time set aside for independent research, access to equipment or facilities, and other forms of recognition, designed to attract and retain young scientists and engineers;

(2) an evaluation of the impact of these incentives on the careers of young scientists and engineers at the National Institute of Standards and Technology, and also on the quality of the research at the National Institute of Standards and Technology's laboratories and in the National Institute of Standards and Technology's programs;

(3) a description of what barriers, if any, exist to efforts to recruit and retain young scientists and engineers, including limited availability of full time equivalent positions, legal and procedural requirements, and pay grading systems; and

(4) the amount of funding devoted to efforts to recruit and retain young researchers and the source of such funds.

SEC. 209. NASA'S CONTRIBUTION TO INNOVATION.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) a balanced science program as authorized by section 101(d) of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109–155) contributes significantly to innovation in and the economic competitiveness of the United States; and

(2) a robust National Aeronautics and Space Administration, funded at the levels authorized under sections 202 and 203 of that Act, would offer a balance among science, aeronautics, exploration, and human space flight programs, all of which can attract and employ scientists, engineers, and technicians across a broad range of fields in science, technology, mathematics, and engineering.

(b) PARTICIPATION IN INNOVATION AND COMPETITIVENESS PROGRAMS.—The Administrator of the National Aeronautics and Space Administration shall fully participate in any interagency efforts to promote innovation and economic competitiveness through scientific research and development within the spending levels cited in subsection (a).

SEC. 210. UNDERGRADUATE SCHOLARSHIPS FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

(a) ESTABLISHMENT.—The National Science Foundation shall establish a program, to be known as the Undergraduate Scholarships for Science, Technology, Engineering, and Mathematics, or US–STEM, program, for awarding scholarships to undergraduate scholars in science, technology, engineering, and mathematics.

(b) ELIGIBILITY.—A student is eligible for a scholarship under this section only if the student—

(1) is enrolled at a public, 4-year college or university;

(2) will have completed at least one-half of the credit requirements for an undergraduate degree before beginning studies to be funded by the scholarship;

(3) has maintained a grade point average in undergraduate studies of at least 3.0 on a scale of 4.0, or an equivalent level as calculated by the National Science Foundation, except that if the student's institution appeals this criterion on the basis of undue hardship on the student, the National Science Foundation may waive this paragraph;

(4) has a total family income of less than $75,000 per year, with such amount to be adjusted annually by the National Science Foundation for inflation;

(5) has not been convicted of a felony; and

(6) is a citizen or permanent resident alien of the United States.

(c) SELECTION CRITERIA.—Scholarship recipients shall be selected on the basis of merit and such other criteria as the National Science Foundation shall establish.

(d) AWARDS.—The National Science Foundation shall announce awards before April 1 for each upcoming academic year, and may make up to 2,500 awards per year. Awards may be made for a maximum of 2 academic years for each student, and scholarship amounts shall be paid to the institution.

(e) ADVISORY BOARD.—The Director of the National Science Foundation shall establish an advisory board, which shall make recommendations to the Director for selection criteria for scholarship recipients, and provide guidance and oversight for the program.

TITLE III—NATIONAL SCIENCE FOUNDATION

SEC. 301. SHORT TITLE.

This title may be cited as the ''National Science Foundation Authorization Act of 2007''.

SEC. 302. DEFINITIONS.

In this title:

(1) BOARD.—The term ''Board'' means the National Science Board established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(2) DIRECTOR.—The term ''Director'' means the Director of the Foundation.

(3) ELEMENTARY SCHOOL.—The term ''elementary school'' has the meaning given that term by section 9101(18) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(18)).

(4) FOUNDATION.—The term ''Foundation'' means the National Science Foundation.

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given that term by section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)).

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2008.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $6,500,000,000 for fiscal year 2008.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $5,080,000,000 shall be made available for research and related activities, of which $115,000,000 shall be made available for the Major Research Instrumentation program;

(B) $873,000,000 shall be made available for education and human resources, of which—

(i) $94,000,000 shall be for Mathematics and Science Education Partnerships established under section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n), of which $32,000,000 shall be made available for the purposes of section 122(a) of this Act and $46,000,000 shall be made available for the purposes of section 123 of this Act;

(ii) $70,000,000 shall be for the Robert Noyce Scholarship Program established under section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1);

(iii) $44,000,000 shall be for the Science, Mathematics, Engineering, and Technology Talent Expansion Program established under section 8(7) of the National Science Foundation Authorization Act of 2002 (Public Law 107–368); and

(iv) $51,620,000 shall be for the Advanced Technological Education program established by section 3(a) of the Scientific and Advanced-Technology Act of 1992 (Public Law 102–476);

(C) $245,000,000 shall be made available for major research equipment and facilities construction;

(D) $285,600,000 shall be made available for agency operations and award management;

(E) $4,050,000 shall be made available for the Office of the National Science Board; and

(F) $12,350,000 shall be made available for the Office of Inspector General.

(b) FISCAL YEAR 2009.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $6,980,000,000 for fiscal year 2009.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $5,457,400,000 shall be made available for research and related activities, of which $123,100,000 shall be made available for the Major Research Instrumentation program;

(B) $934,000,000 shall be made available for education and human resources, of which—

(i) $100,600,000 shall be for Mathematics and Science Education Partnerships established under section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n), of which $35,200,000 shall be made available for the purposes of section 122(a) of this Act and $50,600,000 shall be made available for the purposes of section 123 of this Act;

(ii) $101,000,000 shall be for the Robert Noyce Scholarship Program established under section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1);

(iii) $55,000,000 shall be for the Science, Mathematics, Engineering, and Technology Talent Expansion Program established under section 8(7) of the National Science Foundation Authorization Act of 2002 (Public Law 107–368); and

(iv) $55,200,000 shall be for the Advanced Technological Education program as established by section 3(a) of the Scientific and Advanced-Technology Act of 1992 (Public Law 102–476);

(C) $262,000,000 shall be made available for major research equipment and facilities construction;

(D) $309,760,000 shall be made available for agency operations and award management;

(E) $4,120,000 shall be made available for the Office of the National Science Board; and

(F) $12,720,000 shall be made available for the Office of Inspector General.

(c) FISCAL YEAR 2010.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $7,493,000,000 for fiscal year 2010.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $5,863,200,000 shall be made available for research and related activities, of which $131,700,000 shall be made available for the Major Research Instrumentation program;

(B) $1,003,000,000 shall be made available for education and human resources, of which—

(i) $107,600,000 shall be for Mathematics and Science Education Partnerships established under section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n), of which $38,700,000 shall be made available for the purposes of section 122(a) of this Act and $55,700,000 shall be made available for the purposes of section 123 of this Act;

(ii) $133,000,000 shall be for the Robert Noyce Scholarship Program established under section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1);

(iii) $60,000,000 shall be for the Science, Mathematics, Engineering, and Technology Talent Expansion Program established under section 8(7) of the National Science Foundation Authorization Act of 2002 (Public Law 107–368); and

(iv) $59,100,000 shall be for the Advanced Technological Education program as established by section 3(a) of the Scientific and Advanced-Technology Act of 1992 (Public Law 102–476);

(C) $280,000,000 shall be made available for major research equipment and facilities construction;

(D) $329,450,000 shall be made available for agency operations and award management;

(E) $4,250,000 shall be made available for the Office of the National Science Board; and

(F) $13,100,000 shall be made available for the Office of Inspector General.

(d) MAJOR RESEARCH INSTRUMENTATION.—

(1) AWARD AMOUNT.—The minimum amount of an award under the Major Research Instrumentation program shall be $100,000. The maximum amount of an award under the program shall be $4,000,000, except if the total amount appropriated for the program for a fiscal year exceeds $125,000,000, in which case the maximum amount of an award shall be $6,000,000.

(2) USE OF FUNDS.—In addition to the acquisition of instrumentation and equipment, funds made available by awards under the Major Research Instrumentation program may be used to support the operations and maintenance of such instrumentation and equipment.

(3) COST SHARING.—

(A) IN GENERAL.—An institution of higher education receiving an award shall provide at least 30 percent of the cost from private or non-Federal sources.

(B) EXCEPTIONS.—Institutions of higher education that are not Ph.D.-granting institutions are exempt from the cost sharing requirement in subparagraph (A), and the Director may reduce or waive the cost sharing requirement for—

(i) institutions—

(I) which are not ranked among the top 100 institutions receiving Federal research and development funding, as documented by the statistical data published by the Foundation; and

(II) for which the proposed project will make a substantial improvement in the institution's capabilities to conduct leading edge research, to provide research experiences for undergraduate students using leading edge facilities, and to broaden the participation in science and engineering research by individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b); and

(ii) consortia of institutions of higher education that include at least one institution that is not a Ph.D-granting institution.

(e) UNDERGRADUATE EDUCATION PROGRAMS.—The Director shall continue to carry out programs in support of undergraduate education, including those authorized in section 17 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–6). Funding for these programs shall increase in proportion to the increase in the total amount appropriated to the Foundation in any year for which appropriations are authorized by this title.

(f) LIMIT ON PROPOSALS.—

(1) POLICY.—For programs that require as part of the selection process for awards the submission of preproposals and that also limit the number of preproposals that may be submitted by an institution, the Director shall allow the subsequent submission of a full proposal based on each preproposal that is determined to have merit following the Foundation's merit review process.

(2) REVIEW AND ASSESSMENT OF POLICIES.—The Board shall review and assess the effects on institutions of higher education of the policies of the Foundation regarding the imposition of limitations on the number of proposals that may be submitted by a single institution for programs supported by the Foundation. The Board shall determine whether current policies are well justified and appropriate for the types of programs that limit the number of proposal submissions. Not later that 1 year after the date of enactment of this Act, the Board shall summarize its findings and any recommendations regarding changes to the current policy on the restriction of proposal submissions in a report to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate.

(g) RESEARCH EXPERIENCES FOR UNDERGRADUATES.—The Director shall increase funding for the Research Experiences for Undergraduates program in proportion to the increase in the total amount appropriated to the Foundation for research and related activities in any year for which appropriations are authorized by this title.

(h) GLOBAL WARMING EDUCATION.—

(1) INFORMAL EDUCATION.—As part of Informal Science Education activities, the Director shall support activities to create informal educational materials, exhibits, and multimedia presentations relevant to global warming, climate science, and greenhouse gas reduction strategies.

(2) K–12 INSTRUCTIONAL MATERIALS.—As part of Discovery Research K–12 activities, the Director shall support the development of K–12 educational materials relevant to global warming, climate science, and greenhouse gas reduction strategies.

SEC. 304. CENTERS FOR RESEARCH ON LEARNING AND EDUCATION IMPROVEMENT.

(a) FUNDING FOR CENTERS.—The Director shall continue to carry out the program of

Centers for Research on Learning and Education Improvement as established in section 11 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–2).

(b) ELIGIBILITY FOR CENTERS.—Section 11 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–2) is amended—

(1) in subsection (a)(1), by inserting ''or eligible nonprofit organizations'' after ''institutions of higher education'';

(2) in subsection (b)(1) by inserting ''or an eligible nonprofit organization'' after ''institution of higher education''; and

(3) in subsection (b)(1) by striking ''of such institutions'' and inserting ''thereof''.

SEC. 305. INTERDISCIPLINARY RESEARCH.

(a) IN GENERAL.—The Board shall evaluate the role of the Foundation in supporting interdisciplinary research, including through the Major Research Instrumentation program, the effectiveness of the Foundation's efforts in providing information to the scientific community about opportunities for funding of interdisciplinary research proposals, and the process through which interdisciplinary proposals are selected for support. The Board shall also evaluate the effectiveness of the Foundation's efforts to engage undergraduate students in research experiences in interdisciplinary settings, including through the Research in Undergraduate Institutions program and the Research Experiences for Undergraduates program.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Board shall provide the results of its evaluation under subsection (a), including a recommendation for the proportion of the Foundation's research and related activities funding that should be allocated for interdisciplinary research, to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate.

SEC. 306. PILOT PROGRAM OF GRANTS FOR NEW INVESTIGATORS.

(a) IN GENERAL.—The Director shall carry out a pilot program to award one-year grants to individuals to assist them in improving research proposals that were previously submitted to the Foundation but not selected for funding.

(b) USE OF FUNDS.—Grants awarded under this section shall be used to enable an individual to resubmit an updated research proposal for review by the Foundation through the agency's competitive merit review process. Uses of funds made available under this section may include the generation of new data and the performance of additional analysis.

(c) ELIGIBILITY.—To be eligible to receive a grant under this section, an individual shall—

(1) not have previously received funding as the principal investigator of a research grant from the Foundation; and

(2) have submitted a proposal to the Foundation, which may include a proposal submitted to the Research in Undergraduate Institutions program, that was rated very good or excellent under the Foundation's competitive merit review process.

(d) SELECTION PROCESS.—The Director shall make awards under this section based on the advice of the program officers of the Foundation.

(e) PROGRAM ADMINISTRATION.—The Director may carry out this section through the Small Grants for Exploratory Research program.

(f) NATIONAL SCIENCE BOARD REVIEW.—The Board shall conduct a review and assessment of the pilot program under this section, including the number of new investigators funded, the distribution of awards by type of institution of higher education, and the success rate upon resubmittal of proposals by new investigators funded through this pilot program. Not later than 3 years after the date of enactment of this Act, the Board shall summarize its findings and any recommendations regarding changes to or the continuation of the pilot program in a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate.

SEC. 307. BROADER IMPACTS MERIT REVIEW CRITERION.

(a) IN GENERAL.—In evaluating research proposals under the Foundation's broader impacts criterion, the Director shall give special consideration to proposals that involve partnerships between academic researchers and industrial scientists and engineers that address research areas that have been identified as having high importance for future national economic competitiveness, such as nanotechnology.

(b) PARTNERSHIPS WITH INDUSTRY.—The Director shall encourage research proposals from institutions of higher education that involve partnerships with businesses and organizations representing businesses in fields that have been identified as having high importance for future national economic competitiveness and that include input on the research agenda from and cost-sharing by the industry partners.

(c) REPORT ON BROADER IMPACTS CRITERION.—Not later than 1 year after the date of enactment of this Act, the Director shall transmit to Congress a report on the impact of the broader impacts grant criterion used by the Foundation. The report shall—

(1) identify the criteria that each division and directorate of the Foundation uses to evaluate the broader impacts aspects of research proposals;

(2) provide a breakdown of the types of activities by division that awardees have proposed to carry out to meet the broader impacts criterion;

(3) provide any evaluations performed by the Foundation to assess the degree to which the broader impacts aspects of research proposals were carried out and how effective they have been at meeting the goals described in the research proposals;

(4) describe what national goals, such as improving undergraduate science, mathematics, and engineering education, improving K–12 science and mathematics education, promoting university-industry collaboration and technology transfer, and broadening participation of underrepresented groups, the broader impacts criterion is best suited to promote; and

(5) describe what steps the Foundation is taking and should take to use the broader impacts criterion to improve undergraduate science, mathematics, and engineering education.

SEC. 308. POSTDOCTORAL RESEARCH FELLOWS.

(a) MENTORING.—The Director shall require that all grant applications that include funding to support postdoctoral researchers include a description of the mentoring activities that will be provided for such individuals, and shall ensure that this part of the application is evaluated under the Foundation's broader impacts merit review criterion. Mentoring activities may include career counseling, training in preparing grant applications, guidance on ways to improve teaching skills, and training in research ethics.

(b) REPORTS.—The Director shall require that annual reports and the final report for research grants that include funding to support postdoctoral researchers include a description of the mentoring activities provided to such researchers.

SEC. 309. RESPONSIBLE CONDUCT OF RESEARCH.

The Director shall require that each institution that applies for financial assistance from the Foundation for science and engineering research or education describe in its grant proposal a plan to provide appropriate training and oversight in the responsible and ethical conduct of research to undergraduate students, graduate students, and postdoctoral researchers participating in the proposed research project.

SEC. 310. REPORTING OF RESEARCH RESULTS.

The Director shall ensure that all final project reports and citations of published research documents resulting from research funded, in whole or in part, by the Foundation, are made available to the public in a timely manner and in electronic form through the Foundation's Web site.

SEC. 311. SHARING RESEARCH RESULTS.

An investigator supported under a Foundation award, whom the Director determines has failed to comply with the provisions of section 734 of the Foundation Grant Policy Manual, shall be ineligible for a future award under any Foundation supported program or activity. The Director may restore the eligibility of such an investigator on the basis of the investigator's subsequent compliance with the provisions of section 734 of the Foundation Grant Policy Manual and with such other terms and conditions as the Director may impose.

SEC. 312. FUNDING FOR SUCCESSFUL STEM EDUCATION PROGRAMS.

(a) EVALUATION OF PROGRAMS.—The Director shall, on an annual basis, evaluate all of the Foundation's grants that are scheduled to expire within one year and—

(1) that have the primary purpose of meeting the objectives of the Science and Engineering Equal Opportunity Act (42 U.S.C. 1885 et seq.); or

(2) that have the primary purpose of providing teacher professional development.

(b) CONTINUATION OF FUNDING.—For grants that are identified under subsection (a) and that are deemed by the Director to be successful in meeting the objectives of the initial grant solicitation, the Director may extend the duration of those grants for up to 3 additional years beyond their scheduled expiration without the requirement for a recompetition. The Director may extend such grants for an additional 3 years following a second review within 1 year before the extended completion date, in accordance with subsection (a), and the determination by the Director that the objectives of the grant are being achieved.

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Director shall submit a report to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate that—

(1) lists the grants which have been extended in duration by the authority provided under this section; and

(2) provides any recommendations the Director may have regarding the extension of the authority provided under this section to programs other than those specified in subsection (a).

SEC. 313. COST SHARING.

(a) IN GENERAL.—The Board shall evaluate the impact of its policy to eliminate cost sharing for research grants and cooperative

agreements for existing programs that were developed around industry partnerships and historically required industry cost sharing, such as the Engineering Research Centers and Industry/University Cooperative Research Centers. The Board shall also consider the impact that the cost sharing policy has on initiating new programs for which industry interest and participation are sought.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Board shall report to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate, on the results of the evaluation under subsection (a).

SEC. 314. DONATIONS.

Section 11(f) of the National Science Foundation Act of 1950 (42 U.S.C. 1870(f)) is amended by inserting at the end before the semicolon ", except that funds may be donated for specific prize competitions".

SEC. 315. ADDITIONAL REPORTS.

(a) REPORT ON FUNDING FOR MAJOR FACILITIES.—

(1) PRECONSTRUCTION FUNDING.—The Board shall evaluate the appropriateness of the requirement that funding for detailed design work and other preconstruction activities for major research equipment and facilities come exclusively from the sponsoring research division rather than being available, at least in part, from the Major Research Equipment and Facilities Construction account.

(2) MAINTENANCE AND OPERATION COSTS.—The Board shall evaluate the appropriateness of the Foundation's policies for allocation of costs for, and oversight of, maintenance and operation of major research equipment and facilities.

(3) REPORT.—Not later than 6 months after the date of enactment of this Act, the Board shall report on the results of the evaluations under paragraphs (1) and (2) and on any recommendations for modifying the current policies related to allocation of funding for major research equipment and facilities to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives, and to the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate.

(b) INCLUSION OF POLAR FACILITIES UPGRADES IN MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION PLAN.—Section 201(a)(2)(D) of the National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862l(a)(2)(D)) is amended by inserting "and for major upgrades of facilities in support of Antarctic research programs" after "facilities construction account".

(c) REPORT ON EDUCATION PROGRAMS WITHIN THE RESEARCH DIRECTORATES.—Not later than 6 months after the date of enactment of this Act, the Director shall transmit to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate a report cataloging all elementary and secondary school, informal, and undergraduate educational programs and activities supported through appropriations for Research and Related Activities. The report shall display the programs and activities by directorate, along with estimated funding levels for the fiscal years 2006, 2007, and 2008, and shall provide a description of the goals of each program and activity. The report shall also describe how the programs and activities relate to or are coordinated with the programs supported by the Education and Human Resources Directorate.

(d) REPORT ON RESEARCH IN UNDERGRADUATE INSTITUTIONS PROGRAM.—The Director shall transmit to Congress along with the fiscal year 2011 budget request a report listing the funding success rates and distribution of awards for the Research in Undergraduate Institutions program, by type of institution based on the highest academic degree conferred by the institution, for fiscal years 2008, 2009, and 2010.

(e) ANNUAL PLAN FOR ALLOCATION OF EDUCATION AND HUMAN RESOURCES FUNDING.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of legislation providing for the annual appropriation of funds for the Foundation, the Director shall submit to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives, and to the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate, a plan for the allocation of education and human resources funds authorized by this title for the corresponding fiscal year, including any funds from within the research and related activities account used to support activities that have the primary purpose of improving education or broadening participation.

(2) SPECIFIC REQUIREMENTS.—The plan shall include a description of how the allocation of funding—

(A) will affect the average size and duration of education and human resources grants supported by the Foundation;

(B) will affect trends in research support for the effective instruction of mathematics, science, engineering, and technology;

(C) will affect the K–20 pipeline for the study of mathematics, science, engineering, and technology; and

(D) will encourage the interest of individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b) in mathematics, science, engineering, and technology, and help prepare such individuals to pursue postsecondary studies in these fields.

SEC. 316. ADMINISTRATIVE AMENDMENTS.

(a) TRIANNUAL AUDIT OF THE OFFICE OF THE NATIONAL SCIENCE BOARD.—Section 15(a) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 4862n–5) is amended—

(1) in paragraph (3), by striking "an annual audit" and inserting "an audit every three years";

(2) in paragraph (4), by striking "each year" and inserting "every third year"; and

(3) by inserting after paragraph (4) the following new paragraph:

"(5) MATERIALS RELATING TO CLOSED PORTIONS OF MEETINGS.—To facilitate the audit required under paragraph (3) of this subsection, the Office of the National Science Board shall maintain the General Counsel's certificate, the presiding officer's statement, and a transcript or recording of any closed meeting, for at least 3 years after such meeting.".

(b) LIMITED TERM PERSONNEL FOR THE NATIONAL SCIENCE BOARD.—Subsection (g) of section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863(g)) is amended to read as follows:

"(g) The Board may, with the concurrence of a majority of its members, permit the appointment of a staff consisting of not more than 5 professional staff members, technical and professional personnel on leave of absence from academic, industrial, or research institutions for a limited term and such operations and support staff members as may be necessary. Such staff shall be appointed by the Chairman and assigned at the direction of the Board. The professional members and limited term technical and professional personnel of such staff may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 of such title relating to classification, and shall be compensated at a rate not exceeding the maximum rate payable under section 5376 of such title, as may be necessary to provide for the performance of such duties as may be prescribed by the Board in connection with the exercise of its powers and functions under this Act. Section 14(a)(3) shall apply to each limited term appointment of technical and professional personnel under this subsection. Each appointment under this subsection shall be subject to the same security requirements as those required for personnel of the Foundation appointed under section 14(a).".

(c) INCREASE IN NUMBER OF WATERMAN AWARDS TO THREE.—Section 6(c) of the National Science Foundation Authorization Act of 1975 (42 U.S.C. 1881a) is amended to read as follows:

"(c) Up to three awards may be made under this section in any one fiscal year.".

SEC. 317. NATIONAL SCIENCE BOARD REPORTS.

Paragraphs (1) and (2) of section 4(j) of the National Science Foundation Act of 1950 (42 U.S.C. 1863(j)(1) and (2)) are amended by striking ", for submission to" and "for submission to", respectively, and inserting "and".

SEC. 318. NATIONAL ACADEMY OF SCIENCE REPORT ON DIVERSITY IN STEM FIELDS.

(a) IN GENERAL.—The Foundation shall enter into an arrangement with the National Academy of Sciences for a report, to be transmitted to the Congress not later than 1 year after the date of enactment of this Act, about barriers to increasing the number of underrepresented minorities in science, technology, engineering, and mathematics fields and to identify strategies for bringing more underrepresented minorities into the science, technology, engineering, and mathematics workforce.

(b) SPECIFIC REQUIREMENTS.—The Director shall ensure that the study described in subsection (a) addresses—

(1) social and institutional factors that shape the decisions of minority students to commit to education and careers in the science, technology, engineering, and mathematics fields;

(2) specific barriers preventing greater minority student participation in the science, technology, engineering, and mathematics fields;

(3) primary focus points for policy intervention to increase the recruitment and retention of underrepresented minorities in America's future workforce;

(4) programs already underway to increase diversity in the science, technology, engineering, and mathematics fields, and their level of effectiveness;

(5) factors that make such programs effective, and how to expand and improve upon existing programs;

(6) the role of minority-serving institutions in the diversification of America's workforce in these fields and how that role can be supported and strengthened; and

(7) how the public and private sectors can better assist minority students in their efforts to join America's workforce in these fields.

SEC. 319. SENSE OF THE CONGRESS REGARDING THE MATHEMATICS AND SCIENCE PARTNERSHIP PROGRAMS OF THE DEPARTMENT OF EDUCATION AND THE NATIONAL SCIENCE FOUNDATION.

It is the sense of the Congress that—

(1) although the mathematics and science education partnership program at the National Science Foundation and the mathematics and science partnership program at the Department of Education practically share the same name, the 2 programs are intended to be complementary, not duplicative;

(2) the National Science Foundation partnership programs are innovative, model reform initiatives that move promising ideas in education from research into practice to improve teacher quality, develop challenging curricula, and increase student achievement in mathematics and science, and Congress intends that the National Science Foundation peer-reviewed partnership programs found to be effective should be put into wider practice by dissemination through the Department of Education partnership programs; and

(3) the Director of the National Science Foundation and the Secretary of Education should have ongoing collaboration to ensure that the 2 components of this priority effort for mathematics and science education continue to work in concert for the benefit of States and local practitioners nationwide.

SEC. 320. HISPANIC-SERVING INSTITUTIONS UNDERGRADUATE PROGRAM.

(a) IN GENERAL.—The Director is authorized to establish a new program to award grants on a competitive, merit-reviewed basis to Hispanic-serving institutions to enhance the quality of undergraduate science, mathematics, engineering, and technology education at such institutions and to increase the retention and graduation rates of students pursuing associate's or baccalaureate degrees in science, mathematics, engineering, or technology.

(b) PROGRAM COMPONENTS.—Grants awarded under this section shall support—

(1) activities to improve courses and curriculum in science, mathematics, engineering, and technology;

(2) faculty development;

(3) stipends for undergraduate students participating in research; and

(4) other activities consistent with subsection (a), as determined by the Director.

(c) INSTRUMENTATION.—Funding for instrumentation is an allowed use of grants awarded under this section.

SEC. 321. COMMUNICATIONS TRAINING FOR SCIENTISTS.

(a) GRANT SUPPLEMENTS FOR COMMUNICATIONS TRAINING.—The Director shall provide grant supplements, on a competitive, merit-reviewed basis, to institutions receiving awards under the Integrative Graduate Education and Research Traineeship program. The grant supplements shall be used to train graduate students in the communication of the substance and importance of their research to nonscientist audiences, including policymakers.

(b) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Director shall transmit a report to the Committee on Science and Technology of the House of Representatives, and to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate, describing how the activities required under subsection (a) have been implemented. The report shall include data on the number of graduate students trained and the number and size of grant supplements awarded, and a description of the types of activities funded through the grant supplements.

TITLE IV—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SEC. 401. SHORT TITLE.

This title may be cited as the ''Technology Innovation and Manufacturing Stimulation Act of 2007''.

Subtitle A—Authorization of Appropriations

SEC. 411. SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.

(a) LABORATORY ACTIVITIES.—There are authorized to be appropriated to the Secretary of Commerce for the scientific and technical research and services laboratory activities of the National Institute of Standards and Technology—

(1) $470,879,000 for fiscal year 2008;

(2) $497,750,000 for fiscal year 2009; and

(3) $537,569,000 for fiscal year 2010.

(b) MALCOLM BALDRIGE NATIONAL QUALITY AWARD PROGRAM.—There are authorized to be appropriated to the Secretary of Commerce for the Malcolm Baldrige National Quality Award program under section 17 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711a)—

(1) $7,860,000 for fiscal year 2008;

(2) $8,096,000 for fiscal year 2009; and

(3) $8,339,000 for fiscal year 2010.

(c) CONSTRUCTION AND MAINTENANCE.—There are authorized to be appropriated to the Secretary of Commerce for construction and maintenance of facilities of the National Institute of Standards and Technology—

(1) $93,865,000 for fiscal year 2008;

(2) $86,371,000 for fiscal year 2009; and

(3) $49,719,000 for fiscal year 2010.

SEC. 412. INDUSTRIAL TECHNOLOGY SERVICES.

There are authorized to be appropriated to the Secretary of Commerce for Industrial Technology Services activities of the National Institute of Standards and Technology—

(1) $222,968,000 for fiscal year 2008, of which—

(A) $110,000,000 shall be for the Technology Innovation Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n), of which at least $45,000,000 shall be for new awards; and

(B) $112,968,000 shall be for the Manufacturing Extension Partnership program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l), of which not more than $1,000,000 shall be for the competitive grant program under section 25(f) of such Act;

(2) $263,505,000 for fiscal year 2009, of which—

(A) $141,500,000 shall be for the Technology Innovation Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n), of which at least $45,000,000 shall be for new awards; and

(B) $122,005,000 shall be for the Manufacturing Extension Partnership Program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l), of which not more than $4,000,000 shall be for the competitive grant program under section 25(f) of such Act; and

(3) $282,266,000 for fiscal year 2010, of which—

(A) $150,500,000 shall be for the Technology Innovation Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n), of which at least $45,000,000 shall be for new awards; and

(B) $131,766,000 shall be for the Manufacturing Extension Partnership Program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l), of which not more than $4,000,000 shall be for the competitive grant program under section 25(f) of such Act.

Subtitle B—Innovation and Technology Policy Reforms

SEC. 421. INSTITUTE-WIDE PLANNING REPORT.

Section 23 of the National Institute of Standards and Technology Act (15 U.S.C. 278i) is amended by adding at the end the following new subsections:

''(c) Concurrent with the submission to Congress of the President's annual budget request in the first year after the date of enactment of the Technology Innovation and Manufacturing Stimulation Act of 2007, the Director shall transmit to the Congress a 3-year programmatic planning document for the Institute, including programs under the Scientific and Technical Research and Services, Industrial Technology Services, and Construction of Research Facilities functions.

''(d) Concurrent with the submission to the Congress of the President's annual budget request in each year after the date of enactment of the Technology Innovation and Manufacturing Stimulation Act of 2007, the Director shall transmit to the Congress an update to the 3-year programmatic planning document transmitted under subsection (c), revised to cover the first 3 fiscal years after the date of that update.''.

SEC. 422. REPORT BY VISITING COMMITTEE.

Section 10(h)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 278(h)(1)) is amended—

(1) by striking ''on or before January 31 in each year'' and inserting ''within 30 days after the submission to Congress of the President's annual budget request in each year''; and

(2) by adding to the end the following: ''Such report also shall comment on the programmatic planning document and updates thereto transmitted to the Congress by the Director under section 23(c) and (d).''.

SEC. 423. MANUFACTURING EXTENSION PARTNERSHIP.

(a) MEP ADVISORY BOARD.—Section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended by adding at the end the following new subsection:

''(e) MEP ADVISORY BOARD.—(1) There is established within the Institute a Manufacturing Extension Partnership Advisory Board (in this Act referred to as the 'MEP Advisory Board'). The MEP Advisory Board shall consist of 10 members broadly representative of stakeholders, to be appointed by the Director. At least 2 members shall be employed by or on an advisory board for the Centers, and at least 5 other members shall be from United States small businesses in the manufacturing sector. No member shall be an employee of the Federal Government.

''(2)(A) Except as provided in subparagraph (B) or (C), the term of office of each member of the MEP Advisory Board shall be 3 years.

''(B) The original members of the MEP Advisory Board shall be appointed to 3 classes. One class of 3 members shall have an initial term of 1 year, one class of 3 members shall have an initial term of 2 years, and one class of 4 members shall have an initial term of 3 years.

''(C) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

''(D) Any person who has completed two consecutive full terms of service on the MEP Advisory Board shall thereafter be ineligible for appointment during the one-year period following the expiration of the second such term.

''(3) The MEP Advisory Board shall meet no less than 2 times annually, and provide to the Director—

''(A) advice on Manufacturing Extension Partnership programs, plans, and policies;

''(B) assessments of the soundness of Manufacturing Extension Partnership plans and strategies; and

''(C) assessments of current performance against Manufacturing Extension Partnership program plans.

''(4) In discharging its duties under this subsection, the MEP Advisory Board shall function solely in an advisory capacity, in accordance with the Federal Advisory Committee Act.

''(5) The MEP Advisory Board shall transmit an annual report to the Secretary for transmittal to the Congress within 30 days after the submission to the Congress of the President's annual budget request in each year. Such report shall address the status of the Manufacturing Extension Partnership program and comment on the relevant sections of the programmatic planning document and updates thereto transmitted to the Congress by the Director under section 23(c) and (d).''.

(b) ACCEPTANCE OF FUNDS.—Section 25(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(d)) is amended to read as follows:

''(d) ACCEPTANCE OF FUNDS.—In addition to such sums as may be appropriated to the Secretary and Director to operate the Centers program, the Secretary and Director also may accept funds from other Federal departments and agencies and under section 2(c)(7) from the private sector for the purpose of strengthening United States manufacturing. Such funds, if allocated to a Center or Centers, shall not be considered in the calculation of the Federal share of capital and annual operating and maintenance costs under subsection (c).''.

(c) MANUFACTURING EXTENSION CENTER COMPETITIVE GRANT PROGRAM.—Section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k), as amended by subsection (a) of this section, is further amended by adding at the end the following new subsection:

''(f) COMPETITIVE GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Director shall establish, within the Manufacturing Extension Partnership program under this section and section 26 of this Act, a program of competitive awards among participants described in paragraph (2) for the purposes described in paragraph (3).

''(2) PARTICIPANTS.—Participants receiving awards under this subsection shall be the Centers, or a consortium of such Centers.

''(3) PURPOSE.—The purpose of the program under this subsection is to develop projects to solve new or emerging manufacturing problems as determined by the Director, in consultation with the Director of the Manufacturing Extension Partnership program, the Manufacturing Extension Partnership Advisory Board, and small and medium-sized manufacturers. One or more themes for the competition may be identified, which may vary from year to year, depending on the needs of manufacturers and the success of previous competitions. These themes shall be related to projects associated with manufacturing extension activities, including supply chain integration and quality management, and including the transfer of technology based on the technological needs of manufacturers and available technologies from institutions of higher education, laboratories, and other technology producing entities, or extend beyond these traditional areas.

''(4) APPLICATIONS.—Applications for awards under this subsection shall be submitted in such manner, at such time, and containing such information as the Director shall require, in consultation with the Manufacturing Extension Partnership Advisory Board.

''(5) SELECTION.—Awards under this subsection shall be peer reviewed and competitively awarded. The Director shall select proposals to receive awards—

''(A) that utilize innovative or collaborative approaches to solving the problem described in the competition;

''(B) that will improve the competitiveness of industries in the region in which the Center or Centers are located; and

''(C) that will contribute to the long-term economic stability of that region.

''(6) PROGRAM CONTRIBUTION.—Recipients of awards under this subsection shall not be required to provide a matching contribution.''.

SEC. 424. TECHNOLOGY INNOVATION PROGRAM.

Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is amended to read as follows:

''TECHNOLOGY INNOVATION PROGRAM

''SEC. 28. (a) ESTABLISHMENT.—There is established in the Institute a Technology Innovation Program for the purpose of assisting United States businesses and institutions of higher education or other organizations, such as national laboratories and nonprofit research institutes, to accelerate the research and development and application of challenging, high-risk, high-reward technologies in areas of critical national need that promise widespread economic benefits for the Nation.

''(b) GRANTS.—

''(1) IN GENERAL.—The Director shall make grants under this section for research and development on high-risk, high-reward emerging and enabling technologies (including any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use) that address critical national needs and have a wide breadth of potential application, and form an important technical basis for future innovations. Such grants shall be made to—

''(A) eligible companies that are small- or medium-sized businesses that are substantially involved in the research and development, including having a leadership role in programmatically steering the project and defining the research agenda; or

''(B) joint ventures.

''(2) SINGLE COMPANY GRANTS.—No grant made under paragraph (1)(A) shall exceed $3,000,000 over 3 years. The Federal share of a project funded by such a grant shall not be more than 50 percent of total project costs. An award under paragraph (1)(A) may be extended beyond 3 years only if the Director transmits to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a full and complete explanation of such award, including reasons for exceeding 3 years. Federal funds granted under paragraph (1)(A) may be used only for direct costs and not for indirect costs, profits, or management fees of a contractor.

''(3) JOINT VENTURE GRANTS.—No grant made under paragraph (1)(B) shall exceed $9,000,000 over 5 years. The Federal share of a project funded by such a grant shall not be more than 50 percent of total project costs.

''(c) AWARD CRITERIA.—The Director shall award grants under this section only to an eligible company—

''(1) whose proposal has scientific and technological merit;

''(2) whose application establishes that the proposed technology has strong potential to generate substantial benefits to the Nation that extend significantly beyond the direct return to the applicant;

''(3) whose application establishes that the research has strong potential for advancing the state-of-the-art and contributing significantly to the United States scientific and technical knowledge base;

''(4) whose application establishes that the research is aimed at overcoming a scientific or technological barrier;

''(5) who has provided a technical plan that clearly identifies the core innovation, the technical approach, major technical hurdles, and the attendant risks, and that clearly establishes the feasibility of the technology through adequately detailed plans linked to major technical barriers;

''(6) whose application establishes that the team proposed to carry out the work has a high level of scientific and technical expertise to conduct research and development, has a high level of commitment to the project, and has access to appropriate research facilities;

''(7) whose proposal explains why Technology Innovation Program support is necessary;

''(8) whose application includes a plan for advancing the technology into commercial use; and

''(9) whose application assesses the project's organizational structure and management plan.

''(d) EXTERNAL REVIEW OF PROPOSALS.—In order to analyze the need for or the value of any proposal made by a joint venture or company requesting the Director's assistance under this section, or to monitor the progress of any project which receives funds under this section, the Director shall consult with industry or other expert sources that do not have a proprietary or financial interest in the proposal or project.

''(e) INTELLECTUAL PROPERTY RIGHTS OWNERSHIP.—

''(1) IN GENERAL.—Title to any intellectual property developed by a joint venture from assistance provided under this section may vest in any participant in the joint venture, as agreed by the members of the joint venture, notwithstanding section 202(a) and (b) of title 35, United States Code. The United States may reserve a nonexclusive, nontransferable, irrevocable paid-up license, to have practiced for or on behalf of the United States in connection with any such intellectual property, but shall not in the exercise of such license publicly disclose proprietary information related to the license. Title to any such intellectual property shall not be transferred or passed, except to a participant in the joint venture, until the expiration of the first patent obtained in connection with such intellectual property.

''(2) LICENSING.—Nothing in this subsection shall be construed to prohibit the licensing to any company of intellectual property rights arising from assistance provided under this section.

''(3) DEFINITION.—For purposes of this subsection, the term 'intellectual property' means an invention patentable under title 35, United States Code, or any patent on such an invention, or any work for which copyright protection is available under title 17, United States Code.

''(f) PROGRAM OPERATION.—Not later than 9 months after the date of enactment of the Technology Innovation and Manufacturing Stimulation Act of 2007, the Director shall issue regulations—

''(1) establishing criteria for the selection of recipients of assistance under this section;

''(2) establishing procedures regarding financial reporting and auditing to ensure that contracts and awards are used for the purposes specified in this section, are in accordance with sound accounting practices, and are not funding existing or planned research programs that would be conducted in the same time period in the absence of financial assistance under this section; and

''(3) providing for appropriate dissemination of Technology Innovation Program research results.

''(g) CONTINUATION OF ATP GRANTS.—The Director shall, through the Technology Innovation Program, continue to provide support originally awarded under the Advanced Technology Program, in accordance with the terms of the original award.

''(h) COORDINATION WITH OTHER STATE AND FEDERAL TECHNOLOGY PROGRAMS.—In carrying out this section, the Director shall, as appropriate, coordinate with other senior State and Federal officials to ensure cooperation and coordination in State and Federal technology programs and to avoid unnecessary duplication of efforts.

''(i) ACCEPTANCE OF FUNDS FROM OTHER FEDERAL AGENCIES.—In addition to amounts appropriated to carry out this section, the Secretary and the Director may accept funds from other Federal agencies to support awards under the Technology Innovation Program. Any award under this section which is supported with funds from other Federal agencies shall be selected and carried out according to the provisions of this section.

''(j) TIP ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established within the Institute a Technology Innovation Program Advisory Board. The TIP Advisory Board shall consist of 10 members appointed by the Director, at least 7 of which shall be from United States industry, chosen to reflect the wide diversity of technical disciplines and industrial sectors represented in Technology Innovation Program projects. No member shall be an employee of the Federal Government.

''(2) TERMS OF OFFICE.—(A) Except as provided in subparagraph (B) or (C), the term of office of each member of the TIP Advisory Board shall be 3 years.

''(B) The original members of the TIP Advisory Board shall be appointed to 3 classes. One class of 3 members shall have an initial term of 1 year, one class of 3 members shall have an initial term of 2 years, and one class of 4 members shall have an initial term of 3 years.

''(C) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

''(D) Any person who has completed two consecutive full terms of service on the TIP Advisory Board shall thereafter be ineligible for appointment during the one-year period following the expiration of the second such term.

''(3) PURPOSE.—The TIP Advisory Board shall meet no less than 2 times annually, and provide to the Director—

''(A) advice on programs, plans, and policies of the Technology Innovation Program;

''(B) reviews of the Technology Innovation Program's efforts to assess its economic impact;

''(C) reports on the general health of the program and its effectiveness in achieving its legislatively mandated mission;

''(D) guidance on areas of technology that are appropriate for Technology Innovation Program funding; and

''(E) recommendations as to whether, in order to better assess whether specific innovations to be pursued are being adequately supported by the private sector, the Director could benefit from advice and information from additional industry and other expert sources without a proprietary or financial interest in proposals being evaluated.

''(4) ADVISORY CAPACITY.—In discharging its duties under this subsection, the TIP Advisory Board shall function solely in an advisory capacity, in accordance with the Federal Advisory Committee Act.

''(5) ANNUAL REPORT.—The TIP Advisory Board shall transmit an annual report to the Secretary for transmittal to the Congress within 30 days after the submission to Congress of the President's annual budget request in each year. Such report shall address the status of the Technology Innovation Program and comment on the relevant sections of the programmatic planning document and updates thereto transmitted to the Congress by the Director under section 23(c) and (d).

''(k) DEFINITIONS.—For purposes of this section—

''(1) the term 'eligible company' means a company that is incorporated in the United States and does a majority of its business in the United States, and that either—

''(A) is majority owned by citizens of the United States; or

''(B) is owned by a parent company incorporated in another country and the Director finds that—

''(i) the company's participation in the Technology Innovation Program would be in the economic interest of the United States, as evidenced by—

''(I) investments in the United States in research and manufacturing (including the manufacture of major components or subassemblies in the United States);

''(II) significant contributions to employment in the United States; and

''(III) agreement with respect to any technology arising from assistance provided under this section to promote the manufacture within the United States of products resulting from that technology (taking into account the goals of promoting the competitiveness of United States industry); and

''(ii) the company is incorporated in a country which—

''(I) affords to United States-owned companies opportunities, comparable to those afforded to any other company, to participate in any joint venture similar to those receiving funding under this section;

''(II) affords to United States-owned companies local investment opportunities comparable to those afforded any other company; and

''(III) affords adequate and effective protection for the intellectual property rights of United States-owned companies;

''(2) the term 'high-risk, high-reward research' means research that—

''(A) has the potential for yielding results with far-ranging or wide-ranging implications;

''(B) addresses critical national needs related to technology and measurement standards; and

''(C) is too novel or spans too diverse a range of disciplines to fare well in the traditional peer review process.

''(3) the term 'institution of higher education' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

''(4) the term 'joint venture' means a joint venture that—

''(A) includes either—

''(i) at least 2 separately owned for-profit companies that are both substantially involved in the project and both of which are contributing to the cost-sharing required under this section, with the lead entity of the joint venture being one of those companies that is a small or medium-sized business; or

''(ii) at least one small or medium-sized business and one institution of higher education or other organization, such as a national laboratory or nonprofit research institute, that are both substantially involved in the project and both of which are contributing to the cost-sharing required under this section, with the lead entity of the joint venture being either that small or medium-sized business or that institution of higher education; and

''(B) may include additional for-profit companies, institutions of higher education, and other organizations, such as national laboratories and nonprofit research institutes, that may or may not contribute non-Federal funds to the project; and

''(5) the term 'TIP Advisory Board' means the advisory board established under subsection (j).''.

SEC. 425. RESEARCH FELLOWSHIPS.

Section 18 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–l) is amended by striking ''up to 1 per centum of the'' and inserting ''up to 1.5 percent of the''.

SEC. 426. COLLABORATIVE MANUFACTURING RESEARCH PILOT GRANTS.

The National Institute of Standards and Technology Act is amended—

(1) by redesignating the first section 32 (15 U.S.C. 271 note) as section 34 and moving it to the end of the Act; and

(2) by inserting before the section moved by paragraph (1) the following new section:

''SEC. 33. COLLABORATIVE MANUFACTURING RESEARCH PILOT GRANTS.

''(a) AUTHORITY.—

''(1) ESTABLISHMENT.—The Director shall establish a pilot program of awards to partnerships among participants described in paragraph (2) for the purposes described in paragraph (3). Awards shall be made on a peer-reviewed, competitive basis.

''(2) PARTICIPANTS.—Such partnerships shall include at least—

''(A) 1 manufacturing industry partner; and

''(B) 1 nonindustry partner.

''(3) PURPOSE.—The purpose of the program under this section is to foster cost-shared collaborations among firms, educational institutions, research institutions, State agencies, and nonprofit organizations to encourage the development of innovative, multidisciplinary manufacturing technologies. Partnerships receiving awards under this section shall conduct applied research to develop new manufacturing processes, techniques, or materials that would contribute to improved performance, productivity, and competitiveness of United States manufacturing, and build lasting alliances among collaborators.

''(b) PROGRAM CONTRIBUTION.—Awards under this section shall provide for not more than one-third of the costs of a partnership. Not more than an additional one-third of such costs may be obtained directly or indirectly from other Federal sources.

''(c) APPLICATIONS.—Applications for awards under this section shall be submitted in such manner, at such time, and containing such information as the Director shall require. Such applications shall describe at a minimum—

''(1) how each partner will participate in developing and carrying out the research agenda of the partnership;

''(2) the research that the grant would fund; and

''(3) how the research to be funded with the award would contribute to improved performance, productivity, and competitiveness of the United States manufacturing industry.

''(d) SELECTION CRITERIA.—In selecting applications for awards under this section, the Director shall consider at a minimum—

''(1) the degree to which projects will have a broad impact on manufacturing;

''(2) the novelty and scientific and technical merit of the proposed projects; and

''(3) the demonstrated capabilities of the applicants to successfully carry out the proposed research.

''(e) DISTRIBUTION.—In selecting applications under this section the Director shall ensure, to the extent practicable, a distribution of overall awards among a variety of manufacturing industry sectors and a range of firm sizes.

''(f) DURATION.—In carrying out this section, the Director shall run a single pilot competition to solicit and make awards. Each award shall be for a 3-year period.''.

SEC. 427. MANUFACTURING FELLOWSHIP PROGRAM.

Section 18 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–1) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The Director is authorized''; and

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

''(b) MANUFACTURING FELLOWSHIP PROGRAM.—

''(1) ESTABLISHMENT.—To promote the development of a robust research community working at the leading edge of manufacturing sciences, the Director shall establish a program to award—

''(A) postdoctoral research fellowships at the Institute for research activities related to manufacturing sciences; and

''(B) senior research fellowships to established researchers in industry or at institutions of higher education who wish to pursue studies related to the manufacturing sciences at the Institute.

''(2) APPLICATIONS.—To be eligible for an award under this subsection, an individual shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require.

''(3) STIPEND LEVELS.—Under this subsection, the Director shall provide stipends for postdoctoral research fellowships at a level consistent with the National Institute of Standards and Technology Postdoctoral Research Fellowship Program, and senior research fellowships at levels consistent with support for a faculty member in a sabbatical position.''.

SEC. 428. MEETINGS OF VISITING COMMITTEE ON ADVANCED TECHNOLOGY.

Section 10(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278(d)) is amended by striking ''quarterly'' and inserting ''twice each year''.

SEC. 429. MANUFACTURING RESEARCH DATABASE.

(a) ESTABLISHMENT.—The National Institute of Standards and Technology shall provide for the establishment of a manufacturing research database to enable private sector individuals and Federal officials to access a broad range of information on manufacturing research carried out with funding support from the Federal Government.

(b) CONTENTS.—The database established under subsection (a) shall contain—

(1) all publicly available information maintained by a Federal agency relating to manufacturing research projects funded in whole or in part by the Federal Government; and

(2) information about all Federal programs that may be of interest to manufacturers.

(c) ACCESSIBILITY.—Information contained in the database shall be accessible in a manner to enable users of the database to easily retrieve information of specific interest to them.

(d) FEES.—The National Institute of Standards and Technology may authorize charging a nominal fee for using the database to access information described in subsection (b)(1) as necessary to recover the costs of maintaining the database.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Institute of Standards and Technology $2,000,000 for carrying out this section.

Subtitle C—Miscellaneous

SEC. 441. POST-DOCTORAL FELLOWS.

Section 19 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–2) is amended by striking ''nor more than 60 new fellows'' and inserting ''nor more than 120 new fellows''.

SEC. 442. FINANCIAL AGREEMENTS CLARIFICATION.

Section 2(b)(4) of the National Institute of Standards and Technology Act (15 U.S.C. 272(b)(4)) is amended by inserting ''and grants and cooperative agreements,'' after ''arrangements,''.

SEC. 443. WORKING CAPITAL FUND TRANSFERS.

Section 12 of the National Institute of Standards and Technology Act (15 U.S.C. 278b) is amended by adding at the end the following:

''(g) AMOUNT AND SOURCE OF TRANSFERS.—Not more than one-quarter of one percent of the amounts appropriated to the Institute for any fiscal year may be transferred to the fund, in addition to any other transfer authority. In addition, funds provided to the Institute from other Federal agencies for the purpose of production of Standard Reference Materials may be transferred to the fund.''.

SEC. 444. RETENTION OF DEPRECIATION SURCHARGE.

Section 14 of the National Institute of Standards and Technology Act (15 U.S.C. 278d) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Within''; and

(2) by adding at the end the following:

''(b) RETENTION OF FEES.—The Director is authorized to retain all building use and depreciation surcharge fees collected pursuant to OMB Circular A–25. Such fees shall be collected and credited to the Construction of Research Facilities Appropriation Account for use in maintenance and repair of the Institute's existing facilities.''.

SEC. 445. NON-ENERGY INVENTIONS PROGRAM.

Section 27 of the National Institute of Standards and Technology Act (15 U.S.C. 278m) is repealed.

SEC. 446. REDEFINITION OF THE METRIC SYSTEM.

Section 3570 of the Revised Statues of the United States (derived from section 2 of the Act of July 28, 1866, entitled ''An Act to authorize the Use of the Metric System of Weights and Measures'' (15 U.S.C. 205; 14 Stat. 339)) is amended to read as follows:

''SEC. 3570. METRIC SYSTEM DEFINED.

''The metric system of measurement shall be defined as the International System of Units as established in 1960, and subsequently maintained, by the General Conference of Weights and Measures, and as interpreted or modified for the United States by the Secretary of Commerce.''.

SEC. 447. REPEAL OF REDUNDANT AND OBSOLETE AUTHORITY.

The Act of July 21, 1950, entitled ''An Act To redefine the units and establish the standards of electrical and photometric measurements'' (15 U.S.C. 223 and 224) is repealed.

SEC. 448. CLARIFICATION OF STANDARD TIME AND TIME ZONES.

(a) Section 1 of the Act of March 19, 1918, (commonly known as the ''Calder Act'') (15 U.S.C. 261) is amended—

(1) by striking the second sentence and the extra period after it and inserting ''Except as provided in section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a), the standard time of the first zone shall be Coordinated Universal Time retarded by 4 hours; that of the second zone retarded by 5 hours; that of the third zone retarded by 6 hours; that of the four zone retarded by 7 hours; that of the fifth zone retarded by 8 hours; that of the sixth zone retarded by 9 hours; that of the seventh zone retarded by 10 hours; that of the eighth zone retarded by 11 hours; and that of the ninth zone shall be Coordinated Universal Time advanced by 10 hours.''; and

(2) by adding at the end the following: ''In this section, the term 'Coordinated Universal Time' means the time scale maintained through the General Conference of Weights and Measures and interpreted or modified for the United States by the Secretary of Commerce in coordination with the Secretary of the Navy.''.

(b) Section 3 of the Act of March 19, 1918, (commonly known as the ''Calder Act'') (15 U.S.C. 264) is amended by striking ''third zone'' and inserting ''fourth zone''.

SEC. 449. PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology may procure the temporary or intermittent services of experts or consultants (or organizations thereof) in accordance with section 3109(b) of title 5, United States Code to assist on urgent or short-term research projects.

(b) EXTENT OF AUTHORITY.—A procurement under this section may not exceed 1 year in duration, and the Director shall procure no more than 200 experts and consultants per year.

(c) SUNSET.—This section shall cease to be effective after September 30, 2010.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on whether additional safeguards would be needed with respect to the use of authorities granted under this section if such authorities were to be made permanent.

SEC. 450. MALCOLM BALDRIGE AWARDS.

Section 17(c)(3) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711a(c)(3)) is amended to read as follows:

''(3) In any year, not more than 18 awards may be made under this section to recipients who have not previously received an award under this section, and no award shall be made within any category described in paragraph (1) if there are no qualifying enterprises in that category.''.

TITLE V—HIGH-PERFORMANCE COMPUTING

SEC. 501. HIGH-PERFORMANCE COMPUTING RESEARCH AND DEVELOPMENT PROGRAM.

Title I of the High-Performance Computing Act of 1991 (15 U.S.C. 5511 et seq.) is amended—

(1) in the title heading, by striking ''**AND THE NATIONAL RESEARCH AND EDUCATION NETWORK**'' and inserting ''**RESEARCH AND DEVELOPMENT**'';

(2) in section 101(a)—

(A) by striking subparagraphs (A) and (B) of paragraph (1) and inserting the following:

''(A) provide for long-term basic and applied research on high-performance computing;

''(B) provide for research and development on, and demonstration of, technologies to advance the capacity and capabilities of high-performance computing and networking systems;

''(C) provide for sustained access by the research community in the United States to high-performance computing systems that are among the most advanced in the world in

terms of performance in solving scientific and engineering problems, including provision for technical support for users of such systems;

''(D) provide for efforts to increase software availability, productivity, capability, security, portability, and reliability;

''(E) provide for high-performance networks, including experimental testbed networks, to enable research and development on, and demonstration of, advanced applications enabled by such networks;

''(F) provide for computational science and engineering research on mathematical modeling and algorithms for applications in all fields of science and engineering;

''(G) provide for the technical support of, and research and development on, high-performance computing systems and software required to address Grand Challenges;

''(H) provide for educating and training additional undergraduate and graduate students in software engineering, computer science, computer and network security, applied mathematics, library and information science, and computational science; and

''(I) provide for improving the security of computing and networking systems, including Federal systems, including research required to establish security standards and practices for these systems.'';

(B) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(C) in paragraph (2), as so redesignated by subparagraph (B) of this paragraph—

(i) by striking subparagraph (B);

(ii) by redesignating subparagraphs (A) and (C) as subparagraphs (D) and (F), respectively;

(iii) by inserting before subparagraph (D), as so redesignated by clause (ii) of this subparagraph, the following new subparagraphs:

''(A) establish the goals and priorities for Federal high-performance computing research, development, networking, and other activities;

''(B) establish Program Component Areas that implement the goals established under subparagraph (A), and identify the Grand Challenges that the Program should address;

''(C) provide for interagency coordination of Federal high-performance computing research, development, networking, and other activities undertaken pursuant to the Program;''; and

(iv) by inserting after subparagraph (D), as so redesignated by clause (ii) of this subparagraph, the following new subparagraph:

''(E) develop and maintain a research, development, and deployment roadmap for the provision of high-performance computing systems under paragraph (1)(C); and''; and

(D) in paragraph (3), as so redesignated by subparagraph (B) of this paragraph—

(i) by striking ''paragraph (3)(A)'' and inserting ''paragraph (2)(D)'';

(ii) by amending subparagraph (A) to read as follows:

''(A) provide a detailed description of the Program Component Areas, including a description of any changes in the definition of or activities under the Program Component Areas from the preceding report, and the reasons for such changes, and a description of Grand Challenges supported under the Program;'';

(iii) in subparagraph (C), by striking ''specific activities'' and all that follows through ''the Network'' and inserting ''each Program Component Area'';

(iv) in subparagraph (D), by inserting ''and for each Program Component Area'' after ''participating in the Program'';

(v) in subparagraph (D), by striking ''applies;'' and inserting ''applies; and'';

(vi) by striking subparagraph (E) and redesignating subparagraph (F) as subparagraph (E); and

(vii) in subparagraph (E), as so redesignated by clause (vi) of this subparagraph, by inserting ''and the extent to which the Program incorporates the recommendations of the advisory committee established under subsection (b)'' after ''for the Program'';

(3) by striking subsection (b) of section 101 and inserting the following:

''(b) ADVISORY COMMITTEE.—(1) The President shall establish an advisory committee on high-performance computing consisting of non-Federal members, including representatives of the research, education, and library communities, network providers, and industry, who are specially qualified to provide the Director with advice and information on high-performance computing. The recommendations of the advisory committee shall be considered in reviewing and revising the Program. The advisory committee shall provide the Director with an independent assessment of—

''(A) progress made in implementing the Program;

''(B) the need to revise the Program;

''(C) the balance between the components of the Program, including funding levels for the Program Component Areas;

''(D) whether the research and development undertaken pursuant to the Program is helping to maintain United States leadership in high-performance computing and networking technology; and

''(E) other issues identified by the Director.

''(2) In addition to the duties outlined in paragraph (1), the advisory committee shall conduct periodic evaluations of the funding, management, coordination, implementation, and activities of the Program, and shall report not less frequently than once every two fiscal years to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on its findings and recommendations. The first report shall be due within one year after the date of enactment of this paragraph.

''(3) Section 14 of the Federal Advisory Committee Act shall not apply to the advisory committee established by this subsection.''; and

(4) in section 101(c)(1)(A), by striking ''Program or'' and inserting ''Program Component Areas or''.

SEC. 502. DEFINITIONS.

Section 4 of the High-Performance Computing Act of 1991 (15 U.S.C. 5503) is amended—

(1) in paragraph (2), by inserting ''and multidisciplinary teams of researchers'' after ''high-performance computing resources'';

(2) in paragraph (3)—

(A) by striking ''scientific workstations,'';

(B) by striking ''(including vector supercomputers and large scale parallel systems)'';

(C) by striking ''and applications'' and inserting ''applications''; and

(D) by inserting '', and the management of large data sets'' after ''systems software'';

(3) in paragraph (4), by striking ''packet switched'';

(4) by striking ''and'' at the end of paragraph (5);

(5) by striking the period at the end of paragraph (6) and inserting ''; and''; and

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

''(7) 'Program Component Areas' means the major subject areas under which are grouped related individual projects and activities carried out under the Program.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WU) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WU. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 2272, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 2272 is the culmination of a year-and-a-half-long bipartisan effort by members of the Science and Technology Committee to pass a package of competitiveness bills in response to recommendations in the 2005 National Academy of Sciences report, Rising Above the Gathering Storm. H.R. 2272, the 21st Century Competitiveness Act of 2007, is simply a package of five bills, each of which already has passed the House of Representatives by an overwhelming majority over the last 2 months.

We created a single bill as a basis for initiating discussions with the other Chamber on a comprehensive competitiveness bill that we could send to the President for his signature this year.

The five bills rolled into H.R. 2272 are H.R. 362, the 10,000 Teachers, 10 Million Minds Science and Math Scholarship Act; H.R. 363, the Sowing the Seeds through Science and Engineering Research Act; H.R. 1867, the National Science Foundation Authorization Act of 2007; H.R. 1868, the Technology Innovation and Manufacturing Stimulation Act of 2007; and H.R. 1068, to amend the High-Performance Computing Act of 1991.

I want to thank Chairman GORDON and Ranking Member HALL of the Science and Technology Committee for their bipartisan leadership on this bill and, in particular, on the 10,000 Teachers, 10 Million Minds Science and Math Scholarship Act.

I also want to thank the ranking member of the Technology and Innovation Subcommittee, Mr. GINGREY, and the Chair and ranking member of the Research and Science Education Subcommittee, Mr. BAIRD and Mr. EHLERS, for all of their hard work on the NIST and NSF bills.

I also want to thank all of the members of the Science and Technology Committee on both sides of the aisle for their contributions to these bills and for helping to move every one of them expeditiously and unanimously through the committee.

I especially want to thank the staff of the Science and Technology Committee on the majority side, Jim Wilson, Dahlia Sokolov, Colin McCormick, Mike Quear and our chief of staff, Chuck Atkins; on the minority side, Amy Carroll and Mele Williams. And

my friend from the other side may have additional names to add to that list.

Let me spend just a moment reminding my colleagues why we introduced this bill and why we urge support today.

In 2005, the National Academies assembled a blue-ribbon committee of national leaders in academia, business and government to address concerns about national prosperity in the global economy of the 21st century. The Academies' report was titled Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future.

That report cataloged a number of worrisome indicators about the U.S. position in an increasingly competitive world and provided recommendations to enable the Nation to maintain its competitiveness. The core recommendations are as follows: Recruit and train highly qualified science and math teachers; sustain and strengthen the Nation's traditional commitment to long-term, basic research; make the United States the most attractive setting in which to study and perform research so that we can develop, recruit and retain the best and brightest minds; ensure that the U.S. is the premier place in the world in which to innovate.

The bill before us today goes a long way in addressing all of those recommendations.

H.R. 2272 puts and keeps the National Science Foundation and the NIST research labs on a 10-year path to doubling their projects.

The bill helps to train thousands of new teachers and provide current teachers with content and pedagogical expertise in their area of teaching.

The bill expands programs to enhance the undergraduate education of our future science and engineering workforce.

The bill expands early career grant programs for outstanding young investigators at both the NSF and the Department of Energy.

The bill strengthens interagency planning and coordination for research infrastructure and information technology.

Mr. Speaker, in this increasingly competitive world, where jobs are rapidly being outsourced and we are importing more high-tech products than we are exporting, now is the time to act. Now is the time to strengthen our support for the creativity, innovation and talented workforce that makes the United States unique and gives us our edge.

The day our universities are no longer the most sought after in the world, the day we see a brain drain because our best and brightest young scientists and entrepreneurs can't get the funding to do their research and technology development here at home, the day that our innovation is outsourced, that is the day that truly concerns me.

H.R. 2272 is a key piece of the innovation agenda to make sure that that day never comes. It has the support of many businesses, professional associations and higher education groups and has already been passed in its five pieces by an overwhelming majority of Members of the House on both sides of the aisle.

Mr. Speaker, I once again want to thank Chairman GORDON and Ranking Member HALL and all the members of the Science and Technology Committee for their hard work on this bill, and I urge my colleagues to support H.R. 2272.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 2272, the 21st Century Competitiveness Act.

As my dear friend and colleague, the gentleman from Oregon (Mr. WU) just stated, this legislation pretty much packages five bills that have already passed the House with, frankly, an overwhelming majority of the votes. In order to force a conference with the other body, we're now again trying to put these together.

As was stated here just a few weeks ago by Ranking Member HALL and, frankly, right now by my dear friend Mr. WU, H.R. 362 and H.R. 363 include many of the provisions from last year's competitiveness legislation, as well as additional recommendations from the National Academy of Sciences Rising Above the Gathering Storm report, again as Mr. WU just mentioned.

This report and the President's American Competitiveness Initiative, known as ACI, have emphasized the importance of strengthening science, technology, engineering and mathematics education in the United States to ensure that the Nation's workforce can compete globally in high-tech, high-value industries.

It's imperative, Mr. Speaker, that we do all we can to stay ahead of the curve and ensure that the next generation of high-tech industries and products are developed here in the United States, as Mr. WU just said. These provisions are steps in the right direction.

Also, as part of the ACI, President Bush targeted investment in physical science research to be doubled over the next 10 years at the National Science Foundation, the National Institute of Standards and Technology, and the Office of Science at the Department of Energy.

I want to thank Mr. EHLERS and Mr. GINGREY for their extensive input in developing these bills and my Democratic colleagues for incorporating our priorities into this bipartisan legislation.

I would be remiss, Mr. Speaker, if I didn't especially thank the staff. As you know, Mr. Speaker, they do an incredible amount of work. They do so usually behind the scenes, don't get a lot of the credit. There's a couple here that have done an incredible job. Margaret Caravelli is here to my left and Leslee Gilbert, who is also here, have done an incredible job, and we never thank them enough. So, therefore, I want to do that today here on the floor.

I'm glad that H.R. 2272 includes Mrs. BIGGERT's High Performance Computing Act. This part of the bill will improve our investment in high-performance computing research.

H.R. 2272 authorizes an investment in our future, an investment for continued technological advancement, and an investment to keep the United States as the leader, frankly, in the global marketplace.

I urge all my colleagues to support H.R. 2272. I thank all those who have worked on it. It's always a privilege to work with my dear friend, Mr. WU.

□ 1700

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

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise this afternoon to support H.R. 2272, the 21st Century Competitiveness Act, and I want to thank the gentleman from Florida for yielding. I want to thank my chairman on the Technology and Innovation Subcommittee, Mr. DAVID WU of Oregon.

This legislation we are voting on today is a combination of bills which the House has already overwhelmingly passed, reauthorization bills for both the National Science Foundation and the National Institute of Standards and Technology, as well as bills to promote science, technology, engineering and math, what we refer to as STEM education in our country.

Last year, with the American Competitiveness Initiative, President Bush laid out a vision to maintain America's edge in the global marketplace. These goals were spurred by a report issued by the National Academies, and it was entitled, as the gentleman from Florida said, ''Rising Above the Gathering Storm.''

This report looked at ways in which the Federal Government could enhance our country's science and technology enterprise so that we can continue to compete and prosper globally.

The Commission made a variety of recommendations. Some of them include reforming K–12 education, as well as expanding and strengthening the basic research and science and engineering conducted in America. This comprehensive innovation bill addresses these concerns, and it helps to fulfill this vision. That's why I am proud, proud, to be an original cosponsor of H.R. 2272.

One provision in this legislation reauthorizes the National Institute of Standards and Technology, NIST, an agency in the Department of Commerce, as one of the three agencies

highlighted by the President's American Competitiveness Initiative, and it falls under the jurisdiction of the Technology and Innovation Subcommittee of which, as I said at the outset, I am a proud member.

The NIST employees play a critical role in NIST research, which enables cutting-edge technologies to make the leap from a basic research situation into successful commercial products. This is accomplished at NIST by conducting research that supports United States technology infrastructure by developing the tools to measure, to evaluate, and standardize processes and products in almost all industrial sectors, bullet-proof vests all the way to nanotechnology.

From rewarding younger students for continuing their work in the fields of science and engineering, to increasing the amount of grants available to teachers and students who pursue continuing education in the STEM, science, technology, engineering, math fields, to providing financial aid to students who make a commitment that after college they will teach, working to ensure that we have a strong United States manufacturing base, H.R. 2272 takes many important and critical first steps toward keeping America competitive.

Mr. Speaker, I again want to underline my wholehearted support for the 21st Century Competitiveness Act, and I urge all my colleagues, as I know they will, to do the same.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I just want to urge the adoption of this good legislation. I thank Mr. WU for his leadership.

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

Mr. WU. I would also like to thank my colleague, Mr. MARIO DIAZ-BALART, for his leadership on the committee and for his good works on these bills.

Mr. Speaker, I just want to reiterate to my colleagues that these are five pieces of legislation which have already passed the House of Representatives by massive margins. I urge all of my colleagues to support this unified version of the bill.

Mr. UDALL of Colorado. Mr. Speaker, today I am pleased to support H.R. 2272, the 21st Century Competitiveness Act of 2007.

America has long been a center for science and engineering discovery. Just looking back over the 20th century, American ingenuity has been truly incredible. From Ford's Model T in 1908 and on to the personal computer in 1981, American innovations have transformed our Nation and the world, again and again, creating whole new industries and occupations. Going forward, new innovations will continue to be critical, both in maintaining a solid industrial and economic base and increasing our standard of living.

Federal agencies, such as the National Science Foundation, NSF, and the National Institute of Standards and Technology, NIST, play a key role by funding cutting-edge research and training the next generation of scientists and engineers. Without Federal investment in Science, Technology, Engineering, and Math, STEM, research and education, very little of this achievement would have been possible—and we must continue this strong Federal support to reinforce our global competitiveness and our prosperity.

H.R. 2272, of which I am a cosponsor, will help strengthen and improve research and education efforts at NSF and NIST, helping to ensure that the United States continues to be a science and technology leader. Specifically, the legislation will reauthorize both NIST and NSF, as well as update the High Performance Computing Act of 1991.

For NSF, H.R. 2272 will continue the effort to double its funding over a 10 year time period by authorizing almost $21 billion for fiscal years 2008–2010. The bill will also encourage the participation of more scientists who have not received NSF funding in the past through 1-year seed grants. By targeting these grants toward these new recipients, the legislation will help support early career researchers and encourage higher-risk research.

The legislation also includes a needed funding increase for overall laboratory research at NIST. As part of the American Competitiveness initiative, NIST will use these funds to expand upon its world-class research, ensuring that the United States will continue to be globally competitive in many industries. I am also pleased to see that the legislation reauthorizes and gradually increases funding for key technology transfer programs like the Manufacturing Extension Partnership, MEP, program and the Technology Innovation Program, TIP.

NIST is particularly important to me because one of its key laboratories is located in Boulder, Colorado, in my district. The Boulder labs employ more than 350 people and serve as a science and engineering center for significant research across the Nation.

A critical component of this legislation is that it includes funding for construction at these laboratories. NIST's Boulder facilities have contributed to great scientific advances, but they are now over 50 years old and have not been well maintained. Many environmental factors such as the humidity and vibrations from traffic can affect the quality of research performed at NIST. In fiscal year 2007, NIST-Boulder will begin an extension of Building 1 to make room for a Precision Metrology lab. This new facility will allow for incredibly precise control of temperature, relative humidity, air filtration and vibration to advance research on critical technologies, such as atomic clocks telecommunications, and nanomaterials. To complete this extension, NIST will need further funding in fiscal years 2008 and 2009. H.R. 2272 authorizes this critical funding.

As co-chair of the STEM Education caucus, I am also pleased that H.R. 2272 contains support and funding for NSF's STEM education programs. These programs include the Math and Science Partnerships program and the Noyce Scholarships program, as well as several STEM education grants that focus on teacher professional development. These will help increase the number of well-qualified science and math teachers across the country, both through creating more teachers from current college students and by providing better training for the teachers already in our schools.

I would like to thank Science and Technology Committee Chairman GORDON, as well as Ranking Member HALL and the other original cosponsors, for introducing this critical bipartisan legislation and working to bring it to the floor today.

I think we all recognize that investing in basic research and STEM education is critical for a strong economy and national security, and H.R. 2272 will help us improve the critical support for STEM education and research. I encourage all of my colleagues to vote for this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 2272, the 21st Century Competitiveness Act of 2007. Innovation has been a priority of the new Democratic majority in the 110th Congress; we have worked to ensure that the United States continues to be the global leader in technological innovation and progress. I strongly support this legislation, which encourages our Nation to invest in research and development, and I urge my colleagues to do so as well.

According to a 2005 report by The National Academies, the United States is in danger of losing the competitive edge it currently enjoys in the global economy. Despite our proud tradition of innovation, this report warns that immediate action is necessary to ensure that the United States continues to be a leader in technological progress into the 21st century. This Congress is fully committed to answering that challenge.

Mr. Speaker, H.R. 2272 contains many important provisions to strengthen America's prospects for global competitiveness. It improves and strengthens a number of scholarship programs at all levels of study, encouraging students and young people to pursue further education in science, technology, engineering, mathematics, and computing. Additionally, the bill establishes programs to provide support for researchers in science and engineering fields.

H.R. 2272 also reaffirms our commitment to scientific excellence by reauthorizing the National Science Foundation, NSF, for 3 years. The NSF ensures a continued national supply of scientific and engineering personnel, while promoting basic research and education across a wide array of scientific and technological disciplines. By authorizing continued funding for this institution, H.R. 2272 is an important step towards ensuring continued American scientific progress.

In the interest of both economic prosperity and military capability, the United States must continue producing a workforce knowledgeable to maintain technological competitiveness. If we are to do this, this Congress must continue funding and strengthening needed investments in science, technology, engineering, and mathematics education and research. Supporting this bill is an important step, and I strongly urge my colleagues to join me in supporting this legislation.

Mr. WU. 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. WU) that the House suspend the rules and pass the bill, H.R. 2272.

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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 4 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SCOTT of Virginia) at 6 o'clock and 31 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. 698, by the yeas and nays;

H.R. 1425, by the yeas and nays.

The vote on H.R. 1722 will be taken tomorrow.

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

INDUSTRIAL BANK HOLDING COMPANY 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. 698, 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 Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 698, as amended.

The vote was taken by electronic device, and there were—yeas 371, nays 16, answered ''present'' 1, not voting 44, as follows:

[Roll No. 384]

YEAS—371

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
Kingston
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
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
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Sutton
Tancredo
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
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—16

Baker
Bishop (UT)
Campbell (CA)
Cannon
Feeney
Flake
Franks (AZ)
Hastert
Issa
Mack
Matheson
Poe
Rohrabacher
Royce
Shadegg
Westmoreland

ANSWERED ''PRESENT''—1

Gingrey

NOT VOTING—44

Akin
Baird
Blumenauer
Brady (TX)
Brown, Corrine
Buchanan
Buyer
Carson
Clay
Costello
Davis (KY)
DeGette
Diaz-Balart, L.
Doggett
Fortenberry
Gerlach
Gutierrez
Hinojosa
Hulshof
Hunter
Johnson (GA)
Jones (OH)
Kind
King (NY)
Kirk
LaHood
Lofgren, Zoe
Marchant
McMorris Rodgers
Murtha
Pence
Peterson (PA)
Rush
Sanchez, Loretta
Shays
Shimkus
Simpson
Stupak
Sullivan
Tanner
Towns
Upton
Wamp
Wexler

□ 1856

Messrs. FRANKS of Arizona, MACK, ISSA and HASTERT changed their vote from ''yea'' to ''nay.''

Mr. GOODLATTE and Mr. CANTOR changed their 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.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. ROGERS of Michigan. Mr. Speaker, pursuant to clause 2(a), paragraph 1 of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

H. RES. —

Whereas the Code of Official Conduct provides that a Member ''may not condition the inclusion of language to provide funding for a Congressional earmark . . . on any vote cast by another member'';

Whereas Chairman Reyes filed the Report to accompany the bill H.R. 2082, the Intelligence Authorization Act for Fiscal Year 2008;

Whereas the report states that, with respect to the requirements of clause 9 of House Rule XXI, ''The following table provides the list of such provisions included in the bill or report,'' and includes a table of 26 items identifying ''Requesting Member,'' ''Subject,'' and ''Dollar Amount (in Thousands)'';

Whereas the referenced table includes an item denoted as: Requesting Member, Mr. Murtha; Subject, NATIONAL INTELLIGENCE PROGRAM COMMUNITY MANAGEMENT ACCOUNT—National Drug Intelligence Center; Dollar Amount, $23 million;

Whereas the Gentleman from Michigan, Mr. Rogers, offered and voted for a motion to recommit the bill to change the provisions of the aforementioned Murtha earmark during its consideration in the House;

Whereas as a result of Mr. Rogers' motion and vote on the Murtha earmark, the Gentleman from Pennsylvania, Mr. Murtha subsequently threatened to withdraw support for earmarks providing funding for projects located in the Gentleman from Michigan's district;

Whereas on May 17, 2007, in the House Chamber, the Gentleman from Pennsylvania stated, in a loud voice words to the effect, to the Gentleman from Michigan as a result of offering and voting for the motion to recommit, ''I hope you don't have any earmarks in the defense appropriation bill because they are gone and you will not get any earmarks now and forever.'';

Whereas the Gentleman from Michigan responded, in words to the effect, ''this is not the way we do things here and is that supposed to make me afraid of you?'';

Whereas the Gentleman from Pennsylvania raised his voice, pointed his finger and stated, in words to the effect, ''that's the way I do it.'';

Whereas the gentleman from Pennsylvania (Mr. Murtha) is the ninth most senior member of Congress, whose seniority ranks him over 426 of his 433 colleagues in the House;

Whereas the gentleman from Pennsylvania chairs the Appropriations Subcommittee on Defense;

Whereas the gentleman from Pennsylvania (Mr. Murtha), the second-ranking and second longest serving Democrat on the Appropriations Committee, has been described in numerous media accounts as a master of the legislative process and an expert on earmarks; and

Whereas the gentleman from Pennsylvania (Mr. Murtha) has stated that he is a former member of the House Committee on Standards of Official Conduct, whose members are among the most knowledgeable in the House concerning the ethical obligations of Members of Congress: Now, therefore, be it

Resolved, That the Member from Pennsylvania, Mr. Murtha has been guilty of a violation of the Code of Official Conduct and merits the reprimand of the House for the same.

□ 1900

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Michigan will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will resume.

There was no objection.

STAFF SERGEANT MARVIN ''REX'' YOUNG POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1425, 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 Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 1425.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 0, not voting 47, as follows:

[Roll No. 385]

YEAS—385

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
Kingston
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
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McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
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Moran (KS)
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Murphy, Patrick
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Musgrave
Myrick
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Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Perlmutter
Peterson (MN)
Petri
Pickering
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Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
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Skelton
Slaughter
Smith (NE)
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Taylor
Terry
Thompson (CA)
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Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
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Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—47

Akin
Baird
Blumenauer
Brady (TX)
Brown, Corrine
Buchanan
Buyer
Carson
Clay
Costello
Davis (KY)
DeGette
Diaz-Balart, L.
Doggett
Fortenberry
Gerlach
Gilchrest
Grijalva
Gutierrez
Hinojosa
Hulshof
Hunter
Jones (OH)
Kind
King (NY)
Kirk
LaHood
Lofgren, Zoe
Marchant
McMorris Rodgers
Murtha
Pence
Peterson (PA)
Royce
Rush
Sanchez, Loretta
Shays
Shimkus
Shuster
Simpson
Stupak
Sullivan
Tanner
Towns
Upton
Wamp
Wexler

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Mr. Speaker, on Monday, May 21, 2007, I was absent from the House for medical reasons. Had I been present I would have voted: On rollcall No. 384–''yea''; on rollcall No. 385–''yea.''

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. I would like the RECORD to show that, had I been present, I would have voted ''yea'' on rollcall votes 384 and 385.

HONORING PRIVATE FIRST CLASS JONES

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, as many of us have been doing over the past couple of years and months, I paid tribute to a fallen soldier in my district this past weekend. Private First Class Jones was young and vibrant and loved by his family. Those who loved him had to bury him, for he is another of those now fallen from the violence in Iraq. We pay tribute to him for his great service and his love of country.

It is time now for America to love her own even more. It is time for our soldiers to come home. As we prepare for the honoring of those fallen in many wars, it becomes more than a disservice to those brave men and women for the President not to join this Congress in the resolution of this misdirected mission, in order to ensure that our troops come home with accolades and recognition because their mission has been successful.

The political mission is a failure, and it's time now for us to vote on a supplemental that has benchmarks and, as well, timelines to redeploy our troops, whether to Kuwait or otherwise. Our troops must come home. I pay tribute to the fallen. I pay tribute to Private First Class Jones.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HILL). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

□ 1915

THE MYSTERIOUS MURDER OF TOM WALES

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

Mr. MCDERMOTT. Mr. Speaker, in recent months, the American people have been riveted by the disclosure surrounding the firing of eight U.S. Attorneys, including John McKay of my hometown of Seattle.

The other day, the number two person at the Justice Department testified before the Senate Judiciary Committee. Even in jaded Washington, D.C., the revelations were so shocking that the Washington Post published an editorial, which I submit for printing in the RECORD. Let me read part of it.

''James B. Comey, the straight-as-an-arrow former number two official of the Justice Department, yesterday offered the Senate Judiciary Committee an account of Bush administration lawlessness so shocking it would have been unbelievable coming from a less reputable source.''

The American people understand that political appointees are a fact of life when a new President takes office, but the American people demand that competence and integrity overrule political party affiliation.

The Justice Department has thousands of dedicated public servants who know what it means to be respected and uphold the law. And then there is Gonzalez.

The revelations began over the firing of eight U.S. Attorneys. Now there is a new revelation about Gonzalez trying to force the previous Attorney General to agree to anything the White House wanted. What else don't we know?

For the last 6 years, congressional oversight was nonexistent. What cases were priorities and what cases were not? And why not? What did and did not happen following the murder of an Assistant U.S. Attorney in Seattle?

My friend, Tom Wales, had been the Assistant U.S. Attorney in Seattle under the previous administration. He was a well-respected law enforcement officer known for his pursuit of white color criminals. He was also a vocal and strong advocate for gun control. Tom was shot and killed in his home while working at his computer one late night in October. If Tom was killed, as some suspect, because of those he brought to justice, then he died in the line of duty. No one has ever been charged, although there are news accounts that indicate authorities have a prime suspect.

Now there is a new suspicion. Did the White House want its appointee in Seattle, John McKay, fired in part because he was vigorously pursuing the Tom Wales case?

Someone sent me a blog recently asking the same fundamental question: Why would Justice not throw every available resource into finding Tom's killer? Why would they not want the investigation by their own U.S. Attorney in Seattle to proceed with every possible resource?

Some bloggers say it is all because of Tom's advocacy for gun control, but the answer may be tragically simpler. Maybe Gonzalez wanted the Republican U.S. Attorney appointee in Seattle to spend all his time on something else; to find or, if necessary, invent voter fraud in a close Washington governor's race, narrowly won by the Democrat. Could they have been that arrogant, that uncaring about the death of a good man, an Assistant U.S. Attorney? Most people would have dismissed that notion until recently. Now the revelations about the Attorney General and the attitude he took toward cases, perhaps including the murder of a Federal officer in Seattle, cannot be adequately described by words like shocking.

At this point, I believe there are two necessary mandatory actions that must be taken. The Attorney General must go, now. His allegiance to partisan political interests above his oath to uphold the laws of the United States is outrageous.

Secondly, even if it requires the appointment of an outside independent prosecutor, the Justice Department should immediately, vigorously and conclusively investigate the murder of Tom Wales and not stop until the killer is charged and brought to justice. We owe that to Tom Wales, his family, and every law enforcement officer who risks his or her life every day in service to the American people.

[From the Washington Post, May 16, 2007]

MR. COMEY'S TALE: A STANDOFF AT A HOSPITAL BEDSIDE SPEAKS VOLUMES ABOUT ATTORNEY GENERAL GONZALES

James B. Comey, the straight-as-an-arrow former No. 2 official at the Justice Department, yesterday offered the Senate Judiciary Committee an account of Bush administration lawlessness so shocking it would have been unbelievable coming from a less reputable source. The episode involved a 2004 nighttime visit to the hospital room of then-Attorney General John D. Ashcroft by Alberto Gonzales, then the White House counsel, and Andrew H. Card Jr., then the White House chief of staff. Only the broadest outlines of this visit were previously known: that Mr. Comey, who was acting as attorney general during Mr. Ashcroft's illness, had refused to recertify the legality of the administration's warrantless wiretapping program; that Mr. Gonzales and Mr. Card had tried to do an end-run around Mr. Comey; that Mr. Ashcroft had rebuffed them.

Mr. Comey's vivid depiction, worthy of a Hollywood script, showed the lengths to which the administration and the man who is now attorney general were willing to go to pursue the surveillance program. First, they tried to coerce a man in intensive care—a man so sick he had transferred the reins of power to Mr. Comey—to grant them legal approval. Having failed, they were willing to defy the conclusions of the nation's chief law enforcement officer and pursue the surveillance without Justice's authorization. Only in the face of the prospect of mass resignations—Mr. Comey, FBI Director Robert S. Mueller III and most likely Mr. Ashcroft himself—did the president back down.

As Mr. Comey testified, ''I couldn't stay, if the administration was going to engage in conduct that the Department of Justice had said had no legal basis.'' The crisis was averted only when, the morning after the program was reauthorized without Justice's approval, President Bush agreed to fix whatever problem Justice had with it (the details remain classified). ''We had the president's direction to do . . . what the Justice Department believed was necessary to put this matter on a footing where we could certify to its legality,'' Mr. Comey said.

The dramatic details should not obscure the bottom line: the administration's alarming willingness, championed by, among others, Vice President Cheney and his counsel, David Addington, to ignore its own lawyers. Remember, this was a Justice Department that had embraced an expansive view of the president's inherent constitutional powers, allowing the administration to dispense with

following the Foreign Intelligence Surveillance Act. Justice's conclusions are supposed to be the final word in the executive branch about what is lawful or not, and the administration has emphasized since the warrantless wiretapping story broke that it was being done under the department's supervision.

Now, it emerges, they were willing to override Justice if need be. That Mr. Gonzales is now in charge of the department he tried to steamroll may be most disturbing of all.

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.)

FORMER U.S. BORDER PATROL AGENTS RAMOS AND COMPEAN

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. Mr. Speaker, today is the 125th day since two U.S. Border Patrol agents entered Federal prison.

Agents Ramos and Compean were convicted in Federal court for wounding a Mexican drug smuggler who brought 743 pounds of marijuana across our border into Texas. These agents should have been commended for their actions, but instead the U.S. Attorney's Office prosecuted the agents and granted full immunity to the drug smuggler. The extraordinary details surrounding the prosecution of this case assure that justice has not been served.

In an interview this Friday, May 18, 2007, with Glenn Beck of CNN Headline News, U.S. Attorney Johnny Sutton again repeated a false claim about this case, stating that the agent shot ''an unarmed guy in the back.'' That is his quote.

Mr. Speaker, I do not know how anyone, especially this Federal prosecutor, would choose to accept the word of a criminal over two law enforcement officers who have sworn to uphold the Constitution and to protect the American people. Yet this prosecutor believed the word of a drug smuggler who claimed he was unarmed. It is a sad day in this Nation when a criminal has more influence over a Federal prosecutor than two law enforcement officers. I am going to repeat that, Mr. Speaker. It is a sad day in this Nation when a criminal has more influence over a Federal prosecutor than two law enforcement officers.

Both agents testified that the drug smuggler turned and pointed an object at them while he was running away, and they fired in self-defense. An Army doctor who removed the bullet fragment from the drug smuggler confirmed that the bullet entered into his lower left buttocks, passed through his pelvic triangle, and lodged in his right thigh, not in the back, as Mr. Sutton has repeatedly claimed. At the trial, the Army doctor testified that the drug smuggler's body was ''bladed'' away from the bullet that struck him, consistent with the motion of a left-handed person running away while pointing backward, causing the body to twist.

Mr. Speaker, there is only one logical object that the drug smuggler would have pointed at the agents in this circumstance: a firearm.

In addition to this physical evidence, an article published by the Inland Valley Daily Bulletin on October 26, 2006, quotes two of the drug smuggler's family members who said, and I quote, ''He has been smuggling drugs since he was 14 and would not move drugs unless he had a gun on him.'' That is his own family that made a statement.

The facts have shown what countless citizens and Members of Congress already know: That the U.S. Attorneys office was on the wrong side of this issue and this case.

I am pleased and grateful that Chairman CONYERS and Chairman LEAHY have shown interest in holding hearings to investigate the injustice committed against these two Border Patrol agents. The conviction of these two agents is a travesty that cries out for oversight, and I hope that Members of Congress on both sides of the aisle will say thank you to Mr. CONYERS and also to Chairman LEAHY because they are willing to look for the truth and justice instead of injustice.

And I call on the President of the United States to, please, Mr. President, look at this case and pardon these two border agents that were only trying to protect the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

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

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

THE WORLD BANK AND INTERNATIONAL ECONOMICS

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

Mr. SHERMAN. Mr. Speaker, I rise to address two issues involving international economics. The first is the World Bank.

The entire world has been fixated on whether Mr. Wolfowitz arranged $195,000 for his paramour, which shows how little attention we pay to things at the World Bank that really matter. Because while we were focused on that, no one focused in the media on the fact that the World Bank is sending over $1.3 billion, roughly a quarter of it our tax dollars, to the government of Iran.

Now we are told that this is for wonderful projects in Iran having nothing to do with the government. We here in the House understand something about politics. One of the ways you get reelected, one of the ways the Iranian government holds on to power is to bring home the bacon. I know it's not kosher, I know it is not halal, but that's what that government does, and the World Bank helps them do it.

Now, we saw how did the United States use its clout inside the World Bank? Not to stop these loans to Iran and not to stop their disbursements, over $200 million being disbursed by Mr. Wolfowitz himself, but for only two goals. One was to try to prevent the World Bank from being involved in family planning; and the other was to protect Mr. Wolfowitz's career, notwithstanding his errors of judgment.

Where is this administration when it comes to prioritizing and representing the national security interests of this country? Iran is developing nuclear weapons, and all we can do with our clout in the World Bank is try to protect one individual of flawed judgment.

Second, I would like to address the idea of granting Fast Track to this administration. I am sure that when the President seeks an extension of Fast Track, he will offer those of us on the Democratic side all kinds of wonderful promises. But keep one thing in mind: Any trade deal that requires on this President for enforcement will be enforced only to the extent this President wants it enforced.

Look at the Iran Sanctions Act. This President refuses to acknowledge that any facts exist that require him to even decide what to do with regard to investments in Iran.

I assure you that if we sign a deal with the best possible labor standards but Presidential enforcement and something were to come to pass, perhaps a coup in Peru and all of a sudden every labor leader in the country is shot in cold blood, this President will not act to enforce those labor standards. He may express some concerns, but any agreement involving our trade which requires this President to acknowledge facts occurring on the ground is a nullity except to the extent that the President chooses to. Because we could have a circumstance where there is no enforcement of corporate interests without Presidential action, and he will act; and we could have a circumstance where there is no enforcement of labor standards without Presidential action, and you can be sure he will not.

So I look forward to changing the policies of this administration. Let us hope that at the World Bank we focus on preventing loans to Iran, rather than irrelevancies involving one particular paramour; and let us hope that this House takes responsibility, its responsibilities under article I of the Constitution to deal with international

trade issues in regular order and not to put American jobs on the Fast Track abroad.

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.)

HAITIAN FLAG DAY

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

Ms. CLARKE. Mr. Speaker, it gives me great pride and pleasure today to rise to inform the House, on this Friday, May 18, Haitians throughout the diaspora celebrated Haitian Flag Day.

Since the creation of the Haitian flag on May 18, 1803, the day has been observed as Haitian Flag Day to Haitian Americans throughout the diaspora. This day has become a source of pride synonymous with unity and a symbol of freedom and individual liberty for Haitian people.

Later this week, I will introduce legislation to commemorate this historic and celebrative event. The 18th of May, Haitian Flag Day, is the most celebrated holiday in Haiti.

Just to put this day in context for most Americans, there are some historical facts that I would like to share with you.

When Napoleon Bonaparte envisioned a great French empire in the New World, he had hoped to use the Mississippi Valley as a food and trade center to supply the island of Hispaniola. First, he had to restore French control of Hispaniola, where Haitian slaves under Toussaint L'Ouverture had seized power. Napoleon soon realized that Hispaniola must be abandoned. Accordingly, in April of 1803, he offered to sell Louisiana to the United States.

President Thomas Jefferson had already sent James Monroe and Robert R. Livingston to Paris to negotiate the purchase of a tract of land in the lower Mississippi, or at least guarantee of free navigation of the river. Surprised and delighted by the French offer of the whole territory, they immediately negotiated the treaty.

At one stroke, the United States would double in its size, an enormous tract of land would be open to settlement, and the free navigation of the Mississippi would be assured.

Although the Constitution did not specifically empower the Federal Government to acquire new territory by treaty, Jefferson concluded that the practical benefits to the Nation far outweighed the possible violation of the Constitution. The Senate concurred with this decision and voted ratification October 20, 1803, this all precipitated by the revolution of freed slaves on the island of Haiti.

The Spanish, who had never given up a physical possession of Louisiana to the French, did so in a ceremony at New Orleans on November 30, 1803. And in a second ceremony December 20, 1803, the French turned Louisiana over to the United States.

I would like to also honor those brave Haitians who fought for American independence at the siege of Savannah, Georgia, in 1779: The Chasseurs-Volontaires de Saint-Domingue, a regiment of soldiers who formed one-tenth of the allied army before Savannah in the fall of 1779. This unit was comprised of over 500 free men of color from the island of Haiti and was the largest unit of men of African descent to fight in the American revolution.

The battle of Savannah, on October 9, 1779, reminds us that significant foreign resources of men, money and material contributed to the eventual success of the cause of American independence.

The presence of the Chasseurs-Volontaires de Saint Domingue was made up of free men who volunteered for this expedition is startling to most people and surprising to most historians.

Men of African heritage were to be found on most battlefields of the revolution in large numbers. A subsequent unit of Haitians was part of the French and Spanish campaign against Pensacola, where they faced some of the same regiments of British troops that their comrades faced in Savannah.

Haiti, much smaller in population than the United States, was attacked by armies as large as those sent against America by Britain. The Haitian victory over the legions of Napoleon was achieved with much less foreign assistance than the United States enjoyed.

It is these types of historical events put in the context of our Nation today that we celebrate with the Haitian Americans in diaspora, their accomplishments and achievements in the growth and development of our Nation.

Many key figures in the Haitian War of Independence gained military experience and political insights through their participation in Savannah, most notably Henri Christophe, a youth at the time, but, in his adult years, a general of Haitian armies and King of his nation for 14 years.

There is little appreciation in the United States for the events that led to the formation of the Haitian nation. Influenced by both the events of the American Revolution and the rhetoric of the French Revolution, the people of Haiti began a struggle for self-government and liberty.

The first nation in the Western Hemisphere to form a government led by people of African descent, it was also the first nation to renounce slavery.

The Haitian national flag is indisputably a symbol of general pride whose origin is tightly linked to a history of struggle for freedom.

As you all already know, the Haitian flag was first presented in 1802 when Haiti was fighting against the French for independence and it was realized that both armies fought under the same flag.

After the modification of the flag in 1807, the phrase "L'UNION FAIT LA FORCE", meaning that through unity we find strength, was readopted.

The Haitian constitution of 1987 describes the new flag as: Two (2) equal-sized horizontal bands: a blue one on top and a red one underneath; The coat of arms of the Republic shall be placed in the center on a white square; The coat of arms of the Republic will be a Palm tree surmounted by the liberty cap and under the palms a trophy with the legend: In Union there is Strength;

This weekend, I joined with hundreds of my Haitian constituents as we celebrated Haitian Flag Day together. For as long as I can remember, Haitians have gathered in my district of Brooklyn, NY to recognize this historic day.

I ask my colleagues to please join me in recognizing the world's oldest black republic and the second-oldest republic in the Western Hemisphere celebrate the ideals of unity, strength and freedom embedded in the Haitian Flag by becoming a co-sponsor of the Haitian Flag Day resolution.

The SPEAKER pro tempore (Mr. HILL). 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.)

ARMENIA PARLIAMENTARY ELECTIONS

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

Mr. PALLONE. Mr. Speaker, I rise to congratulate the people of Armenia on the May 12 Parliamentary elections. This is the first positive assessment of an election in the former Soviet Republic since it gained independence in 1991. This encouraging outcome will most certainly enhance and deepen U.S./Armenia relations, while also elevating Armenia's reputation regionally and internationally.

Over the past few months, U.S. administration officials in Washington and Yerevan have stressed the importance of these elections and explained that substantial improvement must be made. Based on public preliminary reports, Armenia has fulfilled the test set forth by the administration and received a free and fair stamp of approval.

The International Election Observation Mission issued a statement which read, in part, and I quote, ''The election is assessed in line with OSCE and Council of Europe commitments, other international standards for democratic elections and national legislation.''

I'm especially pleased that the U.S. Embassy in Armenia joined the chorus of praise with its own assessment which reads, and again I quote, ''We

share the satisfaction of international observers that the election infrastructure, both legal and technical, has been greatly improved.''

Mr. Speaker, I join in sharing the pride of our embassy and the contributions we have helped make in advancing the course of democracy and the rule of law in Armenia. These results are the best evidence to date that our assistance to this fledgling Republic is indeed serving its intended purpose. Our shared values and the strong bonds between the United States and Armenia will no doubt continue to expand. In doing so, we will continue to foster democracy in Armenia and work towards stability in the South Caucus region.

Earlier this year, dozens of my colleagues joined me in sending a letter to the chairman of the House State, Foreign Operations Appropriations Subcommittee calling for $75 million in assistance for Armenia in fiscal year 2008. As the appropriation process continues, I'd like to remind my colleagues of this request and renew it again today. This assistance demonstrates our commitment to Armenia, which is a friend and a supporter of U.S. policies for peace and security in that part of the world.

Armenia's achievement also addresses concerns expressed by the Millennium Challenge Corporation with respect to these elections. Armenia has met the necessary threshold, and I'm confident that the people and the Government of Armenia will only continue to improve upon their accomplishments in achieving the standards and norms of a democratic society. And accordingly, I urge the MCC to fully fund its compact with Armenia in an expeditious manner.

These elections are an historic step towards a fully democratic Armenia, a goal to which the nation has demonstrated its commitment and leadership in the region through democratic reform. I congratulate the people of Armenia for this remarkable accomplishment.

I would also like to enter into the RECORD a letter I sent with Congressman KNOLLENBERG marking this achievement.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 18, 2007.

Hon. SERZH SARGSYAN,
Prime Minister, The Armenian Embassy, Washington, DC.

Hon. ROBERT KOCHARIAN,
President, The Armenian Embassy, Washington, DC.

DEAR PRIME MINISTER SARGSYAN AND PRESIDENT KOCHARIAN: We write to congratulate you both on the success of the May 12th Parliamentary elections in Armenia. The success of this free and fair election cycle reflects the great progress made by Armenia in recent years to move further away from its Soviet past and towards a flourishing democracy.

The importance of this round of elections was well-understood and carried out honorably by your government. We appreciate Armenia's willingness to work with the U.S. government to ensure the elections were indeed free and fair. Your hard work and dedication has led to the citizens of your country following the lead of their government officials in operating in a free and democratic way to elect a new Parliament.

We look forward to our continued work with you to advance the Armenian and Armenian-American agenda in the U.S. Congress.

Sincerely,

JOE KNOLLENBERG,
FRANK PALLONE, Jr.,
Members of Congress.

NEW VERSION OF NAFTA

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

Ms. KAPTUR. Mr. Speaker, Congress is now faced with a so-called new trade policy with regard to Peru, Panama, Colombia and South Korea. But this deal is not a new direction for trade; it's a variation of the same old theme.

We have seen how NAFTA has sucked a million good jobs out of our country and ruined millions of lives in Mexico and driven so many desperate illegal immigrants across our border. We have seen how so-called free trade with a closed and manipulative China has led to soaring deficits, increasing outsourcing of our jobs, and lax labor and environmental standards not just in Asia, but around the world in a race to the bottom. Tainted Chinese food is not just being sent here for our pets, but for our people.

The trade policy released last week does not make any major changes to this trade regimen. It does not aim at yielding a more balanced set of trade accounts for our country, or even opening the closed markets of the world. It doesn't fix agreements that aren't working to our advantage or even to be fair to both sides. There is nothing in this deal about the privatization of public works, for example, in water or in sanitation or health care that are inherent in what has been negotiated. If Democrats oppose privatizing Social Security here in the United States, why would we require privatizing the Peruvian social security system? Now, why would we do that?

This NAFTA replica presents a nonbinding list of requests that has the illusion of enforceability, but sacrifices more of our middle class to global investors.

In fact, the U.S. Chamber of Commerce has said it supports this rehashed agenda because of, and I quote, assurances that the labor provisions cannot be read to comply with ILO conventions.

These repackaged NAFTA agreements do not reflect a desire for a new trade model that many Members of Congress and vast majorities of the American people expect. And I am truly saddened that those who have cobbled these deals together make light of the people of our country and other countries who have been so deeply hurt by these agreements, by denying them a seat at the tables of testimony in this very Congress. In fact, their methods are most undemocratic.

Last March NBC and the Wall Street Journal conducted a poll asking the American people, do you think free trade agreements between the United States and foreign countries have helped the United States, have hurt the United States or have not made much of a difference? Forty-six percent of respondents answered U.S. trade agreements have hurt this country. Only 28 responded, half as many, said they have helped.

The American people want free trade among free people, and they want a trade policy that encourages U.S. economic growth and job creation here at home.

It is irresponsible to continue to reword the same agreements and expect that our constituents are naive enough to accept it as real change.

A new trade policy must respect the dignity of work, the rule of law, the equality of sexes, the nobility of the environment and the value of the person.

We cannot continue to stand for trade policies, binding or not, that degrade the value of the working class and cost money, jobs and lives as we see in the wake of NAFTA and in all of the trade agreements that mirrored it.

Our constituents realize that our current trade policy is more harmful than helpful. And before we encourage the remaking of NAFTA for Peru, Colombia, Panama, South Korea, we need to revisit U.S. trade policy and make comprehensive changes. We cannot extend fast track until we fix what is wrong with existing agreements that yield these job hemorrhages.

I applaud those of our distinguished colleagues who are here this evening who are working very hard to change this trade model to make it thorough, to make it fair, to make it a balanced situation for the people of our country, and to treat the people of the Third World with respect.

I look forward to participating in genuinely reshaping the future of international trade to reshape jobs being created here at home and the economic policies that are so vital to the future for our people in order that they can move into the middle class again, rather than falling out. We have a long way to go.

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

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

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

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

JEWISH AMERICAN HERITAGE MONTH

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise in recognition of the second annual Jewish American Heritage Month, which takes place in communities across the country each May.

Jewish American Heritage Month promotes awareness of the contributions American Jews have made to the fabric of American life, from technology and literature to entertainment, politics and medicine.

As we are all well aware, the foundation of our country is built upon the strengths of our unique cultures and backgrounds. While our diversity is our strength, ignorance about many cultures is still prevalent.

Because Jews make up only 2 percent of our Nation's population, most Americans have had few interactions with Jews and Jewish culture. The limited understanding of Jewish traditions and the Jewish experience and the historical role Jews have played in our Nation's development contributes to stereotypes and prejudices about Jews and the Jewish community.

For example, according to the Federal Bureau of Investigation, most recent hate crime statistics report that 69 percent of criminal incidents motivated by religious bias stemmed from anti-Jewish prejudice.

Like Black History Month and Women's History Month, Jewish American Heritage Month recognizes the abundance of contributions American Jews have made to the United States over the last 353 years.

It is my hope that by providing the framework for the discussion of Jewish contributions to our Nation, we will be able to reduce the ignorance that ultimately leads to anti-Semitism. One way Jewish American Heritage Month counters these prejudices is by providing educators the opportunity to include American Jews in discussions of history, as well as highlighting the leadership of members of the Jewish community in significant historical events.

For example, it might surprise many to learn that it was an American Jew, Irving Berlin, who wrote the lyrics to the song God Bless America. Even the very foundations of our country were impacted by Jews. Haym Salomon, a Jewish man, was one of the largest financiers of the American Revolutionary War.

And Rabbi Joachim Prinz was a passionate civil rights activist, appearing on the podium just moments before Dr. Martin Luther King delivered his ''I Have a Dream'' speech. And the list goes on, Mr. Speaker.

Mr. Speaker, this is why communities across the country have come together to celebrate Jewish American Heritage Month. Two years ago the Jewish Community in south Florida approached me with the idea to honor the contributions of American Jews with a designated month each year. As the concept gained momentum, 250 of my colleagues joined me as original cosponsors of a resolution urging the President to issue a proclamation for this month. Senator Arlen Specter led the effort in the Senate, and together the House and Senate unanimously passed the resolution supporting the creation of Jewish American Heritage Month. President Bush proclaimed the month of May as Jewish American Heritage Month for the first time in 2006, and again issued a proclamation this year.

Mr. Speaker, I'm pleased to announce that a coalition of organizations has come together to develop curriculum and coordinate events. This coalition, called the Jewish American Heritage Month Coalition, is led by United Jewish Communities, the American Jewish Historical Society, the American Jewish Archives and the Jewish Women's Archives.

The events can all be found on the national calendar of the Jewish American Heritage Month Coalition's Web site at www.JewishHeritage.us.

Mr. Speaker, I want to pause for a moment and thank this coalition for their tireless efforts to promote the outstanding events across the country. Each day in May has been packed with programs celebrating the contributions of American Jewry to our country, with movies, plays, art exhibitions, speakers, musical performances, and innovative educational curricula.

The Jewish American Heritage Month Coalition and the Jewish Historical Society of Greater Washington kicked off the month with a reception attended by several Members of Congress and about 200 guests.

Right here in Washington, the Library of Congress and the National Archives and Records Administration have hosted films, lectures, and discussions about Jewish contributions to America.

In my home State of Florida, there was a celebration of Jewish music and a discussion of Jewish contributions to the civil rights movement.

A New Jersey middle school hosted an essay contest entitled ''I'm Proud to be an American Jew Because . . . ''

Philadelphia hosted ''American Jewish History Through the Arts,'' a series of free programs that highlight the American Jewish experience.

And this past weekend, the New York Liberty, the women's pro basketball team, hosted the WNBA's first Jewish American Heritage Month basketball game.

Mr. Speaker, we have come a long way in recent years to promote appreciation for the multicultural fabric of the United States. It is our responsibility to continue this education. If we as a Nation are to prepare our children for the challenges that lie ahead, then teaching diversity is a fundamental part of that promise. Together, we can help achieve this goal of understanding with the celebration of Jewish American Heritage Month.

I thank my colleagues for their support and call on all Americans to observe this special month by celebrating the many contributions of Jewish culture throughout our Nation's history.

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TRADE AND LABOR

The SPEAKER pro tempore (Mr. HILL). Under the Speaker's announced policy of January 18, 2007, the gentleman from Illinois (Mr. HARE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. HARE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. HARE. Mr. Speaker, we are going to be doing several 1-hour Special Orders, and we have done them since January. I can't think of an issue that is more important and more pressing to us in this Chamber than trade and the saving of our jobs back in our districts.

We are going to be hearing tonight from a number of my colleagues on the Congressional Labor and Working Families Caucus, the House Trade Working Group, and Members of our side of the aisle that believe it is time that working people have somebody stand up and be their voices when their voices aren't heard.

So, Mr. Speaker, at this time I would like to recognize a fellow Illinoisan from the Illinois delegation, a good friend of mine, someone who has took taken it upon himself to stand up for working people. So at this time I would like to yield to my colleague, Representative Dan Lipinski.

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman from Illinois for yielding to me and also for all the hard work that he has done in his short career in Congress but in many years before that for America's workers.

I rise today with serious concerns about the trade policy of our country. This is a concern shared by tens of millions of Americans who have concerns every day about keeping their jobs or they have lost their jobs and being unable to find another job where they could possibly earn as much money as we see the trade policy of this country destroying so many good American jobs.

This trade policy has contributed to a record high, soaring trade deficit. There is wage depression and loss of quality, high-paying jobs. With the Panama, Peru, Colombia, and South Korea trade agreements pending congressional approval, we must take action now to correct the mistakes of previous trade agreements and ensure

that any new trade agreements benefit all Americans, be enforceable, and be enforced.

It is clear that our previous trade agreements have not benefited everybody. For evidence of this, look no further than North American Free Trade agreement and the damaging record that it has provided us. Since NAFTA was signed into law, the U.S. has seen enormous amounts of production shift to Mexico and Canada, while real wages for U.S. workers have fallen.

My district, which includes parts of Chicago and its suburbs and the larger Great Lakes region, has been particularly hard hit by job losses. This has been the case especially in manufacturing. Between 1995 and 2005, the United States lost more than 3 million manufacturing jobs. More than one-third of this job loss occurred in the seven Great Lakes States, with Chicagoland losing over 100,000 manufacturing jobs.

Losses in manufacturing jobs are important. I know there are some people who say a job is a job. It doesn't matter. If you lose these jobs, you will get other jobs.

Well, first of all, manufacturing jobs are special. America must be able to make products, first for our national security, but these manufacturing jobs are high-paying jobs, and they are jobs that add so much value and create other jobs in this country. They offer high wages, good benefits, and they offer jobs to many Americans who do not have college degrees. When our manufacturing jobs leave to cheaper labor markets, weaker labor standards, lax environmental protections and to countries practicing unfair trade practices, workers are left behind.

In my district, I hear constantly from manufacturers who are talking about their struggles to compete largely today against China, China's manipulated currency, which is largely undervalued. All the work that these manufacturers are doing to try to keep jobs in the United States, unfortunately, we see so many of these jobs going and so many of these plants closing.

What happens to these workers? Many of them go looking for other jobs. They find jobs in the service sector. Ninety-eight percent of the net new jobs in 1990s were in the service sector. Unfortunately, compensation in the service industry is only 81 percent of the manufacturing sector's average; and then the influx of these displaced workers just drives down these wages even more.

Yet still we always hear from those in favor of these flawed trade deals that trade creates more jobs than it displaces. Unfortunately, the facts show this is not the case. In fact, in the first 10 years after NAFTA, the displacement in production from the United States to Mexico and Canada directly led to a net loss of 879,000 U.S. jobs. My State, Illinois, lost a net total of 47,000 jobs. Mr. HARE knows very well, he has seen it in his district, how hard these losses have hit, as I have seen them in my district. This has decreased our average earnings, our quality of life and our ability to provide for our families.

The fact that our government negotiated trade agreements that yielded these kinds of results is, at best, embarrassing. We must ensure that these mistakes are not repeated in future trade deals.

This year congressional leaders on trade have been negotiating with the administration to improve the pending trade deals with Panama, Peru, Colombia, and South Korea. On May 10, an agreement was announced that would incorporate some environmental and labor protections into the pending trade agreements with Panama and Peru. While this is certainly a start, these negotiations must not be viewed as complete. There is still a lot of work to be done to ensure that we do not repeat the mistakes of NAFTA, CAFTA, and all our other failed trade deals. I hope in the coming weeks and months that Congress can address these past failures and make trade work for everyone.

And in this, also, we must, we must, include addressing currency manipulation, especially by China. Lack of enforcement of intellectual property, which is, again, another problem that hits Americans very hard, unfair subsidies that are given by some countries to some of their industries and dumping that is done, all of these greatly hurt the United States, and we must make sure that all this is included anytime that we are dealing with trade. The livelihood of so many Americans, millions and millions of Americans and their families, depend on it.

We are working together with my colleagues here to make sure that we create good trade deals for America and Americans. The purpose of American trade policy should be to create good jobs for Americans. The bottom line should not just be profits. The bottom line has to be the lives and the work of millions of Americans, and we must make sure that we stand up strong every day for them.

Mr. HARE. I thank the gentleman.

At this time, Mr. Speaker, I would like to recognize a member of our freshmen class, someone who has worked very hard and campaigned on this issue of standing up for ordinary people, working men and women.

It is my honor to yield to Representative KEITH ELLISON.

Mr. ELLISON. Mr. HARE, thank you for leading us in this very important Special Order tonight. Trade is one of the critical issues facing our Nation.

Let me say that on the campaign trail, Mr. Speaker, I found myself talking about jobs, employment, and opportunity to people on a daily basis. Whether I went to the suburban areas or the heart of Minneapolis, I could talk to people about trade. And it wasn't just people who were in labor unions. Also, Mr. Speaker, it was people who had small businesses.

One particular business that does a metal plating service was very concerned about trade and expressed to me how vital it was that they be able to continue to compete with other companies around the world that do metal plating but that they were in jeopardy and loss of business all the time due to trade policy.

So whether you are a small business person, farmer, worker, no matter who you may happen to be, trade policies are affecting our country, and we need to be very clear about it.

As I was on the campaign trail, I ran into people who were recent immigrants who were concerned about immigration policy; and, Mr. Speaker, here is what they told me. They said, look, prior to NAFTA, we were doing okay where we lived, but after NAFTA it got a lot harder to run a farm in certain southern parts of our country, and we just couldn't make a go of it anymore. So some folks started moving north.

Now the fact is we have to understand that whether we are talking about small business people, trade unionists, people who have been forced to immigrate, no matter what you are talking about, trade policy is critical. So when I was on the campaign trail, Mr. Speaker, one of the things I made very clear to people is that I was concerned about trade, that I wanted to do something about trade, and we need a model for trade that said that we were not going to export our jobs. We were not going to incentivize sending our jobs away. We were going to care about the human rights of people abroad. We were going to care about our small businesses here, and we were going to have a new trade policy that said that Americans who are trying to live the American Dream and experience prosperity could do it right here and would not be subject to an unfair trade policy of our Nation.

So, Mr. Speaker, I set about this journey working hard, working with my colleagues in the freshmen class, talking about trade and how we could get a better trade deal, Mr. Speaker. So I am very concerned about these issues.

On May 10, 2007, the Bush administration and congressional leadership talked about a new, with bipartisan cooperation, deal on trade; and I am not saying that the deal is bad or good. What I am saying is that we have got to be very clear, very careful about how we proceed forward.

I am happy about the announcement of labor standards and environmental standards. Of course, those things are good. But, Mr. Speaker, we can't rearrange the deck chairs on the Titanic. We need a whole new boat. We need a new model. We need a new way of going forward.

The ''deal'' covers changes to certain provisions of the Bush-negotiated free trade agreement with Peru, Panama, but also Colombia and South Korea.

The legal texts of the proposed agreement have not been made public, though summaries have been shared with Members of Congress.

We appreciate the chairman's willingness to work with the AFL–CIO on the labor chapter and are pleased to see a commitment to the International Labour Organization's standards on the May 10 agreement. However, we have got to be careful as we go forward, because, ultimately, it is going to be the Bush administration that is responsible for enforcing these labor standards; and we are a little skeptical. Let me be clear.

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We remain concerned, I remain concerned over the future of ''fast track'' authority, and the proposed Korea and Colombia Free Trade Agreements. Congress needs to reassert its authority over trade policy as we move forward.

We are concerned, and speaking for myself, I am concerned, that as we go forward, that we make sure that we have a new model on trade, a new commitment to the working people of America, a new commitment to the human rights and environmental rights around the world.

I fear there are remnants of the failed FTA-WTO trade model in the May 10 agreement which will only lead to further hemorrhaging of U.S. jobs and the erosion of American manufacturing and service industries.

Mr. Speaker, over 3 million U.S. manufacturing jobs, one in every six, have been lost under the FTA-WTO trade model. By the end of 2005, the U.S. had only 14,232,000 manufacturing jobs left, which is nearly down 17 million before NAFTA and the WTO went into effect in the early 1990s.

What makes these already horrible statistics worse is the fact that the U.S. job export crisis is expanding from manufacturing to high-tech and service-oriented jobs. Contrary to the belief of Big Business and the multinational corporations, the decline of U.S. manufacturing is not the result of Americans simply choosing different careers; in fact, job loss and wage stagnation are increasingly affecting workers from sectors where the U.S. is understood to have a competitive advantage, such as professional services and high technology.

Studies commissioned by the U.S. Government show that as many as 48,000 jobs in U.S. jobs, including many high-tech jobs, were off-shored in the first 3 months of 2004 alone. Economy.com estimates that nearly 1 million U.S. jobs have been lost to offshoring since 2000, with one in six of those being in IT, financial services and other services. Goldman Sachs estimates that about half a million U.S. service jobs were off-shored between 2002 and 2005.

Projections of future job losses are frightening. A University of California-Berkeley study concluded that 14 million jobs with an annual average salary of almost $40,000 are vulnerable to being sent overseas. That is a lot of food, clothing and shelter, Mr. Speaker, and we cannot tolerate the loss of these important jobs. Additionally, we can expect up to 25 percent of additional IT jobs will be relocated by 2010. We can't let it happen. Furthermore, since NAFTA, the U.S. trade deficit has risen from about $100 billion to about $717 billion, or 6 percent of national income. Mr. Speaker, we can't allow that to continue to happen.

Remember that real wages for U.S. workers are flat or declining, and jobs now available in the U.S. economy suffer and offer less pay and fewer benefits than jobs that we've lost since 1994.

Our Nation is in trouble when it comes to trade policy, and we've got to have a change. And we don't have confidence, or I don't have confidence, in this administration to make sure that any standards are being enforced, and we've got to demand that they are.

So, Mr. Speaker, there is a lot to be said about this. I look forward to the continuation of this Special Order because trade policy is important to the American people. It was a common theme on the campaign trail during my election, and from what I've heard from my freshman colleagues, they are very concerned about it, too. Mr. Speaker, we need a new trade policy.

I want to yield back at this time, but I want to commend my fellow Members and colleagues, and especially freshman Members, on standing up for American working people, business people, immigrants, and all kinds of people when it comes to trade policy.

Mr. HARE. I thank my colleague for taking time out of a very busy schedule to address this issue. He is an outstanding member of the freshman class.

Mr. Speaker, you are going to hear tonight, by the way, a number of Members talking, because this literally goes from Maine to California, in terms of the Midwest. This isn't just a regional 1-hour we're having this evening.

I would like to introduce at this time a Member from California. He is chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation and Trade, and a very active member on the House Trade Working Group, my friend and colleague, Representative BRAD SHERMAN from California.

Mr. SHERMAN. I thank the gentleman from Illinois not only for recognizing me, but for his leadership in putting together this hour and so many other hours. I thank him also for mentioning that the subcommittee which I now chair has the trade jurisdiction of the Foreign Affairs Committee because there is a great debate in this country as to whether to continue, basically, our trade policy or whether to go in a completely different direction.

On the side of continuation, and those who favor continuation, they want to dress it up a little bit, add a little perfume, try to make it smell a little better, but those who basically want to continue the policy come in two forms. One is what I call ''the chattering classes,'' the lawyers and MBAs, because frankly trade has been a boom to those in those particular groups. The whole world looks to the United States for lawyering, for management, for advanced management classes. And in fact, those at the upper end of business and law have done extremely well under our trade agreements, notwithstanding the effect they've had on America.

The second group are those who took Economics 101 and became so enamored of the theory, so proud that they understood the basic theories, that they chose never to question whether those theories actually applied to real life.

On the other side of this debate are those from the heartland who have seen the actual effects of trade on their districts, and those of us who are just a little skeptical of a policy that has cost America a trade deficit last year of $800 billion.

What does that mean? That means that we bring in the Toyotas and the Volvos and the Mercedes, and what do we give in return? We give IOUs, promissory notes, investment assets, stocks and bonds. So every year we have to borrow $800 billion, and that number will be higher; it was a little less than $800 billion last year, it will be a little more than $800 billion this year. Now, when those Toyotas and Mercedes come over, they are never going back to Germany and Japan. But those promissory notes, those stock certificates, those bonds, those U.S. Government bonds, the private sector bonds, not only do we have to sell another $800 billion of them this year, but we have to fear that they are going to cash in the ones we gave them last year and the year before. The Mercedes are never going back to Germany, but the promissory notes we gave to Germany, they're coming back someday. And so those of us who are not on the front lines in terms of our districts have to worry about what our trade policy has meant.

So why is it that the theory breaks down? Isn't trade good for everyone? And isn't the way to encourage trade and fair access and open markets to negotiate a reduction in tariffs around the world? Sounds great, doesn't it? If you think the whole world operates the way America operates. You see, if you are sitting in Beijing, and you want access to the American market, then you realize that the only way we in Congress, the only way we in the Federal Government affect the behavior of consumers and businesses is to pass written laws and regulations. And so, if you're in Beijing and you want access to America's markets, you negotiate to change America's laws and regulations. And once you do, then your goods can come flooding into the United States because individual businesses and individual consumers will buy them.

And we, being basically ignorant of the world and in love with our theories,

somehow picture China as just a poor, but larger, version of the United States, a place where their markets will be open if they only will change their written laws and regulations. And so we sign deals, and laws and regulations are changed. And when laws and regulations are changed, the United States, the effect is dramatic. And when laws and regulations are changed in an awful lot of countries, there is no effect at all, because if a society is not a society that follows the rule of law, then when we negotiate for a change in laws, we negotiate for an empty sack. And that is what happens, for example, with China.

Imagine yourself a Chinese business person, and you get a call from a commissar, maybe a member of their Parliament, saying, Don't buy the American goods, buy the French goods, because the French are smart enough to demand fair trade; they are going to insist on balanced trade. If we want access to the French market, we've got to buy their stuff. So buy the French stuff. That will help our international position. Don't buy the American goods.

You get that instruction orally. There is nothing America can do about it. Even with all of our wiretapping, it's highly unlikely that we will ever hear the conversation.

And what happens? We don't sell the American goods. That is where the theory breaks down. A society that follows the rule of law, negotiating for a change in laws with a society that does not follow the rule of law. That is why it is foolish for us to enter into these trade deals.

So, those who want to keep our trade policies pretty much the way they are are a little angry because the facts aren't on their side. Last year's trade deficit was bigger than the year before and bigger than the year before that, and this year's will be still higher. So they resort to ad hominem attacks on people like the gentleman from Illinois and myself. They describe us as simpletons, too dumb to understand their highfalutin theories, as Luddites, as xenophobes, and as people protecting the parochial interests of the heartland and Midwest.

Well, I am certainly no proof of whether we are all simpletons or not; I can't offer you anything there. I'm sure we are going to hear from quite a number of quite eloquent and brilliant legislators who will give the lie to that argument. But I can give the lie to the argument that we are here protecting parochial interests of the American heartland, because, as the gentleman points out, I am from Los Angeles. Our port is doing real well. The goods come into the ports of Long Beach and Los Angeles in enormous quantities in those containers, and then the containers go back empty or filled with raw materials and scrap iron.

And also, in addition to representing the city of Los Angeles and its port, the port isn't actually in my district, but my city runs it, I also represent half the city of Burbank. And if there are any industries that benefit from these trade agreements, there are those industries that don't really produce much of a physical product, but rely on getting paid for intellectual properties, our drug companies and our entertainment companies.

And so, if I was here out of parochial interest, I might point to this or that different industry in my district or my city. And if any district should support these trade deals, it ought to be mine, but no district in America should support these trade deals because they are undermining the value of the dollar, they are undermining the power of America, and, ultimately, they are unsustainable.

For how many years will the world loan us $600-, 700-, $800 billion a year? For how many years will the world send us the Toyotas and Mercedes and expect nothing but pieces of paper in return? The day of reckoning is coming. Perhaps the implosion of the U.S. dollar is coming. But things that cannot go on forever don't, and a trade deficit of $800 billion and growing is simply unsustainable.

I have a lot more to say, but so many others do as well. I will yield back to the gentleman from Illinois.

Mr. HARE. I thank my friend from California. And let me just say that those who would question your intelligence and your wisdom on this issue of trade do so at their own peril.

Now, if I could, Mr. Speaker, introduce someone I have known for many years prior to coming to the House of Representatives, a person who has stood up for senior citizens, working people in her legislative district here in Congress, and someone who serves as my mentor and a great friend, someone who is never afraid to take on the tough battles, my friend I would like to introduce, JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. I thank the gentleman whose leadership I appreciate so much on this very important issue. You have beautifully filled the footsteps, the shoes, of your predecessor, Congressman Lane Evans, who was also a champion for workers' rights, for the rights of ordinary people. And I appreciate that you are standing up for millions of American workers who have suffered from the trade policies that we have had.

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I think it is important to note that the new class of Members who joined this Congress, far from being unsophisticated, understand that the trade policies that have been negotiated have harmed their constituents not just in the Rust Belt of the Midwest but around this country and brought those issues to their constituents and, vice versa, listened to their constituents.

Look, we all understand that this is a global world, that globalization is a reality, but now we need to control it and this Congress now has to reassert its authority over U.S. trade policy. We have an opportunity to do that now, to make sure that it works not only for the wealthiest multinational corporations but for workers and for our environment. So I appreciate very much the leadership that others have shown, particularly you, Mr. HARE, tonight with this special order.

On May 10, 2007, the Bush administration officials and congressional leaders announced a new trade deal. While the agreement does show real progress in terms of moving the Bush administration in the direction of enforcing labor and environmental standards, the details of the negotiated package and their real-life impact are not clear and are troubling.

So while I want to applaud the work of Chairman RANGEL and others to make major improvements to the labor and environmental provisions, I have to say, frankly, that I have no confidence that the Bush administration, the same administration that has relentlessly attacked the rights of workers right here at home, let alone in other countries, would enforce those standards.

We have yet to see the text of the proposed agreements, ''the deal,'' but a detailed description has been made available by the Ways and Means Committee and the Office of the U.S. Trade Representative, and I am concerned that an outdated trade model that has decimated U.S. manufacturing remains intact.

Over 3 million manufacturing jobs have been lost since NAFTA took effect. I think many of those who voted for NAFTA would agree that it has not worked out in favor of the United States and its workers, or Mexican workers either, for that matter. American wages since then have stagnated and our trade deficit has ballooned to a staggering $717 billion. It is not a model we want to mimic. It is no wonder that no union or environmental group or small business has supported the deal, while all of big business has.

There are those who suggest that those of us who have serious questions about the deal on trade are just mad about being left out of a press conference or, similarly, are wasting time so we delay the process. But the truth is there are substantive critical issues that affect these millions of Americans that we are speaking for tonight.

The deal provides no assurances, for example, against a free trade agreement with Colombia, the country with the world's highest rate of labor union assassinations, or countries like Korea that continue to use every means to block American products, or the renewal of Fast Track trade authority.

Instead of delivering on the public's demand for a new trade policy, the deal facilitates more Bush trade deals that contain the worst provisions of NAFTA and CAFTA. Even if the deal is 100 percent implemented, resulting trade pacts would extend the NAFTA–CAFTA model.

The deal would ban U.S. efforts to prohibit offshoring jobs and to ban buy-American policies. How could Democrats, who have been fighting to expand and preserve such important U.S. policies, support a trade agreement that explicitly bans those very same policies?

The deal does absolutely nothing to address the free trade agreement threats to Federal and State prevailing wage guarantees. Nothing was done.

The deal allows the country of Peru to be sued if they dare to reverse its failed social security privatization plan. Seeing that Democrats actually beat back the Bush proposal for privatization of our Social Security plan, Peru's labor federation asked democratic trade leaders to fix this problem. Yet it is unaddressed in this deal.

The deal fails to remove the outrageous NAFTA Chapter 11 foreign investor privileges that create incentives for U.S. firms to move offshore and expose our most basic environmental, health, zoning and other laws to attack in foreign tribunals. We won't as a sovereign state even be able to protect those kinds of important laws.

The deal does nothing to address FTA- and NAFTA-style agricultural rules that will foreseeably result in widespread displacement of peasant farmers, increasing hunger, social unrest and desperate immigration. We talk about immigration and people crossing our border, and yet we have trade policies that impoverish farmers in Mexico, who quite naturally are going to do anything they can to protect their families and are willing to risk their lives in the desert to come to the United States. Trade is part and should be part of our immigration debate. This deal does absolutely nothing.

Mr. Speaker, what I want to say is that this is a moment of opportunity where a Democratic majority in Congress can get a grip on these trade policies to set a new direction that raises all workers around the world, that respects our environment at such a critical moment in history, that really does good, not just for the rights of multinational corporations who show no loyalty to any country but to our workers and hard-working people around the world.

We can do better, we should do better, and we have an obligation to our constituents to do better. That is all we are asking for. Let's go back to the drawing boards, not forever, not for an unlimited period of time, but let's go back to the drawing boards and create something that we all can be proud of in this country.

Thank you so much, Mr. HARE, for your leadership.

Mr. HARE. Thank you, Representative SCHAKOWSKY. Thank you for our leadership on the issue of trade.

Before I introduce our next speaker, I want to say one thing our colleague talked about regarding the President being able to enforce labor standards. If you look just in this country, you don't have to go to Peru, you don't have to go to Panama or Korea, in the over 6 years he has been in office, we have only had one major standard by the Occupational Safety and Health Administration by this administration; and they were sued to have to get it. So I am not about to put my eggs in the basket of this administration to enforce any type of workers' rights in other countries.

At this time, Mr. Speaker, I am honored to introduce someone who has taken the leadership role in our class, someone who ran on this issue of standing up for working people, someone who I look up to and I spent a great deal of time talking with about this issue of trade, who is not afraid to speak up on behalf of working people.

It is wonderful to have colleagues like my friend, BETTY SUTTON, who understands. She comes from an area in Ohio where there has been a loss of jobs. She has been a labor law attorney. She knows what working people have had to go through.

I am honored to be in her class, I am honored to call her my friend, and I am honored to introduce her this evening, Representative BETTY SUTTON.

Ms. SUTTON. Mr. Speaker, I thank the gentleman.

Congressman HARE, your leadership on this issue is unparalleled; and on behalf of not just myself but all those whom I represent in the Thirteenth District of Ohio, we thank you so much.

Thank you for organizing this Special Order hour. It is so important that we communicate the truth about what is going on and hopefully with the intent to influence it in a way that will make a difference in the lives of those we represent.

Last November, the American people and the people back in the Thirteenth District of Ohio cast their vote to put an end to the flawed trade model that has had a devastating impact on our families, our businesses, our workers, our farmers and our communities and the tax base of our communities.

Last week or a week or so ago, an announcement was made that the U.S. will require the inclusion of labor and environmental standards in the pending Peru and Panama free trade agreements. This is welcome news. But while it might appear encouraging that these deals seemingly provide for the possibility of stronger labor and environmental standards, any enforceability of those standards, unfortunately, is dependent upon the Bush administration; and, given its abominable record, you can be certain that enforcement will not happen.

Why do I say that? Well, for example, in 2000, Congress passed a free trade agreement with Jordan. That agreement had the support of many Members in this body who were committed to fair trade. Because it included those labor and environmental standards, they supported and voted for it. However, there has been no enforcement of those labor standards, even though documented violations have been extreme.

So there is really little reason to believe that the same result would not prove true with the pending FTAs, even if they contain similar standards. The language on a written paper is not enough. It has to be enforced.

My constituents and the people across this country voted for a much greater change in direction on trade than simply including labor and environmental standards which won't be enforced into our agreements. The American people cast their votes for a new majority in both the House and the Senate, hoping that we would help strengthen the shrinking middle-class, restore the American dream that has been offshored due to the harmful trade agreements and unfair trade practices that have persisted for more than a decade.

The American people are counting on this new Congress in this moment to finally address the devastation of our failed trade policies and the soaring trade deficit by developing a new trade model that will no longer leave American businesses and workers at a disadvantage. They are counting on us to enact a trade model that will not reward companies who move overseas or encourage them to outsource jobs or our future. They are counting on us to develop a trade model that will put an enforceable end to illegal subsidies and currency manipulation. They are counting on us to develop a trade model that will provide incentives to help our businesses and workers and our communities thrive. They are counting on us to develop a trade model that requires reciprocity of market access and ensures greater safety of products produced elsewhere and consumed here.

The American people are counting on the Democratic majority in this new Congress to provide a trade model that will truly allow for fair competition, because we know that, if given a fair playing field, we will excel in the global marketplace.

This is not about being pro-trade or anti-trade. This is about the rules of trade and making sure that they are fair and enforceable. The American people want nothing more, and they deserve nothing less.

I am committed to continuing the fight to deliver to the American people a truly new trade model that fixes this broken system that is fair and under which we will prosper.

With respect to the pending Panama and Peru FTAs, which represent only a minute portion of trade with the U.S., I have yet to see them in full. However, it should be understood that Congress must reclaim its constitutional authority and responsibility over trade and not continue down the path of ceding our responsibility to the administration. It is our job to assure a vibrant and fair trade policy. We must focus

our attention on that task before it is too late.

My home State of Ohio has lost over 200,000 manufacturing jobs since 2001. Sometimes I am dismissed because I come from a State that has been hit hard. People say, oh, well, she is just from a place where it has felt it, but we can just write that off, because it is not affecting that many people.

Well, in the first instance, it is not okay to write off the people of Ohio. A lot of families are suffering, though, beyond my district's borders, and they need a new trade model now. The inclusion of labor standards and environmental standards in trade agreements means little if they won't be enforced.

□ 2030

And it means little if we don't fix the broken system.

When I arrived here as a freshman member of this class I am so honored to be a part of, I listened to my freshmen colleagues, and I heard them talking about how these issues, this issue, this issue of trade was hurting the people they represented. They came from one side of the country to the other, from the top to the bottom, from Florida to New Hampshire, Iowa to Ohio to Pennsylvania. All across this country people are feeling the ill effects of our failed trade model. We must develop a new trade model that is enforceable and comprehensive, and we must do it immediately to keep the faith with the American people.

Mr. HARE. Thank you, Ms. SUTTON, and I hope you can stick around and we can have a little dialogue in a few minutes.

Mr. Speaker, at this time I would like to introduce someone who is one of the strongest advocates for veterans in this country. He serves as the chairman of the Subcommittee on Health of the Veterans' Affairs Committee. He is a former mill worker who saw his company shut down. He is the cochair of the House Trade Working Group and probably the leading voice in this body to stand up for working men and women. I am honored to have him as my chairman and friend, and I yield to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. Mr. HARE, I, too, would like to thank you very much for taking a leadership role in the freshmen class along with Ms. SUTTON from Ohio. The freshmen class has done an outstanding job talking about trade issues, and I appreciate your leadership.

When I campaigned for office for my seat 5 years ago, the cornerstone of my campaign was fixing our broken trade policy. I firmly believe in order to address our trade imbalance, we have to change the model. It appears that the deal that was cut a few weeks ago by the administration and the leadership does not change that model. It is the same old NAFTA model with a couple of improvements. Americans don't want the same old model with a few Band-Aids. They want a fix. This election reaffirms that Americans are calling for an all-out new trade policy that puts our industry on a competitive playing field. Any deals between Capitol Hill and the Bush administration that fails to change this flawed model means that we are going to continue to see the U.S. trade deficit continue to rise, and it is going to destroy hundreds of thousands of our critical middle-class workers, our manufacturing base here in this country.

In Maine, we lost over 23 percent of our manufacturing base alone. The reason I know that, because they qualified for trade adjustment assistance. So trade has affected Maine very deeply.

This new deal, there are no unions, environmental groups, consumers, or small business groups support this deal, while all of the big businesses do. Some groups have remained neutral to find out what is actually in the deal. Those who have the most money to gain are praising the deal. Those who represent the working men and women of this country are not.

I am not the only Member of Congress who firmly believes that our trade model needs to be changed. There are countless others, especially those who are leading the freshmen class, believe we need a new model. They ran and fought for fair trade. They simply cannot go home and tell their constituents it is the same old model with a few improvements.

Adding new labor and environmental provisions is a step towards a new policy, but placing those provisions into a NAFTA-style pact is not going to solve the problem.

We also have concerns about those provisions and whether or not they are enforceable. There are those in this town who say it is a good deal because there are loopholes in the labor provisions. But since our membership has not seen the actual text of these agreements, how are we to know whether or not they are enforceable? From what we understand, the deal fails to address many of the damaging elements of the NAFTA model.

The deal does nothing to address the FTA's ban on anti-off-shoring or buy American policy. As you heard earlier, the deal does nothing to fix Peru's FTA terms that would allow Citibank or some other U.S. investors providing private retirement accounts to sue Peruvian taxpayers in Peru to reverse its failed social security privatization.

Does this deal fail to protect our intellectual property rights? No one knows.

But also when you look at trade, and trying to look at the globalization of what is going on around the world, there are other issues we have to address. The fact that there is a $327 billion disadvantage on U.S. goods because of the value-added tax, that has to be looked at. We have to look at the current trade deals that have been negotiated and see how we can bring the $800 billion worth of trade deficit back in line, because if we don't, we are heading on a collision course.

We have the largest trade deficit in our history. We have the largest budgetary deficit in our history. The debt limit was increased over $9 trillion with 45 percent owned by foreigners. We have to start addressing this issue. It is a serious issue, and I look forward to working with my colleagues from the freshmen class as well as my colleagues on the Republican side and the leadership to really put forward a trade model that will actually work for not only America, but for other countries as well.

I yield back.

Mr. HARE. I thank my colleague.

I worked in a clothing factory. I cut lining for men's suits. I have three plants left in my district. They are hanging on by a thread. I can't support trade agreements that are going to outsource jobs. I have done town hall meetings since I got elected. I ran on this issue of standing up for ordinary people.

I had a plant in my district, Maytag, with 1,600 workers. Two wage concessions those folks gave up. The company was given $9 million in State funds, and they bolted to Senora, Mexico. Thank you very much, Maytag.

They left people like David Brevard, whose wife has cancer, with very little, if any, health care left. I cannot go back to my district and say to the Dave Brevards, I hope you understand that we have some things, if we let Bush handle some of, if we let the administration handle some of this, we are going to be just fine. Just hang on a little longer.

I can't do that. I have drawn a line in the sand on this issue of trade. It is how I ran, and it is why I am here. I am not going to vote for a fast track bill that is going to take jobs away from this country. I'm not doing it.

Some people would say, here is a protectionist. Yes, if the definition means I'm trying to protect American jobs, then I am. I want the record to state that I'm a card-carrying capitalist. I believe in trade. I just want this thing fair.

I would ask the people and the Speaker tonight, look at the Korean trade agreement where 700,000 automobiles were shipped in here from Korea, and the United States was allowed to ship 2,500 to Korea. That isn't fair trade.

I am not asking them to be equal, I am asking for the playing field to be level. As Congresswoman SUTTON said, give us a chance to produce, and we will produce it. But when we don't even have the opportunity to do that, it is never going to work.

I think we need to look at other things. I think we need to invest in something like the bill Ms. SCHAKOWSKY spoke about earlier and is going to be introducing. It is about getting companies to stay here, and they get tax credits for helping their employees with their health care and

their pensions. Instead, we give tax breaks when they outsource it. I would like to ask both of my colleagues, and maybe I just don't get it. I want you to know that I am not angry that I wasn't invited to the press conference, I am angry because I know what we can do. This is why we have this majority. If we are going to keep this majority, we have to stand up for ordinary people.

Before I turn this over, I want to end with a quote here. One of my political heroes is Hubert Humphrey, and he said in one of the last speeches he gave before he died to the Minnesota AFL–CIO, he said, ''I would rather live 10 years like a tiger than 100 years like a chicken.'' These trade agreements are going to put us back more than 100 years. We are never going to be able to recoup these jobs we have lost. That is why I am here.

I am not going to go back to my district, and I am not going to be lobbied to change my mind unless I am convinced that these trade agreements are in the best interest of our American workers, and that there are provisions built in to help keep jobs.

While I applaud the efforts of the leadership to do some things, I want to make sure that the language is in here. I don't want to go back to Dave Brevard and say, if you can just hang on, we will work on the currency exchange. That is not going to help Mr. Brevard and the people in my district and in the State of Ohio.

Let me say to my colleague, it doesn't matter if you are just from Ohio or just from Illinois, we have lost manufacturing jobs all across this country. I have yet to see, yet to see, a fast track deal that has been in the best interests of the working people of this country. So as long as I am a Member, and I know that is going to be at least another 19 months, and hopefully a little longer, I am going to work very hard to make sure that American workers have somebody.

And I have wonderful people that I am honored to have here this evening, and I would like to enter into a discussion of how are we going to keep manufacturers here.

Does anybody see anything in this bill about how we keep our jobs?

Mr. MICHAUD. I think that remains to be seen. I have been in negotiations before when I worked at Great Northern Paper Company. We put together ideas, but the devil is in the details.

I think it is very clear that the American people want a new direction. They want us to look at the rules of trade. We have to give them that direction because we as Democrats, we are in the majority in both the House and the Senate. There is no excuses, no excuses. We have to give this country a new direction as it relates to trade. We have to look at the trade rules, and now is the time to do it. It is not let's pass a couple of them and see how it works out. We have to take a comprehensive view on what we want for a trade policy. The American people, they want that. We are here. They voted the Republicans out. They fired the Republicans.

As we heard from our leadership, they haven't hired the Democrats. This is our time to show them that the Democrats can lead this country. We must lead this country, and what better way to show that we can by taking a global look at trade and trade policies and how it affects us here in the United States.

Mr. HARE. I yield to my colleague from Ohio.

Ms. SUTTON. Thank you, Congressman HARE.

Let me start out by saying I am so honored to be a Representative from Ohio. The people of my district and my great State are the salt of the Earth. All they want is a job where they can work and raise their families and give them an opportunity for a future that we all dream of.

That is the kind of opportunity that my parents had. My dad worked in the boilermaker factory his whole life. Here I am, his daughter, standing in Congress. Every day that I am here, I am going to make sure that I am looking out for the people who have the same dream that probably your parents and my parents shared, and that is just for a good day for themselves and their family and a bright future based on those opportunities.

Now, I, like you, Congressman HARE and Congressman MICHAUD, I believe trade can benefit American businesses and workers and be a tool to help developing countries looking to access our markets. But this that has been presented is not a new trade model that will get us there.

Our window for creating a new trade model is closing because it is becoming increasingly hard for our businesses to survive here, and that is not the American way, is it? That is not acceptable. I, with you, I know will continue to fight to change that.

Mr. MICHAUD. That is a good point. It is not only about the workers and unions; the business community is very upset. Those small businesses, the United States Industry Council, which is an organization which represents small manufacturers all across the country, are very concerned about these trade deals, and we have to make sure that we look at it globally. That is why I think it is important for those of us who have seen it firsthand, not read about it in the paper, but actually seen it firsthand, that we are part of this discussion because it is very important.

I have seen my fellow mill workers end up on the unemployment line. They ended up in food lines as well where food banks actually in Maine went dry because there are so many people applying or getting food at food banks because paper mill after paper mill had shut down because of trade.

□ 2045

Yes, we did get trade assistance, but that's not what they want. They want their jobs, and that's why it's very important that we do look at the rules of trade, changing the trade model so it's fair. It is, as Ms. SUTTON mentioned, the American dream, and we have to bring that dream back once again.

Mr. HARE. Mr. Speaker, let me just say this, too. These are the very people who fought our wars, defended this country. They just want a decent pension. They'd like some health care, put their kids through school, play by the rules, pay their taxes. They're not the fat cats. These are the thin cats we're talking about

And for the life of me, I don't understand. As you said, we have both chambers, and I believe it's time that both of these chambers stand up because I'm afraid if we don't, we'll go back and our base, those folks who elected us here, are going to say what were you thinking.

I want to just close with this. I know we just have a few minutes remaining here. I want to thank you all for coming this evening, and this is going to be a tough battle. We don't make any bones about it, Mr. Speaker, but look, nothing comes easy for hardworking people, and we're going to work very hard on this. I don't care where you come from, I don't care what State, but I think we have a moral obligation.

I want to close. I did a commencement speech last night at a high school, and I ran into the grandfather of one of the kids that graduated. His father used to work with me in my factory that closed down because of trade, and he's out West now. And I got to thinking, what a shame we couldn't have the opportunity to see each other. He comes back periodically. He's a good, decent man.

I'll close by saying this. This isn't the end on this trade issue. Mr. Speaker, this is only the beginning. We're going to fight, and we're going to win this battle.

HONORING JORDAN CARLSON AND THOR-LO

The SPEAKER pro tempore (Mr. HILL). Under the Speaker's announced policy of January 18, 2007, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the minority leader.

Ms. FOXX. Mr. Speaker, I rise today to commend THOR-LO, Incorporated, of Statesville, North Carolina, for its commitment to fighting breast cancer. This company, which makes specialized socks for almost any activity, has pledged $250,000 as a national sponsor for the Breast Cancer 3-Day campaign.

The campaign will raise funds through a dozen 3-day 60-mile walks in cities across the Nation and will support the Susan G. Komen for the Cure foundation. But the story doesn't stop there.

THOR-LO first became involved in this effort through the example and spirit of a young woman in Mocksville, North Carolina. Jordan Carlson is the

daughter of Jan Carlson, a woman who has twice fought off breast cancer. Jordan has the ambitious goal of participating in all 12 of the 60-mile walks. By walking more than 700 miles, Jordan plans to raise $1 million to help fight breast cancer.

It was her request for walking socks that brought THOR-LO into the picture last year. THOR-LO has not only committed $250,000 to the 3-day campaign, the company has also designed a sock especially for the thousands of 3-day walkers. They call it the HERO Everyday Walker and are donating one additional dollar for every new sock that they sell. The special HERO sock is almost entirely pink and sports a pink breast cancer ribbon to commemorate the cause for which 3-day walkers will be raising money.

THOR-LO employees designed the new sock after going on a trial walk with Jordan last year. The sock is specifically designed for the form of the female foot and is made to withstand the tough conditions of 3 days of almost nonstop walking.

The partnership of THOR-LO with Jordan Carlson is a triumph of the spirit of American compassion and generosity. Jordan's example has inspired THOR-LO to support a great philanthropic cause and to offer not only generous financial support, but to bring THOR-LO's sock making know-how to the thousands of walkers who will raise millions to find a cure for breast cancer.

It is my hope that Jordan's story and partnership with THOR-LO will serve to inspire her family, friends and classmates and everyone who hears about it to follow in her footsteps.

I commend her and all those at THOR-LO, especially the employees who worked to design and produce these special socks. How fortunate for us to live in a country where people care so much.

Jordan has discovered one of the secrets of a life well-lived: selfless devotion to a cause larger than herself. I believe that this young woman's passion to help find a cure will lead her to inspire countless Americans to grasp the great American ideals of generosity and hard work in the service of noble causes.

BROKEN PROMISES ON EARMARK REFORM AND ETHICS RULES

Now, Mr. Speaker, I am switching subjects, and I'm very sad for the occasion to have to do that. I much prefer to talk on this floor about the great things that American people are doing and hold them up as examples for others, but unfortunately, tonight, I need to talk about a very sad situation that has occurred in the House of Representatives.

Today, Representative MIKE ROGERS offered a privileged resolution to force the full House to vote on whether to reprimand senior Democrat JOHN MURTHA, Democrat from Pennsylvania, for threatening ROGERS on the House floor last week. The actions by Representative MURTHA constitute a violation of House rules which preclude Members from conditioning earmarks on another's vote.

Curiously, Speaker NANCY PELOSI chose to defend MURTHA yesterday even though, according to the Associated Press, Representative MURTHA did not deny that he violated House rules.

Congress Daily PM reports that Democratic leadership aides, ''want to make this go away as soon as possible,'' but Representative MURTHA's violation is part of a growing pattern of abuses that show the House has moved away from earmark reform under Democrats, rather than toward it. Today Republican Leader JOHN BOEHNER sent a letter to Speaker PELOSI to renew his long-standing request for a bipartisan working group tasked with recommending fair, sensible and understandable House ethics rules. A little bit later in my comments, I'm going to read that letter and insert it into the RECORD.

As has been reported previously, this is the second incident where Representative MURTHA has threatened a GOP Member who dared challenge his questionable earmark, which has been deemed, ''an expensive and duplicative use of scarce Federal drug enforcement resources,'' according to the May 8 edition of The Hill. Fox News has also previously reported on his threat to Representative TODD TIAHRT from Kansas, including the video of it on the House floor.

House Democrats have repeatedly promised the most open and ethical Congress in history. It's so ironic that during a week when Democrats will bring up their lobbying and ethics reform bill, which we hear has been watered down considerably, will they back Representative MURTHA and make a mockery of their own rules, or will they keep their pledge to the American people?

And let me remind everyone what some of those pledges were. I want to contrast some of the promises from the top two Democratic leaders with how they are running things today: violations of earmark disclosure rules, no debate, no amendments to strike, no transparency, no scrutiny, no sunlight. The American people are beginning to catch on to the Democrats' sham pledges and broken promises.

First, let me quote from the Majority Leader, Representative STENY HOYER, Democrat from Maryland. ''We are going to adopt rules that make the system of legislation transparent so that we don't legislate in the dark of night, and the public and other Members can see what is being done.''

Second quote. ''We need to have [earmarks] subject to [more] debate. That's what debate and public awareness is all about. Democracy works if people know what's going on.''

And this has appeared in www.tpmcafe.com, and I'm going again to make this available so that anyone who wants to go to check that quote can go to it without accepting what I'm saying for it.

Then Speaker PELOSI, the number one Democrat in the House, ''There has to be transparency,'' on earmarks. That's in www.usatoday.com.

Here's a question that was asked of her. ''Yes. They're saying that you would need to put the earmark into a text of a bill instead of in a conference report so that they can—''

And Representative PELOSI answers, ''Well, I think, first of all—anything that is in any bill, any provision, whether it's an earmark or not, should be—there should be transparency, so that—that's why we have said—and I hope you would agree—that before Members vote on the bill, there should be an appropriate time for people to be able to read it, that it be a matter of public record. And if there's an earmark that can stand the scrutiny, then that transparency will give the opportunity for it to be there.

''There are many earmarks that are very worthy—all of mine, as a matter of fact—'' and remember, I'm quoting Speaker PELOSI, ''but it is—because we're talking about helping people in the community—it's the special interest earmarks that are the ones that go in there in the dark of night, that they don't want anybody to see, and that nobody does see and that are voted upon.

''So transparency—yes, by all means, let's subject them all to the scrutiny that they deserve and let them compete for the dollar. But myself, I would not be unhappy.'' And this was in her weekly press conference, 3/17/06.

Now, the earmark that is under question is an earmark that was in the Intelligence bill last week. There were many, many efforts to bring that out, all of them thwarted by the Democratic leadership.

Now, here is Congressman BOEHNER's letter to Speaker PELOSI. I don't have the exact text. I'm going to read what it said. But the process ''has become less transparent and less accountable than it was during the 109th Congress, directly violating pledges made last year by Democratic leaders.'' BOEHNER's letter comes as the House prepares to consider a privileged resolution offered by Representative MIKE ROGERS concerning an earmark-related House rules violation by Representative JOHN MURTHA, Democrat of Pennsylvania, who was the Speaker's preferred choice for House majority leader.

BOEHNER'S letter lists a series of rules abuses by the Democratic majority he argues have made a mockery of House rules that are supposed to ensure that no taxpayer-funded earmark is passed without appropriate scrutiny and debate.

In addition to the MURTHA incidents, BOEHNER notes Democrats have refused to allow Members to challenge questionable earmarks on the House floor,

certified a huge spending bill as earmark free though it contained hundreds of millions of dollars in earmarks, and preserved special privileges for State and local government lobbyists seeking earmarks from Congress, including lobbyists for public universities.

BOEHNER says in the letter, ''At the outset of this Congress, Republicans and Democrats jointly pledged to make the earmark process more transparent and more accountable to the American people. A rules package was adopted that was supposed to enforce this pledge as one of its central objectives by ensuring no earmark would be passed by the House without appropriate scrutiny and opportunity for debate. Recent actions by the majority have begun to make a mockery of this vow and of the rules themselves.''

□ 2100

I go on quoting from the letter.

''These actions by the majority have become increasingly flagrant and bold with each passing month of the 110th Congress, fueling public cynicism about our institution and disheartening many who believe fundamental change is needed in the way in which Washington spends the taxpayers' money.''

Boehner goes on to say, in the letter, ''We have now reached the point at which the congressional earmark process has become less transparent and less accountable than it was during the 109th Congress, directly violating pledges made last year by Democratic leaders.''

What this is about is an action by Representative MURTHA to secure tens of millions of dollars for a questionable project in his district by highly suspect methods that either flaunted the new rules without penalty, or, at best, nominally complied with them, proving in either case how utterly ineffective the new rules really are.

Again, in February, the majority was able to certify a massive spending bill as earmark-free, despite the fact that it contained hundreds of millions of dollars in earmarks. Under the rules, there is no way a Member can challenge an earmark that is included in a bill brought to the House floor as long as the bill contains a list of earmarks, even if the list is inaccurate and fails to include the earmark the Member seeks to challenge. This is a terrible way to get around the situation and continued to fund questionable projects, which Members of the majority want to fund, and they are very disingenuous in this process.

But perhaps most appalling, the majority has twisted House rules and procedure to prevent questionable earmarks, once identified, from being challenged in any way on the House floor by Members seeking nothing more than up-or-down votes on these suspect provisions. In fact, on at least two occasions, Republican Members objecting to illegitimate earmarks have been directly threatened with retaliation by a senior Democratic Member in open defiance of the new rules.

I would like also to read a piece which Congressman MIKE ROGERS has written, and it's called ''The Sopranos on Capitol Hill?''

''Bridges to nowhere, the $100 hammer. A rainforest in Iowa. Billions of taxpayer dollars unaccounted for.

''It's no wonder the American people are disgusted with the way Congress spends their money. In the latest incident certain to cement the public's frustration, a powerful chairman threatened and attempted to intimidate me when I tried to stop wasteful duplicative spending from what the U.S. News and World Report has called a taxpayer 'boondoggle.' Even more troubling, this pork-barrel project takes precious intelligence resources from spies on the ground catching terrorists in places like Fallujah, Iraq, and sends it to bureaucrats in Johnstown, Pennsylvania.

''Two weeks ago I offered a proposal to the Fiscal Year 2008 Intelligence Authorization Act that would have taken funding away from an illegitimate, wasteful earmark that happened to be in the district of House Defense Appropriations chairman JOHN MURTHA, Democrat, Pennsylvania. Chairman MURTHA's earmark would authorize tens of millions for the National Drug Intelligence Center, NDIC, a government office that the House Government Reform Committee has deemed an 'expensive and duplicative use of scarce Federal drug resources,' according to an article in the May 8 edition of The Hill.

''Last week, on the House floor, Chairman MURTHA violated House rules in an expletive-laced tirade, pointing his finger and threatening my priorities 'now and forever.' Just last week, Chairman MURTHA 'exploded' and 'unleashed a loud, finger-jabbing, spittle-spraying piece of his mind' at a colleague on his committee, according to The Hill. Chairman MURTHA then '. . . threatened to withdraw support from a defense project . . .' vital to his colleague's district, according to the article. This week he attempted to intimidate me, and when I had the audacity to question the merits of the project, his reaction was more finger pointing and intimidation.

''Today I will introduce a resolution outlining this egregious action which is not only beneath the dignity of Congress, it constitutes a violation of House rules, which preclude Members from conditioning spending in other districts on another Member's vote. The House should reprimand Chairman MURTHA for his conduct.

''This incident in the people's House highlighted arrogance of power at its worst, and both political parties are guilty. This is why the American people throw up their hands and are fed up with Washington politicians. If we are ever going to restore the trust of the American people, Congress can and must do better.

''This reminds me how far some in Congress have gotten away from America's founding. When General George Washington led a rag-tag group of Americans to defeat the most powerful military in the world, many in this new land wanted him to be King. Many feared without a strong, all-powerful leader, our new Nation would be vulnerable to attack. A beautiful painting hangs in the Rotunda of the U.S. Capitol Building highlighting Washington's next action, which was perhaps unprecedented in all of history. George Washington voluntarily resigned his commission as head of the Revolutionary Army, giving up personal gain for the greater good of the new Nation. Too many in Washington, D.C., of both parties have instead taken from the greater good for their own gain.

''The House floor is not the place for an episode of 'The Sopranos,' and protecting the public's tax dollars is a basic duty of all Members of Congress. The good news is this could be an opportunity for Republicans and Democrats to change the way Congress does business and to change the way taxpayer money is spent. The country and our citizens' pocketbooks would be better off for it.''

That ends the article by Congressman MIKE ROGERS, a Republican from Michigan, and a former FBI Special Agent.

As has been said and alluded to by the comments that I have read here tonight, this is simply the latest but most egregious situation where the Imajority party is doing exactly the opposite of what it promised to do.

It promised many times on this floor last year, many times in campaigns, the most ethical Congress ever. That simply has not been the case.

We have people up here every day saying things that are not true. They keep saying they are not raising taxes in the budget. We know they are. Even some of their Members have said it. Some of their Members voted with the Republicans against the budget, and at least one of them said, I simply cannot vote to let these tax cuts expire. That means the tax increases are there.

They have said they would be the most ethical in terms of earmarks. I really dislike that term, ''earmarks,'' it's very negative, but it means money sent to a special project by a Member. I don't have any problem with money going to certain projects by certain Members. That's part of our constitutional responsibility. It should be out in the open every time.

If we, as Members of Congress, are ashamed of where we are sending the money, then there must be something wrong with it. If I were to ask for money to go to a special project, I would be very proud of that and would want the people of my district to know it.

However, it's obvious that Congressman MURTHA does not want the people of his district or this country to know where he is sending certain dollars,

partly because that project has been evaluated and deemed to be wasteful, as I gave you some quotes.

This was going to be the Congress that was going to do so much. Not any bill of any consequence has passed both Houses and been signed by the President. None of their bills that they promised, their Six in '06, small ideas. Even they don't do what they said they do.

I would like to use the example of the student loans. All for last year, the Democrats said over and over and over again, oh, we are going to bring down the cost of going to college. Students have to borrow too much money. We are going to lower the cost of interest rates.

Well, ladies and gentlemen, what they did was a giant shell game. It takes 5 years for them to lower the interest rate on one small program that students borrow money from, making up, probably, less than 20 percent or fewer than 20 percent of the loans out there. It takes 5 years to get that interest rate brought down to half. The interest rate stays half for 3 whole months, and then it goes straight back up to the full rate. But they would like the American people to believe that they really have done something that they said they were going to do, which is not true.

It's over and over again. They would not raise taxes, the budget raised taxes. They would cut spending. Everything that they have done is increase spending.

They said that they would always support our troops. They do not support our troops. They have played games here for the last month or so, trying to embarrass the President, they think, and try to get through, again, more of their pork-barrel projects by putting unnecessary spending onto a war supplemental, which, again, is a giant shell game, because it would allow them to take $24 billion off-line spending, because if it's in the supplemental, they don't have to count it against their budget. That gives them $24 billion more they can spend somewhere else, and they pass it off as emergency funding. It's not emergency funding at all.

So, they are not supporting our troops, and they are not doing anything that they promise to do last year. Again, this latest episode, with Congressman MURTHA, should send a clear signal to the American people that that is what is happening.

You know, there is an old saying, you can fool some of the people all of the time. You can fool all of the people some of the time. But you can't fool all of the people all of the time.

I think that the American people are waking up to the hypocrisy that has been going on here by the Democrats, and they are seeing not only aren't they fulfilling their promises, but they are doing even worse. They are trying to hide everything that they are doing and trying to make it look like they are fulfilling their promises, but they are not.

I want to say, in terms of their insisting on a surrender date, I have said this before on the floor, I have never in my life been around leaders in our country that talk about failure and impossibility as much as these people do. America is a place where we believe in things getting done, where everything is possible. We could do it all. We will win this war. We have to win the war, because our freedom is at stake.

All they talk about is surrender date. Every bill that they have passed has had surrender dates in it. It has been 105 days since the President first requested additional troop funding. While we are trying to help get that funding, Republicans are, the Democrats want to choke off or ration funding for American troops in harm's way. More of their hypocrisy. They don't want to fund the troops.

Sometimes I think they want failure just to prove a point. Yet, they would tear down the freedom that we have to stay in power and to prove a point.

We need a clean troop-funding bill. We need to give our troops the resources they need to be successful, no strings, no timelines, no pork, and it needs to be done by Memorial Day so that we show the troops how we really feel about them, and not this sham that the Democrats have been portraying here in the Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUYER (at the request of Mr. BOEHNER) for today on account of medical reasons.

Mr. DAVIS of Kentucky (at the request of Mr. BOEHNER) for today on account of medical reasons.

Mr. GERLACH (at the request of Mr. BOEHNER) for today on account of illness.

Mr. KIRK (at the request of Mr. BOEHNER) for today on account of a family emergency.

Ms. DEGETTE (at the request of Mr. HOYER) for today and the balance of the week on account of family obligations.

Mr. ENGEL (at the request of Mr. HOYER for today on account of family medical emergency.

Mrs. JONES of Ohio (at the request of Mr. HOYER for today on account of death in the family.

Mr. KIND (at the request of Mr. HOYER for today on account of family commitment.

Mr. STUPAK (at the request of Mr. HOYER for today.

Mr. TANNER (at the request of Mr. HOYER) for today on account of family matter in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Ms. CLARKE, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

(The following Members (at the request of Mr. ROGERS of Michigan) to revise and extend their remarks and include extraneous material:)

Mr. PETERSON of Pennsylvania, for 5 minutes, May 23.

Mr. BURTON of Indiana, for 5 minutes each, today and May 22, 23, and 24.

Mr. BISHOP of Utah, for 5 minutes each, today and May 23 and 24.

Mr. DAVIS of Kentucky, for 5 minutes, May 23.

ADJOURNMENT

Ms. FOXX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 22, 2007, at 9 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:

1861. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Acetochlor; Pesticide Tolerance [EPA-HQ-OPP-2006-0203; FRL-8126-2] received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1862. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Aspergillus flavus NRRL 21882 on Corn; Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0160; FRL-8130-6] received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1863. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Chlorantraniliprole; Time-Limited Pesticide Tolerances [EPA-HQ-OPP-2006-0800; FRL-8128-2] received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1864. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerance [EPA-HQ-OPP-2006-0995; FRL-8120-2] received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1865. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Pythium Oligandrum DV 74; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2005-0121; FRL-7713-1] received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1866. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Corrections and Updates to Technical Guidelines for Voluntary Greenhouse Gas Reporting (RIN: 1901-AB23) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1867. A letter from the Secretary, Department of Energy, transmitting the Department's report on state and regional policies that promote energy and efficiency programs carried out by electric and gas utilities, pursuant to Section 139(c) of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

1868. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Control of a Chemical Precursor Used in the Illicit Manufacture of Fentanyl As a List I Chemical [Docket No. DEA-299I] (RIN: 1117-AB12) received May 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1869. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Electronic Stability Control Systems; Controls and Displays [Docket No. NHTSA-2007-27662] (RIN: 2127-AJ77) received April 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1870. 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; Delaware; Update to Materials Incorporated by Reference [DE102-1100; FRL-8291-7] received April 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1871. 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; Redesignation of the Weirton, WV Portion of the Steubenville-Weirton, OH-WV 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan [EPA-R03-OAR-2006-0692; FRL-8314-1] received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1872. 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; Redesignation of the West Virginia Portion of the Wheeling, WV-0H 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan [EPA-R03-OAR-2006-0682; FRL-8314-6] received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1873. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Michigan; Redesignation of Flint, Grand Rapids, Kalamazoo-Battle Creek, Lansing-East Lansing, Muskegon, Benton Harbor, Benzie County, Cass County, Huron County, and Mason County 8-hour Ozone Nonattainment Areas to Attainment for Ozone [EPA-R05-OAR-2006-0517, EPA-R05-OAR-2006-0563; FRL-8314-4] received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1874. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, and National Emission Standards for Hazardous Air Pollutants for Source Categories [EPA-HQ-OAR-2006-0085; FRL-8315-2] (RIN: 2060-AN84) received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1875. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Revisions to the Nevada State Implementation Plan; Definition, Emergency Episode, and Monitoring Regulations [EPA-R09-OAR-2007-0197; FRL-8300-5] received April 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1876. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Full Approval of Revisions to the State of Hawaii Operating Permit Program [EPA-R09-OAR-2007-0090; FRL-8303-5] received April 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1877. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's ''Major'' final rule — Mandatory Reliability Standards for the Bulk-Power System [FERC Docket No. RM06-16-000] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1878. A letter from the Director, Office of Standards, Regulations, and Variances, Department of Labor, transmitting the Department's final rule — Criteria and Procedures for Proposed Assessment of Civil Penalties (RIN: 1219-AB51) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1879. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 ft (18.3 m) LOA Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01; I.D. 022607B] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1880. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Elephant Trunk Scallop Access Area to General Category Scallop Vessels [Docket No. 060314069-6069-01; I.D. 031307A] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1881. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No. 061020273-7001-03; I.D. 031207A] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1882. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01; I.D. 030907A] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1883. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the ''21st Century Department of Justice Appropriations Authorization Act,'' related to certain settlements and injunctive relief; to the Committee on the Judiciary.

1884. A letter from the National Treasurer, American Ex-Prisoners of War, transmitting a copy of the Financial Statements with the Independent Auditors' report, for the year ended August 31, 2006, pursuant to 36 U.S.C. 1101 and 1103; to the Committee on the Judiciary.

1885. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting two legislative proposals relating to the implementation of treaties concerning maritime terrorism and the maritime transportation of weapons of mass destruction; to the Committee on the Judiciary.

1886. A letter from the Congressional Medal of Honor Society of the United States of America, transmitting the annual financial report of the Society for calendar year 2006, pursuant to 36 U.S.C. 1101; to the Committee on the Judiciary.

1887. A letter from the Staff Director, United States Sentencing Commission, transmitting a copy of the 2006 Annual Report and Sourcebook of Federal Sentencing Statistics, pursuant to 28 U.S.C. 994(w)(3); to the Committee on the Judiciary.

1888. A letter from the Chairman, United States Sentencing Commission, transmitting a report of amendments to the sentencing guidelines, policy statements, and offical commentary, together with the reasons for these amendments, pursuant to 28 U.S.C. 994(o); to the Committee on the Judiciary.

1889. A letter from the United States Sentencing Commission, transmitting the Commission's report entitled, ''Cocaine and Federal Sentencing Policy''; to the Committee on the Judiciary.

1890. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting a copy of the Mississippi Coastal Interim Report, Hancock, Harrison, and Jackson Counties; to the Committee on Transportation and Infrastructure.

1891. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting a copy of the hurricane and storm damage reduction report for Montauk Point, New York; to the Committee on Transportation and Infrastructure.

1892. A letter from the Senior Attorney, Office of General Counsel, Department of Transportation, transmitting the Department's final rule — Standard Time Zone Boundary in the State of Indiana [OST DOCKET NO. 2005-22114] (RIN: 2105-AD53) received March 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1893. A letter from the Secretary, Department of Transportation, transmitting the Twenty-Second Annual Report of Accomplishments Under the Airport Improvement

Program for Fiscal Year 2005, pursuant to 49 U.S.C. 47131; to the Committee on Transportation and Infrastructure.

1894. A letter from the Deputy Director, Bureau of Transportation Statistics, Department of Transportation, transmitting the Transportation Statistics Annual Report 2006, pursuant to 49 U.S.C. 111(f); to the Committee on Transportation and Infrastructure.

1895. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Oil Pollution Prevention; Non-Transportation Related Onshore and Offshore Facilities [EPA-HQ-OPA-2006-00949; [FRL-8315-1]] (RIN: 2050-AG36) received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1896. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance Regarding Public Inspection of Unrelated Business Income Tax Returns [Notice 2007-45] received May 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1897. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 856.—Definition of Real Estate Investment Trust (Rev. Rul. 2007-33) received May 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1898. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Department's final rule — Tier II Issue — Industry Director Directive on the Proper Treatment of Upfront Fees, Milestone Payments, Royalties and Deferred Income Upon Entering into a Collaboration Agreement in Biotech and Pharmaceutical Industries [LMSB Control No.: LMSB-04-0407-037] received May 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1899. A letter from the Principal Deputy for Personnel and Readiness, Department of Defense, transmitting the Department's List of Institutions of Higher Education Ineligible for Federal Funds, pursuant to section 582 of the Bob Stump National Defense Authorization Act of Fiscal Year 2006; jointly to the Committees on Armed Services and Education and Labor.

1900. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to Section 634A of the Foreign Assistance Act of 1961, notification for countries listed as approved for funding for the FY 2007 International Military Education and Training (IMET) program; jointly to the Committees on Foreign Affairs and Appropriations.

1901. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's memorandum of justification regarding the determination to transfer FY 2006 Funds to the FY 2007 peacekeeping operations account for Security Sector Reform in Liberia, pursuant to Section 610 of the Foreign Assistance Act of 1961; jointly to the Committees on Foreign Affairs and Appropriations.

1902. A letter from the Chief Executive Officer, Federal Bureau of Prisons, Department of Justice, transmitting a copy of the FY 2006 Annual Report for the Federal Prison Industries, Inc (FPI), pursuant to 31 U.S.C. 9106(b); jointly to the Committees on Oversight and Government Reform and the Judiciary.

1903. A letter from the Director, Office of Government Ethics, transmitting the Office's proposal entitled, ''To amend the Ethics in Government Act of 1978 to reauthorize the Office of Government Ethics''; jointly to the Committees on Oversight and Government Reform and the Judiciary.

1904. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations, pursuant to Public Law 101-162, section 609(b); jointly to the Committees on Natural Resources and Appropriations.

1905. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report required by the Foreign Intelligence Surveillance Act of 1978, pursuant to 50 U.S.C. 1807; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

1906. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act (MMA) of 2003 for Calendar Year 2006''; jointly to the Committees on Ways and Means and Energy and Commerce.

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. CONYERS: Committee on the Judiciary. S. 1104. An act to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants; with an amendment (Rept. 110–158). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 1525. A bill to amend title 18, United States Code to discourage spyware, and for other purposes; with an amendment (Rept. 110–159). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 2264. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; with an amendment (Rept. 110–160). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 2316. A bill to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes; with an amendment (Rept. 110–161, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 2317. A bill to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes; with an amendment (Rept. 110–162). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. ROYBAL-ALLARD (for herself, Mr. POE, Mr. MOORE of Kansas, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. ALLEN, Ms. BERKLEY, Mr. HONDA, Mr. WYNN, Mr. JEFFERSON, and Mr. MCCOTTER):

H.R. 2395. A bill to promote the economic security and safety of victims of domestic violence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Education and Labor, and in addition to the Committees on Ways and Means, 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. HALL of Texas (for himself, Mr. PICKERING, Mr. LAMPSON, and Mr. BARTON of Texas):

H.R. 2396. A bill to increase the capacity of the Strategic Petroleum Reserve, and for other purposes; to the Committee on Energy and Commerce.

By Ms. FALLIN:

H.R. 2397. A bill to reauthorize the women's entrepreneurial development programs of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. BARROW (for himself, Mr. BISHOP of Georgia, Mr. SPACE, and Mr. SCOTT of Georgia):

H.R. 2398. A bill to reauthorize and provide additional funding for essential agricultural research, extension, education, and related programs, to establish the National Institutes for Food and Agriculture as an independent agency reporting to and coordinating with the Secretary of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. HILL (for himself, Mrs. BOYDA of Kansas, Mr. DONNELLY, and Mr. MAHONEY of Florida):

H.R. 2399. A bill to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, 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 Ms. BORDALLO (for herself, Mr. BROWN of South Carolina, Mr. SAXTON, and Mr. PALLONE):

H.R. 2400. A bill to direct the Administrator of the National Oceanic and Atmospheric Administration to establish an integrated Federal ocean and coastal mapping plan for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the Continental Shelf of the United States, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA (for himself, Mrs. NAPOLITANO, Mr. GUTIERREZ, Mr. SERRANO, Mr. GRIJALVA, Ms. SOLIS, Mr. REYES, Mr. ORTIZ, Ms. VELÁZQUEZ, Mr. HINOJOSA, Mr. BECERRA, Mr. SIRES, Mr. FORTUÑO, Mr. RODRIGUEZ, Mr. PASTOR, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CUELLAR, Ms. ROYBAL-ALLARD, Mr. GONZALEZ, Mr. SALAZAR, and Ms. ROS-LEHTINEN):

H.R. 2401. A bill to provide for greater access and opportunities for socially disadvantaged farmers, to create incentives for research, conservation, and market viability, to provide a healthy and just work environment for agricultural workers, to provide Americans with healthier food choices, to address hunger and poverty in the United States, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDOZA:

H.R. 2402. A bill to amend title 18, United States Code, to provide increased imprisonment for certain offenses by public officials; to the Committee on the Judiciary.

By Mr. DAVIS of Alabama:

H.R. 2403. A bill to amend the Consolidated Farm and Rural Development Act to provide for comprehensive community and economic development in the distressed Southern Black Belt and Mississippi Delta region while leveraging existing efforts, entities, and resources; to the Committee on Agriculture, and in addition to the Committees on Transportation and Infrastructure, 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 Ms. DELAURO (for herself, Ms. BORDALLO, Mrs. MALONEY of New York, Ms. NORTON, Mr. ROTHMAN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SUTTON, Mr. UDALL of New Mexico, and Ms. JACKSON-LEE of Texas):

H.R. 2404. A bill to reduce health care costs and promote improved health by providing supplemental grants for additional preventive health services for women; to the Committee on Energy and Commerce.

By Mr. FARR (for himself, Mr. HONDA, Mr. MCDERMOTT, Mr. LANTOS, and Ms. ESHOO):

H.R. 2405. A bill to require the Secretary of Homeland Security to provide for ceremonies on or near Independence Day for administering oaths of allegiance to legal immigrants whose applications for naturalization have been approved; to the Committee on the Judiciary.

By Mr. GORDON:

H.R. 2406. A bill to authorize the National Institute of Standards and Technology to increase its efforts in support of the integration of the healthcare information enterprise in the United States; to the Committee on Science and Technology.

By Mr. HASTINGS of Florida (for himself, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, Mr. THOMPSON of Mississippi, Mr. MELANCON, Mr. TAYLOR, Mr. JINDAL, Mr. MEEK of Florida, Mr. KLEIN of Florida, Mr. WEXLER, Ms. CORRINE BROWN of Florida, Mr. MAHONEY of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MCINTYRE, Mr. ORTIZ, Mr. JEFFERSON, Mr. KELLER, Mr. MACK, and Mr. BUCHANAN):

H.R. 2407. A bill to establish the National Hurricane Research Initiative to improve hurricane preparedness, and for other purposes; to the Committee on Science and Technology.

By Mr. KAGEN (for himself, Mr. PETRI, Mr. OBEY, Mr. KIND, Ms. BALDWIN, Ms. MOORE of Wisconsin, Mr. SENSENBRENNER, and Mr. RYAN of Wisconsin):

H.R. 2408. A bill to designate the Department of Veterans Affairs outpatient clinic in Green Bay, Wisconsin, as the ''Milo C. Huempfner Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mrs. LOWEY:

H.R. 2409. A bill to establish a program to provide child care through public-private partnerships; to the Committee on Education and Labor.

By Mrs. LOWEY:

H.R. 2410. A bill to authorize additional appropriations to the National Institutes of Health for research on the early detection of and the reduction of mortality rates attributed to breast cancer; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H.R. 2411. A bill to amend the Internal Revenue Code of 1986 to expand deductions allowed for education-related expenses and to allow an earned tuition credit against income tax for qualified tuition and related expenses; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 2412. A bill to require equitable coverage of prescription contraceptive drugs and devices and contraceptive services under health plans; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANIEL E. LUNGREN of California:

H.R. 2413. A bill to amend the Immigration and Nationality Act to provide for an increase in border patrol agents and other immigration enforcement activities, for a temporary agricultural worker program, and for a program to adjust the status of certain qualified long-term residents; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 2414. A bill to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to adjust the Federal benefit payment required to be paid to certain retirees of the District of Columbia Metropolitan Police Department and the District of Columbia Fire Service to take into account service longevity payments which under District of Columbia law are considered basic compensation for purposes of retirement, survivor benefits, and annuities; to the Committee on Oversight and Government Reform.

By Mr. PAUL:

H.R. 2415. A bill to reduce the price of gasoline by allowing for offshore drilling, eliminating Federal obstacles to constructing refineries and providing incentives for investment in refineries, suspending Federal fuel taxes when gasoline prices reach a benchmark amount, and promoting free trade; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, 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. TIAHRT (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. MILLER of Florida, Mr. BARTLETT of Maryland, Mr. WILSON of South Carolina, Mrs. MYRICK, Mr. HAYES, Mr. FRANKS of Arizona, Mr. DOOLITTLE, Mr. BURTON of Indiana, Mr. CONAWAY, Mr. FORBES, Mr. PENCE, Mrs. SCHMIDT, Mr. MANZULLO, and Mr. WALBERG):

H.R. 2416. A bill to establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, and for other purposes; to the Committee on Oversight and Government Reform, 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. VISCLOSKY (for himself, Mr. VAN HOLLEN, Mr. BURTON of Indiana, Ms. MATSUI, Mrs. CHRISTENSEN, Mr. BERMAN, Mr. FORTUÑO, Mr. BRADY of Pennsylvania, Mr. BISHOP of Georgia, Mr. MOORE of Kansas, Mr. RUPPERSBERGER, Mr. HONDA, Mr. CLEAVER, Mr. PLATTS, Mr. HOBSON, Mr. MCDERMOTT, Ms. KILPATRICK, Ms. CARSON, Mr. HINCHEY, Mr. TOWNS, Mr. RYAN of Ohio, Ms. WOOLSEY, Ms. BERKLEY, Mrs. BOYDA of Kansas, Mr. TAYLOR, Mr. CONYERS, Mr. MITCHELL, Mrs. JO ANN DAVIS of Virginia, Mr. CARNEY, Mr. PETERSON of Minnesota, Ms. DELAURO, Ms. SCHAKOWSKY, and Mr. BRALEY of Iowa):

H.R. 2417. A bill to amend title 38, United States Code, and title 10, United States Code, to provide for an opportunity for active duty personnel to withdraw an election not to participate in the program of educational assistance under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF (for himself, Mr. DAVIS of Alabama, Ms. WASSERMAN SCHULTZ, Mr. BOUCHER, Mr. COHEN, Mr. ELLISON, Mr. MCGOVERN, Mr. THOMPSON of California, Mr. ACKERMAN, Ms. BERKLEY, Mr. STARK, Mr. FARR, Mr. GRIJALVA, and Mr. FATTAH):

H. Res. 417. A resolution expressing no confidence in the performance of Attorney General Alberto Gonzales, and urging the President to request his resignation; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mr. LANTOS, Mr. BURTON of Indiana, Mr. RANGEL, Mr. CONYERS, Mr. SHERMAN, Mrs. JO ANN DAVIS of Virginia, Mr. PAYNE, Ms. LEE, Mr. CHABOT, Mr. FORTUÑO, Mr. MACK, Mr. SIRES, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. INGLIS of South Carolina, Mr. CROWLEY, Mr. ACKERMAN, Mr. DELAHUNT, Ms. WATSON, Ms. CLARKE, Mr. GALLEGLY, Ms. JACKSON-LEE of Texas, Mr. FALEOMAVAEGA, Mr. POE, and Mr. MEEKS of New York):

H. Res. 418. A resolution recognizing and welcoming the delegation of Presidents, Prime Ministers, and Foreign Ministers from the Caribbean to Washington, D.C., and commending the Caribbean Community (CARICOM) for holding the Conference on the Caribbean; to the Committee on Foreign Affairs.

By Mr. MCCOTTER:

H. Res. 419. A resolution recognizing May 20-26, 2007, as National Dog Bite Prevention Week and calling upon all municipalities to work with the American Veterinary Medical Association, the United States Postal Service, and the American Academy of Pediatrics to adopt and implement effective dog bite injury prevention programs to protect Postal Service employees, including laws encouraging responsible dog ownership; to the Committee on Oversight and Government Reform.

By Mr. INGLIS of South Carolina (for himself, Mr. PAYNE, Mr. PENCE, Mr. MCGOVERN, Mr. FORTUÑO, Mr. ADERHOLT, Mr. SALI, Mr. FRANKS of Arizona, Mr. AKIN, Mr. SMITH of New Jersey, Mrs. MCMORRIS RODGERS, Mr. FEENEY, Mr. MCHENRY, and Mr. SHIMKUS):

H. Res. 420. A resolution condemning the recent murders of three Christian workers in

Turkey and expressing support for the efforts of the Government of Turkey to investigate and prosecute those individuals responsible for the murders under charges of terrorism; to the Committee on Foreign Affairs.

By Mr. KAGEN (for himself, Mr. SENSENBRENNER, Mr. KIND, and Mr. GORDON):

H. Res. 421. A resolution honoring the trailblazing accomplishments of the ''Mercury 13'' women, whose efforts in the early 1960s demonstrated the capabilities of American women to undertake the human exploration of space; to the Committee on Science and Technology.

By Ms. LEE (for herself, Mr. SMITH of New Jersey, Mr. PAYNE, Mr. MORAN of Kansas, Mr. MCGOVERN, Mr. MCCOTTER, Mr. LANTOS, Ms. ROS-LEHTINEN, and Mr. AL GREEN of Texas):

H. Res. 422. A resolution calling on the Government of the People's Republic of China to use its unique influence and economic leverage to stop genocide and violence in Darfur, Sudan; to the Committee on Foreign Affairs.

By Mrs. MUSGRAVE:

H. Res. 423. A resolution commending the Poudre High School science bowl team on winning the 2007 United States Department of Energy Science Bowl; to the Committee on Education and Labor.

By Ms. SCHAKOWSKY (for herself and Mr. ROSKAM):

H. Res. 424. A resolution expressing the sense of the House of Representatives that there should be established a National Brain Cancer Awareness Month, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SERRANO (for himself, Mr. HINCHEY, Mr. GRIJALVA, Mr. KUCINICH, Mr. BERMAN, and Ms. LEE):

H. Res. 425. A resolution expressing the sense of the House of Representatives that Luis Posada Carriles, mastermind of the vicious attack on Cubana Airlines Flight 455 and perpetrator of numerous other acts of terrorism, should be certified as a terrorist and prosecuted to the fullest extent of the law; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. WATERS introduced a bill (H.R. 2418) for the relief of Rafael Camacho, Rosa B. Camacho, and Rosa Camacho; 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. 91: Mr. KELLER.

H.R. 111: Mrs. GILLIBRAND, Mr. STUPAK, Mr. HINCHEY, Ms. GIFFORDS, Mr. CUMMINGS, and Mr. WELCH of Vermont.

H.R. 171: Mr. HINCHEY.

H.R. 176: Mr. COSTA, Mr. CLEAVER, Mr. THOMPSON of Mississippi, Mr. KENNEDY, Mr. DAVIS of Alabama, Mrs. JONES of Ohio, Mr. JACKSON of Illinois, Mr. GEORGE MILLER of California, Mr. AL GREEN of Texas, and Mr. SCOTT of Virginia.

H.R. 197: Mr. PLATTS.

H.R. 201: Mr. PAYNE.

H.R. 234: Mrs. TAUSCHER.

H.R. 279: Mr. SALI.

H.R. 364: Mr. LAMPSON.

H.R. 373: Mr. PITTS.

H.R. 374: Mr. PITTS.

H.R. 379: Mr. PITTS.

H.R. 436: Mr. MCCOTTER.

H.R. 463: Mr. ELLISON and Ms. CARSON.

H.R. 537: Ms. WATSON.

H.R. 558: Mr. BERRY.

H.R. 566: Mr. HINOJOSA.

H.R. 579: Mr. LIPINSKI.

H.R. 612: Mr. ELLISON.

H.R. 629: Ms. BORDALLO.

H.R. 699: Mr. DEAL of Georgia.

H.R. 711: Mr. TIAHRT.

H.R. 724: Mr. DEAL of Georgia.

H.R. 728: Mr. MITCHELL.

H.R. 780: Mr. BUYER and Mr. BURGESS.

H.R. 782: Mr. DEAL of Georgia and Mr. STUPAK.

H.R. 808: Mr. JOHNSON of Georgia.

H.R. 809: Mr. FILNER, Mrs. GILLIBRAND, and Mrs. DAVIS of California.

H.R. 840: Mr. YARMUTH.

H.R. 882: Mr. LYNCH, Mr. PATRICK MURPHY of Pennsylvania, and Mr. SHIMKUS.

H.R. 894: Mr. BLUMENAUER and Mr. LEVIN.

H.R. 920: Mr. BISHOP of New York, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, and Ms. KILPATRICK.

H.R. 926: Mr. NEUGEBAUER.

H.R. 947: Mr. SOUDER.

H.R. 948: Mr. COSTELLO and Mr. FILNER.

H.R. 954: Mr. HIGGINS, Mrs. MALONEY of New York, Mr. MEEKS of New York, Mr. BISHOP of New York, Mr. HALL of New York, Mr. ENGEL, Mr. ISRAEL, Mr. MCNULTY, Mr. NADLER, Mr. SERRANO, Ms. CLARKE, Mr. HINCHEY, Mr. KING of New York, Ms. VELÁZQUEZ, Mr. ARCURI, Mrs. MCCARTHY of New York, and Mr. TOWNS.

H.R. 971: Mr. LOEBSACK, Mr. WALBERG, Mr. RODRIGUEZ, Mr. MURPHY of Connecticut, and Mrs. MALONEY of New York.

H.R. 1023: Mrs. SCHMIDT, Mr. FORTENBERRY, Mr. BOOZMAN, Mrs. CAPITO, Mr. RYAN of Ohio, Mr. MCHUGH, Mr. CALVERT, and Mr. CUMMINGS.

H.R. 1055: Mr. PATRICK MURPHY of Pennsylvania.

H.R. 1061: Mr. MCNULTY and Mr. HODES.

H.R. 1063: Mr. DEAL of Georgia and Mr. ADERHOLT.

H.R. 1064: Mr. TIERNEY, Mr. KNOLLENBERG, Mr. LIPINSKI, Mr. UDALL of Colorado, and Mr. INGLIS of South Carolina.

H.R. 1069: Mr. CUMMINGS.

H.R. 1070: Mr. CUMMINGS.

H.R. 1073: Mr. SHAYS.

H.R. 1093: Mr. LEWIS of Kentucky and Mr. CRAMER.

H.R. 1095: Mr. INGLIS of South Carolina.

H.R. 1125: Mr. TERRY and Mr. HASTINGS of Florida.

H.R. 1153: Mr. FEENEY.

H.R. 1157: Mr. LINCOLN DIAZ-BALART of Florida, Mr. WELCH of Vermont, Mr. STUPAK, Mr. MITCHELL, Mrs. JONES of Ohio, Mrs. JO ANN DAVIS of Viginia, Mr. MCNERNEY, Mr. UPTON, Mr. HONDA, Ms. WATSON, Mr. SPACE, Ms. BEAN, and Mr. BECERRA.

H.R. 1188: Ms. HOOLEY.

H.R. 1190: Mr. BRADY of Pennsylvania, Mr. BOOZMAN, Mr. WYNN, Mr. BOUCHER, Mr. COSTELLO, Mr. SCOTT of Georgia, Mr. MCNERNEY, and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 1192: Mr. WYNN.

H.R. 1233: Mr. PRICE of Georgia.

H.R. 1237: Mrs. MALONEY of New York, Mr. ROTHMAN, and Mr. SIRES.

H.R. 1248: Mr. FOSSELLA, Mr. MCNULTY, and Mr. GRIJALVA.

H.R. 1252: Mr. MURPHY of Connecticut, Mr. SESTAK, Ms. DELAURO, Mr. ELLISON, Mr. ARCURI, Mr. HALL of New York, and Mr. EMANUEL.

H.R. 1267: Mr. REHBERG, Mr. DAVIS of Kentucky, Mr. GILCHREST, and Mr. MOLLOHAN.

H.R. 1268: Mr. PASTOR and Ms. MCCOLLUM of Minnesota.

H.R. 1314: Mr. CARTER and Mr. DEAL of Georgia.

H.R. 1344: Mr. ORTIZ and Mr. HARE.

H.R. 1346: Ms. MOORE of Wisconsin.

H.R. 1350: Mr. ISRAEL.

H.R. 1399: Mr. POMEROY, Mr. MARSHALL, Mr. BLUNT, Mrs. SCHMIDT, Mr. MELANCON, Mr. LINCOLN DAVIS of Tennessee, Mr. EDWARDS, Mr. WILSON of Ohio, Mr. TANCREDO, Mr. RYAN of Ohio, Mr. DEAL of Georgia, and Mr. RYAN of Wisconsin.

H.R. 1400: Mr. MILLER of North Carolina, Ms. SUTTON, Mr. CARTER, Mr. KIND, Mr. BROWN of South Carolina, Mrs. DAVIS of California, Mr. PASCRELL, Mr. PUTNAM, Mr. YOUNG of Alaska, Mr. TIAHRT, Mr. DOOLITTLE, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. LANGEVIN.

H.R. 1416: Mr. TIERNEY.

H.R. 1422: Mr. MCCOTTER, Mr. ABERCROMBIE, and Ms. LORETTA SANCHEZ of California.

H.R. 1431: Ms. SCHAKOWSKY.

H.R. 1435: Mr. CALVERT.

H.R. 1439: Mr. ROGERS of Alabama.

H.R. 1458: Mr. BARTLETT of Maryland and Mr. PETERSON of Pennsylvania.

H.R. 1470: Mr. DOGGETT, Mr. HARE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ROGERS of Alabama, and Ms. SHEA-PORTER.

H.R. 1480: Mr. WEXLER.

H.R. 1506: Mr. PETERSON of Minnesota.

H.R. 1510: Mr. WAXMAN, Ms. LEE, and Mr. WYNN.

H.R. 1524: Mr. MOORE of Kansas, Ms. ESHOO, Mr. MURPHY of Connecticut, Ms. CARSON, and Ms. WOOLSEY.

H.R. 1537: Mr. LOBIONDO, Mr. BROWN of South Carolina, Mr. SARBANES, and Mr. UPTON.

H.R. 1540: Mr. DAVIS of Illinois, Mr. ARCURI, Mrs. MALONEY of New York, Mr. DAVIS of Alabama, Mr. BISHOP of New York, Mr. KUCINICH, Mr. MURPHY of Connecticut, and Mr. MANZULLO.

H.R. 1553: Mr. DOOLITTLE and Mr. ALLEN.

H.R. 1561: Mr. MURPHY of Connecticut.

H.R. 1582: Mr. WYNN and Mr. TIAHRT.

H.R. 1586: Mr. PAUL and Mr. BUYER.

H.R. 1600: Mr. ISRAEL and Mr. SHERMAN.

H.R. 1636: Mr. SMITH of New Jersey.

H.R. 1645: Mr. ISRAEL.

H.R. 1650: Mr. BERRY.

H.R. 1651: Ms. HOOLEY, Mr. GILCHREST, and Mr. WALZ of Minnesota.

H.R. 1653: Mr. WYNN.

H.R. 1665: Mr. WILSON of Ohio, Mr. TOWNS, Mr. ALTMIRE, and Mr. VAN HOLLEN.

H.R. 1687: Mr. MILLER of North Carolina and Mr. LARSEN of Washington.

H.R. 1709: Ms. ROS-LEHTINEN, Mr. THOMPSON of Mississippi, and Mr. MCNULTY.

H.R. 1713: Mrs. CAPPS.

H.R. 1719: Mr. DAVIS of Illinois.

H.R. 1733: Mr. NEUGEBAUER.

H.R. 1735: Mr. WILSON of South Carolina and Mr. MCCOTTER.

H.R. 1746: Ms. WASSERMAN SCHULTZ and Mr. WAXMAN.

H.R. 1754: Mr. BARROW, Mr. BLUMENAUER, and Mr. MICHAUD.

H.R. 1759: Mrs. WILSON of New Mexico, Mr. SENSENBRENNER, Mr. GALLEGLY, Mr. CANTOR, Mr. PUTNAM, Ms. WOOLSEY, Ms. SOLIS, Mr. FILNER, Ms. LORETTA SANCHEZ of California, Mr. ISSA, Mr. SHADEGG, and Mr. CAMPBELL of California.

H.R. 1768: Mr. GRIJALVA and Ms. KAPTUR.

H.R. 1776: Mr. HARE, Mr. STUPAK, Mr. BISHOP of New York, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 1801: Mr. STARK.

H.R. 1806: Mr. WYNN.

H.R. 1823: Mr. MCCOTTER.

H.R. 1828: Mr. MOORE of Kansas and Mr. MEEKS of New York.

H.R. 1838: Ms. LORETTA SANCHEZ of California, Mr. MCHENRY, Mr. SOUDER, Mr. BARROW, Mr. MCHUGH, and Mr. ALLEN.

H.R. 1852: Mrs. CHRISTENSEN.
H.R. 1872: Mr. COHEN.
H.R. 1884: Mr. FILNER and Mr. CHANDLER.
H.R. 1919: Mr. VAN HOLLEN, Mr. BECERRA, Mr. DAVIS of Illinois, Mr. FILNER, Ms. SCHWARTZ, Mr. PASCRELL, Ms. KILPATRICK, Ms. MATSUI, Mr. LIPINSKI, Mrs. LOWEY, Mr. BARROW, Ms. CARSON, and Mr. HILL.
H.R. 1924: Mr. HASTINGS of Florida.
H.R. 1927: Ms. GIFFORDS, Mr. MCDERMOTT, Mr. SCOTT of Virginia, Mr. BERRY, Mr. LOEBSACK, and Mr. TAYLOR.
H.R. 1929: Mr. ELLSWORTH.
H.R. 1932: Mr. KENNEDY and Mr. PAUL.
H.R. 1937: Mr. ROGERS of Kentucky, Mr. JINDAL, Mr. GOODLATTE, Mr. DAVIS of Kentucky, Mr. MCCAUL of Texas, Mr. BLUNT, Mr. ROSS, Ms. HERSETH SANDLIN, Mr. CRAMER, Mr. ALEXANDER, and Mr. CONAWAY.
H.R. 1943: Mr. HASTINGS of Florida and Mr. STARK.
H.R. 1952: Mr. GERLACH and Mr. MARSHALL.
H.R. 1956: Mrs. TAUSCHER, and Mr. CROWLEY.
H.R. 1964: Mr. WELCH of Vermont and Ms. LORETTA SANCHEZ of California.
H.R. 1965: Mr. CLEAVER, Mr. WAMP, Mr. RAMSTAD, Mr. PLATTS, and Mr. WILSON of South Carolina.
H.R. 1985: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCGOVERN, and Ms. SCHAKOWSKY.
H.R. 2005: Mr. SPACE.
H.R. 2016: Mr. WAXMAN and Mr. MCDERMOTT.
H.R. 2017: Mr. PATRICK MURPHY of Pennsylvania and Mr. KUCINICH.
H.R. 2039: Mr. ENGEL.
H.R. 2052: Mrs. MCCARTHY of New York.
H.R. 2060: Mr. BRALEY of Iowa, Mr. HARE, Mr. PATRICK MURPHY of Pennsylvania, Mr. MOORE of Kansas, and Mr. NEAL of Massachusetts.
H.R. 2063: Mr. KUCINICH, Mr. GORDON, and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 2091: Mr. RAHALL.
H.R. 2095: Ms. HIRONO, Mr. DELAHUNT, Mr. BISHOP of New York, Mr. LIPINSKI, Ms. LINDA T. SÁNCHEZ of California, Mr. HASTINGS of Florida, Mr. ALLEN, Mr. SIRES, Mr. GONZALEZ, Mr. PATRICK MURPHY of Pennsylvania, Mr. REYES, Mr. SPACE, and Ms. MATSUI.
H.R. 2108: Ms. KAPTUR, and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 2111: Mr. KLEIN of Florida.
H.R. 2125: Mr. RAMSTAD, Mr. SPACE, and Mr. WAMP.
H.R. 2128: Mr. MCCOTTER.
H.R. 2133: Mr. PERLMUTTER.
H.R. 2134: Mr. DEAL of Georgia.
H.R. 2137: Mr. LEWIS of Kentucky and Mr. ENGLISH of Pennsylvania.
H.R. 2138: Mr. PAUL, Mr. BLUNT and Mr. WAXMAN.
H.R. 2164: Mr. WELCH of Vermont.
H.R. 2169: Ms. SLAUGHTER, Ms. CARSON, and Mr. HOLT.
H.R. 2189: Ms. BERKLEY and Mr. CHANDLER.
H.R. 2199: Mr. HINCHEY, Mr. PATRICK MURPHY of Pennsylvania, Mr. WELCH of Vermont, Ms. SHEA-PORTER, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HOLT, Mr. HODES, Mr. MATHESON, Mr. PERLMUTTER, Mr. BRALEY of Iowa, Mr. WALZ of Minnesota, Mr. ELLISON, Mr. TAYLOR, Mr. MELANCON, Mr. BOREN, Mr. POMEROY, Mr. BOSWELL, Mr. DONNELLY, Mr. BILIRAKIS, Mr. MCDERMOTT, Mr. ENGEL, Mr. ALLEN, and Mr. SOUDER.
H.R. 2211: Mr. PAYNE.
H.R. 2219: Mr. BRADY of Pennsylvania, Mr. FORTENBERRY, Ms. KAPTUR, Mrs. EMERSON, Mr. MCDERMOTT, Ms. SHEA-PORTER, Mr. CONAWAY, and Mr. CARNAHAN.
H.R. 2221: Mrs. TAUSCHER.
H.R. 2232: Mr. DINGELL.
H.R. 2234: Mr. BOYD of Florida, Mr. BURTON of Indiana, Mr. FATTAH, Mr. DELAHUNT, Mr. PAUL, Ms. MATSUI, and Mr. CARNEY.
H.R. 2239: Mr. ELLISON.
H.R. 2253: Mr. ENGLISH of Pennsylvania, Mr. NEUGEBAUER, and Mr. JORDAN.
H.R. 2264: Ms. CLARKE, Mr. ARCURI, Mr. SPACE, Mr. SESTAK, Mr. KUCINICH, Mr. MURPHY of Connecticut, and Mr. HALL of New York.
H.R. 2265: Mr. BERMAN and Mrs. CAPPS.
H.R. 2272: Ms. HOOLEY, Mr. HILL, Mr. ROTHMAN, Mr. CHANDLER, Ms. WOOLSEY, Mr. CARNAHAN, Mr. INGLIS of South Carolina, Mr. BARTLETT of Maryland, Mr. HONDA, Mr. MILLER of North Carolina, Ms. GIFFORDS, Mr. UDALL of Colorado, Mr. MCNERNEY, and Mrs. Boyda of Kansas.
H.R. 2287: Mr. GERLACH, Mr. LAMPSON, Mr. RENZI, Mr. WYNN, Mr. GONZALEZ,
Mr. SHIMKUS, Mr. SIMPSON, Mr. MCINTYRE, and Mr. PAYNE.
H.R. 2290: Mr. MCNERNEY and Mr. MCCOTTER.
H.R. 2316: Mr. SPACE, Mrs. Boyda of Kansas, and Ms. CASTOR.
H.R. 2342: Mrs. DAVIS of California, Mr. HASTINGS of Florida, and Mr. GRIJALVA.
H.R. 2349: Mr. WAXMAN, Mr. RUSH, Mr. SHERMAN, and Mr. MEEKS of New York.
H.R. 2351: Ms. NORTON.
H.R. 2353: Mr. RAMSTAD, Mr. MARSHALL, Mr. WALSH of New York, Mr. BRALEY of Iowa, Mr. RAHALL, Mr. JINDAL, and Mr. HINOJOSA.
H.R. 2356: Mr. BURTON of Indiana.
H.R. 2364: Mr. MCNULTY.
H.R. 2371: Mr. PAYNE, Mr. GRIJALVA, Mr. GEORGE MILLER of California, Mr. COHEN, and Ms. MCCOLLUM of Minnesota.
H.R. 2372: Ms. SUTTON and Mr. CAPUANO.
H.R. 2373: Mr. CLEAVER.
H.R. 2389: Mr. SESTAK.
H. Con. Res. 50: Mr. BILIRAKIS.
H. Con. Res. 70: Mr. FILNER, Mr. ETHERIDGE, and Mr. BACHUS.
H. Con. Res. 73: Mr. FRANKS of Arizona.
H. Con. Res. 120: Mr. TERRY, Mr. KING of New York, Mr. MCCOTTER, and Mr. MOORE of Kansas.
H. Con. Res. 131: Ms. WATSON.
H. Con. Res. 133: Mr. BOSWELL and Mr. TANNER.
H. Con. Res. 134: Mr. KENNEDY, Ms. CORRINE BROWN of Florida, Mr. GRIJALVA, Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. JACKSON-LEE of Texas.
H. Con. Res. 137: Ms. BORDALLO.
H. Con. Res. 142: Mr. FRANK of Massachusetts.
H. Con. Res. 148: Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. CUMMINGS, Mr. VAN HOLLEN, Mr. DAVIS of Illinois, and Ms. WATSON.
H. Res. 68: Mr. HONDA.
H. Res. 106: Mr. ROSKAM and Mr. MURPHY of Connecticut.
H. Res. 148: Mr. MCNULTY.
H. Res. 154: Mr. MOORE of Kansas, Mr. CUMMINGS, and Ms. CARSON.
H. Res. 163: Mr. MCGOVERN.
H. Res. 171: Mr. RAHALL, Mr. DINGELL, Mr. CLEAVER, Mr. BAKER, and Mr. DENT.
H. Res. 233: Mr. SMITH of New Jersey and Mr. ENGEL.
H. Res. 241: Mr. MEEK of Florida and Mr. MEEKS of New York.
H. Res. 247: Mr. MCDERMOTT, Mr. GRIJALVA, and Mrs. MALONEY of New York.
H. Res. 258: Mr. ALLEN, Mr. RAMSTAD, Mrs. CAPPS, and Mr. BERMAN.
H. Res. 284: Mr. FEENEY, Mr. NEUGEBAUER, and Mr. MILLER of Florida.
H. Res. 287: Mr. DANIEL E. LUNGREN of California.
H. Res. 294: Mr. RANGEL, Mrs. CHRISTENSEN, Mr. CROWLEY, Mr. BURTON of Indiana, Mr. FALEOMAVAEGA, Ms. KILPATRICK, and Ms. KAPTUR.
H. Res. 295: Mr. WILSON of South Carolina, Mr. CHABOT, Mr. GALLEGLY, and Ms. JACKSON-LEE of Texas.
H. Res. 345: Mr. MCCOTTER.
H. Res. 351: Mr. POE.
H. Res. 361: Mr. GENE GREEN of Texas and Mr. CAPUANO.
H. Res. 369: Mr. PORTER.
H. Res. 384: Mr. PICKERING, Ms. GRANGER, and Mr. Lamborn.
H. Res. 397: Mr. MACK, Mr. MCCAUL of Texas, Mr. BOOZMAN, Mr. INGLIS of South Carolina, Mr. WEXLER, Mr. LANTOS, Ms. WATSON, Ms. ROS-LEHTINEN, and Mr. FORTUÑO.
H. Res. 401: Mr. PALLONE and Ms. NORTON.
H. Res. 402: Ms. CORRINE BROWN of Florida.
H. Res. 412: Mr. POE, Mr. MACK, Mr. BILIRAKIS, Mr. MCCRERY, Mr. MILLER of Florida, Mrs. JO ANN DAVIS of Virginia, Mr. PAYNE, Mr. COBLE, Mr. WOLF, Mr. HALL of Texas, Mr. PUTNAM, Mr. WILSON of South Carolina, Mr. GARY G. MILLER of California, Mr. FORBES, Mr. MANZULLO, Mr. MORAN of Kansas, Mr. PEARCE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. PETRI, Mr. SHIMKUS, Mr. CHANDLER, Mr. SCHIFF, Mr. STUPAK, Mr. EHLERS, Mr. REHBERG, Mr. SESSIONS, Mr. ENGLISH of Pennsylvania, Mr. CRENSHAW, Ms. BORDALLO, Mr. CAMPBELL of California, Mr. GINGREY, Mr. MCINTYRE, Mr. INGLIS of South Carolina, Mr. BURTON of Indiana, Ms. WATSON, Ms. ROS-LEHTINEN, Mrs. EMERSON, and Mr. TANNER.
H. Res. 413: Ms. SHEA-PORTER.
H. Res. 415: Mr. SCOTT of Virginia and Ms. LEE.
H. Res. 416: Mr. PETERSON of Pennsylvania and Mrs. DRAKE.

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Senate

The Senate met at 1 p.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

High and Holy God, we praise Your Name. Bless Your work in all the places of this world. Strengthen those who labor in distant mission fields and protect those who fight for our freedoms in foreign lands. Touch the lives of Third World victims of disease and destruction, of poverty and pathology, of tyranny and neglect.

Lord, remember our own land. Quicken the hearts of our lawmakers that they may be forces for good. Guide the efforts of those who work in our Government's executive and judicial branches, providing wisdom for the challenges they face. Redeem us from selfishness as You build into us a holy reverence for others and a desire to pursue Your purposes. We pray in Your blessed Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 21, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHERROD BROWN, a Senator from the State of Ohio, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BROWN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Today, following any time that will be used by the leaders, the Senate will resume consideration of the motion to proceed to S. 1348, the immigration bill.

When the Senate resumes the motion, Senator SESSIONS will be recognized for up to 3 hours. Following that time, the remaining time will be divided between the two leaders.

A cloture vote on the motion to proceed to the bill will occur at 5:30 today.

If cloture is invoked on the motion to proceed, by a previous order, the Senate would then adopt the motion and proceed to the bill.

As we know, all those who negotiated on this worked very hard over the weekend. I appreciate their work. The provisions of that agreement will be the form of a substitute agreement, which I understand will be laid down this evening.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS ALEJANDRO VARELA

Mr. REID. Mr. President, over the weekend, 7 U.S. soldiers were killed in Iraq—in 2 days—bringing the total this month to over 70 and the total since the war started to 3,422 American soldiers.

On Friday, the State of Nevada lost PFC Alejandro Varela, a 19-year-old from Fernley, NV. As he traveled south from Baghdad, his vehicle was hit by a makeshift bomb, and he was killed.

Alejandro was known in high school and by his family as Alex. Serving in the military was his ambition, and he worked very hard to earn his GED so he could arrive at the goal of being able to join the military.

For lack of a better description, my heart and the hearts of Nevadans and all Americans ache with the loss of this 19-year-old man. Yet we have to be proud of his willingness to serve and his courage and we are certainly humbled by the sacrifice he made in giving his life.

EMERGENCY SUPPLEMENTAL

Mr. President, this week the Senate will continue the conference on the emergency supplemental bill. Negotiations have not been easy as President Bush continues to stand isolated to his commitment to this endless war. We will continue to negotiate in good faith and in the spirit of bipartisanship. We will send the President a bill that fully funds our troops. We stand firm in our commitment to change course and bring the war to a responsible end.

IMMIGRATION REFORM

While the supplemental conference committee continues to meet, we will begin addressing the complex, crucial issue of immigration reform, and we will do that today. We all agree the current system is broken.

Employers don't know whom they can hire and whom they can fire. Produce is dying on the vine because farmers cannot find enough workers to harvest crops. There are no winners under the current system, only losers.

The Senate will have an opportunity this afternoon to vote on whether to begin debate on comprehensive immigration reform.

The bill we debate and eventually pass will give us the chance to strengthen border security, put in place an effective and efficient employer verification system, design a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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new worker program to take pressure off the borders, and give the 12 million undocumented immigrants the opportunity to come out of the shadows and into the light of America. Improving border security is only part of the puzzle. As long as the identities of those who cross the border are unknown, our national security is at risk.

There is no question but that we need more Border Patrol agents with better technology and equipment. But there is also no question that enforcement alone cannot solve the problems of immigration.

We have tripled the number of Border Patrol agents over the last 20 years and increased the Border Patrol budget 10 times over. Yet the probability of catching someone illegally crossing the border has fallen from one-third to only 5 percent. That is a startling figure.

A population as high as that of Las Vegas crosses the border every year. That is almost a million people who find their way into the country, despite our best efforts at enforcement. Fences alone would not stop them. Years of dangerous border crossings show us that millions will risk their lives for the opportunity to reach what is on the other side of that border.

We must not forget that just as these immigrants depend on America for opportunity, our economy depends on them as well. The overwhelming majority of undocumented immigrants have lived here for years, contributing to our economy lawfully and honestly, causing harm to no one.

Many have children and spouses who are U.S. citizens or permanent residents. Many own property and contribute to their communities. Yet, unlike us, they live their lives in hiding. If they are a victim of a crime, they cannot report it. They cannot do that because they have to avoid contact with the police. If they are treated unfairly in the workplace, they have almost no recourse. If they are discovered, they face deportation and separation from their families. Their families, as we have indicated, are, many times, U.S. citizens.

We should not allow them to jump to the front of the line for a green card, in front of those who have played by the rules, but we should give them a place in line—a chance for citizenship—if they do what we ask of them. We could continue to track down the undocumented housekeepers, dishwashers, and farm laborers who live among us or we can provide them the chance to earn their citizenship with all the responsibilities it requires and refocus our limited resources on those who would do us harm, rather than those who would do us proud. We could embrace the unrealistic rhetoric calling for mass deportation, or we could pass laws that require them to pay taxes and learn English. If we put rhetoric aside, we have the opportunity to pass a law that treats people fairly and strengthens our economy.

Over the past several weeks, a group of Senators has spent countless hours and days negotiating in good faith and in the spirit of compromise.

Last week, Democrats and Republicans, standing with the Secretaries of Homeland Security and Commerce, announced they had finally reached an agreement on immigration reform. The bill they have drafted will be offered as a substitute amendment this evening for us to debate and amend this week.

I am grateful to my colleagues for their hard work. Reaching agreement on an issue as controversial as immigration requires extraordinarily hard work, compromise, and consensus building. They have taken that important first step.

I was not heavily involved in the negotiations, but similar to some of my colleagues, I have reservations about the agreement that was reached. The bill impacts families in a number of ways that I believe are unwise. The bill also allows 400,000 low-skilled workers to come to America for three 2-year terms but requires them to go home for a year in between. This is impractical both for the worker and for the American employers who need a stable, reliable workforce.

Senator BINGAMAN will offer an amendment almost immediately when the bill is laid down to reduce that number to at least 200,000.

We must not create a law that guarantees a permanent underclass—people who are here to work in low-wage, low-skill jobs but don't have the chance to put down roots or benefit from the opportunities that American citizenship affords.

Allowing these temporary workers to apply for possible citizenship through a new points system is not good enough. There must be certain opportunities for those who are willing to work hard and contribute to our economy.

Finally, I will say a word about the idea of this so-called touchback, which would require the head of each household eligible for legalization to return to their home country to file their application for a green card.

I understand this concept is important to many of my colleagues, but it seems to be a plan that will cause needless hardship for immigrants and needless bureaucracy for the Government.

Nearly everyone agrees that the existing bill is imperfect. The problems I have outlined will be addressed in the Senate and in the House and, of course, in conference. What we have now, though, is a starting point.

I urge my colleagues to vote for cloture so we can begin an open debate. The bipartisan legislation before us is not perfect, but I think we can agree the spirit of bipartisanship behind it is encouraging.

If we continue along that road in the coming days, I am confident we can write another chapter in America's great immigration story that makes our county safer, treats people with dignity, and keeps our economy moving in the right direction.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1348, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 144, a bill (S. 1348) to provide for comprehensive immigration reform, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Alabama, Mr. SESSIONS, is recognized for up to 3 hours.

Mr. SESSIONS. Mr. President, there are more than 3 hours' worth of discussion that needs to go on concerning this bill, that is for certain.

I appreciate Senator REID's comments, but I express some concerns about what I understood him to say a few moments ago. He is the Democratic leader. He does have the power to call up legislation in the end and to try to set the agenda but not the total power to do so. I think I heard him say he would like to see this bill—he wants to see debate and amendments this week.

I have to say there is no way this bill can be voted on and amended only this week. We have had legislation such as WRDA that we took up for 2 weeks, a re-authorization of the water resources bill. When we worked on the bankruptcy reform bill, which mainly was a reworking of the existing bankruptcy law, with some changes, we debated that for months. So there is no way we can or should produce this bill after 1 week of debate.

If that is so, the American people can know we have had a railroad job for sure. Hopefully, that does not reflect Senator REID's firm and final opinion on the question of the schedule for this week.

Also, I wish to say I am not pleased, and I oppose the motion to proceed to last year's bill.

When we talked about the comprehensive immigration bill last year, I pointed out 17 loopholes in the bill in a series of speeches, and people began to take to heart a number of points I made, frankly. The negotiators of the new bill have come back with a bill that has some of the intention to or at least purports to deal with some of the concerns I had last year.

I have to say I was pleased to hear that we were considering a point system, such as Canada's, that we were considering a temporary worker program. I was told by the people who met and drafted this legislation, that the guest worker program would be for temporary workers and it could work to serve our economy.

I am afraid, that if you read the legislation, that the needed immigration

reform is not so. That is not what we have in either case and to any significant degree; it is a bit of window-dressing of some movements in those areas and some fairly significant steps, frankly, that we need to hold on to and need to be a part of a fundamental reform of immigration. There are some positive steps, but they are just not effective enough, as I will discuss later.

I reject the idea that a movement to a system such as Canada's or Australia's that is based on merit and skills for immigration is somehow, as I think Senator REID said, an attack on the family. I am offended by that statement. A person who wants to come to this country, has to ask to be admitted into the United States of America, and say that: I have not been a criminal, I meet the standards for admission, and I want to be a productive citizen. Then after we give that person a green card, that person can become a citizen and have the right to demand that his or her parents be allowed to come here, the aging parents who will be fundamentally supported by the American taxpayers, demand that his or her brothers and sisters and their spouses and children be allowed to come. So how is this an attack on your family if we say: You can come, you can be a citizen, but right up front, you cannot bring your parents, adult children, and siblings, you don't have any special rights to do so, but they can apply if they qualify, just like everybody else, based on their own merit. But why should the fact that we give one person a glorious thing—citizenship in the United States—entitle them to bring maybe tens of other people? It just does not make sense. I reject the argument that moving to a merit based system is an attack on family. Canada does not believe it. Sure, you can bring your nuclear family—spouse and children. I am not talking about stopping nuclear family from being together. I am talking about a reform of the current system that focuses on the extended family.

This chart shows three approaches to immigration by nations similar to the United States. Fifty-eight percent of the people who come to our country are family based—58 percent are family based, and only 22 percent are skill based. We have a policy that gives 16-percent of green cards for humanitarian reasons and those are unconnected to the skills they might bring. And 4-percent of green cards are given through a visa lottery. I may talk about that issue later. This bill wisely eliminates the lottery.

Look at Canada. They had 60 percent merit based immigrants; that is, they asked those people: Are you educated? Do you have language skills? Can you speak in English or French? What kind of skills do you have that Canada needs? What prospects do you have as an immigrant to be successful in Canada, to be a productive citizen who will contribute to Canada, make Canada a stronger and better nation? That is what Canada does. Australia does the same. They have 62 percent skill, merit based immigration. I reject the idea that it is some sort of an attack on the family to do that.

Senator REID and others have said that this bill which will be introduced—it has not yet been introduced—is a good starting point. That makes me a bit nervous, I have to say, because the bill can be moved through perhaps this week with some real strong-arm tactics, which would be a very sad thing, but perhaps it could be. The House of Representatives does not have the free period of debate that the Senate does. The House leadership, Speaker PELOSI, could bring this bill up and hammer it through in a matter of days even and then it goes to a conference committee. The conference committee will be picked by and will be dominated by and absolutely controlled by the appointees of Senator REID and Speaker PELOSI. They can alter the bill in any fashion they wish. So it is a good starting point, they say. Well, what might happen in conference?

The American people have a right to be nervous. They have a right to be cynical about how we in Congress have handled immigration. We have consistently protested that we want a lawful system of immigration. People have run for President for the last 25 years or last 50 years saying they believed in a lawful system of immigration, but, in fact, they don't do anything about it. They never take the steps necessary to make the system lawful, to make it principled, and to do what it absolutely must do as a matter of national priority; that is, the bill should serve our national interests. Think about that simple concept. Any legislation we pass should be a product that serves our national interest, not special interests.

One of the things that has worried me about my colleagues who have been having these secret meetings is that there is some talk about them having stakeholders, I believe Senator KENNEDY said that. I think Secretary Gutierrez from the White House, Secretary of Commerce, said interest groups. I don't know whom they pretend to be meeting with and deciding these issues, but I will tell you who was not in those meetings, and that was the American people. Not only were we not there, we were excluded from those meetings, and we had not been informed how those decisions were reached or what is in the bill—until perhaps Saturday morning.

This started brewing last week when Majority Leader REID said he was going to bring up last year's bill. He gave the people who were working on this legislation a limited amount of time. He told them they had to come up with a bill by Wednesday. So they fiddled around and worked hard and compromised and rushed and rushed and rushed and came forward with a bill on Thursday. They announced they had reached a grand compromise and that all Americans could take a deep breath and relax because they had met and fixed the problem of immigration, a comprehensive fix, that we could all just relax and not worry about it anymore because they fixed this problem.

We were told—and I was promised directly—that the bill would be ready Thursday. Senator KENNEDY, at the press conference, said it would be ready Thursday, and it wasn't ready Thursday. They said it would be ready Friday. It wasn't ready Friday. It came in early Saturday morning, 2 a.m. Staff had been working all night, bleary-eyed, trying to put this grand compromise together in some sort of fashion. Small print, it is 326 pages, I believe. That is about this thick, all these pages together. That is about what the stack looks like at 326 pages.

One of the few times since I have been in the Senate, perhaps the only time I can recall, we have had a major piece of legislation not written, not reviewed by the committee that is here to review language and write it in bill format. They didn't do it. So all we have seen is a bill written on a computer by somebody who works for the executive branch, as I understand it. It is about 300-something pages. Why didn't they ask the Legislative Research Service to write up a good bill? They can't do it. How can you take 326 pages and put it in proper legislative language overnight when the thing comes in at 2 a.m. Saturday morning? And truly, if it is put in proper bill language—and I hope it will be at some point because the group that works on the language really does a good job of professionally making sure it is written in a proper way, and they find a lot of errors just doing that. If the bill is re-formatted by legislative counsel, it will turn out not to be 326 pages but closer to 1,000 pages of bill language, about two times or more this thickness.

Are we going to pass that bill this week? How many amendments will we be able to take up this week? People need to talk about, first and foremost, the fundamental principles and policies embodied in good immigration reform. We should also talk about what is going to be coming up in the legislation.

As I understand the plan, the majority leader intends to file cloture this afternoon on last year's bill, and then he purports that he—and that uses up a lot of time, see. If we started with a new bill, we would have to wait until it is printed, then bring it up, then move cloture on the motion to proceed, cloture on final passage, and other procedural matters. They have been moving on a bill they said they never intended to bring up anyway, last year's fatally flawed bill that should never ever become law. That is what we are going to do this afternoon. We are going to move to cloture on that bill.

Then we are told this entirely new bill is going to be substituted as an amendment. So the first amendment

will be a substitute to wipe out the old bill, last year's bill, and get an accelerated start without the opportunities for debate on a new bill. Presumably that is how we can ram this bill through in record time. I predicted that is what the plan was last week several times, and it does look as if that is where we are going.

So we have a flawed process, I suggest, in a lot of ways, and it should cause the American people to be troubled and Members of the Senate to be troubled.

I don't deny that the people who attempted to work on the legislation, draft this new bill, are good people, good Senators, but they put themselves in a situation, based on what I see of their results, in which the document does not have the strength, the effectiveness needed to be a solution for our immigration problems today. I wish it was different. I wish I could say it is something we could be excited about and should support.

It is all right that they met. I have affectionately referred to them as ''masters of the universe.'' They would go into these secret meetings, and they would get together and talk to special interest groups and would listen to everybody, I guess, but the American people and put together a bill. But that is what they have done. The bill has some good parts and some troubling parts.

So we are at a point in our history when the time is right for comprehensive immigration reform. The Senate, however, in my view, is not ready for debate today. The plan, as we are moving today, is unwise. It has been produced as a result of undue pressure and artificial timelines, which we have no responsibility or need to meet, on the Members who are meeting in this group involved in the negotiations. So the majority leader says: OK, you guys go off and meet, but you only have so many days or we won't bring up this bill, we will bring up the old bill, and we will do these things. They felt this pressure, and they produced.

When I first heard about the plan on Friday, May 4, I stated that the Democratic leadership in the Senate acts as if this is just another piece of everyday legislation, but it is not. The immigration bill is one of the most important bills to come through the Senate in the decade I have been here.

Staff drafting of the bill was not finished until Saturday morning, and legislative counsel has not yet converted the bill into the proper format. Even today, we have no assurances that the product they produced that had across the top of it ''Draft: For Discussion Purposes Only,'' are the final agreements in the bill and will be the document actually introduced, presumably tonight.

At last week's press conference, two individuals remarked, and with great pride and enthusiasm, they were taught as children that is—what they had been doing—how a bill becomes law. One said:

> I have never been more proud to be a member of the Congress and a member of the Senate. This is what my ninth grade teacher told me government was all about, and I finally got to experience it a bit. We have been in rooms together, early in the morning and late at night.

Hopefully, they weren't smoke-filled rooms. They used to be smoke-filled rooms.

> Going line by line trying to figure out what started to be how to deal with illegal immigration and it wound up being what it means to be an American.

Well, that is good. Actually, Secretary Chertoff said:

> This is pretty much what I was taught in grade school about the way the process works; not that everybody gets what they want, but everybody works together to achieve the best results for the most people.

Well, I want to share a few things about how a bill should become law and what we were taught in grade school about it. Last Tuesday, I agreed to move forward. We have a cloture vote today. We were told we would have a bill by Wednesday or Thursday. We were not given that. So we have moved forward and the bill is being rushed forward at this point. I remain concerned that what I heard Senator REID say earlier, that he hoped to debate and amend the bill this week, indicates, I am afraid, that he intends to see it passed this week.

How does a bill normally become law? A bill normally becomes law, if it is a bill of importance, when it is filed in the Senate and referred to the proper committee. To a degree, that was done last year, although there was a tremendous effort last year to rush that bill through to completion. Many of the tactics utilized this year are very similar to the tactics utilized last year.

Let us talk about what happened last year. The bill was introduced—McCain-Kennedy—and it went through the Judiciary Committee. It was referred to the Judiciary Committee. Senator SPECTER, I believe, had his own bill as a working document, but it wasn't long in committee negotiations before the Kennedy-McCain bill was substituted for it. Then the majority leader, Bill Frist, gave them a deadline: You have to finish this bill, as I recall it, by next Monday. If you don't bring up the bill out of the committee next Monday, I am going to offer on the floor of the Senate a tough law enforcement bill that will focus on border security. This was supposed to be an incentive for the committee to act. Apparently, it worked, because a bill passed out of committee, worse by far than the bill Senator SPECTER had introduced, and here it was on the floor and hardly had been written. Nobody had seen what was in it. Yet they were bringing it up the next morning, Tuesday morning, and we were on the floor in debate.

Senator REID, then the Democratic leader, pushed to have no amendments and have the bill voted on that week. It became a big brouhaha. Senator KYL, Senator CORNYN, myself, and others had amendments we wanted to talk about. So we pushed back and complained and complained. Finally, then Majority Leader Frist said, let's pull the bill down. We are not going to bring it up until we have an agreement to have a full debate and an opportunity to offer amendments. And that is what happened. It was brought back up and we spent 2 or more weeks on it.

I point out, however, the legislation which was on the floor was in the Judiciary Committee and, even though rushed out, it passed out of the Judiciary Committee and it had several weeks of debate on the floor. That was that fatally flawed bill from last year, the bill we are now talking about going to but will be substituted by an entirely new piece of legislation which Senators have not had an opportunity to see, except from Saturday morning, if they were here, and most Senators have been at home this weekend.

So that is what is going to be brought up. It has not gone through the committee process, as classically a piece of legislation should, and it is not known to the Members of this body what is in this bill of perhaps a thousand pages, and we are hearing they might want to move to it this week. That is a matter that is breathtaking in its scope. We should not do that.

This is how the Heritage Foundation describes the process on its Web site. The Heritage Foundation is one of our Nation's most August and respected institutions that deals with public policy. They have been engaged in major issues for several decades. They say this on their Web site:

> Working behind closed doors for months, a handful of Democrat and Republican staffers, along with a few Senators and principals from the administration, have been drafting a ''comprehensive immigration reform package.'' Until Saturday morning, the legislation was unavailable to any other Senator or staff, let alone the media, policy analysts, or the general public. This legislation would be the most significant reform of immigration policy in 40 years, affecting not only our national security and homeland defense but the fiscal, economic, and social future of the United States for several generations. For the sake of open deliberation and public education, the Heritage Foundation—which got a copy of the bill somehow—is making this legislation in draft form publicly available to encourage widespread debate and discussion.

Well, thank goodness they did make it public, but who knew they had it on their Web site? I don't know, maybe it was Sunday they did so, but it is not an opportunity for the American people to know what is involved. The Heritage Web site goes on to say:

> The document made available here, although marked ''Draft: For Discussion Purposes Only,'' is being relied upon by Senators and staff as the final language to be debated beginning Monday, May 21st, with the expectation of a vote on final passage without congressional hearings, committee markup, fiscal analysis—and we will talk about that in a little bit, that means how much it costs—expert testimony, or public comment before the end of the week.

As Mr. Hugh Hewitt wrote yesterday, in an on-line article entitled ''Summary of the Fine Print'':

I have spent a lot of my weekend reading the draft bill, as requested by both JOHN KYL and TONY SNOWE. There are so many problems with this bill that it should not be introduced in the Senate absent a period of open hearings on it and the solicitation of expert opinion from various analysts across the ideological spectrum. Even if it were somehow to improbably make its way to the President's desk, if it does so before these problems are aired and confronted, the Congress would be inviting a monumental distrust of the institution.

In other words, a monumental distrust of the Congress and the Senate. He goes on to say:

There is simply too much here to say ''trust us and move on.'' The jam-down of such a far-reaching measure, drafted in secret and very difficult for laymen, much less lawyers to read, is fundamentally inconsistent with how we govern ourselves.

Not what we were taught in grade school, I assure you, and I couldn't agree more. This is not how the process is supposed to work. We should not be asked to trust our colleagues and vote to put a bill on the floor when we do not know that the bill text is even finalized, that the bill has not been drafted by legislative counsel, the bill has not been introduced or even given a bill number, the committee process was skipped and not followed, a Congressional Budget Office score may not have been requested.

What is that, a Congressional Budget Office score? Before a piece of legislation is passed, you are supposed to have a score, which is how much it costs. How much will the bill cost? How much will it impact our budget and our deficit if we pass the legislation? How basic is that? Congress shouldn't be passing bills if we don't know what they cost. Last week, they haven't even asked for a CBO score, although we had one from last year that said the bill was exceedingly costly in the first 10 years and much more costly in the years outside of that.

I am going to talk a little bit about what Heritage Foundation says about a score, and it will take your breath away when we discuss that. It is almost something you hate to discuss, but it is something we have to discuss because this is supposed to be a serious institution.

One reason, of course, they haven't requested a score last week is you have to send the bill language to the Congressional Budget Office. Well, they don't even have the language, I guess, yet. It is still being called draft language, and it will be over 800 pages in the proper format. How would you score how much a bill like that will cost? How long do you think it would take? So there is some sort of problem here.

The majority leader is saying we are to spend 1 week on this bill, and we don't have a score, we don't have an idea of how much it is going to cost from the official institution, the Congressional Budget Office, that is charged with doing those things? Not good policy, in my view.

In 1914, former Supreme Court Justice Louis Brandeis wrote:

Sunlight is said to be the best of disinfectants, electric light the most efficient policeman.

So I want to trust my colleagues. I do trust them. But I have to verify, because this bill is very complicated. It should be introduced in the proper way, as a new bill. It is very different from last year's bill in a number of areas. It should have been introduced as a new piece of legislation. It should have been referred to the Committee on the Judiciary, the primary committee of responsibility, and we should have had hearings and debate on it. We should have called policy experts from Harvard and the University of Chicago, as we did a little bit last time, at my insistence, to find out what it means to our economy, to the working people of America. Are they going to have their wages crushed down because of a flood of low-wage workers, which is what those experts told us last year would occur? That is what they told us.

That is what should have happened. We are not there. Maybe these Members of the Senate who have been meeting think they got it right and the bill is ready to come to the floor, but there are 85 other Senators here who have no idea what is in it. There is no way they could. For many, today is the first day they are back in DC after the new bill text has been made available for them to read. This bill needs some time to be disinfected by the light of day before it is ready for this floor and before we should be voting on it. That is fundamental, because it is so important.

We have small bills, and bills that come before us that we have dealt with that are legitimate to bring up on fairly close notice. But a bill of this importance, one of the longest piece of legislation, possibly the greatest number of pages of any legislative bill since I have been in the Senate, is not something that ought to be popped through here, plopped down as an amendment to the bill, substituting out an entire bill and then going forward to final passage. I don't like that and I don't think we should do it. It is not the right thing to do, and it is not fair to the American public.

The American public cares about this issue. They know more about this issue, oftentimes, than the politicians themselves. The American people, for the last 40 years, have had the right instincts. They want a lawful and fair immigration system. They do not want to end all immigration. They know we are a nation of immigrants. They believe in immigration. But they want a system that works, that does not pull down the wages of working Americans, that furthers our economy, does not enhance the welfare state and is lawful—is consistent with our principle of law. They want the law enforced.

It is the politicians who have failed them consistently. The politicians, similar to last year, seem to be on the move. Their move is we don't want this bill on our floor long. The longer it stays here the more the people will get upset, the more they are going to find out about it, the angrier they will get with us. So we do not want them to know what is in it. We will bring this new bill up, we will plop it down, we will vote it out this week, and get it off our plate. Maybe they would not know. Maybe they would not care.

But it is too important for that. We are beyond that. The American people do care. They are engaged. We might as well have a public and open debate about it and discuss these hard choices—and there are some tough choices to be made. We know that.

It would have been better if this group had conducted their meetings in public, had open meetings and everybody discussed it for several months. They might have made the American people feel better about the system.

When I first heard the White House PowerPoint presentation, this was a presentation made by Secretaries Chertoff and Gutierrez, members of the President's Cabinet. They had a PowerPoint presentation. It leaked to the press at some point. They presented it to certain Senators. I was invited to participate. I believed we had made some big strides from last year. It did, in fact, indicate a movement to a Canadian-type point system. They did assert they had created a temporary worker program that was actually temporary. Last year's temporary worker program was exactly the opposite of what they said it was. It was not temporary at all. The big print in the bill last year was ''temporary guest worker.'' Do you know what those workers were and how it would actually be carried out? A person could come to the United States as a temporary guest worker and, when you got to the fine print, they could come with their family, they could stay for 3 years, they could reup for another 3 years, another 3 years and another 3 years and they could apply for citizenship—or apply for a green card, permanent resident status in the United States the first year they were here.

That was not a temporary guest worker program. It was a joke, a sham, an attempt to mislead the American people. Forgive me if I am a little bit cautious this time about reading the fine print.

We were told we would have a better temporary worker program this year. Let me discuss some of the concerns I have about this legislation, as we understand it today, and how it actually meets with the public presentation of the principles and outlines and framework, as stated in the White House PowerPoint.

It has been my hope that negotiations would produce a bill that followed the principles laid out in the 23 White House PowerPoint presentation. That was released in March. Those were much closer, those principles, to

the framework of a bill that I said last year should be in any legislation. I stated I thought the framework from the PowerPoint could produce a bipartisan piece of legislation that could become law and could even become law this year. But I stated clearly I intend on reading the fine print.

I have not had time to read all the fine print, but I have had time enough to know I will have to oppose the bill in its current form. The question Members should ask themselves is this: If we invoke cloture today on last year's fatally flawed bill, this old bill, will the new bill the leader will file as a substitute amendment fulfill the promises laid out in the White House plan? Let's look at the four principles and see.

Principle No. 1 is an enforcement trigger. Among the first principles, the PowerPoint was to ''secure the U.S. borders'' and ''not repeat the 1986 failure.'' Before any new immigration programs or green card adjustment could begin, the White House PowerPoint stated ''enforcement triggers'' would have to be met.

Several items were listed under the trigger: 18,300 Border Patrol agents; so many miles of fencing; the end of catch and release; and the initial implementation of a workplace verification system. That is the system at the workplace that ends the job magnet so the businesspeople will stop hiring people illegally because they will have to produce a work card, an identification card, that is very difficult to forge. That is something I think could be very effective.

But I didn't think this list was going to be exhaustive, the things they had on their agenda as a trigger would be the only things in the trigger, that they would be the only things needed to ensure that we ''secure U.S. borders'' and make sure we did ''not repeat the 1986 failure.''

Does the new bill fulfill the principle No. 1? Will the enforcement trigger guarantee we are not repeating past mistakes? No, it falls short. It will not ensure that the same promises of enforcement made in 1986 do not meet the same fate.

First, the trigger only applies to the guest worker program. All other amnesty programs will begin immediately—the Z visa probationary status begins 24 hours after the Department of Homeland Security begins accepting applications. If the trigger is not met, it is unclear that status will ever expire.

Second, the trigger only requires enforcement benchmarks we are already planning on meeting. It requires nothing new, and it leaves out many very important enforcement items. Let me tell you about the debate on the trigger. It was a very important debate. Senator ISAKSON offered it. It was something I had offered in committee. He worked on it. I offered it on the floor of the Senate. The trigger basically said nobody gets amnesty until we fix this system.

The reason that was important was because, in 1986, when that big amnesty occurred, people said: OK, we are giving you amnesty. American people, we will not have amnesty again. We are going to fix the border. We are going to have a law enforced at the border. But of course it never happened. Three million people were given amnesty in 1986, they were given that on the promise we would have enforcement in the future, and today we have 12 million people here illegally and that enforcement never occurred. So the American people are cynical on this point. I am cynical on this point. I know how this institution works. The concept in the trigger was we would insist on the critical components of the enforcement mechanism being in place before any kind of legalization or amnesty occur.

That is that. That is why it was important. It was a very important part. We have been told: Don't worry, we have a trigger in the bill.

Let me tell you some of the things that are not in it. The US–VISIT exit system is not included as a requirement of the trigger. In 1996, 11 years ago, Congress required the administration—it was the Clinton administration then—to set up a system that recorded the exit and entry of persons across the border. I mean, people go to work, they put their cards in the machine. You go to the bank, you take out money by sticking a card in the machine. It is not difficult to have an exit/entry system at the border if you make up your mind to do so.

We later gave ourselves more time to finish the exit portion because the exit portion was not completed. We moved the date of the exit portion from US–VISIT to the end of 2005. The exit portion of US–VISIT is essential to ensure that future guest workers or new-parent visa recipients or new-family visa recipients do not overstay.

It is one thing to be recorded when you come in. But if you come in for a 30-day visa or you come in for a 1-year work permit, how do we know you left? This is fundamental, to know when the person leaves. Anybody who suggests this is beyond the capability of the United States of America technologically to accomplish, I think is blowing smoke. Of course, we have the capability of doing this if we desire to do so.

It is not a part of the trigger, so I am not sure how valuable it is to have an entry check as part of the US–VISIT but not have the exit check. It is important, I would say, if you intend, when we pass this bill, to actually see it enforced and actually have people go home when the bill says they are supposed to go home. But if you do not put it in, then we have a problem.

A separate section of the bill, section 130, only requires the Department of Homeland Security to submit to Congress a schedule for developing and deploying the exit component. There is no requirement that it be finished as part of the trigger. But I would say the trigger has been very much weakened. They promised a trigger. They knew what the debate was all about and why it was important. The masters of the universe, I affectionately call them, who wrote this thing, said they put a trigger in. But it is not an effective trigger.

Operational control of the border is not required by the trigger. Current law requires that by April 26, 2008, 18 months after the Secure Fence Act was passed and was signed into law, that:

> The Secretary of Homeland Security shall take all actions the Secretary determines necessary and appropriate to achieve and maintain operational control over the entire international land and maritime borders of the United States.

Eighty Senators voted on that last year right before the elections, that this should be the standard that we would have, operational control over the border.

Only 18,000 Border Patrol agents have to be deployed by the Department of Homeland Security under this deal. This is 300 agents less than the PowerPoint listed. The Intelligence Reform and Terrorism Prevention Act of 2004 requires 2,000 new Border Patrol agents to be hired each year through 2010, so we are already on track now to have that many people in the next 2 or 3 years. We have already funded the hiring of over 14,000 Border Patrol agents, and DHS is already planning on hiring the 18,000 with upcoming appropriations.

This trigger didn't require anything new, nothing other than what we had done.

The 370 miles of fencing, which was part of the bill offered last year, and 200 miles of vehicle barriers, are yet to be built. So they are being built. But that was a key part of the trigger.

The trigger said we must end the catch and release, and some progress has been made to end this situation that happened when individuals coming across the boarder are apprehended. If they are from Mexico, it would be pretty easy to transport them back to Mexico, or Canada if it were on the Canadian border, but what about somebody caught on the border who is from Brazil? What about someone caught on the border who is from China? Or Indonesia? Or India? Or Africa? What about that? What happens to them?

What we were doing was apprehending people such as that, taking them before some administrative officer, releasing them on bail and asking them to come back for a hearing to be deported. Of course, 95 percent, the numbers show, were not showing up.

We have ended some of that already. Secretary Chertoff has made some progress in ending that situation, where those other than Mexicans are actually moved out rather quickly, except in a few instances.

The catch-and-release provision of the bill directly conflicts with the bill sponsors' claim that the catch-and-release will be eliminated forever as part

of the trigger. That section, found on page 10, lines 3 through 23, allows persons ''other than Mexicans'' caught at the border to be released on $5,000 bond. Being released on a bond is being released. The practice of catch-and-release of the persons ''other than Mexicans'' isn't ended by this bill; it just now calls for bond. People pay $5,000 to have some coyote bring them across, and they bring another $5,000 bond and they can post the bond and be released immediately into the country.

Another question that came up as part of that debate was to have sufficient prison capacity to detain people while they are being deported instead of releasing them on bail. You cannot end the catch-and-release if there is no place to hold persons apprehended.

The Senate has appropriated money for 9,000 new beds already, bringing us to a total of 27,500 beds. This is the money already appropriated. It is the current level of funding. So nothing new is added by this trigger that would strengthen our capacity.

Later in the bill, a separate section, 137, requires Homeland Security to conduct or acquire 20,000 additional beds. That should be in the trigger. How do we know it will ever be done? Well, we want to authorize or require 20,000 more beds to be built because we have decided we need those. But let me tell you, American people, just because we authorize something like this does not mean in any sense that somewhere down the line a future Congress will put up the money to pay for it. You cannot build bed spaces without money. What is not appropriated will not be built.

Additionally, 27,500 beds is far less than the 43,000 detention beds required under current law to be in use by the end of 2007, as required by the Intelligence Reform and Terrorism Prevention Act. So we are below where we need to be. That should be in part of the trigger if we are to guarantee we are moving in that direction.

Finally, there is no guarantee that the additional enforcement items in title I, Border Enforcement, and title II, Interior Enforcement, will ever be funded. There is no guarantee that the additional enforcement items will be funded. The phrase ''subject to the availability of appropriations'' is used 18 times in the first two titles. The phrase ''authorized to be appropriated'' is used 20 times in Titles I and II of the bill.

We all know this does not require any money to be available or any money to be appropriated. So that should make us nervous, ladies and gentlemen, that the language in the bill says we will do this and we will do that, build the items in title I and title II of the bill, but it will be done ''subject to the availability of appropriations.''

Then they go on to repeat many times, ''moneys that are authorized to be appropriated.'' In other words, this bill is an authorization bill. It would authorize border enforcement. It would authorize bed spaces. But it does not fund it. It does not require it to be done.

Two other trigger elements—workplace enforcement tools and processing of applications of aliens—are fine, but they do nothing to make sure the border is secured before the new guest worker amnesty program begins.

So I am disappointed that the promise of an effective trigger is not what we see in the reality of the bill language.

Principle 2: a future flow temporary worker program, the so-called Y visa. The principle is outlined in a new program for temporary foreign workers. That is what was in the framework in the PowerPoint. The PowerPoint proposed a new program where workers would be admitted for 2 years and could have their visas renewed two times, for a total of 6 years. Each period of admission would be separated by 6 months at home.

Get that. This is what is in this new bill, as we understand it and read it. So this is going to be a temporary worker program. Workers would be admitted for 2 years. That could be renewed two times, for a total of 6 years, but each period would be separated by 6 months at home.

I stated I was very concerned about this time frame. I argued last year that a genuine temporary worker program should be a 1-year program and that workers would come without their families and work on the max to be about 10 months, was my suggestion, then they would return home to be with their families, and that this could be renewed year after year as long as they were satisfactorily employed and the employers desired to hire them again and they had work to do.

But I like the fact that the PowerPoint stated—this is what they promoted a few weeks ago or a month or so ago in the PowerPoint—that workers would not be allowed to bring spouses or children but could return home for visits with their spouses and children. The PowerPoint did not say spouses and children would be coming to the United States to visit the worker.

Though no numerical cap was specified in the plan, the plan envisioned an annual cap set by the Secretary of Homeland Security, in consultation with the Secretaries of Labor and Commerce to set this cap, how many would come.

Secretary Gutierrez told me he thought it might be around 200,000—200,000. If workers wanted to apply for green cards, the PowerPoint stated they would be able to apply for permanent residence—a green card—but they would have to follow the normal merit-based channels and compete for the green card. Just because you are allowed to come into the program and work temporarily in a low-skilled job did not give you a leg up on somebody who was applying because they had a master's degree in mathematics. Also, they would have to leave the country when their work period expired, even if their green card status had not been granted but was pending. That is essential to the success of the project.

Well, does the new bill fulfill the principles in principle No. 2 that were stated to us? Will a truly temporary worker program be created that is comparatively simple and efficient as promised? I have to say the answer is no. There are at least three flaws that will make this program unworkable.

First, the periods are too long. The bill sets up a program where workers come for 2 years at a time. I strongly believe 1 year is a better time period. I think 2 years is just too long.

The periods, curiously, are limited. The bill only permits workers to come for two or three 2-year periods. Why do you limit that? It makes no sense to me to prohibit a worker who has come here for 2 years, gone home, 2 years, gone home, is a fine, skilled worker, the employer wants them, why they cannot keep coming, although I prefer 10 months at a time every year. After 6 years, the bill would cut off the worker from their employer unless they apply for a green card.

So this is a plan, I suggest, that is not supportive of circularity, where a person comes and circulates back to their home country, maintains their base in their home country, but encourages persons—in fact, puts pressure on them, if they want to continue to work—to do everything they can to become a citizen when they may have no desire to be a citizen.

We were in Colombia last year with Senator SPECTER. I met with President Uribe, and he talked about their temporary worker program. He was concerned. He thought the United States was being hostile to immigration. He expressed concern about that. He said: Why don't you do like Canada. We have people who fly up to Canada, they work and come back, and nobody ever has any problem. Well, I said: Mr. President, that is exactly what we should do. We would love to see that. But our system is so convoluted and so lawless, it is not working at all. We are not against immigration. We are not against the workers. But we want to make sure the number of workers is a legitimate number and that the system works. Our system is not working. I would love to have your system.

Now, the numbers are way too high, I have to tell you. The bill sets the initial number of guest workers at 400,000 per year, not 200,000, then it adds an escalator clause based on ''market demand.'' So the real cap is 600,000 a year after a few years. Due to the fact that the bill's market escalator—15 percent—is available in the first year of the program, the new program can result in just under 1 million workers being present in the United States in the second and third years of the program. About one million guest workers will be present in any given year under that program after the second year.

Now, that will have an impact on wages in America. It will be about 920,000 in year 2 here, the 2-year program, and 989,000 in year 3. These numbers do not include the 20 percent of workers who will be allowed to bring their families with them for their 2-year stay. So instead of complying with the promises that we would have a temporary worker program without families, we ended up with 20 percent of the temporary workers being able to bring their families with them for the full 2 years.

So that is what makes this new temporary worker program unworkable. Families can come with a worker. The new temporary worker program allows workers to bring their families—spouses and children—with them in one of their 2-year stays and for 30 days at a time on parent-visitor visas. So there is going to be a parent-visitor visa, which means you can bring children and spouses for 30 days at a time.

There is no reason for a temporary worker program that should allow workers to bring their families with them. Workers can easily go home for a week or two at a time. The cost of travel for one person to travel would be cheaper than for a family to travel for a visit.

Allowing workers to bring their families for either the 2-year period or the 30-day period will cause many practical, complicated ripple effects. Now we have got to be serious about this. We do not have enough Federal people to go out and search for everybody who is overstaying in our country and not complying with our laws. We need to create a good framework that reduces the number of people who are here illegally so they do not have to be run down and apprehended.

So these are some of the things which will happen with children coming for 2 years: Local school costs will escalate as the children of these guest workers attend schools; the language barrier will create additional problems for No Child Left Behind requirements; difficult problems for teachers and principals who have to have language skills they did not have to have before; local emergency room and health care costs will likely escalate.

So we are creating a magnet for dual citizenship. What worker would not want to bring their spouse in during her eighth month in pregnancy on a 30-day visa? This would guarantee that the spouse would receive great medical care during her delivery and would give the child dual citizenship.

Down the road, Members of Congress now purporting to be enforcement hawks, when they have to talk about removing a family, leaving a child here who is a citizen of the United States, what will they do then? I submit they will crumble. You have to create a situation in which that is not likely to occur, not create a bill that encourages or incentivizes this kind of thing to happen. It is going to be too hard to require families who overstay go home. They have kids who are going to be in school; some will be U.S. citizens. That is not going to work.

The temporary guest worker program in this legislation is set up to fail.

Principle 3 in the PowerPoint presentation was that green card allocations would be adjusted to focus more on merit and chain migration, and the visa lottery program would be ended. This is a good deal. That was a good principle, a historic move in the right direction, following Canada and Australia. It was something that was never even discussed last year, except by me. Senator MIKE ENZI on the Health, Education, Labor, and Pensions Committee agreed to have a hearing at my request to discuss that. We could never get a hearing in the Judiciary Committee where the immigration bill came forward. We learned a lot about it. Everybody who learned about the merit-based system liked it. So the White House PowerPoint stated the bill would change the way we distribute green cards to focus more on merit. It described how the current green card system is ''out of balance'' and ''favors those lucky enough to have a relative over those with talent and education.''

It noted how the United States currently dedicates 58 percent of the 1.1 million green cards issued each year to relatives and only 22 percent to people selected for their disabilities.

This is the chart we had. It reflects that this is what the United States does; 58 percent of the immigration was based on relative ability, not merit. The PowerPoint noted how in other developed countries, Canada specifically, 60 percent of the green cards go to employment-based immigrants selected for their abilities. The PowerPoint described that in the initial years ''all diversity visas and some parent-preference visas would be used for merit based selection—creating 100,000 openings in year one.''

Finally, the PowerPoint stated we would ''launch a visa system that sorts applicants according to national needs and merit.'' The system was described as a way to ''boost U.S. competitiveness, emphasize education,'' and ''make it easier for the best foreign students earning STEM (science, technology, engineering, or math) degrees at U.S. colleges to stay and work.''

Negotiators describing the merit system described the implementation of a point system which selects legal permanent resident applicants based on their skills, education, language abilities, and age. That is good, isn't it? You would evaluate people who apply based on their skills, education, language, and age.

To give you an insight into how significant this is, we have a lottery. Anybody in the world from any country can apply to be a resident of the United States. They can submit their name and it goes into a pot. They draw 50,000 names from that pot. If your name is drawn out, you get in regardless of whether you have any skills, merit, or anything else, other than perhaps you couldn't get in if you had a bad criminal record. To give some perspective on the situation the United States now finds itself in, 1 million people in the year 2000 applied for those 50,000 slots. Correction. My fabulous staffer Cindy Hayden has corrected me. Hold your hat. I was wrong. Not 1 million people applied for the 50,000 lottery slots; 11 million people applied for the 50,000 lottery slots. What does this mean if we are trying to establish an immigration policy that serves our national interest? What does that mean? It means we have far more people who have applied to come to our country than we can ever accept. Professor Borjas at the Kennedy School at Harvard, himself a Cuban refugee, has said in his book ''Heaven's Door'' that for a poor person anywhere in the globe, coming to the United States is a tremendous benefit to them. All of them will benefit; almost universally they will benefit by coming here. It is not a question of whether the individual will benefit if they come here; it is a question of who can come here since we can't allow and have no capacity to come close to allowing everybody to come to America who would like to come here.

What have Canada and Australia done? They said: We are going to set an immigration policy that serves our national interest. How commonsensical is that? Our national interest. We had a committee hearing on it. I asked Secretary Chertoff at one of the hearings: Do you believe that policies should serve our national interest? I was proud of him. He said, just like that: Yes, sir, it should serve our national interest.

I believe it was the columnist Charles Krauthammer, in one of his columns about this subject, who mused as to whether we shouldn't be like the NFL football draft and look out all over the world and pick the best and brightest who would flourish in America and strengthen our Nation and make us a better, stronger, more vigorous, and talented country. There is much to be said there. That was the promise we were made, that this new bill was going to make a move toward the Canadian system. There are some steps in that direction but, unfortunately, not enough.

I expressed concern at the time that the White House plan appeared to increase the number of green cards available each year. Page 21 of the bill indicated 1.4 million would be available each year, now at 1.1. I also stated it would be critical to examine how the point system was actually written, that the actual test had to ensure that low-skilled workers would not receive preference for green cards over high-skilled workers. Even though some business may think that is great, to have a bunch of low-skilled workers, that may not be the best thing for the national interest. Nor does the bill fulfill that principle we were told should be included in an immigration bill.

Will green card allocations be adjusted to focus more on merit? Will chain migration be ended? The new bill will only do a fraction of the good it could have done. That is what is so frustrating to me. It came close. It made some progress, but it could have been so much better. We could have made a cleaner move to this kind of enlightened approach to immigration.

They say we are going to end chain migration. Chain migration would be the ability to bring brothers and sisters into the country if you have been made a citizen. Also I thought it meant you would end the ability to bring in aging parents, but typical of the cutting the baby in half, the political compromise basically cut the number of parents in half who could come. So a number of aging parents will still be able to chain migrate in if their children have obtained citizenship. That is in the future, however. But between now and 2015, chain migration does not end but is actually accelerated. I kid you not. Instead of actually ending chain migration, the new bill only stops accepting new chain migration applications. The bill's sponsors take the numbers they eliminate from chain migration categories, about 200,000 per year, and then allocate those to adjusting the backlogged chain migration applications. In other words, people who have applied for chain migration get to come in.

If this were not enough, the bill's sponsors then take the green card numbers freed up through elimination of the visa lottery program—50,000—and also dedicate those numbers to processing not high-skilled people but the chain migration backlog applications. Even after 8 years, when the chain migration backlog is supposed to be eliminated, points for family members will be issued through the merit system. So we are creating a so-called merit system, but it is skewed also, not to merit but to family. Six points are given for adult sons and daughters of permanent residents; four points for siblings of citizens and permanent residents; and two extra points if you have applied for a chain migration category between May 1, 2005 and now. So we are giving substantial points, tipping value points to lower skilled workers because they happen to be involved in the chain migration process. I don't think that is a good principle. It undermines the move we have been promised occurs through a merit-based system.

Let me make this point. The merit system as proposed in the legislation will not receive ''100,000 openings in year one'' alone, as the PowerPoint presentation we were given promised. For the first 5 years, current employment-based visa levels are kept the same—140,000—until 2015. Only after 8 years will the number of employment-based, skill-based, green cards be increased to 380,000. So in reality, chain migration numbers between now and 2015 will skyrocket. Chain migration is going to increase until 2015. The portion of family-based migration versus merit-based migration will be worse than it is today, perhaps much worse. Think about that. The PowerPoint we have been sold is that this is going to move to merit. Yes, it says that. Yes, it does. But when you look at the real numbers through the next 8 years, the numbers are going to be more chain migration, and it will be worse in terms of merit-based migration than exists today.

Additionally, several characteristics of the merit-based system will work to undermine its stated purpose, which is ''to boost U.S. competitiveness,'' to ''emphasize education,'' and ''make it easier for the best foreign students earning STEM degrees at U.S. colleges to stay here and work.''

The merit-based system will set aside 10,000 green cards a year for temporary workers, new Y visa holders. These workers will not have to compete on a level playing field with all other merit system applicants. Instead, they will only be competing among themselves for the 10,000 annual slots. Additionally, the merit-based system includes points for characteristics that low-skilled workers in the United States are sure to have. In other words, you create a temporary worker program that can bring in almost a million people in a 2-year period to do low-skilled work. Then you create a permanent system of immigration for those low-skilled workers when it is supposed to focus on merit. But the system then turns around and provides extra points for low-skilled workers to help them get into this system. Sixteen points, for example, are given for employment in a ''high demand occupation.'' This list, to be produced by the Bureau of Labor Statistics, is sure to conclude jobs in the service industry, the construction industry, food processing industry, et cetera.

Two points per year—up to 10—are given for the years of work the applicant has done for a U.S. firm. It is easy to see how a temporary worker, who is allowed to work in the United States for 6 years, will get 10 points here. That undermines the merit system in many ways, so there are a lot of subtleties here.

Now, when Senator KENNEDY and the others had their press conference to announce the grand compromise, Senator KENNEDY or his staff, about that time, indicated only 30 percent of the people would come into our country based on merit and that, not to worry, we were still going to be, as one of his staffers said, a family-based system, a chain migration system, not a merit-based system. As we look at the numbers, I am afraid Senator KENNEDY is more correct than I wish were so.

There is another principle: the illegal alien population program, the Z visas. These are the people who are here illegally.

The White House PowerPoint described how the proposal would give legal status to illegal aliens currently in the United States through new Z visas, but would provide them with ''no special path to citizenship.'' The Z visa sounded better to me than the plan last year, which was very bad and should never have become law.

Specifically, the PowerPoint told us the Z visa holder would be able to apply for green cards, but ''only through regular programs,'' through ''point-based merit selection.'' According to the PowerPoint, Z visa holders would be ''ineligible for 'adjustment of status' from the U.S. . . . Heads of household would need to return to their home country and follow the normal channel'' to be admitted into the country on a permanent basis.

Well, does the new bill we have been presented with Saturday morning at 2 a.m. fulfill principle No. 4? Will the current illegal alien population be treated compassionately but not given a special path to citizenship, as they promised? The answer, I am afraid, and I am sad to say, is no. The new bill clearly creates a system whereby current illegal aliens are treated differently than those who try to come to the United States lawfully. It may not be ''jackpot'' amnesty, but it is some form of amnesty.

My definition has been: Those who broke the law to come here should not receive every benefit this Nation has to offer, like those who come lawfully; namely, citizenship and certain economic benefits. If you come unlawfully, you should never get those things. That is an important principle.

Mr. President, 1986 should have told us that. We need to establish and say from 1986 onward we are never going to let you be a citizen if you come unlawfully. We may say you can stay here with your family and your children—you are working, you have been here many years—maybe we can accept those kinds of compassionate realities. But to give them every benefit of citizenship as a result of breaking in line ahead of other persons is not the right thing.

I was very glad our Republican leader in the Senate, Senator MCCONNELL, when interviewed yesterday by George Stephanopoulos on ''This Week,'' drew a line in the sand for the Republican position on this issue. He stated:

> One thing is for sure: If this bill gives them any preferential treatment toward citizenship over people who came into the country in the proper way, that's a non-starter.

Well, I agree. The one thing we can all agree we should not do is treat the illegal alien preferentially. So I am sad to say that after reading the bill I think there are several ways in which the language gives preferential treatment toward citizenship to the illegal alien population over people who have waited in line to come the proper way.

First, illegal aliens who rushed across the border between January 7, 2004—the date contained in last year's Senate bill—and July 1, 2007, will be eligible for amnesty. That is on page 260, line 25 of the legislation. This includes

illegal aliens who have been here a mere 5 months.

I want to repeat that. Last year, the bill that was so fatally flawed—I thought was not principled—said if you wanted to be part of the amnesty it contained, you would at least have to have been in the country before January 1, 2004. This bill says you get amnesty if you were in the country up to January 1, 2007—just a few months ago, 4 or 5 months ago.

We put National Guard on the border. We have enhanced our Border Patrol. We put up fencing and all of this. But if somebody beat the system last October, last November, last December 31, and got into our country, they are going to be given amnesty under this bill. That is not sensible. It indicates we are thinking politically and not as a matter of principle.

Advocates for this bill claim this bill is necessary because illegal aliens have deep roots in the United States and are, therefore, impossible to remove. This is simply not true in all cases. It is not true in all cases. For some cases, they are tough situations, I admit. But illegal aliens who have rushed across the border in the last few years, without their family—and including those who came 5 months ago—will be given all the same amnesty benefits as those who have been living here for 10 or more years in the United States, and raised children in the United States, and have never been arrested or done anything wrong.

The American people may want us to treat the illegal alien population compassionately—and they do—but there is no reason to lump all illegal aliens into the same amnesty program regardless of when they got here or how deep their roots are into the United States.

The bill also contains a provision that makes anyone who filed an application to come lawfully after May 1, 2005, have to start the process over by applying for a green card through the merit system. So if you applied lawfully after May 1, 2005, you have to start your process all over again—a burden to the lawful applicant. It is fundamentally unfair those who would come here 5 months ago should be put on this guaranteed path.

Second, under this bill, only illegal aliens will be eligible for Z visas—visas that allow them to live and work here forever, as long as they are renewed every 4 years, and they have a special point system that allows the Z visa holder to adjust status to permanent status without regard to numerical limits. These visas are not available to anyone living in the United States who came here to work legally and who will have to go home once their visa expires.

Third, under the bill, unlike any alien who wants to come the proper way, those illegally here will get legal status 24 hours after they apply, even if their background checks are not completed.

Fourth, under the bill, unlike any alien who wants to come the proper way, illegal aliens may be exempted from a long list of inadmissibility grounds, including fraud or misrepresentation to obtain immigration benefits, and false claims of U.S. citizenship; and their prior deportation or removal orders can be waived, even if they never left. In other words, if they have been apprehended in some fashion, have been ordered deported and given a removal order, they can still be exempted from that, even if they refused to leave the country, as they were ordered to do so, if they can show hardship to their families.

Fifth, it is important to remember that under the bill, unlike an alien who wants to come the proper way, a Z visa holder will be able to get a green card through their own separate point system, and without being subjected to the regular annual numerical limits, which is a real advantage, I would submit, to them.

I see my colleague Senator BUNNING is in the Chamber. I understood he wants to speak, and I will be pleased to yield to him at this time.

But we do have a responsibility to fix this immigration system we have today. It is comprehensively broken. It is a lawless system. We arrest at the borders of the United States every year—hold your hat—1.1 million people. That is because the word is out all over that we do not enforce our laws and you can come into this country unlawfully and get away with it.

Now, we have to make a decision as a nation: Will we create a system that is lawful, that is principled, and that will work? Will we do that, or will we not?

I have said in the last couple years when someone comes up with an idea that will actually work to enforce our law and end the lawlessness, that is what gets objected to. If you come up with an idea that will not work, will only have an incremental benefit, people are glad to pass it and say they did something about immigration. But that is not the way we have been doing it.

In my mind, it is no good—this is the analogy I use—if someone attempts to jump across a 10-foot ravine and he jumps fully 9 feet but does not get across and falls to the bottom, how good is that? That is what we have been doing in immigration law. We have been passing bills. They have had loophole after loophole, gimmick after gimmick, impossibility after impossibility, and they have never worked. I think it is because in our base, in the Congress—we and the Presidents—they have not wanted it to work.

It is time for us to listen to the American people. Their heart is right on this subject. They believe in immigration. They believe in a lawful system of immigration that can serve our national interest.

Mr. President, it is a pleasure to yield the floor to my colleague from Kentucky. He understands this issue with great clarity. He is a man of principle and courage. He also is a man you do not want to be battling against with two outs and two people on base, our Hall of Fame baseball pitcher, JIM BUNNING.

I yield the floor.

The ACTING PRESIDENT pro tempore. The junior senator from Kentucky is recognized.

Mr. BUNNING. Mr. President, I thank Senator SESSIONS and thank him for his input and insight into what has gone on for the last 8 weeks or 10 weeks. I thank the Senator for his explanation today on his perception of what is in this bill. I wish to add a few other comments, and I do have a couple charts that are on their way down to the Chamber.

I rise to address some of the concerns I have about last week's so-called immigration compromise and the way it is being shoved—or trying to be shoved—through the Senate this week. Last week's so-called immigration agreement is not a compromise in the traditional sense of the word. The proposal was written in secret by a small group of Senators and our current administration. This bill may not be a compromise, but it is compromising to this country's economy, national security, and the very foundation as a democracy rooted in the rule of law.

America is a democracy operating under the rule of law. Since the very beginning of the American experiment, people came from all over this world—many countries with corrupt governments—where the law only applied to some and could be bought by the highest bidder for others. They came to live where the Government respects the individual and where the individual respects the law.

From our recent history, we have seen an alarming increase in immigration from people who don't think they have to wait in line or play by our rules. Instead of punishing these people, a few Senators and the administration have crafted a large-scale ''get out of jail free'' pass. No matter what you call it—X, Y, or Z visas—this bill will grant amnesty to millions of illegal immigrants all over this country. My wife and I, our 9 kids, and our 35 grandkids are all descendants of immigrants. Mary and I have taught our family to be grateful for our Nation's rich tradition of immigration. But more importantly, we have tried to instill in our family a deep respect of law. Appreciating the contributions the immigrant brings to our Nation does not mean we will surrender the right of our Nation and its citizens to decide who comes here.

Like many people in the Commonwealth of Kentucky and all over this Nation, I have serious concerns about an immigration policy that rewards lawbreakers. Is granting amnesty to those who were lucky enough to be born or get to one of our border countries, and enter our country illegally, fair to those potential immigrants who have been waiting in other parts of the

world? I wonder what message does rewarding those who willfully break the law send to our Nation's young people? What message does it send to the rest of the world? Doesn't it make everyone who is trying to play by the rules seem foolish? More practically, how many people do you think are going to come over our borders? Are you going to reward 5 million people for breaking the law or will it be 10 million or maybe 20 million? Isn't it a distinct possibility this bill will grant amnesty to those who came here only to do our Nation harm? These are questions I am willing to get serious about for the American people, but is anyone else?

Today we are going to have a vote to move the process forward. Some things are clear. This bill will grant amnesty to millions of illegal immigrants, period. It is true. It also creates a massive new guest worker program for low-skilled workers that does not truly limit costs to the system. What remains unclear is how much this great compromise will cost. If you look closely, the numbers are staggering.

In 2004, there were about 4.5 million low-skill immigrant households in the United States—about 5 percent of our population. That number has only gone up. Let's look at this chart. Each of these households pays about $10,500 in taxes. That is less than almost every other American household. What is more alarming is how much they are receiving. Each of these households receives an average of $30,000 a year in immediate benefits. So they earn, or bring in, $10,000, and they get benefits of $30,000. That means each low-skilled amnesty household could cost the American taxpayer approximately $20,000 each year. Well, actually, $19,588, or twice what they are paying in.

Let's go to the second chart. If we look at a breakdown in what they are receiving, that $30,000 a year in Social Security, Medicare, and transfer programs, cash, food, housing, social services, medical care, public education, and population-based services such as police and fire, $30,000 seems like a pretty hefty welcome basket just for crossing our borders. Here shows all the other benefits, and it all adds up to $30,160. These are the benefits I described.

We will go now to chart 3. Most American families are taxpayers during their working years and tax-takers during their retirement years. Not so with the low-skilled amnesty family. The low-skilled amnesty household takes more from the Government than it pays in at every level. Therefore, claims that we save Social Security and other programs by importing young immigrant workers are simply a myth. You can see that households under 25 pay in $8,000 and take out $14,295; heads of household from 25 to 34, $10,000 paid in, benefits of $25,485; households whose head is 35 to 44, $12,000 paid in, $34,000 in benefits, all the way down to where the biggest burden is when that immigrant family and the head of that household becomes 65 or over, and they pay in $4,500 in taxes and other things, and receive $37,500 in benefits.

The most expensive group, of course, is the 65 and older crowd. They cost the American taxpayers on an average of almost $32,000 every year. If we consider only the illegals given amnesty, those costs would add up to over—and this is shocking if you want to think about it—$2 trillion—that is trillion with a T—over the lifetime they are here, from very young when they come in at 25 to when they become 65. There are currently 8 million nonelderly immigrants in low-skilled households. Eight million. Can you imagine the strain on Social Security when these people reach retirement age? Right here, where they are receiving the $32,000 in benefits that they don't pay in—they don't match. At that moment the program will be going into crisis—that very moment—because if you add them now, the baby boomers, and they will reach the age of 65 about at the same time. Our Social Security system can't handle that now. What are we to do if we add 10, 15, 20 million more?

The upcoming budget stifles the economy by levying the largest tax increase ever—ever—on American businesses and taxpayers, and what have we left our kids and grandkids? The biggest bill ever that they will not—I say will not—be able to pay.

These may be hard numbers for some people to understand, but I wish to talk for a moment about who will be paying these bills. Look no further than your neighbor, families who have two mid-wage earners, now fall into the top 40 percent of our Nation's wealthy, according to the Internal Revenue Code—wealthy. My daughter Amy and her husband are now wealthy—with four children to raise.

A recent study by the Tax Foundation found these working families, the middle class, are carrying the weight of the Nation's tax burden on their back. And let's not forget about our small business owners. Forty-three percent of the people in the top 20 percent of the tax bracket have business income, meaning they are creating jobs and wealth in our economy. Can you imagine the effect that continued tax increases, which will be inevitable to fund this kind of amnesty program, will have on our middle-class families and our economy? Is anyone willing to get serious about this for the American people?

I don't know about my colleagues, but these numbers, over $2 trillion, are pretty hard for me to comprehend. What is even more unbelievable is no one is talking about them. In fact, the Senate is being asked to pass this incredibly expensive bill in less than 1 week—less than 1 week.

How our Nation chooses to deal with immigration is one of the most serious questions Congress must address. Our immigration policy directly affects our economy, communities, and the rule of law. It requires a thorough, thoughtful, and serious debate. We should be debating each and every one of these issues I have put up here on the chart on the floor of the Senate—not rushing to get something through so that the President can sign it.

But here we are about to vote to proceed to a bill that is not even in bill form. It is 326 written pages. By the time it goes into bill form, it will be close to 1,000 pages, and we don't even have a CBO estimate on the cost—not one CBO estimate. It didn't go through the committee process. At least last year we had a bill that went through the committee process. It was voted out. We spent 2 weeks on the floor of the Senate debating it. So at least last year we had a much more thorough discussion.

The bill we dealt with and are dealing with this year has not even been considered in committee, and we are supposed to pass it by Memorial Day. That is a seriously flawed process. With the many questions that are currently being asked about this bill, we need to debate it thoroughly—each and every questionable paragraph—when they finally get it into bill form.

We are going to have a substitute amendment shortly, after we pass a bill that means absolutely nothing. If they do pass cloture on last year's bill, then the majority leader will propose a substitute to this new bill. Wouldn't it be interesting if someone objected and made the clerk read every sentence in that bill? How long do you think that would take? Two days, maybe more. I know the clerk would be very tired by the time the reading of the bill would be over. I am sure everyone in the Senate would realize exactly the seriousness of this bill. So I am asking all my colleagues in the Senate, let's not rush to judgment on this so-called compromise immigration bill we have before us. Let's consider it like the Senate should consider it. If we are the most deliberative body in the whole world, we should deliberately look at all the nooks and crannies in this compromise bill. I ask my colleagues to do this.

I yield the floor and thank the Senator from Alabama for the time.

Mr. SESSIONS. Mr. President, I thank the Senator from Kentucky. I hope people heard what he said and saw the import of the charts he produced. The numbers are so large it almost goes beyond our ability to comprehend. But according to the senior fellow at the Heritage Foundation, Robert Rector, one of the most acknowledged experts on social welfare in America and the architect of the historic welfare reform that worked far better than critics ever said it would work, at a press conference that Senator BUNNING hosted this morning to give those figures, he said in his opinion—correct me if I am wrong—and he studied this and added up the numbers for days, weeks, and months, and he came up with the

figure of $2.3 trillion as a net loss to the U.S. Treasury over the lifetime of those persons who would be given amnesty out of the 12 million; is that correct?

Mr. BUNNING. He used the figure 12.5 million.

Mr. SESSIONS. Based on the fact that half of those were high school graduates, that was a key factor. He was passionate; would you not agree?

Mr. BUNNING. Absolutely.

Mr. SESSIONS. Regarding the damage this would do to the financial well-being of our country.

Mr. BUNNING. Will the Senator yield?

Mr. SESSIONS. Yes.

Mr. BUNNING. I know how desperate some of my construction people are in Kentucky, my horse farmers, the general farm community, the service industry, and the motels and hotels, for workers to be here, but they have to be here in legal form. They cannot be here and cheating to get across the border. We have to have legal immigration to service those jobs. I don't think this bill gets us there. That is why I have serious doubts that it is the right vehicle to take care of those workers we want to make sure get here to service our economy.

Mr. SESSIONS. I thank the Senator. I agree. We are at the point of needing historic reform. I believe we could do that, but we ought to consider what Canada, Australia, and New Zealand have done to avoid the financial catastrophe we are headed for if we don't watch out.

I yield such time as he might use to Senator VITTER from Louisiana, who is a lawyer and a Tulane graduate.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. VITTER. I, too, rise today to strongly oppose the motion to proceed that we will be voting on in a few hours and to strongly oppose this absolute rush to judgment on this bill, rush to pass legislation that will have a huge impact on our country for 25 to 50 years or more.

I start by thanking Senator SESSIONS for his hard work in defending the Senate procedure that is in place for a very good reason—to ensure the deliberative process, to ensure that important, weighty matters get careful consideration. That is what the American people deserve.

That is what is absolutely threatened by this rush to pass this legislation, starting with the motion to proceed that we will be voting on in a few hours.

The Senate is supposed to be the world's most deliberative body. Yet I and many other Senate offices have not had adequate time to look carefully at this so-called compromise proposal before this very important vote this afternoon. The first time the legislation was available to me or any other Senator was at 2 a.m. on Saturday. Yet right now, Monday, in a few hours, we are being asked to essentially start voting on it through the motion to proceed.

I am especially disappointed because I joined 16 fellow Senators urging the Senate leadership to provide 1-week prior notice before we are asked to cast votes on this massive immigration reform bill. Rather than 1 week, of course, we barely get a day of the work week. As I said, this bill was not available for anyone's consideration until 2 a.m. Saturday. Here we are on Monday about to start voting on this massive bill of 800 to 900 pages, at least. Maybe it will be near a thousand pages when it is put into proper bill form, which hasn't happened yet.

There has been no committee consideration, no committee markups and vetting, which is the normal course of action, which at least happened last year during Senate consideration of immigration reform. Senator REID, the majority leader, is rushing and urging us to finish this week before the Memorial Day recess. Folks haven't had any chance to study the bill yet and we are going to rush to try to finish it this week and there is no estimate whatsoever of its cost, no CBO score.

In fact, the proponents of the bill haven't even requested, as I understand it, a CBO score to date. That should tell you something. I urge my fellow Senators to vote against this motion to rush to judgment, because that is what it is, and join the American public in urging the leadership to postpone any vote until it has had a proper chance to review carefully this massive proposal.

I am not against all immigration reform. I am against voting on a bill that only a few Senators participated in crafting and that all Senators have not had adequate time to study carefully.

Mr. President, an obvious question: Why are we in the midst of this rush to judgment, rush to pass this bill? I believe there is a very simple political answer, and it is that if the American people fully understood what was buried in this bill, there would be a massive outcry against it, and Senators—politicians at heart—would have to react to that outcry. I believe that is the simple, cold, hard political fact behind this rush to judgment and rush to pass this bill.

Of course, the biggest item that I would argue falls into that category is the Z visa section of this massive immigration reform proposal. It would grant amnesty—I truly believe there is no other appropriate word for it—to millions of illegal aliens who have broken our laws to come into this country, who have broken more laws to stay in this country and, in many cases, get jobs. But this Z visa section of this proposal—better known as Z visa amnesty—would give all these millions and millions of illegal aliens the opportunity for pure, unadulterated amnesty. Make no mistake, this Z visa is amnesty, pure and simple. It rewards folks for breaking the law and lets them stay in this country without ever having to return to their homeland forever.

I have an amendment that will strike the entire text of title VI and remove the Z visa amnesty program from the bill. I hope at least we have time for consideration of that and other crucial amendments. I will certainly offer this amendment, and the American public absolutely wants to have all Senators vote on record on that amendment and other important amendments.

Again, we should not absolutely rush to judgment and rush to pass this bill, 800 to 900 pages or more. We don't know because it is not in proper bill form yet, with language only available to all Senators starting 2 a.m. on Saturday, and yet here we are Monday, the first day of the workweek, rushing to start voting on this bill.

What is more, there is no estimate of the cost of this measure, costs that will be with us for decades and decades to come, no estimate of the cost, and to date the proponents of the bill haven't even asked the Congressional Budget Office to start working on an estimate, which should give us some inkling of what that cost estimate might look like. Yet in the midst of this, the majority leader is pushing for final consideration of the bill this week, before we leave this week. Yet most of us have only begun to look at its exact language.

Surely our Founding Fathers did not intend for this to be the legislative process. Surely they did not intend for a very few to represent the many, even in the Senate. We have 100 Senators who have votes in this body. All of them, not just the proponents and crafters of the bill, all of them, all of us should have a reasonable opportunity to digest this massive bill.

The legislative process should afford elected officials and our citizens the opportunity to read, amend, and debate bills. Can we honestly say we have honored that principle by going forward with votes on this legislation starting today, with the leadership rushing to try to finish the entire process in the Senate by the end of the week?

I ask my fellow Senators, is this a precedent we really want to establish for future very important legislation, legislation such as this that will affect our country for decades and decades to come? Clearly, this is not the right precedent. Clearly, we should have time to read the bill before we start voting on it, and we don't here. Clearly, we should have time to hear from the American people about the very important elements in this bill, and we don't. Clearly, all of us should know the cost estimate of this bill. We should get a CBO score before we start voting on this bill. And we don't. We are not likely to have that score before the end of Senate consideration with the proponents not even having asked for a CBO score, to my knowledge, to date. Clearly, something is up with this rushed process.

Clearly, this process needs to go beyond this week, through the Memorial

Day recess, so we can have an adequate and full national debate; not just Senate debate but a national debate among all our citizens and then be allowed to come back, flesh out details, offer more amendments, having digested the entire bill.

On any vitally important matter, on any key bill numbering 1,000 pages or so, on any legislation that will affect our country for decades and pose costs in the trillions and trillions of dollars, that is the right course of action. One has to wonder in that context why the Senate leadership is pushing for exactly the opposite course of action.

Again, I urge all of my colleagues, however they are leaning on this bill, which they have only begun to read, to vote no on this motion to proceed to preserve the integrity of the Senate, the deliberative process, and to respect the American people enough to give them, as well as ourselves, the time to digest all important aspects of this massive bill.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. WEBB). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Louisiana and value his insight into these matters and so many other matters in the Senate. He has an incisive mind and is committed to the principles that have made America great.

I wish to follow up on a few points that indicate to me the unhealthiness of where we are. Here is an Associated Press article from Saturday. Once again, we are hearing statements from the people who met to write this bill, as we did last year, that any amendments threaten the whole bill and it may not pass. It might fall apart if somebody in the Senate were to disagree and offer an amendment that was different than something the self-appointed negotiators agreed upon; and not just they agreed upon, but maybe some outside influences and special interests who have been working behind the scenes to see this legislation become reality from the beginning.

I remember last year in the debate having an exchange with one of my colleagues who objected to amendments and said that we couldn't do this amendment, that the compromise that these groups had worked on together might collapse if a trigger amendment, I believe it was, that Senator ISAKSON was offering passed.

I remember asking: Who was in this room where you all met? Were you elected to be in this room? Did outside groups submit information and approve or disapprove various provisions contained in the legislation? Are those the people who are going to be unhappy if some Member of the Senate, duly elected by the people of their State, disagrees and votes it down? Who gets to decide what is in a piece of legislation? The whole Senate or not? I just see some of that same little tendency out there today.

I have an article by the Associated Press. This article goes on to note:

> Any one of the changes has the potential to sink the whole measure, which was unveiled with fanfare Thursday but still was being drafted late Friday.

That is what Julia Hirschfield Davis said. She goes on to quote Commerce Secretary Gutierrez, who helped negotiate the compromise who ''cautioned against revisions that could upset the framework.''

I would like to have seen the bill follow the framework that Secretary Gutierrez and Secretary Chertoff provided when they said we were going to have a new bill. That framework sounded pretty good to me, but the details of it are not holding up to the principles of that framework.

Secretary Gutierrez said:

> You take something out and you're creating a problem throughout the system—you may think that you're only tweaking one part. . . . We've got to be very careful as to what is proposed to change.

In other words, don't be messing with what we worked on.

Interest groups also seem to be well informed:

> ''We're going to fight like mad to fix the parts we don't like,'' said Tom Snyder, the national political director of Unite Here!, a service workers union comprised largely of immigrants.

Not a normal union, a service worker union, comprised of immigrants.

Then liberal activists who call the measure a good start but object to parts, but they say they have ''a couple of bites at the apple' to change it as it makes its way to President Bush's desk, said Frank Sharry, the executive director of the National Immigration Forum.''

And another:

> ''We're not sure that our support will continue if the bill that approaches the finish line has these kind of problems in it,'' says Cecilia Munoz of the National Council of La Raza.

So they make their points. All I am saying to my colleagues is that it is our responsibility as Members of this body to take extremely seriously the responsibility we have been given to craft an immigration policy that will serve—surely we can all agree—the national interest of the United States and the people who live here—a just, legitimate national interest. That has to be the pole star of what we are doing, a guiding star of how we are going to do our work. If we don't commit to that, then we are going to have real problems. We are going to try to adjust immigration policy based on special interest groups, what they think is important to them in the short run.

If you are a business and hire people and don't have to have health care for them and they get sick, you don't have to take care of them, but they can go down to the local emergency room and have it paid for by the city and the county in which that person lives and you have gained an economic advantage.

Why would you want to hire a lawful American citizen if you have to have more benefits or pay more wages? This is a real factor. We have to talk about it. You can bring in enough workers and, in fact, we are already doing it, to the degree it will drive down the wages of decent, honest, hard-working American citizens and prohibit them in this time of economic growth and prosperity of seeing their wages rise as those corporate leaders are seeing their wages rise in this time of prosperity with profits up.

In fact, Professor Borjas of Harvard, who has written the book ''Heaven's Door,'' himself a Cuban refugee, is very concerned about the large flow of low-skilled immigration workers into America. Professor Borjas says, in his estimate it has reduced the wages of lower skilled American workers by 8 percent. That is real money. Not only that, it has prohibited people from having a chance to progress and rise in the ranks and be promoted and get an even larger paycheck than just the lower scale at which they may have started.

On the Mall—not even on the Mall, at the foot of this Capitol—last year during this debate, I was taking a Saturday morning walk. An individual, an African American from Montgomery, AL, spoke with me. I went over and talked with him. He was going to visit relatives in New Jersey, and he stopped by with the family to see the Capitol.

I asked him what he did. He said he was in the drywall business in Montgomery. I asked him how he was doing. We first talked about how good the economy in Alabama was doing. We had good economic growth and a lot of building had been going on. I asked him how things were going with him. He said: Yes, the county and the city are doing wonderful, but we're not doing so well.

I said: What do you mean?

He said: My father started this business as a young man, and we have been carrying it on. Really these are as bad a times as we have ever had.

Why? Montgomery is growing, houses are popping up everywhere. There is economic growth in the commercial area in addition. I said: Why? Do you think it has anything to do with immigration?

He said: I don't have anything against immigrants. I like them. But, yes, it really has. We have lost a lot of work.

So I am saying to my colleagues, it is not always true that nobody will do this work. Sometimes it is a question of whether they will or can do it at a salary and an income level we want them to have, at a salary and income level that will allow them to take care of their family, that will provide a retirement benefit or health care for their family if someone gets sick. There are thousands, tens of thousands and hundreds of thousands of individuals similar to this man I just described who are seeing their piece of the economic pie being eroded.

People disagree about that. They say it is not so. But I submit it is basic economics.

We grow cotton and corn in Alabama. If someone were to bring into this country huge amounts of cotton, causing the price of cotton to fall, we would hear from our farmers, and people would oppose that, saying that is not proper. If they brought in huge amounts of corn and depressed the price of corn, wouldn't we be concerned about that? Is anybody concerned about the low-skilled worker, where we are seeing unprecedented numbers of people doing low-skilled work and adversely impacting the wages of workers in America today? It is happening.

Do we need immigration? Do we have jobs that can't be filled by American workers? I think so. I have talked to business people in my State. I have had them tell me what is happening and share their ideas, and I am convinced we do. That is why I proposed last year that we create a legitimate temporary worker program, one that would actually work.

The proposal in last year's bill was breathtaking in its lack of wisdom. The bill last year had a provision called temporary guest worker. But when you read it, what it said was that a temporary guest worker could come to America for 3 years as a temporary worker and they could bring their families with them; after 3 years, they could reup again for another 3 years and another 3 years and another 3 years. After the first 3 years here, they could apply to be a green card holder or a permanent resident and then be put on the road to citizenship. That is not a temporary worker program. Those people were supposed to go home after a certain period of time. But the way that proposal was set, they would not go home. Their children would be born here, their families would be settled here, and their roots would be deep in American soil and in the American community. Their kids would now be in junior high school, and somebody is going to walk in and say: Sorry, it is time for you to go back home to Mexico or Honduras or China or wherever they may have come from? That is not a practical solution. That makes no sense.

We know we are not going to want to confront that kind of situation, so we objected to that and urged the idea that they have a legitimate temporary worker program and a legitimate program that is a temporary worker program, which would mean the worker came here without their family for a limited period of time and, with circularity, would go back home after their period of work had occurred.

That is being done throughout the world today. A group from Colombia applies, and they go to Canada and they work for a season and then return home to Colombia. They never have any problem with that. They do not bring their families. They do not settle in for 3 years and then the Government of Canada expects them to go home. They have created a system that actually works because it is based on common sense and human nature.

What I suggest is that we create a genuine temporary worker program where people can come to our country to meet those needs certified by the Department of Labor and that are in crisis. For example, my colleague, Senator VITTER from New Orleans, and I have talked about Hurricane Katrina. That is a national crisis. There are not enough workers to do the roofing and other things that need to be done. That would provide a basis for the Department of Labor to allow temporary workers—maybe more than normal—to come to the United States to help us through this crisis program. You could do that and still not pull down the wages of American workers, yet fill a critical need.

I believe that if we are to avoid the problem of permanence, avoid the problem of a system that will not work because it invites people to sink their roots into the United States, it must be a system that does not allow families to come with the temporary workers. I believe strongly and I urge my colleagues to let us have a temporary guest worker program that allows people to come for 10 months and no more and spend at least 10 months at home. With a good ID, they could go back and forth throughout the year if they chose to. That would work.

Some say: Well, some companies aren't seasonal. Some companies need people all year. Well, you could stagger the number, for heaven's sake. The return-home periods could be staggered. Maybe you would need for a given business 12 workers instead of 10, but you could cover the whole period. The system would be clear that the person would come just for temporary work and would go home. Frankly, I am not aware of why we would want to say that type of program should end. As long as a person wanted to come and as long as a business wanted them there to work, I don't see why they should be required to end after 6 years or 8 years or however many.

Now, under this bill, what we find is this: Under the temporary worker program that is supposed to be without family, we find that 20 percent of them do bring their families. Not only that, they do not come for 1 year or less; they would come for 2 years, have to go home for 6 months, come back for 2 years, go home for 6 months, come back for 2 years, go home, and never return, which is sort of weird, to me. So I am just not sure that this has been thought out carefully.

I believe we could create a better, more practical immigration system—one which we could be proud of and which would actually work—and provide the amount of labor we really need in our economy without having an amount that depresses the wages of American workers. We have to be careful about that. We really do.

Mr. President, I see Senator CORKER from Tennessee is here, my neighbor, super mayor of Chattanooga, just across the Alabama line. If you can't be from Alabama, Chattanooga is a good place to be. I yield such time as the Senator would consume.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. Mr. President, I thank my neighbor from the great State of Alabama, and I rise today to express concerns over the speed at which this legislation is being addressed this week.

I thank the many Senators and all the staff members who have worked for weeks and months to put forward this piece of legislation—a piece of legislation we received at 1:58 on Saturday morning. This is a condensed form. In its bigger form, it could be three times this size. This evening, at 6 o'clock, I will be meeting with other Senators to walk through this legislation to see its impact on the citizens of this country, to see its impact on neighborhoods, on public hospitals, on schools, on counties, on judicial systems, on sheriffs, on businesses, and on people throughout this country.

Many of the pieces of legislation we deal with in this body relate to tax reform or they are pieces of legislation that may deal with a program. I don't know of any piece of legislation that touches as many people in as many ways as does this piece of legislation. So I rise today to encourage my fellow Senators to take a break, to give us the opportunity to actually digest this legislation.

Again thanking the Senators who spent so much time in giving us this piece of work here for us now to debate, I rise today to encourage my fellow Senators not to rush into this debate, to give us the time to actually look through the intricacies of this bill and see how it affects everyone involved.

This is one of the most major pieces of legislation we will deal with in this Congress. My attempt today is in no way to stonewall, in no way to not deal with an issue that is important to our country, but instead to make sure we, the ''greatest deliberative body in the world,'' actually deliberate, that we actually look at this bill in detail, that we actually take our responsibilities seriously.

I have great concerns over the content of this legislation. My guess is that many of the people involved in drafting this legislation have great concerns over this legislation. We all should take the time this week to go through and look at what this legislation actually says and to hear from groups that are actually affected seriously by this piece of legislation. Perhaps we should take our normal recess, or work through it if we need to, but come back and then, as the ''greatest deliberative body in the world,'' actually deliberate and debate this legislation.

Again, I have great concerns, and I am rising here in the Senate to ask other Senators to join me in urging caution, to make sure we put forth a

piece of legislation that truly reflects the values of this country and addresses this immigration issue in the way it ought to be addressed.

Mr. President, I yield to the great Senator from the State of Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Tennessee, and I believe he is telling us correctly that the way we were taught in school is that Senators ought to have an opportunity to understand what is before them before they vote. We are dealing with an extremely complex piece of legislation, and the more you get into it, the more I have been involved in it as a member of the Judiciary Committee and in the floor debate last year, the more I see you have to be realistic and practical and thoughtful and principled if you want to make this system work, and we are a long way from that.

I think what Senator BUNNING said earlier about the cost of this bill is important for us to consider. I understand some work is being done on a CBO score. I don't know if that is true, but I have heard that the Congressional Budget Office is attempting to score this, but it is difficult, I assume. They can't give a real score because we don't even have the bill in final form yet. It is still referred to as a draft and hasn't even been introduced. So until something is actually introduced, there is no way we can get a score. But I can tell you a little bit about the way this thing was handled last year.

Those of us who were concerned about it last year asked for a score on the bill from the Congressional Budget Office to find out how much it would actually cost. We got a troubling number, and we used that number a day before we had a final vote, and then a month or so later, we got a more complete score from the Congressional Budget Office. I think that bill was probably less complicated than the one we are dealing with today, and they scored the bill, over 10 years, to be $127 billion in cost. Now, they excluded from that the money we spent on enforcement. I didn't count that. This was based on lost tax revenue, it was based on the welfare and other direct benefits to people who would be legalized under that bill and how much more they would draw from the Treasury than they would pay into the Treasury, and they came up with a cost of $127 billion over 10 years. Similar to last year's bill, this bill puts things off for 10 years. That is what the Budget Office scores normally on, a 10-year cycle. They score it on that basis, and that is how they came up with $127 billion.

When we asked them—I believe at a public hearing—what about the next 10 years, they said: Well, it would definitely escalate. It will definitely be higher. Okay. Why? Well, because the lineup and the movement of people to green cards and citizenship was delayed by the bill. They were legalized in our country and they could stay, but they didn't get a permanent resident status, which gives you many welfare benefits and other benefits and citizenship, until the second 10 years. Do you understand that? That is when the big money is out there. That is what Robert Rector told us today at this press conference. That is what his study at the Heritage Foundation points out. He convinced us all last year. One thing you don't hear as much as you used to—oh, we need this immigration flow, these hard-working, low-skilled immigrants; they do a good job for us, and that is going to help us with Social Security and Medicare because we are an aging population, and we need those people coming into the country. They are going to help us with Social Security and Medicare.

Mr. Rector demolished that argument. It is completely bogus. It is off the table. I hope nobody will suggest that anymore. Those were the people I called the masters of the universe up on Wall Street somewhere thinking they know: ''Oh, well, we don't want to be like Europe, we will just bring in this immigration and that will solve our debt problems for the future.''

Isn't that wonderful. But it doesn't work that way. Mr. Rector explained it last year and today with tremendous passion at a press conference. Half of the 12 million people here—at least half, maybe more, maybe 60 percent, there are different estimates—do not have a high school degree. Some of them are illiterate even in their own language. Mr. Rector studied the numbers on that. He used a framework of the National Academy of Sciences study in 1990. That study tried to analyze the economic impact of immigration. He took this disproportionate number of low-skilled and uneducated workers and he demonstrated, as Senator BUNNING told us, that it is not this year and not next year the crisis will hit us, but in the outyears. Do you know what Mr. Rector said? He said they will begin to draw the biggest amount of money about the time the baby boomers are drawing the biggest amount of money out of the Treasury, and Medicare and Social Security will be damaged tremendously by this program.

It is hard to talk about that. It is painful to talk about it in those terms, I have to tell you. We hate to do that. But a nation like Canada has had to deal with it. They wrestled with it and they decided it makes sense for them, since they cannot accept everybody who wishes to come to Canada—it would overflow the country, and more people want to come than they can accept—that they would accept people who have the job skills, the education, and the language skills that will be successful in Canada and therefore they will pay more in taxes than they will take out in benefits.

Mr. Rector calculated what happens when you take the workers, the low-skilled workers who will be provided permanent legal status—call it amnesty or not—in this country, who will all be able to stay. He factored out a mortality rate. He was very complex and detailed in the analysis, following the principles of the National Academy of Sciences. He concludes it would cost the U.S. Treasury, over the lifetime of the people who will be provided amnesty, $2.3 trillion.

A trillion is 1,000 billion. I got into an argument down here about attorneys' fees and I talked about attorneys getting $50 million and $100 million. One attorney in Mississippi got a $100 million check and no bank in Mississippi could cash the check. I was winning the argument. Then we started finding out they got billion dollar fees. The Baltimore Orioles guy got $2 billion in legal fees. We started talking about billions and I lost everybody. Nobody understood what we were talking about. It was too big; nobody could comprehend it and the steam went out of the debate.

But I am telling you, $2.3 trillion is a lot of money; $2,300 billion is what that is. Pretty soon you are talking about real money. We have to think about this. I hope we will—very much.

I will raise it as a moral issue. Remember, we have a certain zero sum game. We will put an ultimate level on the number of people who can enter our country. The question is, who will enter our country? We know, as I noted earlier, in the year 2000, 11 million applied for the 50,000 lottery slots. Think about that, 11 million want to come to America and they applied for those lottery slots. Only 50,000 names were drawn out of that 11 million. We can't accept everybody, and we should focus on what we can do for the people who will most likely flourish here, will pay more in taxes than they will take out in revenues, and who have proven themselves acceptable. Since we can't take everybody, let's raise this question.

Under the current law, here is the choice for the immigration official. You have a person who dropped out of high school, has not done very well, has no English skills, but has a brother in the United States who is a citizen. Compare that to another young man in Honduras, say, who finished at the top of his class, and was the valedictorian. He took English classes because he wanted to take English. People all over the world learn English today. It is an international language. Millions of people know English all over the world. So he knows English. He took the technical and college courses he could get there. He had a couple of years in college. They both apply to be citizens. Who gets in? The answer is crystal clear: The brother with no education, no skills, is going to get in, and the other one will have zero chance to get in.

We need family reunification. Everybody who becomes a citizen needs to be able to bring their parents. Why?

Church groups are asking that. I ask, Why? If somebody leaves their family, goes to the United States of America, decides to be an American citizen and now feels they have a constitutional right to bring their aging parents in to be taken care of by the American health care system, why is that? If that parent is brought in, it denies that young person in Honduras, who has worked hard, studied hard, learned English, and dreams of being an American and dreams of the opportunity of coming to this country—because we have a limit to how many people can come. See? If we can't accept everybody, what basis do we use to decide who gets to come?

I think that is an important concept. I urged and was very pleased when the White House and members of this group who are negotiating this bill said they were going to move to the Canadian point system, a merit-based system. That is the right thing for us to do. It only makes common sense. It is what Australia, New Zealand, as well as Canada, are doing. I understand the Brits are moving in that direction. I think they are moving towards it in The Netherlands and other advanced countries.

We ought to be moving in that direction. I am disappointed the move was so small, and such an incremental step. I am not even sure that is going to be acceptable because prominent Democratic Senators have said—and Senator REID earlier today used this phrase, which made me nervous,—''this is a good start.''

What does a ''good start'' mean? It means, well, it may change on the floor of the Senate. Then it could go to NANCY PELOSI and the House of Representatives, and they may take out the merit-based point system. Or it could go to conference where the conference committee will be formed to work out differences between the House bill and the Senate bill, and who will dominate the conference? HARRY REID and NANCY PELOSI. She will appoint a majority of the House Members and HARRY REID will appoint a majority of the Senate Members, and the bill then comes right out. What they say is going to be in it. Senator REID a while ago indicated his concern about a move away from family migration.

I don't know; I am nervous about this legislation. Here we go, are we going to get together and hit the bait? They throw out a point system, a merit-based system like Canada, and this is going to be a big deal and we all bite it and it is not there. We get hooked.

What we do know is it is a very small step. It may be an important step, but a small step. According to Senator KENNEDY in his press conference and his statements through his staff, they calculate this will move the merit-based system in the United States from the 22 percent we have today to 30 percent. About 8 or 10 percent is all it is going to increase merit-based immigration into America. That is what he said.

He said it to the leftist groups that have all been hollering about this and objecting. He says, Don't worry, there is nothing to it, it is not a point system at all. His staff, I believe his press secretary, said flat out, ''This is a family-based immigration system.''

You tell me what it is. Canada got to 60 percent, Australia 62 percent, on merit based. They are very happy with that. I have met with the director of the Canadian system. I met with an individual from Australia who is involved with it. I asked him how it was working, are they happy? Yes, they are.

They considered things such as if you are willing to go to a more rural province that needs workers, you get more points. Because that serves the Canadian or Australian interest. A lot of things such as that can be made part of a thoughtful bill, which we do not have here, I am afraid.

Why is it important we go to the merit-based system? There are 2.3 trillion reasons why.

Look at immigration. Rector explained it to us last year. He is a senior fellow at Heritage. You get sort of a skewed picture. If you take the smaller number who come to America with any college, he said—2 years of college or above—they tend to do fabulously well. They tend to be very successful. They and their children almost never go on welfare. They pay their medical bills. They do well and they prosper. Many of them are providing scientific expertise that may be the cure for cancer and other diseases and have other capabilities, so that has tremendous benefits to us.

When you add it all up and average them out, it makes the fundamental system look better than it is. But if you take the lower skilled workers, their productivity is not as great.

I do not believe we ought to create a system that denies people, those who come in initially on a lower skilled workforce basis, the right to apply and compete on a merit basis. So if you choose to come as a low-skilled worker, you work as a bricklayer or something of the kind, you take advantage of junior college courses and you learn English and you get a few hours or some years of credit in college, and then you apply. They should be very competitive. They will know English probably by that time. We are not creating an underclass that gives them no chance to apply. But the system should apply, I suggest, in such a way that temporary workers can apply for permanent resident status and compete against anybody else. I believe that will work.

We have very little increase in the bill as we see it in the high-skilled workers. We have not made a lot of progress toward dealing with those, many of the highly educated people who graduate from our best universities. They come here, advance to the top of their class at a university, and we often send them straight home.

I think we have a strong feeling that we should fix that. But, so far, our evaluation of the bill indicates that it is not fixed very well at all.

Congress needs to seize the moment. We need to pass legislation that will improve our immigration policy, a policy that serves our national interests, our legitimate, just national interests, and that will secure our border and create a lawful system.

These goals will not be accomplished by last year's bill. That is what we will be voting on in a few minutes, cloture on last year's bill, which I have a great deal of concern with and could delineate a host of reasons it is a total disaster. And they won't be accomplished with a new bill that we are forcing through today.

So that is a concern for us. I do believe the principles set forth in the PowerPoint presentation attracted my attention, got my interest up because I thought it would move from a framework that last year's bill had, which was a failed framework, to a framework that could actually be effective to accomplish what we want.

I am disappointed, almost heartbroken, because we made some progress toward getting to this new framework, but the political wheeling and dealing and compromising and splitting the baby has resulted in a circumstance that—we just did not get far enough. I wish we could do better. We have got to do better. This is a historic opportunity.

If we do not grab the bull by the horns now, we are going to be sorry. I would suggest that my colleagues say now is the time to pass a bill. I agree. But what I would say in addition is, let's pass a good bill.

Mr. President, I see my colleague from Nebraska, Senator NELSON. I believe he wanted to share some remarks. I would be glad to yield to him in a moment and just say that I appreciate his service to the country on the Armed Services Committee. I was a member of his delegation. We got back a few weeks ago from Iraq.

Senator NELSON, thank you for your leadership of that delegation. It was a meaningful visit to Fallujah and other places. Thank you for your principled and effective leadership on immigration. I yield to you at this time.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Nebraska is recognized.

Mr. NELSON of Nebraska. Mr. President, I thank my colleague from Alabama. It is true that we did have a very eventful trip to Iraq to talk about what needs to be done there.

But today the opportunity arises to discuss the concern that I have with the latest attempt by some of my colleagues to push forward with a ''comprehensive'' immigration reform bill.

We have been here before. Last year, the Senate pushed through a mammoth bill that sought to reform our immigration laws on a comprehensive basis. Yet, as predicted, that bill failed. It was a ''do everything'' bill that ended up doing nothing.

Well, here we are again this year watching efforts to push through another ''do everything'' bill. What is more, this year the language has yet to be finalized, and certainly no Member of this body has been given the kind of time needed to review the proposal and analyze its provisions.

Our immigration system is broken. But, apparently, so is our system for fixing it. That is why last year I tried to change the debate on immigration reform. Along with my colleague, Senator SESSIONS, and our colleague, Senator COBURN, we introduced a bill that focused solely on the most important component of immigration reform, and the first component of immigration reform, border security.

Last year during this debate, I tried time and time again to convince my colleagues that a comprehensive bill would get nothing accomplished and that we needed to concentrate on securing the border first. Today we find ourselves right back where we were last year: debating a comprehensive bill that has not been finalized, has not been given proper consideration, and that, again, will not achieve any of the goals we had. So, again this year, I emphasize to my colleagues we must concentrate on border security first.

We can only hope to solve our immigration problems if we take it one step at a time. There are three steps to resolving this problem: First is border security; second is fixing legal immigration and the process of legal immigration; and third is addressing those who are here illegally.

Now, we can take steps 1 and 2 at the same time. So we made some progress on the first step last year. We passed the Secure Fence Initiative, and the folks at DHS have made some progress on fixing and securing the border. We should give the border security provisions a chance to prove that they will work and can effectively slow and stop illegal immigration. But instead we are being asked to jump to step 3 before steps 1 and 2 are completed.

We need to concentrate on accomplishing border security first, as the first step for the first leg of this stool. We still have a lot of work to do to fix our current system of legal immigration. Why would we jump this step and reward these who are here illegally and effectively punish those trying to enter this country legally, the right way?

The current immigration process has left so many people frustrated with trying to do the right thing and enter this country legally. Clearly, we should make sure to help those individuals first. As I have said time and again, we need to close the back door to illegal immigration while we open the front door to legal immigration. Instead, this bill adds more complications and more complexity to our legal immigration system that is currently overworked with backlogs and long wait times for people who want to enter this country the right way.

We cannot change the letters for a visa from H to Y or Z and expect it to work better. We cannot add some complicated and difficult point system and expect it to work. We have to fix the system for legal immigration, not make it more complicated and even more unworkable. This bill will add more problems onto a broken system. We are digging ourselves deeper.

Therefore, I believe only after we have accomplished the first two steps, which we can do, and can demonstrate that we have made considerable progress toward solving those problems, only then can we proceed to the third step and turn our attention to handling 10 or 12 or more million people who are here illegally.

We must secure the borders so we do not have millions more illegal immigrants. If we do not, we will only encourage millions more to cross the border illegally in the hopes of being part of the amnesty offered under this legislation.

From what I have seen and read thus far, I think this bill is only about half right. Since it has a series of so-called triggers, the current compromise certainly seems to recognize that we have to do border security first. So if we recognize we cannot solve our immigration problems without first securing the border, then why do we continue to insist on mixing in the comprehensive provisions at the same time?

If we can understand the need for triggers based on border security and workplace enforcement, then we should understand that we cannot solve this problem all at once. Why do we continue to rush to pass some ''comprehensive'' measure when we can approach this problem one step at a time?

I propose that instead of triggers, we should consider only passing those provisions dealing with border security and enforcement and those provisions dealing with worksite and interior enforcement. Instead of pushing through everything at once, we need to start solving the problem at the border and working from there.

In conclusion, I will vote for cloture on the motion to proceed, but not because I support the underlying bill. I will support cloture only because I hope we can significantly improve this bill so that it addresses the problem properly: at the border first and then fixing the legal immigration system. If we do not come up with a bill that properly addresses the issue the way I believe it needs to be addressed, then I will not be able to support the final product.

I will vote to give us a chance to create a bill that focuses on securing the border first and that fixes our broken system for legal immigration. I will not, however, support a comprehensive amnesty-based bill that creates more problems and that fails to secure our borders first.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The assistant legislative clerk proceed to call the roll.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. 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 Alabama is recognized.

Mr. SESSIONS. Madam President, I had time set aside. Has that time expired? How much time is left?

The PRESIDING OFFICER. The Senator from Alabama has 1 minute 20 seconds remaining.

Mr. SESSIONS. Madam President, well, I see my colleagues here. I thank Senator NELSON for his work on immigration last year and this year. I see others here prepared to speak. I yield back the remainder of my time.

The PRESIDING OFFICER. Under the previous order, the remaining time until 5:30 p.m. shall be equally divided and controlled by the two leaders or their designees.

Who yields time?

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Madam President, how much time do I have?

The PRESIDING OFFICER. The Senator has 38 minutes.

Mr. KENNEDY. Madam President, I yield such time as the Senator from Colorado might use.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Madam President, let me first begin by making some acknowledgments as we move forward on this debate on immigration reform for our country.

First, to the majority leader, Senator REID, for having kept the feet to the fire in this Chamber so that we finally will have an opportunity to move on to one of the most important national security issues that our Nation faces today. I appreciate his efforts and his leadership to help lead our country in a way where we deal effectively with this very difficult and contentious issue of immigration reform.

I also thank the President of the United States, President Bush, and his Cabinet Secretaries Chertoff and Gutierrez for the work they have done now over the last 3 months as we have tried to put together a comprehensive immigration reform proposal that will work for our country.

I thank my colleagues in the Senate, both Republicans and Democrats, who have come together in good faith to try to deal with this very important issue. I know we have a long week ahead of us as we move forward with the immigration debate on the reform proposal in the Senate. I am confident at the end of the day the national security of this

country will require us to move forward with passage of legislation that will bring our Nation into the 21st-century reality of the immigration challenges that we face.

As I approach this debate and I have worked on this legislation over the last 4 years—I am mindful of several things: First, that this is not a new debate; this is a debate where last year, for 1 month, we spent 1 month of the time of the Senate on this floor dealing with the very same issues that we are going to deal with again.

So for those on the other side who might say this is coming upon us too fast, I will simply remind them of two things: First, we spent an entire month dealing with immigration reform last year, and we were able to get a bipartisan consensus to vote a bill out of the Senate last year. And, secondly, we were given very ample warning by Senator REID when he said to all of us that this was an important issue that we would be working on in the last timeframe remaining before the Memorial Day break.

So here we are now. The time has arrived. We must not let our country down. We must move forward and deal with immigration reform in a way that makes the most sense.

Now, as I approached this issue, I asked myself the following question: What is the aim? What is the aim?

Well, the aim is about the national security of the United States. How is it that we are going to provide a greater amount of security to the United States of America? In my view, the bipartisan legislation that has been put together is a tough law-and-order bill and a real bill, a realistic bill that provides realistic solutions.

It is not a bill that is liked by those who want essentially not to have any progress on immigration reform because they would rather the debate go on not 2 years, not 5 years, but 10 or 20 years. It is not about satisfying them. This issue, from our point of view, is making sure the national objectives are objectives that we are able to address.

Let me talk to you to let you know what it is that is on my mind. First, we need to secure our borders. As a nation, we have a sovereign right to make sure our borders are secure. As a nation that is very concerned—rightfully so—about the threat of terrorism, it is important we know who it is that is coming in and leaving our country. We need to know our borders are, in fact, secure.

Second, we need to know the laws within our country are being enforced. For far too long on the issue of immigration, our enforcement mechanisms have looked the other way. That has allowed a system of lawlessness and illegality to continue. We need to have a system of laws that will, in fact, be enforced. That honors a fundamental value of our Nation, which is that we are a nation of laws. For us simply to look the other way is not the American way. This bill will accomplish that.

Third, we need to secure the future of America's economic realities and challenges. We do that with a process that will penalize those who are here illegally. We will have them pay fines that will put them at the back of the line, that will require them to learn English and to remain crime free. Then if they survive a purgatory of, on average, 11 years, at that point in time they would be eligible for a green card. So for those on the other side who might say this is an issue of amnesty, they are wrong. When you have to march through that kind of pain and pay the fine and do the time for having violated the law, it is far from anything that anyone ought to be labeling as amnesty.

Let me spend a few minutes talking about each of the components; first, securing America's borders. It is true that there are about half a million, maybe 600,000 people who come across our borders illegally every year. What we have done in the legislation we crafted together is we have required that there be a set of triggers that have to be met with respect to securing our borders. We will require that there be 18,000 new Border Patrol officers helping us secure our borders. We will require 370 miles of fencing to make sure that in those areas that are vulnerable on our border, those areas are secure. We will require 200 miles of vehicle barriers in other places to make sure that that border is secure both on the south end as well as the northern. We will require 70 ground-based radar and camera towers so we can keep watch on the entire border. We will require seven UAVs, unmanned aerial vehicles, to make sure we know what is happening across our borders, and we will require new checkpoints for ports of entry.

When this legislation is introduced, passed, and when this legislation gets implemented, as it will be, one thing we can tell the American people is we will have a secure border. Securing our borders is not enough, because the other aim has to be enforcing our laws within the interior of the country. Some people say it is all of the illegals across the southern border that has led to the current reality of 12 million undocumented workers. The fact is, many of the people who are undocumented workers entered this country through legal means. They simply overstayed their visas. Time and time again, it is estimated that probably more than one-third of those who are here illegally actually came into this country legally. We need to create a system that will make sure that at the end of the day, we are enforcing our laws against those who are here illegally.

How have we done that? We have done that in a variety of ways in this legislation. We increase the detention capacity to 27,500 beds daily. We add 1,000 new I.C.E. investigative personnel. We add 2,500 Customs and border protection workers. We require reimbursement to State and local communities that detain criminal aliens. We create a new employer verification system. We require 1,000 new worksite compliance personnel. I could go on and on with respect to how this legislation will create interior enforcement on immigration that will be effective.

Finally, the third thing this legislation does is secure America's economic future. It secures America's economic future through the adoption of a program which Senator CRAIG and Senator FEINSTEIN and 67 of us have cosponsored, the AgJOBS Program, because we know that across America our farmers and ranchers are suffering because they have not had the labor they need. We also have included in this legislation the President's new temporary worker program. It is a program that will allow employers to match up with employees on a temporary basis, to create circularity with respect to those workers who will come into this country.

Finally, it will create a realistic solution for America's undocumented workforce, the 12 million or so people who are here. That will be accomplished by requiring them to pay significant penalties and fees. We will make sure that as they move forward in the process, they also go to the back of the line so they don't get any advantage over those who enter the country legally.

We will require them to return home prior to the time they apply for a green card. We will require them to learn English, and we will require them to remain crime free.

Let me conclude by urging my colleagues to vote yes on the motion to proceed. The time is now for us to deal with the immigration reform issue which is so difficult and so contentious. At the end of the day, this bipartisan proposal which we have put on the table will allow us, first, to secure our borders. It will allow us to make sure we are enforcing our laws. Lastly, it will deal in a realistic and humane manner with the economic realities that face our businesses and workers in America today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I thank my friend and colleague from Colorado for his statement and his inspired leadership. We have worked on a number of different issues. I can recall the extraordinary leadership the Senator from Colorado provided last year when we debated comprehensive immigration reform. He brings to this issue a knowledge and understanding and perspective which is very special in terms of any issue, particularly this one. I have enjoyed working with him and look forward to continuing to do so. I hope our colleagues listened carefully to his message because he has demonstrated a thoughtfulness about this issue, as so many others have, a very strong, balanced judgment on these questions. I thank him, as always, for an excellent presentation and

look forward to continuing to work closely with him as we move through the debate on whether we are going to take the opportunity to mend our broken immigration laws.

I thank the Senator from Colorado.

Madam President, today, we take up the solemn task of immigration reform—not just because we may but because we must.

Our security is threatened in the post-9/11 world by borders out of control.

Our values are tarnished when we allow 12 million human beings to live in the dark shadows of abuse as undocumented immigrants.

Our economy is harmed when our immigration system fails to protect the American dream of a good job and decent wages.

Our competitiveness in the global economy is at risk when our employers cannot find the able workers they need.

Our immigration system is adrift and urgently needs an overhaul from top to bottom.

The answers are not simple or easy. We cannot meet this challenge by simply building fences. We need comprehensive and commonsense solutions that meet the immigration needs of this century.

We begin this debate mindful that immigration issues are always controversial. There are strong views on every side of this question because the issue goes to the heart of who we are as a nation and as an American people.

But we should remember in this debate that we are writing the next chapter of American history. Immigrants made the America of today and will help make the America of the future.

I am reminded of this awesome responsibility each time I gaze from the windows of my office in Boston. I can see the Golden Stairs from Boston Harbor where all eight of my great-grandparents set foot on this great land for the first time. They walked up to Boston's Immigration Hall on their way to a better life for themselves and their families.

So many Americans can tell similar stories of ancestors who came from somewhere else. Some built our cities. Some toiled on our railroads. Some came in slavery—others to raise their families and live and worship in freedom.

That immigrant spirit of limitless possibility animates America even today.

Today, immigrants harvest our crops, care for our children, and own small businesses.

They serve with pride in our armed forces—70,000 in all. At this very moment, many are risking their lives for America in Iraq and Afghanistan.

Immigrants contribute to scientific discovery, to culture and the arts. They help make our economy the most vibrant one on the planet.

Our strength, our diversity, our innovation, our music, our hard work, our love of country, our dedication to family, faith and community—these are the fruits of our immigrant heritage and the source of our national strength. They have made America the envy of the world.

As President John F. Kennedy so eloquently wrote, the secret of America is that we are ''a nation of people with the fresh memory of old traditions who dared to explore new frontiers, people eager to build lives for themselves in a spacious society that did not restrict their freedom of choice and action.''

Last week, we reached a historic agreement on a far reaching bipartisan immigration plan that lives up to this heritage. It involved hard negotiations between Democrats and Republicans, and it has the support of President Bush. Our plan is strong, realistic, and fair. It is a commonsense immigration policy for our times.

It is tough at the border. It doubles our Border Patrol from 14,000 agents to 28,000. It hires 800 new investigators and 800 antismuggling officers. It builds more fences and more detention centers, and provides more state-of-the-art, high-tech border enforcement equipment.

It is tough on employers who hire illegal immigrants in defiance of the law. Today, it is too easy for an employer to hire an undocumented worker and pay them substandard wages in sweatshop conditions. That hurts American workers. It depresses wages. It allows employers to avoid paying payroll taxes.

Our bill says no more worker abuse. Under our plan, employers must verify that they hire only legal workers. If they do not, they can be fined up to $5,000 for a first offense and up to $75,000 for subsequent offenses. They can even go to jail.

Our bill says that these tough enforcement measures must be in place first before we move forward with changes in future immigration. Future workers cannot come in until we have doubled the Border Patrol, built more fences, enhanced our equipment and technology along the border, and the employer verification system has begun. It is enforcement first and future workers later.

Our plan also addresses the 12 million undocumented immigrants who are in America today. They have something to contribute. They are men and women of dignity. They work hard every day. They care for their families. They revitalize decaying neighborhoods. They sit in our pews on Sundays.

We witnessed this recently in my own State of Massachusetts. An immigration raid in New Bedford disrupted the lives of scores of families who had laid down roots in the New Bedford community. Their children were in our schools, many of them born in America. They worked every day in a factory making equipment for our troops in Iraq.

We are not going to round up these 12 million men, women and children and send them home. That is not the American way. So our plan allows these families to earn the privilege of remaining here and working legally.

They have to pay a $5,000 fine over an 8-year period. They have to work and pay taxes. They have to learn English. They cannot be criminals or national security risks and they must obey our laws.

The heads of family must make a trip home for a day or two sometime in the next 8 years to submit their applications for a green card at an American consulate just like other immigrants applying to come here. Then they are guaranteed the right to come right back to America right away to rejoin their families while they wait for their green card applications to be considered.

Finally, they have to get in line for their green cards behind everyone else who has been waiting to come here legally.

If they meet these tests, they will be welcomed into the sunshine of America. They will have no fear in coming forward and joining the American family. They will not be deported. Instead, we welcome them as our neighbors and as our friends and as future citizens of this great land.

Our plan also continues to stress family reunification—a longstanding tradition under our immigration laws.

Today, if you are trying to bring your relatives here legally, you might have to wait 22 years to get visas for them. As a result of this backlog, 4 million family members of American citizens and legal immigrants are on the waiting list to come here. Our plan expedites the reunion of these families and eliminates the waiting list in 8 years.

In the future, our plan continues to make family reunion the highest priority. It says if you are an American citizen or a legal immigrant, you can bring your immediate family here to join you—your wife or husband, your minor children, and your parents.

Of the 1 million green cards we issue each year, two-thirds will be dedicated to reuniting these families.

But under our plan, more distant relatives will no longer have an automatic right to immigrate. They must first prove that they have the skills, education, and English abilities to contribute fully to our economic strength.

Finally, our plan recognizes that our economy will continue to need hard-working people who are willing to come here for a few years. We need nurses and home health care aides. We need farm workers and janitors and hotel workers. We need computer programmers and scientists and engineers. So our program will allow them to come as guest workers under a program with strong labor laws that protect American jobs and wages.

Our plan is a compromise. It involved give and take in the best traditions of the U.S. Senate. For each of us who crafted it, there are elements that we

strongly support and elements we believe could be improved. No one believes this is a perfect bill.

But after weeks of negotiations and years of debate, this bill accomplishes our core goals. It provides tough new enforcement at the border and the work site. It allows a realistic path to family security and eventual citizenship for millions of men, women, and children already here. And it provides a new system for allocating visas in the future that stresses family reunion and national economic needs.

I don't usually quote Republican Presidents, but President Reagan understood the integral role that immigration plays in our country's future. As he said so eloquently in one of his last speeches before leaving the White House:

> We lead the world because, unique among nations, we draw our people—our strength—from every country and every corner of the world. And by doing so we continuously renew and enrich our nation. While other countries cling to the stale past, here in America we breathe new life into dreams. We create the future, and the world follows us into tomorrow. Thanks to each wave of new arrivals to this land of opportunity, we're a nation forever young, forever bursting with energy and new ideas, and always on the cutting edge, always leading the world to the next frontier. This quality is vital to our future as a nation. If we ever closed the door to new Americans, our leadership in the world would soon be lost.

The world is watching to see how we respond to the current crisis. Let's not disappoint them.

I urge my colleagues to vote to proceed to this debate and to support our new plan.

Madam President, we have two of our colleagues on our side, I believe, who are on their way to the floor at the present time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. 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 South Carolina is recognized.

Mr. GRAHAM. What is the status of the time allocation?

The PRESIDING OFFICER. The time remaining on the Republican side is 38 minutes 45 seconds.

Mr. GRAHAM. Madam President, I ask unanimous consent to be recognized for 10 minutes, and afterwards I add to that Senator MARTINEZ be recognized for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I am delighted to hear the Senators. Would you like to have one speaker on our time and one on the Republican time?

Mr. GRAHAM. Madam President, that would be fine. My 10 minutes will come from Senator KENNEDY's time. Is that OK?

Mr. KENNEDY. Is that agreeable?

Mr. GRAHAM. Absolutely.

Mr. KENNEDY. We have a couple Senators who are on their way over. I thank the Senator.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Madam President, I thank Senator KENNEDY and Senator MARTINEZ.

I am in the fifth year of my first term, and we are finally dealing with an issue I think the country would love to have dealt with years ago. We are on the verge of doing something big and important. There are many reasons why you never do the big things and the hard things. That is why they stay unresolved.

The country is running out of time on this particular issue to think of reasons why we won't solve this problem. Before 9/11, I would argue illegal immigration was a social and economic problem. After 9/11, I would argue it is a national security problem. We have millions of people in our country roaming around and we do not know who they are or what they are up to. The good news is most of them are here, unfortunately illegally, to work and to try to make something of themselves and add value to our country.

It is clear from Fort Dix, NJ—and maybe other things to come—some people are here illegally who are up to no good. They want to hurt us. The hijackers on 9/11—all of them came here. Most of them overstayed their visas. They did not come across the border. They had four or five fake drivers licences. It should be a wake-up call to this country we have people in our midst and we do not know who they are and there is no way to find out who they are.

One thing every Member of the Senate, I hope, will agree upon is that if you wanted to, you could get a Social Security card made by midnight tonight somewhere that would pass for the real thing. When you drive by a construction site, and you see people working who are Hispanic or other folks you think are here from outside the country, I bet you every employer has documentation on file that appears to be legal. It is almost a nightmare for employers to comply with the current system.

People tell me, enforce the law. If you can enforce this law, you are doing better than anybody since 1986. There is a reason this has happened. Why do 12 million people come here? Because we do not have a way to bring people here legally so they can work in a legal status. There are not enough Americans doing these jobs. Unemployment is below 5 percent. It is illogical to say this illegal workforce has driven Americans out of work. We are at historically low unemployment. We need workers. But what we need more than anything else is we need to be able to secure our border, control who comes, on our terms, and have verifiable information about what status you are in. Because if we do not do that, then what happened on 9/11 is more likely to happen again.

So there are many reasons to say no to this bill. There are many reasons to say no to someone else's proposal. But there is no good reason to not solve this problem. I do hope those who come down on the floor to amend this bill, to make it better, will lead us to a better solution. Those who come down on the floor with a goal of taking this bill down, I hope you feel some obligation to substitute it with something else that could pass.

Democracy is a wonderful thing. When I was at my State convention, a lady told me: I don't like compromise. I said: Well, don't run for office. Because this is all about compromising. Isn't it, Senator KENNEDY? It is. What I like about my country is that Republicans, Democrats, and Independents historically have been able to do the hard things to make us a better nation.

I say to my friend from Florida, Senator MARTINEZ, you have been a delight to work with.

Breaking the law is something that has occurred in large proportion when it comes to immigration. The reason people have been breaking the law to this extent is the rest of us have not been that excited about enforcing it. I think the rest of us have sort of looked the other way and allowed the illegal immigration problem to grow because we have not asked the hard questions about: Where are all these people coming from? And what are they doing?

There are lots of people, to their credit, who have been very upset about this issue for a very long time. I think many people in this country have gotten the benefit of this illegal workforce in terms of the labor and have sort of turned their eye, and now everybody is looking at it anew.

To those who have been shouting from the rooftops that the immigration system is broken, you have done us a great service. To those who believe illegal immigration is a national security threat, an economic threat, and a social threat, you have done us a great service. But you are not going to do us a great service if you only shout about the problem. I want you to do more than tell me it is broken and it needs to be fixed. I want you to do more than just say: LINDSEY GRAHAM and KEN SALAZAR have it wrong. I want you to do what we have done. That is the only thing I ask of any of my colleagues: Sit down with a Democrat and Republican and try to fix it—and good luck because it is hard.

You are right to come here and amend this bill and change it, and to take the floor and tell us why we have it wrong. I will listen. If we can fix it, we will. But do more than just tell me where I am wrong. Do more than just tell the American public we have to do something about this illegal immigration problem. Do more than just shout

''amnesty.'' If you think saying ''amnesty'' absolves you from having to participate in this debate, you are wrong. This debate is about the future of the United States when it comes to our national security, our employment needs, our ability to compete with the world for the labor force that exists. At the heart of this debate, it is about who we are as a people.

Now, tomorrow, I am going to read a report issued by the Government about immigrants. Some of it is very tough. Let me give you a preview:

As a class, the new immigrants are largely unskilled laborers coming from countries where the highest wage is small compared to the lowest wage in the United States. They bring little money into the country and they send or take a considerable part of their earnings out. More than 35 percent are illiterate as compared with less than 3 percent of the old immigrant class.

The new immigration movement is very large. There are few if any indications of its natural abatement. The new immigration coming in in such large numbers has provoked a widespread feeling of apprehension to its effect on the economic and social welfare of the country. They usually live in cooperative groups and crowd together. Consequently, they have been able to save a greater part of their earnings, much of which is sent or carried abroad. Moreover, there is a strong tendency on the part of the unaccompanied men to return to their native countries after a few years of labor here.

These groups have little or no contact with American life, learn little of American institutions, and aside from the wages earned, profit little by their stay in the country.

Unquestionably, the hordes of immigrants that are coming here have a good deal to do with crimes against women and children. You will notice these particular crimes are done by fellows who can't talk the English language.

Now, this is a Government report about the effect of immigrants, the new immigrants, on our country. These quotes were taken in 1910 from the Dillingham Report, and one of the Senators on that commission was from South Carolina. It went on, and I will talk more about it, to talk about how these immigrants are ruining America. They live among themselves. They have disease. They won't learn our language. They commit crimes. They are a burden on society, and we need to do something about it. The report was begun in 1910, it was finally issued in 1913. The people they were talking about became the ''greatest generation.''

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, as the Senate prepares to vote on the majority leader's motion to proceed to a comprehensive immigration reform bill, I continue to have concerns about the proposal announced last week. But I wish to commend Senator KENNEDY for working so hard over the last several months to revive a bipartisan bill. He worked closely behind the scenes with Senator MCCAIN for several months. When those efforts failed, he didn't give up. In fact, he was not deterred, as many who supported this process before went the other way. On the contrary, he spoke to a number of Republican Senators who had actively worked with us last year. When they wouldn't join him in a bipartisan effort, he continued on and joined the process Secretary Chertoff had begun with opponents of last year's bill. In extended discussions he and others have had, they have now come forward with a proposal. I commend Senator KENNEDY's commitment and his efforts.

I would also like to thank the majority leader. He had intended to set aside 2 full weeks this month for Senate consideration of comprehensive immigration reform. When the informal discussions were not completed on time, he gave those discussions more time. He was right that this issue warrants a significant commitment of the Senate's time, and I am glad to work with him to make sure that consideration is fair and comprehensive.

Now, I am going to support the motion to proceed and the majority leader's cloture petition to go to the bill in order to allow the Senate the opportunity to work its will on the matter. Obviously, that doesn't presuppose how I will vote on the final product. Many of us have said that the bipartisan proposal, the Kennedy-Kyl-Chertoff proposal, represents a starting point for consideration.

As the authors of the proposal know, this Senator from Vermont feels very strongly about the provisions that affect dairy workers and the circumstances of that important industry. But I also take a particular interest in the provisions that affect seasonal workers for the hundreds of Vermont businesses that require them, as well as the needs of our leading high-technology companies, many of which have significant operations in Vermont. The diverse coalition that put the AgJOBS bill together recognized that certain sectors of agriculture require special circumstances.

It is really a shame that the AgJOBS legislation which Republicans and Democrats worked so hard to produce and which had gotten strong bipartisan agreement will not be fully respected. I believe that is a significant mistake and one I will consider in my final determination of how to vote. Notwithstanding that mistake, I will continue to work with the bill's authors to make sure our Nation's dairy farmers have a viable temporary worker program for the future.

Beyond these provisions, I have a number of fundamental concerns I hope the Senate will address in the days and perhaps weeks ahead. In his radio address of May 12, President Bush restated that comprehensive reform must ''treat people with dignity.'' He said we must ''honor the great American tradition of the melting pot'' and that we must help immigrants ''embrace our common identity as Americans.'' I agree with President Bush. I believe part of that common heritage is our welcoming of immigrants and families.

America is a land in which families matter, in which our values call for us to provide not just for ourselves at the cost of severing family ties but for our families. As the Statue of Liberty proclaims, America is a country that welcomes the poor and those yearning to breathe free, not just the well-educated and those who already speak English. It welcomed my grandparents who did not speak English and were not wealthy. We never know who among those immigrating to our shores will turn out to be the next great military leader, the next great entrepreneur, the next great inventor, the next to lift this Nation to greater heights.

I want the bill we pass to recognize the best of America and our values and the best of our traditions as a land of immigrants, the land that brought my grandparents and my parents-in-law to this country. I also want it to be practical and workable.

The so-called triggers in the White House proposal do two things. First, they appear to put off implementation of most immigration reform to the next President and the next Congress. Somehow, I don't understand that, why we can't face up to it ourselves. Second, they require absolute faith in the Department of Homeland Security and the Bush administration. Given the record of this administration, I see little basis for such faith.

When this administration's representatives say to us that in the next 18 months they will secure the borders and they will devise and implement identification verification measures and they will do that without fail, I remember the last 24 months in which they failed the victims of Hurricane Katrina and the Gulf States. I see an administration that has ignored immigration enforcement for years. I see an administration that does not deal realistically with the northern border. I see an administration that has all but destroyed the Justice Department and severely undermined its traditions as a neutral law enforcement agency above politics. I see an administration that denied global warming, disregarded science and, most egregiously, has disregarded the realities of its current disastrous engagement in Iraq.

I say this because we are called upon to just put total faith in the administration. Some of us believe very much in the slogan President Reagan made up for the Russians when he said, ''Trust, but verify.'' In that regard, I am a Reaganite.

I have urged the President to invest himself in the process and work with Congress. I did so on the first day of this Congress and at the one Senate hearing held on this matter in February. The path chosen by the administration was not one I recommended. Instead, the administration remained on the far right of the immigration debate and has pushed the bill and the debate in that direction.

We have before us a measure that is the product of closed-door meetings between the administration and Republican Senators, which was then put to Democratic Senators as the framework from which any further negotiations could proceed. Senator KENNEDY has done his best. He has made improvements in the proposal. He deserves our thanks. But whether the proposal is where it should be is what this debate will begin to determine.

The substitute bill the administration endorses creates a temporary worker program with no opportunity to pursue the American dream. This bill risks the creation of a permanent, revolving underclass of workers with limited rights. A temporary worker program with no opportunity to share in the promise of America creates an incentive for overstays and risks creating a new population of undocumented individuals, just as we work hard to bring millions of people out of the shadows of our society. I also worry that the temporary worker program included in the bill doesn't effectively serve the needs of American employers. I am worried that it is unrealistic. This part of the proposal is opposed by a wide array of interests and constituencies, including organized labor, business, and advocates for immigrants. I hope we listen carefully to their concerns as we proceed.

The substitute bill also erodes our traditional commitment to family unity by removing whole segments of family-based immigration. No longer will certain family members be allowed to be sponsored by their loved ones in the United States. Instead, proponents seek to create a supposedly merit-based green card system subject to a point system, where family ties are de-emphasized, and immediate contributions through education and job skills already attained are valued. I recognize that we may benefit in the short run from a more highly-skilled foreign labor pool, but I have grave concerns about doing so at the expense of our traditional commitment to family unity and fostering strong families. Where are the family values here?

The substitute bill also will require all Americans—not just foreign workers—to verify their citizenship before obtaining a job. Like the REAL ID Act that was forced on the American people outside the normal legislative process, this requirement is yet another example of the Administration's consistent denigration of Americans' rights, including the right to privacy. The Administration is telling all Americans that we can no longer trust you—that Big Brother will control hiring for all jobs in America. From America's country stores to our largest corporations, employers will now be de facto immigration officials, and potential employees will be presumed illegal until they prove themselves citizens. I hope we can reconsider this ill-conceived program, which cuts so hard against the presumptive decency and honesty of American citizens. America's democracy works because law-abiding Americans choose to comply with our laws, pay their taxes, and participate in our civil society.

I am pleased that significant parts of AGJOBS have been included in this bill. The legalization provisions for currently undocumented farm workers will go a long way toward helping farmers and removing the cloud of fear from so many workers. I commend Senator FEINSTEIN and Senator CRAIG for their work in this regard. But the bill also rejects parts of the monumental compromise reached between farm workers and agricultural employers in the AGJOBS bill, which provides much needed reforms for America's farmers, dairy operators, and farm workers. I am extremely disappointed that American dairy farmers who want to hire future legal foreign workers end up losing out to the talking point that ''temporary means temporary.''

The bill also neglects the real needs of the high-tech community, which has been vigilant in seeking reliable sources of high-skilled workers. Instead of adding sufficient H–1B visa numbers to allow companies to stay competitive and remain the world's leaders, the bill creates a green card system that doesn't truly address the technology industry's needs and removes hiring decisions from the company and places them with the Federal Government. It says: Trust us; we are from the Federal Government; we can make a better decision for you. Some of us are skeptical.

But there are some good aspects of the bill. It incorporates the DREAM Act, a bill I have long supported. It has provisions that can move millions of undocumented people in this country on a path to citizenship, if not unrealistically delayed by the so-called triggers.

Regrettably, it currently includes a provision to require immigrants to return to their home country before applying. In my view, that is unrealistic in many circumstances, and it is inflexibly harsh in others. Those who struggled to get here—who escaped oppressive and dysfunctional governments—should not be required to repeat that journey to share in the promise of America. This provision is driven by ideology, not by an American sense of fairness, and it should be revisited in our legislative process.

I am also encouraged that we may be past the anti-immigrant opposition that stalled our efforts last year. I hope that we are past trying to make criminals out of undocumented immigrants. I hope that we are past trying to make criminals out of the clergy and advocates that try to help hard-working immigrants seeking a better life for their children. I hope we are past trying to build fences and walls around America and the American dream. I hope that we are past the anti-immigrant rhetoric and the anti-Hispanic slurs that accompanied the debate and electioneering last year.

We need to keep working to make sure our legislation is one that takes a commonsense, realistic approach to this situation. I will continue working to produce legislation that treats people with dignity and respects our great traditions as a welcoming nation. We have much work to do before this bill becomes worthy of the Senate and of our great history and tradition as a nation of immigrants, a nation that brought my grandparents and my great-great-grandparents and my parents-in-law to this country.

I will vote to support the Majority Leader's effort to proceed to debate on comprehensive immigration reform. I hope that as we move through amendments and debate, the Senate will work toward making this a better bill. We all know that had we insisted on taking up the Senate-passed bill of last year, we would not have the votes to proceed. Many who voted for last year's Senate's bill were prepared to abandon their support. The Majority Leader has demonstrated his good faith. I hope that Senators will join together and work together to produce a bill of which we can be proud and that will honor our parents and grandparents as well as our neighbors and grandchildren.

Madam President, I yield the floor.

Mr. CORNYN. Madam President, for over 3 months, I have engaged with a number of my colleagues and administration officials in an extraordinary series of meetings and discussions designed to reach bipartisan consensus for solutions to the many problems we face regarding our immigration system. I have done so in good faith and in keeping with my long held belief that we must have a comprehensive approach to immigration reform.

I believe we should continue to try to move forward, generally, and that this problem is too important not to come up with an appropriate solution.

That having been said—I am very concerned about the process that led to today. First, we have not undertaken the normal legislative pocess—bypassing the Senate Judiciary Committee—leading to a public perception of non-transparency and distrust. Second, most of the Members of the Senate and their staff did not receive even a draft of the ''final'' language until 2 a.m. on Saturday morning, just a little over 48 hours ago. Third, I am told that the bill will not go to Senate legislative counsel—a significant departure from the normal course and a departure that makes it more difficult for legislative counsel to draft amendments due to lack of familiarity with the text. Finally, I am told the CBO cost estimate for the bill will not come out until Wednesday—only 2 days before the legislation may well receive a final vote depending on leadership decisions in the coming days.

Moreover, I remain very concerned about the substance of the bill. For instance, my staff's preliminary review indicates that there are potentially

some very problematic provisions in the language. In addition, because of the ''rush'' to produce language to meet the Monday deadline for a cloture vote, there are a number of technical drafting errors which also have a substantive effect and were being worked on as late as this afternoon.

I have been open about my concerns with respect to interior enforcement—concerns that I still hold today. For example, the draft bill does not, to my knowledge, do enough to curb one of the core flaws that undermined the 1986 amnesty bill—that of unlimited judicial review. Indeed, just 2 weeks ago a judge ordered DHS to revisit whether a class of aliens should get the 1986 amnesty. It appears that if this bill passes, these aliens whose only real claim to participate in our system, will be able to take advantage of the new visa holder because they were able to delay through litigation. There are no limits on the number of motions to reopen the administrative process or times an alien can appeal to an article III court. If the American public is going to have confidence in this system, they need/to be assured there will be limits.

In addition, I would note that the New York Times wrote that the 1986 amnesty bill produced the largest immigration fraud in the history of the United States. President Clinton's INS general counsel testified that statutory restrictions on law enforcement's ability to use the information contained in amnesty applications impeded their ability to detect the fraud. To my knowledge, this bill continues to require confidentiality in certain cases where the application is denied.

In the end, as much as I believe we should continue to work together to reach consensus on the critical issue of immigration reform—a matter of national import but that is particularly important to my home State of Texas—I cannot in good conscience agree to proceed to legislation which we anticipate replacing with language we received at 2 a.m. on Saturday—without appropriate committee review—the text of which is hundreds of pages in length, the provisions of which are as complicated as any legislation we will take up and the impact of which will be felt, for better or worse, for generations to come.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. Madam President, I am delighted we have come to this point where, after much hard work and discussion for days and weeks and even months, we can present to the Senate for its consideration an immigration reform bill that I believe seeks to serve the needs of this country. I have had the pleasure and the privilege of working with a number of colleagues from this body during the last many weeks as we sought to put together something that would serve the country's interests.

We have worked bipartisanly, with help from very dedicated Cabinet members, the Secretary of Homeland Security and the Secretary of Commerce, in a very comprehensive and dedicated way over days and days of discussions and difficult negotiations that were oftentimes emotional and always, I think, with the idea that we would do something that was good for the country and that obviously was not going to be unanimously praised. Hearing the Senator from Vermont express misgivings about it and having earlier heard the Senator from Alabama equally express himself, each from different sides of the spectrum, it adds to the thought I have had that this is a bill which strikes it down the middle pretty well.

Mr. DOMENICI. Madam President, will the Senator yield?

Mr. MARTINEZ. Yes.

Mr. DOMENICI. I wanted to ask unanimous consent that the time from now until the vote be allotted to the Senator from Florida and to the senior Senator from New Mexico and that there is no time remaining on the Democrat side, unless Senator KENNEDY wants some of my time.

Mr. KENNEDY. Madam President, the Senator is typically kind and courteous. There were one or two Senators who said they might need a moment or two, but they haven't been back in touch. If they are, I might ask for a minute or two from the Senator. I thank him for his thoughtfulness.

Mr. DOMENICI. So I ask unanimous consent that the remaining time be allotted to the two of us and, if necessary, we can allot time to somebody else.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I thank the Senator for yielding and thank him for all the hard work he has put into this bill.

Mr. MARTINEZ. Madam President, it is a pleasure to be on the floor talking about this subject with the Senator from New Mexico. We did that last year, as I recall, as well, and the Senator has a rich immigrant history in his family that all of us in different ways share.

I guess I should say, as the only person who has the privilege of serving in this body who is an immigrant and as truly someone who has come here having been born elsewhere, it is an incredible privilege for me to talk on this subject and have an opportunity to be a part of this debate.

I really think it is a moment that brings us all to the roots of what our Nation is about. We understand that this is a nation of immigrants, a nation that through its history has had this tradition of welcoming people from all over the world, from all different lands, and manages in this magical way to bring people into the fullness of what it means to be an American. I have experienced it in my own life. I can speak about that for days. It has been that same kind of miracle I have seen happen to others.

And I think that opportunity is still out there for many to enjoy, at the same time understanding we are a country that has a tradition of laws and they ought to be obeyed and observed. So it is in that tug between those two principles that are so ingrained in our country that we come to this very important moment and debate.

I don't think there is any question that much has been said about this bill before people have had an opportunity to even know what is in it. I will say some things about it I think are important. I believe it is a product of a bipartisan compromise. Anytime you come together with people from different points of view, there are going to be those who will say it goes too much in one direction or the other.

Here are some of the things it does do. It provides for border security. It will secure our borders in a way that will make Americans understand that the Government is serious about securing our borders. Before mentioning any of the other elements of this bill, I thank our colleague from Georgia, Senator ISAKSON, for the idea that we should have triggers in it. Before those other issues would be implemented, there will be an opportunity for a certification—not subjectively but objectively—with measurable results: How much fence has been built? How many border agents were hired? How many other promises were fulfilled toward the issue?

One of the important ones is a tamperproof ID card that employees must have to present to employers so we can verify that they are working in America legally and that there are no phony Social Security numbers that can be used. That is a tamperproof, biometrically induced ID. We need to have those in place before the bill becomes a reality. Border security must and ought to be first and foremost. I have heard a lot of discussion from people who have not read the bill who suggest that 12 million illegal aliens are receiving a guaranteed, automatic right to remain in the United States. That is not the case. They are going to have an opportunity—after paying fines, after coming out of the shadows and registering, after background checks—to pay a fine for breaking the law and then go on probationary status. They will then have a card, which will become a visa, if they apply for it.

It is a paradigm shift in what immigration is like in our country. It will require a new paradigm, which some find that, for a country that wants to be competitive in the 21st century, may be a wise thing. It is a merit-based system, without throwing aside the issue of family. It continues to involve family consideration, but it is not the only consideration.

Illegal aliens who are here and wish to regularize their status should have an opportunity to become citizens, but it ought not be an automatic or direct path to citizenship. They will have to return to their home country under this bill and apply outside the country

legally. It will be a long and difficult road, where they have to pay additional fines and other backgrounds checks will be done and, at the earliest, anybody who would be in this country illegally today, after having applied outside the country, it is going to be as lengthy as 13 to 15 years before they can become citizens of this country.

The people in line and the people who have done it the right way will be first to become citizens, ahead of those who have come illegally.

As to the guest worker program, this is truly a guest worker program. When somebody outside the country comes here to go to school, they ask for a student visa and they understand they are coming for a period of time to study and go to school and then they are to return to their country. The guest worker program will be much the same thing. They will come for 2 years, understanding it is a 2-year visa. At the end of that 2 years, they have to return home. They are not coming to immigrate; they are coming to work. That is the understanding. It is the understanding before they ever come here. As they do, they will have an opportunity to work and taste the American dream, but they also have an obligation to return to their country. At the end of 6 years, or three work periods, they will return home and not be allowed to return again as a guest worker. They could have a path to citizenship, if they so chose to apply for regular immigrant status. They could be considered for that, but at the same time there would be no guarantees by the fact that they were here. They will have earned points by working here, and it is going to be a merit-based system. So they will have an opportunity to be considered for citizenship.

This is a problem that begs an answer. There are many who would say this is amnesty, and therefore it should not even be considered. I suggest to them they ought to read the bill so they understand the details and how it is not amnesty. So to those who dismiss it as something that is no good and not workable, I suggest this: What is your answer? What do you suggest? What is your solution to this problem that for over 20 years has been vexing our country?

It is time to grapple with this and tackle it. We know how to solve problems in the United States. We can solve this problem if we continue to work together in the spirit of this group of ours, which at times has been quite contentious but is also forging ahead to solve a problem. The spirit that group has had is the spirit that the Senate and the Congress needs to tackle this issue.

I commend the President for having had the steadfast support on the proposal. He has been there with criticism even for members of our own party. He has been terrific in terms of sticking to it, continuing to support it, having members of his Cabinet working with us day and night. We are at the threshold of a tremendous opportunity to do something truly good for the country. I thank the Senator from New Mexico for his interest. I will yield to him for his comment on this important legislation.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, I thank the Senator from Florida for his dedicated work on this bill and for his efforts heretofore a couple of years ago, when he worked very hard on this issue. We didn't have success, but maybe this bill, in spite of all the early talk against it, may succeed. Maybe with some amendments and some work it may become the new law with reference to illegal aliens for the United States of America. It is good enough for America. It is sufficiently clear for America. It will clear up the status of the 10 to 12 million undocumented aliens who live here. It will clear that problem up. Everywhere you look, we have let the problems of illegal aliens grow out of all proportions.

It is a hard job to put a bill like this together. It is not easy. It is one of the most difficult jobs you can have to put legislation together to try to fix the last 15 years of letting our laws be ignored. We have not cared about them, letting the borders become porous, letting millions of people in illegally, which has caused all kinds of problems. But I can tell you, if you look at this bill carefully and you don't look at it with any preconceived ideas or ideology, but look at it and ask: What are the practical problems and what are the practical solutions here? I submit that it comes close to solving these problems in the very best way possible.

I am sorry I already heard this morning Senators talking for a very long period of time about why they are against this bill. In the end, I listened and, after listening, I concluded that most of them had it wrong. I don't like to say that about my fellow Senators, but they had it wrong on the major issues, which they said made up their mind to be against the bill.

Let me tell you what is going to happen under this bill. Before anything else in this bill is used or implemented, our borders must be secure. Let me repeat: whatever you hear from Senators that this bill is going to do, none of those provisions are going to be implemented unless and until we have secured the border. I don't know how we can say it any clearer. Senator KENNEDY and Senator JON KYL from Arizona, the leaders on each side on this issue with Senator SPECTER, maybe what you are going to have to do is pull the text of this bill that secures the border and distribute it to the Senators so they will have it right in front of them to see that there is a border security part of this bill. It is there. It says, before you can implement the other provisions of this bill, the border will be made secure.

It doesn't stop there. It tells you what a secure border is. It says 18,000 Border Patrol agents must be hired. We are well on a path of getting them hired and trained. We can do this because we finally, for the last 3 years, we have been funding. We have been hiring thousands of them. But the bill says none of the bill's other provisions shall go into effect until the border is made secure.

Then it says that secure means 370 miles of border fencing must be built. The Department of Homeland Security is committed to building 370 miles by December 31, 2008. We are being honest. We didn't have to say that date. We didn't have to talk about it. But we cannot get fencing built any sooner. So that period of time is going to have to be used before we do other things in the bill. The bill cannot change anybody's status this year because those provisions are dormant until the border is made secure. They are dormant.

It also says 200 miles of vehicular barriers must be in place. It says 70 radar and camera towers must be on the southern border. It says four unmanned aerial vehicles must be in operation we have to leave undocumented aliens apprehended on the border in detention facilities to wait until they are deported. Right now if you don't have a place for them, the judges release them. That has been one of our problems. The bill has 27,500 detention beds to end the ''catch and release program'', which we are aware of, those of us who represent the border. You have to have all that done before the bill becomes operative.

So if any one of those is not done, it is just like not having an immigration reform bill; isn't that correct?

Mr. MARTINEZ. That is right.

Mr. DOMENICI. People say you are going to do immigration reform before the border is secured. How are we going to do that when the law says you throw the rest of the bill away until we have secured the border, and then it tells you what border security is? That has been worked on day and night. That has been done to try to calm so many thousands of people who have been indoctrinated to believe that the only thing we should do is make the border secure. So all they are going to ask you when you go home is: Did you secure the border, Senator? And, Senator, I heard from such and such that you didn't secure the border.

Senators ought to carry around a piece of paper that has this border security provision on it, and you ought to take it out and read it to your constituents. They deserve the truth. They want the truth. We are not trying to do anything to hide what we did. We are trying to make sure they know it.

I mentioned the name of a Senator from Arizona. He is not here, but JON KYL will be here tomorrow, so all the Americans out there will understand that JON KYL was one of the Republican who spent literally hundreds upon hundreds of hours as a dedicated

leader on this issue, with Senator KENNEDY on the other side. Senator KENNEDY will acknowledge—if he hasn't already—that without JON KYL we could not have this proposal. People should know that Senator KYL knew this was the chance of a lifetime for this great country. You could not get everything you wanted because there are other people playing. If you have 10 Senators working on it, and they are Democrats and Republicans and they each believe one thing or another, you have to come to a practical compromise.

That is what it means to be a Senator who writes the law well. He works with his fellow Senators to come up with what they can use and do in a practical manner. That is what happened with this bill. It is practical, yet it is doable; and it is not only doable, it is right.

If America accomplishes this bill in its totality, we will have made one of the largest changes for the better for the United States, and I don't think there is any doubt about that. It is tough, and it is going to be hard.

I wish to talk about another provision, and then if Senator SPECTER is back and wants time, I will yield to him.

This bill is difficult because everybody wants to know two things about this bill. There are other pieces, but there are two major questions. One is, did you secure the border, and I just talked about that because I am just like every other Senator. My telephone is ringing and most people want to know: Did you secure the border? Or they tell you that you did not secure the border and you have to be sure that you set them straight and they understand that you did secure the border.

The money has been rolling in every year to secure the border, and it will be coming in again this year to get this work finished because if it can't get finished, the other provisions cannot be carried out. One of those other provisions is a brand new effort on the part of this great country to take 10 to 12 million aliens who live in our country, who live kind of as hideouts—they are everywhere and they are nowhere. Some live running from one place to another. Others have found a way with illegal cards to find their way into society. They are your neighbors with their kids going to school just like yours. We have decided, because the country has asked us to, that we have to do something about that 10 to 12 million people.

For those who are interested, just ask your Senators about the bill as it is written, ask what we are going to do. We are going to tell those illegal aliens who are here working: If you want to take advantage of this law, you have to come forward and turn yourself in, and the United States will then begin to work with you on a path toward giving you a document that you can carry with you, that you can use to obtain work, and you will be legal 4 years at a time.

The bill also says after 8 years of that process, you will have an opportunity to choose, if you want, to move in the direction of becoming a citizen. But you still have at least 5 years to wait, and you must return to your home country and file your application. You must pay another fine. You must learn English. That is the first time we have had that provision. And you must learn U.S. civics.

All of that must happen: 8 years of work, make a choice to pursue citizenship, wait at least 5 more years for a total of 13 years, and then if you can pass the citizenship test, you can become a citizen if you so choose. You can choose another route and you don't have to become a citizen or ultimately you can go home. There might be many people who will do that. We don't know.

Before I turn the time over to Senator SPECTER—and I don't have time—but my friends, a couple of Senators have heard me talk before about my family, average people who got involved with the laws of our land as immigrants.

Madam President, how much time would Senator SPECTER like?

Mr. SPECTER. Six minutes.

Mr. DOMENICI. It looks like we have 6 minutes. Is that what it is?

Mr. SPECTER. I think there is 10 minutes.

Mr. DOMENICI. I will take 4 minutes telling about my family, and Senator SPECTER can have the rest.

Mr. MENENDEZ. Madam President, will the Senator from New Mexico yield for a unanimous consent request?

Mr. DOMENICI. I will be pleased to yield.

Mr. MENENDEZ. Madam President, I appreciate the distinguished Senator yielding. I ask unanimous consent that at the end of the time on the Republican side, I have 5 minutes to speak before the cloture vote.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I would normally not object, but I understand the leaders have set the time at 5:30 p.m. for the vote, and this request will extend the time. I don't think I have the authority to extend the time for a vote. Madam President, I ask Senator KENNEDY, am I thinking right? I wasn't here when we agreed to take this up.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, as I look at it, we have 11 minutes. The leaders had indicated to different Senators earlier that they wanted 5:30 p.m., and everyone is on notice for that to happen.

Mr. DOMENICI. It is at 5:30 p.m. we are going to vote.

Mr. KENNEDY. That is the time we were told.

Mr. DOMENICI. I have to object.

Mr. MENENDEZ. I say to the distinguished Senator that before his time expires, we are going to try to work it out with the two leaders to make sure it will be appropriate to ask consent again. So before the Senator's time expires, I will again ask unanimous consent.

Mr. DOMENICI. That is fine. If the Senator from New Jersey has permission, he can come back and do that.

The PRESIDING OFFICER. Objection is heard.

Mr. DOMENICI. Madam President, I wish to tell about both my parents who came to this country as aliens, but I don't believe in 3 or 4 minutes that I can do that adequately. So I will try to find another time in the next 5 or 6 days to tell you, Americans, who are listening, that you have a Senator whose parents were both born in a foreign country, whose parents came here as youngsters.

It is a very interesting story because on my mother's side, she married my father after consultation with a lawyer about citizenship requirements. They were told that my mother was a citizen once they got married because my father was a citizen. He became a citizen because he served in the First World War. He came over right at the turn of the century and was drafted into the First World War.

It turned out that the lawyer gave them wrong advice, and my mother was not a citizen. She raised her children here and lived here as a perfect model citizen.

Then one day during the Second World War, she was arrested by several men who came in black cars to the back door while we four children were playing with marbles, or whatever we did. In came the people, the agents that work for the U.S., saying this lady was an illegal alien and she should be arrested.

Of course, that was a shock, needless to say. My father came hurrying home from work and, guess what, the lawyer who had given him advice, my dad brought him along. He went over to his office and got him and said: You got us in this trouble, maybe you ought to come over and get us out.

Sure enough, the lawyer was very upset. By evening, my poor mother was released because she had a good lawyer. A lot of people don't have that, and we know what happens to them under our laws.

Next, I will tell you about my father and what happened to him. That will be the next episode, shall we say. For now, I yield the remainder of the time that we have to Senator SPECTER.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I have been told by the leadership that we can extend the debate by 10 minutes—5 minutes for the Senator from New Jersey and, if necessary, 5 minutes on the other side.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I am always fascinated by Senator DOMENICI's floor statements, about his immigrant parents. I will take just 60 seconds to talk about my immigrant parents.

My mother came here when she was 6 years old in 1906. My father came in 1911 when he was 18. The Czar wanted to send my father to Siberia. He lived in Ukraine. That is where the Czar wanted to send all the young Jewish men, to Siberia. My father didn't want to go to Siberia because he heard it was cold there. He wanted to go to Kansas instead. It was a close call, and he got to Kansas where I was born.

They didn't have enough money to hire a lawyer, but, fortunately, they didn't have any problems either. In Wichita, there weren't many big black cars, so the family lived happily ever after.

On the issue before the Senate, I urge my colleagues to vote for cloture to proceed. We have been engaged for the better part of 3 months in extraordinarily extensive and complicated negotiations. Every week from 4 to 6 p.m. on Tuesdays, Wednesdays, and Thursdays, we would meet. Those hours were extended. We are trying to tabulate the total number of hours we worked. So far, nobody can count that high. But we had 10 Senators working almost full time, and we came to a compromise and a combination, which is the way we work around here.

I knew at the outset that working on immigration was going to be the third rail. The third rail is that rail that electrocutes you. We have long talked about Social Security as the third rail. Immigration is equally a third rail.

There is no way to satisfy all facets of the political spectrum. We are accused on the right of amnesty. We have done everything we could to avoid that charge. I think we succeeded. Those undocumented immigrants will have to pay a fine, they will have to pay back taxes, they have to learn English, they have to fit into our culture, they have to hold jobs and be responsible, and go to the end of the line. They can't begin to qualify until 8 years have passed. It may be as long as 13 years which have passed. So it is not amnesty.

Right now we have anarchy—anarchy. Those 12 million undocumented immigrants are going to be in this country one way or another. We can't deport them. If we have a registration procedure, there is a chance that we will identify undocumented immigrants who have criminal records who ought to be deported. It is possible to deport a small number, but certainly not all 12 million.

The new program will have detention space for 27,500 people, but we can't begin to detain 12 million people, to litigate the deportation process. It cannot be done. But that is not stopping those on the right from calling it amnesty.

Those on the left think it is not sufficiently compassionate and object to the provisions on the touchback and think that there is not sufficient emphasis on family unification. If I had my druthers, many of those provisions would not be in the bill. But every time we find a point which is objected to, that point doubtless is in the bill in order to get two other considerations that somebody would like. It is an accommodation.

The old saying, you never want to see legislation or sausage made doesn't apply here because what we have had to deal with wouldn't even qualify for sausage. It would be so unpalatable really. But what we are really facing here is a broken system. We have anarchy. We have borders which are porous. This bill will fix that with fencing, with barriers, with 6,000 additional Border Patrol to the 12,000 there now, and we will eliminate the magnet for jobs for illegal immigrants because now we have a way to identify who is legal and who is not legal.

So we are in a position to impose tough sanctions on employers who hire those who are illegal. We have the need for a workforce for restaurants, for hotels, for landscapers, for farms. The Chamber of Commerce doesn't like the bill because it doesn't provide a sufficient workforce.

We have tried to calculate a point system. We have to produce a lot of green cards for the undocumented immigrants, and we have tried to provide a point system which will give due regard for the low-skilled workers for the workforce and due regard for the high-skilled workers so we can be competitive. We have also given consideration to family ties. So we have done the best that could be done under these circumstances. If anybody has a better idea, we are open to suggestions. At least we should be able to proceed to have a debate and to proceed to the consideration of the bill. If people have amendments, the Senate will work its will.

We have a fragile coalition, however, it ought to be noted. The coalition is fragile. If the basic tenets of the proposed legislation are not fulfilled, some will withdraw their support. At a bare minimum, after what has been done in a very forceful, good-faith effort by Democrats and Republicans working very hard, very sincerely, in good faith to come up with a bill, we have one pending. At a minimum, it ought to be considered.

Whether it will be passed remains to be seen, but we have drawn from all segments of the political spectrum, and the consideration of this legislation ought to proceed. I urge my colleagues to vote cloture on the motion to proceed.

Mr. KENNEDY. Madam President, I think we have 5 minutes remaining, and I yield the time to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. I thank the Chair.

Madam President, I don't support and can't embrace the underlying agreement that has been struck, but I do believe every Senator should vote for cloture, and I want to talk about that.

If you vote ''yes'' on cloture, you are voting to give the Senate an opportunity to move forward with tough, smart, and comprehensive immigration reform that secures our Nation's borders. If you vote ''no'' on cloture, you are voting to maintain the status quo of failed laws and a broken immigration system that is weak on enforcement, leaves our borders and our citizens unsecured, while also allowing for continued exploitation and human trafficking.

If we have to wait a couple of years, and that is what will happen if we don't move this now, then States and municipalities will pass their own laws, which often violate equal protection laws, can discriminate against those who are U.S. citizens and lawful permanent residents, and create conflict within otherwise peaceful communities.

By invoking cloture, we have the opportunity to strengthen the screening process at our consulates and points of entry, to better use technology along our borders, to make sure our agencies have both the necessary staff and the resources to do their jobs, thus effectively tightening our border security and workplace enforcement. By invoking cloture we have the opportunity to create an equal playing field and ensure that America's workers, wages, benefits, and health and safety standards are not undercut.

Finally, by invoking cloture we have the opportunity to realize the economic realities in our society in which undocumented workers are doing the worst work that we cannot get many Americans to do, such as picking the fruits you had for breakfast, cleaning the hotel rooms for your stay, or plucking the chicken you had for dinner last night. We have an opportunity to vote to create a pathway to earned legalization—not amnesty but earned legalization that will take many years, considerable fines, payment of taxes, and a new English standard that will be required for permanent residency for the first time in our history.

That is what is at stake in the vote this evening. It seems to me we have to move closer to once again controlling our borders, restoring the rule of law, and maintaining our long, proud history as a nation of immigrants.

Last Thursday, the administration and a group of our colleagues came to an agreement that is often referred to as the ''grand bargain.'' Unfortunately, there are a number of details in this deal that, in my mind, create an unfair and impractical immigration system, undercutting the more sensible provisions. It is my intention, working with many colleagues, through a series of amendments, to help lead a charge to improve the deal by ultimately creating on the Senate floor tough, smart, and fair immigration reform.

Very briefly, I believe the ''grand bargain'' has at least three serious flaws that must be fixed—an antifamily bias that clogs the system, a temporary worker program that creates a permanent working underclass, and exorbitant fines. If we don't improve the ''grand bargain,'' we could tear at the fabric of family reunification by eliminating four out of five family-based green card categories and capping green cards for parents at 40,000 a year. So much for family values not stopping at the Rio Grande River, as the President has talked about.

If we don't improve the ''grand bargain,'' we would enact a truly temporary worker program that labor doesn't support and that bars most temporary workers from any path to permanent residence. Without such a chance, these workers would be driven underground and could be exploited while creating yet another underclass of undocumented workers.

If we don't improve the ''grand bargain,'' we will require a family of four to pay up to $19,000 in fines and fees, which is far more punitive than what I have seen in the Federal criminal code for a variety of criminal offenses, such as the possession of firearms, possession of narcotics, and other things, and is impractical to luring those in the shadows to come forward and be identified and regularize their stays in this country.

I believe what this country does on immigration represents the core of American values. How we treat this subject will either show the best or worst of America, and so while I am not supportive at this stage of the bipartisan comprehensive agreement that has been reached here, I urge Senators on both sides of the aisle to stand up, to vote for cloture, and to permit a comprehensive debate to start in the Senate and, hopefully, to work a bill we can ultimately be proud of, that can secure the Nation, fuel our economy, and at the same time guarantee we bring millions of people out of the darkness and into the light.

Madam President, I yield the floor.

Mr. KENNEDY. Madam President, do we have 1 minute or so?

The PRESIDING OFFICER. The majority's time has expired. The minority's time is 4 minutes.

Mr. SPECTER. Madam President, I am advised Senator MCCONNELL, our leader, is on his way to the floor, so he will be arriving shortly and we will use the balance of our time.

Until he arrives, would either Senator on our side of the aisle care to make a statement?

Well, if no one else will, I will use the time.

Mr. KENNEDY. Madam President, will the Senator yield for a question? Perhaps we could mention, so all the Members understand, this then is the cloture vote on the motion to proceed, which will permit the Senate to begin the debate. So a vote in favor would permit at least the debate on this issue, which is of fundamental importance in terms of our country; am I correct?

Mr. SPECTER. Madam President, the Senator from Massachusetts is correct, this is a cloture vote on the motion to proceed. This will enable the Senate to take up the bill.

Again, I emphasize the very laborious efforts of more than a dozen Senators, meeting many hours, structuring what has occurred. It is easy for anyone to pick out a provision of this bill he or she would not like, but for every provision that is in the bill which the Senator might object to, that was probably placed there in consideration for other provisions in the bill which that Senator might agree to. There are many tradeoffs in coming to the conclusions which we have, so that when we proceed to the consideration of the bill, obviously any Senator may offer any amendment he or she chooses, but I would again comment that the coalition which has brought this bill to the floor is a very fragile coalition. If there are any changes on the fundamental so-called ''grand bargain,'' a term originated by Senator LINDSEY GRAHAM, we are going to run the risk of losing Senators.

The issues are enormous. This is an enormous issue facing the country. No domestic issue is of greater importance than this one, and we ought to do our utmost to find an answer to it because today, on immigration, we have anarchy. There are people complaining about amnesty, but the 12 million will be here no matter what we do. When we take a look at the specifics, it is not amnesty. There are fines to be paid, there are taxes to be paid, there is English to be learned, there is hard work to be done, and undocumented immigrants are going to have to earn their way to citizenship. They start at the end of the line with a minimum of 8 years and perhaps as long as 13 years.

Madam President, I am told Senator MCCONNELL is within sight. How much time remains, Madam President?

The PRESIDING OFFICER. There is 1½ minutes remaining.

Mr. SPECTER. Maybe we will head him off at the pass and tell him not to come.

Senator MCCONNELL is here, and he has 1½ minutes remaining, according to the timekeeper. He may have some leadership time, who knows.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Madam President, voting for cloture is a vote simply to begin the debate on this legislation. Normally, cloture is used to end debate, but here it is to begin.

This is an extremely complicated, comprehensive piece of legislation, worked at on a bipartisan basis over a period of time. It needs to be finalized. I understand there was a modification to the substitute this afternoon, agreed to, I believe, by Senator KENNEDY and Senator KYL. We need to make sure whatever substitute is offered is, in fact, reflective of exactly where this legislation is.

The other point I would make is we shouldn't be in a hurry to finish this bill. Last year, there were 35 immigration amendments. Twenty-three amendments were voted on before cloture and 12 after cloture. This is, by any standard, at least a 2-week bill, and I think any effort to finish up this bill, one way or the other, this particular week would be unsuccessful. This is clearly a 2-week bill.

This is an important subject. I think there is widespread discontent with the status quo in our country on the status of illegal immigration. It is time for the Senate to take this up and to give it adequate time for consideration. Hopefully, at the end of 2 weeks, we will be able to pass a bill on a broad bipartisan basis that improves the current situation.

With that, Madam President, I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 144, S. 1348, Comprehensive Immigration Reform.

Barbara Boxer, Harry Reid, Patrick Leahy, Carl Levin, Jack Reed, Dick Durbin, Daniel K. Inouye, B.A. Mikulski, Robert Menendez, Amy Klobuchar, Daniel K. Akaka, Maria Cantwell, Jeff Bingaman, Ken Salazar, Dianne Feinstein, Christopher Dodd, Edward Kennedy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KERRY), the Senator from Florida (Mr. NELSON), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 69, nays 23, as follows:

[Rollcall Vote No. 173 Leg.]

YEAS—69

Akaka	Feingold	McCaskill
Alexander	Feinstein	McConnell
Bayh	Graham	Menendez
Bennett	Grassley	Mikulski
Bingaman	Gregg	Murkowski
Bond	Hagel	Murray
Boxer	Harkin	Nelson (NE)
Brown	Hatch	Pryor
Brownback	Inouye	Reed
Burr	Isakson	Reid
Cantwell	Kennedy	Rockefeller
Cardin	Klobuchar	Salazar
Carper	Kohl	Schumer
Casey	Kyl	Smith
Chambliss	Landrieu	Snowe
Cochran	Lautenberg	Specter
Coleman	Leahy	Stabenow
Collins	Levin	Stevens
Conrad	Lieberman	Voinovich
Craig	Lincoln	Warner
Domenici	Lott	Webb
Durbin	Lugar	Whitehouse
Ensign	Martinez	Wyden

NAYS—23

Allard	DeMint	Sessions
Baucus	Dole	Shelby
Bunning	Dorgan	Sununu
Byrd	Enzi	Tester
Coburn	Hutchison	Thomas
Corker	Inhofe	Thune
Cornyn	Roberts	Vitter
Crapo	Sanders	

NOT VOTING—8

Biden	Johnson	Nelson (FL)
Clinton	Kerry	Obama
Dodd	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 69, the nays are 23. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Mr. President, for all Senators, I have had a number of conversations with the distinguished Republican leader. I think it would be in the best interests of the Senate—I am confident that Senator MCCONNELL agrees because it was his suggestion—that we not try to finish this bill this week.

I think we could, but I am afraid that conclusion wouldn't be anything that anyone wanted. There simply is not enough time on this massive, massively important piece of legislation to do it all on Tuesday, Wednesday, Thursday, and Friday.

So, reluctantly; I kind of guard this schedule like my best friend, I think I am going to have to give my best friend 1 less week to do other things. When we come back the week after the Memorial Day break, we will spend that on immigration. I think the country deserves it. I think the Senate deserves it. We can come up with a better piece of legislation in that period of time.

I do appreciate the suggestion of my distinguished Republican counterpart. Also, Mr. President, as I have said, this is an imperfect piece of legislation. But what in the world would anyone expect? This is a tremendously important piece of legislation. The immigration system in our country is broken. It needs fixing. We have an obligation to fix it, as hard as it is, because it is required that we take positions on issues we would rather not.

So I would hope, during the next couple of weeks as we are working on this matter, that people will legislate in a bipartisan manner. No one is trying to get an advantage over anyone else with this piece of legislation. We have blame for both Democrats and Republicans.

But whatever we do in the Senate is not the last word. After we complete the legislation, the House will have to do something on that. They will come up with what they feel is the best way to handle immigration. We will then go to conference.

During these entire three steps, we will be working with the White House to try to come up with something to fix a broken system. Now, are we going fix it perfectly? Probably not. But it is something that is badly in need of fixing. We are going to make it much better at the end of the process than it is now.

I yield the floor

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I appreciate the remarks of the majority leader. It reflects the conversation he and I had earlier this afternoon, where I indicated there was a strong feeling on this side of the aisle that this was a 2-week bill.

Last year when we took up this matter, there were 35 amendments voted on. Twenty-three amendments were voted on before cloture, 12 were voted on after cloture. Clearly, this is an extraordinarily complex and challenging piece of legislation.

So I wish to thank my friend, the majority leader, for realizing this is not going to go anywhere unless we have a full and thorough debate of at least 2 weeks.

I yield the floor.

COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007

The PRESIDING OFFICER. Under the previous order the motion to proceed is agreed to.

The Senate will proceed to the consideration of S. 1348, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1348) to provide for comprehensive immigration reform, and for other purposes.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the chair for the effort he has taken. I hesitate very much to impose on the time of the Senate. But there ought to be a time now and then when one might impose on the time of the Senate.

Let me read from the Standing Orders of the Senate, Standing Order 105.

Hear this: ''Resolved, That it is a standing order of the Senate that during yea and nay votes in the Senate, each Senator shall vote from the assigned desk of the Senator.''

I always try to do that, Mr. President. That was by S. Res. 480, 90th Congress, second session. October 11, 1984. I will tell you who authored that resolution. That was my former colleague, my former late colleague Jennings Randolph. I have never forgotten it. Once in a while, I vote from the well of the Senate, and sometimes I cast my vote from here. But that is what this book says: ''Resolved, that it is a standing order of the Senate that during yea and nay votes in the Senate, each Senator shall vote from the assigned desk of the Senator.''

There was a reason for that. I won't take the time of the Senate this evening to talk about this further, but I will have something to say one day about that. ''[E]ach Senator shall vote from the assigned desk of the Senator. S. Res. 480, 90th Congress, second session, October 11, 1984.

May God bless his name, Jennings Randolph.

I thank the Senate, and I thank the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as always, we thank the Senator from West Virginia for insisting that Senate decorum be enforced. All of us understand his devotion to this institution and to its ability to function in an effective and efficient way. He reminds us, and we need to be reminded at times. We thank him. I remember Jennings Randolph making those points time and time again about standing at one's desk. That was back at another time, but I certainly remember his service to the country.

So we have some idea of the way we are going to proceed, I have been notified, although I haven't had an opportunity to talk either to Senator SPECTER or Senator KYL or others on the other side, that we have two amendments at least that are going to deal with the temporary worker provision, one which would effectively strike all of the temporary worker provisions that will be probably offered by the Senator from North Dakota, and another amendment which will be the amendment to reduce the number of temporary workers from 400,000 to 200,000. Those were amendments similar to the ones we had the last time we had the immigration bill. We had a good discussion, and we will have that debate, but we don't expect, obviously, that we will be voting this evening. We are prepared to involve or engage in the debate or discussion, if those Members want to, but it will be our hope that those amendments would be done in a timely way for tomorrow. It is a good way to get the debate started because it is an issue that is broad enough in scope that certainly those of us who were here during the last debate remember it quite clearly. Others can understand it quite well because it is a fairly obvious issue. It is about what is going to be the number, whether we are going to have a temporary worker program and whether we are going to have temporary workers at this dimension, 400,000 reduced to 200,000.

I hope that will be the beginning of the debate. We will talk to those Members to try to give the membership as much notice as possible to address those issues in a timely way. They have indicated their desire to start with those. We would expect that to be done.

MORNING BUSINESS

Mr. KENNEDY. I ask unanimous consent that until 7 p.m., there be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

IMMIGRATION

Mr. KYL. Mr. President, let me comment a little bit on the same points Senator KENNEDY made.

This is an extraordinarily important piece of legislation. The American people—certainly our colleagues in the Senate—need plenty of time to digest and debate and discuss it. It is certainly nobody's intention that this would be rushed. That is why the majority leader made comments earlier this evening that assures all of the Members of this body that not only will we have this week to debate and perhaps amend the legislation, but that upon our return from the Memorial Day recess, we will take up the bill again and, as he indicated, would have another week, if we needed it, to continue work on the legislation.

While it is true the legislation did not go through the committee process, I assure my colleagues it was never anyone's intent that there not be the fullest opportunity for discussion and debate. That will in fact occur. We are now on the bill formally. It is also my understanding that technical changes from the draft legislation will be completed tonight and the first amendment will be the amendment of that substitute version. If the distinguished chairman of the committee has any other point on that, perhaps he could make it. But that would then put before the body the exact language we would begin the debate and discussion on.

I have about another 5 minutes of comments unless Senator KENNEDY wants to say anything else.

It would be in order to thank Secretary Chertoff and Secretary Gutierrez for their work in helping us in the Senate to craft this bipartisan consensus legislation. So much of the enforcement of the legislation will depend upon action by the administration. They had to help us ensure this was a bill that could be enforced in the future.

I know during the last election so many of my constituents asked the question: Why should we create a new law for you to enforce when the current law is not being enforced? That is a good question. So one of the things we tried to do in drafting this legislation was to put together a bill that actually would and could be enforced, and the administration has helped us by providing expertise in what it would take for Homeland Security and other departments to actually provide the enforcement the American people so desperately want.

There was general agreement that return to the rule of law was the central component of any bipartisan compromise, starting with securing the border, working right up to more enforcement in the interior of the country, and especially at the workplace, to make sure nobody in the future would be hired unless it could be established they were entitled to be hired. That is one of the critical changes in this legislation from the previous law which was not enforceable and, as virtually everybody who knows this subject appreciates, the law is not being assiduously enforced particularly at the workplace. So that is a critical component of what we have talked about doing.

There are a great many other things that will be discussed as we proceed with the legislation. Referring back to my recent campaign, the voters in my State of Arizona, which is being overrun by illegal immigration, had one message loudly and clearly: Do something about this problem of illegal immigration. So I was returned to the Senate by my constituents with an obligation to do my best to get in and do as much as we could to secure the border, return to the rule of law, ensure that only people who are eligible to work here are permitted to do so, deal with the people who are here illegally in a humane and just way, and try to set up a temporary worker program for temporary workers only, rather than to recreate the problem we have today with a great deal of foreign-born workforce that isn't legal in the United States and is now demanding to become legal.

In order to get engaged in that process and do something about it, it was important to sit down with people of the other side as well as the administration. Of all the criticism I have received for being one of the sponsors of this legislation, the one I don't quite understand from my constituents is, why would I sit down with Senator KENNEDY? What I have tried to tell them is, I understand your anxiety about sitting down with Senator KENNEDY, but on the other hand, in a body of 100 Senators who are supposed to try to work together to find solutions to problems, do you not at least acknowledge that every now and then you have to sit down and talk to each other, even when you are on the other side of the aisle? Senator KENNEDY right now happens to be in the majority, in addition.

As a result, it is, in my position, important to sit down, articulate what the people of Arizona have told me they would like in any immigration reform, and do my best to try to see that those principles, as much as possible, are included in this legislation. If I didn't sit down with Senator KENNEDY, I doubt he would include very much of what I wanted in the legislation he could otherwise draft. So what we have done, in a bipartisan fashion, is to get Senators on both sides of the aisle, with many different views, agreeing to try to put together something that can pass this body, pass the House of Representatives, and be signed into law. I know every one of us will stand up here and say: This is not the bill I would have drafted if I were king of the world or queen of the world. There is a lot in this bill I don't like very much. But I know that in order to get something, you have to give something. At the end of the day, in order to do something about the problem of illegal immigration that is hurting my own State of Arizona in ways I can't begin to describe, we have to try our very best to work together to get something that will actually pass the Senate. That means an agreement with the administration, with Democrats, and with Republicans.

I hope as my colleagues consider what we have put together, they will acknowledge you have to start somewhere, but that if there are amendments that go to the heart of this agreement and that break the agreement apart in substantial ways—not ways at the periphery or tangentially but that go to the guts of this agreement—that they can fully expect it will no longer enjoy the support of those of us who worked hard to put the agreement together. If you want to try to kill this legislation, go right to the heart of it and change any of the major pieces of it, you will find it will quickly lose support, including mine.

We fully expect Members to have a lot of amendments that deal with different aspects of the bill. There are a million different details, and that is all fine. But if we go to the guts of the legislation and that basic agreement is destroyed, then I think we will see support for it evaporate quickly, including mine.

I am looking forward to working with my colleagues and debating and discussing this legislation. But at the end of the day, I conclude there is no option of doing nothing, that our only option is to do something. That means sitting down, working together, and trying to get a good bill passed.

I appreciate the spirit in which all of my colleagues who have joined in this effort have worked toward this end.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senator from Arizona for his comments and for his general assessment of the circumstances we find ourselves with. I can certainly give the assurance to the people of Arizona that Senator KYL is a person of extremely strong views, who has felt very deeply

about the positions he has, but is a person who believes in comity and respect for other views. He understands you can fight for your views and still compromise without compromising your values. I respect Senator KYL for that position.

As has been pointed out at other times, this has been a long, complex, difficult process, but it is one for which I share with Senator KYL that failure is not an option. This country cannot tolerate a continued border system which is fractured, which it is today, and with all the uncertainty that exists, whether it is on the borders, or the exploitation of workers, or in terms of the lives of many of the people who are here. We have tried to fashion a program, and we are going to work together to try to see that it is successful.

I thank the Senator for his comments, and we are looking forward to getting good discussion and debates on these issues.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, first, I thank my colleague from Arizona. I do not know if there is a greater champion in this body on the rule of law on border security. I thank my colleague from Massachusetts for being the master at the art of figuring out how to get it done. As a former mayor, I have great appreciation for that. When I was mayor, if it snowed, and the snow wasn't plowed, the next day I heard about it. I think we are here to fix problems. The system we have today is broken and needs to be fixed.

I thank both my colleagues for their work on this issue. There will be a lot of conversations as time goes on, a lot of debates, but in the end the status quo is not acceptable and we have to fix it.

CLIMATE CHANGE

Mr. COLEMAN. Mr. President, I want to switch subjects.

I see my colleague from Connecticut in the Chamber.

I rise to engage in a colloquy with truly my friend, the Senator from Connecticut, about an issue facing every American and every citizen of this world—an issue on which he is a true leader in the Senate, and for which he has had great vision, great perseverance, and for which I applaud him. That is the issue of climate change.

There is now a preponderance of evidence from the scientific community that human activities, particularly the burning of fossil fuels, have increased the atmospheric concentrations of carbon dioxide by 36 percent from preindustrial levels, leading to a dangerous increase in global average temperatures.

The temperatures speak for themselves. According to NASA, 2005 was the warmest year globally on record since readings began in 1880, with 1998 a close second. And 8 of the last 10 years are amongst the warmest years on record. The effects are increasingly tangible. Since 1979, more than 20 percent of the polar ice cap has melted.

So often in this Chamber we talk about the future. We talk about doing things for our kids. Well, if we care about our kids, and we care about our future, we better care about what will happen if we do not take action soon to reduce greenhouse gas emissions sufficiently to prevent the temperature increases forecasted for this century.

Thankfully, we are a nation of innovators, of entrepreneurs, of individuals with bold initiative. The technologies necessary to stabilize our atmospheric concentration of greenhouse gases in time to prevent a dangerous increase in temperature are right at our fingertips—from biofuels and plug-in hybrid vehicles to nuclear energy and carbon sequestration for coal plants, and many more. It is time for Congress to provide the strong market signals necessary to press these technologies forward, which is why I believe Congress should work for an economywide response to climate change with an idea I have championed: provide utilities incentives to increase the percentage of their electricity sales they generate using clean energy sources such as renewables, nuclear, and clean coal with carbon capture technology.

Yet it is not enough for the United States to act alone. China is projected to be the largest greenhouse gas emitter by the end of this year. Climate change legislation must not put America's workers at a competitive disadvantage with the Chinese, and it must not send manufacturing jobs overseas. A greenhouse gas reduction program must not put Americans out of work or drive more hard-working families into poverty.

When I drive on the streets, such as Grand Avenue in St. Paul, and it is minus 10 degrees, minus 15 degrees, and I see that mom sitting at a bus stop waiting to catch a bus, or see that senior, I care about the costs they have to pay for energy. So those are things we have to think about. I refuse to look at this, or any other issue, without considering the effect it will have on those who are trying to support their family or, as I said before, the effect it will have on the elderly, struggling to survive on a fixed income.

Accordingly, I have been working with Senator LIEBERMAN over the last several months on an agreement that allows us to work together on his Climate Stewardship and Innovation Act in a way that meets my concerns about what mandatory greenhouse gas reduction legislation should look like.

Today, we have arrived at that agreement, and I believe together we can work in a bipartisan way to address this very serious issue.

I earlier introduced a sense-of-the-Senate resolution stating that any comprehensive, mandatory greenhouse gas emissions reduction program enacted by Congress should include provisions requiring a process of review of the program if it is found that other countries are not taking comparable action and if the unemployment or the poverty rates are found to be increasing as a result of the program. This sense of the Senate also states such a program should include incentives for utilities that increase their portfolio of clean energy.

I say to Senator LIEBERMAN, I wish to ask to be added as a cosponsor to your Climate Stewardship and Innovation Act and thank you for your cosponsorship of this sense-of-the-Senate resolution, and finally your commitment to work on EPW to examine my clean energy portfolio proposal in a committee hearing, and to fight during EPW markup of climate change legislation for inclusion of: No. 1, congressional review of greenhouse gas caps, if other countries are not taking comparable climate change action; No. 2, congressional review of greenhouse gas caps, if the unemployment and poverty rates are increasing due to a U.S. greenhouse gas reduction program; and, No. 3, provisions to reward electric utilities that increase the percentage of their electricity sales generated with ''clean energy'' or energy for noncarbon-emitting sources such as nuclear and clean coal.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I rise to thank my friend, the Senator from Minnesota, for his kind words. More importantly, I thank him for the commitment he has expressed to protecting all of our children and grandchildren from the impacts of unchecked global warming.

Senator COLEMAN, in stepping forward today, has put himself at the vanguard of the next crucial wave of bipartisan support in the Senate for climate stewardship legislation.

I am proud to cosponsor his resolution which, in a very thoughtful way—not an obstructionist way—recognizes two of the most significant reasons why people have hesitated to step forward and do something about climate change. One is the equities here: that no matter how much we do in the United States of America to curb the emission of greenhouse gases—and we must because we are the largest emitter of such gases; we must lead here; it is our responsibility, ultimately our moral responsibility—but no matter how much we assume that leadership role, if other developing nations such as China and India do not do their part, because we all live in the same global environment, the problem of global warming will continue to increase and be more serious for those who follow us here on Earth.

Second is his recognition of a thoughtful way to deal with the concerns people have—even those who desperately want to do something to impede the advance of global warming—as to the impact of what we do will have

on our economy. It is clear Senator COLEMAN has been a leader here, and that is why his cosponsorship of our legislation makes a critical point. There is no conflict between protecting our world and all who live in it from catastrophic climate change and also protecting America's economy, protecting America's consumers, and protecting America's workers. We can, must, and will do both. For those who may have had doubts about our capacity to do that, I think Senator COLEMAN's cosponsorship of the Climate Stewardship and Innovation Act is critically important. The fact is everyone who works with Senator COLEMAN knows he cares deeply about the well-being of low- and middle-income Americans and of America's workers, and he would not be cosponsoring the Climate Stewardship and Innovation Act—stepping forward to take a leadership role in the battle against global warming—if he felt the components of that act would adversely affect our economy.

I am very honored to have earned the support of my friend from Minnesota on this crucial issue. I promise him I will work to ensure he is not disappointed by the outcome of our efforts. In particular, it is my honor to chair a subcommittee on climate change in the Environment and Public Works Committee, and I will work to ensure that the bill we report from our subcommittee and full committee embraces the principles set forth in the resolution my friend from Minnesota has introduced today, and of which I am proud to be a cosponsor.

The good news is I will not be working alone. I believe a bipartisan majority of the Environment and Public Works Committee wants to report to the Senate floor this year comprehensive legislation that reduces greenhouse gas emissions substantially enough and quickly enough to forestall the disastrous climate change so many reputable scientists are warning us of, and that does so in a way that does not weaken the position of the United States economically or otherwise impose hardship on our citizens.

I further say to my friend from Minnesota that before we vote on that legislation in our subcommittee, we are going to be having additional hearings. Senator WARNER, my ranking member, is committed also to seeing that the subcommittee produces legislation this year that deals with the problem of global warming and the challenge of its impact on our world. I want to ensure my friend from Minnesota that one of those hearings will include a witness who can educate the committee and discuss the proposal of the Senator from Minnesota for a clean energy portfolio standard. Personally, I think his idea is a constructive one, a thoughtful one, a progressive one, and deserves serious consideration.

I am eager to explore ways to further encourage electric power producers to increase their use of advanced technologies that can provide reliable, affordable baseload electricity without injecting more greenhouse gases into the atmosphere.

Mr. President, I conclude by again thanking my friend from Minnesota and asking unanimous consent—and I do so with great gratitude to him, as I believe his leadership here is significant—that the Senator from Minnesota, Mr. COLEMAN, be added as a cosponsor to S. 280, the Climate Stewardship and Innovation Act of 2007, which Senator MCCAIN and I introduced earlier this year.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I thank my dear friend from Connecticut for his remarks, his commitments. Let me say, first, I am proud to be working with him as cosponsor of S. 280, the Climate Stewardship and Innovation Act of 2007.

The Senator from Connecticut approaches this issue, which is an important issue—it is a real issue; we have to deal with it—in a way which he is known for in this Senate, which is in a thoughtful, constructive way, a way which takes into account the concerns and the impact upon employees, upon consumers, and, perhaps most importantly, upon our kids and grandkids in the next generation. For that I thank him and say it is a privilege to work with him—a man of great character and great dedication.

Mr. President, with that I yield the floor.

U.S. TRADE POLICY

Mr. BROWN. Mr. President, the trade policies set in Washington and negotiated across the globe have a direct impact on places such as Toledo and Steubenville, on Cleveland and Hamilton. That is why voters in my State of Ohio and across the country sent a message loudly and clearly in November demanding a new direction, a very different direction for our Nation's trade policy.

Working men and women in Ohio know that job loss doesn't just affect the worker or just the worker's family; job loss—especially the kind of job loss we have seen in the last 5 years, the kind of manufacturing job loss—when we see that kind of job loss in the thousands, that job loss devastates communities. It hurts the local business owner, the drugstore, the grocery store, the neighborhood restaurant. It hurts communities. It hurts schools. It hurts police forces. It hurts fire departments.

Two weeks ago, leadership in the House of Representatives and in the White House announced a new outline for trade policy, one that included labor and environmental standards. The fact that the Bush administration was willing to negotiate at all, the fact that they were willing to pay even lip service to labor and environmental standards, underscores the November elections' importance.

Every Member of Congress, in the Senate and in the other body, the House of Representatives, is now on notice that we will be held accountable for our trade votes—accountable to workers, accountable to business owners—accountable for our trade votes and accountable for American trade policy when we go home. However, since the announcement made by the Bush administration and some congressional leaders in the House about labor and environmental standards, backpedaling by the administration and sidestepping by supporters of the deal indicate that we may be in for another round of more of the same in our trade policy.

The administration already has hinted at side deals for labor standards instead of putting those standards in the central, core part of the agreement. They are talking now about not reopening negotiations with Peru and not reopening negotiations with Panama but instead adding a little sidebar, a little letter, a little statement of support for environmental labor standards but not actually putting them in the central core of the agreement. If that is the case, if these labor and environmental standards are not in the agreement but in a side letter of some sort, then really, frankly, nothing new is being offered. It is the same old jalopy with a new coat of paint.

Voters in my State demanded real change, not symbolic gestures.

What is even more disturbing about the new outline is it appears to rely in good faith on the administration to enforce standards. Given this administration's abysmal record on enforcement of labor standards and environmental standards, not just in trade agreements but enforcement of those standards in our domestic economy, we know what this administration—we know its failed environmental policies. Given this administration's abysmal record on enforcement, relying on blind trust isn't just foolish, it is downright irresponsible.

The Jordan Free Trade Agreement passed by the House—I supported it and many others did; it passed in both Houses overwhelmingly—the Jordan Free Trade Agreement was once held up as a standard in labor provisions. It had strong labor and environmental standards in it. It passed in the year 2000, but come 2001, with a new President of the United States, George Bush, and a new U.S. Trade Representative, Bob Zoellick, the Bush administration simply turned the other way while rampant human-trafficking plagues that nation of Jordan. Shortly after the Jordan agreement was enacted, the new USTR, Bob Zoellick, sent a letter to Jordan's Trade Minister saying the United States simply wouldn't enforce the labor provisions. So even though we passed a trade agreement with labor standards inside the core agreement, this administration, this same crowd who now says they will enforce labor standards and

they now will enforce environmental standards, this same crowd sent a letter to the Jordan Trade Minister saying: We are not enforcing, we are not going to push you, we are not going to push you on dispute resolution to enforce those labor standards.

Today, as a result, Bangladeshi workers enter Jordan—from one of the poorest countries in the world—they have their passports confiscated, and work in some cases up to 20 hours a day without breaks. Then Jordan exports those goods to the United States. There is no enforcement of labor standards, no enforcement of environmental standards. There is simply the continuation of the exploitation of some of the poorest workers in the world in order to reap more profits and backdoor those products into the United States.

If that is the plan, if that is the Bush administration plan—forget what they talk about on labor standards, forget what they promise on environmental standards—if that is the plan for Peru, if that is the plan for Panama, if that is the plan for Colombia, if that is the plan for South Korea, then they will simply not get the support for these trade agreements. They will not get the support from those who talked about fair trade in their campaigns, not from small business owners, not from small manufacturers such as the local tool and die shop in Akron, the local machine shop in Dayton, not from workers across the country who say: We don't want more of the same.

That is what the elections last fall were all about. I believe every single new Democratic Member of the Senate—there are nine of us—every single one of us has talked about fair trade, not free trade. If this administration thinks by simply saying: We are for labor standards, we are for environmental standards, we will put it in a little side letter here, and then a wink and a nod to their friends in the National Association of Manufacturers, a wink and a nod to the large corporations that benefit from slave labor and child labor, simply giving them a wink and a nod, if they think this Senate and the other body are going to pass this kind of legislation, they are wrong. We know our trade policies have failed. As I said, if they bring back this kind of trade agreement for Peru, for Panama, for Colombia, for Korea without labor and environmental standards in the core agreement and without real commitments to enforce those labor and environmental standards, then those trade agreements aren't going to fly here.

We know our trade policies have failed. When I first ran for Congress, our trade deficit in 1992 was $38 billion. Even in those days, President Bush—the first President Bush—said a $1 billion trade deficit represented about 13,000 jobs, mostly manufacturing—many manufacturing jobs. So if you had a $1 billion trade deficit, it meant it was costing your country a net loss of 13,000 jobs. If you had a trade surplus, it was a gain of 13,000 jobs. That was then a $38 billion trade deficit in 1992. In 2006, our trade deficit was in the vicinity of $800 billion—$800 billion. That means the trade deficit has grown by a factor of 20. If it is 13,000 jobs for every $1 billion trade deficit, you do the math. It is clear this trade policy has failed. It has failed our workers. It has failed our small manufacturers. It has failed our restaurants and our drugstores in those communities that suffer devastating job loss. It has failed our families. It has failed our country.

The current system is not sustainable. Senator DORGAN has said: We want trade, and plenty of it, but under new rules. That means benchmarks. When we pass trade agreements, we have to show how much this has done for America's wages, how much it has done for American job creation, and we want accountability, something we have never brought to the table on these trade agreements. That does not mean trying to pass off more of the same kind of trade policy, packaging it in a different way, speaking of all the platitudes of the administration and that some others in the House and Senate have spoken about, just simply saying it is new and improved.

Now is not the time for more bad trade deals. We need to pause. We need to have a national conversation about a new direction for trade in the 21st century, a conversation that includes everybody.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. SESSIONS. Mr. President, I wish to express some thoughts about the earlier statement of the Democratic leader, Senator REID, that he was not going to attempt to bring this bill up for a vote this week. I think that is the only right choice that could have been made. He has been talking about bringing it up this week and actually getting a vote on Friday on a bill that we only got the paperwork on Saturday morning at 2 a.m. It hasn't been substituted yet, to my knowledge.

This is a piece of legislation of enormous complexity which has not gone through the proper committee—the Judiciary Committee. It was written by a group of people who claim they have reached an agreement. The agreement is that on both sides, they are saying nobody can offer an amendment that goes to what they consider the core of it because they will all band together and vote against it. So I guess that means if anybody has a different view about how immigration should be handled, the people I really love and respect, whom I affectionately call ''masters of the universe,'' are just going to all get together and vote no. So I am not sure what the purpose of having votes is. But presumably, the rest of us, now that we have had a chance to read it, will be able to at least nibble around the edges and offer a few amendments that might make it a little better, and I look forward to that opportunity.

I think it is very important that this bill was not rammed through this week and no attempt was made to do that. I think it would have poisoned the atmosphere. It would have been a very bad scene had that occurred. So now we are talking about 2 weeks of debate. There is no doubt in my mind that this Senate could spend a month easily on this bill—maybe more. It is a critically important piece of legislation. It has much impact on our whole economy, our culture, and our rule of law. We could do better with it if we spend time on it. So I hope we are not in a situation where the leadership—the conferee group which has been meeting—is going to lock together and just vote down anything that displeases them or one side or the other says this is important and shouldn't be amended. So I am worried about that. We will see how it goes.

I hope the American people will take the opportunity to study the legislation. It does have some good things in it. It does have provisions in it that are quite superior to the bill I referred to as fatally flawed last year. But the cloture vote we just took was to move to last year's bill, and unless I am mistaken, we have not seen the new bill that is supposed to be substituted. We haven't seen anything other than a draft of the former bill. It has not been put in legislative language, even in the smaller print in the draft version that has been floated since Saturday. It is 326 pages, but in normal bill language, it will turn out to be probably 800, maybe 1,000 pages with each one of the clauses and phrases. Based on our history of dealing with immigration, it has to be read carefully because experts seem to have the ability—some of these lawyers, particularly—to slip in phrases that can have significance far beyond what might appear to be the case when you first read it. So it needs to be studied carefully.

A lot of people wanted to ram this through before the Memorial Day recess.

I am glad Senator REID has abandoned that and will allow the American people the opportunity to have an extra week to look at it.

I thank my colleagues who have worked on the bill. They are good people. They have it in their heads that they want to fix immigration, and it is time for a comprehensive fix of immigration. There are tough decisions to be made. But I get a little bit worried when time after time I hear people say: Well, there is a lot in it I don't like,

but you know, you just have to live with it. I am not sure we ought to live with anything that doesn't make sense. I am not sure we ought to live with anything that is bad policy. Why do we have to do that? Because this group has met and they said no serious amendments can be changed—adopted that would alter the core of the bill, the basic philosophy of it, I worry about that. We are troubled that a number of things don't quite reach the promised principles that have been floated as part of this discussion.

The trigger is in the bill, but I think it is far too weak. The temporary guest worker program is preferable to last year's, but it is very unsettling to me. I have an odd feeling that this temporary worker program that is in the bill is not going to work. We should not pass anything that won't work. It needs to be done in a better way.

The hoped-for move to a more merit-based system, a point system like Canada does, is troubling because no significant move in that direction appears to be on the horizon for 8 years. It is 8 years before the point system will really take effect. So I am worried about that.

These are fundamental. Will the workplace system be effective? We need to study that language because if it is not done right, it won't work. I will have an opportunity to talk more about this.

I thank my staff and a lot of other staff who have worked their hearts out Saturday, Sunday, and into the night last night and all morning today, trying to read and digest this bill to see what it really means so we can do a better job of serving our constituents.

Finally, the guiding principle, the overarching goal of an immigration bill, must be to serve the national interest. It is not to serve special interests, groups of special interests, businesses, or immigration advocacy groups. It is to serve the national interests, and that means a principled approach that creates a lawful system that serves our economy and our society.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

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.

TRIBUTE TO DEAN RICHARD MORGAN

Mr. REID. Mr. President, I rise today to recognize the founding dean of the William S. Boyd School of Law at the University of Nevada Las Vegas, Richard ''Dick'' Morgan. Dick came to Nevada to take on the daunting task of starting Nevada's first law school. When given the timeframe for starting the school, Dick said it could not be done; then he went out and proved himself wrong many times over. Dick's outstanding success with Boyd School of Law now serves as the model on how to create a new law school of exceptional quality.

Under the Dean's steady hand, Boyd Law School has achieved both provisional and full accreditation with the American Bar Association in record time. The school has received special recognition for its work with the Saltman Center for Conflict Resolution, the Nevada Law Journal, client counseling training, Society of Advocates, and legal writing programs. With amazing rapidity, the school has earned an outstanding reputation for scholarship and high-quality graduates. Already, the school's alumnae are having a tremendous impact on the legal profession in Nevada. They serve as judicial clerks, pro bono attorneys, respected members of law firms throughout the State, legal counsel in Federal and State agencies, and even on my own staff.

On June 30, 2007, Dean Morgan is stepping down as the head of the law school. Although he will be sorely missed, his legacy is tremendous. UNLV's law school dean is leaving us with an outstanding institution that will continue to train the minds of many of our best and brightest students. I am confident that the attorneys trained by the school will be instrumental in guiding the future growth and progress of our State.

When he came to Nevada, he had served as a law professor and as dean of both the Wyoming and Arizona State Colleges of Law. Reflecting on his experience in legal education, Dean Morgan recently honored Nevada by characterizing his 10 years with Boyd School of Law as ''the best'' of his 27 years in legal education. I am grateful he spent his best years with us. He has certainly been invaluable to the Nevada legal community.

Going forward, Dean Morgan plans a community-service semiretirement. Based on his dedication to UNLV, I am confident that he will be a tremendous asset to any organization he is associated with. I offer Dean Morgan my sincere thanks for all he has done for Nevada and wish him the best on his retirement.

TRIBUTE TO SENATOR TED STEVENS

Mr. GRASSLEY. Mr. President, look up Senator STEVENS' name in media reports and you will find a long list of adjectives: tenacious, temperamental, scrappy, gruff, hot-tempered, tireless. And you will come across a long list of nicknames: one of the Senate's ''old bulls'' for his institutional knowledge, ''Uncle Ted'' to the people of Alaska who are grateful for his aggressive advocacy for their interests, pioneer for flying Army Air Corps missions during World War II and migrating to our rugged 49th State after law school, a mentor to up-and-coming elected officials, reportedly by his wife, a nutrition enthusiast for his devoted consumption of greens and whole grains, in the case of his longtime friend, Senator INOUYE of Hawaii, ''my brother.''

I would like to add a few adjectives of my own.

First, TED STEVENS is an Alaskan. It is impossible to think of Alaska without thinking of its senior Senator. Alaska and TED STEVENS are inseparable. Anyone who knows Senator STEVENS knows he wakes up every morning fighting for the people of Alaska and doesn't stop until he sleeps, which apparently isn't much. Their commercial industry, health care, electricity, water, transportation—even the cost of rural mail delivery—all earn his scrutiny. He has delivered again and again on policy to improve Alaskans' quality of life.

Second, and just as important, TED STEVENS is loyal. He is loyal to the institution of the United States Senate. Bipartisanship is natural for him. He understands that the art of compromise is critical to getting things done. For example, he is known to have helped reach a bipartisan deal on how to conduct the impeachment trial of President Clinton to minimize the partisan bickering that would have sullied the Senate and made a tense time even more tense.

He is more than willing to look across the aisle and find kinship with people of like interests. His friendship with Senator INOUYE, a Democrat, is steadfast and legendary. They have found plenty of common ground in delivering good policy to the people of their uniquely situated States. Despite what seems like a gruff exterior sometimes, Senator STEVENS has a reputation for extending generous kindness to his colleagues, such as flying across country to attend the funeral of a former Senator whose vote had once been helpful.

Senator STEVENS' approach to policymaking is guided by Rotary International's ''Four-Way Test,'' a copy of which is framed on his desk in the Senate Chamber. The test reads: ''Is it the truth? Is it fair to all concerned? Will it build goodwill and better friendships? Will it be beneficial to all concerned?''

That four-way test was written in 1932, but like Senator STEVENS—and here are more adjectives—it is common sense, inspirational, and timeless.

IDAHO COURTHOUSE AND CHURCH SHOOTINGS

Mr. LEAHY. Mr. President, this weekend we witnessed an act of senseless violence in Moscow, ID, the home of the University of Idaho, where someone reportedly laid siege to a courthouse, killing a police officer and

wounding a sheriff's deputy and another person. The gunman then retreated into a church, where he apparently killed a church sexton and then took his own life.

The attack at the courthouse in Idaho is another reminder of the need to provide resources and protections crucial to our Federal and State courts. It was 2 years ago when the mother and husband of Judge Joan Lefkow of Chicago were murdered in their home. Judge Lefkow's courageous testimony in our committee hearing in May 2005 is something none of us will forget. Later that year a Georgia State court judge was killed at a courthouse in Atlanta and there was an attack on a State judge in Nevada.

Last month, by a vote of 97–0, the Senate passed S. 378, the bipartisan Court Security Improvement Act of 2007. I introduced this measure in January along with Senator SPECTER, the majority leader, Senator DURBIN, Senator CORNYN and others. House Judiciary chairman JOHN CONYERS introduced an identical measure in the House also with bipartisan support.

Among the bill's many protections are provisions expanding the access of State courts to grant programs for their security. The additional resources provided by this bill may not have prevented what occurred this weekend, but we must do what we can. I wish this legislation had been enacted last year. Despite our efforts, despite Senate passage of this measure twice last year, the House last Congress did not take up and pass these measures to improve court security. I expect that the new House soon will take up and pass S. 378 in this Congress. It should not be a struggle to enact these measures to improve court security.

Our Nation's Founders knew that without an independent judiciary to protect individual rights from the political branches of Government, those rights and privileges would not be preserved. The courts are the ultimate check and balance in our system. We need to do our part to ensure that the dedicated women and men of the Federal and State judiciary have the resources, security, and independence necessary to fulfill their crucial responsibilities. This weekend serves as another tragic reminder that we owe it to our judges and those protecting our courthouses to better protect them and their families from violence and to ensure that they have the peace of mind necessary to do their vital and difficult jobs.

VOTE EXPLANATION

Mr. BROWNBACK. Mr. President, I regret that I was unable to vote the afternoon of May 9 on the confirmation of the nomination of Debra Ann Livingston, of New York, to be U.S. circuit judge for the Second Circuit of New York. I wish to address this confirmation so that the people of the great State of Kansas, who elected me to serve them as U.S. Senator, may know my position.

Regarding vote No. 158, I support the confirmation of Debra Ann Livingston. My vote would not have altered the outcome of this confirmation.

Mr. BROWNBACK. Mr. President, I regret that on May 2, 3, 7, and 9 I was unable to vote on certain provisions and passage of S. 1082, the prescription drug user fee amendments of 2007. I wish to address these votes, so that the people of the great State of Kansas, who elected me to serve them as U.S. Senator, may know my position.

Regarding vote No. 148, on amendment No. 982, I would have voted in favor of this amendment. My vote would not have altered the final result of this vote.

Regarding vote No. 149, on amendment No. 1022, I would have voted in favor of this amendment. My vote would not have altered the final result of this vote.

Regarding vote No. 150, on amendment No. 990, I would not have voted in favor of this amendment. My vote would not have altered the final result of this vote.

Regarding vote No. 151, on amendment No. 1010, I would have voted in favor of this amendment. My vote would not have altered the final result of this vote.

Regarding vote No. 152, on the motion to invoke cloture on the committee substitute as modified and amended to S. 1082, I would have voted in favor of this motion. My vote would not have altered the result of this motion.

Regarding vote No. 154, on amendment No. 1039, I would not have voted in favor of this amendment. My vote would not have altered the final result of this vote.

Regarding vote No. 155 on amendment No. 998, I would not have voted in favor of this amendment. My vote would not have altered the final result of this vote.

Regarding vote No. 156 on amendment No. 1034, I would not have voted in favor of this amendment. My vote would not have altered the final result of this vote.

Regarding vote No. 157, on passage of S. 1082, the prescription drug user fee amendments of 2007, I would have voted in favor of passage of this bill. My vote would not have altered the final result of this vote.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

CIVIL RIGHTS ACT

• Mr. OBAMA. Mr. President, the struggle to protect the civil rights of all Americans remains an unfinished project, but we have come a long way. I am proud of our country's progress, and I am proud to be an original cosponsor of the Civil Rights Act of 1964 Commemorative Coin Act, which marks the 50th anniversary of one of the most significant civil rights victories in American history.

The Civil Rights Act of 1964 provided affirmation to Americans who knew this country could do better. This legislation outlawed discrimination based on sex, national origin, color, race, and religion. Access to offices, schools, housing, the voting booth, and public spaces would no longer depend on the color of one's skin or the country of one's birth. Heeding President Kennedy's call for ''the kind of equality of treatment which we would want for ourselves,'' this historic legislation affirmed that all Americans were equal under before law. Years passed before the Civil Rights Act was enforced fully, but its passage represented a necessary step in the advancement of civil rights.

Passage of the Civil Rights Act was possible because of the persistent, nonviolent efforts of countless Americans. Heroes like Dr. Martin Luther King, Rosa Parks, and JOHN LEWIS inspired a generation, and the marches, sit-ins, freedom rides, and individual acts of civil disobedience reminded our country's leaders that the time to act had arrived. All Americans are indebted to these patriots for their courage and success, and we honor them with this legislation.

In addition to marking the Civil Rights Act in word, this bill also commemorates the act in deed. Proceeds from the sale of these coins will go to the United Negro College Fund, UNCF, an organization that embodies the spirit of the Civil Rights Act. The United Negro College Fund works to uproot the core causes of discrimination by providing minorities with opportunities that discrimination stole from them. Education provides students the opportunity to fulfill their potential and overcome stereotypes and, indeed, discrimination. Frederick Douglass described education as ''the pathway from slavery to freedom.'' The days of slavery have passed, but education still enables young people to take advantage of their faculties and their freedom.

The United Negro College Fund achieves this aim by providing support to more minority students and higher institutions than any other organization in the country. Since its founding in 1944, UNCF has helped hundreds of thousands of students attend college. It includes in its alumni some of the foremost leaders in American history, including Dr. King and Congressman LEWIS. Today, the United Negro College Fund raises money for operating funds for member colleges and universities, provides access to new technology to historically Black colleges and universities, and provides assistance to young people who hope to further their careers and their lives by going to college.

This legislation commemorates historic sacrifices and victories and reminds us that we must continue to work for a more equal America.•

SAFETY OF AVANDIA

Mr. GRASSLEY. Mr. President, I am here today to talk about another potential failure by the FDA that may have endangered the lives of millions of Americans. Avandia is a drug that was approved by the FDA in 1999. It is a diabetes drug and is used to lower blood sugar. This is important because lowering a diabetic's blood sugar can help prevent or at least postpone two of the biggest killers among diabetics: heart attacks and strokes.

But today, Dr. Steven Nissen, the chairman of Cardiovascular Medicine at the Cleveland Clinic and the immediate past president of the American College of Cardiology, and his colleague, Ms. Kathy Wolski, reported in the New England Journal of Medicine that there is a serious problem with Avandia. Avandia, according to Dr. Nissen and Ms. Wolski is increasing the likelihood that a diabetic will have a heart attack and maybe even die. I want everyone to pay attention to the fact that the New England Journal of Medicine accepted this analysis of Avandia on a ''fast track'' review. The New England Journal of Medicine did that because it was requested by the authors and because in its opinion, the analysis of adverse effects related to Avandia suggests serious patient health risks.

Dr. Nissen and Ms. Wolski based their finding on an analysis of 42 clinical trials.

FDA also decided to say something to the American people today in response to Dr. Nissen's analysis. Around 1 p.m. today, the FDA told the American people that they intend to call for an advisory board meeting to discuss Avandia and that they could not yet reach a ''firm conclusion'' on what to recommend to people taking Avandia. It was interesting to listen to the call because Dr. Dal Pan, who is the head of the Office of Surveillance and Epidemiology, didn't say a word, although he is in charge of postmarketing surveillance. I guess the FDA thinks that the decision to go to an advisory committee meeting takes the heat off what looks like another failed decision-making process. We will see.

Avandia has a long history. It has been on the market for about 8 years. Tens of millions of prescriptions have been written for Avandia, and Medicare and Medicaid have paid hundreds of millions of dollars for this drug.

There have been many clinical trials involving Avandia over the years and there have been numerous postmarketing changes to Avandia's label. I also understand that FDA has known about the possibility of problems with this drug since about October 2005. That is about 19 months ago.

The article appearing today in the New England Journal of Medicine raises a lot of serious questions for me about the real story behind the safety of Avandia. When I couple that article with the FDA conference call that ducked lots of questions I become very suspicious.

Over the last 3 years, my investigations into the FDA showed that the agency was too cozy with the drug industry and did not always put safety of the American people first. The FDA is supposed to regulate the drug industry, but in the case of Vioxx, just to name one debacle, American lives were endangered unnecessarily.

My question today is, Do we have another Vioxx on our hands with Avandia? I am not sure, but I intend to find out. In fact, today Senator BAUCUS and I sent out several document requests including one to the FDA and one to the drug sponsor. We want to understand what did FDA know about this drug, when did it know it, and what did it do about it?

The authors of the New England Journal of Medicine article report a 43 percent increase in the risk of myocardial infarction/heart attack and potentially a 64 percent increase in the risk of cardiovascular death. I need the FDA to tell me why a diabetic would take a drug that may increase the risk of the very thing they are trying to avoid—a heart attack. I also want to know why the FDA did not require the drug sponsor to conduct long-term safety studies instead of small, short-term trials that resulted in few adverse cardiovascular events or death. I want to know what the FDA has been doing for the last 18 months. We want to know the same from the drug sponsor.

Interestingly, in an editorial that accompanied the study, two other veterans of the Vioxx controversy—Dr. Bruce Psaty of the University of Washington and Dr. Furberg of Wake Forest University—write that: ''. . . the rationale for prescribing rosiglitazone at this time is unclear.'' Additionally they call for the FDA to take regulatory action and note that bigger and better long-term studies of long-term treatments for conditions such as diabetes should be completed as soon as possible after a drug is approved.

Let me also say something else to all those FDA employees trying to do their job who probably know the answers to many of my questions: Please feel free to call the Finance Committee if you have any information about this drug and how the FDA handled the situation. You can also call or contact us anonymously if you want. If you want to fax information to me, here is my fax number: 202–228–2131. We welcome your help and insight because I know that many of you want to protect the American public first and foremost and sometimes that is not as easy as it should be at the FDA.

You will also remember that just a few weeks ago I came before the Senate several times to talk about drug safety. I told everyone then—as we were discussing S. 1082, a bill that was intended to dramatically improve postmarketing drug safety, that I was concerned that the bill would not do that. In my mind and in light of all the work I have done over the past 3 years on the FDA, I told everyone that the litmus test for me was whether or not the new drug safety bill would prevent another Vioxx.

My position has consistently been that S. 1082 did not go far enough and would not prevent another Vioxx. That was why I proposed and insisted on a vote giving joint authority between the office that approves new drugs for the market and the office that is responsible for postmarket safety. Forty-six Senators listened to what I had to say, but I was one vote short and the amendment did not pass.

Drs. Psaty and Furberg also said in their editorial, and I quote, ''On May 10, 2007, the Senate passed the Food and Drug Administration Revitalization Act. Although the Senate bill has many strengths, including the allocation of new authority to the FDA, none of its provisions would necessarily have identified the cardiovascular risks of rofecoxib or rosiglitazone in a timely fashion.''

The drug industry has brought us miracle drugs. These drugs have vastly improved the lives of millions throughout the world. At the same time, we all know that drugs have risks and benefits. Each of us tries to consider those risks and benefits when we consult with our doctors to make the best decision for ourselves or our family members as to whether we will take a particular drug. But we can't do what is best for ourselves or our family members if we don't know all the relevant information in a timely manner.

ISLANDER AMERICAN HERITAGE MONTH

Mrs. FEINSTEIN. Mr. President, during the month of May we celebrate Asian Pacific Islander American Heritage Month. I would like to join the Nation in honoring the many contributions of Americans of Asian Pacific Islander descent and pay tribute to their efforts in strengthening and nourishing our history, commerce, cultural identity, and resolve.

This month-long tribute would not be complete without recognizing the visionaries who founded Asian Pacific Islander American Heritage Month: U.S. Senator DANIEL INOUYE, former U.S. Senator Spark Matsunaga, former Secretary of Transportation Norman Y. Mineta, and former U.S. Representative Frank Horton. As a result of their steadfast leadership, a joint resolution established Asian Pacific American Heritage Week in 1978, and the celebration was later expanded to an entire month in 1992.

This celebration takes place in May to mark the first Japanese immigrants' arrival in America in 1843, as well as the completion of the Transcontinental Railroad in 1869 which would not have been finished without the hard work and dedication of Chinese laborers.

This month is also a time to honor the Japanese-American survivors of the forced internment camps established during World War II. The internment of Japanese Americans during

World War II was a grim chapter in America's history. But by sustaining this history, we can hope to prevent a similar travesty from occurring.

That is why it was so important to designate Tule Lake as a National Historic Landmark within the lifetimes of the few surviving Japanese-American internees, before many of their stories were lost. And thanks to the efforts of Interior Secretary Gale Norton, the Tule Lake Segregation Center will help future generations understand the pain and suffering that Japanese Americans endured during World War II.

Despite these hardships, members of the Asian Pacific Islander community have continued to take positions of leadership and have worked hard to secure a brighter future for all.

Today, California boasts 20 elected officials of Asian Pacific Islander heritage. There are now nine Asian Pacific Islander Americans in the State legislature; four on the State board of equalization, including John Chiang as the State controller; and a number of others in local government. A new generation of leaders has emerged with a vision of a politically empowered Asian Pacific Islander American electorate.

Additionally, over 62,000 Asian Pacific Islander Americans are on active duty in the military, and nearly 8,000 are deployed across the world to fight terrorism. And Asian Pacific Islander Americans are among the thousands of Americans who have sacrificed their lives for our country.

The United States draws great strength from the diversity of this population. At present, Asian Pacific Islander Americans constitute one of the fastest growing minority communities in the United States. And California is home to the greatest number of Asian Pacific Islander Americans. In fact, there are over 13 million Asian Pacific Islander Americans in the Nation, with more than 4.5 million living in California.

As the second largest ethnic minority group in California, Asian Pacific Islander heritage continues to enrich our State with famous enclaves such as San Francisco's Chinatown, Los Angeles' Koreatown, Westminster's Little Saigon, and the city of Artesia's Little India.

We must recognize that the Asian Pacific Islander American community is diverse, not only in language, culture, and foods but in education and socioeconomic levels as well. That is why it is so important to provide talented students who have clearly embraced the American dream the incentive to take the path toward being a responsible, contributing member in our civic society.

I have cosponsored the DREAM Act of 2007 to give undocumented high school students who wish to attend college or serve in the Armed Forces an opportunity to adjust to a lawful status and pursue these goals. If it becomes law, the DREAM Act would help Asian Pacific Islander Americans and others triumph over adversity.

As future generations of Asian Pacific Islander Americans continue to strive for excellence in our educational system, economy, and communities, I am pleased to honor and distinguish the many triumphs and accomplishments of the Asian Pacific Islander American community and their role in shaping our Nation's identity.

VA HEALTH INFORMATION TECHNOLOGY

Mr. AKAKA. Mr. President, last week the Senate passed a resolution designating May 14 to 18, 2007, as National Health Information Technology Week. In connection with this resolution, it is important to recognize the leadership and progress that the Department of Veterans Affairs has shown in the area of health information technology.

By passing this resolution, the Senate has recognized the tremendous importance of information technology in improving health care for all Americans. RAND Corporation has estimated that by improving health information technology and practices more than $81 billion can be saved annually in the United States.

Such savings are only one aspect of the promised impact of better health information technology. The other, more important aspect is that improved health information technology can help save lives by providing health care providers with more accurate and timely patient information.

As an increasing number of veterans return from the current conflicts in Iraq and Afghanistan with complicated injuries, they must receive the quality care earned through their service. Information technology helps VA provide that care.

Over the past decade, VA has become a leader in the use of electronic health records. Through VA's veterans health information system and technology architecture, commonly referred to as VISTA, clinicians can access and update electronic health records throughout the Nation's largest health care system. Clinicians can also view medical images, such as x rays, pathology slides, and other critical records that can be placed immediately into a patient's record. In addition to their electronic records system, VA is reducing medication and prescription errors through a point-of-care system to verify that patients receive correct dosage at correct times, visually alerting staff when errors are made. For its development and employment of this system, VA was awarded the 2006 Innovations in Government Award, sponsored by Harvard University.

While VA's health care system is by no means perfect, its use of health information technology has improved the quality of care received by veterans, while reducing the costs to our taxpayers. I hope the Department will continue on their path of progress, and I commend VA for its work thus far.

ADDITIONAL STATEMENTS

IN RECOGNITION OF STAFF SERGEANT HAROLD GEORGE DANLEY

• Mr. NELSON of Nebraska. Mr. President, I wish to recognize a man who died in the service of his country 64 years ago, but never received the proper recognition he was due.

Harold George Danley was one of four brothers from Lincoln, NE, who joined the armed services during World War II. Three of those brothers returned home to their families; Sergeant Danley, who was 22 years old, did not.

Sergeant Danley was serving in the 18th Army/Air Force Anti-Submarine Squadron aboard a B–24D Bomber, which crashed while patrolling the East Coast of the United States somewhere near the Virginia/North Carolina shoreline on April 21, 1943. Despite the efforts of search parties, his body was never recovered; therefore, no memorial service was ever performed on his behalf. It was some time later that the family was notified that Sergeant Danley was officially listed as FOD, ''Finding of Death.''

Sergeant Danley left behind his wife Thelma; his daughter Merriam, who was born several months after her father's death; his father Harrison and stepmother Anna; three brothers, LTC Earl E. Danley, SGT Bob E. Danley, and SGT Lloyd K. Danley, now deceased; and three half-siblings, Marvin, Delores, and Betty. His mother Ella preceded him in death.

On May 18, 2007, a memorial service was held at Arlington National Cemetery to honor Harold G. Danley as a son, brother, husband, and father, as well as a man who made the ultimate sacrifice in the service of his country. My thoughts are with the Danley family as they honor the memory of Staff Sergeant Danley, a Nebraska hero from the Second World War.•

RECOGNIZING HEIDI WENTZLAFF

• Mr. THUNE. Mr. President, today I recognize Heidi Wentzlaff, an intern in my Sioux Falls, SD office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Heidi is a graduate of Centerville Public High School in Centerville, SD. Currently she is attending Augustana College, where she is majoring in government and international affairs. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Heidi for all of the fine work she has done and wish her continued success in the years to come.•

TRIBUTE TO KEN CROCKETT

• Mr. ROCKEFELLER. Mr. President, I wish to recognize the decade-plus of

service that Ken Crockett has dedicated to the State of West Virginia. For the last 11 years, Ken has served as the director of the West Virginia Japan Office in Nagoya, which sits in the Aichi Prefecture of Japan.

West Virginia has opened trade offices throughout the world in order to encourage economic relationships with our State. The Japan Office has helped draw a number of Japanese businesses to open new locations in West Virginia, as well as helped the businesses already in West Virginia export their products to Japan. In addition to the economic benefits of this relationship, the Japan office has facilitated a number of cultural and educational exchanges—all under Ken's leadership.

In Ken's years as director of the West Virginia Japan Office, our State and Japan have seen a dramatic, if not astronomical, rise in their economic relations. West Virginia is currently home to 19 Japanese companies that have created thousands of direct and indirect jobs for our State's citizens. Japanese investors have been, and continue to be, outstanding corporate citizens of West Virginia—contributing economically and culturally to the quality of the State.

I have seen Ken's work firsthand on a number of occasions in Japan on trade missions with various Governors. Ken's relationships and his presence in Nagoya have been very valuable for our development efforts. He operated with a strong dedication to our collective goals and an understanding of both Japan and West Virginia.

Very soon, Ken will be embarking on a new career with NGK Spark Plugs—West Virginia's first major Japanese investor—and a trailblazer for our State's Japanese automotive industry. Ken will bring to that job the same determination, commitment, and hard work ethic he brought to the State's economic development efforts. We look forward to working with him in his new position as we continue to strengthen our ties with our State's existing Japanese investors.

Mr. President, I thank the Senate and ask that my colleagues join me in recognizing Ken's service to my State and wish him the best in his future endeavors.●

TRIBUTE TO CHARLES WOFFORD

● Mr. SESSIONS. Mr. President, I wish to recognize Charles Wofford. Mr. Wofford is retiring from the position of Alabama area director of the Social Security Administration after over 45 years of dedicated service. He has served as the Area Director in Alabama since September 1979.

Mr. Wofford graduated from the University of Alabama in 1961 with a B.S. degree in biology. He began work with Social Security that same year as a claims representative trainee. He held additional increasingly responsible jobs as a claims authorizer, field representative, operations supervisor, branch manager, assistant district manager, district manager, and has been an area director since April 1977 and came to Alabama in 1979 to serve as the Alabama area director at that time.

He is the senior area director in the United States, and has received numerous awards throughout his career for superior performance. He received a service award for spearheading an intense direct deposit campaign and a cash award in recognition of exemplary achievement in the area of DDS and field office relations. He has strived to build a strong management team and has worked to ensure that all employees are fully trained to perform to the best of their ability. He received the Deputy Commissioner's Citation for Outstanding Contributions as a member of the National Training Vision Workgroup.

I congratulate Mr. Wofford on his retirement. He has been a valued employee and wise mentor to many other employees. He enjoys traveling, and we wish him well in the future as he has more time to enjoy this favored pastime.●

HONORING DR. DAVID TAWEI LEE

● Mr. ROCKEFELLER. Mr. President, I wish to honor Dr. David Tawei Lee, who has been Taiwan's chief representative to the United States. Dr. Lee will be assuming his new post as Taiwan's top envoy in Canada this month, leaving his post in Washington to take on this new role in Ottawa.

I have known David for decades, and he has been a staunch ally and strong advocate for West Virginia. He has helped me, and our State, to make inroads in the Taiwanese economy and has been instrumental in the continuing success of businesses with roots in both Taiwan and West Virginia. This ongoing economic relationship is enormously important for both sides and has allowed West Virginia to continue to grow its burgeoning aviation industry and to explore business opportunities we never thought possible.

As a result of the hard work of Representative LEE and others, Sino Swearingen Aircraft Company continues its push toward mass production of one of the most impressive business jets in the world. In addition, in my personal interactions with David, he has always been straightforward, honest, compassionate, and well-informed. I knew he would level with me during any difficult time and that I could count on him to fairly and accurately relay the results of our meetings to his people.

Representative LEE has worked hard during the last 2½ years to renew and strengthen the political, economic, and social ties that bind the United States and Taiwan. On many difficult occasions, David Lee has risen to the challenge, and as Taiwan's Chief Representative to the United States he has given countless hours assisting lawmakers, administration officials, and the private sector in understanding the complex relationship between our people and ensuring that our longstanding friendship continues.

Representative LEE was educated at the National Taiwan University and received his Ph.D. in foreign affairs from the University of Virginia. David is a true democrat, firmly committed to the principles of democracy and capitalism. He has been an asset for both Taiwan and the United States, and he has served Taiwan with honor, integrity, and distinction.

Dr. Lee's record of distinguished public service to his people spans more than two decades. He began his career at the Coordination Council for North American Affairs, Office in Washington, DC, in 1982 as a staff consultant and soon rose to various important posts in Taiwan's foreign ministry. From 1997 to 1998, he was Director-General, Government Information Office, and Government spokesman for Taiwan. From 1998 to 2001, he served as Deputy Foreign Minister; from 2001 to 2004, he was Taiwan's Representative to the European Union, stationed in Belgium. Since the summer of 2004, he has served as the Republic of China's chief representative in the United States.

Our loss here in Washington will be Canada's gain. In his new role as Taiwan's representative to Canada, David will continue to be a strong advocate for policies that will encourage expanded trade and a continuing good relationship between Taiwan and the rest of the world. Again, I would like to take this opportunity to wish Representative and Madame Lee the very best of luck. They are our good friends, and we will miss them.●

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.)

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by one of his secretaries:

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAQ AS DECLARED IN EXECUTIVE ORDER 13303 OF MAY 22, 2003, AS RECEIVED DURING THE RECESS OF THE SENATE ON MAY 18, 2007—PM 15

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication. This notice states that the national emergency declared in Executive Order 13303 of May 22, 2003, as modified in scope and relied upon for additional steps taken in Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004, and Executive Order 13364 of November 29, 2004, is to continue in effect beyond May 22, 2007.

The threats of attachment or other judicial process against (i) the Development Fund for Iraq, (ii) Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof, and interests therein, or (iii) any accounts, assets, investments, or any other property of any kind owned by, belonging to, or held by, on behalf of, or otherwise for the Central Bank of Iraq obstruct the orderly reconstruction of Iraq. These threats also impede the restoration and maintenance of peace and security and the development of political, administrative, and economic institutions in Iraq. These threats continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency protecting the Development Fund for Iraq, certain other property in which Iraq has an interest, and the Central Bank of Iraq and maintain in force the measures to respond to this threat.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 18, 2007*.

MESSAGE FROM THE HOUSE

At 1:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 43. Joint resolution increasing the statutory limit on the public debt.

MEASURES REFERRED

The following joint resolution was read the first and the second times by unanimous consent, and referred as indicated:

H.J. Res. 43. Joint resolution increasing the statutory limit on the public debt; to the Committee on Finance.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1962. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Aspergillus flavus AF36 on Pistachio; Temporary Exemption From the Requirement of a Tolerance'' (FRL No. 8129–4) received on May 18, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1963. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Coumaphos; Pesticide Tolerance'' (FRL No. 8131–4) received on May 18, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1964. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Famoxadone; Pesticide Tolerance'' (FRL No. 8128–6) received on May 18, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1965. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Propanil, Phenmedipham, Triallate, and MCPA; Tolerance Actions'' (FRL No. 8126–6) received on May 18, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1966. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mexican Fruit Fly; Addition of Quarantined Area'' (Docket No. APHIS–2007–0051) received on May 18, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1967. A communication from the Secretary of Agriculture, transmitting, a legislative proposal that would shift funding for the research, development, and maintenance of information technology functions of the Federal Crop Insurance Corporation from the Government to the insurance companies participating in the program; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1968. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to the National Guard Counterdrug Schools; to the Committee on Armed Services.

EC–1969. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Former Liberian Regime of Charles Taylor Sanctions Regulations'' (31 C.F.R. Part 593) received on May 17, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–1970. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, the report of a draft bill intended to ''amend the Mineral Leasing Act to provide for Net Receipts Sharing and for other purposes''; to the Committee on Energy and Natural Resources.

EC–1971. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Update to Materials Incorporated by Reference'' (FRL No. 8313–2) received on May 18, 2007; to the Committee on Environment and Public Works.

EC–1972. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Georgia; Removal of Douglas County Transportation Control Measure; Correcting Amendment'' (FRL No. 8317–3) received on May 18, 2007; to the Committee on Environment and Public Works.

EC–1973. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Rule on the Treatment of Data Influenced by Exceptional Events; Correction'' (FRL No. 8316–5) received on May 18, 2007; to the Committee on Environment and Public Works.

EC–1974. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances-n-Propyl Bromide in Solvent Cleaning'' ((RIN2060–AO10)(FRL No. 8316–8)) received on May 18, 2007; to the Committee on Environment and Public Works.

EC–1975. A communication from the Chairman, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled ''Report to Congress on Abnormal Occurrences: Fiscal Year 2006''; to the Committee on Environment and Public Works.

EC–1976. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Statistical Sampling for Purposes of Section 199'' (Rev. Proc. 2007–35) received on May 17, 2007; to the Committee on Finance.

EC–1977. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Qualifying In-Kind Partnerships Involving Mining'' (Rev. Rul. 2007–30) received on May 17, 2007; to the Committee on Finance.

EC–1978. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Federal Universal Service Support'' (Rev. Rul. 2007–31) received on May 17, 2007; to the Committee on Finance.

EC–1979. A communication from the Secretary, Judicial Conference of the United States, transmitting, the report of a legislative proposal entitled ''Student Loan Fairness Act of 2007''; to the Committee on Health, Education, Labor, and Pensions.

EC–1980. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–41, ''Verizon Center Sales Tax Revenue Bond Approval Act of 2007'' received on May 17, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–1981. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–39, ''Human Papillomavirus Vaccination and Reporting Act of 2007'' received on May 17, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–1982. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–40, ''Lorraine H. Whitlock Memorial Bridge Designation Act of 2007'' received on May 17, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–1983. A communication from the Acting Director, U.S. Trade and Development Agency, transmitting, pursuant to law, the report of a vacancy in the position of Director, received on May 17, 2007; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 1079. A bill to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive report of a nomination was submitted on May 21, 2007:

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Howard Charles Weizmann, of Maryland, to be Deputy Director of the Office of Personnel Management.

The following executive reports of nominations were submitted on May 17, 2007:

By Mr. DODD for the Committee on Banking, Housing, and Urban Affairs.

Michael W. Tankersley, of Texas, to be Inspector General, Export-Import Bank.

David George Nason, of Rhode Island, to be an Assistant Secretary of the Treasury.

Mario Mancuso, of New York, to be Under Secretary of Commerce for Export Administration.

Robert M. Couch, of Alabama, to be General Counsel of the Department of Housing and Urban Development.

Janis Herschkowitz, of Pennsylvania, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

David George Nason, of Rhode Island, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

Nguyen Van Hanh, of California, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. MURKOWSKI:

S. 1433. A bill to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain Federal employees in the State of Alaska; to the Committee on Energy and Natural Resources.

By Mr. PRYOR (for himself and Mr. BINGAMAN):

S. 1434. A bill to amend the National Energy Conservation Policy Act to promote the use of energy and water efficiency measures in Federal buildings, to promote energy savings performance contracts and utility energy service contracts, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COCHRAN:

S. 1435. A bill to amend the Energy Policy and Conservation Act to increase the capacity of the Strategic Petroleum Reserve, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1436. A bill to amend the Agricultural Adjustment Act to add clementines to the list of fruits and vegetables subject to minimum quality import requirements issued by the Secretary of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. STABENOW (for herself, Mr. OBAMA, Mr. BROWN, Mr. REID, Mrs. BOXER, Mr. LIEBERMAN, Mr. KERRY, Mr. CARDIN, Mr. DURBIN, Mr. MENENDEZ, Mrs. FEINSTEIN, and Ms. LANDRIEU):

S. 1437. A bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 1438. A bill to improve railroad safety; to the Committee on Commerce, Science, and Transportation.

By Mr. ROBERTS (for himself and Mr. SALAZAR):

S. 1439. A bill to reauthorize the broadband loan and loan guarantee program under title VI of the Rural Electrification Act of 1936; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SPECTER (for himself, Mr. ROCKEFELLER, and Mr. CASEY):

S. 1440. A bill to provide for judicial determination of injury in certain cases involving dumped and subsidized merchandise imported into the United States, and for other purposes; to the Committee on Finance.

By Mr. CRAIG:

S. 1441. A bill to amend title 38, United States Code, to modify authorities for the Secretary of Veterans Affairs to accept new applications for grants for State home construction projects to authorize the Secretary to award grants for construction of facilities used in non-institutional care programs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMAS:

S. 1442. A bill to authorize the Secretary of Homeland Security to establish new units of Customs Patrol Officers; to the Committee on Homeland Security and Governmental Affairs.

By Mr. THOMAS (for himself and Mr. BUNNING):

S. 1443. A bill to provide standards for renewable fuels and coal-derived fuels; to the Committee on Energy and Natural Resources.

By Mr. LEAHY:

S.J. Res. 13. A joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding; 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. LUGAR (for himself and Mr. DODD):

S. Res. 211. A resolution expressing the profound concerns of the Senate regarding the transgression against freedom of thought and expression that is being carried out in Venezuela, and for other purposes; to the Committee on Foreign Relations.

By Mr. COLEMAN (for himself and Mr. LIEBERMAN):

S. Res. 212. A resolution to express the sense of the Senate relating to legislation to curb global warming; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 231

At the request of Mrs. FEINSTEIN, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Oregon (Mr. WYDEN), the Senator from Nebraska (Mr. NELSON), the Senator from Montana (Mr. TESTER) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 280

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 280, a bill to provide for a program to accelerate the reduction of greenhouse gas emissions in the United States by establishing a market-driven system of greenhouse gas tradeable allowances, to support the deployment of new climate change-related technologies, and to ensure benefits to consumers from trading in such allowances, and for other purposes.

S. 326

At the request of Mrs. LINCOLN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 326, a bill to amend the Internal Revenue Code of 1986 to provide a special period of limitation when uniformed services retirement pay is reduced as result of award of disability compensation.

S. 413

At the request of Mrs. CLINTON, the name of the Senator from Washington (Mrs. MURRAY) 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. 442

At the request of Mr. DURBIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 458

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 458, a bill to amend title XVIII of the Social Security Act to provide for the treatment of certain physician pathology services under the Medicare program.

S. 557

At the request of Mr. SCHUMER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 557, a bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

S. 558

At the request of Mr. KENNEDY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 558, a bill to provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services.

S. 609

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 609, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 615

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 615, a bill to provide the nonimmigrant spouses and children of nonimmigrant aliens who perished in the September 11, 2001, terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes.

S. 626

At the request of Mr. KENNEDY, the names of the Senator from New York (Mr. SCHUMER), the Senator from Connecticut (Mr. DODD) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 700

At the request of Mr. MARTINEZ, his name was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code to provide a tax credit to individuals who enter into agreements to protect the habitats of endangered and threatened species, and for other purposes.

S. 749

At the request of Mr. NELSON of Florida, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 749, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 764

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 764, a bill to amend title XIX and XXI of the Social Security Act to permit States the option of coverage of legal immigrants under the Medicaid Program and the State children's health insurance program (SCHIP).

S. 773

At the request of Mr. WARNER, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 807

At the request of Mrs. LINCOLN, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 807, a bill to amend the Comprehensive Environmental Response Compensation and Liability Act of 1980 to provide that manure shall not be considered to be a hazardous substance, pollutant, or contaminant.

S. 849

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 849, a bill to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 893

At the request of Mr. DEMINT, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 893, a bill to allow a State to combine certain funds and enter into a performance agreement with the Secretary of Education to improve the academic achievement of students.

S. 901

At the request of Mr. KENNEDY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Arkansas (Mr. PRYOR) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 935

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 946

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 946, a bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize the McGovern-Dole International Food for Education and Child Nutrition Program, and for other purposes.

S. 961

At the request of Mr. NELSON of Nebraska, the names of the Senator from Virginia (Mr. WARNER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 961, a bill to amend title 46, United States Code, to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II, and for other purposes.

S. 969

At the request of Mr. DODD, the names of the Senator from Rhode Island (Mr. REED), the Senator from Hawaii (Mr. AKAKA) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 969, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 999

At the request of Mr. COCHRAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 999, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1012

At the request of Ms. LANDRIEU, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1012, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1013

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1013, a bill to amend title XIX of the Social Security Act to encourage States to provide pregnant

women enrolled in the Medicaid program with access to comprehensive tobacco cessation services.

S. 1027

At the request of Mr. KOHL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1027, a bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

S. 1070

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1070, a bill to amend the Social Security Act to enhance the social security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 1183

At the request of Mr. HARKIN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1183, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

S. 1200

At the request of Mr. DORGAN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

S. 1213

At the request of Mr. LUGAR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1213, a bill to give States the flexibility to reduce bureaucracy by streamlining enrollment processes for the Medicaid and State Children's Health Insurance Programs through better linkages with programs providing nutrition and related assistance to low-income families.

S. 1257

At the request of Mr. LIEBERMAN, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1257, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

S. 1312

At the request of Mr. DEMINT, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1312, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board.

S. 1340

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1340, a bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries with access to geriatric assessments and chronic care coordination services, and for other purposes.

S. 1363

At the request of Mrs. CLINTON, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1363, a bill to improve health care for severely injured members and former members of the Armed Forces, and for other purposes.

S. 1382

At the request of Mr. REID, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from Illinois (Mr. DURBIN), the Senator from Vermont (Mr. SANDERS), the Senator from Idaho (Mr. CRAIG) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1395

At the request of Mr. LEVIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1395, a bill to prevent unfair practices in credit card accounts, and for other purposes.

S. 1415

At the request of Mr. HARKIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1415, a bill to amend the Public Health Service Act and the Social Security Act to improve screening and treatment of cancers, provide for survivorship services, and for other purposes.

S. 1428

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1428, a bill to amend part B of title XVIII of the Social Security Act to assure access to durable medical equipment under the Medicare program.

S. CON. RES. 26

At the request of Mrs. CLINTON, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Con. Res. 26, a concurrent resolution recognizing the 75th anniversary of the Military Order of the Purple Heart and commending recipients of the Purple Heart for their courageous demonstrations of gallantry and heroism on behalf of the United States.

S. CON. RES. 27

At the request of Mrs. CLINTON, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Con. Res. 27, a concurrent resolution supporting the goals and ideals of ''National Purple Heart Recognition Day''.

S. RES. 205

At the request of Ms. MURKOWSKI, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Res. 205, a resolution designating June 2007 as ''National Internet Safety Month''.

S. RES. 210

At the request of Mr. LIEBERMAN, the names of the Senator from Nevada (Mr. REID) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. Res. 210, a resolution honoring the accomplishments of Stephen Joel Trachtenberg as president of the George Washington University in Washington, D.C., in recognition of his upcoming retirement in July 2007.

AMENDMENT NO. 1139

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 1139 intended to be proposed to H.R. 2206, making emergency supplemental appropriations and additional supplemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI:

S. 1433. A bill to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain Federal employees in the State of Alaska; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, last year, as we approached the beginning of National Police Week 2006, our Nation was saddened by the tragic loss of two Fairfax County, VA, police officers, Detective Vicki Armel and Master Police Officer Michael Gambarino, in an ambush at the Sully District Police Station. Once again, as National Police Week 2007 drew to a close, the Nation found itself in mourning at the loss of an officer who was ambushed over the weekend. I am referring to Moscow, ID, Police Officer Lee Newbill, a husband and a father of three who was fatally shot on Saturday night. We do not remember our fallen law enforcement officers for the way they gave their lives but for the way they lived them. The people of the State of Alaska extend our condolences to Officer Newbill's wife and three children. We are also thinking about Brannon Jordan, a Latah County sheriff s deputy who was shot in the incident, but who is expected to recover, according to media reports.

I would like to take this opportunity once again to speak about the life and accomplishments of the late Thomas P. O'Hara, a National Park Service protection ranger and pilot who gave his life in the line of duty, an Alaskan hero.

Thomas P. O'Hara was assigned to the Katmai National Park and Preserve in the Bristol Bay region of western Alaska. On December 19, 2002, Ranger O'Hara and his passenger, a Fish and Wildlife Service employee, were on a mission in the Alaska Peninsula National Wildlife Refuge. Their plane went down on the tundra.

When the plane was reported overdue, a rescue effort consisting of 14 single-engine aircraft, an Alaska Air National Guard plane, and a Coast Guard helicopter quickly mobilized. Many of the single-engine aircraft were piloted by Torn's friends. The wreckage was located late in the afternoon of December 20. The passenger survived the crash, but Ranger Torn did not.

Tom O'Hara was an experienced pilot with 11,000 hours as a pilot-in-command. He was active in the communities of Naknek and King Salmon where he grew up, flying children to Bible camp and coaching young wrestlers. Tom provided a strong link between the residents of Bristol Bay and the National Park Service.

Although Tom O'Hara was a most valued employee of the National Park Service, he did not enjoy the same status as National Park Service employees with competitive career status. Tom was hired under a special hiring authority established under the Alaska National Interest Lands Conservation Act, ANILCA, which permits land management agencies like the National Park Service to hire, on a noncompetitive basis, Alaskans who by reason of having lived or worked in or near public lands in Alaska, have special knowledge or expertise concerning the natural or cultural resources of public lands and the management thereof.

Tom O'Hara possessed this knowledge and offered it freely to the National Park Service. But because he was hired under this special authority, his opportunities for transfer and promotion within the Park Service were limited, even though his service was exemplary.

As a lasting memorial to Tom O'Hara's exemplary career, I am introducing legislation today that will grant competitive status to ANILCA local hire employees who hold permanent appointments with the Federal land management agencies after the completion of 2 years of satisfactory service. In Tom's honor, the short title of this legislation is the Thomas P. O'Hara Public Land Career Opportunity Act of 2007.

It is my sincere hope that the enactment of this legislation will encourage other Alaskans, particularly Alaska Natives, to follow in Tom O'Hara's footsteps and seek lifelong careers with the Federal land management agencies.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1440

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 ''Thomas P. O'Hara Public Land Career Opportunity Act of 2007''.

SEC. 2. COMPETITIVE STATUS FOR CERTAIN FEDERAL EMPLOYEES IN THE STATE OF ALASKA.

Section 1308 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3198) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) COMPETITIVE STATUS.—An individual appointed to a permanent position under subsection (a) shall be converted to competitive status after—

''(1) if the appointment is full time, the completion of 2 years of competitive and satisfactory full time service; or

''(2) if the appointment is less than full time, the period that is equivalent to 2 years of competitive and satisfactory full time service.''.

By Mr. COCHRAN:

S. 1435. A bill to amend the Energy Policy and Conservation Act to increase the capacity of the Strategic Petroleum Reserve, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. COCHRAN. Mr. President, in 1975, the Strategic Petroleum Reserve was established, after the Arab oil embargo, to lessen the impact of future severe energy supply disruptions. Since 1975, the Strategic Petroleum Reserve, SPR, has served as our Nation's energy insurance policy.

The legislation I offer today expands the capacity of the SPR from 1 billion barrels, as authorized in the Energy Policy and Conservation Act, to 1.5 billion barrels.

Memorial day marks the beginning of the summer vacation season, and this summer all of our constituents are facing escalating gasoline prices. Expanding our domestic supplies of oil, gas, and petroleum has become crucial.

Increasingly, internationally traded oil originates from unstable regions of the world. The United States' economic security is threatened by vulnerability to disruptions in world oil supply and volatile oil prices. The Nation's transportation sector, major industries, and military are dependent upon petroleum, and so it is crucial that we do what we can to minimize disruptions in the world oil supply.

The existing inventory in the SPR represents only 56 days of net imports. The United States' obligation to the member countries of the International Energy Agency requires it to maintain the equivalent of 90 days of net petroleum imports. Though the inclusion of private inventories allows the U.S. to satisfy the IEA obligation, increasing the authorized capacity of the SPR to 1.5 billion barrels will help ensure the United States meets its international obligations, regardless of commercial inventory trends.

In December of 2006, the Department of Energy chose the salt domes in Richton, Mississippi as their preferred site for the construction of a new Strategic Petroleum Reserve facility to lead the expansion efforts. I am proud that Mississippi was chosen to lead the efforts of such an important program, and I know that the community of Richton, which suffered in the wake of Hurricane Katrina, is thrilled to begin construction on a project that will strengthen its economic development. Current SPR sites in Texas and Louisiana will also gain reserves.

I urge the Senate to support this bill. The entire country's energy security and stability depends on a combination of efforts to increase domestic supplies of oil, gas, and petroleum. I am pleased that my colleagues in the Senate are promoting new renewable energy technologies through legislation, and it is through a combination of these efforts that we might finally reduce our dependence upon foreign oil.

By Ms. STABENOW (for herself, Mr. OBAMA, Mr. BROWN, Mr. REID, Mrs. BOXER, Mr. LIEBERMAN, Mr. KERRY, Mr. CARDIN, Mr. DURBIN, Mr. MENENDEZ, Mrs. FEINSTEIN, and Ms. LANDRIEU):

S. 1437. A bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964; to the Committee on Banking, Housing, and Urban Affairs.

Ms. STABENOW. Mr. President, I rise today in strong support of a bill that directs the Treasury Department to mint 350,000 $1 coins marking the semi-centennial of the passage of the Civil Rights Act of 1964.

The Civil Rights Act of 1964 greatly expanded civil rights protections by outlawing racial discrimination and segregation in public places and places of public accommodation, in federally funded programs and employment, and encouraging desegregation in public schools, and has served as a model for subsequent antidiscrimination laws.

This landmark legislation once implemented, had effects that were far reaching and that, clearly from its inception to today, fundamentally changed the course of our Nation.

Equality and access to education were two of the hallmarks of the civil rights movement.

The United Negro College Fund, UNCF, is the Nation's largest, oldest, most successful and comprehensive minority higher education assistance organization. UNCF provides operating funds and technology enhancement services for 39 member historically black colleges and universities, HBCUs, scholarships and internships for students at about 900 institutions and faculty and administrative professional training.

Since its inception in 1943, the UNCF has raised more than $2 billion to help a total of more than 350,000 students attend college and has distributed more funds to help minorities attend school than any entity outside of the government.

Besides being a noble tribute, this commemorative coin will assist the UNCF provide scholarships and internships for minority students and assist

with technology enhancement services for historically black colleges and universities.

In Michigan, the on-time graduation rate for African American students is less than half that of the overall rate for high school students. Moreover, the percentage of Michigan high school freshmen enrolling in college within 4 years is just 38 percent, the rate for the top States is 53 percent. These statistics are astounding. Michigan currently is working to invest more State dollars into improving high school education and reforming graduation requirements to some of the most rigorous in the Nation. If we make scholarships like this one available to students, and organizations like the UNCF helping African Americans get into colleges and stay in colleges, not just historically black colleges and universities, these statistics will improve. I am confident this coin bill is a step toward improving the state of college attendance and graduation rates for African American students.

I urge my colleagues to support this legislation.

By Mr. SPECTER (for himself, Mr. ROCKEFELLER, and Mr. CASEY):

S. 1440. A bill to provide for judicial determination of injury in certain cases involving dumped and subsidized merchandise imported into the United States, and for other purposes; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition to introduce the Unfair Foreign Competition Act of 2007, legislation providing a private right of action for domestic manufacturers injured by the illegal subsidization and dumping of foreign products into U.S. markets. These unfair, and illegal, trade practices steal jobs from our workers, profits from our companies, and economic growth from our economy.

Dumping occurs when a foreign producer sells a product in the United States at a price that is below that producer's sales price in its home market, or at a price that is lower than its cost of production. Subsidizing occurs when a foreign government provides financial assistance to benefit the production, manufacture, or exportation of a good. Under current law, the International Trade Commission, ITC, and the Department of Commerce conduct antidumping and countervailing duty investigations and 5-year reviews under title VII of the Tariff Act of 1930. U.S. industries may petition the ITC and Commerce for relief from dumped and subsidized imports. If Commerce finds that an imported product is dumped or subsidized and the ITC finds that the petitioning U.S. industry is materially injured or threatened with material injury, an antidumping duty order or countervailing duty order will be imposed to offset the dumping or subsidies.

However, since current administrative remedies are not consistently and effectively enforced, I am introducing private right of action legislation to enforce the law. My legislation allows petitioners to choose between the ITC and their local U.S. district court for the injury determination phase of their investigation. Doing so gives our injured domestic producers the opportunity to display their vigor as private plaintiffs in seeking enforcement of our trade laws. If injury is found, U.S. Customs and Border Protection would then assess duties on future importation of the article in question. The legal standard for determining dumping margins which is established by the Commerce Department would remain unchanged.

I believe that introduction of this legislation will have an important deterrent effect on the practices of China and our other trading partners. Aggressive policy measures such as this legislation are necessary to prevent China, in particular, from causing a major crisis in the near future for our domestic steel industry. China has a well-documented history of engaging in unfair trade practices, as evidenced by the 61 antidumping orders in place with respect to various products as of October 23, 2006. The statistics on China's steel output are staggering. In 2005, China made more steel than the next four largest producers combined and data show that China continues to become more export-oriented. Through the first 10 months of 2006, China's steel tonnage exports to the U.S. market more than doubled over 2005. In total, Chinese steel output grew 26 percent or more than 71 million metric tons in 2005. The explosive growth of Chinese steel over the past decade would not have been possible without the support of the Chinese Government.

This legislation is similar to legislation which I have introduced as far back as 1982 where I originally sought injunctive relief. Since its last introduction in the 106th Congress, several relevant statutes have been challenged at the World Trade Organization, WTO, prompting further modification to its current form. In each case, the United States has taken action to comply and avoid retaliatory actions by protesting WTO member countries. The United States took action in December 2004 to comply with WTO rulings on the Antidumping Act of 1916, which provided a private cause of action and criminal penalties for dumping, by prospectively repealing the act. Also, the United States took action in February 2006 to comply with WTO rulings on the Continued Dumping and Subsidy Offset Act, CDSOA, which required the distribution of collected antidumping and countervailing duties to petitioners and interested parties in the underlying trade proceedings. In both cases, the WTO panel found that U.S. law allowed an impermissible specific action against dumping and subsidization. The legislation I introduce today adapts to these changes in law and allows for a determination of injury in accordance with our international obligations.

We have too long sacrificed American industry and American jobs because the executive branch, whether it is a Democratic administration or a Republican administration, has made concessions for foreign policy and defense interests. For many years, foreign policy and defense policy have superseded basic fairness on trade policy. I received a comprehensive education on this subject back in 1984 when there was a favorable ruling by the ITC for the American steel industry, but it was subject to review by the President. At that time my colleague Senator Heinz and I visited every one of the Cabinet officers in an effort to get support to see to it that the International Trade Commission ruling in favor of the American steel industry was upheld. Then-Secretary of Commerce Malcolm Baldrige was favorable, and International Trade Representative Bill Brock was favorable. We received a favorable hearing in all quarters until we spoke with then-Secretary of State Shultz and then-Secretary of Defense Weinberger who were absolutely opposed to the ITC ruling. President Reagan decided to overrule the ITC, and U.S. trade policy and workers again took second place to foreign policy concerns.

I was reminded of this reality again in 2005 when I testified on behalf of the domestic pipe and tube industry in a section 421 safeguard case against China. This safeguard provision was inserted as a protective measure when unique and permanent trade status was granted to China, a measure which I opposed. It seemed to me that based upon the record that China had, that normal relations could not exist because they have a record of not observing the law. With these concerns in mind, Congress inserted the section 421 safeguard provision. The ITC agreed with the overwhelming evidence supporting the claim that a surge of imports from China were creating a market disruption. However, President Bush decided not to uphold the ITC's ruling. Since that time, jobs in my state have been lost. The Section 421 provision was included to provide protection for our domestic manufacturing base. Yet, none of the five petitions previously filed had been granted either. It is difficult to understand how safeguards for situations where China's conduct is excessive and unfair could be ignored, especially after giving special consideration by way of trade.

While it is my hope that the administration, whether Democrat or Republican, would take a more objective look at trade remedies for our injured domestic manufacturers, I introduce this legislation today to provide a valuable tool for domestic industry. Strict enforcement of our trade laws is critical to ensuring that our domestic manufacturers have a fair shot at competing with foreign steel. In the current environment, I believe that it is necessary

for an injured industry to have an opportunity to go into Federal court and seek reliable enforcement of America's trade laws, which are currently not being enforced adequately.

I ask my colleagues to join me now in supporting this legislation. I believe in free trade. But the essence of free trade is selling goods at a price equal to the cost of production and a reasonable profit. Where you have dumping or subsidization, it is the antithesis of free trade. The significant advances made by our manufacturers are insufficient to compete in the face of illegal trade practices such as dumping and subsidies. Our steel industry is made up of some of the most innovative, skilled, and efficient producers in the world. Our industry can compete if the playing field is level, but if foreign exporters are not held accountable, and can freely undercut American producers with dumped goods and government subsidies, the future of our steel industry will be at risk.

By Mr. CRAIG:

S. 1441. A bill to amend title 38, United States Code, to modify authorities for the Secretary of Veterans Affairs to accept new applications for grants for State home construction projects to authorize the Secretary to award grants for construction of facilities used in non-institutional care programs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. CRAIG. Mr. President, I rise today to introduce legislation to make, what I believe to be, vital and necessary changes to one of the most successful Federal-State partnership programs in the Nation today. I am speaking of the State Veterans Home Program at the Department of Veterans Affairs.

For those of my colleagues who do not know very much about this great program, the Federal-State partnership known as the State Home Program dates back nearly 120 years. It was August 7, 1888, when a $100 check from the Federal government helped the State of Connecticut offset the financial burden of caring for aging Civil War veterans. Since that time, of course, the program has greatly matured. And it has grown into the largest institutional provider of long-term care services for our Nation's aging veterans.

Today, the grant part of the program receives an annual appropriation of about $100 million. VA uses the money to pay for two-thirds of the costs of constructing State home beds pursuant to applications submitted by the States. After a home is built, the State operates the nursing facility and maintains the property for the benefit of veterans. VA, in turn, pays a daily stipend to the State of approximately $60 for each veteran in the home. The States then support the rest of the cost of care either by collecting some money from the veterans or through direct appropriation from the State legislature.

I realize that my description of this program may have some of my colleagues scratching their heads trying to find out why I believe the program needs to change and modernize. Let me explain.

As many of you know, during the 107th Congress, I served as chairman of the Senate Special Committee on Aging. I did a lot of work on long-term care issues and held many hearings on the topic. What I learned is that there is a big shift across the country from the traditional institutional care to a less restrictive, family oriented, home and community based approach to care.

When I became chairman of the Senate Committee on Veterans' Affairs, I found that VA's system is strongly biased toward institutional care. We spend most of our long-term care budget on institutional beds.

I realize that nursing homes are sometimes the best place for a sick, aging person to be properly cared for. Therefore, clearly VA needs to provide that service. But, let's face it. All of us would prefer that we never end up in a nursing home. We would do everything within our power to remain in the comfort and safety of our homes and with our families.

The interesting thing about our human desire to remain in our own homes and out of nursing homes is that our human desire is also a positive financial desire. Noninstitutional long-term care services are much more cost-effective than care provided in an institutional setting. Providing people with long-term care options and the opportunity to remain in their homes for as long as possible is exactly what my legislation is about.

There is an old saying that goes ''when all you have is a hammer, the whole world looks like nails.'' Essentially what that means is, we use the tools we have to solve whatever problem arises, even if a different tool might be more appropriate.

For nearly 120 years, with little exception, the only tool available through the State Veterans Home Program has been a bed: an institutional nursing home bed. So, whenever a veteran in a local community has independent living challenges, the State home program has a tool to help them: it has a bed. My Legislation would give the State homes additional tools to offer our veterans.

My bill would establish a noninstitutional care State home grant program. The premise of the new program would be the same as the current institutional program. States would submit an application to construct a building or renovate part of an existing state home to offer noninstitutional services to veterans. The State would have to provide one-third of the cost for construction and then take ownership and operational responsibility for the building and the care after the facility opens.

Similar to the payment structure today, VA would provide a daily payment for each veteran who receives services from the facility.

My legislation would also make some changes in the state home grant program that would help it transition into a more modern care delivery system.

As my colleagues may be aware, under the current program, States submit applications to VA to receive construction assistance. If the State can demonstrate that the project meets VA's requirements for quality; that its use will be primarily for veterans; and that the State has its one-third matching funds, then VA approves the project and places it on list according to a statutory priority.

My bill would create a 2-year window, starting with the date of enactment, for States to submit their new bed applications. Similarly, it would create a 2-year window for any State to come up with matching funds for any approved application that currently lacks the required match. After the 2-year window, VA would be prohibited from accepting any new applications for new bed construction.

I believe the reason we need this change is simple. For fiscal year 2007, there are $808 million in grant proposals on VA's approved list. Approximately $490 million in project proposals are in priority one status, meaning that the States have provided the required one-third matching funds.

At the rate of $100 million per year provided by Congress to fund these grants, it will take nearly 9 more years for Congress to fund all of the current projects on the list. That, of course, is assuming that no new projects will be added to it. And construction of all of those projects would probably not be completed until about 15 years from now.

All of that may sound like long-term planning for future care needs. However, as I mentioned earlier, the Nation as a whole is moving away from institutionalizing the elderly.

Our aging years are supposed to be our golden years. We conjure up images of sitting on a porch, sipping tea with our spouse of 50 plus years watching the sun set. The reality, unfortunately, is that in many cases those years are spent separated from one another as one spouse is no longer able to fully care for the other. And the only option available for assistance is institutionalization. We can do better. And this bill will move us in that direction for our veterans.

I ask all of us to consider why we have a policy at VA that encourages spending nearly $1 billion building 5,300 more new beds in a system that already has about 20,000 beds when we as a nation are trying to move in a direction that provides home and community based care programs that keep the elderly in their homes and out of long-term care institutions. I think VA and the States should change course for the betterment of our Nation's heroes.

I believe that by phasing out the current institutional bias and focusing the

energy and finances of the program on noninstitutional alternatives, VA and the States will serve more veterans and keep those veterans in their homes, where they want to be, for a much longer time.

I realize that we will still probably fund 5 or 6 thousand more new beds in the State home program just because of the 2-year window. But I recognize that Senators and Representatives will strongly support the institutional grants so long as their State has an application pending. I do not blame the Members. I would do the same thing if Idaho had submitted an application. So, I want to give everyone's State a fair chance to participate in the program.

But, I also believe that we need to transition beyond beds. And if we fail to set out the transition soon, I believe we will find ourselves 20 years from now undertaking a painful study on what to do with 15,000 empty nursing home beds in all of our States. Noninstitutional service is simply the direction of long-term care and health care today because families want to be together and home is where they want to be.

VA's partnership with the States to provide long-term care to our Nation's veterans is an unmitigated success. We must continue to support the 20,000 beds we currently have. And we will. They provide the most compassionate, cost-effective institutional care in the Nation. But, we also must modernize the program.

We must keep up with the trends in health care that are pointing us in the direction of home and community-based services and away from institutions. We must change to find a way to serve more veterans with the same amount of resources. But, most importantly, we must modernize because it is the humane and right thing to do in responding to the wishes of our constituents to stay home in their later years and grow old with the people they love.

I urge all of my colleagues to join in this effort by cosponsoring this legislation.

By Mr. LEAHY:

S.J. Res. 13. A joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased to introduce a joint resolution that would grant the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding, IEMAMOU compact. This joint resolution would formally approve of the IEMAMOU compact, a mutual emergency assistance agreement entered into by the New England States, including my home State of Vermont and several Canadian Provinces, who are our neighbors to the north. This mutual assistance compact, which has been agreed to and operating in principle for more than 5 years, allows for cooperation between emergency responders in the United States and Canada during natural disasters and other serious emergencies. This compact is an extraordinary example of the international cooperation and good will which makes our countries more secure and our citizens safer. Congress should pass this joint resolution to give this vital compact the full force of law.

We must all do our best to prepare for the most serious emergencies that can harm our communities. These crises may arise from natural or manmade disasters, or from technological hazards or civil emergencies. As those who live in the Northeast know, extreme weather is not uncommon in New England, or in the eastern Provinces of Canada. Together with our Canadian neighbors, we have endured catastrophic blizzards and ice storms over the years that have closed roads and highways, shut down power for extended periods, and stranded travelers and rural residents for days, or longer. At times, we have also suffered the misfortune of responding to serious accidents, such as train or plane crashes. Of course, our concerns for safety surrounding nuclear powerplants and other industrial sites warrants extensive planning and preparedness for even the possibility of technological disasters. During these events, we turn to our first responders and our emergency management professionals to provide assistance and secure public safety no matter how grave the danger, and no matter how challenging the task.

The IEMMOU compact was created in response to the devastating ice storm of 1998. In January of that year, an unprecedented 3-day ice storm paralyzed portions of the northern New England States and the adjacent Canadian Provinces causing massive damage to the electrical and transportation infrastructure. Millions were left in the dark for days and even weeks, leaving more than 30 dead and shutting down normal activities in large cities like Montreal and Ottawa. Following this devastation, the governors and premiers of those regions affected recognized the need for greater cross-border emergency cooperation, and they directed their emergency management leaders to develop and create a memorandum of understanding on these issues that benefit all parties north and south of the border. The IEMAMOU compact was the result of this collaborative, international process, and now stands as a model compact for cross-border mutual emergency assistance.

The compact allows for international sharing of resources and expertise in times of extreme emergency or disaster. For example, rural States, such as my own, may need to call upon specialized resources found in other larger States or neighboring Provinces to respond immediately to events, such as chemical disasters or mass transit accidents. With natural disasters, such as prolonged, severe winter storms, the areas affected may be so vast, stretching across several States or Provinces that no single jurisdiction alone could respond fully to the crisis. There are also events that occur along or near our border with Canada which require the immediate response and full cooperation of States and Provinces in both nations. The IEMAMOU compact meets these needs with a thoughtful and forward-looking outline of how to address issues that face first responders and their managers in times of cross-border emergency.

This international compact provides a legal framework for cooperation and mutual assistance between the States of Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, and Connecticut, and the Canadian Provinces of Quebec, New Brunswick, Prince Edward Island, Nova Scotia, and Newfoundland and Labrador. The compact requires each participating member, whether State or Province, to formulate plans and programs to facilitate international and interstate or provincial cooperation in case of natural or manmade disaster, technological hazard, or civil emergency. The compact also provides for the temporary suspension of statutes or ordinances in each jurisdiction that may impede the implementation of these plans. For example, under the compact, government officials and law enforcement authorities from one member State or Province can officially work in other jurisdictions during times of emergency, a circumstance that would not be permitted otherwise.

The compact also creates a formal mechanism for making assistance requests from one state or province to another, and encourages frequent consultation between the emergency management leaders to develop free exchange of information and resources across borders. In addition, the compact provides a Good Samaritan provision, which gives liability protection for emergency responders who act in good faith in providing assistance in a legal jurisdiction outside their own, and creates reciprocal workers compensation and other benefits to emergency responders who may get injured in responding to an emergency under the compact. Finally, the compact allows for reimbursement between members States or Provinces for losses or damages incurred in responding under the agreement.

All members of this compact have agreed to its terms and join in requesting Congress's consent for the agreement. Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, and Connecticut have joined the IEMAMOU compact, and many of these States have passed legislation adopting the compact under State law. The Premiers of Quebec, Prince Edward Island, Labrador, Nova Scotia, and New Brunswick have similarly approved of the

compact. The IEMAMOU compact has been functioning in principle for more than 5 years, as the emergency management leaders from each member State and Province meet twice a year. Planning among the constituent members of the compact is also ongoing. This compact works well and should be supported by Congress.

The IEMAMOU compact is an international agreement between States and a foreign power, and it cannot have the full force of law without the formal approval of Congress. The U.S. Constitution requires that ''[n]o state shall . . . enter into any Agreement or Compact with another State, or with a foreign Power'' unless with the ''consent of Congress.'' U.S. Const. Art. 1, § 10, cl. 3. The joint resolution introduced today provides this necessary consent, and would give legal force to the compact. Congressional approval of this compact would also provide jurisdiction for Federal courts to resolve any disputes under the agreement.

This joint resolution is vitally important to the New England States and our Canadian Provinces to the north. Congress should support their cooperative, international leadership in creating and implementing this unique emergency management compact. The Governor of Vermont supports this joint resolution as do the leaders of the North East States Emergency Consortium, which represents each of the New England States in the compact.

This is not the first time I have supported this joint resolution. In 2001, this joint resolution was introduced by my colleague from New Hampshire, Senator ROBERT SMITH, and I joined him as a cosponsor along with Senators LIEBERMAN, JEFFORDS, CHAFEE, and GREGG. As Chairman of the Judiciary Committee, I moved the joint resolution through Committee where it passed by unanimous consent on October 31, 2001. With my support and that of other Senators, the joint resolution passed the Senate by unanimous consent on December 20, 2001, in the last month of the Democratic majority in the 107 Congress. Unfortunately, the House never came to consider the joint resolution, and it failed to become law. Since then, under the Republican leadership of the 108 and 109 Congresses, the joint resolution has only been introduced once and has not moved beyond referral to committee.

It is time to take action and pass this joint resolution without further delay. The IEMAMOU compact provides invaluable international cooperation and mutual assistance in times of natural disaster and extreme emergency. This compact works well for New England and the eastern Canadian provinces, and it stands as a model for emergency management planning and cooperation across this country. It is a crucial element of the security and safety planning for all communities in New England and eastern Canada, and we can wait no longer for it to become law.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S.J. RES. 13

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL CONSENT.

Congress consents to the International Emergency Management Assistance Memorandum of Understanding entered into between the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut and the Provinces of Quebec, New Brunswick, Prince Edward Island, Nova Scotia and Newfoundland. The compact is substantially as follows:

''Article I—International Emergency Management Assistance Memorandum of Understanding Purpose and Authorities

''The International Emergency Management Assistance Memorandum of Understanding, hereinafter referred to as the 'compact,' is made and entered into by and among such of the jurisdictions as shall enact or adopt this compact, hereinafter referred to as 'party jurisdictions.' For the purposes of this agreement, the term 'jurisdictions' may include any or all of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut and the Provinces of Quebec, New Brunswick, Prince Edward Island, Nova Scotia and Newfoundland, and such other states and provinces as may hereafter become a party to this compact.

''The purpose of this compact is to provide for the possibility of mutual assistance among the jurisdictions entering into this compact in managing any emergency or disaster when the affected jurisdiction or jurisdictions ask for assistance, whether arising from natural disaster, technological hazard, manmade disaster or civil emergency aspects of resources shortages.

''This compact also provides for the process of planning mechanisms among the agencies responsible and for mutual cooperation, including, if need be, emergency-related exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by party jurisdictions or subdivisions of party jurisdictions during emergencies, with such actions occurring outside actual declared emergency periods. Mutual assistance in this compact may include the use of emergency forces by mutual agreement among party jurisdictions.

''Article II—General Implementation

''Each party jurisdiction entering into this compact recognizes that many emergencies may exceed the capabilities of a party jurisdiction and that intergovernmental cooperation is essential in such circumstances. Each jurisdiction further recognizes that there will be emergencies that may require immediate access and present procedures to apply outside resources to make a prompt and effective response to such an emergency because few, if any, individual jurisdictions have all the resources they need in all types of emergencies or the capability of delivering resources to areas where emergencies exist.

''The prompt, full, and effective utilization of resources of the participating jurisdictions, including any resources on hand or available from any other source that are essential to the safety, care, and welfare of the people in the event of any emergency or disaster, shall be the underlying principle on which all articles of this compact are understood.

''On behalf of the party jurisdictions participating in the compact, the legally designated official who is assigned responsibility for emergency management is responsible for formulation of the appropriate inter-jurisdictional mutual aid plans and procedures necessary to implement this compact, and for recommendations to the jurisdiction concerned with respect to the amendment of any statutes, regulations, or ordinances required for that purpose.

''Article III—Party Jurisdiction Responsibilities

''(a) FORMULATE PLANS AND PROGRAMS.—It is the responsibility of each party jurisdiction to formulate procedural plans and programs for inter-jurisdictional cooperation in the performance of the responsibilities listed in this section. In formulating and implementing such plans and programs the party jurisdictions, to the extent practical, shall—

''(1) review individual jurisdiction hazards analyses that are available and, to the extent reasonably possible, determine all those potential emergencies the party jurisdictions might jointly suffer, whether due to natural disaster, technological hazard, manmade disaster or emergency aspects of resource shortages;

''(2) initiate a process to review party jurisdictions' individual emergency plans and develop a plan that will determine the mechanism for the inter-jurisdictional cooperation;

''(3) develop inter-jurisdictional procedures to fill any identified gaps and to resolve any identified inconsistencies or overlaps in existing or developed plans;

''(4) assist in warning communities adjacent to or crossing jurisdictional boundaries;

''(5) protect and ensure delivery of services, medicines, water, food, energy and fuel, search and rescue, and critical lifeline equipment, services and resources, both human and material to the extent authorized by law;

''(6) inventory and agree upon procedures for the inter-jurisdictional loan and delivery of human and material resources, together with procedures for reimbursement or forgiveness; and

''(7) provide, to the extent authorized by law, for temporary suspension of any statutes or ordinances, over which the province or state has jurisdiction, that impede the implementation of the responsibilities described in this subsection.

''(b) REQUEST ASSISTANCE.—The authorized representative of a party jurisdiction may request assistance of another party jurisdiction by contacting the authorized representative of that jurisdiction. These provisions only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 15 days of the verbal request. Requests must provide the following information:

''(1) A description of the emergency service function for which assistance is needed and of the mission or missions, including but not limited to fire services, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, and search and rescue.

''(2) The amount and type of personnel, equipment, materials, and supplies needed and a reasonable estimate of the length of time they will be needed.

''(3) The specific place and time for staging of the assisting party's response and a point of contact at the location.

''(c) CONSULTATION AMONG PARTY JURISDICTION OFFICIALS.—There shall be frequent consultation among the party jurisdiction officials who have assigned emergency management responsibilities, such officials collectively known hereinafter as the International Emergency Management Group, and other appropriate representatives of the party jurisdictions with free exchange of information, plans, and resource records relating to emergency capabilities to the extent authorized by law.

''Article IV—Limitation

''Any party jurisdiction requested to render mutual aid or conduct exercises and training for mutual aid shall undertake to respond as soon as possible, except that it is understood that the jurisdiction rendering aid may withhold or recall resources to the extent necessary to provide reasonable protection for that jurisdiction. Each party jurisdiction shall afford to the personnel of the emergency forces of any party jurisdiction, while operating within its jurisdictional limits under the terms and conditions of this compact and under the operational control of an officer of the requesting party, the same powers, duties, rights, privileges, and immunities as are afforded similar or like forces of the jurisdiction in which they are performing emergency services. Emergency forces continue under the command and control of their regular leaders, but the organizational units come under the operational control of the emergency services authorities of the jurisdiction receiving assistance. These conditions may be activated, as needed, by the jurisdiction that is to receive assistance or upon commencement of exercises or training for mutual aid and continue as long as the exercises or training for mutual aid are in progress, the emergency or disaster remains in effect or loaned resources remain in the receiving jurisdiction or jurisdictions, whichever is longer. The receiving jurisdiction is responsible for informing the assisting jurisdictions of the specific moment when services will no longer be required.

''Article V—Licenses and Permits

''Whenever a person holds a license, certificate, or other permit issued by any jurisdiction party to the compact evidencing the meeting of qualifications for professional, mechanical, or other skills, and when such assistance is requested by the receiving party jurisdiction, such person is deemed to be licensed, certified, or permitted by the jurisdiction requesting assistance to render aid involving such skill to meet an emergency or disaster, subject to such limitations and conditions as the requesting jurisdiction prescribes by Executive order or otherwise.

''Article VI—Liability

''Any person or entity of a party jurisdiction rendering aid in another jurisdiction pursuant to this compact are considered agents of the requesting jurisdiction for tort liability and immunity purposes. Any person or entity rendering aid in another jurisdiction pursuant to this compact are not liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this article does not include willful misconduct, gross negligence, or recklessness.

''Article VII—Supplementary Agreements

''Because it is probable that the pattern and detail of the machinery for mutual aid among 2 or more jurisdictions may differ from that among the jurisdictions that are party to this compact, this compact contains elements of a broad base common to all jurisdictions, and nothing in this compact precludes any jurisdiction from entering into supplementary agreements with another jurisdiction or affects any other agreements already in force among jurisdictions. Supplementary agreements may include, but are not limited to, provisions for evacuation and reception of injured and other persons and the exchange of medical, fire, public utility, reconnaissance, welfare, transportation and communications personnel, equipment, and supplies.

''Article VIII—Workers' Compensation and Death Benefits

''Each party jurisdiction shall provide, in accordance with its own laws, for the payment of workers' compensation and death benefits to injured members of the emergency forces of that jurisdiction and to representatives of deceased members of those forces if the members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own jurisdiction.

''Article IX—Reimbursement

''Any party jurisdiction rendering aid in another jurisdiction pursuant to this compact shall, if requested, be reimbursed by the party jurisdiction receiving such aid for any loss or damage to, or expense incurred in, the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with those requests. An aiding party jurisdiction may assume in whole or in part any such loss, damage, expense, or other cost or may loan such equipment or donate such services to the receiving party jurisdiction without charge or cost. Any 2 or more party jurisdictions may enter into supplementary agreements establishing a different allocation of costs among those jurisdictions. Expenses under article VIII are not reimbursable under this section.

''Article X—Evacuation

''Each party jurisdiction shall initiate a process to prepare and maintain plans to facilitate the movement of and reception of evacuees into its territory or across its territory, according to its capabilities and powers. The party jurisdiction from which the evacuees came shall assume the ultimate responsibility for the support of the evacuees, and after the termination of the emergency or disaster, for the repatriation of such evacuees.

''Article XI—Implementation

''(a) This compact is effective upon its execution or adoption by any 2 jurisdictions, and is effective as to any other jurisdiction upon its execution or adoption thereby: subject to approval or authorization by the United States Congress, if required, and subject to enactment of provincial or State legislation that may be required for the effectiveness of the Memorandum of Understanding.

''(b) Any party jurisdiction may withdraw from this compact, but the withdrawal does not take effect until 30 days after the governor or premier of the withdrawing jurisdiction has given notice in writing of such withdrawal to the governors or premiers of all other party jurisdictions. The action does not relieve the withdrawing jurisdiction from obligations assumed under this compact prior to the effective date of withdrawal.

''(c) Duly authenticated copies of this compact in the French and English languages and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party jurisdictions.

''Article XII—Severability

''This compact is construed to effectuate the purposes stated in Article I. If any provision of this compact is declared unconstitutional or the applicability of the compact to any person or circumstances is held invalid, the validity of the remainder of this compact and the applicability of the compact to other persons and circumstances are not affected.

''Article XIII—Consistency of Language

''The validity of the arrangements and agreements consented to in this compact shall not be affected by any insubstantial difference in form or language as may be adopted by the various states and provinces.

''Article XIV—Amendment

''This compact may be amended by agreement of the party jurisdictions.''.

SEC. 2. INCONSISTENCY OF LANGUAGE.

The validity of the arrangements consented to by this Act shall not be affected by any insubstantial difference in their form or language as adopted by the States and provinces.

SEC. 3. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this Act is hereby expressly reserved.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 211—EXPRESSING THE PROFOUND CONCERNS OF THE SENATE REGARDING THE TRANSGRESSION AGAINST FREEDOM OF THOUGHT AND EXPRESSION THAT IS BEING CARRIED OUT IN VENEZUELA, AND FOR OTHER PURPOSES

Mr. LUGAR (for himself and Mr. DODD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 211

Whereas, for several months, the President of Venezuela, Hugo Chávez, has been announcing over various media that he will not renew the current concession of the television station ''Radio Caracas Televisión'', also known as RCTV, which is set to expire on May 27, 2007, because of its adherence to an editorial stance different from his way of thinking;

Whereas President Chávez justifies this measure based on the alleged role RCTV played in the unsuccessful unconstitutional attempts in April 2002 to unseat President Chávez, under circumstances where there exists no filed complaint or judicial sentence that would sustain such a charge, nor any legal sanction against RCTV that would prevent the renewal of its concession, as provided for under Venezuelan law;

Whereas the refusal to renew the concession of any television or radio broadcasting station that complies with legal regulations in the matter of telecommunications constitutes a transgression against the freedom of thought and expression, which is prohibited by Article 13 of the American Convention on Human Rights, signed at San Jose, Costa Rica, July 18, 1978, which has been signed by the United States;

Whereas that convention establishes that ''the right of expression may not be restricted by indirect methods or means, such as the abuse of government or private controls over newsprint, radio broadcasting frequencies, or equipment used in the dissemination of information, or by any other means tending to impede the communication and circulation of ideas and opinions'';

Whereas the Inter-American Declaration of Principles on Freedom of Expression, approved by the Inter-American Commission on Human Rights, states in Principle 13,

''The exercise of power and the use of public funds by the state, the granting of customs duty privileges, the arbitrary and discriminatory placement of official advertising and government loans; the concession of radio and television broadcast frequencies, among others, with the intent to put pressure on and punish or reward and provide privileges to social communicators and communications media because of the opinions they express threaten freedom of expression, and must be explicitly prohibited by law. The means of communication have the right to carry out their role in an independent manner. Direct or indirect pressures exerted upon journalists or other social communicators to stifle the dissemination of information are incompatible with freedom of expression.'';

Whereas, according to the principles of the American Convention on Human Rights and the Inter-American Declaration of Principles on Freedom of Expression, to both of which Venezuela is a party, the decision not to renew the concession of the television station RCTV is an assault against freedom of thought and expression and cannot be accepted by democratic countries, especially by those in North America who are signatories to the American Convention on Human Rights;

Whereas the most paradoxical aspect of the decision by President Chávez is that it strongly conflicts with two principles from the Liberator Simón Bolívar's thinking, principles President Chávez says inspire him, which state that ''[p]ublic opinion is the most sacred of objects, it needs the protection of an enlightened government which knows that opinion is the fountain of the most important of events,'' and that ''[t]he right to express one's thoughts and opinions, by word, by writing or by any other means, is the first and most worthy asset mankind has in society. The law itself will never be able to prohibit it.''; and

Whereas the United States should raise its concerns about these and other serious restrictions on freedoms of thought and expression being imposed by the Government of Venezuela before the Organization of American States: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its profound concern about the transgression against freedom of thought and expression that is being attempted and committed in Venezuela by the refusal of the President of Venezuela, Hugo Chávez, to renew the concession of the television station ''Radio Caracas Televisión'' (RCTV) merely because of its adherence to an editorial and informational stance distinct from the thinking of the Government of Venezuela; and

(2) strongly encourages the Organization of American States to respond appropriately, with full consideration of the necessary institutional instruments, to such transgression.

SENATE RESOLUTION 212—TO EXPRESS THE SENSE OF THE SENATE RELATING TO LEGISLATION TO CURB GLOBAL WARMING

Mr. COLEMAN (for himself and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 212

Resolved, That it is the sense of the Senate that any comprehensive, mandatory greenhouse gas emissions reduction program enacted by Congress should include—

(1) periodic determinations of the extent to which other countries that are major contributors of atmospheric greenhouse gas concentrations have established for those countries emissions reduction programs that are comparable in effectiveness to the program established by the United States;

(2) in the event of an authoritative determination that the emissions reduction programs established by other countries that are major contributors of atmospheric greenhouse gas concentrations are substantially less effective than the program established by the United States, consequences in the form of—

(A) a review of provisions of the emissions reduction program established by the United States; or

(B) 1 or more changes to other policies of the United States;

(3) periodic determinations relating to whether the emissions reduction program established by the United States is increasing the rate of poverty or unemployment in the United States;

(4) in the event of an authoritative determination that the emissions reduction program established by the United States is increasing the rate of poverty or unemployment in the United States, a process of review of provisions of the emissions reduction program established by the United States; and

(5) in addition to the imposition of limits relating to the emission of greenhouse gases, effective incentives for private entities that sell electricity to increase the percentage of sales by the entities of electricity that is generated by clean energy sources.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1146. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1147. Mr. LEAHY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill 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), and for other purposes; which was ordered to lie on the table.

SA 1148. Mrs. MCCASKILL (for herself and Mr. DODD) submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1149. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1150. Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) proposed an amendment to the bill S. 1348, supra.

TEXT OF AMENDMENTS

SA 1146. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE ____

SEC. __01. SHORT TITLE.

This title may be cited as the ''Unaccompanied Alien Child Protection Act of 2007''.

SEC. __02. DEFINITIONS.

(a) IN GENERAL.—In this title:

(1) COMPETENT.—The term ''competent'', in reference to counsel, means an attorney, or a representative authorized to represent unaccompanied alien children in immigration proceedings or matters, who—

(A) complies with the duties set forth in this title;

(B) is—

(i) properly qualified to handle matters involving unaccompanied alien children; or

(ii) working under the auspices of a qualified nonprofit organization that is experienced in handling such matters; and

(C) if an attorney—

(i) is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia; and

(ii) is not under any order of any court suspending, enjoining, restraining, disbarring, or otherwise restricting the attorney in the practice of law.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office.

(3) OFFICE.—The term ''Office'' means the Office of Refugee Resettlement established by section 411 of the Immigration and Nationality Act (8 U.S.C. 1521).

(4) UNACCOMPANIED ALIEN CHILD.—The term ''unaccompanied alien child'' has the meaning given the term in 101(a)(51) of the Immigration and Nationality Act, as added by subsection (b).

(5) VOLUNTARY AGENCY.—The term ''voluntary agency'' means a private, nonprofit voluntary agency with expertise in meeting the cultural, developmental, or psychological needs of unaccompanied alien children, as certified by the Director.

(b) AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT.—Section 101(a) (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(51) The term 'unaccompanied alien child' means a child who—

''(A) has no lawful immigration status in the United States;

''(B) has not attained 18 years of age; and

''(C) with respect to whom—

''(i) there is no parent or legal guardian in the United States; or

''(ii) no parent or legal guardian in the United States is available to provide care and physical custody.

''(52) The term 'unaccompanied refugee children' means persons described in paragraph (42) who—

''(A) have not attained 18 years of age; and

''(B) with respect to whom there are no parents or legal guardians available to provide care and physical custody.''.

(c) RULE OF CONSTRUCTION.—

(1) STATE COURTS ACTING IN LOCO PARENTIS.—A department or agency of a State, or an individual or entity appointed by a State court or a juvenile court located in the United States, acting in loco parentis, shall not be considered a legal guardian for purposes of section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279) or this title.

(2) CLARIFICATION OF THE DEFINITION OF UNACCOMPANIED ALIEN CHILD.—For the purposes of section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)) and this title, a parent or legal guardian shall not be considered to be available to provide care and physical custody of an alien child unless such parent is in the physical presence of, and able to exercise parental responsibilities over, such child at the time of such child's apprehension and during the child's detention.

Subtitle A—Custody, Release, Family Reunification, and Detention

SEC. __11. PROCEDURES WHEN ENCOUNTERING UNACCOMPANIED ALIEN CHILDREN.

(a) UNACCOMPANIED CHILDREN FOUND ALONG THE UNITED STATES BORDER OR AT UNITED STATES PORTS OF ENTRY.—

(1) IN GENERAL.—Subject to paragraph (2), an immigration officer who finds an unaccompanied alien child described in paragraph (2) at a land border or port of entry of the United States and determines that such child is inadmissible under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) shall—

(A) permit such child to withdraw the child's application for admission pursuant to section 235(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1225(a)(4)); and

(B) return such child to the child's country of nationality or country of last habitual residence.

(2) SPECIAL RULE FOR CONTIGUOUS COUNTRIES.—

(A) IN GENERAL.—Any child who is a national or habitual resident of a country, which is contiguous with the United States and has an agreement in writing with the United States that provides for the safe return and orderly repatriation of unaccompanied alien children who are nationals or habitual residents of such country, shall be treated in accordance with paragraph (1) if the Secretary determines, on a case-by-case basis, that—

(i) such child is a national or habitual resident of a country described in this subparagraph;

(ii) such child does not have a fear of returning to the child's country of nationality or country of last habitual residence owing to a fear of persecution;

(iii) the return of such child to the child's country of nationality or country of last habitual residence would not endanger the life or safety of such child; and

(iv) the child is able to make an independent decision to withdraw the child's application for admission due to age or other lack of capacity.

(B) RIGHT OF CONSULTATION.—Any child described in subparagraph (A) shall have the right, and shall be informed of that right in the child's native language—

(i) to consult with a consular officer from the child's country of nationality or country of last habitual residence prior to repatriation; and

(ii) to consult, telephonically, with the Office.

(3) RULE FOR APPREHENSIONS AT THE BORDER.—The custody of unaccompanied alien children not described in paragraph (2) who are apprehended at the border of the United States or at a United States port of entry shall be treated in accordance with subsection (b).

(b) CARE AND CUSTODY OF UNACCOMPANIED ALIEN CHILDREN FOUND IN THE INTERIOR OF THE UNITED STATES.—

(1) ESTABLISHMENT OF JURISDICTION.—

(A) IN GENERAL.—Except as otherwise provided under subparagraphs (B) and (C) and subsection (a), the care and custody of all unaccompanied alien children, including responsibility for their detention, where appropriate, shall be under the jurisdiction of the Office.

(B) EXCEPTION FOR CHILDREN WHO HAVE COMMITTED CRIMES.—Notwithstanding subparagraph (A), the Department of Justice shall retain or assume the custody and care of any unaccompanied alien who is—

(i) in the custody of the Department of Justice pending prosecution for a Federal crime other than a violation of the Immigration and Nationality Act; or

(ii) serving a sentence pursuant to a conviction for a Federal crime.

(C) EXCEPTION FOR CHILDREN WHO THREATEN NATIONAL SECURITY.—Notwithstanding subparagraph (A), the Department shall retain or assume the custody and care of an unaccompanied alien child if the Secretary has substantial evidence, based on an individualized determination, that such child could personally endanger the national security of the United States.

(2) NOTIFICATION.—

(A) IN GENERAL.—Each department or agency of the Federal Government shall promptly notify the Office upon—

(i) the apprehension of an unaccompanied alien child;

(ii) the discovery that an alien in the custody of such department or agency is an unaccompanied alien child;

(iii) any claim by an alien in the custody of such department or agency that such alien is younger than 18 years of age; or

(iv) any suspicion that an alien in the custody of such department or agency who has claimed to be at least 18 years of age is actually younger than 18 years of age.

(B) SPECIAL RULE.—The Director shall—

(i) make an age determination for an alien described in clause (iii) or (iv) of subparagraph (A) in accordance with section __15; and

(ii) take whatever other steps are necessary to determine whether such alien is eligible for treatment under section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279) or under this title.

(3) TRANSFER OF UNACCOMPANIED ALIEN CHILDREN.—

(A) TRANSFER TO THE OFFICE.—Any Federal department or agency that has an unaccompanied alien child in its custody shall transfer the custody of such child to the Office—

(i) not later than 72 hours after a determination is made that such child is an unaccompanied alien, if the child is not described in subparagraph (B) or (C) of paragraph (1);

(ii) if the custody and care of the child has been retained or assumed by the Attorney General under paragraph (1)(B) or by the Department under paragraph (1)(C), following a determination that the child no longer meets the description set forth in such subparagraphs; or

(iii) if the child was previously released to an individual or entity described in section __12(a)(1), upon a determination by the Director that such individual or entity is no longer able to care for the child.

(B) TRANSFER TO THE DEPARTMENT.—The Director shall transfer the care and custody of an unaccompanied alien child in the custody of the Office or the Department of Justice to the Department upon determining that the child is described in subparagraph (B) or (C) of paragraph (1).

(C) PROMPTNESS OF TRANSFER.—If a child needs to be transferred under this paragraph, the sending office shall make prompt arrangements to transfer such child and the receiving office shall make prompt arrangements to receive such child.

(c) AGE DETERMINATIONS.—If the age of an alien is in question and the resolution of questions about the age of such alien would affect the alien's eligibility for treatment under section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279) or this title, a determination of whether or not such alien meets such age requirements shall be made in accordance with section __15, unless otherwise specified in subsection (b)(2)(B).

(d) ACCESS TO ALIEN.—The Secretary and the Attorney General shall permit the Office to have reasonable access to aliens in the custody of the Secretary or the Attorney General to ensure a prompt determination of the age of such alien, if necessary under subsection (b)(2)(B).

SEC. __12. FAMILY REUNIFICATION FOR UNACCOMPANIED ALIEN CHILDREN WITH RELATIVES IN THE UNITED STATES.

(a) PLACEMENT OF RELEASED CHILDREN.—

(1) ORDER OF PREFERENCE.—Subject to the discretion of the Director under paragraph (4), section __13(a)(2), and section 462(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(2)), an unaccompanied alien child in the custody of the Office shall be promptly placed with 1 of the following individuals or entities in the following order of preference:

(A) A parent who seeks to establish custody under paragraph (3)(A).

(B) A legal guardian who seeks to establish custody under paragraph (3)(A).

(C) An adult relative.

(D) An individual or entity designated by the parent or legal guardian that is capable and willing to care for the well being of the child.

(E) A State-licensed family foster home, small group home, or juvenile shelter willing to accept custody of the child.

(F) A qualified adult or entity, as determined by the Director by regulation, seeking custody of the child if the Director determines that no other likely alternative to long-term detention exists and family reunification does not appear to be a reasonable alternative.

(2) SUITABILITY ASSESSMENT.—

(A) GENERAL REQUIREMENTS.—Notwithstanding paragraph (1), and subject to the requirements of subparagraph (B), an unaccompanied alien child may not be placed with a person or entity described in any of subparagraphs (A) through (F) of paragraph (1) unless the Director provides written certification that the proposed custodian is capable of providing for the child's physical and mental well-being, based on—

(i) with respect to an individual custodian—

(I) verification of such individual's identity and employment;

(II) a finding that such individual has not engaged in any activity that would indicate a potential risk to the child, including the people and activities described in paragraph (4)(A)(i);

(III) a finding that such individual is not the subject of an open investigation by a State or local child protective services authority due to suspected child abuse or neglect;

(IV) verification that such individual has a plan for the provision of care for the child;

(V) verification of familial relationship of such individual, if any relationship is claimed; and

(VI) verification of nature and extent of previous relationship;

(ii) with respect to a custodial entity, verification of such entity's appropriate licensure by the State, county, or other applicable unit of government; and

(iii) such other information as the Director determines appropriate.

(B) HOME STUDY.—

(i) IN GENERAL.—The Director shall place a child with any custodian described in any of subparagraphs (A) through (F) of paragraph (1) unless the Director determines that a home study with respect to such custodian is necessary.

(ii) SPECIAL NEEDS CHILDREN.—A home study shall be conducted to determine if the custodian can properly meet the needs of—

(I) a special needs child with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2)); or

(II) a child who has been the object of physical or mental injury, sexual abuse, negligent treatment, or maltreatment under circumstances which indicate that the child's health or welfare has been harmed or threatened.

(iii) FOLLOW-UP SERVICES.—The Director shall conduct follow-up services for at least 90 days on custodians for whom a home study was conducted under this subparagraph.

(C) CONTRACT AUTHORITY.—The Director may, by grant or contract, arrange for some or all of the activities under this section to be carried out by—

(i) an agency of the State of the child's proposed residence;

(ii) an agency authorized by such State to conduct such activities; or

(iii) an appropriate voluntary or nonprofit agency.

(D) DATABASE ACCESS.—In conducting suitability assessments, the Director shall have access to all relevant information in the appropriate Federal, State, and local law enforcement and immigration databases.

(3) RIGHT OF PARENT OR LEGAL GUARDIAN TO CUSTODY OF UNACCOMPANIED ALIEN CHILD.—

(A) PLACEMENT WITH PARENT OR LEGAL GUARDIAN.—If an unaccompanied alien child is placed with any person or entity other than a parent or legal guardian, and subsequent to that placement a parent or legal guardian seeks to establish custody, the Director shall—

(i) assess the suitability of placing the child with the parent or legal guardian; and

(ii) make a written determination regarding the child's placement within 30 days.

(B) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to—

(i) supersede obligations under any treaty or other international agreement to which the United States is a party, including—

(I) the Convention on the Civil Aspects of International Child Abduction, done at The Hague, October 25, 1980 (TIAS 11670);

(II) the Vienna Declaration and Program of Action, adopted at Vienna, June 25, 1993; and

(III) the Declaration of the Rights of the Child, adopted at New York, November 20, 1959; or

(ii) limit any right or remedy under such international agreement.

(4) PROTECTION FROM SMUGGLERS AND TRAFFICKERS.—

(A) POLICIES AND PROGRAMS.—

(i) IN GENERAL.—The Director shall establish policies and programs to ensure that unaccompanied alien children are protected from smugglers, traffickers, or other persons seeking to victimize or otherwise engage such children in criminal, harmful, or exploitative activity.

(ii) WITNESS PROTECTION PROGRAMS INCLUDED.—Programs established pursuant to clause (i) may include witness protection programs.

(B) CRIMINAL INVESTIGATIONS AND PROSECUTIONS.—Any officer or employee of the Office or of the Department, and any grantee or contractor of the Office or of the Department, who suspects any individual of involvement in any activity described in subparagraph (A) shall report such individual to Federal or State prosecutors for criminal investigation and prosecution.

(C) DISCIPLINARY ACTION.—Any officer or employee of the Office or the Department, and any grantee or contractor of the Office, who believes that a competent attorney or representative has been a participant in any activity described in subparagraph (A), shall report the attorney to the State bar association of which the attorney is a member, or to other appropriate disciplinary authorities, for appropriate disciplinary action, including private or public admonition or censure, suspension, or disbarment of the attorney from the practice of law.

(5) GRANTS AND CONTRACTS.—The Director may award grants to, and enter into contracts with, voluntary agencies to carry out this section or section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

(b) CONFIDENTIALITY.—

(1) IN GENERAL.—All information obtained by the Office relating to the immigration status of a person described in subparagraphs (A), (B), and (C) of subsection (a)(1) shall remain confidential and may only be used to determine such person's qualifications under subsection (a)(1).

(2) NONDISCLOSURE OF INFORMATION.—In consideration of the needs and privacy of unaccompanied alien children in the custody of the Office or its agents, and the necessity to guarantee the confidentiality of such children's information in order to facilitate their trust and truthfulness with the Office, its agents, and clinicians, the Office shall maintain the privacy and confidentiality of all information gathered in the course of the care, custody, and placement of unaccompanied alien children, consistent with its role and responsibilities under the Homeland Security Act to act as guardian in loco parentis in the best interest of the unaccompanied alien child, by not disclosing such information to other government agencies or nonparental third parties.

(c) REQUIRED DISCLOSURE.—The Secretary or the Secretary of Health and Human Services shall provide the information furnished under this section, and any other information derived from such furnished information, to—

(1) a duly recognized law enforcement entity in connection with an investigation or prosecution of an offense described in paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), when such information is requested in writing by such entity; or

(2) an official coroner for purposes of affirmatively identifying a deceased individual (whether or not such individual is deceased as a result of a crime).

(d) PENALTY.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. __13. APPROPRIATE CONDITIONS FOR DETENTION OF UNACCOMPANIED ALIEN CHILDREN.

(a) STANDARDS FOR PLACEMENT.—

(1) ORDER OF PREFERENCE.—An unaccompanied alien child who is not released pursuant to section __12(a)(1) shall be placed in the least restrictive setting possible in the following order of preference:

(A) Licensed family foster home.

(B) Small group home.

(C) Juvenile shelter.

(D) Residential treatment center.

(E) Secure detention.

(2) PROHIBITION OF DETENTION IN CERTAIN FACILITIES.—Except as provided under paragraph (3), an unaccompanied alien child shall not be placed in an adult detention facility or a facility housing delinquent children.

(3) DETENTION IN APPROPRIATE FACILITIES.—An unaccompanied alien child who has exhibited violent or criminal behavior that endangers others may be detained in conditions appropriate to such behavior in a facility appropriate for delinquent children.

(4) STATE LICENSURE.—A child shall not be placed with an entity described in section __12(a)(1)(E), unless the entity is licensed by an appropriate State agency to provide residential, group, child welfare, or foster care services for dependent children.

(5) CONDITIONS OF DETENTION.—

(A) IN GENERAL.—The Director and the Secretary shall promulgate regulations incorporating standards for conditions of detention in placements described in paragraph (1) that provide for—

(i) educational services appropriate to the child;

(ii) medical care;

(iii) mental health care, including treatment of trauma, physical and sexual violence, and abuse;

(iv) access to telephones;

(v) access to legal services;

(vi) access to interpreters;

(vii) supervision by professionals trained in the care of children, taking into account the special cultural, linguistic, and experiential needs of children in immigration proceedings;

(viii) recreational programs and activities;

(ix) spiritual and religious needs; and

(x) dietary needs.

(B) NOTIFICATION OF CHILDREN.—Regulations promulgated under subparagraph (A) shall provide that all children in such placements are notified of such standards orally and in writing in the child's native language.

(b) PROHIBITION OF CERTAIN PRACTICES.—The Director and the Secretary shall develop procedures prohibiting the unreasonable use of—

(1) shackling, handcuffing, or other restraints on children;

(2) solitary confinement; or

(3) pat or strip searches.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede procedures favoring release of children to appropriate adults or entities or placement in the least secure setting possible, as described in paragraph 23 of the Stipulated Settlement Agreement under Flores v. Reno.

SEC. __14. REPATRIATED UNACCOMPANIED ALIEN CHILDREN.

(a) COUNTRY CONDITIONS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that, to the extent consistent with the treaties and other international agreements to which the United States is a party, and to the extent practicable, the United States Government should undertake efforts to ensure that it does not repatriate children in its custody into settings that would threaten the life and safety of such children.

(2) ASSESSMENT OF CONDITIONS.—

(A) IN GENERAL.—The Secretary of State shall include, in the annual Country Reports on Human Rights Practices, an assessment of the degree to which each country protects children from smugglers and traffickers.

(B) FACTORS FOR ASSESSMENT.—The Secretary shall consult the Country Reports on Human Rights Practices and the Trafficking in Persons Report in assessing whether to repatriate an unaccompanied alien child to a particular country.

(b) REPORT ON REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on efforts to repatriate unaccompanied alien children.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) the number of unaccompanied alien children ordered removed and the number of such children actually removed from the United States;

(B) a description of the type of immigration relief sought and denied to such children;

(C) a statement of the nationalities, ages, and gender of such children;

(D) a description of the procedures used to effect the removal of such children from the United States;

(E) a description of steps taken to ensure that such children were safely and humanely repatriated to their country of origin; and

(F) any information gathered in assessments of country and local conditions pursuant to subsection (a)(2).

SEC. __15. ESTABLISHING THE AGE OF AN UNACCOMPANIED ALIEN CHILD.

(a) PROCEDURES.—

(1) IN GENERAL.—The Director, in consultation with the Secretary, shall develop procedures to make a prompt determination of the age of an alien, which procedures shall be used—

(A) by the Secretary, with respect to aliens in the custody of the Department;

(B) by the Director, with respect to aliens in the custody of the Office; and

(C) by the Attorney General, with respect to aliens in the custody of the Department of Justice.

(2) EVIDENCE.—The procedures developed under paragraph (1) shall—

(A) permit the presentation of multiple forms of evidence, including testimony of the alien, to determine the age of the unaccompanied alien for purposes of placement, custody, parole, and detention; and

(B) allow the appeal of a determination to an immigration judge.

(b) PROHIBITION ON SOLE MEANS OF DETERMINING AGE.—Radiographs or the attestation of an alien may not be used as the sole means of determining age for the purposes of determining an alien's eligibility for treatment under this title or section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to place the burden of proof in determining the age of an alien on the Government.

SEC. __16. EFFECTIVE DATE.

This subtitle shall take effect on the date which is 90 days after the date of the enactment of this Act.

Subtitle B—Access by Unaccompanied Alien Children to Child Advocates and Counsel

SEC. __21. CHILD ADVOCATES.

(a) ESTABLISHMENT OF CHILD ADVOCATE PROGRAM.—

(1) APPOINTMENT.—The Director may appoint a child advocate, who meets the qualifications described in paragraph (2), for an unaccompanied alien child. The Director is encouraged, if practicable, to contract with a voluntary agency for the selection of an individual to be appointed as a child advocate under this paragraph.

(2) QUALIFICATIONS OF CHILD ADVOCATE.—

(A) IN GENERAL.—A person may not serve as a child advocate unless such person—

(i) is a child welfare professional or other individual who has received training in child welfare matters;

(ii) possesses special training on the nature of problems encountered by unaccompanied alien children; and

(iii) is not an employee of the Department, the Department of Justice, or the Department of Health and Human Services.

(B) INDEPENDENCE OF CHILD ADVOCATE.—

(i) INDEPENDENCE FROM AGENCIES OF GOVERNMENT.—The child advocate shall act independently of any agency of government in making and reporting findings or making recommendations with respect to the best interests of the child. No agency shall terminate, reprimand, de-fund, intimidate, or retaliate against any person or entity appointed under paragraph (1) because of the findings and recommendations made by such person relating to any child.

(ii) PROHIBITION OF CONFLICT OF INTEREST.—No person shall serve as a child advocate for a child if such person is providing legal services to such child.

(3) DUTIES.—The child advocate of a child shall—

(A) conduct interviews with the child in a manner that is appropriate, taking into account the child's age;

(B) investigate the facts and circumstances relevant to the child's presence in the United States, including facts and circumstances—

(i) arising in the country of the child's nationality or last habitual residence; and

(ii) arising subsequent to the child's departure from such country;

(C) work with counsel to identify the child's eligibility for relief from removal or voluntary departure by sharing with counsel relevant information collected under subparagraph (B);

(D) develop recommendations on issues relative to the child's custody, detention, release, and repatriation;

(E) take reasonable steps to ensure that—

(i) the best interests of the child are promoted while the child participates in, or is subject to, proceedings or matters under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.);

(ii) the child understands the nature of the legal proceedings or matters and determinations made by the court, and that all information is conveyed to the child in an age-appropriate manner;

(F) report factual findings and recommendations consistent with the child's best interests relating to the custody, detention, and release of the child during the pendency of the proceedings or matters, to the Director and the child's counsel;

(G) in any proceeding involving an alien child in which a complaint has been filed with any appropriate disciplinary authority against an attorney or representative for criminal, unethical, or unprofessional conduct in connection with the representation of the alien child, provide the immigration judge with written recommendations or testimony on any information the child advocate may have regarding the conduct of the attorney; and

(H) in any proceeding involving an alien child in which the safety of the child upon repatriation is at issue, and after the immigration judge has considered and denied all applications for relief other than voluntary departure, provide the immigration judge with written recommendations or testimony on any information the child advocate may have regarding the child's safety upon repatriation.

(4) TERMINATION OF APPOINTMENT.—The child advocate shall carry out the duties described in paragraph (3) until the earliest of the date on which—

(A) those duties are completed;

(B) the child departs from the United States;

(C) the child is granted permanent resident status in the United States;

(D) the child reaches 18 years of age; or

(E) the child is placed in the custody of a parent or legal guardian.

(5) POWERS.—The child advocate—

(A) shall have reasonable access to the child, including access while such child is being held in detention or in the care of a foster family;

(B) shall be permitted to review all records and information relating to such proceedings that are not deemed privileged or classified;

(C) may seek independent evaluations of the child;

(D) shall be notified in advance of all hearings or interviews involving the child that are held in connection with proceedings or matters under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), and shall be given a reasonable opportunity to be present at such hearings or interviews;

(E) shall be permitted to accompany and consult with the child during any hearing or interview involving such child; and

(F) shall be provided at least 24 hours advance notice of a transfer of that child to a different placement, absent compelling and unusual circumstances warranting the transfer of such child before such notification.

(b) TRAINING.—

(1) IN GENERAL.—The Director shall provide professional training for all persons serving as child advocates under this section.

(2) TRAINING TOPICS.—The training provided under paragraph (1) shall include training in—

(A) the circumstances and conditions faced by unaccompanied alien children; and

(B) various immigration benefits for which such alien child might be eligible.

(c) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director shall establish and begin to carry out a pilot program to test the implementation of subsection (a). Any pilot program existing before the date of the enactment of this Act shall be deemed insufficient to satisfy the requirements of this subsection.

(2) PURPOSE.—The purpose of the pilot program established pursuant to paragraph (1) is to—

(A) study and assess the benefits of providing child advocates to assist unaccompanied alien children involved in immigration proceedings or matters;

(B) assess the most efficient and cost-effective means of implementing the child advocate provisions under this section; and

(C) assess the feasibility of implementing such provisions on a nationwide basis for all unaccompanied alien children in the care of the Office.

(3) SCOPE OF PROGRAM.—

(A) SELECTION OF SITE.—The Director shall select 3 sites at which to operate the pilot program established under paragraph (1).

(B) NUMBER OF CHILDREN.—Each site selected under subparagraph (A) should have not less than 25 children held in immigration custody at any given time, to the greatest extent possible.

(4) REPORT TO CONGRESS.—Not later than 1 year after the date on which the first pilot program site is established under paragraph (1), the Director shall submit a report on the achievement of the purposes described in paragraph (2) to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. __22. COUNSEL.

(a) ACCESS TO COUNSEL.—

(1) IN GENERAL.—The Director shall ensure, to the greatest extent practicable, that all unaccompanied alien children in the custody of the Office or the Department, who are not described in section __11(a)(2), have competent counsel to represent them in immigration proceedings or matters.

(2) PRO BONO REPRESENTATION.—To the greatest extent practicable, the Director shall—

(A) make every effort to utilize the services of competent pro bono counsel who agree to provide representation to such children without charge; and

(B) ensure that placements made under subparagraphs (D), (E), and (F) of section __12(a)(1) are in cities in which there is a demonstrated capacity for competent pro bono representation.

(3) DEVELOPMENT OF NECESSARY INFRASTRUCTURES AND SYSTEMS.—The Director shall develop the necessary mechanisms to

identify and recruit entities that are available to provide legal assistance and representation under this subsection.

(4) CONTRACTING AND GRANT MAKING AUTHORITY.—

(A) IN GENERAL.—The Director shall enter into contracts with, or award grants to, nonprofit agencies with relevant expertise in the delivery of immigration-related legal services to children in order to carry out the responsibilities of this title, including providing legal orientation, screening cases for referral, recruiting, training, and overseeing pro bono attorneys.

(B) SUBCONTRACTING.—Nonprofit agencies may enter into subcontracts with, or award grants to, private voluntary agencies with relevant expertise in the delivery of immigration-related legal services to children in order to carry out this subsection.

(C) CONSIDERATIONS REGARDING GRANTS AND CONTRACTS.—In awarding grants and entering into contracts with agencies under this paragraph, the Director shall take into consideration the capacity of the agencies in question to properly administer the services covered by such grants or contracts without an undue conflict of interest.

(5) MODEL GUIDELINES ON LEGAL REPRESENTATION OF CHILDREN.—

(A) DEVELOPMENT OF GUIDELINES.—The Director of the Executive Office for Immigration Review of the Department of Justice, in consultation with voluntary agencies and national experts, shall develop model guidelines for the legal representation of alien children in immigration proceedings. Such guidelines shall be based on the children's asylum guidelines, the American Bar Association Model Rules of Professional Conduct, and other relevant domestic or international sources.

(B) PURPOSE OF GUIDELINES.—The guidelines developed under subparagraph (A) shall be designed to help protect each child from any individual suspected of involvement in any criminal, harmful, or exploitative activity associated with the smuggling or trafficking of children, while ensuring the fairness of the removal proceeding in which the child is involved.

(C) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Director of the Executive Office for Immigration Review shall—

(i) adopt the guidelines developed under subparagraph (A); and

(ii) submit the guidelines for adoption by national, State, and local bar associations.

(b) DUTIES.—Counsel under this section shall—

(1) represent the unaccompanied alien child in all proceedings and matters relating to the immigration status of the child or other actions involving the Department;

(2) appear in person for all individual merits hearings before the Executive Office for Immigration Review and interviews involving the Department; and

(3) owe the same duties of undivided loyalty, confidentiality, and competent representation to the child as is due to an adult client.

(c) ACCESS TO CHILD.—

(1) IN GENERAL.—Counsel under this section shall have reasonable access to the unaccompanied alien child, including access while the child is—

(A) held in detention;

(B) in the care of a foster family; or

(C) in any other setting that has been determined by the Office.

(2) RESTRICTION ON TRANSFERS.—Absent compelling and unusual circumstances, a child who is represented by counsel may not be transferred from the child's placement to another placement unless advance notice of at least 24 hours is made to counsel of such transfer.

(d) NOTICE TO COUNSEL DURING IMMIGRATION PROCEEDINGS.—

(1) IN GENERAL.—Except when otherwise required in an emergency situation involving the physical safety of the child, counsel shall be given prompt and adequate notice of all immigration matters affecting or involving an unaccompanied alien child, including adjudications, proceedings, and processing, before such actions are taken.

(2) OPPORTUNITY TO CONSULT WITH COUNSEL.—An unaccompanied alien child in the custody of the Office may not give consent to any immigration action, including consenting to voluntary departure, unless first afforded an opportunity to consult with counsel.

(e) ACCESS TO RECOMMENDATIONS OF CHILD ADVOCATE.—Counsel shall be given an opportunity to review the recommendations of the child advocate affecting or involving a client who is an unaccompanied alien child.

(f) COUNSEL FOR UNACCOMPANIED ALIEN CHILDREN.—Nothing in this title may be construed to require the Government of the United States to pay for counsel to any unaccompanied alien child.

SEC. __23. EFFECTIVE DATE; APPLICABILITY.

(a) EFFECTIVE DATE.—This subtitle shall take effect on the date which is 180 days after the date of the enactment of this Act.

(b) APPLICABILITY.—The provisions of this subtitle shall apply to all unaccompanied alien children in Federal custody before, on, or after the effective date of this subtitle.

Subtitle C—Strengthening Policies for Permanent Protection of Alien Children

SEC. __31. SPECIAL IMMIGRANT JUVENILE CLASSIFICATION.

(a) J CLASSIFICATION.—

(1) IN GENERAL.—Section 101(a)(27)(J) (8 U.S.C. 1101(a)(27)(J)) is amended to read as follows:

''(J) an immigrant, who is 18 years of age or younger on the date of application for classification as a special immigrant and present in the United States—

''(i) who, by a court order supported by written findings of fact, which shall be binding on the Secretary of Homeland Security for purposes of adjudications under this subparagraph—

''(I) was declared dependent on a juvenile court located in the United States or has been legally committed to, or placed under the custody of, a department or agency of a State, or an individual or entity appointed by a State or juvenile court located in the United States; and

''(II) should not be reunified with his or her parents due to abuse, neglect, abandonment, or a similar basis found under State law;

''(ii) for whom it has been determined by written findings of fact in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and

''(iii) with respect to a child in Federal custody, for whom the Office of Refugee Resettlement of the Department of Health and Human Services has certified to the Director of U.S. Citizenship and Immigration Services that the classification of an alien as a special immigrant under this subparagraph has not been made solely to provide an immigration benefit to that alien.''.

(2) RULE OF CONSTRUCTION.—Nothing in section 101(a)(27)(J) of the Immigration and Nationality Act, as amended by paragraph (1), shall be construed to grant, to any natural parent or prior adoptive parent of any alien provided special immigrant status under such subparagraph, by virtue of such parentage, any right, privilege, or status under such Act.

(b) ADJUSTMENT OF STATUS.—Section 245(h)(2)(A) (8 U.S.C. 1255(h)(2)(A)) is amended to read as follows:

''(A) paragraphs (4), (5)(A), (6)(A), (7)(A), 9(B), and 9(C)(i)(I) of section 212(a) shall not apply; and''.

(c) ELIGIBILITY FOR ASSISTANCE.—

(1) IN GENERAL.—A child who has been certified under section 101(a)(27)(J) of the Immigration and Nationality Act, as amended by subsection (a)(1), and who was in the custody of the Office at the time a dependency order was granted for such child, shall be eligible for placement and services under section 412(d) of such Act (8 U.S.C. 1522(d)) until the earlier of—

(A) the date on which the child reaches the age designated in section 412(d)(2)(B) of such Act (8 U.S.C. 1522(d)(2)(B)); or

(B) the date on which the child is placed in a permanent adoptive home.

(2) STATE REIMBURSEMENT.—If foster care funds are expended on behalf of a child who is not described in paragraph (1) and has been granted relief under section 101(a)(27)(J) of the Immigration and Nationality Act, the Federal Government shall reimburse the State in which the child resides for such expenditures by the State.

(d) TRANSITION RULE.—Notwithstanding any other provision of law, a child described in section 101(a)(27)(J) of the Immigration and Nationality Act, as amended by subsection (a)(1), may not be denied such special immigrant juvenile classification after the date of the enactment of this Act based on age if the child—

(1) filed an application for special immigrant juvenile classification before the date of the enactment of this Act and was 21 years of age or younger on the date such application was filed; or

(2) was younger than 21 years of age on the date on which the child applied for classification as a special immigrant juvenile and can demonstrate exceptional circumstances warranting relief.

(e) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall promulgate rules to carry out this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to all aliens who were in the United States before, on, or after the date of the enactment of this Act.

SEC. __32. TRAINING FOR OFFICIALS AND CERTAIN PRIVATE PARTIES WHO COME INTO CONTACT WITH UNACCOMPANIED ALIEN CHILDREN.

(a) TRAINING OF STATE AND LOCAL OFFICIALS AND CERTAIN PRIVATE PARTIES.—

(1) IN GENERAL.—The Secretary of Health and Human Services, acting jointly with the Secretary, shall provide appropriate training materials, and upon request, direct training, to State and county officials, child welfare specialists, teachers, public counsel, and juvenile judges who come into contact with unaccompanied alien children.

(2) CURRICULUM.—The training required under paragraph (1) shall include education on the processes pertaining to unaccompanied alien children with pending immigration status and on the forms of relief potentially available. The Director shall establish a core curriculum that can be incorporated into education, training, or orientation modules or formats that are currently used by these professionals.

(3) VIDEO CONFERENCING.—Direct training requested under paragraph (1) may be conducted through video conferencing.

(b) TRAINING OF DEPARTMENT PERSONNEL.—The Secretary, acting jointly with the Secretary of Health and Human Services, shall provide specialized training to all personnel

of the Department who come into contact with unaccompanied alien children. Training for agents of the Border Patrol and immigration inspectors shall include specific training on identifying—

(1) children at the international borders of the United States or at United States ports of entry who have been victimized by smugglers or traffickers; and

(2) children for whom asylum or special immigrant relief may be appropriate, including children described in section __11(a)(2)(A).

SEC. __33. REPORT.

Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Health and Human Services shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains, for the most recently concluded fiscal year—

(1) data related to the implementation of section 462 of the Homeland Security Act (6 U.S.C. 279);

(2) data regarding the care and placement of children under this title;

(3) data regarding the provision of child advocate and counsel services under this title; and

(4) any other information that the Director or the Secretary of Health and Human Services determines to be appropriate.

Subtitle D—Children Refugee and Asylum Seekers

SEC. __41. GUIDELINES FOR CHILDREN'S ASYLUM CLAIMS.

(a) SENSE OF CONGRESS.—Congress—

(1) commends the former Immigration and Naturalization Service for its ''Guidelines for Children's Asylum Claims'', issued in December 1998;

(2) encourages and supports the Department to implement such guidelines to facilitate the handling of children's affirmative asylum claims;

(3) commends the Executive Office for Immigration Review of the Department of Justice for its ''Guidelines for Immigration Court Cases Involving Unaccompanied Alien Children'', issued in September 2004;

(4) encourages and supports the continued implementation of such guidelines by the Executive Office for Immigration Review in its handling of children's asylum claims before immigration judges; and

(5) understands that the guidelines described in paragraph (3)—

(A) do not specifically address the issue of asylum claims; and

(B) address the broader issue of unaccompanied alien children.

(b) TRAINING.—

(1) IMMIGRATION OFFICERS.—The Secretary shall provide periodic comprehensive training under the ''Guidelines for Children's Asylum Claims'' to asylum officers and immigration officers who have contact with children in order to familiarize and sensitize such officers to the needs of children asylum seekers.

(2) IMMIGRATION JUDGES.—The Director of the Executive Office for Immigration Review shall—

(A) provide periodic comprehensive training under the ''Guidelines for Immigration Court Cases Involving Unaccompanied Alien Children'' and the ''Guidelines for Children's Asylum Claims'' to immigration judges and members of the Board of Immigration Appeals; and

(B) redistribute the ''Guidelines for Children's Asylum Claims'' to all immigration courts as part of its training of immigration judges.

(3) USE OF VOLUNTARY AGENCIES.—Voluntary agencies shall be allowed to assist in the training described in this subsection.

(c) STATISTICS AND REPORTING.—

(1) STATISTICS.—

(A) DEPARTMENT OF JUSTICE.—The Attorney General shall compile and maintain statistics on the number of cases in immigration court involving unaccompanied alien children, which shall include, with respect to each such child, information about—

(i) the age;

(ii) the gender;

(iii) the country of nationality;

(iv) representation by counsel;

(v) the relief sought; and

(vi) the outcome of such cases.

(B) DEPARTMENT OF HOMELAND SECURITY.—The Secretary shall compile and maintain statistics on the instances of unaccompanied alien children in the custody of the Department, which shall include, with respect to each such child, information about—

(i) the age;

(ii) the gender;

(iii) the country of nationality; and

(iv) the length of detention.

(2) REPORTS TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, and annually, thereafter, the Attorney General, in consultation with the Secretary, Secretary of Health and Human Services, and any other necessary government official, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary House of Representatives on the number of alien children in Federal custody during the most recently concluded fiscal year. Information contained in the report, with respect to such children, shall be categorized by—

(A) age;

(B) gender;

(C) country of nationality;

(D) length of time in custody;

(E) the department or agency with custody; and

(F) treatment as an unaccompanied alien child.

SEC. __42. UNACCOMPANIED REFUGEE CHILDREN.

(a) IDENTIFYING UNACCOMPANIED REFUGEE CHILDREN.—Section 207(e) (8 U.S.C. 1157(e)) is amended—

(1) by redesignating paragraphs (3), (4), (5), (6), and (7) as paragraphs (4), (5), (6), (7), and (8), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) An analysis of the worldwide situation faced by unaccompanied refugee children, categorized by region, which shall include an assessment of—

''(A) the number of unaccompanied refugee children;

''(B) the capacity of the Department of State to identify such refugees;

''(C) the capacity of the international community to care for and protect such refugees;

''(D) the capacity of the voluntary agency community to resettle such refugees in the United States;

''(E) the degree to which the United States plans to resettle such refugees in the United States in the following fiscal year; and

''(F) the fate that will befall such unaccompanied refugee children for whom resettlement in the United States is not possible.''.

(b) TRAINING ON THE NEEDS OF UNACCOMPANIED REFUGEE CHILDREN.—Section 207(f)(2) (8 U.S.C. 1157(f)(2)) is amended—

(1) by striking ''and'' after ''countries,''; and

(2) by inserting '', and instruction on the needs of unaccompanied refugee children'' before the period at the end.

SEC. __43. EXCEPTIONS FOR UNACCOMPANIED ALIEN CHILDREN IN ASYLUM AND REFUGEE-LIKE CIRCUMSTANCES.

(a) PLACEMENT IN REMOVAL PROCEEDINGS.—Any unaccompanied alien child apprehended by the Department, except for an unaccompanied alien child subject to exceptions under paragraph (1)(A) or (2) of section __11(a), shall be placed in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a).

(b) EXCEPTION FROM TIME LIMIT FOR FILING ASYLUM APPLICATION.—Section 208 (8 U.S.C. 1158(a)(2)) is amended—

(1) in subsection (a)(2), by adding at the end the following:

''(E) APPLICABILITY.—Subparagraphs (A) and (B) shall not apply to an unaccompanied alien child.''; and

(2) in subsection (b)(3), by adding at the end the following:

''(C) INITIAL JURISDICTION.—United States Citizenship and Immigration Services shall have initial jurisdiction over any asylum application filed by an unaccompanied alien child.''.

Subtitle E—Amendments to the Homeland Security Act of 2002

SEC. __51. ADDITIONAL RESPONSIBILITIES AND POWERS OF THE OFFICE OF REFUGEE RESETTLEMENT WITH RESPECT TO UNACCOMPANIED ALIEN CHILDREN.

(a) ADDITIONAL RESPONSIBILITIES OF THE DIRECTOR.—Section 462(b)(1) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(1)) is amended—

(1) in subparagraph (K), by striking ''and'' at the end;

(2) in subparagraph (L), by striking the period at the end and inserting '', including regular follow-up visits to such facilities, placements, and other entities, to assess the continued suitability of such placements; and''; and

(3) by adding at the end the following:

''(M) ensuring minimum standards of care for all unaccompanied alien children—

''(i) for whom detention is necessary; and

''(ii) who reside in settings that are alternative to detention.''.

(b) ADDITIONAL AUTHORITY OF THE DIRECTOR.—Section 462(b) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)) is amended by adding at the end the following:

''(4) AUTHORITY.—In carrying out the duties under paragraph (3), the Director may—

''(A) contract with service providers to perform the services described in sections __12, __13, __21, and __22 of the Unaccompanied Alien Child Protection Act of 2007; and

''(B) compel compliance with the terms and conditions set forth in section __13 of such Act, by—

''(i) declaring providers to be in breach and seek damages for noncompliance;

''(ii) terminating the contracts of providers that are not in compliance with such conditions; or

''(iii) reassigning any unaccompanied alien child to a similar facility that is in compliance with such section.''.

SEC. __52. TECHNICAL CORRECTIONS.

Section 462(b) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)), as amended by section __51, is further amended—

(1) in paragraph (3), by striking ''paragraph (1)(G)'' and inserting ''paragraph (1)''; and

(2) by adding at the end the following:

''(5) RULE OF CONSTRUCTION.—Nothing in paragraph (2)(B) may be construed to require that a bond be posted for unaccompanied alien children who are released to a qualified sponsor.''.

SEC. __53. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect as if included in the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.).

Subtitle F—Prison Sexual Abuse Prevention

SEC. _61. SHORT TITLE.

This subtitle may be cited as the ''Prison Sexual Abuse Prevention Act of 2007''.

SEC. _62. SEXUAL ABUSE.

Sections 2241, 2242, 2243, and 2244 of title 18, United States Code, are each amended by striking ''the Attorney General'' each place that term appears and inserting ''the head of any Federal department or agency''.

Subtitle G—Authorization of Appropriations

SEC. _71. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Department, the Department of Justice, and the Department of Health and Human Services, such sums as may be necessary to carry out—

(1) the provisions of section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279); and

(2) the provisions of this title.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) shall remain available until expended.

SA 1147. Mr. LEAHY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill 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), and for other purposes; which was ordered to lie on the table; as follows:

Strike section 6 and insert the following:

SEC. 6. TIME LIMITS FOR AGENCIES TO ACT ON REQUESTS.

(a) TIME LIMITS.—

(1) IN GENERAL.—Section 552(a)(6)(A)(i) of title 5, United States Code, is amended by striking ''determine within 20 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request'' and inserting ''within the 20-day period commencing on the date on which the request is first received by the agency (excepting Saturdays, Sundays, and legal public holidays), which shall not be tolled without the consent of the party filing the request, determine''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect 1 year after the date of enactment of this Act.

(b) APPLICABILITY OF AGENCY FEES.—

(1) LIMITATION.—Section 552(a)(4)(A) of title 5, United States Code, is amended by adding at the end the following:

''(viii) An agency shall refund any fees collected under this subparagraph if the agency fails to comply with any time limit that applies under paragraph (6). Such refunds shall be paid from annual appropriations provided to that agency.''.

(2) EFFECTIVE DATE AND APPLICATION.—The amendment made by this subsection shall take effect 1 year after the date of enactment of this Act and shall apply to requests for information under section 552 of title 5, United States Code, filed on or after that effective date.

SA 1148. Mrs. MCCASKILL (for herself and Mr. DODD) submitted an amendment intended to be proposed by her to the bill S. 1348, to promote for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 123, strike line 5 and all that follows through page 124, line 6, and insert the following:

''(1) EMPLOYERS.—Whenever an employer who does not hold Federal contracts, grants, or cooperative agreements is determined by the Secretary to be a repeat violator of this section or is convicted of a crime under this section, the employer shall be subject to debarment from the receipt of Federal contracts, grants, or cooperative agreements for a period of not less than 5 years in accordance with the procedures and standards prescribed by the Federal Acquisition Regulations. The Secretary or the Attorney General shall advise the Administrator of General Services of any such debarment, and the Administrator of General Services shall list the employer on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs for the period of the debarment.

''(2) CONTRACTORS AND RECIPIENTS.—Whenever an employer who holds Federal contracts, grants, or cooperative agreements is determined by the Secretary to be a repeat violator of this section or is convicted of a crime under this section, the employer shall be subject to debarment from the receipt of Federal contracts, grants, or cooperative agreements for a period of not less than 5 years in accordance with the procedures and standards prescribed by the Federal Acquisition Regulations. Prior to debarring the employer, the Secretary, in cooperation with the Administrator of General Services, shall advise all agencies holding contracts, grants, or cooperative agreements with the employer of the proceedings to debar the employer from the receipt of new Federal contracts, grants, or cooperative agreements for a period of not less than 5 years.''.

SA 1149. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1348, to promote for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 281, between lines 40 and 41, insert the following:

(vi) MISDEMEANOR OFFENSE.—The alien shall admit to a misdemeanor offense for being in the United States illegally, and such offense shall be punishable by at least 416 hours of community service.

SA 1150. Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) proposed an amendment to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

(The amendment will be printed in a future edition of the RECORD.)

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to hold an off-the- floor markup during the session of the Senate on Monday, May 21, 2007, at 5:30 p.m., in S–216 of the Capitol, to consider pending committee business.

Agenda

Nomination

Howard C. Weizmann to be Deputy Director, Office of Personnel Management.

Post Office naming bills

(1) S. 1352, a bill to designate the facility of the U.S. Postal Service located at 127 East Locust Street In Fairbury, llilinois, as the ''Dr. Francis Townsend Post Office Building'';

(2) H.R. 1402, a bill to designate the facility of the U.S. Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the ''Sergeant Dennis J. Flanagan Lecanto Post Office Building'';

(3) H.R. 625, a bill to designate the facility of the U.S. Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the ''Atanacio Haro-Marin Post Office'';

(4) H.R. 988, a bill to designate the facility of the U.S. Postal Service located at 5757 Tilton Avenue in Riverside, California, as the ''Lieutenant Todd Jason Bryant Post Office'';

(5) H.R. 437, a bill to designate the facility of the U.S. Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the ''Lino Perez Jr. Post Office'';

(6) H.R. 414, a bill to designate the facility of the U.S. Postal Service located at 60 Calle McKinley West in Mayaguez, Puerto Rico, as the ''Miguel Angel Garcia Mendez Post Office Building.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Madam President, I ask unanimous consent that Ellen Gallagher, a detailee to my staff from the Department of Homeland Security, be given floor privileges for the duration of debate on the comprehensive immigration reform bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTHUMOUSLY AWARDING A CONGRESSIONAL GOLD MEDAL TO CONSTANTINO BRUMIDI

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 150, S. 254.

The PRESIDING OFFICER (Mr. KLOBUCHAR). The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 254) to award posthumously a Congressional gold medal to Constantino Brumidi.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment on page 5, line 13 to strike ''Unites'' and insert in lieu thereof ''United''.

Mr. REID. Madam President, I ask unanimous consent that the committee-reported amendment be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid on the table, and that any statements relating to the bill be printed in the RECORD.

The committee amendment was agreed to.

The bill (S. 254), as amended, was ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL DAY OF THE AMERICAN COWBOY

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to Calendar No. 153, S. Res. 130.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 130) designating July 28, 2007, as the ''National Day of the American Cowboy.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res 130) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 130

Whereas pioneering men and women, recognized as cowboys, helped establish the American West;

Whereas that cowboy spirit continues to infuse the Nation with its solid character, sound family values, and good common sense;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy loves, lives off of, and depends on the land and its creatures, and is an excellent steward, protecting and enhancing the environment;

Whereas the cowboy continues to play a significant role in the culture and economy of the United States;

Whereas approximately 800,000 ranchers in all 50 States are conducting business and contributing to the economic well-being of nearly every county in the Nation;

Whereas rodeo is the sixth most-watched sport in the United States;

Whereas membership in rodeo and other organizations encompassing the livelihood of a cowboy transcends race and sex and spans every generation;

Whereas the cowboy is an American icon;

Whereas to recognize the American cowboy is to acknowledge the ongoing commitment of the United States to an esteemed and enduring code of conduct; and

Whereas the ongoing contributions made by cowboys to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 28, 2007, as ''National Day of the American Cowboy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

CONCLUSION OF MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered. Morning business is closed.

COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007—Continued

AMENDMENT NO. 1150

Mr. REID. Madam President, on behalf of Senators KENNEDY and SPECTER, I call up an amendment that is now at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. KENNEDY, for himself, and Mr. SPECTER, proposes an amendment No. 1150.

Mr. REID. 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 will be printed in a future edition of the RECORD.

ORDERS FOR TUESDAY, MAY 22, 2007

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until Tuesday at 10 a.m.; that on Tuesday, May 22, following the prayer and pledge, the morning hour be deemed expired and the time for the two leaders reserved for their use later in the day; that there then be a period of morning business for 60 minutes with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled, with the Republicans controlling the first half and the majority controlling the final half; that at the close of morning business, the Senate resume consideration of S. 1348, the immigration bill, and Senator SESSIONS be recognized to speak until 12:30 p.m., at which time the Senate stand in recess until 2:15 p.m. in order to accommodate the respective party conference meetings; that at 2:15 p.m., if Senator SESSIONS has not concluded his remarks, he then be recognized to conclude those remarks, with no amendments in order during the time of his remarks. He will complete his remarks to the extent of 2 hours for tomorrow. Under the order we previously entered, he has 2 hours tomorrow. So at 2:15, whatever time he didn't use prior to 12:30, he would have that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, I ask unanimous consent that the Senate now stand in adjournment.

There being no objection, the Senate, at 8:14 p.m., adjourned until Tuesday, May 22, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 21, 2007:

DEPARTMENT OF ENERGY

THOMAS P. D'AGOSTINO, OF MARYLAND, TO BE UNDER SECRETARY FOR NUCLEAR SECURITY, DEPARTMENT OF ENERGY, VICE LINTON F. BROOKS, RESIGNED.

DEPARTMENT OF STATE

ERIC G. JOHN, OF INDIANA, 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 KINGDOM OF THAILAND.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHARLES W. GRIM, OF OKLAHOMA, TO BE DIRECTOR OF THE INDIAN HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE TERM OF FOUR YEARS. (REAPPOINTMENT)

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

JASON D. RIMINGTON, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

JEFFERY J. RASNAKE, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD P. ZAHNER, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH MAGUIRE, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KENNETH C. SIMPKISS, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ANTHONY G. HOFFMAN, 0000
PATRICIA L. WOOD, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ROY V. MCCARTY, 0000
PETER C. VANAMBURGH, 0000
HUNG Q. VU, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be major

ERIC M. ARBOGAST, 0000
DAVID A. BECKER, 0000
MEREDITH E. BROWN, 0000
MICHAEL R. BUNTING, 0000
LOUIS D. CAPORALE, JR., 0000
ANDREW J. FOREMAN, 0000
CHRISTOPHER W. HAMPTON, 0000
MATTHEW J. LANDRY, 0000
CHRISTOPHER B. LOGAN, 0000
PATRICK W. MCCUEN, 0000
WILLIAM G. MITCHELL, 0000
KEITH A. PARRY, 0000
MICHAEL J. PEITZ, 0000
JAMES L. WETZEL IV, 0000

EXTENSIONS OF REMARKS

COMMENDING THE PARTICIPANTS OF THE NORTHERN NEW JERSEY WALK NOW FOR AUTISM

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. GARRETT of New Jersey. Madam Speaker, yesterday, people of all ages, of all races, of all religions and walks of life joined together in Montclair, New Jersey for the Northern New Jersey Walk Now for Autism. Many of those who walked deal with autism on a daily basis in their homes. They walked for their sons and daughters, grandchildren, and brothers and sisters. They are remarkable for their strength and their spirit, and I commend each and every one of them for their efforts.

Each year, more and more children are diagnosed with autism spectrum disorders, yet each year we seem to learn more and more about how little we know about autism and how to help those who must deal with it every day.

But, what we do know is that it can be a lonely world for many children with autism. It can be an equally lonely world for those who care for autistic children. What makes these walks so phenomenal is not just the awareness that they raise amongst the general public or the money they raise, but the community spirit that they generate. No parent or grandparent, sister or brother need feel alone. There is a whole family of people who know what you go through and are there to lend all the support that you need.

Because of the can-do spirit of autism families, today, we have new schools and new teaching methods to serve autistic children; we have new research to bring us closer to an understanding of autism spectrum disorders; and we have a fresh recognition of how bright and special children with autism are. I commend these families for taking on autism head-on, and I am certain that with the spirit they bring to this fight, they will change the future for all who struggle with autism.

IN RECOGNITION OF MAYOR FRANK JACKSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. KUCINICH. Madam Speaker, I rise today to honor Mayor Frank Jackson for his outstanding work and unyielding effort to assist the homeless population of Cleveland.

Ever since Mayor Jackson was elected to Cleveland City Council in 1989, he has been a leading force for bringing Cleveland together as one city and bridging the gaps that exist between communities. As a result, Cleveland has blossomed into a city that unites the lives of its children, seniors, disabled people, families, businesses, and all vulnerable populations.

During his service to Cleveland, Mayor Jackson has made strong contributions to the advancement of equality, and has worked tirelessly to increase opportunities for the economically and socially disadvantaged. Mayor Jackson has supported subsidized affordable housing in Cleveland to ensure everyone has a roof over their heads. Moreover he has labored to include low income Clevelanders in the decision making process, rather than alienating them. During his successful mayoral campaign, he empowered the homeless community by involving them in the campaign and encouraging them to organize and advocate for themselves.

Mayor Jackson's tremendous service to Cleveland is a shining example of how we should all do our utmost to create a society where rather than hide from problems like poverty and homelessness, we face them and commit ourselves to their eradication. He is the first Cleveland Mayor to attend the annual Homeless Memorial Day during his term, demonstrating his solidarity with the homeless community and his commitment to addressing the concerns they face.

It is therefore with great honor that I celebrate Mayor Jackson as the recipient of the lone Biggs Award. The Award memorializes lone and celebrates her lifelong efforts to breaking down barriers in our society. lone listened to everyone, including those with whom she did not agree. Mayor Jackson possesses the very same qualities, and I am proud of the work he is doing for our city.

Madam Speaker and colleagues, please join me in honoring Mayor Frank Jackson for his outstanding and tireless efforts as an advocate for the homeless, as well as for bringing all people that share the great city of Cleveland together as one people.

CONGRATULATIONS TO GRADUATES OF LAKE COUNTY ELECTRICIANS JOINT APPRENTICESHIP COMPLETION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great sincerity and admiration that I offer congratulations to several of Northwest Indiana's most talented, dedicated, and hardworking individuals. On Friday, June 1, 2007, the Lake County Electricians Joint Apprenticeship and Training Committee (JATC) will honor the class of 2007 at their annual Apprentice Completion Banquet, which will be held at the Avalon Manor Banquet Hall in Merrillville, Indiana.

This year, the Lake County Electricians JATC will be recognizing and honoring the following graduates, who have completed the apprentice training: Angel Alvarez, Gregory Breitzke, Ryan Cleveringa, Justin Copak, Christopher Curatolo, Matthew Deering, Sr., Steven Dodd, Brandon Fritzsche, Ryan Gregory, Brion Grooms, Dustin Hall, Daniel Kanelopoulos II, Michael Keilman, Antonio Kendrick, Christopher Levenson, Christopher Nighbert, Carlos Reices, Raymond Rodriguez, Jose Sanchez, Micah Schantz, Matthew Summers, Billy Thomas, Dave Waffler, Ryan Williams, and Robert Willis, Jr.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty by its tradesmen. These outstanding graduates all exemplify these traits. They have mastered their trade and have demonstrated their loyalty to both the union and the community through their commitment, hard work, and selfless sacrifice.

Madam Speaker, I ask that you and my other distinguished colleagues join me in congratulating these committed, hardworking individuals. Along with the other extraordinary men and women of Northwest Indiana's unions, these individuals have contributed in many ways to the growth and development of the economy in Indiana's First Congressional District, and I am very proud to represent them in Washington, DC.

IN MEMORY OF MR. CLYDE R. WESTFALL

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mrs. CAPITO. Madam Speaker, I proudly pause to recognize the achievements of Clyde R. Westfall, husband, father, and devoted citizen of Braxton County, West Virginia, who passed away on April 13, 2007.

Mr. Westfall had a passion for infrastructure improvements in his community. His perseverance to the Curry Ridge Water Project was instrumental in bringing many parties together to complete the goal of running, potable water in the homes and businesses of this community.

Mr. Westfall not only provided his valuable service to his fellow citizens, but as a foreman in the coal industry. His character brought credibility to his works. He was steadfast in his desire for the betterment of his community. His diligent work, particularly to the Curry Ridge Water Project, will be beneficial to many citizens and industry for years to come.

Madam Speaker, I proudly ask you to join me in honoring the life of Clyde Westfall, whose dedication and service is truly admirable. He will be sadly missed by many.

RECOGNIZING THE BEVERLY LIVING CENTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to congratulate the Beverly Living Center in Maryville, MO, upon receiving the prestigious ''Ten Karat'' award, selected by Beverly Enterprise, to honor living centers that have consistently shown excellence through areas such as quality standards, employee retention, recognition and development.

The Beverly Living Center opened in 1977 as a 108-bed skilled nursing facility and in 1986 added an assisted living community consisting of 16 apartments known as ''Maryville Chateau.'' This facility excels in a wide variety of assistance and rehabilitation areas, including physical, occupational, speech and joint replacement therapy.

Also, I want to recognize the great leadership by the Executive Director Kim Bram. I also want to acknowledge the hard work and dedication of the Beverly Living Centers employees as additional keys to success.

Madam Speaker, I ask you to join me in commending the Beverly Living Center, an exceptional employer in Missouri's Sixth Congressional District for winning the ''Ten Karat'' award. The Beverly Living Center's commitment to excellence is inspiring, and I am honored to represent so many of its fine employees and officers in the United States Congress.

COPS IMPROVEMENTS ACT OF 2007

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2007

Ms. McCOLLUM of Minnesota. Mr. Speaker, I rise today to express my strong support for H.R. 1700, the COPS Reauthorization Act. This legislation is a much needed and renewed commitment by this Democratic-led Congress to combat crime in our local communities and neighborhoods.

Since its inception under the leadership of the Clinton administration, the COPS program has proven to ensure greater safety for citizens in large metropolitan areas and small communities alike by providing local law enforcement with the ability to hire more police officers, increased technology assistance such as laptops for patrol cars, and new funding for programs to allow prosecutors to go after more criminals. Since 1994 117,000 new police officers have hit the streets in the United States and 414 in the area of St. Paul, which I represent.

According to an independent study done by the GAO, COPS hiring grants were responsible for reducing the crime rate in the United States by roughly 200,000 crimes between 1998 and 2000. Unfortunately, past Republican-led Congresses sharp cuts in over a billion dollars to the COPS hiring grant programs have diminished the capacity of this great program that has been critical to decreasing the crime rate across this country. To make matters worse, this year President Bush is seeking to zero-out funding for the COPS hiring programs and must not see the value of more law enforcement officers on the streets. This Congress will answer the President's call of zero funding by restoring this important program to a respectable level and add 50,000 police officers in the next 6 years to fight crime.

COPS has provided an avenue to deploy more law enforcement officers in many areas of the United States and unsurpassed technology to assist the growing law enforcement community. It is a first-rate program, I commend the gentleman from New York, Mr. Weiner for bringing this legislation to the floor and I urge all my colleagues to support this bill and the men and women in law enforcement that continue to protect our communities.

IN HONOR OF THE PUBLIC SERVICE OF MARY ELLEN MILLER, JANICE LOSCHIAVO, META PITRELLI, AND CATHERINE ANN THABIT

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to honor four public servants from Bergen County, New Jersey—four school nurses in Bergen County public schools. Throughout their respected careers they've acted as medical experts and comforting friends to countless students. And, as they retire in a ceremony tonight, they leave with fond memories of all the children on whose lives they've left an indelible mark of kindness.

The days when school nurses tended to skinned knees and the unexpected onset of flu are long gone. For many children today, school nurses are their first real medical relationship. They catch diabetes early when children can still make important behavioral changes. And, far too often, they catch violence in the home while there's still time to save children's lives. They give children the chance to learn trust and to develop healthy living and to mend. And, quite simply, they give children the chance to learn because healthy minds are minds that can absorb all there is around them.

Only days after we celebrated the healing power of nurses with National Nurses Week and National School Nurses Day, it is an honor to commend these women for their service to the parents, children, and teachers of Bergen County: Catherine Anne Thabit—Westwood Regional Public Schools, Mary Ellen Miller—Bergenfield Public Schools, Janice Loschiavo—Glen Ridge Public Schools, and Meta Pitrelli—Bergenfield Public Schools.

IN RECOGNITION OF THE RIDGEWOOD YMCA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. KUCINICH. Madam Speaker, I rise today to honor the Ridgewood YMCA, for over 30 years of service to the Parma, Ohio community, and for its efforts in creating a healthier, stronger and more active Northeast Ohio.

Since its groundbreaking in 1971, Ridgewood has been an invaluable resource for Ohioans of all ages. Regardless of circumstance, Ridgewood and its dedicated staff have gone to all ends to ensure community members have the resources and motivation to get fit and lead healthier lives.

Their latest program, the Y Express, has just completed its first year with resounding success. As a program aimed at meeting the needs of today's busy families the Y Express, from its strategic location in the Parmatown Mall, has logged over 40,000 member visits and continues to build partnerships and programs for its members.

Madam Speaker and colleagues, please join me in honoring the Ridgewood YMCA and its successful Y Express program, as well as the efforts and energies of its committed and enthusiastic staff. Northeast Ohio is fortunate to have them.

TRIBUTE TO REV. DR. J.C. WADE, JR.

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great pride and sincerity that I wish to honor Reverend Dr. J.C. Wade, Jr. on the 50th anniversary of his ministry, as well as his 42 years of service at Zion Missionary Baptist Church in East Chicago, Indiana. Zion Missionary Baptist Church will be honoring Reverend Wade on Friday, May 25, 2007, at the Pastor's Anniversary Banquet, which will take place at the Genesis Convention Center in Gary, Indiana. There will also be an anniversary service at Zion Missionary Baptist Church on Sunday, May 27, 2007.

Reverend Wade was born in Memphis, Tennessee and raised in Omaha, Nebraska. As a young child, Reverend Wade accepted Jesus Christ as his Savior. He was licensed in 1957 and ordained in 1961 at the Salem Missionary Baptist Church in Omaha, Nebraska. In 1961, he pastored at Samaria Baptist Church in Van Alstyne, Texas; then from 1964 to March 1965, he served the congregation at Pilgrim Rest Baptist Church in Van Buren, Arkansas. In 1965, Reverend Wade relocated to the Zion Missionary Baptist Church in East Chicago, where he has been serving as Pastor and leader for 42 years.

Reverend Wade has held many prominent positions within the community. He is the former President of the General Missionary Baptist State Convention of Indiana and the State Vice President of the National Baptist Convention, for which he also serves on the Board of Directors. In addition, Reverend Wade serves as a Devotional Leader for the National Sunday School and is involved with the B.T.U. Congress—Pastors Division. He is a current member of the National Association for the Advancement of Colored People and Operation Push, and he is active with the Northwest Indiana Food Bank and the Twin City Ministerial Alliance. As if this were not impressive enough, Reverend Wade has also

found time to travel on a Foreign Mission's Preaching team to Africa. Further, he was Vice President of the East Chicago Board of Safety for 6 years, consultant to the Mayor of East Chicago from 2002–2004, and coordinator for "Operation Too Great to Wait" Hurricane Katrina Survivors, which took place at the Genesis Convention Center in Gary on September 11, 2005.

A true scholar, Reverend Wade has had a wide range of academic training. His degrees include a Bachelor of Arts, Bachelor of Theology, Doctorate of Bible Theology, Master of Religious Education, and an Honorary Doctorate of Divinity, and he has had extensive International Studies in Oxford, England.

Reverend Wade has also received many accolades throughout his lifetime. To name a few, Reverend Wade has received a proclamation from the City of East Chicago. In May 2000, the City of East Chicago dedicated and renamed Drummond Street to Reverend Dr. J.C. Wade Street for his many years of service and dedication to the community. On March 22, 2007, the Indiana State Senate also issued a proclamation in his honor for his dedicated service. Reverend Wade has also been recognized nationally as he was selected to travel on 3 pilgrimages to the Holy Land as a Nationwide Evangelist, and he has conducted a workshop at the District Association Board Meeting in Germany.

Madam Speaker, at this time, I ask that you and my other distinguished colleagues join me in congratulating Reverend Dr. J.C. Wade, Jr. as he is honored for his service and ministry. His 50 years of service have touched and improved the lives of all whom he has served. His unselfish and lifelong dedication is worthy of the highest commendation, and I am proud to represent him in Congress.

TRIBUTE TO ROBEY THEATER

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mrs. CAPITO. Madam Speaker, I rise today to honor the historic Robey Theater, one of the longest continuously operating motion picture theaters in the United States. Since its establishment in 1907 as the Dreamland Theater, it has been central to the lives of the citizens of Spencer, WV. The theatre actually changed locations 4 times across Main Street during its first decade.

When it first opened, the Robey family had to run movies as many as 6 times a night to meet demand. The facility mixed live theater with silent pictures by putting scenery around the screen.

Even remodeling couldn't keep the theater from entertaining locals. Upon refurbishment in 1926, Mr. Robey moved the screen to a local school field and created a 'tentorium.' The movie star Little Jackie "Hoo" Ray performed at this event. Later that year, the theater hosted Congressman Harry Woodyard to celebrate its grand reopening.

Robey Theater was added to the National Register of Historic Places in 1989. Despite numerous technological updates and the addition of new releases to the theaters' showings, the theatre remains a small intimate setting to watch a movie, just as it was 100 years ago.

I join with the residents of Spencer and Roane County to recognize the Robey Theater for its 100 years of service.

RECOGNIZING JOHN IGO FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize John Igo, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and in earning the most prestigious award of Eagle Scout.

John has been very active with his troop, participating in many scout activities. Over the years John has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending John Igo for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

H.R. 1684

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. MCCOLLUM of Minnesota. Madam Speaker, I rise today to express my support for H.R. 1684, the Department of Homeland Security, DHS, Authorization Act for fiscal year 2008. The legislation makes clear that this Congress is dedicated to providing the Department of Homeland Security with the proper tools to protect American citizens, and to ensure accountability and proper oversight of DHS.

With many entities rolled into the Department of Homeland Security at its inception in 2003 the bureaucratic structure of the department has consistently needed improvement. DHS has come under intense scrutiny and yielded many questions regarding its bloated size and its ability to function smoothly. This legislation will take necessary steps to correct large problems associated with the agency that includes streamlining the contracting and procurement process, and require the department to conduct comprehensive quadrennial reviews of its operations.

H.R. 1684 is a bipartisan effort to restore huge cuts by the Bush administration to important programs. The 52 percent cut to the State Homeland Security Grant Program, which funds first responder preparation and response, has been reinstated. The 55 percent cut to firefighter assistance grants has been added back into the bill. This bill also restores the previously eliminated Local Law Enforcement Terrorism Prevention Program to its entirety, and reverses the elimination of the SAFER program. Fully funding these crucial first responder programs dictates a dedication from Congress that is unparalleled.

The most important job of Congress is to keep America safe, and this legislation takes important steps to protect our communities. I want to commend the Chairman of the Homeland Security Committee, the gentleman from Mississippi, Mr. THOMPSON, for his work on this legislation and I urge all my colleagues to support it.

IN HONOR OF THE STUDENT GRADUATES OF PARAMUS' D.A.R.E. PROGRAM AT YAVNEH ACADEMY

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. GARRETT of New Jersey. Madam Speaker, last week, the Paramus Police Department held its D.A.R.E. graduation ceremony with the students of Yavneh Academy. More than 70 students are participating in this important program that gives young people the support they need to say no to drugs, underage drinking, and gang violence.

Drug Abuse Resistance Education, or D.A.R.E., began as a small program in Los Angeles in 1983. Today, it is implemented in more than 75 percent of our Nation's school districts and in more than 43 other Nations. It uses positive peer pressure to help children defeat the negative cultural influences that bombard them daily.

I am proud of the young boys and girls who participated in this program at Yavneh Academy, and I would like to recognize them all for taking this step toward positive citizenship: Hannah Ash, Benjamin Atwood, Hadassa Bendavid, Simcha Borodach, David Carr, Shimon Cohen, Orly Davis, Shoshana Edelman, Oriel Farjun, Nicole Feigenblum, Alexander Feldman, Jacob Felig, Jacob Finkelstein, Joshua Finkelstein, Michael Finkelstein, Miryam Fischer, Aaron Fox, Jacob Furer, Sheri Goldman, Ayelet Golubtchik, Marlee Goodman, Akiva Gottlieb, Abigail Greenbaum, Rochal Greenberg, Tova Greenberg, Yosef Greenfield, Yehoshua Hanfling, Justin Hod, Leora Hyman, Michael Kahan, Ilana Noa Karp, Rami Laifer, Jason Lang, Yael Ledner, Jacob Levy, Shmuel Levy, Miriam Lichtenberg, Sara Linder, Benjamin Marans, Ally Margulies, Joshua Meier, Esther Meir, Leo Metzger, Philip Meyer, Daniel Nagar, Jennifer Nir, Shaya Oster, Elisha Penn, Jordan Plaut, Noah Potash, Ori Putterman, Rebecca Raab, Daniel Raykher, Daniel Rehanian, Jake Reichel, Samuel Rochlin, Micayla Rosenbaum, Elan Samoohi, Liana Sandor, Risa Scharf, Eli Scharlat, Hillel Sebrow, Dafna Secemski, Gabriella Shankman, Mira Shapiro, Alan Socelof, Lauren Stein, Tamar Weglein, Judah Wertenteil, Solomon Wiener, Jonathan Wietschner, Shira Wolff, Alan Yomtobian, and Yehoshua Zirman.

BREAST CANCER AND ENVIRONMENTAL RESEARCH ACT

HON. CAROL SHEA-PORTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. SHEA-PORTER. Madam Speaker, I rise today to urge my colleagues to join me and over 200 other Members in cosponsoring H.R. 1157, the Breast Cancer and Environmental Research Act. With just one more day until Mother's Day, it is important for us in Congress to honor the women in our lives and work to bring an end to diseases such as breast cancer. Each year, tens of thousands of women die from this disease and more than 3 million women are currently living with breast cancer. Important advances have been made, but we still do not know what causes this disease, or how to prevent it.

This bill will establish a research program at the National Institutes of Health to study the potential links between breast cancer and the environment—authorizing $40 million a year for five years for NIH studies.

Hopefully, this research will help mitigate the devastating effects this disease inflicts on mothers, sisters, wives, daughters and families across the Nation. The National Breast Cancer Coalition has worked tirelessly to advance the fight against breast cancer, as we celebrate Mother's Day this year, I urge my colleagues to join me in co-sponsoring H.R. 1157, the Breast Cancer and Environmental Research Act.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON S. CON. RES. 21, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008

SPEECH OF

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2007

Mr. ENGEL. Mr. Speaker. I rise today in support of S. Con. Res. 21, a budget resolution designed and drafted by Democrats to end over a decade of Republican fiscal irresponsibility.

One of the best results of the Democrats gaining the majority in the Congress is the fact that we can realign the priorities of the Federal government. Instead of Republican tax cuts for the richest 1 percent, we can put those same resources into health care for our children and veterans. Instead of driving our Nation deeper and deeper into debt, we can put us back on track towards a balanced budget.

Twelve years of Republican budgets have left our fiscal house in shambles. We are nearly $9 trillion in debt, and if Republicans had their way, we would never end the deficit. However, the Democratic budget resolution is a good first step towards ending the sea of red ink on our budget. Within the next 5 years, we will have balanced the budget, while at the same time providing necessary services to those who need them most.

This budget resolution incorporates the pay-as-you-go rule that the Democrats passed as one of our first acts in the majority. The rule is simple. Any additional funds we spend, or any taxes that we cut, have to be paid for with cuts in other areas.

The budget resolution finally fulfills some of the promises we made to our military veterans. This legislation includes a $6.6 billion increase in veterans spending, which is the largest increase in history. The Congress has failed to meet our obligations for over a decade in providing necessary services to our veterans, and this budget aims to correct some of this neglect.

In addition, this budget also provides $50 billion over 5 years towards children's health care. The State Children's Health Insurance Program (SCHIP) has been extremely successful in improving access to healthcare for children whose parents earn too much money to qualify for Medicaid, but not enough to purchase private health insurance. Two-thirds of all uninsured children in this nation are actually eligible but not enrolled in SCHIP. With this budget, we can significantly improve health care coverage to millions more children across the country.

This budget resolution will also help protect our Nation from its enemies. The 9/11 recommendations, most of which have been ignored by the Republican Congress, can be implemented under this budget framework. We have also included additional funding for homeland security in order to better ensure the safety of our citizens.

It is no great secret that the Administration has severely underfunded schools across the nation with the No Child Left Behind Act. This is another program we intend to fix with our budget resolution. In this budget, we have included $9.5 billion over what the President requested for fiscal year 2008. This necessary funding will help stop the decline in our Nation's education system.

Mr. Speaker, I do not have nearly enough time to speak about all the benefits of this budget resolution. Programs such as Head Start, LIHEAP, Social Security and Medicare all benefit. Residents of New Orleans and Mississippi benefit from the money to rebuild after Katrina. Higher education students will benefit from increased Pell Grants and we avoid cutting other student aid programs such as Perkins loans and special opportunity block grants, which was proposed in the President's failed budget plan.

I am strongly supportive of this Democratic budget resolution. This bill will go a long way towards putting our fiscal house in order, without relying on the massive middle class tax increase that the President's budget relies upon. I would urge all of my colleagues to support this budget resolution.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

SPEECH OF

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2008, and for other purposes:

Ms. MOORE of Wisconsin. Madam Chairman, as we debate the FY 2008 Defense Authorization bill, I am pleased to note the effort by my colleagues in working to ensure that our national defense funding and policy are focused on programs that will make our country safer and provide our troops in harm's way with the resources they need today.

I support making sure that Congress wisely, as well as robustly, provide for our national defense, including ensuring dollars are spent on systems that will actually protect our Nation and our allies. One of those systems drawing new attention during this debate is missile defense. Our country has already spent over $100 billion over the last several decades to develop various missile defense systems. These Cold War efforts for which annual funding has increased from $3 billion in the late 1990s to nearly $10 billion have yet to bear fruit, even as our country faces the grave threat posed by terrorists smuggling nuclear weapons into our country across our borders or through our ports.

Supporters will point to successful tests recently of portions of this system. However, we all know the challenges of replicating limited success from carefully and highly scripted tests in real world conditions. Given that participants knew roughly when the test target would launch, what they would look like, how they would fly and what they would do, it may be even more concerning that these systems missed as often as they did.

I am troubled when I hear experts such as the Government Accountability Office report that while costs have grown, less work is being completed than planned. GAO found that "too few tests have been completed to have confidence in the models and simulations used to predict performance." One year after establishing 2006 goals for the program, the Missile Defense agency informed Congress that it planned to field fewer assets, reduce performance goals, and increase the program's cost goal.

Our citizens and our allies and their citizens are not made safer by rushing to deploy technology that "may" protect them when called upon.

The solution to a flat tire is not to blow more air into it. We cannot afford to expend valuable national defense dollars to develop technologies that we know today will not work at a time when these funds can be spent to improve our homeland security, provide needed equipment for our troops in the field, or increase foreign aid to our allies.

I am sure there is no need to remind my colleagues that the $8.1 billion provided in the bill for the missile system is more than is currently authorized for port security grants or included in the recent House-passed COPS reauthorization bill to put more police officers on our streets.

Some have attempted to muddle this issue by inserting the nation of Israel into the missile defense issue. Our Nation recognizes the importance of our ally Israel and provides over $2 billion in foreign military aid to help that nation meet its unique security challenges. However, simply putting more unproven, insufficiently tested, and unreliable missile defense systems into the field does not make our country or our allies safer.

I certainly believe the purpose of this $645 billion Defense authorization bill is to help make our country safer including assisting our

allies. If we truly want to help protect important allies like Israel, let's develop and share with them defensive systems that will work effectively, reliably, and consistently. The history of this program has shown me that simply providing more funds will not accomplish that goal.

TRIBUTE TO FATHER EDWIN LEAHY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. PAYNE. Madam Speaker, it is with a great deal of enthusiasm that I ask my colleagues here in the House of Representatives to join me as I rise to offer heartfelt congratulations to Father Edwin Leahy—Father Ed—as he receives an honorary degree from Rutgers-Newark. Father Ed will also serve as the commencement speaker on Thursday, May 17, 2007. He is the headmaster of St. Benedict's Preparatory School in Newark, NJ.

Father Ed graduated from St. Benedict's Prep in 1963 and from Seton Hall University in 1968. He received his training in theology, attaining an M.Div. with distinction in 1975 from the Woodstock College, the Jesuit School of Technology at Union Theological Seminary. He was ordained as a priest in 1972 after first taking vows as a monk in 1966 of the Benedictine Abbey of Newark.

Father Ed's appointment to headmaster of St. Benedict's Prep has been a true blessing to the young men who come through its door and to the community at large. Father Ed became headmaster at the age of 27 and took a school with an enrollment of 89 students and 14 faculty members to its current population of 550 and 46, respectively. In the process, he has touched the hearts of many of his young charges and their families. The students are mostly Black and Hispanic from humble backgrounds. Yet 95 percent of the school's graduates go to college; no small feat in a city where the dropout rate is very high.

Thanks to Father Ed and his perseverance, St. Benedict's Prep now has a waiting list with many suburban youngsters hoping to gain admission. The school received national attention when its comprehensive program was featured in Education Week.

Madam Speaker, Father Ed has served St. Benedict's and the greater community well for almost 25 years. I know my colleagues agree that Father Ed is a very good choice for commencement speaker and is a deserving recipient of an honorary degree from Rutgers-Newark. I wish him well as he continues his good works.

''FIFTY GOOD YEARS''

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. FRANK of Massachusetts. Madam Speaker, yesterday, May 20, marked the 41st anniversary of the date on which Jose F. & Valentina C. Giesta emigrated from the Azores to Massachusetts, landing, fortunately for me, in New Bedford. I say fortunately for me because while I believe in general that hard-working immigrants like the Giestas have been a great boon to this country in so many ways, and have particularly added significantly to the economic and cultural richness of Southeastern Massachusetts, I've been a particular beneficiary of this immigration decision because their daughter, Maria, is my very capable Deputy Chief of Staff.

The Giestas are an excellent example of why so many of us continue to support an immigration policy that welcomes people from elsewhere in the world who want to come to America both to share in the life we have and to help it flourish. Next week, on June 1, the Giestas will mark another very important anniversary—that of their wedding. They were married in Faja de Baixo in the Azores on June 1, 1957—several weeks, I will note, with a politicians penchant for getting himself into the act, before I graduated from high school.

As the Giestas celebrate their 50th Anniversary with their family and friends in New Bedford, they will be with their five children, who are in addition to Maria Eugenia, Gualter, Jose Augusto, Aires, and Stephanie. Stephanie, incidentally, has become a very accomplished hairstylist of whose talents I regularly avail myself. Their five children have produced eight grandchildren, Melissa, Mark, Matthew, Jacob, Tyler, Austin, Quentin, and Daulton. As the family gathers in New Bedford next Saturday on this wonderful occasion, I take this opportunity to acknowledge this event here, not simply out of my personal feelings of gratitude and affection to the Giestas, as strong as they are, but because at a time when people have been hearing a lot of the negative arguments about immigration, the story of the Giestas—a representative one for my district and many other districts across the country—shows how in fact immigration has been of overwhelming benefit to this Nation of immigrants. I am delighted to send my best wishes to Jose and Valentina and to tell them that I regularly cite them as an example of why an open and welcoming immigration policy continues to be in our Nation's best interest.

TRIBUTE TO GALEN JAMISON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. KILDEE. Madam Speaker, I ask the House of Representatives to join me in honoring the memory of Galen Jamison. Galen passed away on Thursday, May 17, in my hometown of Flint, Michigan at the age of 71. Galen was a committed public servant, always striving to improve the quality of life for the people of the greater Flint area. He was a dear friend and a valued advisor. I will miss his knowledge and wisdom.

He was a graduate of Central Michigan University and he had attended Arkansas State College and GMI. Mr. Jamison married Shirley J. Earns in 1955 and moved to Flint Township where he resided for over 50 years. Galen worked for General Motors as a General Supervisor. He was deeply committed to public service. Galen was elected as Flint Township supervisor and served 4 years. He was also elected 2 terms as Trustee on Flint Township Board of Trustees. Galen held several appointed positions over the years. These included State of Michigan Registered Codes Official and Inspector, Commercial Plan Reviewer, and 11 years on the Liquor Advisory Board where he drafted the first ordinance. He served on the Planning Commission for 9 years, the Board of Appeals for 6 years, the Economic Development Authority, the Central Business District Authority, the Bicentennial Committee, and was the Anti Annexation Drive Coordinator.

Galen served on many Genesee County Boards including service as the Chairman of the Auto and Theft Grant Board. He held positions with the Water and Waste Board, the Retirement Board, the Parks Board, the Library Steering Committee, and as Genesee County Michigan Township Association Trustee. He had previously served on the CAMEO Executive Board and as a Flint Junior Achievement Advisor. He served as the Chairman for the Flushing Road Action Committee for Water for 4 years. At the time of his death Galen was currently serving as the Flint Township Chief Building Director and Chairman of the Genesee County Road Commission. Because of his commitment to public service Galen was awarded the G.M. Truck and Bus Plant Award for excellence in Community Activities.

Galen is survived by his wife of 51 years, Shirley, his children, grandchildren, great grandchildren, brothers, sister, numerous nieces and nephews and a Godchild.

Madam Speaker, please join me in paying respects to a wonderful man and a true public servant, Galen Jamison. The Flint area mourns his passing and will miss his leadership, insight and zeal to make the Flint community a better place to live and work.

TRIBUTE TO ROBERT RHEA, ARTHUR DALE JACKSON AND KEVIN DOAN

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. ROGERS of Kentucky. Madam Speaker, on May 20, 2006, five men lost their lives in a coal mine explosion in Harlan, Kentucky. The number of casualties would have been greater, were it not for the heroic efforts of three mine inspectors who decided to go in and save whomever they could.

There were only a few seconds to decide what to do in this situation. There were no second chances. Information was conflicting and incomplete in those rushed minutes late at night on May 20. These three men—Robert Rhea, Arthur Dale Jackson and Kevin Doan—heard enough and chose to descend into the smoke-filled blackness of the Darby Coal Mine.

They were driven to help whomever they could, inserting themselves into this hellish furnace not knowing whether there would be additional explosions or structural collapses.

The person they rescued, Paul Ledford, had succumbed to the carbon monoxide gases caused by the explosion and was unable to move any further. He was a half-mile down and never would have made it out on his own.

We are reminded that coal miners face potential hazards deep underground, everyday, so that we can keep the lights on and appliances running. When tragedy strikes one of

our coal mines, we depend on those levelheaded, brave individuals who do the best they can at the scene to save lives and manage the disaster.

While we sort out the lesson of the Darby mine tragedy, we must also recognize those who had little time to study, deliberate and analyze what to do. They acted.

And because they did, someone lived. I commend these three individuals for answering the most important call any of us could ever get—and having the courage that now provides some solace where there would otherwise be none.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. JOHNSON of Illinois. Madam Speaker, May 17, 2007, I was unable to cast my votes on the following amendments to H.R. 1427.

Had I been present for rollcall No. 378 on the amendment offered by Rep. BACHUS, I would have voted ''nay.''

Had I been present for rollcall No. 379 on the amendment offered by Rep. HENSARLING, I would have voted ''nay.''

Had I been present for rollcall No. 380 on the amendment offered by Rep. MCHENRY, I would have voted ''nay.''

Had I been present for rollcall No. 381 on the amendment offered by Rep. KANJORSKI, I would have voted ''aye.''

Had I been present for rollcall No. 382 on the amendment offered by Rep. ROSKAM, I would have voted ''nay.''

Had I been present for rollcall No. 383 on the amendment offered by Rep. GARRETT, I would have voted ''nay.''

TRIBUTE TO 34TH ANNUAL NATIONAL EMERGENCY MEDICAL SERVICES WEEK

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. BRADY of Texas. Madam Speaker, I rise today in support of the 34th Annual National Emergency Medical Services Week, designated this year May 20–26, 2007. It is truly a privilege to honor these brave men and women who provide essential lifesaving services to our communities throughout the Eighth Congressional District.

EMS Week serves as a time to honor and celebrate our medical emergency personnel. These men and women respond to tragedies and situations we pray never come to us or our loved ones. They respond at a moment's notice to people caught in unimaginable circumstances and work tirelessly to provide emergency treatment and offer hope.

As children we all learned the value of stop, drop, and roll. Today our children learn those lessons and more that help keep them safe. From paramedics and EMTs to police officers and fire fighters, each serves a crucial role in keeping our communities educated and prepared to prevent future emergencies.

As we observe EMS Week this year let us not forget those who have made the ultimate sacrifice while performing their duty. These great men and women who have dedicated themselves to protecting and saving the lives of our loved ones should not be forgotten. The safety of our friends and families depends on individuals like them who arrive to work every day prepared to respond, protect, and save lives.

As we celebrate this week I salute every hardworking American for their role in ensuring the safety of our communities. I also encourage you as residents to become aware of health and safety issues and familiarize yourself with emergency procedures. Let's all chip in and do our part to ensure our neighborhoods and streets remain safe for all to enjoy.

HONORING EDITH DUPIN

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. LEWIS of Kentucky. Madam Speaker, I rise today to pay tribute to Edith Dupin, a constituent and good friend, retiring next month from the Elizabethtown Chamber of Commerce after twenty years of service.

Ms. Dupin has overseen a vast expansion of the Hardin County Chamber of Commerce over the course of the last two decades. Upon her arrival, the Chamber had fewer than 200 members. She leaves the Chamber with more than 700 members. During her tenure she has helped develop several local events that have become staples to the Hardin County community including the Heartland Festival, Leadership Elizabethtown, and the holiday favorite, Christmas in the Park.

Always a straight talker, she has found many friends in the community. Through her tenacity and straightforwardness, she has been able to accomplish many positive objectives for the Chamber and the Elizabethtown community. Her legacy is evident through, among many other things, the local farmers market, numerous job fairs, and laying the groundwork for a possible return of commuter flights to Addington Field.

I would like to congratulate Edith for her service to the Elizabethtown community. I join countless neighbors from the Hardin County community in wishing her well in her future endeavors.

It is my great privilege to recognize my friend, Ms. Edith Dupin today, before the entire House of Representatives, for her service to Hardin County. She is an outstanding American worthy of our collective honor and appreciation.

IN RECOGNITION OF THE HIGH SCHOOL FOR ENTERPRISE, BUSINESS AND TECHNOLOGY (EBT)

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. VELÁZQUEZ. Madam Speaker, I rise today to recognize The High School for Enterprise, Business and Technology (EBT), of Williamsburg, Brooklyn in celebration of their 10th anniversary.

EBT's history has been one of hope, growth and a commitment to quality education for our community. More than ten years ago, the majority of local Williamsburg high school students attending the then Eastern District High School had bleak prospects of graduating from high school. Thanks to the leadership of concerned education advocates, Eastern District was replaced by three new high schools, EBT being one of those entities. The school has evolved into one that has fostered educational growth and training to students throughout Brooklyn.

Since it's inception in 1996, EBT has worked diligently to develop a solid learning and professional foundation, creating a wealth of opportunities for its students. The specialized curriculum serves as the school's cornerstone, offering our community's children an opportunity to pursue studies in areas, including: hospitality/tourism, computer science/networking, and business/finance. Through a classroom environment that emphasizes academic engagement, EBT has fostered the personal progress of countless residents.

The High School for Enterprise, Business and Technology's dedicated staff has been successful in nurturing the intellectual development of hundreds of Brooklyn's children. Their commitment to promoting academic opportunities has strengthened the institution's programs thereby enabling comprehensive support services and encouraging parent participation. Through the exceptional leadership of Principal Juan Mendez, this remarkable high school has effectively increased both the graduation as well as the college placement rate, resulting in socially-minded young adults devoted to the interests of Williamsburg—and our naton at large.

Therefore, Madam Speaker, I rise with my colleagues in the House of Representatives to honor The High School for Enterprise, Business and Technology. I would like to express my sincerest congratulations in commemoration of its 10th anniversary and express best wishes for a successful future.

PERSONAL EXPLANATION

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. BORDALLO. Madam Speaker, I was absent from the chamber during the evening of Thursday, May 17, 2007. Had I been present for six rollcall votes taken that evening on amendments to H.R. 1427, the Federal Housing Finance Reform Act of 2007, I would have voted as follows: ''no'' on rollcall No. 378; ''no'' on rollcall No. 379; ''no'' on rollcall No. 380; ''no'' on rollcall No. 381; and ''no'' on rollcall No. 382; and ''no'' on rollcall No. 383.

IN RECOGNITION OF COLONEL ROBERT W. GATES, UNITED STATES AIR FORCE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today in recognition of the life and dedicated service of Robert W. ''Bob'' Gates.

Robert Gates served this country for 31 years in the United States Air Force. Across three wars he flew in hostile skies from D-Day over France to the jungles of Vietnam. Colonel Gates was decorated with two Legions of Merit, two Distinguished Flying Crosses, the Silver Star, the French Croix-de-Guerre, eight Air Medals and a Presidential Citation from President Roosevelt. He was the first Commander of the 1st Special Operations Wing, Hurlburt Field, FL. He commanded Project ''Ice Skate,'' and successfully built a permanent base with a 5000-foot runway on a floating island (called T–3) near the North Pole. Additionally, Colonel Gates commanded Task Force HIRAN, which established the SHORAN radar tracking stations on the Greenland ice cap.

On May 18 2007, Colonel Gates will add to his lengthy roll of accolades the Spirit of Hope Award. In 1942, during Mr. Hope's first USO tour, then Lieutenant Gates was assigned to fly Mr. Hope and his troupe around the Alaskan and Pacific theaters. Multiple times during his career, he piloted Mr. Hope and other USO entertainers. Over these years, Colonel Gates and Bob Hope formed a life-long personal friendship. Mr. Hope nicknamed Bob Gates ''Growing Pains,'' and often referred to him as his son. Bob Hope so inspired the young officer that Colonel Gates decided to dedicate his entire life, energy, and compassion to helping the spouses and family members of fallen comrades, as well as others less fortunate in the Fort Walton Beach, Florida area.

Colonel Gates was instrumental in organizing twelve USO tours to raise money for the purchase of 79 acres from nearby Eglin Air Force Base to build two world-class assisted living facilities, ''Bob Hope's Enlisted Widows Village'' and ''Theresa Village.'' Bob Hope's Village includes 256 one, and two-bedroom apartments, gardening plots, a gift shop, swimming pool, nature trails, and a community center that seats over 400 people. Theresa Village has 123 units with similar facilities. In 2003, the Bob and Dolores Hope Foundation donated $1 million to build a one-of-a-kind welcome center in honor of Bob Gates' many years of support, dedication, and selfless contributions. Colonel Gates is often consulted on future facility construction plans, such as building future nursing care facilities on the Bob Hope Village complex. Additionally, Colonel Gates is an avid contributor and supporter of the Fort Walton Beach Children's Society Golf Toumament and auction that helps raise funds to support local children's agencies.

On behalf of a grateful nation, I extend my deep appreciation to Robert W. Gates for his service to Florida and our country. As he is one of Fort Walton Beach's favorite sons, we are proud to see Bob receive the Spirit of Hope Award this year.

TRIBUTE TO CARTER CORNICK

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. FRANK of Massachusetts. Madam Speaker, I rise today with Ranking Member BACHUS to recognize L. Carter Cornick III for his dedicated service at the United States Department of Housing and Urban Development.

After serving nearly 5 years, an era of sorts, Mr. Cornick, the General Deputy Assistant Secretary for Congressional and Intergovernmental Relations, will return to the United States Senate as Chief of Staff to Senator JOHN WARNER. In his new role, he will once again be working for the people of the Commonwealth of Virginia, the state he loves and ever-so-proudly calls home.

During his tenure, we have had the pleasure of working closely with Mr. Cornick on many issues involving housing policy. We have relied on him to help turn some of the Committee's ideas into realities at HUD. Mr. Cornick has been helpful on several issues where it was important for us to work together.

In addition to his work as the Department's primary advocate before Congress, Mr. Cornick should also be recognized for the deep admiration he has earned within the halls of HUD. He has taken the time to learn and understand HUD's many complex programs, and has worked with and relied upon the career experts for their advice and historical knowledge of the issues.

We commend Carter Cornick for all of his tireless efforts in representing HUD before Congress, and congratulate him on his latest endeavor in public service. He will be missed.

HONORING THE ACHIEVEMENTS OF JUDITH JACKSON

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. MORAN of Virginia. Madam Speaker, I rise today to honor the achievements of Dr. Judith Jackson, principal of Franconia Elementary School in Fairfax County, Virginia, since 1996: and a dedicated public servant for nearly 3 decades. While Dr. Jackson is retiring, she will leave behind a lasting impression of her caring nature and tireless devotion to the school she served so well.

A graduate of Marygrove College, Dr. Jackson, earned her master's degree at the University of Michigan and her doctorate in education at Nova Southeastern University. She began her teaching career as an elementary school teacher in the Detroit Public School System, and has taught soldiers in Germany, where her husband, David Jackson, was stationed with the United States Army, and ex-offenders in Pennsylvania. She arrived in the Fairfax County School system in 1980, where she rose to the rank of Assistant Principal at Woodley Hills Elementary School. In 1996, she passed through a rigorous selection process to become principal of Franconia Elementary. Dr. Judith Jackson is also the mother of 3 wonderful children, Teresa, David, and Kevin.

Throughout her service as principal, she has been ever present in the halls and classrooms of Franconia Elementary. She knows every student by name, and is involved in every aspect of life at the school. Dr. Jackson never misses an opportunity to read to the children at school events, and is unmatched in her advocacy of the development of reading and writing skills at the elementary level. As one member of her staff put it, ''All she does, day after day, is tirelessly search for ways in which every student can achieve, and every student can experience the joy of learning''. Some of the innovative programs supported by Dr. Jackson to this end are the ''Reading Restaurant'', ''Literary Lunch'', ''Friday Night Prime Time'', and ''Partners in Print'', making learning, and reading in particular, fun for her students. In recognition of her efforts, the library at Franconia Elementary School has been renamed the ''Judith Jackson Library.''

A supporter of after-school programs, Dr. Jackson instituted Math and Science Nights, supported ''CETA (Changing Education Through the Arts)'', and regularly attended Parent-Teacher Association meetings that fostered dialogue with parents and teachers. She has also volunteered with the Red Cross, tutored members of the military at the United States Military Academy at West Point, and assisted with Koinonia's efforts to help the underprivileged.

The Franconia Mustangs will sorely miss her, but will not forget her any time soon. As the Ayoud triplets, second graders at Franconia put it, ''We'll just have to retire too, since Franconia won't be the same without Dr. Jackson.'' Something tells me she won't let them.

I commend Dr. Jackson on her distinguished career in education, and wish her and her family health and happiness in her well-earned, much deserved retirement.

TRIBUTE TO THE U.S. ARMY CORPS OF ENGINEERS KANSAS CITY DISTRICT

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. SKELTON. Madam Speaker, the United States Army Corps of Engineers Kansas City District is celebrating its 100th anniversary in 2007. Over the last century, the people who make up the Kansas City District have provided meaningful services to the people of Missouri and of our nation.

In the early days, the Kansas City District's primary mission was to develop and maintain a navigational channel along the Missouri River to encourage barge traffic. Barge traffic remains a vital concern along the river. Since the early 1900's, barges have been critical to moving farm products to markets and to control railroad freight rates via competition along the river. This commitment to navigation has always been so very important to those of us who hail from Missouri.

The Kansas City District has also played an important role in taming the turbulent and braided Missouri River. The men and women of the District have built numerous river control structures that have stabilized banks and used the force of the river's own current to carve a stable channel. They have constructed canals and river cutoffs that changed the course of the river. At the same time, they have offered easier navigation, opening the stream to, use, as a highway for goods.

In the 1930s and 1940s, the Kansas City District tackled flood control concerns and helped protect property and lives along the river and its tributaries. Because of flooding and the federal government's commitment to employ Army engineer officers returning from battle in World War II, dams were constructed along the main stem of the river and on adjacent streams. The Flood Control Act of 1944

shaped the development of the entire Missouri River Valley region and transformed the landscape of America's heartland. The legislation authorized hundreds of dam and levy projects and established substantial changes in federal policy with regard to the management of the Missouri River. The Kansas City District played a key role in this national effort.

In addition to its responsibilities along the Missouri River, the Kansas City District operates eighteen lakes across Missouri, Kansas, Iowa, and Nebraska. It also provides additional services to the nation, both inside and outside its own physical boundaries. Recently, the District has supported the United States Army by overseeing the construction of facilities for the 1st Infantry Division at Fort Riley, KS, and of the new Lewis and Clark Classroom Facility for the Army's Command and General Staff College at Fort Leavenworth, KS.

Madam Speaker, I know the members of the House will join me in congratulating the people who have worked to make the United States Army Corps of Engineers Kansas City District a successful organization and will join me in sending thanks to them on their 100th anniversary.

TRIBUTE TO CAROL AND PETER CARROLL CELEBRATING THEIR 50TH WEDDING ANNIVERSARY

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. FOSSELLA. Madam Speaker, on May 18, 1957, Carol and Peter Carroll were married in St. Malachy's Church and went on to raise five children: Kathleen, John, Peter, Helen, and Paul.

Peter and Carol met while they were students at St. John's University. Peter was a starting center for the St. John's Redmen, and he and Carol met at a post-basketball game party.

Peter Carroll spent 40 years as a supervisor for Brooklyn Union Gas and coached basketball and baseball for St. Charles Parish and the Great Kills Little League. Carol worked for New York Telephone and then worked full time raising five children while also volunteering at the St. Charles School.

The Carrolls are proud grandparents of 17: Kathleen, Virginia, Caroline, Thomas, Amanda, Lindsey, Katie, Kevin, Billy, Andrew, McKenzie, Jennifer, Thomas, James, Victoria, Lauren, and Matthew. They currently split their time between Staten Island, Florida, and Long Beach Island.

Madam Speaker, I would like to congratulate the Carrolls on this momentous occasion and wish them 50 more years of marriage.

RECOGNIZING THE RETIREMENT OF RONALD G. JOHNSON, PH.D., PRESIDENT OF MALONE COLLEGE, CANTON, OHIO

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. REGULA. Madam Speaker, a native of Michigan, Ron Johnson attended Malone College in 1960 and went on to earn a bachelor of arts degree in physics from Eastern Michigan University in 1963. He received a master's degree in radiation biophysics from the University of Kansas in 1967 and the doctorate in radiation biophysics, also from the University of Kansas, in 1970. Dr. Johnson returned to Malone College in 1970 to serve as assistant professor of physics, and was subsequently promoted to associate professor in 1974 and full professor in 1979. In 1981, he accepted the post of chief academic officer. His title was changed to provost in 1991 to more accurately describe his expanded duties and role at the College. He was named president in November 1994. At his inauguration in March of 1995 he announced the theme that would characterize his presidency—The Next Level of Excellence.

Throughout Dr. Johnson's 25 years of administrative leadership, Malone College has experienced unprecedented growth and development in academics, the number of students in attendance, and physical plant. Since 1981, the number of full-time faculty has increased from 33 to 111. In addition during his presidency, the percentage of faculty holding a terminal degree has increased from 48 percent to 71 percent. Enrollment has soared nearly 200 percent from 770 to 2300. Dr. Johnson has overseen the development of numerous academic programs, including the bachelor of science in nursing; two baccalaureate degree-completion programs in management and nursing; as well as graduate programs awarding master's degrees in education, counseling, Christian ministries, business administration, and nursing.

During his tenure Malone also has developed innovative academic programs in zoo biology, forensic chemistry, sports/youth ministry, commercial music technology, and community health education, to name only a few of the more than 90 programs of study. Also of note—it is within Dr. Johnson's presidency that Malone has been honored with 2 more prestigious distinctions: recognition by the Templeton Foundation as a national leader in character development, and ranking among the top colleges and universities in the Midwest under the category Universities—Master's according to U.S. News & World Report's America's Best Colleges 2006 and again in 2007. Dr. Johnson's experience and leadership have been instrumental during 3 of the Higher Learning Council of the North Central Association's decadal reaccreditations, including the most recent in the spring of 2004. During Johnson's presidency the College's endowment has grown nearly 500 percent from $3.1 million to approximately $18 million.

Appearances of such record growth are also evident in the physical changes that continue to take place on the campus. Dr. Johnson supervised the completion of Malone's newest structures—the Brehme Centennial Center, the Ewing Varsity Center, Mitchell Hall, and Haviland Hall, the School of Nursing building addition, Wellness Center, and the purchase/renovation of the Johnson Center for Worship and the Fine Arts (formerly First Christian Church). Other campus renovations under Dr. Johnson's guidance include the attractively landscaped Herbert W. Hoover Courtyard; the Marjorie Johnson Memory Garden, named in honor of Malone's beloved, late first lady; and the newly completed dining facility and entranceway to the Brehme Centennial Center.

A leader in Christian higher education, Dr. Johnson is a member of the board of directors of the Christian College Consortium and its Fund, the Council of Christian Colleges and Universities, Council of Presidents. At the state level he is vice-chair elect and a member of the executive committee of the Ohio Foundation of Independent Colleges. His service in the Evangelical Friends Church—Eastern Region has included serving as presiding clerk of the Yearly Meeting for 11 years and currently as a member of the executive board and the board of directors of Barclay Press. Locally, Dr. Johnson is a member of the Stark Development Board and the P–16 Compact. He has served the Canton Regional Chamber of Commerce and was chairman in 2000. He has served on the boards of Leadership Stark County and the Medical Education Foundation of the Northeastern Ohio Universities College of Medicine, and been involved with United Way of Stark County.

He is father to 2 married children, Mark and Kristin, and grandfather to Cameron. He attends Jackson Friends Church, where he serves as an elder and Sunday school teacher.

PERSONAL EXPLANATION

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. LEWIS of Kentucky. Madam Speaker, on May 17, 2007 I left Washington to return to Kentucky to be with my family for a medical emergency. As a result, I missed the following votes: rollcall 375, ordering the Previous Question for the rule on S. Con. Res. 21, and had I been present I would have voted ''nay''; rollcall 376 on agreeing to the resolution for the debate of S. Con. Res. 21 and had I been present I would have voted ''nay''; rollcall 377 on passage of S. Con. Res. 21 and had I been present I would have voted ''nay.''

I oppose the Democrat Budget Conference Report because of the massive spending increases and higher tax burdens it places on Kentucky families. The budget outline includes $22 billion in new non-defense discretionary spending, three times more than the President's request. Worse still, this conference report sets the course for one of the largest tax increases in American history—at least $217 billion over the next five years.

The budget also ignores repeated warnings about the unsustainable rate of growth in entitlement spending, failing again to address the fiscal crisis facing Social Security, Medicare and Medicaid. Our economy continues to enjoy one of the longest stretches of positive gain in recent memory. The out-of-control spending and massive tax increases outlined in this conference report threatens to bring our vibrant economy to a screeching halt.

Also on May 17 during consideration of amendments to legislation concerning certain Government Sponsored Enterprises (H.R. 1427) I missed the following votes: rollcall 378, on agreeing to the Bachus amendment had I been present I would have voted, ''yea''; rollcall 379, on agreeing to the Hensarling amendment had I been present I would have voted, ''yea''; rollcall 380, on agreeing to the McHenry amendment had I been present I

would have voted, "yea"; rollcall 381, on agreeing to the Kanjorski amendment had I been present I would have voted, "nay"; rollcall 382 on agreeing to the Roskam amendment had I been present I would have voted, "yea"; rollcall 383, on agreeing to the Garrett (NJ) amendment had I been present I would have voted, "yea".

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mrs. MALONEY of New York. Madam Speaker, I regret that I was unable to vote on six amendments to H.R. 1427, the Federal Housing Finance Reform Act of 2007.

Had I been present, I would have voted "no" on rollcall vote No. 378, the amendment offered by Mr. BACHUS. I would have voted "no" on rollcall vote No. 379, the amendment offered by Mr. HENSARLING. I would have voted "no" on rollcall vote No. 380, the amendment offered by Mr. MCHENRY. I would have voted "aye" on rollcall vote No. 381, the amendment offered by Mr. KANJORSKI. I would have voted "no" on rollcall vote No. 382, the amendment offered by Mr. ROSKAM. I would have voted "no" on rollcall vote No. 383, the amendment offered by Mr. GARRETT.

METROPOLITAN POLICE AND FIRE SERVICE ACT OF 2007

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. NORTON. Madam Speaker, I rise today to introduce the Metropolitan Police Service Act of 2007. This bill would conform the federal formula for calculating its share of the District of Columbia's Firefighters and Police officers pension to the new 20 year threshold adopted by the District government.

The original bill introduced to the D.C. City Council in 1999 set the minimum to 20 years of service, but then Chief of Police Charles Ramsey asked that the minimum be increased to 25 years. He was concerned that 300 police officers serving on the Police Department in 1999 who were eligible to retire at 20 years might retire en masse. The timeframe for these retirees has passed and the DC government has stepped up to take care of its firefighters and police officers, by resetting the eligibility to 20 years. These firefighters and police officers now request that the United States Congress fulfill its promises to these first responders.

The Federal government made a commitment to pay District of Columbia firefighters and police officer annuity payments that accrued before 1997. Thus, it was necessary when the District of Columbia changed its formula from 25 to 20 years, that the Federal government make the same change for these first responders, so that every first responder has the opportunity for the same annuity payments that accrue at the same time.

This legislation is consistent with what happened in 2000. At that time, the District first changed the retirement plan for Metropolitan Police Department to permit service longevity payments to be considered part of the basic compensation used to calculate the retirement annuities. Congress then followed suit in 2001, by making the adjustment in the Federal Government's share of the payments, namely, the share attributable to service provided prior to July 1997. Thus, the federal formula for its share of each affected firefighter and police officer then mirrored the formula established by the District of Columbia government.

In January of 2007, Mayor Adrian Fenty signed a new law which amends the District of Columbia formula to provide that eligible firefighters and police officers must complete just 20 years of service to receive their long-term annuity. Chief Ramsey did not oppose the lowering of the threshold. Congress should now proceed, as it did it 2001, to change the federal formula for retirement annuities, so it mirrors the District of Columbia's.

TRIBUTE TO CALIFORNIA'S WOMEN VOTER'S

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. WOOLSEY. Madam Speaker, I rise today, during Women Veterans Week, to honor California's more than 165,000 women veterans, whose proud service and unwavering dedication to our country deserve the highest recognition and commendation.

Throughout American history, women have courageously distinguished themselves by their service in the armed forces, even if they were not always under formal military command. Originally, women served as nurses, cooks, couriers, and spies during every American conflict from the Revolutionary War to the Spanish-American War, although it was only in 1901 that the Army Nurses Corps was established and uniformed women were formally incorporated into the military.

The role of women continued to expand throughout the early 20th century, and by the end of World War II, nearly 350,000 women had served in noncombatant military positions, stationed at the frontlines and often targeted by enemy soldiers. In 1948, President Truman signed into law the Women's Armed Services Integration Act, granting women permanent status in our armed forces and paving the way for full integration of women in the military. Each decade since then, women have enlisted in dramatically increasing numbers, taking on increasingly diverse roles as engineers, communication specialists, intelligence analysts, and special forces.

These service members have demonstrated tremendous courage and patriotism, and it's our responsibility to provide them with the strong support they deserve. We owe them no less.

Madam Speaker, I ask my colleagues to join me today in commending the women of armed forces. Their achievements have made our military the best in the world and their commitment to our country has safeguarded the freedom and way of life cherished by every American.

LARRY WELCH—LAWMAN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. POE. Madam Speaker, "The police are the public and the public are police; the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence." These words spoken by Sir Robert Peel, founder of the Metropolitan Police Force in London, describe the obligation and dedication required to be a law enforcement officer in society.

Peace officers are the last strand of wire in the fence between the law and the lawless. They are all that stands between order and chaos. They are all that stands between the people and the outlaws. Peace officers are the rare breeds—the noble breed that wear the badge of Duty, Honor, Courage, and Service. Larry Welch is one of these Peace Officers.

For 46 years, Larry Welch has served his country and the citizens of the State of Kansas as a law enforcement officer. As a child, Larry knew that he wanted to be a law enforcement officer—specifically an Agent with the Federal Bureau of Investigation, FBI. While most kids in high school were thinking of football games and school dances and the coming college years, Larry was writing to the FBI, inquiring about becoming a Special Agent. After obtaining his bachelor's degree from the University of Kansas in 1958 and his Juris Doctorate in 1961, Larry graduated the FBI Academy and became a Special Agent in 1961.

For the next 25 years, Larry served as a dedicated FBI Agent, a career that spanned eight cities and Puerto Rico. He investigated and served the Bureau in a variety of positions, including serving on the protective detail of U.S. Attorney General Robert Kennedy, shortly after President Kennedy was assassinated. Larry also had the experience of serving in a supervisory position with the FBI, including director of FBI operations in Kansas.

In 1986, Larry left the FBI to become the Associate Director of the Kansas Law Enforcement Training Center in Huntchinson, KS. The Kansas Law Enforcement Training Center serves as the headquarters for all law enforcement training in Kansas. By 1989, Larry was promoted to the Director of the Kansas Law Enforcement Training Center and was responsible for the certification of all law enforcement officers within the State of Kansas—an incredible responsibility.

But Larry still had his eye on a position with an organization that he had strived to become a member of for over 30 years. Before Larry was hired as an FBI Agent, he had applied to the Kansas Bureau of Investigation, KBI. The KBI is the statewide law enforcement organization that provides investigative and laboratory services to criminal justice professionals across the State. A position with KBI appealed to Larry, so a family friend and mentor tried to pull some strings to get him hired; but, KBI refused to waive the 7 years of law enforcement experience requirement and instead Larry joined the FBI. This time, however, KBI was not saying no to Larry Welch and in 1994, he was hired as the 10th Director in the history of the Kansas Bureau of Investigation.

Under Larry's leadership, KBI flourished as one of the premiere law enforcement agencies in the State. During his tenure, KBI increased the number of forensic laboratories throughout the State. KBI's forensic laboratory achieved national accreditation, on its first try, from the American Society of Crime Laboratory Directors—the first State crime laboratory to do so. Larry's KBI also assisted the Wichita Police Department in solving the Bind, Torture, Kill, BTK, murders in 2004. He has expanded KBI's investigative focus on computer crimes, such as identity theft and child pornography, as well as the rapid growth of the methamphetamine epidemic across Kansas.

I have had the privilege of calling Larry Welch my good friend for so many years. As a former Judge in Texas for 22 years, I have always been impressed by Larry's dedication to the people of our Nation and upholding the tradition of public service. His integrity is above reproach and his competence is extraordinary.

For Larry Welch, being a lawman was his life's calling, and after 46 years, this dedicated and well-respected law enforcement official is hanging up the badge that he has so proudly worn. The citizens and the State of Kansas are fortunate to have his service. In life, there are not many individuals who have the drive or dedication to a career that Larry has had. He is truly one of a kind, and I am honored to pay him this tribute today.

And That's Just The Way It Is.

TRIBUTE TO DR. CASSIE STATUTO BEVAN

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. CANTOR. Madam Speaker, I rise today to pay tribute to Dr. Cassie Statuto Bevan, a woman who has served this House and the welfare of America's children for more than 20 years.

To Dr. Bevan, there was no such thing as liberal or conservative when it came to protecting the rights and safety of children. In her more than 20 years on the Hill, she worked with members on both sides of the aisle to write and pass meaningful, effective legislation that would keep kids off the streets and in safe, permanent homes. Widely considered the ''in-House'' expert on child welfare issues, there was rarely, if ever a piece of legislation dealing with the care of children that passed without the benefit of Cassie's expertise and passion.

And Dr. Bevan's service began before many of us were elected to serve in this chamber. She started her work in the House of Representatives in 1984 as a staff member for the newly established Select Committee on Children, Youth, and Families, and after several years, she became the Republican Staff Director. In 1993, Dr. Bevan joined the National Council for Adoption to become the Principal Investigator of the Child Protection Project and to head the Council's Office of Public Policy. In 1994, the Speaker of the House appointed Dr. Bevan to serve as a Commissioner on the U.S. Commission on Child and Family Welfare. The following year, Dr. Bevan returned to the House of Representatives as a Professional Staff Member to the Subcommittee on Human Resources of the Committee on Ways and Means and was promoted to Staff Director at the beginning of the 107th Congress.

In 2001, Dr. Bevan joined then House Majority Whip, Tom DeLay, to serve as his Senior Policy Advisor handling child welfare, welfare reform, and other domestic issues. She continued to serve as the principal staff member to House Majority Leader DeLay on a wide range of issues, including his successful efforts to develop the D.C. Family Court in the wake of the Brianna Blackmond tragedy. Dr. Bevan was the principal staff member on many key pieces of child welfare legislation, including the Inter-Ethnic Placement Act of 1996; the Adoption Tax Credit of 1996; the Adoption and Safe Families Act of 1997; the Foster Care Independence Act of 1999; the Intercountry Adoption Act of 2000, the D.C. Family Court Act of 2001 and the House passed welfare reform reauthorization—the Personal Responsibility, Work and Family Promotion Act of 2002.

Dr. Bevan's work has also been noted outside Capitol Hill and by many national organizations. The National Council for Adoption, the National Association of Psychiatric Treatment Centers for Children, the Centers for Disease Control and Prevention, and the National Committee to Prevent Child Abuse have all rightly honored Dr. Bevan for her leadership in child advocacy.

The House of Representatives may be losing one of our brightest, but her fight is not over. In her much-deserved retirement, Dr. Bevan will continue her commitment to helping abused and neglected children, and will raise awareness as a university professor, teaching future generations the battles she has fought, and won, on behalf of the kids who need it most.

We are very sorry to lose such a valuable member of our team, but I know our work together is not done. On behalf of all the members who have had the opportunity to work with and learn from Dr. Bevan, we wish her the best as she continues her fight outside these halls.

TRIBUTE TO VETERANS OF NORMANDY LANDINGS

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. CAPUANO. Madam Speaker, I rise to pay tribute to sixteen heroic veterans of the D-Day landing on the beaches of Normandy. On Saturday, May 19, 2007, the 250th anniversary of the birth of the Marquis de La Fayette, M. François Gauthier, Consul General of France in Boston, presented the cross of a Chevalier of the Legion of Honor to sixteen citizens of Massachusetts: George Belesoz, Peter B. Bennan, Espen H. Christensen, John B. Crawford, James H. Curran, Mario J. De Cristofario, Michael Delisle, George DePaulo, James A. Foster, Milton Issengberg, George A. Jonic, Robert H. Lubker, John E. McBurney, Thomas I. Powers, Seymour L. Schnuer, and Riley P. Shirley. These remarkable men were already a highly decorated band of brothers: twelve had earned the Purple Heart; nine, the Bronze Star; two, the Silver Star; and three had previously been awarded the Croix de Guerre. Representatives of the Mohawk Nation also received honor and thanks for their contribution to the Allied victory.

M. Gauthier read a letter from His Excellency Jean-David Levitte, French Ambassador to the United States, who had returned to Paris to serve as national security adviser to President Nicolas Sarkozy. M. Levitte praised the heroes who, as young men, risked their lives for freedom: They came to Europe because they believed in the power of liberty and democracy; they believed in the power of human rights. They came to liberate populations from oppression and tyranny. And for this we are and we will always be grateful.

I thank the government and the people of France for the honor bestowed on the soldiers and sailors of Massachusetts, and, like them, we must never forget the sacrifices of the greatest generation. I look forward to close friendship and continuing cooperation between our sister Republics as we carry on the struggle for human rights and human dignity.

INTRODUCING THE NATIONAL HURRICANE RESEARCH INITIATIVE ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today with my colleague from Florida, Representative ROS-LEHTINEN and almost 20 bipartisan original cosponsors to introduce the National Hurricane Research Initiative Act.

Although the United States possesses the most capable research enterprise, the largest economy, and the most sophisticated social infrastructure in the world, it remains extremely vulnerable to damage and loss of life from natural disasters. Among weather hazards, hurricanes account for over half of the total economic damage inflicted in the United States.

Since 2001, hurricane damage has cost our nation an average of $35.8 billion in economic losses per year. Even more, the past two years, hurricanes have caused over 1,450 innocent lives to be lost.

With less than a month before this year's hurricane season is set to begin, now is the time to nationally invest in new research to better prepare, respond and mitigate these disasters.

The National Science Board task force, a 24-member independent advisory body to the President and Congress on national science and engineering issues, recently released a report on January 12, 2007 entitled, Hurricane Warning: The Critical Need for a National Hurricane Research Initiative. Their report warns that relative to the tremendous damage future hurricanes will inflict, the current federal investment in hurricane science and engineering is entirely insufficient. More than ever before, our nation needs a National Hurricane Research Initiative (NHRI) to provide vital hurricane research to adequately respond to these threats.

I come to the floor today to introduce the National Hurricane Research Initiative Act, a comprehensive hurricane research bill which will improve hurricane research dramatically in

the United States. The bill authorizes $4.35 billion in critical hurricane research funding to help scientists study and better understand how hurricanes form and intensify. This bill also provides enhanced information on early warning systems, infrastructure durability standards, and hurricane tracking and prediction capabilities.

The National Hurricane Research Initiative Act of 2007 takes the general recommendations of the National Science Board and assembles the expertise of the nation's science and engineering experts to gain a better understanding of hurricane prediction and intensity. Under the bill, research is directed to further develop communications emergency networks for government agencies and non-government entities to improve disaster response and recovery. This bill also establishes a National Infrastructure Data Base to develop standards and establish public policy to better understand hurricanes and tropical storms.

Madam Speaker, our nation, and my State of Florida in particular, are all too familiar with the immense damage hurricanes can inflict. When faced with strong hurricane predictions for this year, it could not be more a more appropriate time for Congress to act. We need a forward thinking approach that collects and utilizes comprehensive and improved hurricane research. My legislation would do just that. By investing in scientific research now, before the hurricanes strike, we will be able to better plan and mitigate these disasters, saving infrastructure and lives.

I ask for my colleagues' support and urge the House Leadership to bring this legislation to the floor for its swift consideration.

CHRISTOPHER RYAN COOMES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. POE. Madam Speaker, 11-year-old Christopher Ryan Coomes, or Ryan, as he is more familiarly called, is an outstanding young man. A native of Texas, born in Houston and raised in the suburb of Spring, Texas, Ryan lives a normal, average American life with his father, Tim, mother, Brenda, big sister, Candance, and little brother, Chase.

Ryan is finishing the 5th Grade at Salyers Elementary in Spring, Texas; however, he is no ordinary 5th grader because Ryan has a gift for excelling in school. In December 2005, when Ryan was a 4th grader, he competed in the Salyers Elementary Spelling Bee. Spelling the word, "walrus," Ryan was named the champion of the spelling competition. When he competed the following year, in 2006, Ryan beat out 30 other participants and would-be spelling bee champion hopefuls to win by spelling the word "staccato"—which is a musical term, meaning to cut short or crisply. Ryan also competed in the Spring ISD District Spelling Bee competition in February of 2007.

Spelling is not the only thing Ryan excels in. Ryan is also an outstanding student, who has been and is on the honor roll at Salyers Elementary. His favorite subjects are history (which also happens to be mine), science, and math. While most kids scheme to get out of going to school in the morning, Ryan eagerly gets up and goes. Currently, he is trying to maintain a perfect attendance record for the 2006–2007 school year. Ryan has a love of reading and is very skilled at writing, having his work continually used by his teacher as an example. He participates in several extra-curricular activities, such as the Chess Club and the Safety Patrol.

Already at 11, Ryan has set goals for himself: He wants to make Eagle Scout—an honor only 5 percent of Boy Scouts ever achieve; he wants to attend college at either Texas A&M, Rice, or an Ivy League college (Yale); he wants to visit England and see Stonehenge.

Ryan has been a long time member of the Cub Scouts, which is a division of the Boy Scouts. The Cub Scouts were formed for boys in the first through fifth grades and was established to promote character development, citizenship training, and personal fitness. Boys involved with Cub Scouts are required to go through 5 different award levels of the Cub Scouts before they are promoted to the highest award level, Arrow of Light.

To be awarded the Arrow of Light, the Cub Scout must demonstrate the specific skills and activities of each of the previous Cub Scout levels. The Cub Scout is also required to learn the Scout Promise and Scout Law. Finally, the Cub Scout is required to attend one Boy Scout Troop meeting and one Boy Scout Troop Activity. Ryan Coomes has met all of these requirements and on March 3, 2007, he was awarded the Arrow of Light for the Cub Scouts of America, Pack 355.

Madam Speaker, Ryan Coomes is a remarkable young man. An honor student, spelling bee champion, and Cub Scout recipient of the Arrow of Light award, Ryan is an example to his fellow students, his fellow citizens of Spring, and his fellow Texans. We need more young people like Ryan. I congratulate Ryan on being awarded the Arrow of Light for the Cub Scouts and I am proud to pay him this tribute today.

And that's just the way it is.

HONORING ARMY SPECIALIST ROBERT J. DIXON OF MINNEAPOLIS

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. ELLISON. Madam Speaker, I rise today to honor Army Specialist Robert J. Dixon of Minneapolis who died on May 6th in Baghdad. His funeral service occurred on Thursday May 18th in Minneapolis and I would like to read the following May 11th, 2007 Associated Press Article about Army Specialist Dixon into the record:

A Minneapolis soldier who graduated from high school in Gladwin and was just three months into his tour in Iraq was killed when an improvised explosive device detonated near his vehicle, the military said.

Army Spc. Robert J. Dixon, 27, died May 6 in Baghdad, the Defense Department said Wednesday. He was assigned to the 1st Squadron, 4th Cavalry Regiment, 4th Brigade Combat Team, 1st Infantry Division at Fort Riley, Kan.

Dixon was born in Portland, Ore., but moved to Gladwin in 1992, said Irene Dixon, who said she and her husband Daniel were Robert Dixon's legal guardians. In high school, Robert was a running back for the football team, set the school record in the 100-meter dash and also wrestled, his mother said.

"He especially enjoyed family activities," Irene Dixon told The Associated Press on Thursday. "We did a lot of family activities. He hunted, he paint-balled, he snowboarded. We went camping, snowmobiling.

"If you ever knew Bobby, you'd love him. Every time we got a report from a teacher it couldn't have been any better. We got a call from a commander who said everybody there (in Iraq) loved him."

After graduating from high school, Dixon attended Olivet College for a year and later was briefly enrolled at Northwood University in Midland.

Dixon joined the Army in the summer of 2005, shortly after he moved to Minneapolis in search of work, his mother said.

"He wanted to further his education, and he always had a desire to be in the Army," she said. "He had planned to make it his career."

Dixon said she last heard from her son last Friday, when he called during a funeral for her uncle to express his condolences.

Robert Dixon is survived by his wife of 1½ years, Rusty Rose-Dixon, and two children. Funeral arrangements were incomplete but were likely to take place at the Gladwin High School gymnasium.

"I can't even convey to you how we're going to miss not having him here," his mother said. "But I also know that he is a Christian and he is with the Lord now."

Madam Speaker, Specialist Dixon served our country, Minnesota and the 5th District with incredible distinction and made the ultimate sacrifice. I know I speak for you, the entire House of Representatives, and our country in sending my deepest condolences to Specialist Dixon's family and loved ones in their time of grief.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill. (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2008, and for other purposes:

Mr. UDALL of Colorado. Mr. Chairman, I rise in stong support of this bill.

I applaud Chairman SKELTON for his leadership in guiding this bill to the floor today. He and Ranking Member HUNTER have done a tremendous job, and they have been ably supported by the expert staff of our committee.

I'm grateful to Chairman SKELTON for working with me to include things important for Colorado, including limits on how the Army can pursue possible expansion of the Pinon Canyon Maneuver Site in Colorado. I agree with Senator SALAZAR and others in the Colorado delegation that any expansion, if it takes place at all, must be conducted in a way that it is a win-win situation for the Army and for Colorado and that any expansion plan should not

involve condemnation of private land. My proposal will shine a necessary caution light before the Army charges forward, and force the Army to do what it has so far failed to do—that is, to make a compelling case for why the proposed expansion is necessary to meet the training needs of our soldiers in the 21st Century.

Other provisions I offered in the bill include: Funding for a new squadron operations facility for the Colorado Air National Guard; promoting agreement between the Air Force and the city of Pueblo about flight operations at the Pueblo airport; urging the Defense Department to use on-site disposal of chemical weapons stockpiled at the Pueblo Chemical Depot; asking the Army to track pilots who train at the High-Altitude Aviation Training School in Eagle, Colorado; reporting on opportunities for leveraging Defense Department funds with States' funds to prevent disruption in the event of electric grid or pipeline failures and encouraging the Defense Department to leverage Energy Savings Performance Contracts with Energy Conservation Investment Program funds to provide additional opportunity for renewable energy projects; and naming a housing facility at Fort Carson in honor of our former colleague Joel Hefley.

I am also pleased that the Committee adopted two of my amendments, including one to repeal a provision adopted last year that makes it easier for the president to federalize the National Guard for domestic law enforcement purposes during emergencies. By repealing this, my amendment restores the role of the Governors with regard to this subject. My other amendment will continue the office of the Ombudsman that assists people claiming benefits under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and expands its authority.

Mr. Chairman, this bill rightly focuses on our military's readiness needs.

After 5 years at war, both the active duty and reserve forces are stretched to their limits. The bill will provide what's needed to respond, including a substantial Strategic Readiness Fund, adding funds for National Guard equipment and training, and establishing a Defense Readiness Production Board to mobilize the industrial base to address equipment shortfalls.

It also provides important funds for the Base Realignment and Closure process, including $62 million to assist communities expected to absorb large numbers of personnel as a result of the BRAC decision. This funding is especially important to Colorado, given that Fort Carson in Colorado Springs will add 10,000 soldiers and will be home to 25,000 troops by 2009.

The bill provides substantial resources to improve protection of our troops, including additional funds for Mine Resistant Ambush Protected Vehicles, body armor, and up-armored Humvees for our troops in the field. The bill enlarges the Army and Marine Corps, consistent with the Tauscher-Udall Army expansion bill in the last Congress. And it will provide for a 3.5 percent across-the-board pay raise for service members, boost funding for the Defense Health Program, and prohibit increasing TRICARE and pharmacy user fee increases.

The bill incorporates provisions from the Wounded Warrior Assistance Act, which recently passed the House and was driven by the revelations of mistreatment and mismanagement at Walter Reed Army Medical Center. These provisions establish new requirements to provide the people, training, and oversight needed to ensure high-quality care and efficient administrative processing at Walter Reed and throughout the active duty military services. The bill also establishes a Military Mental Health Initiative to coordinate all mental health research and development within the Defense Department, and establishes a Traumatic Brain Injury Initiative to allow emerging technologies and treatments to compete for funding.

Given the increased use of the National Guard and Reserves in recent years, the bill gives important new authorities to the National Guard to fulfill its expanded role, including authorizing a fourth star for the Chief of the National Guard Bureau, making the National Guard Bureau a joint activity of the Department of Defense, and creating a bipartisan Council of Governors to advise the president on how best to use the National Guard for civil support missions. The bill also requires the Chairman of the Joint Chiefs of Staff to consider how to incorporate more National Guard and Reserve personnel into positions at Northern Command, based in Colorado.

I'm pleased that the bill fully supports the goals of the Department of Energy nonproliferation programs and the Department of Defense Cooperative Threat Reduction program, consistent with the 9–11 Commission recommendations. The bill also slows development of a Reliable Replacement Warhead and the construction of a new plutonium production facility, and establishes a bipartisan commission to evaluate U.S. strategic posture for the future, including the role that nuclear weapons should play in our national security strategy.

I also want to mention funding for missile defense in the bill. The bill increases missile defense funding for systems that address current needs and vulnerabilities, while reducing funding for less mature and higher risk systems. The cuts in missile defense programs in the bill have been cause for concern among some on the other side of the aisle. But the bill funds 93 cents of every dollar of the president's missile defense request, so the cuts are far from extreme. It fully funds the budget request for the Patriot PAC–3 missile, the Ground Based Missile Defense System, and THAAD development and deployment, and adds funding for Aegis Ballistic Missile Defense. But it makes reductions to the Airborne Laser program and funding for the 3rd BMD Site which the Administration has proposed building in Eastern Europe.

Importantly, the bill provides for an independent study to examine the political, technical, operational, force structure, and budgetary aspects of the proposed European missile defense deployment; an independent study to examine the future roles and missions of the Missile Defense Agency; a 2 year extension of the requirement for GAO to annually assess the missile defense program; and assurance that the Director of Operational Test and Evaluation has access to all MDA operational test evaluation information.

In my view, the bill strikes the right balance with regard to missile defense. I did not support the amendment by Rep. FRANKS (R–AZ) to increase missile defense funds because I believe the Committee takes a better approach in its bill. Likewise, I did not support the amendment offered by Rep. TIERNEY (D–MA) to decrease missile defense funds because I thought it went too far in the other direction. There are emerging and real, near-term threats facing the Nation, the warfighter, and our allies that we need to be able to counter, so I think it would be irresponsible to terminate the longer-term missile defense programs, as Rep. TIERNEY's amendment proposed to do.

Finally but no less importantly, the bill requires the Secretary of Defense to submit a detailed report on the implementation of the Joint Campaign Plan for Iraq, on national reconciliation efforts on the part of the Iraqi government, and on metrics to measure American efforts in Iraq, based on assessments by Gen. David Petraeus and U.S. Ambassador to Iraq Ryan Crocker. The bill also requires the Secretary to produce a report outlining the direction of U.S. activities in Afghanistan along with indicators of progress, and the bill establishes a Special Inspector General for Afghanistan Reconstruction.

Mr. Chairman, the bill we are considering today does an excellent job of balancing the need to sustain our current warfighting abilities with the need to prepare for the next threat to our national security. It is critical that we are able to meet the operational demands of today even as we continue to prepare our men and women in uniform to be the best trained and equipped force in the world.

This is a good bill, a carefully drafted and bipartisan bill, and I urge its passage.

THE INTRODUCTION OF CREATE–21

HON. JOHN BARROW

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. BARROW. Madam Speaker, today I am pleased to introduce CREATE–21, a measure aimed at "Creating Research, Extension, and Teaching Excellence for the 21st Century."

America has arrived at a critical juncture with respect to the food, agricultural, and natural resource sciences. Ahead of us are two paths. The first is the path of the status quo. It is not a bad path—after all, it has provided the Nation and the world with bountiful and affordable food and numerous other benefits. No, this path is not bad; it's just not as good as it should be.

The other path—the CREATE–21 path—recognizes that the status quo, when it comes to the Federal-State Partnership in the Food and Agricultural Sciences (as that term is broadly defined by statute), is no longer sustainable and thus no longer acceptable. This Nation and the whole planet face both daunting challenges and tremendous opportunities that will require structural and funding improvements. Here are some examples:

Challenges such as the effects of changing climate on farms and forests cannot be solved with an inadequate USDA science organization and woefully inadequate funding.

Opportunities for replacing a substantial portion of U.S. petroleum consumption through increased production of renewable fuels (without raising grain and livestock prices unduly) cannot be attained without a major increase in funding for basic research and applied research and "integrated" efforts (where research is combined with education and technology transfer through extension agents).

Efforts to boost the U.S. specialty crops and organic food industries will not come to fruition in a timely manner—thereby threatening America's world leadership positions—if part of the responsibility for research continues to lie within one USDA agency and part in another, with inadequate coordination between the two!

Problems such as the twin (and related) epidemics of obesity and diabetes cannot be overcome with Federal research, education, and extension efforts divided among two USDA agencies (and some 105 land-grant universities) unless the Under Secretary for Research, Education, and Economics has under his immediate supervision a national program staff that can provide overarching vision, guidance, and leadership for those two agencies.

Madam Speaker, these are only four examples—among dozens that I could have chosen—but they make the case for the comprehensive approach embodied in CREATE–21. They demonstrate that the opportunities and challenges we face demand both an improved organizational structure and enhanced funding.

When the House Committee on Agriculture sits down in the next few weeks to develop the 2007 Farm Bill, I am hopeful that the foundational precepts and specific provisions embodied in the legislation I introduce today will form the basis for the Committee's Research Title. Therefore, I want to take a few minutes to highlight three key provisions:

CREATE–21 will increase planning and implementation across intramural (e.g., ARS and ERS) and extramural (e.g., land-grant) facilities through a single national program staff working directly for the USDA Under Secretary for Research, Education, and Economics.

CREATE–21 will also establish a new National Institutes for Food and Agriculture (replacing the current Cooperative State Research, Education, and Extension Service) to provide continuing and expanded support to America's land-grant and other universities and related institutions.

Finally, CREATE–21 will double authorized funding for the food, agriculture, and natural resource research, teaching, and extension programs currently administered by Cooperative State Research, Education, and Economics Service in order to address the enormous opportunities and daunting challenges that face the country and the greater global community.

Besides these distinctive elements, CREATE–21 has three other unique attributes:

CREATE–21 will strengthen the land-grant system with its integrated, National network of State Agricultural Experiment Stations, more than 3,000 Cooperative Extension offices, and universities in all 50 states, DC, and the U.S. territories.

CREATE–21 will augment "integrated" USDA funding programs so that many more grants which integrate research with extension and/or education are awarded through competitive, peer-reviewed procedures.

Lastly, CREATE–21 will bolster university capacity, especially for the historically black (1890), tribal (1994), insular area, and small 1862 land-grant universities and members of the American Association of State Colleges of Agriculture and Renewable Resources (AASCARR).

In addition to these provisions, the legislation I am introducing today contains many other amendments to USDA research, extension, and teaching statutes, reflecting the best thinking of a broad cross-section of America's land grant community. These provisions include critical updates that will enhance, among other things, the basic programs providing sustenance for the 1890 land-grant institutions and critical food, health, and nutritional information to low-income families and youth through the Expanded Food and Nutrition Education Program. In fact, this legislation addresses ALL of the Farm Bill priorities outlined by the Presidents of the 1890 colleges.

While I support the key tenets of this legislation and am pleased to introduce it in the House, we all recognize that difficult problems require consensus-based solutions and I remain open to suggestions. I look forward to working closely with my colleagues on the Agriculture Committee as we develop a Research Title for the 2007 Farm Bill that truly has at its core mission: "Creating Research, Extension, and Teaching Excellence for the 21st Century."

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, on Monday and Tuesday, May 14 and 15, 2007, I was attending to personal family matters in the District. Consequently, I missed Rollcall Votes No. 342, "To extend the District of Columbia College Access Act;" No. 343, "Supporting the Goals and Ideals of a National Day of Remembrance for Murder Victims;" No. 344, "Recognizing National Americorps Week;" No. 345, "American Veterans Disabled for Life Commemorative Coin;" No. 346, "Army Specialist Joseph P. Micks Federal Flag Code Amendment Act of 2007;" No. 347, "John R. Justice Prosecutors and Defenders Incentive Act of 2007;" No. 348, "COPS Improvement Act of 2007;" and No. 349, "Safe American Roads Act of 2007."

If present, I would have voted "aye" on all matters.

THE AFFORDABLE GAS PRICE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. PAUL. Madam Speaker, I rise to introduce the Affordable Gas Price Act. This legislation reduces gas prices by reforming government polices that artificially inflate the price of gas. As I need not remind my colleagues, the American people are being hard hit by skyrocketing gas prices. In some parts of the country, gas prices have risen to as much as $4 per gallon.

This increase in the price of gas threatens our already fragile economy and diminishes the quality of life for all Americans. One industry that is particularly hard hit is the trucking industry. The effects of high gas prices on the trucking industry will be reflected in increased costs for numerous consumer goods, thus further harming American consumers.

Unfortunately, many proposals to address the problem of higher energy prices involve increasing government interference in the market through policies such as price controls. These big government solutions will, at best, prove ineffective and, at worst, bring back the fuel shortages and gas lines of the seventies.

Instead of expanding government, Congress should repeal federal laws and polices that raise the price of gas, either directly through taxes or indirectly though regulations that. discourage the development of new fuel sources. This is why my legislation repeals the federal moratorium on offshore drilling and allows oil exploration in the ANWR reserve in Alaska. My bill also ensures that the National Environmental Policy Act's environmental impact statement requirement will no longer be used as a tool to force refiners to waste valuable time and capital on nuisance litigation. The Affordable Gas Price Act also provides tax incentives to encourage investment in new refineries.

Federal fuel taxes are a major part of gasoline's cost. The Affordable Gas Price Act suspends the federal gasoline tax any time the average gas prices exceeds $3.00 per gallon. During the suspension, the federal government will have a legal responsibility to ensure the federal highway trust fund remains funded. My bill also raises the amount of mileage reimbursement not subject to taxes, and, during times of high oil prices, provides the same mileage reimbursement benefit to charity and medical organizations as provided to businesses.

Misguided and outdated trade polices are also artificially raising the price of gas. For instance, even though Russia and Kazakhstan allow their citizens the right and opportunity to emigrate, they are still subject to Jackson-Vanik sanctions, even though Jackson-Vanik was a reaction to the Soviet Union's highly restrictive emigration policy. Eliminating Jackson-Vanik's threat of trade-restricting sanctions would increase the United States' access to oil supplies from non-Arab countries. Thus, my bill terminates the application of title IV of the Trade Act of 1974 to Russia and Khazaskin, allowing Americans to enjoy the benefits of free trade with these oil-producing nations.

Finally, the Affordable Gas Price Act creates a federal study on how the abandonment of the gold standard and the adoption of freely floating currencies are affecting the price of oil. It is no coincidence that oil prices first became an issue shortly after President Nixon unilaterally severed the dollar's last connection to gold. The system of fiat money makes consumers vulnerable to inflation and to constant fluctuations in the prices of essential goods such as oil.

In conclusion Madam Speaker, I urge my colleagues to support the Affordable Gas Price Act and end government polices that increase the cost of gasoline.

JAY EAGEN'S RETIREMENT

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Mr. EHLERS. Madam Speaker, I rise today to congratulate Jay Eagen on the occasion of

his retirement from the position of Chief Administrative Officer (CAO) of the U.S. House of Representatives, effective May 31, 2007.

For the past 20 years, Jay Eagen has dedicated himself to serving the public through a variety of roles in the House of Representatives. He began his career as a Legislative Assistant in 1982 and a year later was appointed chief of staff to Rep. Steve Gunderson of Wisconsin. In 1985, he joined the office of Rep. Bill Goodling of Pennsylvania first as his chief-of-staff, then as minority and majority staff director of the Committee on Education and the Workforce under Goodling's leadership.

When Republicans assumed the majority in 1994, we were determined to professionalize the operations of the House, many of which currently exist within the Office of the Chief Administrative Officer. In 1997, Jay was chosen to become the CAO. For the past 10 years, Jay Eagen has demonstrated what a commitment to the effective, transparent administration of the House will yield. Once he assumed the role of CAO, Jay quickly established an environment of financial stewardship and responsibility, which would yield eight consecutive ''clean opinions'' on the House's annual financial statements. A considerable achievement considering that previously those records were so poorly kept they could not even be audited.

Although Jay was appointed and sworn in by Speaker Newt Gingrich, he always conducted himself as a steward of the institution, without regard to party or politics. He mastered that rare feat of catering to all Members, while being beholden to none. Members often sought Jay on this very floor to express their feelings on everything from the menu selections in the Members' Dining Room, to the preparations for such historic events as the passing, and subsequent lying in state in the Capitol Rotunda, of Presidents Reagan and Ford. Regardless of whether an ''R'' or ''D'' followed the Member's name, no issue was too large or too small for Jay to attend to. He personally took responsibility for countless requests, and worked with the staff of his organization to find a resolution to each one.

Madam Speaker, in an institution where it is rare for Members on both sides of the aisle to agree, few will dispute the dedication that Jay Eagen has demonstated to this body over the past 20 years. Soon Jay, his wife Cathy, and their son Keiran will leave the Washington, D.C., area for the tranquility of Durango, Colorado. While Jay will likely welcome the change provided by his newly sylvan surroundings, those Members whom he has so capably assisted for these many years will acutely feel the loss of this tireless public servant.

On behalf of the Members and staff of the House, I would like to extend my warmest wishes to Jay and his family in the months and years ahead as they embark upon the next chapter of their lives.

INTRODUCTION OF THE OCEAN AND COASTAL MAPPING INTEGRATION ACT

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. BORDALLO. Madam Speaker, Thomas Jefferson, in 1807, signed into law an Act requiring the President ''to cause a survey to be taken of the coast of the United States . . . together with such other matters as he may deem proper for completing an accurate chart of every part of the coasts.'' The mapping and charting of our coasts and marine waters continues to be an issue of great national importance two hundred years later.

President Jefferson's original intent with that Act was to provide seafarers with nautical charts that would allow for them to safely navigate in the new nation's coastal waters. Since that time, our mapping needs have expanded significantly, and federal agencies have risen to the occasion. Today, at least ten federal agencies conduct mapping and surveying activities to support myriad U.S. interests. Mapping continues, of course, to be done to ensure safe navigation. Understanding the contours of our ocean's floors is imperative for national security. Hydrographic surveys are used to locate and protect cultural resources, such as shipwrecks, and natural formations and other areas worthy of protection. We use them to identify sensitive habitats, and to manage and conserve fishery resources and protected species. Mapping efforts are conducted to identify sources of energy for the country, and to ensure that energy development is done in a way that is compatible with other uses of our oceans, and that protects the natural resources that exist there. Mapping is, in addition, necessary to ensure that ocean observation platforms are sited in a similarly sensitive way.

These ten agencies, along with dozens of private entities, academic institutions, and state and territorial agencies, conduct these activities in a largely, if not entirely, uncoordinated matter. Agencies may use a variety of techniques and spatial frameworks in collecting data and developing products, which leads to incompatibility between data sets and products from one agency to another. One agency is generally unaware of mapping efforts being undertaken by other entities, leading to redundant efforts and unnecessary spending. In addition, these data are not easily accessible, and there exists no central portal through which they can be obtained. The lack of availability means that the public and private sectors both miss out on a significant and useful informational resource.

As you are well aware, the U.S. Commission on Ocean Policy released a report at the request of the President recommending actions needed to improve ocean policy in the United States. The work of this Commission, as well as that of the Pew Oceans Commission, is being carried on and championed by the Joint Ocean Commission Initiative. The Subcommittee on Fisheries, Wildlife and Oceans, which I chair, held a hearing on March 29, 2007, to learn of the most pressing problems with our current ocean management system. A recurring theme during this hearing was that the lack of coordination between federal agencies and other levels of government is a serious shortcoming of our current ocean management framework. It is in the spirit of this need for better coordination that I introduce today the Ocean and Coastal Mapping Integration Act.

Among the suggestions made by the U.S. Commission on Ocean Policy was a recommendation that existing federal mapping activities be consolidated and coordinated, and that the National Oceanic and Atmospheric Administration (NOAA) lead this effort. At the same time, the National Research Council (NRC) completed a study to identify the most pressing national needs for coastal mapping and charting. This study, requested by NOAA, the Environmental Protection Agency (EPA), and the United States Geological Survey (USGS), three of the primary agencies involved in ocean and coastal surveys, identified the same need for coordination. Their findings included a need for a consistent spatial framework, increased access to geospatial data and mapping products, and increased inter- and intra-agency communication, cooperation, and coordination. The bili that I have introduced today is a direct response to these recommendations.

I have already described the myriad reasons for mapping our oceans and coasts. As a resident of the island of Guam, whose Exclusive Economic Zone includes approximately 80,000 square miles of ocean, it is easy for me to understand the urgency of these needs. I recognize, however, that many Americans, especially those that do not live on the coast, may not share a similar appreciation for the need to improve our country's capabilities in this area. For them, I offer a more simple statement of need. And that is, are not the lands that lay beneath our waters as much a part of this country and our resources as those that lie on our highest peaks and in our deepest valleys? We have mapped every plateau, river, and canyon across our landscape, but have very little detailed information on what lies beneath the waters of our Exclusive Economic Zone and the Great Lakes. Where would we be if 200 years ago Thomas Jefferson had not sent Lewis and Clark out to explore the uncharted West? The need for improving our mapping and charting capabilities could be as simple as a desire to fully understand the extent and nature of our resources.

For some, the thirst for knowledge and to learn what lies beneath our waters may not be a compelling argument for seeking to improve our ocean and coastal mapping capabilities. The issue, however, can be further explained and reframed. If the United States Senate were to ratify the United Nations Convention on the Law of the Sea, we will have the opportunity to extend our seaward claim to the edge of our continental shelf, where an estimated $1.3 trillion in oil, mineral, and sedentary species resources lie. Without proof of the extent of that shelf, we forgo these claims.

It is in the interest of national and economic security, the advancement of ocean science, the protection of our cultural and natural resources, and safety of navigation to better coordinate the ocean and coastal mapping capabilities of the United States. By passing this Act, Congress will ensure that our mapping and charting needs are met in an efficient and coordinated manner, that ocean science will advance, and that ocean exploration technologies will continue to develop. It is my hope that my colleagues will support this bill and that they will join me in ensuring that federal agencies' mapping and charting capabilities and products are developed and utilized to their full potential.

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, May 22, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 23

9:30 a.m.

Judiciary

Crime and Drugs Subcommittee

To hold hearings to examine rising crime in the United States, focusing on the federal role in helping communities prevent and respond to violent crime.

SD–226

Veterans' Affairs

To hold hearings to examine health care legislation.

SD–562

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine communications, taxation and federalism.

SR–253

Finance

To hold hearings to examine funding Social Security's administrative costs, focusing on the budget resolution.

SD–215

Joint Economic Committee

To hold hearings to examine the United States petroleum industry, focusing on potentially harmful conditions for consumers.

SH–216

11:30 a.m.

Energy and Natural Resources

Business meeting to consider S. 126, to modify the boundary of Mesa Verde National Park, S. 175, to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District, S. 324, to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico, S. 542, to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, S. 553, to amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. Con. Res. 6, expressing the sense of Congress that the National Museum of Wildlife Art, located in Jackson, Wyoming, should be designated as the ''National Museum of Wildlife Art of the United States'', S. 580, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, S. 637, to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Corridor in Alabama and Georgia, S. 686, to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historical Trail, S. 797, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, S. 890, to provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission, S. 1037, to authorize the Secretary of the Interior to assist in the planning, design, and construction of the Tumalo Irrigation District Water Conservation Project in Deschutes County, Oregon, S. 1110, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for the conjunctive use of surface and ground water in Juab County, Utah, S. 1139, to establish the National Landscape Conservation System, S. 1152, to promote wildland firefighter safety, S. 1281, to amend the Wild and Scenic Rivers Act to designate certain rivers and streams of the headwaters of the Snake River System as additions to the National Wild and Scenic Rivers System, H.R. 161, to adjust the boundary of the Minidoka Internment National Monument to include the Nidoto Nai Yoni Memorial in Bainbridge Island, Washington, H.R. 235, to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, H.R. 247, to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives, H.R. 276, to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for otherpurposes, H.R. 376, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System, and for otherpurposes, H.R. 482, to direct the Secretary of the Interior to transfer ownershipof the American River Pump Station Project, and certain other pending calendar business and nominations.

SD–366

Armed Services

Strategic Forces Subcommittee

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for Fiscal Year 2008.

SR–222

1:30 p.m.

Judiciary

To hold hearings to examine S. 1257, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, focusing on ending taxation without representation.

SD–226

2:30 p.m.

Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for Fiscal Year 2008.

SR–222

Banking, Housing, and Urban Affairs

Security and International Trade and Finance Subcommittee

To hold hearings to examine United States economic relations with China, focusing on strategies and options on exchange rates and market access.

SD–538

MAY 24

9:30 a.m.

Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for Fiscal Year 2008.

SR–222

Energy and Natural Resources

To hold an oversight hearing to examine opportunities and challenges associated with coal gasification, including coal-to-liquids and industrial gasification.

SD–366

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the nominations of Michael E. Baroody, of Virginia, to be Chairman and Commissioner of the Consumer Product Safety Commission, and Charles Darwin Snelling, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority.

SR–253

Environment and Public Works

To hold hearings to examine potential impacts of global warming on recreation and the recreation industry.

SD–406

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine federal real property, focusing on the property management problems highlighted in a recent Government Accountability Office report.

SD–342

Judiciary

Business meeting to consider S. 1327, to create and extend certain temporary district court judgeships, and S. 185, to restore habeas corpus for those detained by the United States, and possible authorization of subpoenas in the connection with investigation into the replacement of U.S. attorneys.

SD–226

Commission on Security and Cooperation in Europe

To hold hearings to examine Russia, focusing on the reemergence of Russia as a major political and economic power.

B318RHOB

11:30 a.m.

Foreign Relations

Business meeting to consider S. 392, to ensure payment of United States assessments for United Nations peacekeeping operations for the 2005 through 2008 time period, S. Con. Res. 25, condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society, S. Res. 110, expressing the sense of the Senate regarding the 30th Anniversary of ASEAN-United States dialogue and relationship, and the nominations of Phillip Carter, III, of Virginia, to be Ambassador to the Republic of Guinea, R. Niels Marquardt, of California, to be Ambassador of America to the Republic of Madagascar, and to serve concurrently and without additional compensation as Ambassador of America to the Union of Comoros, Janet E. Garvey, of Massachusetts, to be Ambassador to the Republic of Cameroon, Dell L. Dailey, of South Dakota, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, Mark P. Lagon, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large, and James K. Glassman, of Connecticut, to be a Member of the Broadcasting Board of Governors, and a promotion list in the Foreign Service.

S–116, Capitol

2 p.m.

Finance

Energy, Natural Resources, and Infrastructure Subcommittee

To hold hearings to examine energy efficiency, focusing on tax incentives for reducing consumption.

SD–215

2:30 p.m.

Intelligence

To hold hearings to examine terrorist ideology.

SD–106

3 p.m.

Homeland Security and Governmental Affairs

Disaster Recovery Subcommittee

To hold hearings to examine issues relative to residents of Louisiana affected by Hurricane Katrina or Rita, focusing on the goals, costs, management and impediments facing Louisiana's Road Home Program.

SD–342

JUNE 7

2 p.m.

Judiciary

To hold hearings to examine S. 453, to prohibit deceptive practices in Federal elections.

SD–226

JUNE 13

9:30 a.m.

Veterans' Affairs

Business meeting to markup pending legislation.

SD–562

10 a.m.

Rules and Administration

To hold hearings to examine nominations to the Federal Election Commission.

SR–301

JUNE 27

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine the Department of Veterans Affairs and the Department of Defense, focusing on cooperation on employment issues.

SD–562

POSTPONEMENTS

MAY 23

2 p.m.

Commerce, Science, and Transportation

Space, Aeronautics, and Related Agencies Subcommittee

To hold hearings to examine the investigation of the National Aeronautics and Space Administration (NASA) Inpector General.

SR–253

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6361–S6415

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 1433–1443, S.J. Res. 13, and S. Res. 211–212. **Page S6399**

Measures Reported:

S. 1079, to establish the Star Spangled Banner and War of 1812 Bicentennial Commission, with amendments. **Page S6399**

Measures Passed:

Constantino Brumidi: Senate passed S. 254, to award posthumously a Congressional gold medal to Constantino Brumidi, after agreeing to the committee amendment. **Pages S6414–15**

National Day of the American Cowboy: Senate agreed to S. Res. 130, designating July 28, 2007, as "National Day of the American Cowboy". **Page S6415**

Measures Considered:

Comprehensive Immigration Reform: Senate resumed consideration of the motion to proceed to consideration of S. 1348, to provide for comprehensive immigration reform, and pursuant to the order of the Senate of May 16, 2007, agreed thereto, and taking action on the following amendment proposed thereto: **Pages S6362–89**

Pending:

Reid (for Kennedy/Specter) Amendment No. 150, in the nature of a substitute. **Page S6415**

During consideration of this measure today, Senate also took the following action:

By 69 yeas to 23 nays (Vote No. 173), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S6388**

A unanimous-consent agreement was reached providing that at 11 a.m., on Tuesday, May 22, 2007, Senate continue consideration of the bill, and Senator Sessions be recognized to speak until 12:30 p.m.; that at 2:15 p.m., if Senator Sessions has not concluded his remarks, he then be recognized to conclude those remarks, with no amendments in order during the time of his remarks. **Page S6415**

Nominations Received: Senate received the following nominations:

Thomas P. D'Agostino, of Maryland, to be Under Secretary for Nuclear Security, Department of Energy.

Eric G. John, of Indiana, to be Ambassador to the Kingdom of Thailand.

Charles W. Grim, of Oklahoma, to be Director of the Indian Health Service, Department of Health and Human Services, for the term of four years.

1 Army nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Coast Guard, Marine Corps. **Page S6415**

Messages from the House: **Page S6398**

Measures Referred: **Page S6398**

Executive Communications: **Pages S6398–99**

Executive Reports of Committees: **Page S6399**

Additional Cosponsors: **Pages S6399–S6401**

Statements on Introduced Bills/Resolutions: **Pages S6401–08**

Additional Statements: **Pages S6396–97**

Amendments Submitted: **Pages S6408–14**

Authorities for Committees to Meet: **Page S6414**

Privileges of the Floor: **Page S6414**

Record Votes: One record vote was taken today. (Total—173) **Page S6388**

Adjournment: Senate convened at 1 p.m., and adjourned at 8:14 p.m., until 10 a.m. on Tuesday, May 22, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6415.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL INSTITUTES OF HEALTH (PART II)

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded hearings to examine proposed budget estimates for fiscal year 2008 for the National Institutes of Health: A New Vision for Medical Research, after receiving testimony from Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, John E. Niederhuber, Director, National Cancer Institute, Barbra M. Alving, Director, National Center for Research Resources, Patricia A. Grady, Director, National Institute of Nursing Research, and John Ruffin, Director, National Center on Minority Health and Health Disparities, all of the National Institutes of Health, Department of Health and Human Services.

INCREASED HEALTH CARE PREMIUMS FOR FEDERAL EMPLOYEES

Committee on Homeland Security and Governmental Affairs: On Friday, May 18, 2007, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine growth trends in health care premiums for active and retired federal employees, after receiving testimony from Nancy H. Kichak, Associate Director for Strategic Human Resources Policy Division and Chief Actuary, Office of Personnel Management; John E. Dicken, Director, Health Care, Government Accountability Office; Stephen W. Gammarino, BlueCross BlueShield Association, Washington, D.C.; and Alan G. Lopatin, National Active and Retired Federal Employees Association, Alexandria, Virginia.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported:

S. 1352, to designate the facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the ''Dr. Francis Townsend Post Office Building'';

H.R. 1402, to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the ''Sergeant Dennis J. Flanagan Lecanto Post Office Building'';

H.R. 625, to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the ''Atanacio Haro-Marin Post Office'';

H.R. 988, to designate the facility of the U.S. Postal Service located at 5757 Tilton Avenue in Riverside, California, as the ''Lieutenant Todd Jason Bryant Post Office'';

H.R. 437, to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the ''Lino Perez, Jr. Post Office'';

H.R. 414, to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the ''Miguel Angel Garcia Mendez Post Office Building''; and

The nomination of Howard Charles Weizmann, of Maryland, to be Deputy Director of the Office of Personnel Management.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 2395–2417; 1 private bill, H.R. 2418; and 8 resolutions, H. Res. 418–425 were introduced. **Pages H5530–32**

Additional Cosponsors: **Pages H5532–33**

Reports Filed: Reports were filed today as follows:

S. 1104, to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants, with an amendment (H. Rept. 110–158);

H.R. 1525, to amend 18, United States Code, to discourage spyware, with an amendment (H. Rept. 110–159);

H.R. 2264, to amend the Sherman Act to make oil-producing and exporting cartels illegal, with an amendment (H. Rept. 110–160);

H.R. 2316, to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, with an amendment (H. Rept. 110–161, Pt. 1); and

H.R. 2317, to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file

quarterly reports on contributions bundled for certain recipients, with an amendment (H. Rept. 110–162). **Page H5530**

Speaker: Read a letter from the Speaker wherein she appointed Representative Salazar to act as Speaker Pro Tempore for today. **Page H5475**

Recess: The House recessed at 10:44 a.m. and reconvened at noon. **Page H5476**

Presidential Message: Read a message from the President, received by the Clerk and subsequently presented to the House, wherein he notified Congress of the continuation of the national emergency declared with respect to the Development Fund for Iraq beyond May 22, 2007—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 110–36). **Page H5477**

Recess: The House recessed at 12:08 p.m. and reconvened at 3 p.m. **Page H5477**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Industrial Bank Holding Company Act of 2007: H.R. 698, amended, to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, by a ⅔ yea-and-nay vote of 371 yeas to 16 nays, with one voting "present", Roll No. 384; **Pages H5477–83, H5513**

Staff Sergeant Omer T. "O.T." Hawkins Post Office Designation Act: H.R. 2078, to designate the facility of the United States Postal Service located at 14536 State Route 136 in Cherry Fork, Ohio, as the "Staff Sergeant Omer T. 'O.T.' Hawkins Post Office"; **Pages H5484–86**

Staff Sergeant Marvin "Rex" Young Post Office Building Designation Act: H.R. 1425, to designate the facility of the United States Postal Service located at 4551 East 52nd Street in Odessa, Texas, as the "Staff Sergeant Marvin 'Rex' Young Post Office Building", by a ⅔ yea-and-nay vote of 385 yeas with none voting "nay", Roll No. 385; **Pages H5486–87, H5514**

George B. Lewis Post Office Building Designation Act: H.R. 2077, to designate the facility of the United States Postal Service located at 20805 State Route 125 in Blue Creek, Ohio, as the "George B. Lewis Post Office Building"; **Pages H5487–88**

Recognizing the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League, and the United States: H. Res. 53, to recognize the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League, and the United States; **Pages H5489–93**

Supporting the goals and ideals of National Hurricane Preparedness Week: H. Res. 402, to support the goals and ideals of National Hurricane Preparedness Week; and **Pages H5493–96**

21st Century Competitiveness Act of 2007: H.R. 2272, to invest in innovation through research and development, and to improve the competitiveness of the United States. **Pages H5496–H5512**

Recess: The House recessed at 5:04 p.m. and reconvened at 6:31 p.m. **Page H5513**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed until Tuesday, May 22nd:

Leonard W. Herman Post Office Designation Act: H.R. 1722, to designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the "Leonard W. Herman Post Office". **Pages H5483–84**

Privileged Resolution—Intent to Offer: Representative Rogers (MI) announced his intent to offer a resolution relating to a question of the privileges of the House. **Pages H5513–14**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H5513 and H5514. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 9:16 p.m.

Committee Meetings

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: On May 18, the Subcommittee on Homeland Security approved for full Committee action the Homeland Security appropriations for fiscal year 2008.

IMMIGRATION REFORM

Committee on the Judiciary: On May 18, the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law held a hearing on Comprehensive Immigration Reform: The Future of Undocumented Immigrant Students. Testimony was heard from public witnesses.

NATIONAL GUARD DOMESTIC PREPAREDNESS

Committee on Transportation and Infrastructure: On May 18, the Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on Assuring the National Guard is as Ready at Home as It is Abroad. Testimony was heard from David R. Paulison, Administrator,

FEMA, Department of Homeland Security; GEN King Sidwell, USA, Adjutant General, National Guard, State of Missouri; and Doug Hoell, Director, Division of Emergency Management, State of North Carolina.

COMMITTEE MEETINGS FOR TUESDAY, MAY 22, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2008 for the United States Forest Service, 10 a.m., SD–124.

Committee on Armed Services: Subcommittee on SeaPower, closed business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for Fiscal Year 2008, 9 a.m., S–407, Capitol.

Subcommittee on Personnel, closed business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for Fiscal Year 2008, 10 a.m., SR–232A.

Subcommittee on Airland, closed business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for Fiscal Year 2008, 12:30 p.m., SR–222.

Subcommittee on Readiness and Management Support, closed business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for Fiscal Year 2008, 4 p.m., SR–222.

Subcommittee on Emerging Threats and Capabilities, closed business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for Fiscal Year 2008, 5:30 p.m., SR–232A.

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, to hold hearings to examine rail safety reauthorization, 10 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Energy, to hold hearings to examine S. 645, to amend the Energy Policy Act of 2005 to provide an alternate sulfur dioxide removal measurement for certain coal gasification project goals, S. 838, to authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, S. 1089, to amend the Alaska Natural Gas Pipeline Act to allow the Federal Coordinator for Alaska Natural Gas Transportation Projects to hire employees more efficiently, S. 1203, to enhance the management of electricity programs at the Department of Energy, H.R. 85, to provide for the establishment of centers to encourage demonstration and commercial application of advanced energy methods and technologies, and H.R. 1126, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988, 2:30 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the case for the California waiver, 2:30 p.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of James R. Keith, of Virginia, to be Ambassador to Malaysia, Miriam K. Hughes, of Florida, to be Ambassador to the Federated States of Micronesia, Hans G. Klemm, of Michigan, to be Ambassador to the Democratic Republic of Timor-Leste, Cameron R. Hume, of New York, to be Ambassador to the Republic of Indonesia, and Ravic Rolf Huso, of Hawaii, to be Ambassador to the Lao People's Democratic Republic, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety, to hold hearings to examine the progress of the Mine Improvement and New Emergency Response Act (Public Law 109–236), 10 a.m., SD–628.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings with the House Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia to examine Government Accountability Office Personnel reforms, focusing on expectations, 10 a.m., 2154 RHOB.

Full Committee, to hold hearings to examine implementing Federal Emergency Management Agency (FEMA) reform, focusing on the preparation for the 2007 hurricane season, 3 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine restoring habeas corpus, focusing on protecting American values and the Great Writ, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine minority entrepreneurship, focusing on the effectiveness of the Small Business Administration programs for the minority business community, 10 a.m., SR–428A.

Committee on Veterans' Affairs: business meeting to mark up the nomination of Michael K. Kussman, of Massachusetts, to be Under Secretary for Health of the Department of Veterans Affairs, Time to be announced, Room to be announced.

Select Committee on Intelligence: closed business meeting to mark up intelligence authorization for fiscal year 2008, to be immediately followed by a closed hearing, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Energy, and Research, to consider provisions of the 2007 Farm Bill, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies approved for full Committee the Military Construction, Veterans Affairs, and Related Agencies appropriations for fiscal year 2008, 10 a.m., H–140 Capitol.

Committee on Armed Services, Subcommittee on Oversight and Investigations, hearing on training of Iraqi Security Forces (ISF) and employment of transition teams, 9 a.m., 2118 Rayburn.

Committee on Education and Labor, Subcommittee on Health, Employment, Labor and Pensions, hearing on Health Care Reform: Recommendations To Improve Coordination of Federal and State Initiatives, 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Programs Affecting Safety and Innovation in Pediatric Therapies,'' 10 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Gasoline Prices, Oil Company Profits, and the American Consumer,'' 1 p.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled ''The Role and Effectiveness of the World Bank in Combating Global Poverty,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Iraq: Is Reconstruction Failing? 10 a.m., 2172 Rayburn.

Subcommittee on Africa and Global Health, hearing on Vulture Funds and the Threat to Debt Relief in Africa: A Call to Action at the G8 and Beyond, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, hearing on The Role of the Department of Homeland Security in Gulf Coast Rebuilding and Recovery Efforts, 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Laws, oversight hearing on the Internet Tax Freedom Act: Internet Tax Moratorium, 1 p.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, hearing on the following bills: H.R. 1943, Stop AIDS in Prison Act of 2007; and H.R. 1199, Drug Endangered Children Act of 2007, 12 p.m., 2226 Rayburn.

Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law, to consider Rules of Procedure and Statement of Policy for Private Immigration Bills, and Rules of Procedure for Private Claims Bills; followed by a hearing on Comprehensive Immigration Reform: Perspectives from Faith-Based and Immigration Communities, 1:55 p.m., 2237 Rayburn.

Committee on Rules, to consider H.R. 1100, Carl Sandburg Home Historical Site Boundary Revision Act of 2007. 3 p.m., H–313 Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines, and Hazardous Materials, to mark up H.R. 2095, Federal Railroad Safety Improvement Act of 2007, 3 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing on the Challenges Facing the U.S. Court of Appeals for Veterans Claims, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Health, hearing on Medicare Advantage Private Fee-For-Service Plans, 2 p.m., 1100 Longworth.

Select Committee on Energy Independence and Global Warming, hearing entitled ''Economic Impacts of Global Warming: Green Collar Jobs,'' 1:30 p.m., 2318 Rayburn.

Joint Meetings

Joint Hearing: Senate Committee on Homeland Security and Governmental Affairs, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings with the House Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia to examine Government Accountability Office Personnel reforms, focusing on expectations, 10 a.m., 2154 RHOB.

Next Meeting of the SENATE

10 a.m., Tuesday, May 22

Senate Chamber

Program for Tuesday: Senate will be in a period of morning business (not to extend beyond 60 minutes), Senate will continue consideration of S. 1348, Comprehensive Immigration Reform.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, May 22

House Chamber

Program for Tuesday: Complete consideration of H.R. 1427—Federal Housing Finance Reform Act of 2007. Consideration of the following suspensions: (1) H. Res. 171—Honoring the Marquis de Lafayette on the occasion of the 250th anniversary of his birth; (2) H. Res. 400—Expressing the sympathy of the House of Representatives to the citizens of Greensburg, Kansas, over the devastating tornado of May 4, 2007; (3) H. Con. Res. 128—Authorizing the printing of a commemorative document in memory of the late President of the United States, Gerald Rudolph Ford; (4) H.R. 1525—Internet Spyware (I–SPY) Prevention Act of 2007; (5) H.R. 1615—Securing Aircraft Cockpits Against Lasers Act of 2007; (6) S. 214—Preserving United States Attorney Independence Act of 2007; (7) H.R. 2264—To amend the Sherman Act to make oil-producing and exporting cartels illegal; and (8) S. 1104—To increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants.

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