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No. 109

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. GUTIERREZ).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 10, 2007.

I hereby appoint the Honorable LUIS V. GUTIERREZ to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord our God, ancient days, like yesterday and tomorrow, are before You as ever present. Be with the House of Representatives as it resumes its many tasks of policy and legislation today and in the weeks to come.

Lord, every day we in America pray for our women and men in military service, especially those who are in harm's way in Iraq. Today, we expand the vision and embrace of our prayer as we commend to You all the people of Iraq. Having inserted ourselves into the life of this land of antiquity and biblical proportions, we cannot help but be moved by their fear, confusion, and suffering occasioned by war.

Help us as a young and powerful nation, Lord, to learn more about this ancient world with so much complexity, history, and so many contemporary issues which must be addressed.

Guide the United States, Iraq, and other nations to seek Your face and seek the way of peace for these people. Help all who are so concerned to speak responsibly, to act prudently, and to pray boldly for one another. For You alone can bring good out of contradic-

tory evil as You do now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. MCGOVERN 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1. An act to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.

H.R. 710. An act to amend the National Organ Transplant Act to provide that criminal penalties do not apply to paired donations of human kidneys, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1) "An Act to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States", requests a conference with the House on the disagreeing votes of the two Houses thereon, and

appoints Mr. LIEBERMAN, Mr. LEVIN, Mr. AKAKA, Mr. CARPER, Mr. PRYOR, Ms. COLLINS, Mr. VOINOVICH, Mr. COLEMAN, and Mr. COBURN, to be the conferees on the part of the Senate; and from the

Committee on Banking, Housing, and Urban Affairs: Mr. DODD, and Mr. SHELBY;

Committee on Commerce, Science, and Transportation: Mr. INOUE, and Mr. STEVENS; and

Committee on Foreign Relations: Mr. BIDEN, and Mr. LUGAR, to be the conferees on the part of the Senate.

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, June 29, 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, the Clerk received the following message from the Secretary of the Senate on June 29, 2007, at 2:59 pm:

That the Senate passed S. 1612
That the Senate passed S. 966
That the Senate passed with an amendment H.R. 556

With best wishes, I am,
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by the Speaker on Friday, June 29, 2007:

H.R. 1830, to extend the authorities of the Andean Trade Preference Act until February 29, 2008;

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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S. 277, to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Sub-division, and for other purposes;

S. 1704, to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Massachusetts (Mr. MEEHAN), the whole number of the House is 432.

WELCOME BACK

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

Mrs. BLACKBURN. Mr. Speaker, since we have all been gone, the Glasgow Airport has been bombed, Piccadilly Circus in London was the site of an attempted terrorist attack, another attempt on a hospital, and within 48 hours, the British Intelligence Agency rounded up several credible suspects. Their use of intelligence should be commended. They have faced terrorist attacks on their soil for over 30 years and put in place the tools to deal with these.

On the other hand, it seems the liberal leadership of this Congress wants to backtrack in our attempts to track and survey potential terrorists by scaling back our critical intelligence-gathering efforts.

They took issue with the program designed to monitor phone calls from potential terrorists. They railed against the PATRIOT Act. They even shifted funds from critical intelligence-gathering programs to put it into a slush fund to study global warming. Mr. Speaker, the last time I checked, global warming didn't have one single thing to do with putting a bomb in Piccadilly Circus or trying to blow up the JFK airport. Global warming didn't bomb the USS *Cole* or take down the Twin Towers. Climate change can be studied, but it need not be done at the expense of human intelligence needed to help eliminate international terrorism. We need to adjust our priorities. It's time to get to work.

BORDER CROSSINGS AND TRAFFIC TICKETS

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

Mr. POE. Mr. Speaker, news from the lawless southern border: Homeland Security is claiming illegal entry is decreasing. According to their reports, the number of illegals arrested on the Mexico-U.S. border has decreased almost 25 percent.

Armed with these statistics, these bureaucrats are thus claiming fewer

illegals are trying to sneak into the United States. Interesting enough, just last month the Homeland Security Secretary said, while he was lobbying for the now defeated Senate amnesty plan, that he cannot secure the U.S. borders. Now he claims illegal crossings are down because apprehensions on the border are down. That is like saying there are fewer cars on the road because the police are issuing fewer traffic tickets.

The American people are not fooled by this statistical game. Rather than claiming these glowing statistics mean that all is well on the southern front, Homeland Security should stop issuing propaganda statements and give the border protectors the support, equipment, and manpower to protect the border from infiltration. Homeland Security must quit being delightfully ignorant of the truth and not claim border victory because it issues fewer traffic tickets.

And that's just the way it is.

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.

CESAR ESTRADA CHAVEZ STUDY ACT

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 359) to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 359

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 "César Estrada Chávez Study Act".

SEC. 2. SPECIAL RESOURCE STUDY.

(a) *IN GENERAL.*—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary of the Interior (referred to in this Act as the "Secretary") shall complete a special resource study of sites in the State of Arizona, the State of California, and other States that are significant to the life of César E. Chávez and the farm labor movement in the western United States to determine—

(1) *appropriate methods for preserving and interpreting the sites; and*

(2) *whether any of the sites meets the criteria for listing on the National Register of Historic Places or designation as a national historic landmark under—*

(A) *the Act of August 21, 1935 (16 U.S.C. 461 et seq.); or*

(B) *the National Historic Preservation Act (16 U.S.C. 470 et seq.).*

(b) *REQUIREMENTS.*—In conducting the study under subsection (a), the Secretary shall—

(1) *consider the criteria for the study of areas for potential inclusion in the National Park System under section 8(b)(2) of Public Law 91-383 (16 U.S.C. 1a-5(b)(2)); and*

(2) *consult with—*

(A) *the César E. Chávez Foundation;*

(B) *the United Farm Workers Union; and*

(C) *State and local historical associations and societies, including any State historic preservation offices in the State in which the site is located.*

(c) *REPORT.*—On completion of the study, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) *the findings of the study; and*

(2) *any recommendations of the Secretary.*

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentlewoman from Tennessee (Mrs. BLACKBURN) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 359 authorizes the Secretary of the Interior to conduct a special resource study of the sites associated with the life of Cesar Estrada Chavez and the farm labor movement.

Representative HILDA SOLIS, my colleague on the Natural Resources Committee, has worked tirelessly for the last 6 years to move this important legislation forward. I am proud to join Representative SOLIS and 68 other Representatives as a cosponsor of this bill, and I want to thank Ms. SOLIS for her efforts and leadership in getting this important study authorized.

In 1962, Cesar Chavez founded the National Farm Workers Association, which later became the United Farm Workers of America, working to protect farm workers' rights. Chavez led the United Farm Workers for 31 years and gained increases in wages and better working conditions for farm laborers. Through his work, Chavez became a national leader on civil rights and social justice and an inspiration to millions of Americans and people around the world.

H.R. 359 directs the Secretary of the Interior to consider sites in Arizona, California, and other States that are significant to the life of Cesar Chavez and the farm labor movement in the western United States. The bill requires the Secretary to determine the appropriate methods for preserving and

interpreting the sites and to determine whether any of them meet the criteria for being listed on the National Register of Historic Places or possible designation as national historic landmarks. The Secretary has 3 years from the date on which funds are made available to submit a report describing the findings of the study as well as the Secretary's recommendations.

The Subcommittee on National Parks, Forests, and Public Lands held a hearing on this bill in March of this year where we heard testimony from the administration in support of this bill. Later, at both a subcommittee markup and a full committee markup, this legislation advanced with bipartisan support.

Mr. Speaker, H.R. 359 is a bill whose time has come. Similar legislation has passed the Senate once before in 2003, and I am pleased this bill is finally making it to the House floor. We need to move forward with this congressionally authorized study so that we can learn about and evaluate options to protect the resources associated with Cesar Chavez and the farm labor movement. The longer we wait, the more likely it is that these resources may be lost to development or the ravages of time. I urge my colleagues to support this bill.

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

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

The majority has adequately explained the bill, Mr. Speaker, and I note that during the full committee consideration of this bill the minority was assured that this act was in no way to be construed as advancing any effort to establish a national holiday honoring Cesar Chavez. Further, the majority gave assurances that this bill was not going to be used to promote House Resolution 76, which urges the establishment of such a holiday. With this understanding, we will not object to the consideration of this measure.

Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. SARBANES. Mr. Speaker, at this time I yield such time as she may consume to the sponsor of this legislation, my colleague from the National Resources Committee, Representative HILDA SOLIS.

□ 1415

Ms. SOLIS. Mr. Speaker, I rise in strong support of H.R. 359, the Cesar Chavez Study Act, and urge my colleagues to support this legislation.

Mr. Speaker, you know that the National Park System units are important components of our Nation's historic, cultural and economic and recreation and social identity.

H.R. 359 authorizes a study to determine whether sufficient historic resources still exist, so that the story of Cesar Chavez could be added to the National Park System.

I first introduced this legislation more than 6 years ago to honor the important contributions he made to the environment and to help the National Park Service finally recognize a significant Hispanic leader. Since then, I have worked hard with my colleagues to bring this bill to the floor.

I would like to personally thank Chairman RAHALL and Chairman GRIJALVA for their support, and the staff of the committee.

Cesar Estrada Chavez was a second-generation American. He was born in the United States March 31, 1927 in Yuma, Arizona, and raised during the Great Depression.

The lessons he learned during his time inspired him to dedicate his life to improving the lives of others less fortunate even than himself.

Chavez led by action. He was a student of Mahatma Gandhi's nonviolent philosophy, and believed that non-violence was one of the most powerful tools to achieve change, including social and economic justice and equality.

In 1968 he fasted for 25 days, Mr. Speaker, one of many fasts he held to demonstrate a commitment to non-violence through sacrifice and penance. He was a deeply religious man.

Through his work, Cesar Chavez changed the course of history for thousands of Latinos and Hispanics and farm workers in this country. Farm workers have been empowered now to fight for fair wages, health care coverage, pension benefits, housing improvements, pesticide and health regulations and countless other protections for their health and well-being.

These changes have meant considerably improvements for the life of farm workers and their families, in fact, three fourths of which are Hispanic or Latino.

During his 66 years with us, Chavez made a significant difference in the lives of those he touched, well beyond improvements for farm workers. And at an early age, I too was inspired by Cesar Chavez's work on behalf of farm workers and the environmental justice movement. This includes protecting green space in both urban and rural areas so that all communities can enjoy the benefits of recreation.

Chavez strongly understood the importance of land and the value of the environment in connection to one's health and economic stability. For many Hispanics, this appreciation of the environment is cultural; 96 percent of Hispanics believe that the environment should be an important priority for this country, yet there is not one single unit of the National Park System dedicated to Hispanics.

And as a result of Chavez's belief exhibited through his actions, I was moved to introduce this legislation and believe it important that we preserve the history through our National Park System. It is my hope that one day Hispanic families all have a place in the National Park Service where they can appreciate, honor and learn about

Cesar Chavez's work, his beliefs, just as we do now in celebration with African American families who can now visit the Martin Luther King, Jr. historical site and Selma-Montgomery trail.

The significance of Chavez's life and work is widely recognized. The Department of Labor has honored Chavez in the Labor Hall of Fame, and the Bush administration, as you heard, supports this legislation. I won't list all the supporters, but there are more than 20 organizations nationally recognized who support this legislation.

In fact, at his funeral, Cardinal Roger Mahoney of Los Angeles called Chavez, and I quote, "a special prophet for the world's farm workers."

In 1994, Chavez's widow, Helen, accepted the Medal of Freedom from President Clinton, who lauded Chavez for facing a "formidable, often violent opposition with dignity and non-violence."

It is my hope that through this legislation, future generations can understand who Cesar Chavez was, and why the work that he did was so important, know that they too can be courageous and work toward the betterment of all mankind.

I strongly urge my colleagues to support this legislation.

Mr. SARBANES. Mr. Speaker, I congratulate Ms. SOLIS again on her persistence, and congratulate her on having this brought to the floor today.

I do want to say that while Cesar Chavez certainly cast a long shadow in the western United States, I worked with an organization in Maryland that did work on the Eastern Shore of Maryland on behalf of farm workers, and he was a national hero to them. So congratulations again.

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for H.R. 359. This important legislation would require the Secretary of the Interior to study the potential creation of a historic landmark in honor of Cesar Estrada Chavez.

I want to thank my friend, Congresswoman HILDA SOLIS, for sponsoring this bill and championing this cause which is of great significance to so many Americans, myself included.

Cesar Chavez provided hope for thousands of people. Perhaps best known for founding and leading the United Farm Workers of America, Chavez used non-violent tactics that included boycotts, fasts, and strikes to bring attention to the dangerous working conditions in the field. His efforts helped to produce the first industry-wide labor contracts in the history of American agriculture.

Cesar Chavez' legacy has empowered, encouraged and motivated countless individuals. He is a continuing example that with hard work, dedication and love, change can happen and oppression can be conquered. His famous words, "Si se puede" (Yes you can), still inspire us today.

I cannot think of anything more American than standing up for one's right to justice, fairness, and equality.

I urge my colleagues to cast a vote in recognition of Cesar Estrada Chavez, and to support H.R. 359.

Mr. SARBANES. Mr. Speaker, I have no further requests for time, and yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 359, as amended.

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

A motion to reconsider was laid on the table.

LAND GRANT PATENT MODIFICATION

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2121) to modify a land grant patent issued by the Secretary of the Interior.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2121

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

SECTION 1. AMENDMENTS TO LAND GRANT PATENT ISSUED BY SECRETARY OF THE INTERIOR.

Patent Number 61-2000-0007, issued by the Secretary of the Interior to the Great Lakes Shipwreck Historical Society, Chippewa County, Michigan, pursuant to section 5505 of division A of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208; 110 Stat. 3009-516) is amended in paragraph 6, under the heading "SUBJECT ALSO TO THE FOLLOWING CONDITIONS" by striking "Whitefish Point Comprehensive Plan of October 1992, or a gift shop" and inserting "Human Use/Natural Resource Plan for Whitefish Point, dated December 2002, permitted as the intent of Congress".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentleman from Oklahoma (Mr. COLE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

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

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

There was no objection.

Mr. SARBANES. Mr. Speaker, the Great Lakes Shipwreck Museum on Michigan's Upper Peninsula sits on land jutting out into Lake Superior near the Canadian border. The museum collection presents the history of and preserves artifacts from the many shipwrecks that occurred in the area, including perhaps the most famous, the Edmund Fitzgerald, which went down in 1975, along with her crew of 29 men.

The museum sits on land originally obtained from the Department of the Interior under a land grant patent. A new management plan developed by the museum would improve visitor services. This legislation amends the origi-

nal patent to reference the new management plan.

Representative STUPAK is to be commended for his diligence on behalf of this legislation. An earlier version of this measure was approved by the House in the last Congress, and we urge our colleagues to support H.R. 2121 today.

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2121 is a simple measure that updates a land patent reference to an outdated management plan currently being used by the Great Lakes Shipwreck Historical Society. This 8-acre property was obtained in 1992 from the Department of the Interior under a land grant patent. Under the new resource management plan, the museum will be able to greatly improve its visitor access to wildlife areas and to expand its facilities to accommodate additional shipwreck exhibits.

I urge my colleagues to support the bill.

Mr. Speaker, I have no additional speakers, and yield back the balance of my time.

Mr. SARBANES. Mr. Speaker, I'd like to yield such time as he may consume to my colleague, Mr. STUPAK to speak to the bill.

Mr. STUPAK. Mr. Speaker, I rise today as the author of H.R. 2121, and I'd like to thank Chairman RAHALL and ranking member YOUNG and their staff on the Natural Resource Committee for assisting and moving this legislation forward.

H.R. 2121 is a straightforward bill that would allow the Great Lakes Shipwreck Historical Society to implement a new Human Use/Natural Resource Management Plan for the Great Lakes Shipwreck Museum in Chippewa County, Michigan.

While this legislation was approved by the House of Representatives in September of 2006 in the 109th Congress, but the 109th Congress ended before the Senate had time to consider the bill. By acting on this bill now, I am hopeful the House will allow the Senate ample time to consider and approve this legislation.

The Great Lakes Shipwreck Historical Society is a nonprofit organization dedicated to preserving the history of shipwrecks in the Great Lakes. Since 1992, the Great Lakes Shipwreck Historical Society has operated the Great Lakes Shipwreck Museum to educate the public about shipwrecks in the region.

The museum provides exhibits on several shipwrecks in the area, including an in-depth exhibit on the wreck of the *Edmund Fitzgerald*, which was lost with her entire crew of 29 men near Whitefish Point, Michigan on November 10, 1975. Among the items on display is a 200-pound bronze bell recovered from the wreckage in 1995 as a memorial to her lost crew.

In 2002, the Great Lakes Shipwreck Historical Society, working with the U.S. Fish and Wildlife Service, the Michigan Audubon Society, and the local community, finalized a new management plan to improve the experience at the museum.

The new management plan, which was signed and agreed upon by all the parties, will allow the Historical Society to expand the museum exhibits while addressing concerns about parking and access to surrounding wildlife areas.

However, because the original land grant patent references the previous management plan, legislation to amend the patent is necessary before the new management plan can be implemented. In response, I've introduced this legislation, H.R. 2121, to amend the land grant patent to allow the new plan to be implemented.

Congressman DAVE CAMP from Michigan has joined me in cosponsoring this legislation, and I thank him for his support.

The Great Lakes Shipwreck Historical Society has continuously improved the experience at the museum since it was established in 1992. With the approval of H.R. 2121, Congress will allow the Great Lakes Shipwreck Museum to further develop this cultural and historical resource.

I urge my colleagues to support this simple legislation which will improve the opportunities available to visitors of Chippewa County, Michigan, and the Great Lakes Shipwreck Museum.

I thank all Members for their cooperation with this legislation.

Mr. SARBANES. Mr. Speaker, I have no further requests for time. I yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 2121.

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.

EIGHTMILE WILD AND SCENIC RIVER ACT

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 986) 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, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 986

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Eightmile Wild and Scenic River Act".

SEC. 2. WILD AND SCENIC RIVER DESIGNATION, EIGHTMILE RIVER, CONNECTICUT.

(a) FINDINGS.—Congress finds the following:

(1) The Eightmile River Wild and Scenic River Study Act of 2001 (Public Law 107-65; 115 Stat. 484) authorized the study of the Eightmile River in the State of Connecticut from its headwaters downstream to its confluence with the Connecticut River for potential inclusion in the National Wild and Scenic Rivers System.

(2) The segments of the Eightmile River covered by the study are in a free-flowing condition, and the outstanding resource values of the river segments include the cultural landscape, water quality, watershed hydrology, unique species and natural communities, geology, and watershed ecosystem.

(3) The Eightmile River Wild and Scenic Study Committee has determined that—

(A) the outstanding resource values of these river segments depend on sustaining the integrity and quality of the Eightmile River watershed;

(B) these resource values are manifest within the entire watershed; and

(C) the watershed as a whole, including its protection, is itself intrinsically important to this designation.

(4) The Eightmile River Wild and Scenic Study Committee took a watershed approach in studying and recommending management options for the river segments and the Eightmile River watershed as a whole.

(5) During the study, the Eightmile River Wild and Scenic Study Committee, with assistance from the National Park Service, prepared a comprehensive management plan for the Eightmile River watershed, dated December 8, 2005 (in this section referred to as the “Eightmile River Watershed Management Plan”), which establishes objectives, standards, and action programs that will ensure long-term protection of the outstanding values of the river and compatible management of the land and water resources of the Eightmile River and its watershed, without Federal management of affected lands not owned by the United States.

(6) The Eightmile River Wild and Scenic Study Committee voted in favor of inclusion of the Eightmile River in the National Wild and Scenic Rivers System and included this recommendation as an integral part of the Eightmile River Watershed Management Plan.

(7) The residents of the towns lying along the Eightmile River and comprising most of its watershed (Salem, East Haddam, and Lyme, Connecticut), as well as the Boards of Selectmen and Land Use Commissions of these towns, voted to endorse the Eightmile River Watershed Management Plan and to seek designation of the river as a component of the National Wild and Scenic Rivers System.

(8) The State of Connecticut General Assembly enacted Public Act 05-18 to endorse the Eightmile River Watershed Management Plan and to seek designation of the river as a component of the National Wild and Scenic Rivers System.

(b) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“() EIGHTMILE RIVER, CONNECTICUT.—Segments of the main stem and specified tributaries of the Eightmile River in the State of Connecticut, totaling approximately 25.3 miles, to be administered by the Secretary of the Interior as follows:

“(A) The entire 10.8-mile segment of the main stem, starting at its confluence with Lake Hayward Brook to its confluence with the Connecticut River at the mouth of Hamburg Cove, as a scenic river.

“(B) The 8.0-mile segment of the East Branch of the Eightmile River starting at Witch Meadow Road to its confluence with the main stem of the Eightmile River, as a scenic river.

“(C) The 3.9-mile segment of Harris Brook starting with the confluence of an unnamed

stream lying 0.74 miles due east of the intersection of Hartford Road (State Route 85) and Round Hill Road to its confluence with the East Branch of the Eightmile River, as a scenic river.

“(D) The 1.9-mile segment of Beaver Brook starting at its confluence with Cedar Pond Brook to its confluence with the main stem of the Eightmile River, as a scenic river.

“(E) The 0.7-mile segment of Falls Brook from its confluence with Tisdale Brook to its confluence with the main stem of the Eightmile River at Hamburg Cove, as a scenic river.”.

(c) MANAGEMENT.—The segments of the main stem and certain tributaries of the Eightmile River in the State of Connecticut designated as components of the National Wild and Scenic Rivers System by the amendment made by subsection (b) (in this section referred to as the “Eightmile River”) shall be managed in accordance with the Eightmile River Watershed Management Plan and such amendments to the plan as the Secretary of the Interior determines are consistent with this section. The Eightmile River Watershed Management Plan is deemed to satisfy the requirements for a comprehensive management plan required by section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(d) COMMITTEE.—The Secretary of the Interior shall coordinate the management responsibilities of the Secretary with regard to the Eightmile River with the Eightmile River Coordinating Committee, as specified in the Eightmile River Watershed Management Plan.

(e) COOPERATIVE AGREEMENTS.—In order to provide for the long-term protection, preservation, and enhancement of the Eightmile River, the Secretary of the Interior may enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the State of Connecticut, the towns of Salem, Lyme, and East Haddam, Connecticut, and appropriate local planning and environmental organizations. All cooperative agreements authorized by this subsection shall be consistent with the Eightmile River Watershed Management Plan and may include provisions for financial or other assistance from the United States.

(f) RELATION TO NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), the Eightmile River shall not be administered as part of the National Park System or be subject to regulations which govern the National Park System.

(g) LAND MANAGEMENT.—The zoning ordinances adopted by the towns of Salem, East Haddam, and Lyme, Connecticut, in effect as of December 8, 2005, including provisions for conservation of floodplains, wetlands, and watercourses associated with the segments, are deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277 (c)). For the purpose of section 6(c) of that Act, such towns shall be deemed “villages” and the provisions of that section, which prohibit Federal acquisition of lands by condemnation, shall apply to the segments designated by subsection (a). The authority of the Secretary to acquire lands for the purposes of this Act shall be limited to acquisition by donation or acquisition with the consent of the owner thereof, and shall be subject to the additional criteria set forth in the Eightmile River Watershed Management Plan.

(h) WATERSHED APPROACH.—

(1) IN GENERAL.—In furtherance of the watershed approach to resource preservation and enhancement articulated in the Eightmile River Watershed Management Plan, the tributaries of the Eightmile River watershed specified in paragraph (2) are recognized as integral to the protection and enhancement of the Eightmile River and its watershed.

(2) COVERED TRIBUTARIES.—Paragraph (1) applies with respect to Beaver Brook, Big Brook, Burnhams Brook, Cedar Pond Brook, Cranberry Meadow Brook, Early Brook, Falls Brook, Fra-

ser Brook, Harris Brook, Hedge Brook, Lake Hayward Brook, Malt House Brook, Muddy Brook, Ransom Brook, Rattlesnake Ledge Brook, Shingle Mill Brook, Strongs Brook, Tisdale Brook, Witch Meadow Brook, and all other perennial streams within the Eightmile River watershed.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section and the amendment made by subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentleman from Oklahoma (Mr. COLE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

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

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

There was no objection.

Mr. SARBANES. Mr. Speaker, H.R. 986 would designate 25.3 miles of the Eightmile River and its tributaries in Connecticut as a national scenic river. The bill was introduced by my friend and freshman class colleague, Representative JOE COURTNEY, who has been a strong and effective advocate of this designation.

This legislation would protect portions of the Eightmile River that have been found to have “outstandingly remarkable” values, including an intact watershed with a natural flow, very high water quality, unusual geological features, and large numbers of rare plants and animals.

The bill would designate five segments of the river and its tributaries as scenic under the Wild and Scenic Rivers Act. The designated segments would be managed according to a plan produced pursuant to the 2001 Eightmile River Wild and Scenic River Study Act.

The administration supports the bill, as we were told by a National Park Service witness at a hearing before the National Parks, Forests and Public Lands Subcommittee on April 17. In a draft study, the agency found these portions of the river and its tributaries to be eligible and suitable for designation.

The bill is cosponsored by the entire Connecticut House delegation. Both Connecticut Senators support the designation, as does the Republican Governor of Connecticut. The bill also enjoys ample support from the local community, including the local governments of the towns of Salem, East Haddam and Lyme.

The river would be managed under a partnership agreement as envisioned in section 10(e) of the Wild and Scenic Rivers Act.

The Congressional Budget Office has found that the bill contains no unfunded mandates, and will impose no

cost on State, local or tribal governments. CBO also says the bill will not affect direct spending, and will not significantly affect the National Park Service's costs.

□ 1430

During committee consideration of the bill, there had been expressed some concern about the private property protections in the bill. To ensure that the bill is absolutely clear on this point, my subcommittee chairman, the gentleman from Arizona (Mr. GRIJALVA) offered, and the committee adopted, language that expressly deems the zoning ordinances adopted by the towns of Salem, East Haddam, and Lyme to satisfy section 6(c) of the Wild and Scenic Rivers Act and limits the Secretary's acquisition authority to lands that are donated or bought from willing sellers. That provision tracks the language used in several wild and scenic river designations in the east, including the designation of Connecticut's other wild and scenic river, the Farmington River. The language has been in effect for over a decade without questions or ambiguity on those rivers or in court. According to the National Park Service, the administering agency, that language is absolutely unambiguous.

Mr. Speaker, this is a good bill. And I want to commend my colleague from Connecticut, Representative COURTNEY, for his commitment and leadership on this matter. We support passage of H.R. 986, as amended, and urge its adoption by the House today.

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, some of our Members believe H.R. 986 has significant negative implications on private property in Connecticut. Fuzzy language included in this bill may leave the door open for the Federal Government to use eminent domain to seize private property in this new designation. This is especially concerning because this is the same congressional district where the *Kelo v. New Haven* case originated. I remind my colleagues that many times the Federal Government uses just the threat of condemnation to frighten private property owners and to intimidate them until they become so-called "willing sellers." We must protect our constituents from this wanton abuse of power by making our intentions clear in this legislation.

Resource Committee Republicans made numerous efforts in both subcommittee and full committee to insert language that would have protected property owners in Connecticut. The language was plain and clear: Congress would not empower the Federal Government to condemn land and pressure owners into selling.

Unfortunately, these efforts were rebuffed by committee Democrats. It is still unclear to our side of the aisle

why the majority wants to expose property owners to the threat of eminent domain. The only reasonable conclusion is that they believe the Federal Government should and must confiscate private property.

Because this bill has been brought under suspension of the rules, the minority will not have the opportunity to clean it up before the full House.

I urge my colleagues to oppose the bill and stand up against this and other Kelo-style assaults on private property rights.

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

Mr. SARBANES. Mr. Speaker, I just want to assure my colleague again that the bill as drafted and as proposed today is one that is very clear in terms of the protections that he seeks, and we were very careful over the course of this bill's evolution to make sure of that.

I would at this time, Mr. Speaker, wish to yield such time as he may consume to the sponsor of this legislation, the gentleman from Connecticut and a colleague of my class (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I, first of all, want to commend Mr. SARBANES for his superb summary of this legislation and the context in which it occurred and was introduced this year with the full support of the Connecticut delegation on a bipartisan basis, the Republican Governor of Connecticut, Jodi Rell, who was supporting the bill, and the Connecticut State legislature, which also passed a resolution in support of this measure. I also want to thank Chairman RAHALL and Ranking Member YOUNG for helping us bring this bill to the floor and also in particular subcommittee Chairman GRIJALVA and Ranking Member BISHOP for helping this bill through subcommittee and raising important issues, which, as has been pointed out, strike particularly close to home since the City of New London, which was a party to the *Kelo* case, was the locus of that decision and obviously caused great concern about property rights all across the country.

This bill, however, though, I believe is a balanced bill which represents more than 10 years of hard work by local citizens and elected officials to protect this important river and its intact watershed. The Eightmile River takes its name from the distance between its mouth at Lake Hayword to the Connecticut River and Long Island sound. It is unique in that it is a virtually free-flowing river over its entire run. The entire 62-square-mile watershed has a large forest cover and excellent water quality and is home to diverse fish populations and rare species. It is quite rare for a river of this size to be intact throughout its entire watershed, especially in areas so close to the coast of Long Island Sound and in such a densely populated State as the State of Connecticut.

After securing the go-ahead for a wild and scenic river study approved by

this Congress in 2001, local officials and advocates decided early on to base the study on a watershed approach, rather than looking at specific areas of the river.

The wild and scenic study identified six outstanding resource values including its watershed ecosystem, natural communities, and cultural landscape. It concluded that the 25 miles of the meandering Eightmile River should be recommended for designation as "scenic" under the Wild and Scenic Rivers Act.

A management plan was approved by the three towns of East Haddam, Salem, and Lyme. And as I mentioned earlier, the General Assembly in Connecticut also joined in support for that management plan. And I will enter into the RECORD letters submitted by the First Selectmen of Salem and East Haddam, again bipartisan letters of support for this measure dated within the last about 48 hours or so.

SELECTMEN'S OFFICE,
East Haddam, CT, July 6, 2007.

An Act Concerning Designation of the Eightmile River Watershed within the National Wild and Scenic River System.

Hon. JOSEPH COURTNEY,
Congressman, Second District,
Norwich, CT.

DEAR CONGRESSMAN COURTNEY: Thank you for your time and efforts in this important matter. I am writing to reassure you that the citizens and elected officials of East Haddam are overwhelmingly in favor of Wild & Scenic designation.

Over ten years ago my predecessor, along with the First Selectmen from Lyme and Salem signed the Eightmile River Watershed Conservation Compact. That inter-municipal agreement represented East Haddam's commitment to a regional project that our town has participated in and endorsed widely. The Compact states: "We understand that 1) land use in our towns is the key determinant to the health of the Watershed's natural resources; 2) a healthy watershed ecosystem is consistent with our town goals of promoting a healthy community, preserving rural character, and nurturing suitable economic growth."

This broad view of the Eightmile River Watershed including its rural character, economic well being and intact natural resources has led to a heightened awareness and concern for this fragile system by a broad spectrum of town residents. Over the 12 years of East Haddam's participation in the Eightmile work, I have heard of only a small number of individuals who oppose the project. We have overwhelming support from the business community and private citizens alike. In fact, our river front landowners are some of the strongest advocates—they deeply understand the risks that unchecked development and sprawl will have on the river in their own back yards. The town has also taken measures to protect much of the open space in the watershed area.

Thanks again for your time and attention to our pristine Eightmile Watershed.

Sincerely,
BRAD PARKER,
First Selectman.

THE TOWN OF SALEM, CONNECTICUT,
July 9, 2007.

Hon. JOSEPH COURTNEY,
Washington, DC.

DEAR CONGRESSMAN COURTNEY: As First Selectman for the Town of Salem I would

like to reiterate Salem's strong commitment to protecting and preserving the Eight Mile River and the surrounding watershed. Resources such as this are critically important to the health and well being of all residents in this part of southeastern Connecticut, and need to be recognized for their intrinsic value.

Federal designation as a Wild and Scenic River is an important part of preserving this natural resource. The Town of Salem is pleased that you have chosen to sponsor this effort and guide it through the legislative process. Thank you, and if we can be of any additional assistance in support of your efforts, please do not hesitate to contact us.

Sincerely,

R. LARRY REITZ,
First Selectman.

Mr. Speaker, as I said from the beginning, this is a locally driven effort, and over the course of this study there were forums, mailings, public meetings, and even a local land use commissioners summit, which demonstrated broad bipartisan support for the legislation.

Although located in a rural area of Connecticut, the watershed is no less susceptible to unchecked growth and development. But it is important, and, again, this I know was raised by the minority, to emphasize that the bill before us today preserves the rights of landowners. Section 2(g)(2) specifically prohibits the use of eminent domain-type powers for this system. And, again, we have experience in Connecticut with the Farmington River Wild and Scenic designation to know that that language is, in fact, a barrier for any kind of unwarranted intrusion by the Federal Government over private property rights. And, again, the amendment, which Mr. SARBANES referred to, in the subcommittee, if anything, beefed up that protection to make sure that any concerns which may exist about involuntary takings are addressed in this legislation.

Mr. Speaker, the Wild and Scenic Rivers Act will next year celebrate its 40th year of successful environmental stewardship in this country. And it is important to add the Eightmile, a river with unique, intact natural resources, to the list of important rivers protected under this act. Designation as a member of the wild and scenic river system would facilitate long-term coordination among the towns within the watershed and increase local commitment to long-term river protection.

The entire Connecticut delegation is supportive of this endeavor; and to my colleagues in the House, I ask them to join me in support of this legislation. And, again, I thank Mr. SARBANES for his support.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 986, 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. MCHENRY. 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.

CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT FEASIBILITY STUDY

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1337) 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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1337

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

SECTION 1. CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT FEASIBILITY STUDY.

(a) FINDINGS.—Congress finds that—

(1) Thunderbird Lake, located on Little River in central Oklahoma, was constructed in 1965 by the Bureau of Reclamation for flood control, water supply, recreation, and fish and wildlife purposes;

(2) the available yield of Thunderbird Lake is allocated to the Central Oklahoma Master Conservancy District, which supplies municipal and industrial water supplies to the cities of Norman, Midwest City, and Del City, Oklahoma; and

(3) studies conducted by the Bureau during fiscal year 2003 indicate that the District will require additional water supplies to meet the future needs of the District, including through—

(A) the drilling of additional wells;

(B) the implementation of a seasonal pool plan at Thunderbird Lake;

(C) the construction of terminal storage to hold wet-weather yield from Thunderbird Lake;

(D) a reallocation of water storage; and

(E) the importation of surplus water from sources outside the basin of Thunderbird Lake.

(b) STUDY.—Beginning no later than 1 year after the date of enactment of this Act, the Commissioner of the Bureau of Reclamation shall conduct a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District, including recommendations of the Commissioner, if any.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commissioner of the Bureau of Reclamation \$900,000 to conduct the study under subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentleman from Oklahoma (Mr. COLE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. SARBANES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise

and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, the purpose of H.R. 1337, introduced by our colleague, Congressman TOM COLE of Oklahoma, is to direct the Commissioner of the Bureau of Reclamation to conduct a feasibility study on alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the district.

The Norman Project was constructed by the Bureau of Reclamation for municipal and industrial water supply, flood control, recreation, and fish and wildlife purposes in central Oklahoma. Population growth in the area is increasing pressure on already constrained water supplies, and the demand for water is expected to surpass the supply that the Norman Project in its present form can provide.

A preliminary report on alternative measures to augment water supplies at Lake Thunderbird has already been completed. The report concluded that a need exists to improve municipal and industrial water supplies from the Norman Project and that a number of alternatives are available to meet that need. A feasibility study is required to fully evaluate all the alternatives. H.R. 1337 directs the Bureau of Reclamation to conduct such a study.

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1337.

This bill, which I authored, provides for a water feasibility study to ascertain additional sources of water for the Central Oklahoma Master Conservancy District, which serves the cities of Norman, Midwest City, and Del City, Oklahoma. This bill provides limited Federal assistance, with the Conservancy District providing a local 50/50 match and demonstrating their dedication to this critical initiative. This legislation will help address and alleviate the water challenges facing these three cities. I would like to commend and sincerely thank all the parties involved in working hard to help see this bill pass into public law.

The primary source of water for the Conservancy District is Lake Thunderbird, completed in 1965 by the Bureau of Reclamation. Incidentally, since 1988 one of the cities serviced by the Conservancy District, Norman, Oklahoma, has on numerous occasions exceeded their annual share of Lake Thunderbird's supplies. As a result, Norman has been forced to pull additional water from its original water source used before Lake Thunderbird was built and create an emergency supply line from

nearby Oklahoma City. Recognizing that the projected demand on water supply will only increase as these three cities grow in population, the Conservancy District is taking proactive steps to find long-range solutions to their water needs.

In 2003, working with the Conservancy District and recognizing the water strain in central Oklahoma, Congress provided the Bureau of Reclamation with funding for an initial water study, which it completed in August of 2005. This appraisal explores and proposes much-needed viable opportunities to enhance the current and long-term water supply of the Conservancy District. I introduced H.R. 1337 both at the behest of the Conservancy District and in the same spirit that Congress previously funded the building of Lake Thunderbird and the appraisal investigation: to facilitate the long-term vitality and well-being of the citizens served by the Conservancy District and, as an extension, the vitality and well-being of Oklahoma as a whole. It is important to note, Mr. Speaker, that the Conservancy District provides waters for more than 175,000 residents, meaning that no fewer than one out of every four of my constituents stands to benefit from this study.

Mr. Speaker, I sincerely appreciate the chairman and ranking member's diligent work on this bill, and I strongly urge support and passage of H.R. 1337.

□ 1445

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 1337, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SARBANES. 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.

RANCHO CALIFORNIA WATER DISTRICT RECYCLED WATER RECLAMATION FACILITY ACT OF 2007

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1725) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water District Southern Riverside County Recycled/Non-Potable Distribution Facilities and Demineralization/Desalination Recycled Water Treatment and Reclamation Facility Project.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1725

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 "Rancho California Water District Recycled Water Reclamation Facility Act of 2007".

SEC. 2. PROJECT AUTHORIZATION.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102-575, title XVI; 43 U.S.C. 390h et seq.) is amended by adding after section 16 the following:

"SEC. 16. RANCHO CALIFORNIA WATER DISTRICT PROJECT, CALIFORNIA.

"(a) AUTHORIZATION.—The Secretary, in cooperation with the Rancho California Water District, California, may participate in the design, planning, and construction of permanent facilities for water recycling, demineralization, and desalination, and distribution of non-potable water supplies in Southern Riverside County, California.

"(b) COST SHARING.—The Federal share of the cost of the project described in subsection (a) shall not exceed 25 percent of the total cost of the project or \$20,000,000, whichever is less.

"(c) LIMITATION.—Funds provided by the Secretary under this section shall not be used for operation or maintenance of the project described in subsection (a)."

(b) CLERICAL AMENDMENT.—The table of items in section 2 of Public Law 102-575 is amended by inserting after the item relating to section 16 the following:

"Sec. 16. Rancho California Water District Project, California."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentleman from Oklahoma (Mr. COLE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

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

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

There was no objection.

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

The purpose of H.R. 1725, as introduced by our colleague from California (Mrs. BONO), is to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in an important water supply project for Southern Riverside County in California.

H.R. 1725 authorizes the Secretary of the Interior, in cooperation with the Rancho California Water District, to participate in the design, planning and construction of permanent facilities for water recycling, demineralization, desalination and distribution of non-potable water supplies in Southern Riverside County. When completed, the project will significantly enhance scarce water resources in Rancho Cali-

fornia by quadrupling recycled water supplies.

H.R. 1725 seeks to help communities in Southern Riverside County as they try to drought-proof their water supplies.

I urge my colleagues to join me in supporting H.R. 1725.

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

Mr. COLE of Oklahoma. Mr. Speaker, I rise in support of H.R. 1725 and yield myself such time as I may consume.

H.R. 1725, introduced by our colleague, MARY BONO of California, authorizes funds to complete a three-stage plan for water recycling in Riverside County, California. Mr. Speaker.

This legislation would help ease the county's dependency on imported water and will help drought-proof this arid region of southern California.

I urge my colleagues to support this legislation.

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

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

Mr. COLE of Oklahoma. Mr. Speaker, I would like to yield such time as she may consume to the distinguished gentlelady from California (Mrs. BONO).

Mrs. BONO. Mr. Speaker, I would first like to take this opportunity to thank Chairman RAHALL and Ranking Member YOUNG for their support of H.R. 1725, the Rancho California Water District, or RCWD, Recycled Water Reclamation Facility Act of 2007.

Thanks to the speed with which they were able to move this bill through regular order, with the help of Subcommittee Chairman NAPOLITANO and Ranking Member MCMORRIS RODGERS, we are now able to consider this legislation in the full House.

Mr. Speaker, H.R. 1725, which I introduced in March of this year, authorizes funding to begin implementation of the RCWD regional Integrated Resources Plan. The legislation directly affects water usage for an area of the Nation that continues to experience rapid population growth. Riverside County, where RCWD operates, is California's fourth largest county and experienced a population increase of 76 percent from 1980 to 1990. By the year 2000, this county's population was at over 1.5 million residents.

In particular, RCWD serves the City of Temecula, parts of the City of Murrieta and the surrounding area, which is represented by both myself and Congressman DARRELL ISSA. Southwest Riverside County continues to grow quickly, with numerous military families and those who commute to both Los Angeles and San Diego. Coupled with this residential growth, the area is also home to a strong agricultural industry. Citrus, avocados and wine grape fields dot the area and bring with them jobs, crop revenues and, not to mention, some extremely good wine.

H.R. 1725 also enjoys the support from the surrounding water districts, including Eastern and Western Municipal Water Districts and Metropolitan

Water District, which provides drinking water to nearly 18 million people throughout southern California.

The funding authorized in my legislation will take significant steps toward enacting the Integrated Resource Plan that has a total cost of around \$103 million. The results of this plan are primarily three things: an expansion of local recycled water resources; a dependable conversion of water used in the agriculture sector to a recycled and raw water system; and a facility to desalinate recycled water for agricultural use.

Put in more simple terms, the benefits to the area are clear: As this part of Riverside County continues to see more residential growth, the IRP project will free up enough treated water to supply up to 70,000 households. The capability to reuse over 16,000 acre-feet of recycled water will be in place, keeping the local agricultural sector vibrant and maximizing local water storage.

It is also important to note that, in May, the local water districts completed a year-long feasibility study which, in part, indicated a gross savings of \$789 million in purchased water costs over the 30 years after the project is completed. The savings to the area and modernization of local water infrastructure is something crucial for this part of my district.

As you know, the value of thoughtful water usage in this area of southern California is extremely high. The strong support this legislation received within the Natural Resources Committee shows a bipartisan understanding other Members have of improving water delivery to both residential and agricultural users.

Once again, I would like to thank the chairman, the ranking member, their staff, and my own Chris Foster, for all of their help.

I ask for the support of Members from both sides of the aisle on H.R. 1725, the legislation I'm proud to have authored.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 1725.

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.

NEW MEXICO WATER PLANNING ASSISTANCE ACT

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1904) to provide assistance to the State of New Mexico for the development of comprehensive State water plans, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1904

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 "New Mexico Water Planning Assistance Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey.

(2) STATE.—The term "State" means the State of New Mexico.

SEC. 3. COMPREHENSIVE WATER PLAN ASSISTANCE.

(a) IN GENERAL.—Upon the request of the Governor of the State and subject to subsections (b) through (f), the Secretary shall—

(1) provide to the State technical assistance and grants for the development of comprehensive State water plans;

(2) conduct water resources mapping in the State; and

(3) conduct a comprehensive study of groundwater resources (including potable, brackish, and saline water resources) in the State to assess the quantity, quality, and interaction of groundwater and surface water resources.

(b) TECHNICAL ASSISTANCE.—Technical assistance provided under subsection (a) may include—

(1) acquisition of hydrologic data, groundwater characterization, database development, and data distribution;

(2) expansion of climate, surface water, and groundwater monitoring networks;

(3) assessment of existing water resources, surface water storage, and groundwater storage potential;

(4) numerical analysis and modeling necessary to provide an integrated understanding of water resources and water management options;

(5) participation in State planning forums and planning groups;

(6) coordination of Federal water management planning efforts;

(7) technical review of data, models, planning scenarios, and water plans developed by the State; and

(8) provision of scientific and technical specialists to support State and local activities.

(c) ALLOCATION.—In providing grants under subsection (a), the Secretary shall, subject to the availability of appropriations, allocate—

(1) \$5,000,000 to develop hydrologic models and acquire associated equipment for the New Mexico Rio Grande main stem sections and Rios Pueblo de Taos and Hondo, Rios Nambe, Pojoaque and Teseque, Rio Chama, and Lower Rio Grande tributaries;

(2) \$1,500,000 to complete the hydrographic survey development of hydrologic models and acquire associated equipment for the San Juan River and tributaries;

(3) \$1,000,000 to complete the hydrographic survey development of hydrologic models and acquire associated equipment for Southwest New Mexico, including the Animas Basin, the Gila River, and tributaries;

(4) \$4,500,000 for statewide digital orthophotography mapping; and

(5) such sums as are necessary to carry out additional projects consistent with subsection (b).

(d) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The non-Federal share of the total cost of any activity carried out using a grant provided under subsection (a) shall be 50 percent.

(2) FORM OF NON-FEDERAL SHARE.—The non-Federal share under paragraph (1) may be in

the form of any in-kind services that the Secretary determines would contribute substantially toward the conduct and completion of the activity assisted.

(e) NONREIMBURSABLE BASIS.—Any assistance or grants provided to the State under this Act shall be made on a non-reimbursable basis.

(f) AUTHORIZED TRANSFERS.—On request of the State, the Secretary shall directly transfer to 1 or more Federal agencies any amounts made available to the State to carry out this Act.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act \$3,000,000 for each of fiscal years 2008 through 2012.

SEC. 5. SUNSET OF AUTHORITY.

The authority of the Secretary to carry out any provisions of this Act shall terminate 10 years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentleman from Oklahoma (Mr. COLE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

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

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

There was no objection.

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

The purpose of H.R. 1904, as introduced by our colleague from New Mexico (Mrs. WILSON), is to provide assistance to the State of New Mexico for the development of comprehensive State water plans.

The bill directs the Secretary of the Interior to provide New Mexico with technical assistance and grants for the development of a comprehensive State water plan. This includes a survey and mapping of water resources in New Mexico, a study of groundwater quality and quantity, and a study on the relationships between groundwater and surface water in the State.

A key understanding of our most precious resource is required if we are to meet the water supply needs of our growing communities and our environment. H.R. 1904 seeks just such an understanding from New Mexico.

I urge my colleagues to join me in supporting H.R. 1904.

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

Mr. COLE of Oklahoma. Mr. Speaker, I rise in support of H.R. 1904 and yield myself such time as I may consume.

H.R. 1904, introduced by our colleague, HEATHER WILSON, directs the Secretary of the Interior to provide New Mexico with technical assistance and grants for the development of comprehensive State water plans and to assess the quality, quantity and interaction of groundwater and surface water resources in the State.

This legislation recognizes that States have primacy over groundwater but provides limited Federal assistance to help the State carry out its efforts and help water consumers.

I urge my colleagues to support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 1904.

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.

RECOGNIZING 63RD ANNIVERSARY OF BIG BEND NATIONAL PARK

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 483) recognizing the 63rd Anniversary of Big Bend National Park, established on June 12, 1944.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 483

Whereas Big Bend National Park is a scenic treasure of southwest Texas encompassing more than 800,000 acres;

Whereas Big Bend National Park manages nearly one quarter of the approximately 1000 mile stretch of the Rio Grande River that also serves as the boundary between the United States and Mexico;

Whereas along the boundary of the park, the flow of the Rio Grande River shifts from a southeasterly direction to the northeast, forming the bend after which the park is named;

Whereas Big Bend National Park is unique because it covers a variety of different ecosystems ranging from the Chihuahuan Desert to the Chisos Mountains;

Whereas Native people inhabited the area for thousands of years;

Whereas many people have traversed the Big Bend region in the past 150 years, including Spanish explorers, Comanche Indians, Mexican settlers, and American ranchers;

Whereas in 1933 the Texas Legislature, led by Everett Ewing Townsend, established the Texas Canyons State Park;

Whereas later that year the park was expanded and renamed Big Bend State Park;

Whereas Townsend later became known as the Father of Big Bend National Park;

Whereas between 1934 and 1942 the Civilian Conservation Corps worked diligently to make the park suitable for visitors; and

Whereas 63 years ago Big Bend National Park, "Texas' Gift to the Nation", was officially established on June 12, 1944: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 63rd anniversary of the founding of Big Bend National Park; and

(2) honors the National Park Service for their service to the Big Bend region and Big Bend National Park.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Maryland (Mr. SARBANES) and the gentleman from Oklahoma (Mr. COLE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

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

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

There was no objection.

Mr. SARBANES. Mr. Speaker, House Resolution 483 was introduced by our colleague from Texas, Representative CIRO RODRIGUEZ. And I know that Representative RODRIGUEZ wanted to be here today in the Chamber as we speak to this legislation but has been caught in the storms outside.

H. Res. 483 recognizes the 63rd anniversary of Big Bend National Park in west Texas and honors the National Park Service for their service to the Big Bend region and Big Bend National Park.

I want to commend Representative RODRIGUEZ for his efforts to bring congressional recognition to this special place and to the agency and hard-working employees who care for it.

Big Bend National Park is a spectacular 800,000-acre scenic treasure on the Rio Grande in west Texas. The park protects the largest representative example of the Chihuahuan Desert ecosystem within the United States. The park's river, desert and mountain environments support an extraordinary richness of biological diversity, including unique plants and animals that exist nowhere else in the world. The park provides outstanding recreation opportunities to over 300,000 visitors a year.

Big Bend is not only nationally significant but also internationally significant. Big Bend National Park manages nearly one-quarter of the approximately 1,000-mile stretch of the Rio Grande River that also serves as the boundary between the United States and Mexico.

Together with two Mexican protected areas, Big Bend is now part of the largest transboundary protected areas in North America, serving as a model for international cooperation.

Mr. Speaker, House Resolution 483 recognizes the importance of Big Bend National Park to the ecology, history and economy of west Texas. It also recognizes the hard work of the National Park Service and its employees and honors their service to the region and the country as a whole.

I urge my colleagues to support this resolution.

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

The majority has adequately explained this resolution. We join with

them in recognizing the 63rd anniversary of Big Bend National Park and hope this occasion will further highlight the need to secure our public lands from the ecological devastation caused by unfettered, illegal crossers and drug traffickers.

I urge colleagues to support this resolution.

Mr. RODRIGUEZ. Mr. Speaker, I rise today in support of H. Res. 483, to recognize the anniversary of Big Bend National Park.

Sixty-three years ago the State of Texas bestowed the 800,000 acres of pristine desert and mountain terrain that now make up the Big Bend National Park upon the United States of America.

Big Bend began as a small State park, but in 1942, just following the Great Depression, Texas purchased 600,000 acres of land from private landowners at the price of \$1.5 million.

The cost was high at the time, but Texas donated the land to the Federal Government for the establishment of a national park.

With that gesture, the State of Texas provided the Nation and its citizens with a majestic national park that has been enjoyed for over a half a century so far.

This resolution pays tribute not only to the picturesque landscape of the park itself, but to those who made it possible to preserve this land for generations to come.

Everett Ewing Townsend, known as the father of Big Bend National Park, was the champion of this effort.

In 1894 Townsend traveled to the Chisos Mountains and later recalled that the breathtaking southern view from the mountains made him "see God as he had never seen Him before."

He vowed to preserve the region in some way, and 63 years later we can see that he has made good on his promise.

His efforts, first in the State Legislature and later as the Commissioner of the national park, provided the United States with an unspoiled tract of land that has since been enjoyed by hundreds of thousands of visitors.

Big Bend National Park, encompassing the region where the Chihuahuan Desert intersects with the Chisos Mountains features a distinct landscape.

The park is surrounded on the south by the mighty Rio Grande.

The outer boundary is marked by the area where the flow of the river shifts from southeast to northeast, forming the giant bend after which the park is named.

With river, mountain and desert all in one, Big Bend National Park could easily be considered three parks in one.

However, west Texas is fortunate to have such a diverse environment preserved within the boundaries of one awe-inspiring park.

The establishment of Big Bend National Park in 1944 allowed the vast expanse of land to be conserved.

At the same time, it protected the rich history of the region.

Native people have inhabited the area for thousands of years, and in more recent years diverse groups of people have traversed the Big Bend.

In the past century and a half Spanish explorers, Comanche Indians, Mexican settlers and American ranchers have all traveled through or lived within the park's terrain.

Thus, this important resolution recognizes the 63rd anniversary of the establishment of

Big Bend National Park and the people who made their way through the region well before then.

H. Res. 483 also honors the National Park Service for their work in the Big Bend.

It is important that we recognize Big Bend National Park's contributions to our Nation as well as the contribution that the park's founders and staff have made to the land since then.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and agree to the resolution, H. Res. 483.

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.

UPPER MISSISSIPPI RIVER BASIN PROTECTION ACT

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2381) to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2381

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 "Upper Mississippi River Basin Protection Act".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Reliance on sound science.

TITLE I—SEDIMENT AND NUTRIENT MONITORING NETWORK

- Sec. 101. Establishment of monitoring network.
- Sec. 102. Data collection and storage responsibilities.
- Sec. 103. Relationship to existing sediment and nutrient monitoring.
- Sec. 104. Collaboration with other public and private monitoring efforts.
- Sec. 105. Reporting requirements.
- Sec. 106. National Research Council assessment.

TITLE II—COMPUTER MODELING AND RESEARCH

- Sec. 201. Computer modeling and research of sediment and nutrient sources.
- Sec. 202. Use of electronic means to distribute information.
- Sec. 203. Reporting requirements.

TITLE III—AUTHORIZATION OF APPROPRIATIONS AND RELATED MATTERS

- Sec. 301. Authorization of appropriations.
- Sec. 302. Cost-sharing requirements.

SEC. 2. DEFINITIONS.

In this Act:

(1) The terms "Upper Mississippi River Basin" and "Basin" mean the watershed portion of the Upper Mississippi River and Illinois River basins, from Cairo, Illinois, to the headwaters of the Mississippi River, in the

States of Minnesota, Wisconsin, Illinois, Iowa, and Missouri. The designation includes the Kaskaskia watershed along the Illinois River and the Meramec watershed along the Missouri River.

(2) The terms "Upper Mississippi River Stewardship Initiative" and "Initiative" mean the activities authorized or required by this Act to monitor nutrient and sediment loss in the Upper Mississippi River Basin.

(3) The term "sound science" refers to the use of accepted and documented scientific methods to identify and quantify the sources, transport, and fate of nutrients and sediment and to quantify the effect of various treatment methods or conservation measures on nutrient and sediment loss. Sound science requires the use of documented protocols for data collection and data analysis, and peer review of the data, results, and findings.

SEC. 3. RELIANCE ON SOUND SCIENCE.

It is the policy of Congress that Federal investments in the Upper Mississippi River Basin must be guided by sound science.

TITLE I—SEDIMENT AND NUTRIENT MONITORING NETWORK

SEC. 101. ESTABLISHMENT OF MONITORING NETWORK.

(a) ESTABLISHMENT.—As part of the Upper Mississippi River Stewardship Initiative, the Secretary of the Interior shall establish a sediment and nutrient monitoring network for the Upper Mississippi River Basin for the purposes of—

- (1) identifying and evaluating significant sources of sediment and nutrients in the Upper Mississippi River Basin;
- (2) quantifying the processes affecting mobilization, transport, and fate of those sediments and nutrients on land and in water;
- (3) quantifying the transport of those sediments and nutrients to and through the Upper Mississippi River Basin;
- (4) recording changes to sediment and nutrient loss over time;
- (5) providing coordinated data to be used in computer modeling of the Basin, pursuant to section 201; and
- (6) identifying major sources of sediment and nutrients within the Basin for the purpose of targeting resources to reduce sediment and nutrient loss.

(b) ROLE OF UNITED STATES GEOLOGICAL SURVEY.—The Secretary of the Interior shall carry out this title acting through the office of the Director of the United States Geological Survey.

SEC. 102. DATA COLLECTION AND STORAGE RESPONSIBILITIES.

(a) GUIDELINES FOR DATA COLLECTION AND STORAGE.—The Secretary of the Interior shall establish guidelines for the effective design of data collection activities regarding sediment and nutrient monitoring, for the use of suitable and consistent methods for data collection, and for consistent reporting, data storage, and archiving practices.

(b) RELEASE OF DATA.—Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin shall be released to the public using generic station identifiers and hydrologic unit codes. In the case of a monitoring station located on private lands, information regarding the location of the station shall not be disseminated without the landowner's permission.

(c) PROTECTION OF PRIVACY.—Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin is not subject to the mandatory disclosure provisions of section 552 of title 5, United States Code, but may be released only as provided in subsection (b).

SEC. 103. RELATIONSHIP TO EXISTING SEDIMENT AND NUTRIENT MONITORING.

(a) INVENTORY.—To the maximum extent practicable, the Secretary of the Interior

shall inventory the sediment and nutrient monitoring efforts, in existence as of the date of the enactment of this Act, of Federal, State, local, and nongovernmental entities for the purpose of creating a baseline understanding of overlap, data gaps and redundancies.

(b) INTEGRATION.—On the basis of the inventory, the Secretary of the Interior shall integrate the existing sediment and nutrient monitoring efforts, to the maximum extent practicable, into the sediment and nutrient monitoring network required by section 101.

(c) CONSULTATION AND USE OF EXISTING DATA.—In carrying out this section, the Secretary of the Interior shall make maximum use of data in existence as of the date of the enactment of this Act and of ongoing programs and efforts of Federal, State, tribal, local, and nongovernmental entities in developing the sediment and nutrient monitoring network required by section 101.

(d) COORDINATION WITH LONG-TERM ESTUARY ASSESSMENT PROJECT.—The Secretary of the Interior shall carry out this section in coordination with the long-term estuary assessment project authorized by section 902 of the Estuaries and Clean Waters Act of 2000 (Public Law 106-457; 33 U.S.C. 2901 note).

SEC. 104. COLLABORATION WITH OTHER PUBLIC AND PRIVATE MONITORING EFFORTS.

To establish the sediment and nutrient monitoring network, the Secretary of the Interior shall collaborate, to the maximum extent practicable, with other Federal, State, tribal, local and private sediment and nutrient monitoring programs that meet guidelines prescribed under section 102(a), as determined by the Secretary.

SEC. 105. REPORTING REQUIREMENTS.

The Secretary of the Interior shall report to Congress not later than 180 days after the date of the enactment of this Act on the development of the sediment and nutrient monitoring network.

SEC. 106. NATIONAL RESEARCH COUNCIL ASSESSMENT.

The National Research Council of the National Academy of Sciences shall conduct a comprehensive water resources assessment of the Upper Mississippi River Basin.

TITLE II—COMPUTER MODELING AND RESEARCH

SEC. 201. COMPUTER MODELING AND RESEARCH OF SEDIMENT AND NUTRIENT SOURCES.

(a) MODELING PROGRAM REQUIRED.—As part of the Upper Mississippi River Stewardship Initiative, the Director of the United States Geological Survey shall establish a modeling program to identify significant sources of sediment and nutrients in the Upper Mississippi River Basin.

(b) ROLE.—Computer modeling shall be used to identify subwatersheds which are significant sources of sediment and nutrient loss and shall be made available for the purposes of targeting public and private sediment and nutrient reduction efforts.

(c) COMPONENTS.—Sediment and nutrient models for the Upper Mississippi River Basin shall include the following:

- (1) Models to relate nutrient loss to landscape, land use, and land management practices.
- (2) Models to relate sediment loss to landscape, land use, and land management practices.
- (3) Models to define river channel nutrient transformation processes.

(d) COLLECTION OF ANCILLARY INFORMATION.—Ancillary information shall be collected in a GIS format to support modeling

and management use of modeling results, including the following:

- (1) Land use data.
- (2) Soils data.
- (3) Elevation data.
- (4) Information on sediment and nutrient reduction improvement actions.
- (5) Remotely sense data.

SEC. 202. USE OF ELECTRONIC MEANS TO DISTRIBUTE INFORMATION.

Not later than 90 days after the date of the enactment of this Act, the Director of the United States Geological Survey shall establish a system that uses the telecommunications medium known as the Internet to provide information regarding the following:

- (1) Public and private programs designed to reduce sediment and nutrient loss in the Upper Mississippi River Basin.
- (2) Information on sediment and nutrient levels in the Upper Mississippi River and its tributaries.
- (3) Successful sediment and nutrient reduction projects.

SEC. 203. REPORTING REQUIREMENTS.

(a) **MONITORING ACTIVITIES.**—Commencing one year after the date of the enactment of this Act, the Director of the United States Geological Survey shall provide to Congress and make available to the public an annual report regarding monitoring activities conducted in the Upper Mississippi River Basin.

(b) **MODELING ACTIVITIES.**—Every three years, the Director of the United States Geological Survey shall provide to Congress and make available to the public a progress report regarding modeling activities.

TITLE III—AUTHORIZATION OF APPROPRIATIONS AND RELATED MATTERS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) **UNITED STATES GEOLOGICAL SURVEY ACTIVITIES.**—There is authorized to be appropriated to the United States Geological Survey \$6,250,000 each fiscal year to carry out this Act (other than section 106). Of the amounts appropriated for a fiscal year pursuant to this authorization of appropriations, one-third shall be made available for the United States Geological Survey Cooperative Water Program and the remainder shall be made available for the United States Geological Survey Hydrologic Networks and Analysis Program.

(b) **WATER RESOURCE AND WATER QUALITY MANAGEMENT ASSESSMENT.**—There is authorized to be appropriated \$650,000 to allow the National Research Council to perform the assessment required by section 106.

SEC. 302. COST-SHARING REQUIREMENTS.

Funds made available for the United States Geological Survey Cooperative Water Program under section 301(a) shall be subject to the same cost sharing requirements as specified in the last proviso under the heading “**UNITED STATES GEOLOGICAL SURVEY—SURVEYS, INVESTIGATIONS, AND RESEARCH**” of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109-54; 119 Stat. 510; 43 U.S.C. 50).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentleman from Oklahoma (Mr. COLE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

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

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

There was no objection.

□ 1500

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

Mr. Speaker, H.R. 2381 directs the Secretary of the Interior, acting through the United States Geological Survey, to establish a nutrient and sediment monitoring network for the Upper Mississippi River Basin. We strongly support H.R. 2381, championed by our colleague on the Natural Resources Committee, Congressman RON KIND. This bill would put into place a coordinated public-private approach to sediment and nutrient monitoring in the Upper Mississippi River Basin as part of an effort to improve water quality.

The Upper Mississippi River is extremely important not only to the communities and States along the route it flows, but also to the Nation as a whole. Twenty-one years ago, Congress designated this river segment as both a nationally significant ecosystem and a nationally significant navigation system. It is the only inland river in the United States to have such a designation. Our colleague, RON KIND, has worked hard to secure enactment of this legislation. I commend him for his diligent effort on this important bill.

I urge my colleagues to support H.R. 2381.

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

Mr. COLE of Oklahoma. Mr. Speaker, I rise in support of H.R. 2381 and yield myself such time as I may consume.

Mr. Speaker, the Democratic bill manager has more than adequately explained this piece of legislation. The House has passed a similar version of this bill in the previous two Congresses. I am certainly happy to see that we are doing so again.

Mr. KIND. Mr. Speaker, I rise today in support of a bill I have authored that will help scientists and local officials make informed, scientifically based decisions about one of the most important natural resources in this country, the Upper Mississippi River.

The Mississippi River is one of America's great national treasures, running right through the heart of this country. It is North America's largest migratory bird flyway, with 40 percent of the continent's waterfowl species using this corridor during their annual migrations. It also waters the Nation's breadbasket, providing the nutrient-rich soils we enjoy in the midwest and water for irrigation. It also provides drinking water for nearly 30 million Americans and a passageway for billions of dollars in commerce.

But, the Mississippi is threatened by increasing sediment and nutrient flows that gum up the river and poison its ecosystems. H.R. 2381, The Upper Mississippi River Basin Protection Act, is a commonsense piece of legislation that would establish a coordinated public-private approach to reducing these threats, which affect all parts of the river and even the

Gulf of Mexico where nutrients have created and continue to enlarge the gulf dead zone.

We can address these issues, but we need hard scientific data to do it. That is where this bill comes in. H.R. 2381 establishes a sub-basin monitoring program whereby the United States Geological Service will monitor where nutrients enter the river and use computer modeling to follow the nutrient flows downstream. This will allow local conservationists and land managers to pinpoint exactly where conservation and education are most needed.

This scientific approach has received widespread approval and been endorsed by the five Upper Mississippi State Governors. I thank the Natural Resources Committee staff for helping put this innovative piece of legislation together, and I thank the chairman for his support of the bill. This bill has passed the House in each of the last three Congresses, and I urge my colleagues to support it again today.

Mr. COLE of Oklahoma. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. SARBANES. Mr. Speaker, I have no further requests for time. I do understand that Representative KIND has been delayed, as well, by the storm; and he wanted to be here.

Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 2381.

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

A motion to reconsider was laid on the table.

SUPPORTING HOME OWNERSHIP AND RESPONSIBLE LENDING

Mrs. MALONEY of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 526) supporting home ownership and responsible lending.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 526

Whereas home ownership is an important part of realizing the American Dream;

Whereas home ownership is a powerful economic stimulus, both for individual homeowners and for the national economy;

Whereas home ownership also benefits neighborhoods by raising property values and by providing economic and social capital in previously distressed communities;

Whereas in 2006, more than 75,000,000 Americans owned homes, and the home ownership rate was nearly 69 percent, a near record high;

Whereas the home ownership rate for non-Hispanic whites in 2006 was 76 percent, while the rate for African American households was only 48.2 percent; Hispanic households were at 49.5 percent, and Asian, Native Americans, and Pacific Islanders were at 60 percent;

Whereas this Nation experienced a housing boom from 2001 to 2006, due to historically low mortgage rates, rising home prices, and increased liquidity in the secondary mortgage market, all factors that led to the growth of the sub-prime mortgage industry;

Whereas the sub-prime market has created home ownership opportunities for lower-income people, families without access to down payments and people with little or no credit histories, but has also created opportunities for "predatory" lending in which unscrupulous lenders have hidden the true cost of sub-prime loans from unsophisticated borrowers;

Whereas during the past few months, it has become increasingly clear that irresponsible sub-prime lending practices have contributed to a wave of foreclosures that are harming communities and disrupting housing markets;

Whereas higher cost sub-prime mortgage loans are most prevalent in lower-income neighborhoods with high concentrations of minorities (in 2005, 53 percent of African American and 37.8 percent of Hispanic borrowers took out sub-prime loans);

Whereas foreclosures are also costly from a legal and administrative standpoint, with the average foreclosure costing the borrower \$7,200 in administrative charges;

Whereas lenders do not typically benefit from taking over a delinquent owner's property, losing thousands of dollars per foreclosure;

Whereas foreclosures can also be very costly for local governments because abandoned homes cost districts tax revenue;

Whereas a recent study calculated that a single-family home foreclosure lowers the value of homes located within one-eighth of a mile (or one city block) by an average of 0.9 percent and even more so (1.4 percent) in low to moderate-income communities; and

Whereas the time has come to raise awareness about the dangers of risky loans and to protect homeowners from unscrupulous lending practices: Now, therefore, be it

Resolved, That—

(1) it is the sense of the House that Government action should be taken that protects buyers from unscrupulous mortgage brokers and lenders; and

(2) specifically, such action should—

(A) enforce rules to eliminate unfair and deceptive practices in sub-prime mortgage lending;

(B) encourage lenders to evaluate a borrower's ability to reasonably repay any mortgage loan;

(C) establish clear minimum standards for mortgage originators;

(D) require that disclosures clearly and effectively communicate necessary information about any mortgage loan to the potential borrower;

(E) reduce or eliminate abuses in prepayment penalties;

(F) address appraisal and other mortgage fraud;

(G) raise public awareness regarding mortgage originators whose loans have high foreclosure rates; and

(H) increase opportunities for loan counseling.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. MALONEY) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous materials thereon.

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

There was no objection.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 526, a resolution that supports both homeownership and responsible lending. This resolution is on the floor today because we are facing, by all accounts, a tsunami of defaults and foreclosures in the primary subprime market. In each of our districts, our constituents are encountering payment shock as their subprime loans reset to much higher rates. By some estimates, 2.2 million homeowners with subprime loans made through 2006 will lose their homes.

As Chair of the House Subcommittee on Financial Institutions and Consumer Credit, I have held three hearings on this important and complex issue. At these hearings, we have heard from the Federal regulators, including the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, the National Credit Union Association, and the Federal Reserve. Acting in a cooperative manner, the FDIC, OCC, OTS and the Fed have issued joint guidance that require financial institutions under their supervision to issue mortgages based on the customer's ability to repay that mortgage.

This commonsense guidance includes underwriting loans to the fully indexed rate and not just to the 2- or 3-year teaser rates that have been so popular over the last few years, as well as allowing borrowers a reasonable time to refinance without prepayment penalties. At these hearings, we have also heard from consumer groups and advocates who tell us that while this guidance is a good first step, 50 percent of the mortgage market comes from lenders outside of the oversight of these Federal regulators.

To effect real change, we need standardized rules over the entire market. One option that has frequently been mentioned is for the Federal Reserve to use its authority to stop unfair and deceptive practices under the Homeownership and Equity Protection Act. I am told that the Fed is looking into this. I fully support their using this authority that the Congress has given them in this area.

Beyond HOEPA, we must work together here in Congress to ensure that unfair lending practices are not rewarded and that our constituents have access to credit. Over the coming months, I plan to continue working with Chairman FRANK and holding hearings on this issue and drafting legislation to address some of the problems that have been highlighted both in this resolution and at our hearings. Each and every one of us here in Congress wants to ensure that the American Dream of homeownership does not become a nightmare for our constituents. I support this resolution. I urge its passage.

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

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

I rise to support House Resolution 526, recognizing homeownership and responsible lending. As the ranking member of the House Committee on Financial Services Subcommittee on Housing and Community Opportunity, I want to thank the gentleman from Maryland, Representative CUMMINGS, and Chairman FRANK and Chairwoman MALONEY for working in a cooperative fashion to ensure that the language protects borrowers while preserving access to homeownership opportunities.

Over the past several years, the housing market has helped to drive the national economy as Americans bought and refinanced homes in record numbers. The benefits of homeownership are undeniable. For this reason, there has been a significant focus on improving homeownership opportunities for everyone, including the low-income borrower. At the same time, the subprime market has flourished and provided credit to many families that may not have qualified under conventional standards.

Today, this country enjoys record-high homeownership rates. More than 68 million Americans own a home. Of this 68 million, 50 million homeowners have a mortgage, and 13 million of them have a subprime loan. According to a recent Chicago Tribune article, "Subprime loans, often with adjustable rates, made homeownership possible for millions of Americans whose credit ratings or income levels made them ineligible for cheaper prime loans."

However, of the 13 million subprime loans, roughly 5 percent of them are entering foreclosure. According to the data released by the Mortgage Bankers Association, these numbers are on the rise. These mortgage foreclosure rates raise eyebrows and call into question what actions are to be taken to help homeowners keep their homes, and I would like to emphasize the word "action." While I believe that this resolution under consideration outlines many important facts, most of which Americans have seen printed in the news for months, it does not take action. The resolution tells the House something that we already have authority to do, and that is to take action.

Americans are waiting for the leadership of this House to exercise that authority. We can talk about the increase in foreclosure rates until we are blue in the face, and why is the leadership in this House waiting. The fact of the matter is, this body needs to join forces with the folks in the public and private sectors to take action immediately.

What it is we should be doing right now is to ensure that the 650,000 homeowners and others who may follow can keep their homes. First we can and should pass a Federal Housing Administration modernization bill. I introduced H.R. 1752, the Expanding American Homeownership Act of 2007, a bill

identical to the one that passed the House last July by a strong bipartisan vote of 415-7.

However, on the same day, two of my colleagues on the other side of the aisle introduced another FHA reform bill that includes a new and controversial housing trust fund provision. This trust fund provision has stalled the bill. So while the other side of the aisle is holding out for a brand-new trust fund, millions of Americans may lose their homes in 2007 because they did not have the refinancing option that a modernized FHA could have offered them.

In testimony before the House Financial Services Committee, U.S. Department of Housing and Urban Development Assistant Secretary for Housing Brian D. Montgomery urged Congress to pass an FHA reform bill and said FHA could help hundreds of thousands of additional borrowers to secure a safe and affordable mortgage. He said that the best thing to help subprime borrowers is to reform FHA, and he added that HUD is prepared to immediately implement FHA reforms.

Second, this resolution mentions we can immediately increase opportunities for housing counseling. It also says that we should raise public awareness. I think that first by advertising available resources we can both raise public awareness and increase opportunities for housing counseling. It is crucial to promote financial literacy and educate our youth and adults. This is the most direct way of ensuring that consumers understand the terms of their loan so that they may avoid predatory loans and foreclosure altogether.

I am pleased that on June 25, Neighborhood Works America and the Ad Council launched a national ad campaign aimed at preventing home foreclosures. Homeowners in trouble can try to save their homes by calling a hotline, 888-995-HOPE, a number provided by the Homeowner Preservation Foundation.

In addition, we have about 2,300 HUD-certified housing counseling agencies across the country. Americans should know they can visit HUD's Web site or call 800-569-4287 to find a HUD-certified counselor in their neighborhood. HUD-certified counselors can give straightforward and free or low-cost advice to potential or existing homeowners about buying a home, refinancing a mortgage, or preventing foreclosure.

Third, we need to address the root problems resulting from predatory or bad subprime loans. The Federal regulators have recently stepped up to the plate and tried to address the increasing number of foreclosures through interagency guidance on subprime loans. The guidance to mortgage lenders focuses on loans in the subprime market, particularly adjustable rate mortgage products. It specifies that a lender's assessment or a consumer's ability to repay should be based on the fully indexed rate, assuming a fully amortized repayment schedule. The

guidance also focuses on the need for clear and balanced communication to the borrower with regard to mortgage loan benefits.

I support these efforts, but there is much more to do. I know that the issue of mortgage fraud is hot in the Chicago area. We need to ensure that law enforcement has the necessary tools and resources to crack down on fraudulent activities.

Finally, I support this resolution because I agree with my colleagues on the importance of shedding some light on actions that Congress or Federal regulators can take to help homeowners enter into realistic and affordable loans in the future. As we consider our options to take action at the Federal level to help Americans keep and own their homes, I would urge my colleagues to carefully weigh the potential consequences of such actions.

We should allow secondary mortgage markets to adjust to the rise in foreclosures accordingly and to continue to supply liquidity to the primary mortgage market. Simultaneously, we should take immediate action. We need to pass FHA modernization now, and we need to ensure that people continue to have immediate access to financial education and counseling, credit, and viable mortgage options so that people in future generations can realize the American Dream of homeownership.

Again, I thank the gentleman from Maryland (Mr. CUMMINGS) for his hard work on this resolution.

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

□ 1515

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent to manage the time in lieu of the gentleman from New York (Mrs. MALONEY).

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, I yield myself 2 minutes.

The gentleman from Illinois decided to get into another bill, the FHA bill, and made a couple of statements about it, one of which is inaccurate and one of which is incomplete.

The inaccurate one is to suggest that it has been held up because of the fact that we want to use some of the money that will be generated by the bill, by specifically removing the cap on home equity mortgages, for affordable housing. I understand her objection to our trying to spend some money for more affordable housing construction, but that is not what held up the bill.

We ran into a dispute between those people who do the home equity mortgage servicing and the AARP over the fees to be charged. We adopted an amendment; it was a bipartisan amendment. Our colleague from Georgia, Mr. MARSHALL, and the gentlewoman from Florida (Mrs. GINNY BROWN-WAITE) offered an amendment, and that led to a

dispute. I asked that the groups try to work this out, and they have done that, so we are now able to come to the floor with that bill. But we then ran out of time because of the appropriations process. But what held that bill up was that dispute over funding.

Secondly, the gentlewoman said we passed this very good bill last year. We passed a bill last year, and I voted for it because, with the other party then in control, we couldn't make it better. But here is the major difference between that bill and the bill we will bring forward regarding subprime. Under the bill we passed last year and under the position of the gentlewoman from Illinois, people with weaker credit who make all of their payments will be charged more. I think it is inappropriate for the Federal Government to do that.

The FHA, under the bill that was passed last year, would extend credit to borrowers with weaker credit, would guarantee their mortgages but charge them more. Under our bill, because we don't think that the Federal Government ought to charge people more if they are meeting their responsibilities, we cross-subsidize, and we say, if you have weaker credit, your initial payments will be higher. But if you make your payments for 5 years, you will get all of the money back, and I look forward to debating that difference.

I don't think we should be penalizing people, and I don't think people making \$40,000 a year who are diligent in making their payments ought to pay more than us.

Mr. Speaker, on this resolution, I yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS) who was the main sponsor of this important resolution.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman for yielding, and I want to thank Mr. FRANK for his leadership and the assistance of his staff in helping us bring this resolution to the floor. And certainly I also say thanks to the ranking member of the subcommittee and the chair of the subcommittee.

Mr. Speaker, I rise today to encourage my colleagues to join me in supporting the passage of H. Res. 526, which supports homeownership and responsible lending. Specifically, this resolution expresses the sense of the House that government action should be taken to protect home buyers from unscrupulous brokers and lenders.

This resolution was inspired by the plight of the American people, the people of Maryland, and my neighbors in Maryland's Seventh Congressional District who have lost their homes to foreclosure or who are currently facing foreclosure.

The dramatic increase in foreclosures is directly related to the emergence of the subprime mortgage industry, which has grown from less than 8 percent of the total mortgage market in 2001 to approximately 20 percent of the market today.

While subprime loans are not inherently dangerous, practices within the industry are turning homeownership, an essential component of the American dream, into a nightmare, costing many people their ticket to the middle class and/or preventing them from passing property on to their children.

Subprime mortgage loans are geared towards borrowers with low credit scores. Other characteristics of the loans often include low initial payments based on a fixed introductory or "teaser" rate that expires after 2 or 3 years and then adjusts to a variable rate for the remaining term of the loan; no payment or rate caps on how much the payment amount or interest rate may increase on the reset dates; and substantial prepayment penalties.

Terms of this nature present incredible risks to consumers who find it impossible to meet the increased payment requirements. Furthermore, the risk of foreclosure increases when borrowers are not adequately informed of product features and risks. And I would say to this House, we must be very careful not to blame the victim.

Many believe that the government should just allow the market to correct itself. However, remaining idle while the situation continues to get worse is unconscionable. According to the Center for Responsible Lending, approximately one in five subprime loans issued in 2005 and 2006 will go into default, costing 2.2 million homeowners their homes over the next several years.

RealtyTrac, a real estate research firm, estimates that foreclosures have increased by 42 percent from 2005 to 2006, to 1.2 million. This translates into one foreclosure for every 92 households. Most alarming is the fact that new foreclosure events in May 2007 totaled over 176,000, an increase of 19 percent since April and of 90 percent since May of 2006.

Recent reports estimate that 5,700 homeowners in Maryland were facing foreclosure and over 36,000 were late on their mortgages in the first quarter of the year. Most startling is the fact that, in June, Maryland ranked 22nd nationally in foreclosures, up from 40th in 2006.

My congressional district alone had 466 foreclosures in the month of May. This equates to a 570 percent increase since May 2005.

Mr. Speaker, these are astounding figures, but when combined with the impact that foreclosures have upon families and their communities, there is little doubt that immediate action needs to be taken to address this national crisis. We must do everything in our power to protect the future of homeownership.

A foreclosure results not only in the loss of a stable living place and significant investment for a family, but it also lowers the homeowner's credit rating, creating barriers to future home purchases and also hindering the ability to pay rent. It typically takes a

victim of foreclosure 10 years to recover and buy another house, which means that more and more potential homeowners will be taken out of the home buyer base.

For lower-income communities attempting to revitalize, the consequence of increased foreclosures is often a substantial setback in neighborhood security and sustainability. Areas of concentrated foreclosures can affect the price that other sellers can get for their houses. As higher foreclosure rates ripple through local markets, each house tossed back into the market adds to the supply of for-sale homes and could bring down home prices. In the last 2 years, foreclosures have cost the city of Baltimore approximately \$1.8 billion in reduced property values.

Finally, the predominance of subprime loans in low-income and/or minority neighborhoods means that the bulk of the spillover costs of foreclosures are concentrated among the Nation's most vulnerable households. These neighborhoods already have incidences of crime, and increased foreclosures have been found to contribute to higher levels of violent crime. Because of the inherent dangers posed by foreclosures, we must act now to save families across this Nation and preserve our communities.

Various pieces of legislation have been introduced in the House and Senate to help homeowners refinance their homes, but congressional action alone will not fix the problem. Earlier this year, I sent a letter to Chairman Bernanke of the Federal Reserve asking that action be taken to protect homeowners from predatory lending practices using its authority under the Home Ownership Equity Protection Act. I am pleased that the board and other regulators recently issued guidelines to lenders that encompass many of the ideas expressed in the letter sent in May and in House Resolution 526, which states that the government action should do the following: enforce rules to eliminate unfair and deceptive practices in subprime mortgage lending; encourage lenders to evaluate a borrower's ability to reasonably repay the mortgage over the life of the loan, not just at the introductory rate; establish clear minimum standards for mortgage originators; require that disclosures clearly and effectively communicate necessary information about any mortgage loan to the potential borrower; reduce or eliminate abuses in prepayment penalties; address appraisal and other mortgage fraud; raise public awareness regarding mortgage originators whose loans have high foreclosure rates; and increase opportunities for loan counseling.

Mr. Speaker, in closing, I would like to reiterate that owning a home is an essential component of the American dream. Simply put, homeownership has the power to transform lives. Therefore, I urge all of my colleagues to vote in favor of this resolution and continue

working to address this critical issue. Again, I thank Chairman FRANK for his leadership.

Mrs. BIGGERT. Mr. Speaker, I have no further requests for time but would just ask one question of the chairman.

I think this is so important, and you mentioned that the FHA bill will be coming up. I was curious as to when we would be considering a subprime bill?

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. In the fall. As the gentlewoman knows, this period is appropriations period, except for the voucher bill where we had gotten in line.

But I would hope that we can work in committee on the subprime. I would note, by the way, that 2 years ago, the current ranking member of the full committee was the chairman of the Subcommittee on Financial Institutions, and he was pretty far along in conversations with my two colleagues from North Carolina, Mr. WATT and Mr. MILLER. And frankly, I think if we had not been interfered with from above, we might have gotten a bill a couple of years ago. I think we can pick up where we left off. I am optimistic we can do a bill this fall.

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman, and I thank the gentleman from Maryland (Mr. CUMMINGS) for bringing this resolution forward and outlining the important facts that will enable and make certain that people can keep their homes.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. MALONEY) that the House suspend the rules and agree to the resolution, H. Res. 526.

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.

FOREIGN INVESTMENT AND NATIONAL SECURITY ACT OF 2007

Mrs. MALONEY of New York. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 556) to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined

for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Foreign Investment and National Security Act of 2007”.

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

Sec. 1. Short title; table of contents.

Sec. 2. United States security improvement amendments; clarification of review and investigation process.

Sec. 3. Statutory establishment of the Committee on Foreign Investment in the United States.

Sec. 4. Additional factors for consideration.

Sec. 5. Mitigation, tracking, and postconsummation monitoring and enforcement.

Sec. 6. Action by the President.

Sec. 7. Increased oversight by Congress.

Sec. 8. Certification of notices and assurances.

Sec. 9. Regulations.

Sec. 10. Effect on other law.

Sec. 11. Clerical amendments

Sec. 12. Effective date.

SEC. 2. UNITED STATES SECURITY IMPROVEMENT AMENDMENTS; CLARIFICATION OF REVIEW AND INVESTIGATION PROCESSES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsections (a) and (b) and inserting the following:

“(a) **DEFINITIONS.**—For purposes of this section, the following definitions shall apply:

“(1) **COMMITTEE; CHAIRPERSON.**—The terms ‘Committee’ and ‘chairperson’ mean the Committee on Foreign Investment in the United States and the chairperson thereof, respectively.

“(2) **CONTROL.**—The term ‘control’ has the meaning given to such term in regulations which the Committee shall prescribe.

“(3) **COVERED TRANSACTION.**—The term ‘covered transaction’ means any merger, acquisition, or takeover that is proposed or pending after August 23, 1988, by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States.

“(4) **FOREIGN GOVERNMENT-CONTROLLED TRANSACTION.**—The term ‘foreign government-controlled transaction’ means any covered transaction that could result in the control of any person engaged in interstate commerce in the United States by a foreign government or an entity controlled by or acting on behalf of a foreign government.

“(5) **CLARIFICATION.**—The term ‘national security’ shall be construed so as to include those issues relating to ‘homeland security’, including its application to critical infrastructure.

“(6) **CRITICAL INFRASTRUCTURE.**—The term ‘critical infrastructure’ means, subject to rules issued under this section, systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems or assets would have a debilitating impact on national security.

“(7) **CRITICAL TECHNOLOGIES.**—The term ‘critical technologies’ means critical technology, critical components, or critical technology items essential to national defense, identified pursuant to this section, subject to regulations issued at the direction of the President, in accordance with subsection (h).

“(8) **LEAD AGENCY.**—The term ‘lead agency’ means the agency, or agencies, designated as

the lead agency or agencies pursuant to subsection (k)(5) for the review of a transaction.

“(b) **NATIONAL SECURITY REVIEWS AND INVESTIGATIONS.**—

“(1) **NATIONAL SECURITY REVIEWS.**—

“(A) **IN GENERAL.**—Upon receiving written notification under subparagraph (C) of any covered transaction, or pursuant to a unilateral notification initiated under subparagraph (D) with respect to any covered transaction, the President, acting through the Committee—

“(i) shall review the covered transaction to determine the effects of the transaction on the national security of the United States; and

“(ii) shall consider the factors specified in subsection (f) for such purpose, as appropriate.

“(B) **CONTROL BY FOREIGN GOVERNMENT.**—If the Committee determines that the covered transaction is a foreign government-controlled transaction, the Committee shall conduct an investigation of the transaction under paragraph (2).

“(C) **WRITTEN NOTICE.**—

“(i) **IN GENERAL.**—Any party or parties to any covered transaction may initiate a review of the transaction under this paragraph by submitting a written notice of the transaction to the Chairperson of the Committee.

“(ii) **WITHDRAWAL OF NOTICE.**—No covered transaction for which a notice was submitted under clause (i) may be withdrawn from review, unless a written request for such withdrawal is submitted to the Committee by any party to the transaction and approved by the Committee.

“(iii) **CONTINUING DISCUSSIONS.**—A request for withdrawal under clause (ii) shall not be construed to preclude any party to the covered transaction from continuing informal discussions with the Committee or any member thereof regarding possible resubmission for review pursuant to this paragraph.

“(D) **UNILATERAL INITIATION OF REVIEW.**—Subject to subparagraph (F), the President or the Committee may initiate a review under subparagraph (A) of—

“(i) any covered transaction;

“(ii) any covered transaction that has previously been reviewed or investigated under this section, if any party to the transaction submitted false or misleading material information to the Committee in connection with the review or investigation or omitted material information, including material documents, from information submitted to the Committee; or

“(iii) any covered transaction that has previously been reviewed or investigated under this section, if—

“(I) any party to the transaction or the entity resulting from consummation of the transaction intentionally materially breaches a mitigation agreement or condition described in subsection (1)(1)(A);

“(II) such breach is certified to the Committee by the lead department or agency monitoring and enforcing such agreement or condition as an intentional material breach; and

“(III) the Committee determines that there are no other remedies or enforcement tools available to address such breach.

“(E) **TIMING.**—Any review under this paragraph shall be completed before the end of the 30-day period beginning on the date of the acceptance of written notice under subparagraph (C) by the chairperson, or beginning on the date of the initiation of the review in accordance with subparagraph (D), as applicable.

“(F) **LIMIT ON DELEGATION OF CERTAIN AUTHORITY.**—The authority of the Committee to initiate a review under subparagraph (D) may not be delegated to any person, other than the Deputy Secretary or an appropriate Under Secretary of the department or agency represented on the Committee.

“(2) **NATIONAL SECURITY INVESTIGATIONS.**—

“(A) **IN GENERAL.**—In each case described in subparagraph (B), the Committee shall immediately conduct an investigation of the effects of a covered transaction on the national security

of the United States, and take any necessary actions in connection with the transaction to protect the national security of the United States.

“(B) **APPLICABILITY.**—Subparagraph (A) shall apply in each case in which—

“(i) a review of a covered transaction under paragraph (1) results in a determination that—

“(I) the transaction threatens to impair the national security of the United States and that threat has not been mitigated during or prior to the review of a covered transaction under paragraph (1);

“(II) the transaction is a foreign government-controlled transaction; or

“(III) the transaction would result in control of any critical infrastructure of or within the United States by or on behalf of any foreign person, if the Committee determines that the transaction could impair national security, and that such impairment to national security has not been mitigated by assurances provided or renewed with the approval of the Committee, as described in subsection (1), during the review period under paragraph (1); or

“(ii) the lead agency recommends, and the Committee concurs, that an investigation be undertaken.

“(C) **TIMING.**—Any investigation under subparagraph (A) shall be completed before the end of the 45-day period beginning on the date on which the investigation commenced.

“(D) **EXCEPTION.**—

“(i) **IN GENERAL.**—Notwithstanding subparagraph (B)(i), an investigation of a foreign government-controlled transaction described in subclause (II) of subparagraph (B)(i) or a transaction involving critical infrastructure described in subclause (III) of subparagraph (B)(i) shall not be required under this paragraph, if the Secretary of the Treasury and the head of the lead agency jointly determine, on the basis of the review of the transaction under paragraph (1), that the transaction will not impair the national security of the United States.

“(ii) **NONDELEGATION.**—The authority of the Secretary or the head of an agency referred to in clause (i) may not be delegated to any person, other than the Deputy Secretary of the Treasury or the deputy head (or the equivalent thereof) of the lead agency, respectively.

“(E) **GUIDANCE ON CERTAIN TRANSACTIONS WITH NATIONAL SECURITY IMPLICATIONS.**—The Chairperson shall, not later than 180 days after the effective date of the Foreign Investment and National Security Act of 2007, publish in the Federal Register guidance on the types of transactions that the Committee has reviewed and that have presented national security considerations, including transactions that may constitute covered transactions that would result in control of critical infrastructure relating to United States national security by a foreign government or an entity controlled by or acting on behalf of a foreign government.

“(3) **CERTIFICATIONS TO CONGRESS.**—

“(A) **CERTIFIED NOTICE AT COMPLETION OF REVIEW.**—Upon completion of a review under subsection (b) that concludes action under this section, the chairperson and the head of the lead agency shall transmit a certified notice to the members of Congress specified in subparagraph (C)(iii).

“(B) **CERTIFIED REPORT AT COMPLETION OF INVESTIGATION.**—As soon as is practicable after completion of an investigation under subsection (b) that concludes action under this section, the chairperson and the head of the lead agency shall transmit to the members of Congress specified in subparagraph (C)(iii) a certified written report (consistent with the requirements of subsection (c)) on the results of the investigation, unless the matter under investigation has been sent to the President for decision.

“(C) **CERTIFICATION PROCEDURES.**—

“(i) **IN GENERAL.**—Each certified notice and report required under subparagraphs (A) and (B), respectively, shall be submitted to the members of Congress specified in clause (iii), and shall include—

“(I) a description of the actions taken by the Committee with respect to the transaction; and

“(II) identification of the determinative factors considered under subsection (f).

“(ii) **CONTENT OF CERTIFICATION.**—Each certified notice and report required under subparagraphs (A) and (B), respectively, shall be signed by the chairperson and the head of the lead agency, and shall state that, in the determination of the Committee, there are no unresolved national security concerns with the transaction that is the subject of the notice or report.

“(iii) **MEMBERS OF CONGRESS.**—Each certified notice and report required under subparagraphs (A) and (B), respectively, shall be transmitted—

“(I) to the Majority Leader and the Minority Leader of the Senate;

“(II) to the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate and of any committee of the Senate having oversight over the lead agency;

“(III) to the Speaker and the Minority Leader of the House of Representatives;

“(IV) to the chair and ranking member of the Committee on Financial Services of the House of Representatives and of any committee of the House of Representatives having oversight over the lead agency; and

“(V) with respect to covered transactions involving critical infrastructure, to the members of the Senate from the State in which the principal place of business of the acquired United States person is located, and the member from the Congressional District in which such principal place of business is located.

“(iv) **SIGNATURES; LIMIT ON DELEGATION.**—

“(I) **IN GENERAL.**—Each certified notice and report required under subparagraphs (A) and (B), respectively, shall be signed by the chairperson and the head of the lead agency, which signature requirement may only be delegated in accordance with subclause (II).

“(II) **LIMITATION ON DELEGATION OF CERTIFICATIONS.**—The chairperson and the head of the lead agency may delegate the signature requirement under subclause (I)—

“(aa) only to an appropriate employee of the Department of the Treasury (in the case of the Secretary of the Treasury) or to an appropriate employee of the lead agency (in the case of the lead agency) who was appointed by the President, by and with the advice and consent of the Senate, with respect to any notice provided under paragraph (1) following the completion of a review under this section; or

“(bb) only to a Deputy Secretary of the Treasury (in the case of the Secretary of the Treasury) or a person serving in the Deputy position or the equivalent thereof at the lead agency (in the case of the lead agency), with respect to any report provided under subparagraph (B) following an investigation under this section.

“(4) **ANALYSIS BY DIRECTOR OF NATIONAL INTELLIGENCE.**—

“(A) **IN GENERAL.**—The Director of National Intelligence shall expeditiously carry out a thorough analysis of any threat to the national security of the United States posed by any covered transaction. The Director of National Intelligence shall also seek and incorporate the views of all affected or appropriate intelligence agencies with respect to the transaction.

“(B) **TIMING.**—The analysis required under subparagraph (A) shall be provided by the Director of National Intelligence to the Committee not later than 20 days after the date on which notice of the transaction is accepted by the Committee under paragraph (1)(C), but such analysis may be supplemented or amended, as the Director considers necessary or appropriate, or upon a request for additional information by the Committee. The Director may begin the analysis at any time prior to acceptance of the notice, in accordance with otherwise applicable law.

“(C) **INTERACTION WITH INTELLIGENCE COMMUNITY.**—The Director of National Intelligence shall ensure that the intelligence community re-

mains engaged in the collection, analysis, and dissemination to the Committee of any additional relevant information that may become available during the course of any investigation conducted under subsection (b) with respect to a transaction.

“(D) **INDEPENDENT ROLE OF DIRECTOR.**—The Director of National Intelligence shall be a nonvoting, ex officio member of the Committee, and shall be provided with all notices received by the Committee under paragraph (1)(C) regarding covered transactions, but shall serve no policy role on the Committee, other than to provide analysis under subparagraphs (A) and (C) in connection with a covered transaction.

“(5) **SUBMISSION OF ADDITIONAL INFORMATION.**—No provision of this subsection shall be construed as prohibiting any party to a covered transaction from submitting additional information concerning the transaction, including any proposed restructuring of the transaction or any modifications to any agreements in connection with the transaction, while any review or investigation of the transaction is ongoing.

“(6) **NOTICE OF RESULTS TO PARTIES.**—The Committee shall notify the parties to a covered transaction of the results of a review or investigation under this section, promptly upon completion of all action under this section.

“(7) **REGULATIONS.**—Regulations prescribed under this section shall include standard procedures for—

“(A) submitting any notice of a covered transaction to the Committee;

“(B) submitting a request to withdraw a covered transaction from review;

“(C) resubmitting a notice of a covered transaction that was previously withdrawn from review; and

“(D) providing notice of the results of a review or investigation to the parties to the covered transaction, upon completion of all action under this section.”

SEC. 3. STATUTORY ESTABLISHMENT OF THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsection (k) and inserting the following:

“(k) **COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.**—

“(1) **ESTABLISHMENT.**—The Committee on Foreign Investment in the United States, established pursuant to Executive Order No. 11858, shall be a multi agency committee to carry out this section and such other assignments as the President may designate.

“(2) **MEMBERSHIP.**—The Committee shall be comprised of the following members or the designee of any such member:

“(A) The Secretary of the Treasury.

“(B) The Secretary of Homeland Security.

“(C) The Secretary of Commerce.

“(D) The Secretary of Defense.

“(E) The Secretary of State.

“(F) The Attorney General of the United States.

“(G) The Secretary of Energy.

“(H) The Secretary of Labor (nonvoting, ex officio).

“(I) The Director of National Intelligence (nonvoting, ex officio).

“(J) The heads of any other executive department, agency, or office, as the President determines appropriate, generally or on a case-by-case basis.

“(3) **CHAIRPERSON.**—The Secretary of the Treasury shall serve as the chairperson of the Committee.

“(4) **ASSISTANT SECRETARY FOR THE DEPARTMENT OF THE TREASURY.**—There shall be established an additional position of Assistant Secretary of the Treasury, who shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Secretary appointed under this paragraph shall report directly to the Undersecretary of the Treasury for International Affairs. The duties of the Assist-

ant Secretary shall include duties related to the Committee on Foreign Investment in the United States, as delegated by the Secretary of the Treasury under this section.

“(5) **DESIGNATION OF LEAD AGENCY.**—The Secretary of the Treasury shall designate, as appropriate, a member or members of the Committee to be the lead agency or agencies on behalf of the Committee—

“(A) for each covered transaction, and for negotiating any mitigation agreements or other conditions necessary to protect national security; and

“(B) for all matters related to the monitoring of the completed transaction, to ensure compliance with such agreements or conditions and with this section.

“(6) **OTHER MEMBERS.**—The chairperson shall consult with the heads of such other Federal departments, agencies, and independent establishments in any review or investigation under subsection (a), as the chairperson determines to be appropriate, on the basis of the facts and circumstances of the covered transaction under review or investigation (or the designee of any such department or agency head).

“(7) **MEETINGS.**—The Committee shall meet upon the direction of the President or upon the call of the chairperson, without regard to section 552b of title 5, United States Code (if otherwise applicable).”

SEC. 4. ADDITIONAL FACTORS FOR CONSIDERATION.

Section 721(f) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(f)) is amended—

(1) in the matter preceding paragraph (1), by striking “among other factors”;

(2) in paragraph (4)—

(A) in subparagraph (A) by striking “or” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C);

(C) by inserting after subparagraph (A) the following:

“(B) identified by the Secretary of Defense as posing a potential regional military threat to the interests of the United States; or”;

(D) by striking “and” at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(6) the potential national security-related effects on United States critical infrastructure, including major energy assets;

“(7) the potential national security-related effects on United States critical technologies;

“(8) whether the covered transaction is a foreign government-controlled transaction, as determined under subsection (b)(1)(B);

“(9) as appropriate, and particularly with respect to transactions requiring an investigation under subsection (b)(1)(B), a review of the current assessment of—

“(A) the adherence of the subject country to nonproliferation control regimes, including treaties and multilateral supply guidelines, which shall draw on, but not be limited to, the annual report on ‘Adherence to and Compliance with Arms Control, Nonproliferation and Disarmament Agreements and Commitments’ required by section 403 of the Arms Control and Disarmament Act;

“(B) the relationship of such country with the United States, specifically on its record on cooperating in counter-terrorism efforts, which shall draw on, but not be limited to, the report of the President to Congress under section 7120 of the Intelligence Reform and Terrorism Prevention Act of 2004; and

“(C) the potential for transshipment or diversion of technologies with military applications, including an analysis of national export control laws and regulations;

“(10) the long-term projection of United States requirements for sources of energy and other critical resources and material; and

“(11) such other factors as the President or the Committee may determine to be appropriate,

generally or in connection with a specific review or investigation.”.

SEC. 5. MITIGATION, TRACKING, AND POSTCONSUMMATION MONITORING AND ENFORCEMENT.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

“(1) MITIGATION, TRACKING, AND POSTCONSUMMATION MONITORING AND ENFORCEMENT.—

“(1) MITIGATION.—

“(A) IN GENERAL.—The Committee or a lead agency may, on behalf of the Committee, negotiate, enter into or impose, and enforce any agreement or condition with any party to the covered transaction in order to mitigate any threat to the national security of the United States that arises as a result of the covered transaction.

“(B) RISK-BASED ANALYSIS REQUIRED.—Any agreement entered into or condition imposed under subparagraph (A) shall be based on a risk-based analysis, conducted by the Committee, of the threat to national security of the covered transaction.

“(2) TRACKING AUTHORITY FOR WITHDRAWN NOTICES.—

“(A) IN GENERAL.—If any written notice of a covered transaction that was submitted to the Committee under this section is withdrawn before any review or investigation by the Committee under subsection (b) is completed, the Committee shall establish, as appropriate—

“(i) interim protections to address specific concerns with such transaction that have been raised in connection with any such review or investigation pending any resubmission of any written notice under this section with respect to such transaction and further action by the President under this section;

“(ii) specific time frames for resubmitting any such written notice; and

“(iii) a process for tracking any actions that may be taken by any party to the transaction, in connection with the transaction, before the notice referred to in clause (ii) is resubmitted.

“(B) DESIGNATION OF AGENCY.—The lead agency, other than any entity of the intelligence community (as defined in the National Security Act of 1947), shall, on behalf of the Committee, ensure that the requirements of subparagraph (A) with respect to any covered transaction that is subject to such subparagraph are met.

“(3) NEGOTIATION, MODIFICATION, MONITORING, AND ENFORCEMENT.—

“(A) DESIGNATION OF LEAD AGENCY.—The lead agency shall negotiate, modify, monitor, and enforce, on behalf of the Committee, any agreement entered into or condition imposed under paragraph (1) with respect to a covered transaction, based on the expertise with and knowledge of the issues related to such transaction on the part of the designated department or agency. Nothing in this paragraph shall prohibit other departments or agencies in assisting the lead agency in carrying out the purposes of this paragraph.

“(B) REPORTING BY DESIGNATED AGENCY.—

“(i) MODIFICATION REPORTS.—The lead agency in connection with any agreement entered into or condition imposed with respect to a covered transaction shall—

“(I) provide periodic reports to the Committee on any material modification to any such agreement or condition imposed with respect to the transaction; and

“(II) ensure that any material modification to any such agreement or condition is reported to the Director of National Intelligence, the Attorney General of the United States, and any other Federal department or agency that may have a material interest in such modification.

“(ii) COMPLIANCE.—The Committee shall develop and agree upon methods for evaluating compliance with any agreement entered into or condition imposed with respect to a covered transaction that will allow the Committee to adequately assure compliance, without—

“(I) unnecessarily diverting Committee resources from assessing any new covered transaction for which a written notice has been filed pursuant to subsection (b)(1)(C), and if necessary, reaching a mitigation agreement with or imposing a condition on a party to such covered transaction or any covered transaction for which a review has been reopened for any reason; or

“(II) placing unnecessary burdens on a party to a covered transaction.”.

SEC. 6. ACTION BY THE PRESIDENT.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsections (d) and (e) and inserting the following:

“(d) ACTION BY THE PRESIDENT.—

“(1) IN GENERAL.—Subject to paragraph (4), the President may take such action for such time as the President considers appropriate to suspend or prohibit any covered transaction that threatens to impair the national security of the United States.

“(2) ANNOUNCEMENT BY THE PRESIDENT.—The President shall announce the decision on whether or not to take action pursuant to paragraph (1) not later than 15 days after the date on which an investigation described in subsection (b) is completed.

“(3) ENFORCEMENT.—The President may direct the Attorney General of the United States to seek appropriate relief, including divestment relief, in the district courts of the United States, in order to implement and enforce this subsection.

“(4) FINDINGS OF THE PRESIDENT.—The President may exercise the authority conferred by paragraph (1), only if the President finds that—

“(A) there is credible evidence that leads the President to believe that the foreign interest exercising control might take action that threatens to impair the national security; and

“(B) provisions of law, other than this section and the International Emergency Economic Powers Act, do not, in the judgment of the President, provide adequate and appropriate authority for the President to protect the national security in the matter before the President.

“(5) FACTORS TO BE CONSIDERED.—For purposes of determining whether to take action under paragraph (1), the President shall consider, among other factors each of the factors described in subsection (f), as appropriate.

“(e) ACTIONS AND FINDINGS NONREVIEWABLE.—The actions of the President under paragraph (1) of subsection (d) and the findings of the President under paragraph (4) of subsection (d) shall not be subject to judicial review.”.

SEC. 7. INCREASED OVERSIGHT BY CONGRESS.

(a) REPORT ON ACTIONS.—Section 721(g) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(g)) is amended to read as follows:

“(g) ADDITIONAL INFORMATION TO CONGRESS; CONFIDENTIALITY.—

“(1) BRIEFING REQUIREMENT ON REQUEST.—The Committee shall, upon request from any Member of Congress specified in subsection (b)(3)(C)(iii), promptly provide briefings on a covered transaction for which all action has concluded under this section, or on compliance with a mitigation agreement or condition imposed with respect to such transaction, on a classified basis, if deemed necessary by the sensitivity of the information. Briefings under this paragraph may be provided to the congressional staff of such a Member of Congress having appropriate security clearance.

“(2) APPLICATION OF CONFIDENTIALITY PROVISIONS.—

“(A) IN GENERAL.—The disclosure of information under this subsection shall be consistent with the requirements of subsection (c). Members of Congress and staff of either House of Congress or any committee of Congress, shall be subject to the same limitations on disclosure of information as are applicable under subsection (c).

“(B) PROPRIETARY INFORMATION.—Proprietary information which can be associated with a particular party to a covered transaction shall be furnished in accordance with subparagraph (A) only to a committee of Congress, and only when the committee provides assurances of confidentiality, unless such party otherwise consents in writing to such disclosure.”.

(b) ANNUAL REPORT.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

“(m) ANNUAL REPORT TO CONGRESS.—

“(1) IN GENERAL.—The chairperson shall transmit a report to the chairman and ranking member of the committee of jurisdiction in the Senate and the House of Representatives, before July 31 of each year on all of the reviews and investigations of covered transactions completed under subsection (b) during the 12-month period covered by the report.

“(2) CONTENTS OF REPORT RELATING TO COVERED TRANSACTIONS.—The annual report under paragraph (1) shall contain the following information, with respect to each covered transaction, for the reporting period:

“(A) A list of all notices filed and all reviews or investigations completed during the period, with basic information on each party to the transaction, the nature of the business activities or products of all pertinent persons, along with information about any withdrawal from the process, and any decision or action by the President under this section.

“(B) Specific, cumulative, and, as appropriate, trend information on the numbers of filings, investigations, withdrawals, and decisions or actions by the President under this section.

“(C) Cumulative and, as appropriate, trend information on the business sectors involved in the filings which have been made, and the countries from which the investments have originated.

“(D) Information on whether companies that withdrew notices to the Committee in accordance with subsection (b)(1)(C)(ii) have later refiled such notices, or, alternatively, abandoned the transaction.

“(E) The types of security arrangements and conditions the Committee has used to mitigate national security concerns about a transaction, including a discussion of the methods that the Committee and any lead agency are using to determine compliance with such arrangements or conditions.

“(F) A detailed discussion of all perceived adverse effects of covered transactions on the national security or critical infrastructure of the United States that the Committee will take into account in its deliberations during the period before delivery of the next report, to the extent possible.

“(3) CONTENTS OF REPORT RELATING TO CRITICAL TECHNOLOGIES.—

“(A) IN GENERAL.—In order to assist Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall include in the annual report submitted under paragraph (1)—

“(i) an evaluation of whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer; and

“(ii) an evaluation of whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technologies.

“(B) RELEASE OF UNCLASSIFIED STUDY.—All appropriate portions of the annual report under paragraph (1) may be classified. An unclassified version of the report, as appropriate, consistent with safeguarding national security and privacy, shall be made available to the public.”.

(c) **STUDY AND REPORT.**—

(1) **STUDY REQUIRED.**—Before the end of the 120-day period beginning on the date of enactment of this Act and annually thereafter, the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Commerce, shall conduct a study on foreign direct investments in the United States, especially investments in critical infrastructure and industries affecting national security, by—

(A) foreign governments, entities controlled by or acting on behalf of a foreign government, or persons of foreign countries which comply with any boycott of Israel; or

(B) foreign governments, entities controlled by or acting on behalf of a foreign government, or persons of foreign countries which do not ban organizations designated by the Secretary of State as foreign terrorist organizations.

(2) **REPORT.**—Before the end of the 30-day period beginning upon the date of completion of each study under paragraph (1), and thereafter in each annual report under section 721(m) of the Defense Production Act of 1950 (as added by this section), the Secretary of the Treasury shall submit a report to Congress, for transmittal to all appropriate committees of the Senate and the House of Representatives, containing the findings and conclusions of the Secretary with respect to the study described in paragraph (1), together with an analysis of the effects of such investment on the national security of the United States and on any efforts to address those effects.

(d) **INVESTIGATION BY INSPECTOR GENERAL.**—

(1) **IN GENERAL.**—The Inspector General of the Department of the Treasury shall conduct an independent investigation to determine all of the facts and circumstances concerning each failure of the Department of the Treasury to make any report to the Congress that was required under section 721(k) of the Defense Production Act of 1950, as in effect on the day before the date of enactment of this Act.

(2) **REPORT TO THE CONGRESS.**—Before the end of the 270-day period beginning on the date of enactment of this Act, the Inspector General of the Department of the Treasury shall submit a report on the investigation under paragraph (1) containing the findings and conclusions of the Inspector General, to the chairman and ranking member of each committee of the Senate and the House of Representatives having jurisdiction over any aspect of the report, including, at a minimum, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives.

SEC. 8. CERTIFICATION OF NOTICES AND ASSURANCES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

“(n) **CERTIFICATION OF NOTICES AND ASSURANCES.**—Each notice, and any followup information, submitted under this section and regulations prescribed under this section to the President or the Committee by a party to a covered transaction, and any information submitted by any such party in connection with any action for which a report is required pursuant to paragraph (3)(B) of subsection (1), with respect to the implementation of any mitigation agreement or condition described in paragraph (1)(A) of subsection (1), or any material change in circumstances, shall be accompanied by a written statement by the chief executive officer or the designee of the person required to submit such notice or information certifying that, to the best of the knowledge and belief of that person—

“(1) the notice or information submitted fully complies with the requirements of this section or such regulation, agreement, or condition; and

“(2) the notice or information is accurate and complete in all material respects.”

SEC. 9. REGULATIONS.

Section 721(h) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(h)) is amended to read as follows:

“(h) **REGULATIONS.**—

“(1) **IN GENERAL.**—The President shall direct, subject to notice and comment, the issuance of regulations to carry out this section.

“(2) **EFFECTIVE DATE.**—Regulations issued under this section shall become effective not later than 180 days after the effective date of the Foreign Investment and National Security Act of 2007.

“(3) **CONTENT.**—Regulations issued under this subsection shall—

“(A) provide for the imposition of civil penalties for any violation of this section, including any mitigation agreement entered into or conditions imposed pursuant to subsection (1);

“(B) to the extent possible—

“(i) minimize paperwork burdens; and

“(ii) coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law; and

“(C) provide for an appropriate role for the Secretary of Labor with respect to mitigation agreements.”

SEC. 10. EFFECT ON OTHER LAW.

Section 721(i) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(i)) is amended to read as follows:

“(i) **EFFECT ON OTHER LAW.**—No provision of this section shall be construed as altering or affecting any other authority, process, regulation, investigation, enforcement measure, or review provided by or established under any other provision of Federal law, including the International Emergency Economic Powers Act, or any other authority of the President or the Congress under the Constitution of the United States.”

SEC. 11. CLERICAL AMENDMENTS.

(a) **TITLE 31.**—Section 301(e) of title 31, United States Code, is amended by striking “8 Assistant” and inserting “9 Assistant”.

(b) **TITLE 5.**—Section 5315 of title 5, United States Code, is amended in the item relating to “Assistant Secretaries of the Treasury”, by striking “(8)” and inserting “(9)”.

SEC. 12. EFFECTIVE DATE.

The amendments made by this Act shall apply after the end of the 90-day period beginning on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. MALONEY) and the gentlewoman from Ohio (Ms. PRYCE) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mrs. MALONEY of New York. Mr. Speaker, I yield as much time as he may consume to the chairman of the committee, Chairman FRANK, from the great State of Massachusetts.

□ 1530

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentlewoman for her leadership on this bill.

This legislation began last year when she was the ranking member of the Subcommittee on Domestic and International Monetary Policy, which you, Mr. Speaker, now chair, and in a bipartisan way we've brought forward this bill.

A brief history here. The administration, I think, made an error in granting authority to the company, Dubai Ports World, to take over seaports. They should have anticipated the reaction.

I think it was a mistake to let Dubai buy those ports and I'm glad that that was dropped, but I think there was an overreaction. Foreign direct investment is a very good thing for our country. It is a source of jobs.

I remember when I first came here in the early 1980s one of our major goals on the Democratic side, with a lot of Republican support, was to get more foreign direct investment. We had a bill we called the domestic content bill. It was to require that a certain percentage of each car sold in America be made in America, and the purpose of that was frankly to help get Japanese, at that time, automakers to come here.

People should understand foreign direct investment means we're talking direct investment as opposed to buying our bonds or buying financial instruments. It means putting money in here that creates jobs, and it ought to be something welcomed. In a few cases, there could be a problem, but the general rule should be that we welcome foreign direct investment.

Now, after the Dubai Ports and the reaction to it, concern grew in the rest of the world that we were not fully supportive of foreign direct investment, and there was this view that we had scared it away. I mention that because there are some who have incorrectly reported this bill, the CFIUS bill as we call it, the bill giving statutory reform to the Committee on Foreign Investments in the U.S., as an effort further to restrict foreign direct investment. That is the exact opposite of the truth.

We've worked very closely here, not just with the Secretary of the Treasury, Mr. Paulson, a great supporter of foreign direct investment, but also with the Financial Services Forum headed by the former Secretary of Commerce, Don Evans. He's been a real leader in this effort.

This is an effort by the Congress to make clear that we welcome foreign direct investment as a rule, but we will have procedures in place to prevent those exceptional examples where it might be problematic, where it might cause a security problem.

So I, again, want to stress this is the Congress of the United States reaffirming that foreign direct investment is a good thing for our economy, and it is our belief that the structure we have set up will help move things quickly.

By the way, Mr. Speaker, people won't be required to go through the CFIUS process, but they will be given assurance if they do that they can go forward. Now, that's very important

for people making investments. So this is a wholly supportive operation, and I thank the gentlewoman from New York and the gentlewoman from Ohio who have worked hard on this; the minority whip, the gentleman from Missouri, who is one of those who helped lead the fight for this. This is a genuine bipartisan bill. We passed it last year, and it's something that I know you will find it hard to believe, Mr. Speaker, after we passed the bill, somehow the United States Senate was unable to do that. I know that will cause some surprise to you, but there we are.

This year, it's different. We passed the bill, and the Senate under the leadership of the Senator from Connecticut, Mr. DODD, has passed a very similar bill, not identical, but they're close. I prefer in a few details what we have, but given the nature of the legislative process, we thought the best thing to do in consultation with the Secretary of the Treasury and with both parties was to accept the Senate version.

So this is accepting the Senate version, but we're accepting the Senate version of our version because what the Senate did was to make some fairly small changes in the bill that we adopted last year.

Now, with that, Mr. Speaker, I'm ready to yield. My understanding is that the chairman of the Armed Services Committee, who is concerned about this bill, wanted to raise a technical point. So I would ask the gentlewoman from New York if she would yield to the gentleman from Missouri for the purposes of his and I having a colloquy.

Mrs. MALONEY from New York. Mr. Speaker, I yield to my distinguished colleague, IKE SKELTON, as much time as he may consume.

Mr. SKELTON. Mr. Speaker, I thank the gentlewoman.

I strongly support H.R. 556, and I voted for it when it first came through House, passing by a vote of 423-0. I support the bill because it will protect the critical technologies and the critical infrastructure of this country by ensuring that these invaluable assets remain in friendly and responsible hands. In so doing, it strengthens our national security, and I think the bill makes many needed changes, especially by adding homeland security and critical infrastructure as essential elements to be considered for protection during national security investigations, and also by adding opportunities for congressional oversight in the process. In short, I'm in complete agreement with the intent of this bill.

I've been working with the chairman, however, to try and clarify some elements of the bill that may not make the intent of Congress fully clear. I believe that it is the intent of the Congress in this legislation to extend the current practice of seeking consensus in the Committee on Foreign Investments in the United States. This practice requires that transactions being

reviewed and investigated by the committee must satisfy the concerns of all the agencies involved.

I believe that it is also Congress' intent under this legislation that the appropriate committees of the House, including all relevant committees with a jurisdictional interest in the outcomes of specific transactions under review, be kept informed by the executive branch.

And lastly, I believe that it's the intent of Congress in this legislation to require the executive branch to monitor and enforce the mitigation agreements imposed under this legislation to ensure compliance and to regularly review compliance with these mitigation agreements.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman would yield to me, I would say that I share the chairman of the Armed Services Committee's desire that the intent of Congress be clear. I also note the chairman has identified a technical error in the Senate amendment which should be corrected involving required reports of presidential decisions. I will work to accomplish a correction of this error, and I agree with the gentleman's statement of what the legislation intended and in the specific incidents that he cited.

Mr. SKELTON. Well, I certainly thank the chairman. I agree that there is a technical change required in the bill to ensure that Congress' intent be followed. I note that one good opportunity for making this technical and clarifying change to this bill will come during the House-Senate conference on the National Defense Authorization Act for fiscal year 2008. Will the chairman work with me to ensure that this technical and clarifying change can be made to this bill, including having it considered during the conference on the National Defense Authorization Act?

Mr. FRANK of Massachusetts. If the gentleman would yield to me, I'm glad to say, yes, I will work with the gentleman to ensure that this technical and clarifying change is made, and I agree with him the best way to do that is through the conference on the National Defense Authorization Act.

And while this technically falls in the jurisdiction of the Financial Services Committee, I am deviating from the script I was given to say that I think the besetting sin of this place is an excessive concern about turf. The people who put jurisdiction ahead of substance really should think better.

So I am delighted to be able to provide an example of intercommittee cooperation with my very good friend whom I admire, the gentleman from Missouri, and I will look forward to his correcting this error in that conference with the blessing, I believe, of our committee.

Mr. SKELTON. I thank my friend, my colleague from Massachusetts, and I thank the gentlewoman for yielding.

Mrs. MALONEY of New York. Mr. Speaker, I reserve the balance of my

time and inquire how much time remains on my side.

The SPEAKER pro tempore. Twelve minutes.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentlewoman from New York for the time and also for her leadership on this issue. I rise today in strong support of H.R. 556, and I want to thank Chairman FRANK for building on our work in the last Congress, bringing this bill up when I was a proud sponsor, original sponsor, with Mrs. MALONEY and Mr. BLUNT and Mr. CROWLEY of similar legislation that we passed in this House last Congress, and I am proud to be an original sponsor of this legislation. This has been a bipartisan effort and model for the way Congress should operate all of time.

Mr. Speaker, as we now know and very few knew 18 months ago, CFIUS is charged with assessing the safety and security ramifications of direct foreign investment in the United States of America. The bill before us reforms CFIUS to strike the right balance between ensuring national security and open investment. 9/11 taught us that the number one priority of this government is to do all they can do to assure our citizens' security in their homeland.

Now, Dubai Ports World has left the front page and most people's minds, but it's not forgotten. Congress heard and responded to the immediate concerns voiced by Americans that we could not sell security at our ports at any price. Today, we pass a bill that returns accountability to a broken process, while ensuring job growth and investment in our economy are not collateral damage.

Importantly, the bill we are considering maintains that of the House bill that we introduced last March: increasing administration accountability for the scrutiny of foreign investment transaction; increasing congressional opportunities for oversight of that process; increasing predictability for businesses negotiating the CFIUS process; formalizing the Department of Homeland Security's role in CFIUS; and creating a formal role for the Director of National Intelligence in analyzing each proposed transaction.

Specifically, Mr. Speaker, the bill before us requires that the Treasury Department and each agency directly involved in scrutinizing a transaction sign a certification that goes directly to the Congress. There's strong emphasis on analysis of every transaction by the Director of National Intelligence, and time is given for all members of the CFIUS committee to digest the analysis before making a decision on a transaction. National security is put first in this process. Nothing stands before it.

It should be noted that the administration has radically overhauled the CFIUS process in the last 18 months

since the fiasco. This legislation is needed so there is no backsliding and no further letting down of our guard.

And finally, Mr. Speaker, let me say we cannot wait any longer to enact this legislation. We must send a clear signal to our trading partners. There were concerns that some of the press reports on the reform process gave other Nations the impression that we were going to enact protectionist legislation instead of a bill that continued to welcome foreign investment, which also means domestic job growth.

Trade does not take place in a vacuum. What we do here in the United States affects the environment available to U.S. companies expanding their global reach and the expansion of jobs here at home. Honda Motor Corporation alone has made a \$6.3 billion investment in my home State of Ohio, employing over 8,500 people.

I mention this simply to say that we can't get to a point where foreign direct investment is a dirty phrase. The United States remains the world's largest recipient of direct foreign investment but by a decreasing margin. China, which was just a blip on the screen 20 years ago, is now a major competitor for foreign investment dollars. In June, the Commerce Department reported that foreign direct investment into U.S. businesses rose 77 percent in 2006, compared with a year earlier, but remained less than half their peak level in 2000.

If the United States is going to attract the ideas, the people, the capital and companies that will drive economic growth in the 21st century, we need a CFIUS process that protects national security but also keeps America an attractive and accessible place to do business and invest.

I want to thank the many members, the chairman and ranking member especially, who invested so much time and effort to get this process right.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I hope that my colleagues who voted for this bill unanimously are as delighted as I am to see H.R. 556, the CFIUS reform bill, once again on this floor, this time headed for the President's desk.

Strengthening the system of review of foreign direct investment in this country is, as this body has recognized repeatedly, an important national and strongly bipartisan interest.

When the Dubai Ports World matter became front page news a year and a half ago, most Americans had no idea that the Committee on Foreign Investments in the United States existed or what it did.

The Dubai Ports World debacle made clear that the CFIUS process needed strengthening and oversight, both to ensure that foreign investment here does not jeopardize our national security in a post-9/11 world and to encour-

age and support safe foreign investment in this country to create jobs and boost our economy. This bill is designed to accomplish both of these important goals.

As my colleagues will remember, one of the first bills passed by the Financial Services Committee in this Congress and brought to the floor was the original version of this legislation. I am delighted to say that the Senate adopted our bill with very few changes, and it is back here for final passage.

□ 1545

This has been a long and consistently bipartisan effort in which several Members played key roles and deserve special recognition.

I would like to especially thank Chairman FRANK and the Democratic leadership, Speaker NANCY PELOSI and Majority Leader STENY HOYER, for their support. They made this bill a priority and quickly moved it forward for passage.

I also thank Minority Whip ROY BLUNT for his work, both in this Congress and in the last, in putting together a coalition to build support for CFIUS reform. Congressman JOE CROWLEY and Congressman LUIS GUTIERREZ played a key role in that coalition, and I thank them.

My former colleague on the Monetary Policy Subcommittee, Congresswoman PRYCE of Ohio, worked with me to hold hearings on this bill in the last Congress. Those hearings built on the seminal report from the GAO on the weaknesses in the CFIUS process.

I also thank Congressman THOMPSON of Mississippi and Congressman KING of the Homeland Security Committee, who encouraged this bill from the start.

I would like to thank those Members' staff, particularly Scott Morris, Joe Pinder, Kevin Casey, Peter Freeman, Kyle Nehvins; my subcommittee staff director, Eleni Constantine and Ed Mills for their tireless work on this bill over the past 2 years.

I would also like to thank the Senate for moving forward promptly on this key issue and for adopting our bill and our bill number.

In particular, I thank Chairman DODD and Senator SHELBY for their bipartisan work in moving this forward and their staffs for the careful dedication they gave to every detail of this legislation.

Finally, I would like to thank Secretary Paulson, Deputy Secretary Kimmitt, Undersecretary Steel and Assistant Secretary Lowery. It is they and their successors who will ensure that the CFIUS process works under Congress's oversight. I have appreciated the dialogue we have had over the past 2 years on how the reforms we propose will be implemented, and in some cases, they already have been.

This bill is necessary now more than ever. As the Wall Street journal reported this week, a growing number of countries are imposing new restric-

tions on foreign investment that go well beyond the strict focus on national security concerns embodied in this legislation.

The story indicates that the new hostility to foreign acquirers reflects a perception that the United States is erecting new barriers to foreign capital. Today's legislation establishes in unequivocal terms that this perception is false.

By strengthening and clarifying the national security review process and maintaining a strict focus on national security, the CFIUS reforms embodied in H.R. 556 clearly endorse the open investment policy of the United States while enhancing our national security protections. In the name of national security, the President can intervene in any transaction, and, similarly, CFIUS can condition approval of a deal on being able to reopen a review. But this bill provides clarity and certainty for investors by requiring a finding by CFIUS that all other remedies have been exhausted before CFIUS can reopen a review.

I would note that the certain and transparent CFIUS procedures in this bill stand in stark contrast to actions by some foreign governments where expropriations of assets have occurred arbitrarily without justification and without recompense for U.S. investors. By passing this bill, we continue our long-standing efforts to ensure that U.S. investors are treated with the same certainty and fairness in foreign markets as we give foreign investors in this bill.

This bill makes several necessary reforms. First, it creates CFIUS by statute, so that its operations, membership and procedures have a sound basis in law, and we are reviewable by Congress.

Second, it requires a full 45-day investigation of foreign government investment, in addition to the 30-day review, which can only be waived by the Secretary or the Deputy Secretary of Treasury. While many foreign governments' transactions are harmless, they also pose certain inherent risks. Governments have more assets and resources than private sector participants and may have nonmarket motives.

Third, it requires review and sign-off on every transaction, by a high-level official. When the Ports World deal became public, no senior official could be found who knew about the approval before it happened. The House bill required all approvals to be made by the Secretary or Deputy Secretary. The Senate bill allows a Deputy Secretary to make a decision, but it also mandates the creation of a special assistant secretary at Treasury whose portfolio would be CFIUS matters. By restricting the additional decision-making ability to one out of the many assistant secretaries at the Treasury, this preserves the accountability and high-level review that motivated the original delegation provision.

Fourth, the bill requires reporting to Congress after the conclusion of reviews. While we do not want to politicize the process of security review, we also want to assure proper oversight.

Fifth, it creates and places and puts in place the importance of review by the National Intelligence Director.

Six, it requires tracking of transactions that are withdrawn from the process. Since deals are often withdrawn because they hit a snag in the initial course of review, it is necessary to make sure that appropriate steps are taken to prevent whatever potential risk was spotted.

For example, this was the case with a Smartmatic transaction that I brought to the attention of Treasury last summer as a matter requiring CFIUS review. As you may recall, press reports indicated that Smartmatic, which had just bought the second largest voting machine company in the United States, Sequoia Voting Systems, had ties to the Venezuelan government.

I thought those allegations needed to be investigated by the body with the power to really get into the tangled ownership of the company, which is CFIUS. Under the broad and flexible definition of national security that the bill puts in place, certainly the ownership of voting machines is a potential national security issue.

A CFIUS review began of the deal. But before it was completed, Smartmatic withdrew and agreed to sell Sequoia. Certainly, this is an agreement that I would want CFIUS to track and make sure actually was followed.

I think we have struck the right balance in this bill in protecting the national security interests of our country, first and foremost, but also providing a certain and clear procedure to encourage safe foreign investment that will create jobs and boost the economy.

I urge my colleagues to once again give this bill their unequivocal support and send it to the President with a bipartisan vote.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield 4 minutes to my colleague and good friend from the State of California, the ranking member on the Armed Services Committee, Mr. HUNTER.

Mr. HUNTER. I want to thank my colleague for yielding me some time and for the good work that she has done on this bill, as well as my good friend from New York.

Unfortunately, I oppose this bill for this reason: We passed out what I think was a pretty good bill out of the House. That bill had in it several critical national security elements. One of those elements was that any member of this committee, of the CFIUS committee, including, for example, the Secretary of Defense, or a leader in another agency, could, by a single vote, trigger an investigation if they thought there was a national security problem.

Remember, this bill grew out of the Dubai Ports problem. When we were faced with this takeover of our port operations in a number of key ports by a foreign-owned company, we realized that that company could access information about vulnerable aspects of those particular ports that could, at some point, be utilized in a terrorist activity.

So we understood, and that was a good illustration of how critical this CFIUS process is, especially with this array of foreign investments taking place in this country. So we understood that we needed to reform CFIUS. In those days, during the Dubai Ports problem, before that, you had an arrangement that was largely put together by Presidential directive, and the President, by his directive, gave any member of the CFIUS committee, including SecDef, the ability to raise their hand and basically say, I want an investigation.

Now, we ensured that, as we put this thing together in statute, that we maintained that right. I am turning to the House-passed provision that we passed, that I supported. It talked about an investigation being triggered by a roll call vote, and I am quoting, a roll call vote pursuant to paragraph 3(a) in connection with a review under paragraph 1 of any covered transaction results in at least one vote by a committee member against approving the transaction, meaning that the Secretary of Defense could get up and say, I think there is a problem here, and he could trigger that transaction.

Unfortunately, the product that came back from the Senate didn't have that provision. It had this provision; it said that an investigation would be triggered if "the lead agency recommends and the committee concurs that an investigation be undertaken." They have clearly watered down the ability of one person, for example, the Secretary of Defense, to say, to trigger an investigation upon his demand.

I think that's a fatal flaw, because that takes us back to a weaker position than what we have had under the current practice, which involves an investigation being undertaken if a single member of the committee objects under the present Presidential directive. We are actually going back to a lower standard for triggering an investigation than we had before the Dubai ports problem.

So I think, unfortunately, we have taken a product from the Senate which is fatally flawed in that respect. I would strongly support this provision coming back, this exact same law, coming back with that fix. But I don't know any way we can fix it, or even with a colloquy or in any other way, assign a new congressional intent that will clearly reflect that the words that have been changed aren't, in fact, controlling at this point, but that there is a congressional intent that controls.

Unfortunately, I have to object to the passage of this bill, and I will not support the passage of this bill.

Mrs. MALONEY of New York. Mr. Speaker, I appreciate the gentleman's hard work on this bill and his statements, but I would like to clarify that CFIUS is a consensus body, so each member does and will continue to have an effective veto. This bill does not affect that ability in any way. Chairman FRANK of the committee made that very clear in his statements in committee and on the floor today.

Mr. Speaker, I include in the RECORD a list of important organizations in our country, including the Chamber of Commerce, that have issued letters and statements in support of this legislation.

JULY 10, 2007.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: On behalf of the Financial Services Forum, a trade association comprised of the CEOs of 20 of the largest and most diversified financial institutions, I write in strong support of H.R. 556, the "Foreign Investment and National Security Act of 2007." This bipartisan legislation would ensure that proposed foreign investments in the U.S. meet national security objectives while preserving an open, fair and non-discriminatory investment environment.

Passage of this bill indicates to international investors and trade partners that the U.S. remains open for foreign investment and signals to other countries that they should follow suit by keeping their doors open to U.S. foreign direct investment.

The Forum believes that the legislation strikes the appropriate balance between keeping Americans safe and growing the economy. The included reforms make clear that every Administration will devote time and resources to foreign investment deals that require higher levels of scrutiny, while allowing acquisitions that do not present national security concerns to move forward swiftly.

Foreign direct investment supports employment for over 5 million Americans, who typically earn compensation well above the national average. Investment from abroad supports 19% of all U.S. exports. In 2005, a number of foreign-owned companies reinvested \$59 billion in profits back into the U.S. economy. At a time when the competitiveness of the United States is so important, H.R. 556 will help maintain America's global advantage and grow the U.S. economy.

The Forum applauds the bipartisan leaders who worked swiftly and productively to move this bill. H.R. 556 will restore Congressional confidence in the CFIUS process and the Forum urges Members to support this critically important bipartisan bill.

Sincerely,

ROBERT S. NICHOLS,
President and COO,
The Financial Services Forum.

U.S. CHAMBER OF COMMERCE,
CONGRESSIONAL AND PUBLIC AFFAIRS,
Washington, DC, July 9, 2007.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, strongly supports H.R. 556, the "National Security Foreign Investment Reform and Strengthened Transparency Act of 2007," which is expected to be considered by the House under suspension of the rules tomorrow. This bipartisan bill would make certain that the process for vetting proposed foreign investments in the

U.S. meets national security objectives while preserving an open, fair, and non-discriminatory investment environment. Passage of this bill sends the right signals to international investors: that the U.S. is open for foreign investment and that the nation's trade competitors should follow suit and keep their doors open to U.S. foreign direct investment.

The Chamber believes that H.R. 556 strikes the appropriate balance between keeping Americans safe and protecting the economy. The proposed reforms to the Committee on Foreign Investment in the United States (CFIUS) make clear that the administration has the flexibility to devote time and resources on foreign investment deals that require the most attention to national security concerns, while allowing acquisitions that do not present any national security concerns to move forward without impediment.

Foreign direct investment supports employment for 5.1 million Americans, who typically earn compensation well above the national average. Investment from abroad supports 19% of all U.S. exports. In 2005, a number of foreign-owned companies reinvested \$59 billion in profits back into the U.S. economy. Clearly, this bill will help maintain America's competitive edge and continue to contribute positively to the U.S. economic growth.

The Chamber applauds the bipartisan effort that resulted in the completion of this bill. H.R. 556 will restore congressional confidence in the CFIUS process. The Chamber urges the House to support this critical bipartisan bill with a strong affirmative vote. The Chamber will consider using votes on, or in relation to, this issue in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

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

Ms. PRYCE of Ohio. Mr. Speaker, we have no other requests for time. Let me close by addressing the concerns of my colleague that were just raised. The reforms in many areas of this bill far outweigh the compromise of the committee machinations that were made over in the Senate.

Believe me, it is no small point, and it is one not lost on me. Our product, I believe, is far superior. The Senate's, as the gentleman points out, is weaker than ours.

But I believe that the colloquy between Chairman FRANK and Chairman SKELTON will help us resolve that. Chairman FRANK says it is the intent of this Congress that there is a consensus on the CFIUS, and he agreed to work with Chairman SKELTON and the Defense Authorization Act to correct this.

But taken as a whole, this bill is far superior than current law. It must be enacted, and the sooner the better. Let me reiterate, the rest of the world is watching us here today.

We are passing a balanced bill that does not forget the importance of FDI to our economy, but it protects our ports and our homeland to the extent that this Congress is able to do it.

I believe that we must act quickly. We have been stymied for a year now. We can't afford to send the wrong message. It means that American jobs will be lost, and we will be no safer for pro-

longing this process. This bill protects our economy, but also the ultimate protection is to our homeland. I urge passage of this bipartisan bill.

Mr. LANTOS. Mr. Speaker, I fully support H.R. 556, the Foreign Investment and National Security Act of 2007.

Greater oversight is needed regarding foreign investment in the United States, and I want to commend Chairman FRANK and Mrs. MALONEY for the work they have done in bringing about this legislation. The Committee on Foreign Affairs has significant jurisdictional interest in this legislation, and I was very pleased at the manner in which our committees have worked on H.R. 556 as it moved through the legislative process.

Mr. Speaker, I want to call attention to two critical issues. First, the treatment that the United States provides to foreign investors is often not reciprocated to United States companies who wish to invest in foreign markets, which threatens bilateral investment relations. The procedures laid out in this bill for the interagency Committee on Foreign Investments in the United States, or CFIUS, allow for a responsible and fair assessment of foreign direct investment into the United States. These procedures, however, stand in stark contrast to actions taken by some foreign governments, where expropriations of assets, often in the energy sector, have occurred arbitrarily, without justification, and without full and fair compensation for United States investors.

Mr. Speaker, we must continue to seek to ensure that U.S. investors are treated fairly in foreign markets, especially when a transaction being evaluated by CFIUS is for a company whose primary place of business is in a country that does not allow foreign direct investment from the United States in the same business sector as that of the covered transaction. In this way, we can seek to ensure that foreign governments honor their commitments in international agreements and provide for a fair and friendly investment climate for United States companies. I am pleased that the gentlelady from New York agrees with me on this score and that the House reports accompanying H.R. 556 address this important issue.

Second, the impact of foreign investments on national security must be considered when reviewing foreign investments into the United States. I am pleased that the Financial Services Committee recognizes the seriousness of how transactions reviewed by CFIUS can impact our national security. The Committee report on H.R. 556 makes clear that Congress expects the acquisitions of U.S. companies, including energy assets, by foreign governments or companies controlled by foreign governments, will be reviewed closely for their national security impact. I fully endorse this view and believe that the United States must remain vigilant in protecting our national security interests.

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

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 556, the "Foreign Investment and National Security Act of 2007". As our Nation pursues the laudable dual goals of free and fair flows of capital and trade in the global economy, it must remain ever vigilant of its own security. Understanding this, H.R. 556 amends existing law to strengthen the process by which the Federal Government performs

national security-related reviews of foreign investments in the United States.

First and foremost, this bill establishes in statute the membership of the Committee on Foreign Investment in the United States, CFIUS. H.R. 556 broadens the factors that CFIUS must consider during reviews of proposed foreign investments in the United States. This includes the bill's express intent that critical energy infrastructure-related aspects of national security not be ignored in the CFIUS review process. I am particularly pleased with this provision, as well as the establishment in the bill of adding both the Secretary of Energy and the Secretary of Commerce as permanent members of CFIUS. In short, the Committee on Energy and Commerce appreciates the emphasis laid by the bill on issues that fall squarely within our jurisdiction.

Lastly, I note my support for the bill's requirement that the Inspector General of the Department of the Treasury investigate why that Department has not complied with reporting requirements related to potential industrial espionage or coordinated strategies by foreign parties with respect to U.S. critical technology, as is required under current law. This underscores my strong belief that Congressional oversight is a necessary component in assuring that the laws are properly and thoroughly carried out by the Federal Government.

I do have concerns regarding what I believe are several shortcomings in H.R. 556, when compared to the bill originally passed by the House in February of this year. I am troubled that there is no provision to designate vice chairmen of CFIUS—which, in the bill originally passed by the House, would have been comprised of the Secretaries of Commerce and Homeland Security—and instead replaces it with "lead agencies," to which the responsibility for performing national security reviews would now mainly be delegated. This has the lamentable consequence of hindering the thorough participation of the Department of Commerce in the CFIUS review process, something for which my colleagues on the Subcommittee on Commerce, Trade, and Consumer Protection of the Committee on Energy and Commerce advocated during their hearing on CFIUS reform in July 2006.

Additionally, H.R. 556 now contains weaker provisions related to the collection of evidence in national security reviews, the approval of such reviews, as well as reporting requirements to the Congress about them. For example, while H.R. 556 originally directed CFIUS to submit reports to the Congress on all actions related to covered transactions, the bill now only provides for reports to be submitted to the Congress upon request. Also, I am alarmed that H.R. 556 no longer protects the Federal Government from liability for losses incurred by parties during CFIUS reviews. Such an omission may dissuade the Government from prosecuting thorough reviews for fear of being sued for remuneration by parties to CFIUS-covered transactions.

Although I have chided the bill for what I perceive to be its most apparent weaknesses, I have always maintained that the desire for perfect legislation should not impede the progress of good legislation. I believe H.R. 556 is good legislation that will contribute to the improvement of the CFIUS. I urge my colleagues to support the passage of H.R. 556.

Mr. THOMPSON of Mississippi. Mr. Speaker, I stand here today as Chairman of the

Committee on Homeland Security in support of H.R. 556, the Foreign Investment and National Security Act of 2007. This bill provides necessary reform by formalizing and streamlining the structure and duties of the Committee on Foreign Investment in the United States, CFIUS. This reform combines an understanding of the need for ensuring that foreign investment in the U.S. is in the security interests of the American public with an appreciation for global commerce in the 21st century. Indeed, this bill addresses many of the concerns raised about CFIUS over the past year, especially with regard to its current lack of transparency and oversight. This bill rectifies these concerns by formally establishing CFIUS and its membership, while also streamlining how and when CFIUS review will be conducted. This bill sends an important message to the country and the world: The United States will continue to encourage the international flow of commerce in a manner that demands the security of our country.

Mr. Speaker, the bill formalizes the CFIUS membership and requires the following to serve: (1) Secretaries of Treasury, Homeland Security, Commerce, Defense, State, and Energy; (2) Attorney General; Director of National Intelligence (ex officio); and Secretary of Labor (ex officio); and (3) The heads of any other executive department, agency, or office, as the President determines appropriate, generally on a case-by-case basis.

Under this bill, CFIUS will conduct a review of any transaction by or with any foreign person which could result in the foreign control of any person engaged in interstate commerce in the U.S. to determine the effects of the transaction on the national security of the U.S. CFIUS will determine whether to conduct an investigation of the effects of the transaction on the national security of the U.S. if the initial review of the transaction results in the determination that: The transaction threatens to impair the national security of the U.S. and that the threat has not been mitigated during or prior to the review of the transaction; the transaction is a foreign government-controlled transaction; the transaction would result in control of any critical infrastructure of or within the U.S. by or on behalf of any foreign person, if CFIUS determines that the transaction could impair national security, and that such impairment to national security has not been mitigated by assurances provided to CFIUS; or The lead agency recommends, and CFIUS concurs, that an investigation be undertaken.

Mr. Speaker, I believe that our colleagues in the Senate made remarkable contributions to this bill. For example, I think that its determination to eliminate the option for CFIUS to conduct a second 45-day review at the end of the investigation stage was a wise one. As a result of this change, CFIUS will be required to be efficient and will demonstrate our country's recognition of the importance of not hampering foreign investment that avoids hindering our national security. The Congressional Research Service's independent report, for instance, found that, for all the merger and acquisition activity in 2005, 13 percent of it was from foreign firms acquiring U.S. firms. This is up from 9 percent nearly 10 years before. This statistic shows that foreign investment in the U.S. is vital to our economy.

I must mention, however, my concern with one of the changes to the bill, as passed by my colleagues in the Senate, which eliminates

an important role of the Secretary of Homeland Security. Both bills establish the Secretary of the Treasury as the Chairperson of CFIUS. Whereas the original House-passed bill required that the Secretaries of Homeland Security and Commerce be Vice Chairpersons of CFIUS, the current bill eliminates the Vice Chairpersons and, instead, calls for the Secretary of the Treasury to designate, as appropriate, a member or members of CFIUS to be the "lead agency or agencies" on behalf of CFIUS for each covered transaction, and for negotiating any mitigation agreements or other conditions necessary to protect national security. In addition, the lead agency or agencies will work on all matters related to the monitoring of the completed transaction. The "lead agency" role is particularly important because if the Secretary of the Treasury and the head of the lead agency jointly determine that a transaction will not impair the national security of the U.S. in certain cases, then an investigation will not be required.

The Department of Homeland Security has played a vital role with regard to CFIUS cases in the past and has an unparalleled institutional understanding of such cases. In its involvement with such cases, it represents the need to protect our homeland from attack and to ensure that our critical infrastructure is protected and available to the American public during, and in the aftermath of, an attack. In 2006, the Department was involved in each of the 113 CFIUS filings and, in 15 instances, the Department requested mitigation agreements. Thus far in 2007, the Department has been involved in each of the 80 filings and has requested five mitigation agreements. Furthermore, a large number of these filings regard the ownership of critical infrastructure, which is a major initiative of the Department. The Department's past involvement with CFIUS and its mission to protect our country only underscores its need to be second to none when CFIUS reviews cases. That the Department no longer has a clearly articulated leadership role in this process negates its understanding of such matters and undercuts a developing expertise of this new Department. Once this bill is enacted into law, I hope that the Secretary of the Treasury will appoint the Department of Homeland Security as one of the lead agencies in all CFIUS cases, unless there is an explicit reason to do otherwise. The need to protect our homeland is too vital—and the Department's role therein too intrinsic—for it to be left without a leadership position in all CFIUS filings.

This bill, nevertheless, brings the necessary reform to the CFIUS process. Incidents such as Dubai Ports World and China National Offshore Oil Corporation's attempted bid for control of an oil company, Unocal, raised an increased awareness regarding transactions that should receive CFIUS review. Importantly, though, this bill does not represent an isolationist reaction to these incidents but, instead, balances the need for continued foreign investment in the U.S. with the need to review that investment's impact on national security and our critical infrastructure.

Only through this legislation will CFIUS have a formal budget, membership, and a clear mission—protecting American security while maintaining a free and growing economy.

In closing, let me thank my colleagues on the Financial Services Committee for their leadership on this legislation, especially my

Democratic colleagues Chairman FRANK as well as Representative CAROLYN MALONEY and Representative JOSEPH CROWLEY of New York. I would also like to thank my colleagues in the Senate.

I encourage my colleagues to pass this legislation with strong bipartisan support.

Mr. RUSH. Mr. Speaker, I rise today in order to express the support of the Committee on Energy and Commerce, and in particular the Subcommittee for Commerce, Trade, and Consumer Protection, for H.R. 556, the "Foreign Investment and National Security Act of 2007." This bill makes much-needed reforms to the process by which the Committee on Foreign Investment in the United States, hereafter: CFIUS, performs national security-related reviews of potential foreign investments in our country.

Since the DB World scandal, the Committee on Energy and Commerce has been actively involved in efforts to reform CFIUS. Along with the Committee on Financial Services and the Committee on (then) International Relations, our Committee received referral of H.R. 5337, the "National Security Foreign Investment Reform and Strengthened Transparency Act of 2006," in May 2006. Following a hearing by the Subcommittee on Commerce, Trade, and Consumer Protection on H.R. 5337 in July 2006, the Committee on Energy and Commerce ordered the bill reported. While H.R. 5337 was approved by the House, the Senate did not take it up before the conclusion of the 109th Congress.

In January of this year, the Committee on Energy and Commerce again received referral of a CFIUS reform bill, this time H.R. 556, the "National Security Foreign Investment Reform and Transparency Act of 2007." In the interest of expediting House passage of this bill, our Committee agreed to waive its right to mark up H.R. 556, provided that the final bill include provisions for the establishment of a vice chairmanship of CFIUS, additional CFIUS reporting requirements to the Congress, and that the Inspector General of the Treasury Department investigate that Department's failure to report on potential industrial espionage or coordinated strategies by foreign countries with respect to U.S. critical technology. This understanding—intended for the express purpose of strengthening Congressional oversight of the CFIUS review process—is reflected in an exchange of letters between the Committee on Financial Services and Committee on Energy and Commerce, which itself is part of the record of the bill's initial House debate.

Given our jurisdictional stake and strong interest in CFIUS reform, the Committee on Energy and Commerce is pleased that the House will vote today on H.R. 556. This bill is the culmination of over a year's effort to improve the process by which our government reviews potential foreign investment in the United States for national security risks. While my Committee does offer its support of H.R. 556, we would note that our support is tempered by concerns with deficiencies in the Senate amendments to the bill. My good friend and colleague, Chairman DINGELL, discusses these concerns in greater detail in a statement which has been inserted into the RECORD. Given this, the Subcommittee on Commerce, Trade, and Consumer Protection fully intends to monitor the implementation of this new law. We feel, nevertheless, that the bill makes a meaningful contribution to the reform of the CFIUS review

process and would urge our colleagues to vote for its passage.

Mr. MANZULLO. Mr. Speaker, I am particularly pleased that we are this point in the legislative process to send to the President's desk a bipartisan, bicameral reform of the Committee on Foreign Investment in the United States, CFIUS, process. I first became interested in CFIUS reform when a Chinese state-owned enterprise was in competition with a private Italian and a Canadian firm to purchase a very sensitive machine tool division of Ingersoll Milling. The Chinese eventually decided not to attempt to buy the very sensitive machine tool division of Ingersoll but were able to purchase the non-sensitive production line division, which saved hundreds of jobs. It came up again when IBM decided to sell its personal computer division to Lenovo, partially owned by the Chinese government. It emerged again when the China National Offshore Oil Company, CNOOC, another Chinese state-owned enterprise, was ready to outbid a private firm to acquire Unocal.

Let me make clear that I am a strong supporter of foreign direct investment into the United States. U.S. subsidiaries of foreign companies employ 5.1 million Americans, of which 31 percent are in the manufacturing sector; have a payroll of \$325 billion; and account for 19 percent of all U.S. exported goods. Foreign direct investment in the U.S. is important because in many cases it provides capital to purchase companies in the U.S. where there is no domestic financing or interest, thus saving thousands of U.S. jobs. Many foreign companies retained numerous firms and jobs in the northern Illinois district I am proud to represent including Ingersoll Machine Milling (Italy) and Ingersoll Cutting Tools (Israel) in Rockford; Nissan Forklift (Japan) in Marengo; Eisenmann Corporation (Germany) in Crystal Lake; and Cadbury-Schweppes (United Kingdom), which owns the Adams confectionary plant in Loves Park. In fact, Illinois is fifth in the United States in terms of the number of employees supported by U.S. subsidiaries of foreign companies per State.

The House is now prepared to send a comprehensive CFIUS reform bill to the President because of the legitimate concern over a year ago of Dubai Ports (DP) World's proposed acquisition of the London-based Peninsular and Oriental Steam Navigation Company (P&O) management operations of 27 terminals at 6 major U.S. ports east of the Mississippi River. Many Americans were legitimately concerned about the national security implications of this deal. However, it was often overlooked that DP World is a state-owned enterprise, owned by the royal family of Dubai. What does it mean for our national interest when foreign governments acquire private sector companies in America?

In the P&O case, the New York Times reported on February 24, 2006 that this sale came down to a "battle between two foreign, state-backed companies"—DP World and PSA, which is part of the investment arm of the Singapore government. "The acquisition price (for P&O) reflects the advantage that a number of the fastest growing companies enjoy—their government's deep pockets." Here is the key, Mr. Speaker—"DP World paid about 20 percent more (for P&O) than analysts thought the company was worth. Publicly traded companies that were potential bidders were scared off long before DP World's final offer."

You would think this would be a factor in the CFIUS decisionmaking process, particularly after Congress in 1992 required a 45-day review process for acquisitions by state-owned enterprises in reaction to the proposed sale of LTV's missile division to Thomson-CSF, the American subsidiary of a French firm that was then 58 percent owned by the French Government. Yet, CFIUS initially declined to subject the DP World's proposed acquisition of P&O through the additional 45-day review process until pressured by Congress.

I am pleased that H.R. 556 incorporates my main suggestion to mandate all proposed acquisitions of U.S. assets by a foreign state-owned enterprise undergo the more rigorous additional 45-day review process. The free market cannot work if foreign governments subsidize the purchase of U.S. assets. H.R. 556 will make absolutely crystal clear that in every case where there is a proposed acquisition by a foreign state-owned enterprise, it will undergo heightened scrutiny to ensure that there is no hidden agenda by a foreign government that could undermine our national security. We owe it to our constituents to make sure that foreign governments do not undermine our open free market system as a tool to advance their national interests. I congratulate the Chairmen and Ranking Members in both Houses of Congress for working together to produce a bill that will merit the President's signature. I urge my colleagues to support H.R. 556.

Mr. SHAYS. Mr. Speaker, as a cosponsor of H.R. 556, I am pleased we are considering the Senate amendment to this legislation, which passed the House earlier this Congress by an overwhelming bipartisan vote. This legislation will require congressional notification for cases sent to second-stage reviews and automatically subjects all transactions involving foreign state-owned companies to a second-stage 45-day investigation.

Last year, the attempt by Dubai Ports World, a port operations company owned by the government of the United Arab Emirates, to purchase operating terminals at 6 U.S. ports was a clear indicator the CFIUS process was in dire need of reform.

Whenever a foreign investment affects our homeland security, it deserves greater scrutiny. It seems to me this legislation strikes the proper balance between strengthening our economy and protecting the American people.

Mr. Speaker, I urge my colleagues to support this legislation and move this bill to the President for his signature.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support, and as a proud co-sponsor of H.R. 556, the bipartisan National Security FIRST Act of 2007. This bill will ensure that never again will the Congress and people of the United States be taken by surprise at the discovery that an administration may have endangered the nation's security by authorizing the acquisition of critical American infrastructure by an entity owned or controlled by foreign government with interests inimical to the United States.

Mr. Speaker, recall how outraged Americans were in January 2006 when we learned of the Bush administration's secret approval of the Dubai Ports World deal. That is when it was disclosed that the secretive Committee on Foreign Investment in the United States (CFIUS) had approved a port deal sought by Dubai Ports World—with only minimal review—de-

spite the deal's national security implications. Dubai Ports World is a company owned by the government of the United Arab Emirates (UAE).

The Dubai port deal would have resulted in the company managing terminal operations at six major U.S. ports, including the Port of Houston in my own congressional district. But that is not all. As the facts began to dribble out, we learned that the CFIUS had not initiated a 45-day national security investigation—despite the fact that UAE had links to 9/11 and notwithstanding the fact the Department of Homeland Security had raised security concerns. It was only in response to the overwhelming disapproval, criticism, and anger of the American people and the Congress that Dubai Ports World announced in early March 2006 that it was divesting itself of these U.S. port operations, effectively killing the deal.

Mr. Speaker, although this was a happy outcome it did not obscure the material fact that the CFIUS process was fundamentally flawed. This is because despite the national security implications, the Bush administration lawfully had approved the Dubai Ports World deal with only minimal review—and with no notification to the Congress.

It is also clear from the record that the Bush administration only gave the Dubai port deal a cursory look before approving it. The secretive CFIUS approved the plan with little review, in only 30 days, and without the 45-day national security investigation that should have been conducted. Further, the CFIUS approval was made by mid-level officials. The senior-level decisionmakers in the administration—including the Secretary of the Treasury, the Secretary of Homeland Security, and the President of the United States—were not involved in the decisionmaking process and learned of it only from media reports. In addition, no Member of Congress was informed of the secretive approval by CFIUS of the port deal—with Members also learning about the deal in press reports.

Mr. Speaker, as a senior member of the Committee on Homeland Security, I participated in hearings that uncovered the weaknesses in the CFIUS regulatory framework and cosponsored bipartisan legislation in the 109th Congress that would have corrected these deficiencies. That bill, H.R. 5337, passed the House 424–0 but the Republican congressional leadership in the last Congress could not get together with the Senate to produce and present to the President a bill he would sign.

We rectify that failure today. H.R. 556 strengthens national security by reforming the interagency Committee on Foreign Investment in the United States (CFIUS) process by which the Federal Government reviews foreign investments in the United States for their national security implications.

The bill requires CFIUS to conduct a 30-day review of any national security-related business transaction. After a 30-day review is conducted, CFIUS would be required to conduct a full-scale, 45-day investigation of the effects the business transaction would have on national security if the committee review determines that the transaction threatens to impair national security and these threats have not been mitigated during the 30-day review. The statutory 45-day review is also triggered if the committee review determines that the transaction involves a foreign government-controlled entity and the CFIUS chairman and

vice chairman are unable to certify it poses no threat to the national security. Finally, the 45-day review is required if the Director of National Intelligence (DNI) identifies intelligence concerns with the transaction that he concludes could threaten national security, and these threats have not been mitigated during the 30-day review. The bill also contains numerous other provisions to strengthen the CFIUS review process.

Mr. Speaker, I support H.R. 556 for four important reasons. First, it subjects transactions involving foreign governments to a stricter level of scrutiny. Second, the bill provides for senior-level accountability for CFIUS decisions. Third, the bill improves CFIUS accountability to Congress. Finally, H.R. 556 strengthens the CFIUS review process by establishing a formal role for intelligence assessments for every transaction. I will briefly discuss each of these important procedural improvements.

Mr. Speaker, as I indicated earlier, the Dubai Ports World deal was approved by mid-level officials and without a 45-day national security investigation of the transaction, even though Dubai Ports World was owned by a foreign government. H.R. 556 strengthens current law by requiring in cases involving a company that is controlled by a foreign government, a non-delegable certification by either (1) the chairman of CFIUS (the Secretary of the Treasury) or the vice-chairman of CFIUS (the Secretary of Homeland Security) that the transaction poses no national security threat. In the absence of this non-delegable certification, a second-stage 45-day national security investigation of the transaction must take place.

Next, H.R. 556 ensures senior level accountability for CFIUS decisions by requiring the chairman and vice chairman of CFIUS to approve all transactions where CFIUS consideration is completed within the 30-day review period (limiting delegation of approval authority to the Under Secretary level); and requires that the President approve all transactions that have also been subjected to the second-stage 45-day national security investigation.

H.R. 556 improves CFIUS accountability to Congress. As was noted above, Members of Congress were not notified of the CFIUS approval of the Dubai Ports World deal. This bill rectifies this failure by requiring CFIUS to report to the congressional committees of jurisdiction within 5 days after the final action on a CFIUS investigation, and permits the committees to request one detailed classified briefing on the transaction. The bill also requires CFIUS to file semi-annual reports to Congress that contain information on transactions handled by the committee during the previous 6 months.

Last, H.R. 556 strengthens the CFIUS review process by establishing a formal role for intelligence assessments for every transaction. The bill requires that every transaction be subjected to an assessment by the Director of National Intelligence (DNI) and contains provisions to ensure that the DNI has adequate time to conduct the required assessment.

All in all, Mr. Speaker, H.R. 556 represents an important contribution to our effort to secure the homeland. Last November, the American people voted for change, they voted for competence, they voted for a new direction for our country. I am proud to say that with H.R. 556, the new majority has once again delivered on its promise to chart a new direction to make America safer and more secure.

I urge all Members to join me in supporting H.R. 556.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. MALONEY) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 556.

The question was taken.

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

Mrs. MALONEY of New York. 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.

□ 1600

COURT SECURITY IMPROVEMENT ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 660) to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 660

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 "Court Security Improvement Act of 2007".

TITLE I—JUDICIAL SECURITY IMPROVEMENTS AND FUNDING

SEC. 101. JUDICIAL BRANCH SECURITY REQUIREMENTS.

(a) ENSURING CONSULTATION WITH THE JUDICIARY.—Section 566 of title 28, United States Code, is amended by adding at the end the following:

"(i) The Director of the United States Marshals Service shall consult with the Judicial Conference of the United States on a continuing basis regarding the security requirements for the judicial branch of the United States Government, to ensure that the views of the Judicial Conference regarding the security requirements for the judicial branch of the Federal Government are taken into account when determining staffing levels, setting priorities for programs regarding judicial security, and allocating judicial security resources. In this paragraph, the term 'judicial security' includes the security of buildings housing the judiciary, the personal security of judicial officers, the assessment of threats made to judicial officers, and the protection of all other judicial personnel. The United States Marshals Service retains final authority regarding security requirements for the judicial branch of the Federal Government."

(b) CONFORMING AMENDMENT.—Section 331 of title 28, United States Code, is amended by adding at the end the following:

"The Judicial Conference shall consult with the Director of United States Marshals

Service on a continuing basis regarding the security requirements for the judicial branch of the United States Government, to ensure that the views of the Judicial Conference regarding the security requirements for the judicial branch of the Federal Government are taken into account when determining staffing levels, setting priorities for programs regarding judicial security, and allocating judicial security resources. In this paragraph, the term 'judicial security' includes the security of buildings housing the judiciary, the personal security of judicial officers, the assessment of threats made to judicial officers, and the protection of all other judicial personnel. The United States Marshals Service retains final authority regarding security requirements for the judicial branch of the Federal Government."

SEC. 102. FINANCIAL DISCLOSURE REPORTS.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App) is amended by striking subparagraph (E).

SEC. 103. PROTECTION OF UNITED STATES TAX COURT.

(a) IN GENERAL.—Section 566(a) of title 28, United States Code, is amended by striking "and the Court of International Trade" and inserting "the Court of International Trade, and any other court, as provided by law".

(b) INTERNAL REVENUE CODE.—Section 7456(c) of the Internal Revenue Code of 1986 (relating to incidental powers of the Tax Court) is amended in the matter following paragraph (3), by striking the period at the end, and inserting "and may otherwise provide for the security of the Tax Court, including the personal protection of Tax Court judges, court officers, witnesses, and other threatened person in the interests of justice, where criminal intimidation impedes on the functioning of the judicial process or any other official proceeding."

SEC. 104. PROTECTION OF UNITED STATES TAX COURT.

(a) IN GENERAL.—Section 566(a) of title 28, United States Code, is amended by striking "and the Court of International Trade" and inserting "the Court of International Trade, and the United States Tax Court, as provided by law".

(b) INTERNAL REVENUE CODE.—Section 7456(c) of the Internal Revenue Code of 1986 (relating to incidental powers of the Tax Court) is amended in the matter following paragraph (3), by striking the period at the end, and inserting "and may otherwise provide, when requested by the chief judge of the Tax Court, for the security of the Tax Court, including the personal protection of Tax Court judges, court officers, witnesses, and other threatened persons in the interests of justice, where criminal intimidation impedes on the functioning of the judicial process or any other official proceeding."

(c) REIMBURSEMENT.—The United States Tax Court shall reimburse the United States Marshals Service for protection provided under the amendments made by this section.

TITLE II—CRIMINAL LAW ENHANCEMENTS TO PROTECT JUDGES, FAMILY MEMBERS, AND WITNESSES

SEC. 201. PROTECTIONS AGAINST MALICIOUS RECORDING OF FICTITIOUS LIENS AGAINST FEDERAL JUDGES AND FEDERAL LAW ENFORCEMENT OFFICERS.

(a) OFFENSE.—Chapter 73 of title 18, United States Code, is amended by adding at the end the following:

"§ 1521. Retaliating against a Federal judge or Federal law enforcement officer by false claim or slander of title

"Whoever files, attempts to file, or conspires to file, in any public record or in any private record which is generally available

to the public, any false lien or encumbrance against the real or personal property of an individual described in section 1114, on account of the performance of official duties by that individual, knowing or having reason to know that such lien or encumbrance is false or contains any materially false, fictitious, or fraudulent statement or representation, shall be fined under this title or imprisoned for not more than 10 years, or both.”.

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 73 of title 18, United States Code, is amended by adding at the end the following new item:

“1521. Retaliating against a Federal judge or Federal law enforcement officer by false claim or slander of title.”.

SEC. 202. PROTECTION OF INDIVIDUALS PERFORMING CERTAIN OFFICIAL DUTIES.

(a) OFFENSE.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

“§ 119. Protection of individuals performing certain official duties

“(a) IN GENERAL.—Whoever knowingly makes restricted personal information about a covered official, or a member of the immediate family of that covered official, publicly available—

“(1) with the intent to threaten, intimidate, or incite the commission of a crime of violence against that covered official, or a member of the immediate family of that covered official; or

“(2) with the intent and knowledge that the restricted personal information will be used to threaten, intimidate, or facilitate the commission of a crime of violence against that covered official, or a member of the immediate family of that covered official,

shall be fined under this title, imprisoned not more than 5 years, or both.

“(b) DEFINITIONS.—In this section—

“(1) the term ‘restricted personal information’ means, with respect to an individual, the Social Security number, the home address, home phone number, mobile phone number, personal email, or home fax number of, and identifiable to, that individual;

“(2) the term ‘covered official’ means—

“(A) an individual designated in section 1114;

“(B) a grand or petit juror, witness, or other officer in or of, any court of the United States, or an officer who may be serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate;

“(C) a public safety officer (as that term is defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968) who is employed by a public agency that receives Federal financial assistance; and

“(D) a paid informant or any witness in a Federal criminal investigation or prosecution or in a State criminal investigation or prosecution of an offense that is in or affects interstate or foreign commerce;

“(3) the term ‘crime of violence’ has the meaning given the term in section 16; and

“(4) the term ‘immediate family’ has the meaning given the term in section 115(c)(2).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 18, United States Code, is amended by adding at the end the following new item:

“119. Protection of individuals performing certain official duties.”.

SEC. 203. PROHIBITION OF POSSESSION OF DANGEROUS WEAPONS IN FEDERAL COURT FACILITIES.

Section 930(e)(1) of title 18, United States Code, is amended by inserting “or other dangerous weapon” after “firearm”.

SEC. 204. CLARIFICATION OF VENUE FOR RETALIATION AGAINST A WITNESS.

Section 1513 of title 18, United States Code, is amended by adding at the end the following:

“(g) A prosecution under this section may be brought in the district in which the official proceeding (whether pending, about to be instituted, or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.”.

SEC. 205. MODIFICATION OF TAMPERING WITH A WITNESS, VICTIM, OR AN INFORMANT OFFENSE.

(a) CHANGES IN PENALTIES.—Section 1512 of title 18, United States Code, is amended—

(1) so that subparagraph (A) of subsection (a)(3) reads as follows:

“(A) in the case of a killing, the punishment provided in sections 1111 and 1112;”;

(2) in subsection (a)(3)—

(A) in the matter following clause (ii) of subparagraph (B) by striking “20 years” and inserting “30 years”; and

(B) in subparagraph (C), by striking “10 years” and inserting “20 years”;

(3) in subsection (b), by striking “ten years” and inserting “20 years”; and

(4) in subsection (d), by striking “one year” and inserting “3 years”.

SEC. 206. MODIFICATION OF RETALIATION OFFENSE.

Section 1513 of title 18, United States Code, is amended—

(1) in subsection (a)(1)(B)—

(A) by inserting a comma after “probation”; and

(B) by striking the comma which immediately follows another comma;

(2) in subsection (a)(2)(B), by striking “20 years” and inserting “30 years”;

(3) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting a comma after “probation”; and

(ii) by striking the comma which immediately follows another comma; and

(B) in the matter following paragraph (2), by striking “ten years” and inserting “20 years”; and

(4) by redesignating the second subsection (e) as subsection (f).

SEC. 207. GENERAL MODIFICATIONS OF FEDERAL MURDER CRIME AND RELATED CRIMES.

Section 1112(b) of title 18, United States Code, is amended—

(1) by striking “United States,” and inserting “United States—”;

(2) by striking “Whoever is guilty of voluntary manslaughter,” and inserting the following:

“(1) subject to paragraph (3), whoever is guilty of voluntary manslaughter”;

(3) by striking “Whoever is guilty of involuntary manslaughter,” and inserting the following:

“(2) subject to paragraph (3), whoever is guilty of involuntary manslaughter”;

(4) at the end of paragraph (2) (as designated by paragraph (3)), by striking the period and inserting “; and”;

(5) by adding at the end the following:

“(3) whoever is guilty of an offense under section 1114 or chapter 73 that involved a killing shall—

“(A) in the case of voluntary manslaughter, be fined under this title, imprisoned for not more than 20 years, or both; and

“(B) in the case of involuntary manslaughter, be fined under this title, imprisoned for not more than 10 years, or both.”.

SEC. 208. ASSAULT PENALTIES.

Section 115 of title 18, United States Code, is amended in subsection (b) by striking “(1)” and all that follows through the end of paragraph (1) and inserting the following :

“(1) The punishment for an assault in violation of this section is a fine under this title and—

“(A) if the assault consists of a simple assault, a term of imprisonment for not more than one year, or both;

“(B) if the assault resulted in bodily injury (as defined in section 1365), a term of imprisonment for not more than 10 years;

“(C) if the assault resulted in serious bodily injury (as defined in section 1365), a term of imprisonment for not more than 15 years; or

“(D) if a dangerous weapon was used during and in relation to the offense, a term of imprisonment for not more than 30 years.”.

SEC. 209. DIRECTION TO THE SENTENCING COMMISSION.

The United States Sentencing Commission is directed to review the Sentencing Guidelines as they apply to threats punishable under section 115 of title 18, United States Code, that occur over the Internet, and determine whether and by how much that should aggravate the punishment pursuant to section 994 of title 28, United States Code. In conducting the study, the Commission shall take into consideration the number of such threats made; the intended number of recipients, whether the initial sender was acting in an individual capacity or part of a larger group.

TITLE III—PROTECTING STATE AND LOCAL JUDGES AND RELATED GRANT PROGRAMS

SEC. 301. GRANTS TO STATES TO PROTECT WITNESSES AND VICTIMS OF CRIMES.

(a) IN GENERAL.—Section 31702 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13862) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(5) by a State, unit of local government, or Indian tribe to create and expand witness and victim protection programs to prevent threats, intimidation, and retaliation against victims of, and witnesses to, violent crimes.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 31707 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13867) is amended to read as follows:

“SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated \$20,000,000 for each of the fiscal years 2008 through 2012 to carry out this subtitle.”.

SEC. 302. ELIGIBILITY OF STATE COURTS FOR CERTAIN FEDERAL GRANTS.

(a) CORRECTIONAL OPTIONS GRANTS.—Section 515 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3762a) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(4) grants to State courts to improve security for State and local court systems.”;

and

(2) in subsection (b), by adding at the end the following:

“Priority shall be given to State court applicants under subsection (a)(4) that have the greatest demonstrated need to provide security in order to administer justice.”.

(b) ALLOCATIONS.—Section 516(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3762b) is amended—

(1) by striking “80” and inserting “70”;

(2) by striking “and 10” and inserting “10”; and

(3) by inserting before the period the following: “, and 10 percent for section 515(a)(4)”.

(C) STATE AND LOCAL GOVERNMENTS TO CONSIDER COURTS.—The Attorney General may require, as appropriate, that whenever a State or unit of local government or Indian tribe applies for a grant from the Department of Justice, the State, unit, or tribe demonstrate that, in developing the application and distributing funds, the State, unit, or tribe—

(1) considered the needs of the judicial branch of the State, unit, or tribe, as the case may be;

(2) consulted with the chief judicial officer of the highest court of the State, unit, or tribe, as the case may be; and

(3) consulted with the chief law enforcement officer of the law enforcement agency responsible for the security needs of the judicial branch of the State, unit, or tribe, as the case may be.

(d) ARMOR VESTS.—Section 2501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 379611) is amended—

(1) in subsection (a), by inserting “and State and local court officers” after “tribal law enforcement officers”; and

(2) in subsection (b)(1), by inserting “State or local court,” after “government.”.

SEC. 303. GRANTS TO STATES FOR THREAT ASSESSMENT DATABASES.

(a) IN GENERAL.—The Attorney General, through the Office of Justice Programs, shall make grants under this section to the highest State courts in States participating in the program, for the purpose of enabling such courts to establish and maintain a threat assessment database described in subsection (b).

(b) DATABASE.—For purposes of subsection (a), a threat assessment database is a database through which a State can—

(1) analyze trends and patterns in domestic terrorism and crime;

(2) project the probabilities that specific acts of domestic terrorism or crime will occur; and

(3) develop measures and procedures that can effectively reduce the probabilities that those acts will occur.

(c) CORE ELEMENTS.—The Attorney General shall define a core set of data elements to be used by each database funded by this section so that the information in the database can be effectively shared with other States and with the Department of Justice.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2008 through 2011.

TITLE IV—LAW ENFORCEMENT OFFICERS

SEC. 401. REPORT ON SECURITY OF FEDERAL PROSECUTORS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the security of assistant United States attorneys and other Federal attorneys arising from the prosecution of terrorists, violent criminal gangs, drug traffickers, gun traffickers, white supremacists, those who commit fraud and other white-collar offenses, and other criminal cases.

(b) CONTENTS.—The report submitted under subsection (a) shall describe each of the following:

(1) The number and nature of threats and assaults against attorneys handling prosecutions described in subsection (a) and the reporting requirements and methods.

(2) The security measures that are in place to protect the attorneys who are handling

prosecutions described in subsection (a), including threat assessments, response procedures, availability of security systems and other devices, firearms licensing (deputations), and other measures designed to protect the attorneys and their families.

(3) The firearms deputation policies of the Department of Justice, including the number of attorneys deputized and the time between receipt of threat and completion of the deputation and training process.

(4) For each requirement, measure, or policy described in paragraphs (1) through (3), when the requirement, measure, or policy was developed and who was responsible for developing and implementing the requirement, measure, or policy.

(5) The programs that are made available to the attorneys for personal security training, including training relating to limitations on public information disclosure, basic home security, firearms handling and safety, family safety, mail handling, counter-surveillance, and self-defense tactics.

(6) The measures that are taken to provide attorneys handling prosecutions described in subsection (a) with secure parking facilities, and how priorities for such facilities are established—

(A) among Federal employees within the facility;

(B) among Department of Justice employees within the facility; and

(C) among attorneys within the facility.

(7) The frequency attorneys handling prosecutions described in subsection (a) are called upon to work beyond standard work hours and the security measures provided to protect attorneys at such times during travel between office and available parking facilities.

(8) With respect to attorneys who are licensed under State laws to carry firearms, the policy of the Department of Justice as to—

(A) carrying the firearm between available parking and office buildings;

(B) securing the weapon at the office buildings; and

(C) equipment and training provided to facilitate safe storage at Department of Justice facilities.

(9) The offices in the Department of Justice that are responsible for ensuring the security of attorneys handling prosecutions described in subsection (a), the organization and staffing of the offices, and the manner in which the offices coordinate with offices in specific districts.

(10) The role, if any, that the United States Marshals Service or any other Department of Justice component plays in protecting, or providing security services or training for, attorneys handling prosecutions described in subsection (a).

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. EXPANDED PROCUREMENT AUTHORITY FOR THE UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—Section 995 of title 28, United States Code, is amended by adding at the end the following:

“(f) The Commission may—

“(1) use available funds to enter into contracts for the acquisition of severable services for a period that begins in 1 fiscal year and ends in the next fiscal year, to the same extent as executive agencies may enter into such contracts under the authority of section 303L of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 2531);

“(2) enter into multi-year contracts for the acquisition of property or services to the same extent as executive agencies may enter into such contracts under the authority of section 304B of the Federal Property and Ad-

ministrative Services Act of 1949 (41 U.S.C. 254c); and

“(3) make advance, partial, progress, or other payments under contracts for property or services to the same extent as executive agencies may make such payments under the authority of section 305 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 255).”.

(b) SUNSET.—The amendment made by subsection (a) shall cease to have force and effect on September 30, 2010.

SEC. 502. MAGISTRATE AND TERRITORIAL JUDGES LIFE INSURANCE.

(a) IN GENERAL.—Section 604(a)(5) of title 28, United States Code, is amended by inserting after “hold office during good behavior,” the following: “magistrate judges appointed under section 631 of this title, and territorial district court judges appointed under section 24 of the Organic Act of Guam (48 U.S.C. 1424b), section 1(b) of the Act of November 8, 1877 (48 U.S.C. 1821), or section 24(a) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1614(a)),”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any payment made on or after the first day of the first applicable pay period beginning on or after the date of enactment of this Act.

SEC. 503. ASSIGNMENT OF JUDGES.

Section 296 of title 28, United States Code, is amended by inserting at the end of the second undesignated paragraph the following new sentence: “However, a judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed, shall have all the powers of a judge of that court, including participation in appointment of court officers and magistrates, rulemaking, governance, and administrative matters.”.

SEC. 504. SENIOR JUDGE PARTICIPATION IN THE SELECTION OF MAGISTRATES.

Section 631(a) of title 28, United States Code, is amended by striking “Northern Mariana Islands” the first place it appears and inserting “Northern Mariana Islands (including any judge in regular active service and any judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed)”.

SEC. 505. GUARANTEEING COMPLIANCE WITH PRISONER PAYMENT COMMITMENTS.

Section 3624(e) of title 18, United States Code, is amended by striking the last sentence and inserting the following: “Upon the release of a prisoner by the Bureau of Prisons to supervised release, the Bureau of Prisons shall notify such prisoner, verbally and in writing, of the requirement that the prisoner adhere to an installment schedule, not to exceed two years except in special circumstances, to pay for any fine imposed for the offense committed by such prisoner, and of the consequences of failure to pay such fines under sections 3611 through 3614 of this title.”.

SEC. 506. STUDY AND REPORT.

The Attorney General shall study whether the generally open public access to State and local records imperils the safety of the Federal judiciary. Not later than 18 months after the enactment of this Act, the Attorney General shall report to Congress the results of that study together with any recommendations the Attorney General deems necessary.

SEC. 507. REAUTHORIZATION OF FUGITIVE APPREHENSION TASK FORCES.

Section 6(b) of the Presidential Threat Protection Act of 2000 (28 U.S.C. 566 note; Public Law 106-544) is amended—

(1) by striking “and” after “fiscal year 2002.”; and

(2) by inserting “, and \$10,000,000 for each of the fiscal years 2008 through 2012” before the period.

SEC. 508. INCREASED PROTECTION OF FEDERAL JUDGES.

(a) MINIMUM DOCUMENT REQUIREMENTS.—

(1) **MINIMUM REQUIREMENTS.**—For purposes of section 202(b)(6) of the REAL ID Act of 2005 (49 U.S.C. 30301 note), a State may, in the case of an individual described in subparagraph (A) or (B) of paragraph (2), include in a driver’s license or other identification card issued to that individual by the State, the address specified in that subparagraph in lieu of the individual’s address of principle residence.

(2) **INDIVIDUALS AND INFORMATION.**—The individuals and addresses referred to in paragraph (1) are the following:

(A) In the case of a Justice of the United States, the address of the United States Supreme Court.

(B) In the case of a judge of a Federal court, the address of the courthouse.

(b) **VERIFICATION OF INFORMATION.**—For purposes of section 202(c)(1)(D) of the REAL ID Act of 2005 (49 U.S.C. 30301 note), in the case of an individual described in subparagraph (A) or (B) of subsection (a)(2), a State need only require documentation of the address appearing on the individual’s driver’s license or other identification card issued by that State to the individual.

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

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Sadly, Mr. Speaker, our Nation’s judiciary has been the repeated targets of death threats and sometimes even violent acts. In 2005, for example, the family members of a Federal judge in Chicago were murdered. Two weeks later, a State judge, court reporter, and a sheriff’s deputy were killed in an Atlanta courthouse. And so it is these acts of violence in the judiciary that bring us together.

Along with others, we have begun on the Judiciary Committee to realize the need for legislation that will perhaps try to deal more effectively with these concerns of safety in the courts. So I am pleased that the gentleman from Virginia, the chairman of the Subcommittee on Crime, BOBBY SCOTT; and Judge LOUIE GOHMERT of Texas, a distinguished member of the committee, have joined with me in this effort.

What we seek to do is improve the security for court officers and the safeguards of judges and their families. We achieve this objective by making several revisions in the current law.

First, we make the current redaction authority of Federal judges under the Ethics and Government Act permanent. What this provision will do is prevent would-be aggrieved litigants and others who might use a Federal judge’s personal information to determine how they might threaten him or her or a family member of the court.

Another thing we do in this legislation is authorize an additional \$120 million for the United States Marshals Service over the course of the next 6 years. These monies will enable the service to increase ongoing investigations and expand protective services that are currently provided to the Federal judiciary. This is a long overdue item, and we were glad that we reached authorizing agreement on it.

The bill also makes it a Federal offense to publish the personal information of a judge, law enforcement officer, or witness with the intent to cause some act of intimidation or harassment, or to commit a crime of violence. This measure authorizes \$100 million over the course of the next 5 fiscal years to create and expand the witness protection programs to assist witnesses and victims of crime.

It has taken a couple years to put these various pieces together in the bill, and we think that time for its passage is immediate, if not overdue, and I urge my colleagues to give favorable consideration to this very common-sense proposal.

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

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

Mr. Speaker, I rise in support of H.R. 660, the Court Security Improvement Act of 2007. This legislation is a bipartisan effort, as the chairman just mentioned, to improve the security of those who administer our justice system, as well as those who serve as witnesses, victims, and their families.

In recent years, Mr. Speaker, we have seen an increase in violence and threats against judges, prosecutors, defense counsel, law enforcement officers, courthouse employees; and the list is virtually endless. It is critical that we address this violence in order to preserve the integrity of, and the public confidence in, our justice system.

The murders of family members of U.S. District Judge Joan Lefkowitz and the brutal slayings of Judge Rowland Barton and his court personnel in Atlanta are just a few of the many examples that underscore the need to better protect those who serve our judiciary and their respective families.

According to the Administrative Office of the U.S. Courts, almost 700 threats a year are made against Federal judges. In numerous cases, it has been necessary to assign Federal judges security details for fear of attack by terrorists, violent gangs, drug organizations, and disgruntled litigants.

The problem of witness intimidation and threats has also continued to grow,

particularly at the State and local levels, where few resources are available to protect witnesses, victims, and their families.

H.R. 660 improves coordination between the United States Marshals Service and the Federal judiciary and bolsters security measures for Federal prosecutors handling the dangerous trials against terrorists, drug organizations, and other organized crime figures.

This bill also prohibits public disclosure on the Internet and other public sources of personal information about judges, law enforcement officers, victims, and witnesses, and protects Federal judges and prosecutors from organized efforts to harass and intimidate them through false filings of liens or other encumbrances against personal property.

Additionally, H.R. 660 provides grants to State and local courts to improve their security services. I want to thank the majority for working with us to include other important provisions that were not in the original legislation.

Under our bipartisan agreement, the legislation we consider today, Mr. Speaker, also contains increased criminal penalties for assaults against Federal law enforcement officers, makes permanent the redaction authority for judges filing ethics disclosure forms, and reauthorizes the Presidential Threat Task Forces.

Although we were unable to include in this legislation a provision that ensures retired and off-duty police officers permission to carry firearms under a Federal law enacted in 2004, I appreciate Chairman CONYERS’ and Subcommittee Chairman SCOTT’s promise to move and pass on suspension the Law Enforcement Officers Safety Act of 2007, which accomplishes that goal.

It is imperative, it seems to me, Mr. Speaker, that we continue to work together on a bipartisan effort to ensure that judges, witnesses, courthouse personnel, and law enforcement officers do not have to face threats and violence when discharging their duties.

At the State and local level there is a dire need to provide basic security services in the courtroom and for witnesses. H.R. 660 represents a significant first step in this area.

Mr. Speaker, when I served as chairman of the Crimes Subcommittee in the previous Congress, the House passed legislation to improve court security, only to see it die in the other body. I commend Chairman CONYERS, the distinguished gentleman from Michigan; Ranking Member SMITH, distinguished gentleman from Texas; as well as Crime Subcommittee Chairman SCOTT, the distinguished gentleman from Virginia; and another distinguished gentleman from Virginia, Representative FORBES, for their continued leadership on this issue, and hope that we can successfully get this legislation across the finish line.

Finally, I want to acknowledge what Chairman CONYERS did, what Ranking

Subcommittee Chairman BOBBY SCOTT did, and the effects, as you mentioned, Mr. Chairman, of Congressman LOUIE GOHMERT, the distinguished gentleman from Texas who himself is a former judge. These three gentlemen were tireless advocates for better judicial security, and I urge my colleagues to support this critical bipartisan measure.

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

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume for these closing remarks.

I agree with HOWARD COBLE, the gentleman from North Carolina, that our Nation's court system and those who work there must function in a safe and professional environment, and that is what we are improving in this measure. We have worked together in great harmony and cooperation, and the measure helps in a substantial way to promote better security for our judiciary and other court personnel, and I urge our colleagues to support the passage of this critical measure.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 660, the "Court Security Improvement Act of 2007." This legislation will go a long way toward enhancing the security and integrity of our judicial system and the able men and women who comprise the Federal judiciary.

Mr. Speaker, let me quote the Chief Justice of the Texas Supreme Court: "Our democracy and the rule of law depend upon safe and secure courthouses." That is because an independent judiciary is essential for a regime based on the rule of law. Nothing can do more to undermine the independence of the judiciary than the very real threat of physical harm to members of the judiciary or their families to intimidate or retaliate. In 1979, U.S. District Court Judge John Wood, Jr., was fatally shot outside of his home by assassin Charles Harrelson. The murder contract had been placed by Texas drug lord Jamiel Chagra, who was awaiting trial before the judge.

In 1988, U.S. District Court Judge Richard Daronco was murdered at his house by Charles Koster, the father of the unsuccessful plaintiff in a discrimination case. The following year, U.S. Circuit Court Judge Richard Vance was killed by a letter bomb sent to his home. The letter bomb was attributed to racist animus against Judge Vance for writing an opinion reversing a lower-court ruling to lift an 18-year desegregation order from the Duval County, Florida schools.

In this age of the global war on terror, the danger faced by Federal judges, judicial officers, and court personnel is real, as illustrated by the three murders noted above. The recent and tragic murder of U.S. District Court Judge Joan Humphrey Letkow's husband and mother reminds us that the danger has not abated.

Mr. Speaker, H.R. 660 provides a three-pronged legislative response to the security challenges facing our judicial institutions and personnel. First, it directs the U.S. Marshals Service to consult with the Judicial Conference regarding the security requirements for the judicial branch, in order to improve the implementation of security measures needed to protect judges, court employees, law enforcement officers, jurors and other members of the public who are regularly in Federal courthouses.

The bill also extends authority to redact information relating to family members from a Federal judge's disclosure statements required by the Ethics in Government Act and removes the sunset provision from the redaction authority, thus making the redaction authority permanent.

Mr. Speaker, H.R. 660 also enhances the security and protection of judicial personnel and their families by making it a criminal offense to maliciously record a fictitious lien against a Federal judge or Federal law enforcement officer. This new crime and punishment is intended to deter individuals from attempting to intimidate and harass Federal judges and employees by filing false liens against their real and personal property.

The bill also makes it a crime to publish on the Internet restricted personal information concerning judges, law enforcement, public safety officers, jurors, witnesses, or other officers in any U.S. Court. The penalty for a violation is a maximum term of imprisonment of 5 years. Additionally, the bill increases the maximum penalty for killing or attempting to kill a witness, victim, or informant to obstruct justice or in retaliation for their testifying or providing information to law enforcement by increasing maximum penalties.

All in all, Mr. Speaker, this bill makes a substantial contribution to the enhancement of security of judicial institutions and personnel. I urge all members to join me in supporting this beneficial legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 660, as amended.

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

A motion to reconsider was laid on the table.

INTERSTATE RECOGNITION OF NOTARIZATIONS ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1979) to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1979

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 "Interstate Recognition of Notarizations Act of 2007".

SEC. 2. RECOGNITION OF NOTARIZATIONS IN FEDERAL COURTS.

Each Federal court shall recognize any lawful notarization made by a notary public licensed or commissioned under the laws of a State other than the State where the Federal court is located if—

(1) such notarization occurs in or affects interstate commerce; and

(2)(A) a seal of office, as symbol of the notary public's authority, is used in the notarization; or

(B) in the case of an electronic record, the seal information is securely attached to, or logically associated with, the electronic record so as to render the record tamper-resistant.

SEC. 3. RECOGNITION OF NOTARIZATIONS IN STATE COURTS.

Each court that operates under the jurisdiction of a State shall recognize any lawful notarization made by a notary public licensed or commissioned under the laws of a State other than the State where the court is located if—

(1) such notarization occurs in or affects interstate commerce; and

(2)(A) a seal of office, as symbol of the notary public's authority, is used in the notarization; or

(B) in the case of an electronic record, the seal information is securely attached to, or logically associated with, the electronic record so as to render the record tamper-resistant.

SEC. 4. DEFINITIONS.

In this Act:

(1) ELECTRONIC RECORD.—The term "electronic record" has the meaning given that term in section 106 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006).

(2) LOGICALLY ASSOCIATED WITH.—Seal information is "logically associated with" an electronic record if the seal information is securely bound to the electronic record in such a manner as to make it impracticable to falsify or alter, without detection, either the record or the seal information.

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

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

□ 1615

Mr. CONYERS. Mr. Speaker, this measure is a commonsense requirement with respect to the process of notarizing documents that occur in every State, every city, every county. And what we do in H.R. 1979 is simply to require Federal and State courts to recognize documents lawfully notarized in any State of the Union when interstate commerce is, in fact, involved.

As we all know, notary publics play a critical role in ensuring that the signer of a document is, indeed, who he or she claims to be and that the person has willingly and without coercion signed the document. By performing these two tasks, the notary public serves as an indispensable first line of defense against fraudulent acts and other manipulations of contracts and other documents.

Although the purpose of notarizations is the same across our Nation, each State has, in the course of time, established its own laws governing the recognition of notarized documents. And some things are required in some places, and other things are required in others. And so the lack of consistent technical rules and the resultant formalities make it unnecessarily difficult for courts to recognize out-of-State notarizations. Some places impose certain technical requirements, such as dictating that the ink seals must be used, while others require embossers. Some States demand very particular language in the acknowledgment certificate and will, accordingly, reject out-of-State notarizations that lack the same language that they require in their State. And there are many other little details that create snafus, create problems in accepting documents that have been notarized and may be different in some small technical way. These inconsistencies, of course, do not further the goals of notarization. In fact, this problem has led to the bill that we have before us. And I'm very pleased to thank the gentleman from Alabama (Mr. ADERHOLT) and Mr. ARTUR DAVIS, also of Alabama, Mr. BRALEY of Iowa, who have all together introduced this measure. And so what we're seeing here is that we propose to grant relief to these kinds of snafus that occur in accepting out-of-State notarizations.

H.R. 1979 is supported by the National Notary Association, countless numbers of notary publics in many States, the academics that follow this arcane area of the law, and we think that they are correct, that we're making an important revision in how notarized documents are recognized by the courts, all courts. And it's in that spirit that I introduce or urge my colleagues to support H.R. 1979.

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

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

Mr. Speaker, Representative ADERHOLT's bill eliminates unnecessary impediments in handling the everyday transactions of individuals and businesses. Many documents executed and notarized in one State, either by design or happenstance, find their way into neighboring or more distant States. A document should not be refused admission to support or defend a claim in court solely on the ground it was not notarized in the State where the Court sits. H.R. 1979 ensures this will not result.

A notarization, in and of itself, Mr. Speaker, neither validates a document nor speaks to the truthfulness or accuracy of its contents. The notarization serves a different function. It verifies that a document's signer is who he or she purports to be and has willingly signed or executed the document.

By executing the appropriate certificate, the notary public, as a disinterested party to the transaction, in-

forms all other parties relying upon or using the document that it is the act of the person who signed it.

H.R. 1979 compels a court to accept the authenticity of the document, even though the notarization was performed in a State other than where the form is located. This reaffirms the importance of the notarial act.

Mr. Speaker, after hearing testimony on this subject before the Judiciary Committee during the 109th Congress, I have concluded that the refusal of one State to accept the validity of another State's notarized document in an intrastate legal proceeding is just plain provincial and insular.

Some of the examples were based on petty reasons. For example, one State requires a notary to affix an ink stamp to a document, an act that is not recognized in a sister State that may well require documents to be notarized with a raised, embossed seal.

Passing this bill will streamline interstate commercial and legal transactions consistent with the guarantees of the Full Faith and Credit Clause of the Constitution. Mr. Speaker, I urge its passage.

Mr. Speaker, I am pleased to recognize the chief sponsor of the bill, the distinguished gentleman from Alabama (Mr. ADERHOLT), for such time as he may consume.

Mr. ADERHOLT. Mr. Speaker, I appreciate the Chairman's support for this legislation to be brought to the floor. I also want to say that I appreciate Congressman COBLE, his lending his support for this legislation and making sure that it gets to the floor today. And as Chairman CONYERS noted, Congressman DAVIS of Alabama and Congressman BRALEY of Iowa have been very helpful in this effort as well. So I'm glad to have their support.

One other person that has been very supportive that actually called this to my attention initially was a friend of mine from Alabama, Mike Turner, some time ago brought this issue to my attention, and so I'm glad that we can work on this and try to get this resolved here on the floor of the House and through the United States Congress.

I'm pleased to have been able to work together with the committee of jurisdiction to find a satisfactory solution to this issue dealing with recognition across State lines. During the hearing that was held during the 109th Congress, which has already been mentioned, by the Subcommittee on the Courts, the Internet and Intellectual Property, then Ranking Member HOWARD BERMAN pointed out that though the topic of notary recognition between the States is not necessarily the most exciting issue, it is an extremely practical one. And to my colleague who, of course, now chairs that subcommittee, I would have to agree with him on both points.

During the hearing, which was held back in March of 2006, we heard from several witnesses who all agree that

this is an ongoing and a difficult problem for interstate commerce. To businesses and individuals engaged in businesses across State lines, this is a matter long overdue that is being resolved.

H.R. 1979, the bill today, will eliminate confusion that arises when States refuse to acknowledge the integrity of documents from another State. This act preserves the right of States to set standards and regulate notaries, while reducing the burden on the average citizen who has to use the Court system.

It will streamline the interstate, commercial, and legal transaction consistent with the guarantees of the State's rights that are called for in the Full Faith in Credit Clause of the United States Constitution.

Currently, as the law is today, each State is responsible for regulating its notaries. Typically, an individual will pay a fee, will submit an application, takes an oath of office. Some States require the applicants to enroll in educational courses, pass exams and even to obtain a notary bond. Nothing in this legislation will change these steps. We are not trying to mandate how States regulate notaries which they appoint.

In addition, the bill will also not preclude the challenge of notarized documents such as a will contest.

During the subcommittee hearings on this bill that were held back in the 109th Congress, Tim Reiniger, who serves as the executive director of the National Notary Association stated, "We like this bill because it is talking about a standard for the legal effects of the material act, the admissibility of it, not at all interfering with the State requirements for education and regulation of the notaries themselves."

This is an issue that has really lagged on for many, many years. When I was first elected to Congress back in 1997, this was an issue that I was first made aware of, and here we are in 2007, and this issue is still not resolved. And this is an issue that people who deal with notaries on a daily basis deal with, to a lot of frustration.

And simply, this legislation that we have before the House today and that will be going before the United States Senate, hopefully in a very short period of time, will address this problem. It will try to expedite interstate commerce so that court documents and so that when notaries are in one State or the other, they will be fully recognized.

And again, I think it must be stressed that it is in no way trying to mandate what a State should do or should not do. It simply allows there to be more free flow of commerce between the States and particularly when you're talking about the regulation of notaries themselves.

Again, thank you, Mr. Chairman, for your support, Congressman COBLE for your support of this legislation, and allowing it to be able to move forward today. And I would urge my colleagues that when this bill comes for a vote, that they would support it under the suspension of the rules.

Mr. COBLE. In closing, Mr. Speaker, this addresses a problem that has come across my path many times. Back home, Mr. CONYERS, I don't know about you in Michigan, but in North Carolina, I hear this complaint frequently. A document properly notarized in one State, and then as I said, it must be by happenstance, crosses a State line and goes to another State, and then, of course, denial rears her ugly head, and all sorts of confusion results.

□ 1630

So this addresses a problem that needs to be fixed, and I think this legislation does it.

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

Mr. CONYERS. Mr. Speaker, I commend the author of this bill, Mr. ADERHOLT, and always I am pleased to come to the floor with the floor manager on the Republican side, Mr. COBLE.

And I only want to underscore the fact that communications interstate are so common and frequent that this is a long overdue and important improvement in the relations of legal documents between the citizens of the several States. So I am proud to sign off with you and join in urging that this matter be unanimously supported by the distinguished House of Representatives.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 1979, as amended.

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

The title was amended so as to read: "A bill to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce."

A motion to reconsider was laid on the table.

TRANSITIONAL MEDICAL ASSISTANCE AND ABSTINENCE EDUCATION PROGRAM EXTENSION

Mr. GENE GREEN of Texas. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1701) to provide for the extension of transitional medical assistance (TMA) and the abstinence education program through the end of fiscal year 2007, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1701

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

SECTION 1. EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE (TMA) AND ABSTINENCE EDUCATION PROGRAM THROUGH THE END OF FISCAL YEAR 2007.

Section 401 of division B of the Tax Relief and Health Care Act of 2006 (Public Law 109-432) is amended—

(1) by striking "June 30" and inserting "September 30"; and

(2) by striking "third quarter" each place it appears and inserting "fourth quarter".

SEC. 2. SUNSET OF THE LIMITED CONTINUOUS ENROLLMENT PROVISION FOR CERTAIN BENEFICIARIES UNDER THE MEDICARE ADVANTAGE PROGRAM.

Section 1851(e)(2)(E) of the Social Security Act (42 U.S.C. 1395w-21(e)(2)(E)), as added by section 206(a) of division B of the Tax Relief and Health Care Act of 2006, is amended—

(1) in clause (i), by striking "2007 or 2008" and inserting "the period beginning on January 1, 2007, and ending on July 31, 2007."; and

(A) in the heading, by striking "YEAR" and inserting "THE APPLICABLE PERIOD"; and

(B) by striking "the year" and inserting "the period described in such clause".

SEC. 3. OFFSETTING ADJUSTMENT IN MEDICARE ADVANTAGE STABILIZATION FUND.

Section 1858(e)(2)(A)(i) of the Social Security Act (42 U.S.C. 1395w-27a(e)(2)(A)(i)), as amended by 301 of division B of the Tax Relief and Health Care Act of 2006, is amended by striking "the Fund during the period" and all that follows and inserting "the Fund—

"(I) during 2012, \$1,600,000,000; and

"(II) during 2013, \$1,790,000,000."

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this legislation that provides a 3-month extension to the transitional medical assistance program under Medicaid.

TMA provides vital support for low-income American families moving off welfare and into work. Under the TMA program, families whose earnings would otherwise make them ineligible for Medicaid can receive up to 12 months of Medicaid coverage. Without TMA, many families transitioning from welfare to work would go without health insurance and could end up back on welfare.

Families leaving welfare often encounter difficulties such as securing health insurance because they have taken low-wage jobs that do not offer employer-sponsored health coverage. In some cases this choice could serve as

a deterrent to returning to work, and we want to provide folks with as many incentives as possible to return to work. According to the Congressional Research Service, 79 percent of people with incomes of at least 200 percent of the Federal poverty level benefit from employer-sponsored health insurance, yet only 19 percent of working-age individuals with incomes below the poverty line receive health care coverage through employment. These are folks who earn \$10,210 or less a year. If they can't get coverage through their employer, it is essentially cost-prohibitive for them to purchase health insurance.

No one should be made to choose between a job and health insurance. Thanks to TMA, many Americans are spared this tough choice and allowed to move off welfare and into a job while maintaining their health coverage. Without TMA, many of our most vulnerable Americans would be unable to access the health coverage they need.

In my State of Texas, TMA helps provide more than 111,000 people each month continued treatment for ongoing health care needs. A gap in care would be particularly problematic for the one out of four mothers in the program who are in poor or fair health yet transitioning from welfare to work. The extensions of the program is critical to their continued access to necessary health care.

Again in Texas, TMA also reimburses medical providers for more than \$300 million in annual expenses for acute medical care, prescription drugs, and other approved Medicaid services. Without TMA, these costs for medically necessary services would be shifted to local governments or charitable organizations, or worse, the client may not receive needed care at all.

Mr. Speaker, TMA enjoys wide-ranging bipartisan support. The National Governors Association strongly supports TMA and its extension. According to the National Governors Association, "without access to regular health care, health problems of a new worker or the worker's family members are likely to lead to greater absenteeism and possibly job loss."

TMA is also supported by the National Conference of State Legislatures, the American Public Health Association, and the National Association of State Medicaid Directors. The administration also supports this vital program as evidenced by the fact that the President included a 1-year extension of TMA in his fiscal year 2008 budget proposal.

Mr. Speaker, in the past Congress has always acted in bipartisan fashion to extend TMA in combination with an equal extension of Federal abstinence education programs. While there is no shortage of debate or opinion on the merits of abstinence education programs, I hope my colleagues will join me in supporting this approach, at least for the short term, so we can ensure that hardworking American families don't lose their health care under

the transitional medical assistance program.

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

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

This statement that I am about to read is the statement of Congressman JOE BARTON, the distinguished gentleman from Texas, who I am told is in transit and is not able to be here:

I rise in support of the bill before us today, which extends the programs of transitional medical assistance and the title V abstinence education program. I am pleased that the Congress is able to work together to extend funding for these programs.

I believe it is important that we support the goals of abstinence education and not get bogged down by the politics that inevitably surround the concept. Our school children deserve the opportunity to receive an education regarding the merits of an abstinent lifestyle. Title V funds are optional for States, and it does not prohibit the funding and teaching of contraceptive-based programs.

Abstinence education provides teens the opportunities to learn about the ramifications of sexual activity including pregnancy and sexually transmitted diseases. As I am sure many of my colleagues would attest, I have heard from numerous programs within my State, and I am sure in the State of Texas from where Mr. BARTON hails, that rely on this Federal funding. They believe in the program and hope to continue providing abstinence education opportunities to local teens.

In closing, Mr. Speaker, I would like to reiterate my support for this bill and encourage my colleagues to do the same.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. GENE GREEN) that the House suspend the rules and pass the Senate bill, S. 1701.

The question was taken.

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

Mr. COBLE. 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.

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 4 o'clock and 40 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1837

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 37 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings on motions to suspend the rules previously postponed will be taken tomorrow.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2669, COLLEGE COST REDUCTION ACT OF 2007

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110-224) on the resolution (H. Res. 531) providing for consideration of the bill (H.R. 2669) to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008, which was referred to the House Calendar and ordered to be printed.

TIME TO LEAVE IRAQ

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

Mr. MCGOVERN. Mr. Speaker, the time has come for us to leave Iraq. The President intends to continue his war until he leaves office and let the next President clean up his mess. White House advisers debate how to buy more time.

Over 3,600 U.S. troops have been killed. Hundreds, perhaps thousands more, will be killed while we wait for this President to end this war. Thirty thousand U.S. troops wounded. Will that number double while we wait for this President to end his war? Thousands of Iraqi men, women, and children dead, \$10 billion each month squandered. Are we ready to spend \$200 billion more?

On Sunday, the New York Times laid out why, how, and when the U.S. should end this war. It pulled no punches about how ugly the aftermath might be. It was a hard and honest statement of where we stand right now and where we need to go.

Mr. Speaker, Congress must act. It is time to end this war.

[From the New York Times, July 8, 2007]

THE ROAD HOME

It is time for the United States to leave Iraq, without any more delay than the Pentagon needs to organize an orderly exit.

Like many Americans, we have put off that conclusion, waiting for a sign that President Bush was seriously trying to dig the United States out of the disaster he created by invading Iraq without sufficient cause, in the face of global opposition, and without a plan to stabilize the country afterward.

At first, we believed that after destroying Iraq's government, army, police and economic structures, the United States was obliged to try to accomplish some of the goals Mr. Bush claimed to be pursuing, chiefly building a stable, unified Iraq. When it became clear that the president had neither the vision nor the means to do that, we argued against setting a withdrawal date while there was still some chance to mitigate the chaos that would most likely follow.

While Mr. Bush scorns deadlines, he kept promising breakthroughs—after elections, after a constitution, after sending in thousands more troops. But those milestones came and went without any progress toward a stable, democratic Iraq or a path for withdrawal. It is frighteningly clear that Mr. Bush's plan is to stay the course as long as he is president and dump the mess on his successor. Whatever his cause was, it is lost.

The political leaders Washington has backed are incapable of putting national interests ahead of sectarian score settling. The security forces Washington has trained behave more like partisan militias. Additional military forces poured into the Baghdad region have failed to change anything.

Continuing to sacrifice the lives and limbs of American soldiers is wrong. The war is sapping the strength of the nation's alliances and its military forces. It is a dangerous diversion from the life-and-death struggle against terrorists. It is an increasing burden on American taxpayers, and it is a betrayal of a world that needs the wise application of American power and principles.

A majority of Americans reached these conclusions months ago. Even in politically polarized Washington, positions on the war no longer divide entirely on party lines. When Congress returns this week, extricating American troops from the war should be at the top of its agenda.

That conversation must be candid and focused. Americans must be clear that Iraq, and the region around it, could be even bloodier and more chaotic after Americans leave. There could be reprisals against those who worked with American forces, further ethnic cleansing, even genocide. Potentially destabilizing refugee flows could hit Jordan and Syria. Iran and Turkey could be tempted to make power grabs. Perhaps most important, the invasion has created a new stronghold from which terrorist activity could proliferate.

The administration, the Democratic-controlled Congress, the United Nations and America's allies must try to mitigate those outcomes—and they may fail. But Americans must be equally honest about the fact that keeping troops in Iraq will only make things worse. The nation needs a serious discussion, now, about how to accomplish a withdrawal and meet some of the big challenges that will arise.

THE MECHANICS OF WITHDRAWAL

The United States has about 160,000 troops and millions of tons of military gear inside Iraq. Getting that force out safely will be a formidable challenge. The main road south to Kuwait is notoriously vulnerable to roadside bomb attacks. Soldiers, weapons and vehicles will need to be deployed to secure bases while airlift and sealift operations are organized. Withdrawal routes will have to be guarded. The exit must be everything the invasion was not: based on reality and backed by adequate resources.

The United States should explore using Kurdish territory in the north of Iraq as a secure staging area. Being able to use bases and ports in Turkey would also make withdrawal faster and safer. Turkey has been an inconsistent ally in this war, but like other nations, it should realize that shouldering

part of the burden of the aftermath is in its own interest.

Accomplishing all of this in less than six months is probably unrealistic. The political decision should be made, and the target date set, now.

THE FIGHT AGAINST TERRORISTS

Despite President Bush's repeated claims, Al Qaeda had no significant foothold in Iraq before the invasion, which gave it new base camps, new recruits and new prestige.

This war diverted Pentagon resources from Afghanistan, where the military had a real chance to hunt down Al Qaeda's leaders. It alienated essential allies in the war against terrorism. It drained the strength and readiness of American troops.

And it created a new front where the United States will have to continue to battle terrorist forces and enlist local allies who reject the idea of an Iraq hijacked by international terrorists. The military will need resources and bases to stanch this self-inflicted wound for the foreseeable future.

THE QUESTION OF BASES

The United States could strike an agreement with the Kurds to create those bases in northeastern Iraq. Or, the Pentagon could use its bases in countries like Kuwait and Qatar, and its large naval presence in the Persian Gulf, as staging points.

There are arguments for, and against, both options. Leaving troops in Iraq might make it too easy—and too tempting—to get drawn back into the civil war and confirm suspicions that Washington's real goal was to secure permanent bases in Iraq. Mounting attacks from other countries could endanger those nations' governments.

The White House should make this choice after consultation with Congress and the other countries in the region, whose opinions the Bush administration has essentially ignored. The bottom line: the Pentagon needs enough force to stage effective raids and airstrikes against terrorist forces in Iraq, but not enough to resume large-scale combat.

THE CIVIL WAR

One of Mr. Bush's arguments against withdrawal is that it would lead to civil war. That war is raging, right now, and it may take years to burn out. Iraq may fragment into separate Kurdish, Sunni and Shiite republics, and American troops are not going to stop that from happening.

It is possible, we suppose, that announcing a firm withdrawal date might finally focus Iraq's political leaders and neighboring governments on reality. Ideally, it could spur Iraqi politicians to take the steps toward national reconciliation that they have endlessly discussed but refused to act on.

But it is foolish to count on that, as some Democratic proponents of withdrawal have done. The administration should use whatever leverage it gains from withdrawing to press its allies and Iraq's neighbors to help achieve a negotiated solution.

Iraq's leaders—knowing that they can no longer rely on the Americans to guarantee their survival—might be more open to compromise, perhaps to a Bosnian-style partition, with economic resources fairly shared but with millions of Iraqis forced to relocate. That would be better than the slow-motion ethnic and religious cleansing that has contributed to driving one in seven Iraqis from their homes.

The United States military cannot solve the problem. Congress and the White House must lead an international attempt at a negotiated outcome. To start, Washington must turn to the United Nations, which Mr. Bush spurned and ridiculed as a preface to war.

THE HUMAN CRISIS

There are already nearly two million Iraqi refugees, mostly in Syria and Jordan, and

nearly two million more Iraqis who have been displaced within their country. Without the active cooperation of all six countries bordering Iraq—Turkey, Iran, Kuwait, Saudi Arabia, Jordan and Syria—and the help of other nations, this disaster could get worse. Beyond the suffering, massive flows of refugees—some with ethnic and political resentments—could spread Iraq's conflict far beyond Iraq's borders.

Kuwait and Saudi Arabia must share the burden of hosting refugees. Jordan and Syria, now nearly overwhelmed with refugees, need more international help. That, of course, means money. The nations of Europe and Asia have a stake and should contribute. The United States will have to pay a large share of the costs, but should also lead international efforts, perhaps a donors' conference, to raise money for the refugee crisis.

Washington also has to mend fences with allies. There are new governments in Britain, France and Germany that did not participate in the fight over starting this war and are eager to get beyond it. But that will still require a measure of humility and a commitment to multilateral action that this administration has never shown. And, however angry they were with President Bush for creating this mess, those nations should see that they cannot walk away from the consequences. To put it baldly, terrorism and oil make it impossible to ignore.

The United States has the greatest responsibilities, including the admission of many more refugees for permanent resettlement. The most compelling obligation is to the tens of thousands of Iraqis of courage and good will—translators, embassy employees, reconstruction workers—whose lives will be in danger because they believed the promises and cooperated with the Americans.

THE NEIGHBORS

One of the trickiest tasks will be avoiding excessive meddling in Iraq by its neighbors—America's friends as well as its adversaries.

Just as Iran should come under international pressure to allow Shiites in southern Iraq to develop their own independent future, Washington must help persuade Sunni powers like Syria not to intervene on behalf of Sunni Iraqis. Turkey must be kept from sending troops into Kurdish territories.

For this effort to have any remote chance, Mr. Bush must drop his resistance to talking with both Iran and Syria. Britain, France, Russia, China and other nations with influence have a responsibility to help. Civil war in Iraq is a threat to everyone, especially if it spills across Iraq's borders.

President Bush and Vice President Dick Cheney have used demagoguery and fear to quell Americans' demands for an end to this war. They say withdrawing will create bloodshed and chaos and encourage terrorists. Actually, all of that has already happened—the result of this unnecessary invasion and the incompetent management of this war.

This country faces a choice. We can go on allowing Mr. Bush to drag out this war without end or purpose. Or we can insist that American troops are withdrawn as quickly and safely as we can manage—with as much effort as possible to stop the chaos from spreading.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Michigan (Mr. McCOTTER) is recognized for 5 minutes.

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

BRING OUR TROOPS HOME FROM IRAQ

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

Ms. WOOLSEY. Mr. Speaker, we are back from our Fourth of July district work period, but our homecoming has not been a particularly happy one because we have received even more bad news from the occupation in Iraq.

Yesterday the nonpartisan Congressional Research Service reported that the cost of the occupation has soared to \$10 billion a month, which will add up to half a trillion dollars, thanks to the administration's decision to send more troops and escalate the occupation.

Ten billion dollars a month. I pulled out my calculator. I did some division and found that \$10 billion translates into \$23 million per month per congressional district. Yes, the President is sending a bill to our constituents in every district every month that says you owe \$24 million and you had better pay up because if you don't, I will borrow the money and stick your children and your grandchildren with the bill plus plenty of interest. And I am going to send you another bill just like this one every single month from here on.

Now, some people call the spending on the war the "burn rate." But America doesn't have money to burn. Not when we have critically important investments to make in places that really make a difference for our country, like education; health care; the environment; energy independence; and homeland security, including better security at our ports, at our airports and giving first responders the tools they need to keep our communities safe.

And here is what disturbs me the very most about this burn rate: while the administration throws good money after bad in Iraq, it wants to roll back health coverage for kids right here in America. Those are the wrong priorities. They are the wrong values.

Let's ask ourselves what are we getting for our \$10 billion a month. We are getting an Iraq Government that isn't meeting any of the benchmarks. We are contributing to a refugee crisis that has already forced at least 4 million Iraqis out of their homes with tens of thousands leaving every month. And we are stretching our military to the breaking point.

Today, the Army announced that in June it missed its recruitment goal for the second month in a row. It appears that parents, alarmed about the bloodshed and never-ending nature of this occupation, are discouraging their children from signing up. Isn't it ironic that our involvement in Iraq is turning

out to be a bad recruiting tool for the United States but a great recruiting tool for al Qaeda and other terrorist groups?

I am encouraged, however, that a growing number of my colleagues on the other side of the aisle are turning against the occupation. But at the same time, the President gave a speech today in Cleveland that showed he isn't budging an inch from his failed escalation strategy. He said that Congress "should wait" for General Petraeus's report on the surge in September before making any decision about Iraq, while admitting at the same time that September is a meaningless goal. That is outrageous. The American people didn't send us to Congress to sit around and wait to do nothing. They sent us here to end the occupation, and that is what we must do.

I have proposed a bill that would achieve that, H.R. 508. It would fully fund bringing our troops home safely and soon. It would accelerate international assistance for reconstruction and reconciliation in order to keep Iraq as peaceful as possible. And it would use diplomacy. It would use diplomacy, not war, to achieve political solutions to regional problems.

We will have a golden opportunity in the days and weeks ahead to chart a new course. I urge my colleagues to heed the call and listen to history and listen to the American people and to bring our troops home.

□ 1845

FRANCIS SCOTT KEY AND SAM HOUSTON

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

Mr. POE. Mr. Speaker, Francis Scott Key is best known for being the author of our National Anthem, "The Star Spangled Banner." During the second American revolution, the War of 1812, the British reinvaded the United States, captured Washington, DC, burned this building, the White House and most of this city.

The English then set sail for nearby Baltimore and were determined to take the city, but Fort McHenry was blocking and protecting Baltimore Harbor. Key, a lawyer, had boldly gone on board a British ship to seek release of a captured United States citizen. The Royal Navy held both Key and his client and refused to release either until after the British naval attack on the fort was completed. During the night, the British bombarded the fort with hundreds of shells and rockets, but at "dawn's early light," the American defenders still held the fort, refusing to surrender, and a massive 30 foot by 40 foot American flag still flew defiantly

over Fort McHenry. The unsuccessful British sailed away. Francis Scott Key, upon seeing the flag, wrote our national anthem that was sung this past 4th of July throughout the prairies and plains of America.

But, Mr. Speaker, Key also has a Texas connection. Before Sam Houston made his way to Texas, he served with Andrew Jackson in the Indian wars and was elected United States Congressman for Tennessee for two terms and served as Governor of Tennessee.

After his governorship, Houston spent time in Washington, DC, during the 1830s advocating on behalf of the Cherokee Indians and denouncing the corruption in the Bureau of Indian Affairs.

In 1832, Congressman William Stanbery from Ohio made slanderous accusations about Houston and the Cherokees on the floor of Congress. One morning, Houston was leaving a boarding house on Pennsylvania Avenue and saw Stanbery walking down the street. A confrontation occurred between the two men over Stanbery's statement. A street brawl resulted. Sam Houston thrashed and viciously beat Congressman Stanbery with his hickory walking cane for Stanbery's derogatory remarks on this House floor. Stanbery then pulled a pistol and put it to the chest of Houston, but the pistol misfired. Mr. Speaker, fate saved Sam Houston's life.

The United States Congress ordered the arrest of Sam Houston, charging him with assault and demeaning a Member of Congress. Houston was tried before Congress in a joint session with the Supreme Court acting as judges. The trial lasted a month. Houston spent one full day on this House floor in boisterous oratory stating his positions, that he was defending his honor; Stanbery was the aggressor; and anyway, Stanbery deserved the severe caning.

So what does Francis Scott Key have to do with any of this? Francis Scott Key was Sam Houston's defense lawyer. He did an admirable job in the defense of this later Texas hero, but after the trial was over, Houston was found guilty, publically reprimanded and ordered to pay a \$500 fine. Houston refused to pay the fine and, rather than face more problems with Congress, left Washington that same year and began a new life and political career in Texas. And the rest, they say, is Texas history.

General Sam Houston was the successful commander of the Texas Army during the Texas War of Independence from Mexico in 1836. After defeating Dictator Santa Anna on the marshy plains of San Jacinto, Houston became the first president of the Republic of Texas. After Texas was admitted to the United States in 1845, he was a United States Senator and then Governor of the State. Houston is the only person

to serve as Governor and Member of Congress from two different States.

Sam Houston's troubles with the legislative bodies continued, however. When Texas voted to leave the Union in 1861, the Governor, Houston, refused to take the oath to support the Confederacy. So the Texas legislature removed General Sam from the office of Governor. Too bad. Maybe if Francis Scott Key had been Sam Houston's lawyer before the Texas legislature, the outcome might have been different.

And that's just the way it is.

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

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

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

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

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEES

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

Mr. SPRATT. Madam Speaker, under sections 211 and 320(c) of S. Con. Res. 21, the Concurrent Resolution on the Budget for fiscal year 2008, I hereby submit for printing in the CONGRESSIONAL RECORD a revision to the budget allocations and aggregates for the House Committees on Energy and Commerce, Ways and Means, and Education and Labor for fiscal years 2007, 2008, and the period of 2008 through 2012. This revision represents an adjustment to the Committees' budget allocations and aggregates for the purposes of section 302 of the Congressional Budget Act of 1974, as amended, and in response to the bill S. 1701—to provide for the extension of transitional medical assistance, TMA, and the abstinence education program through the end of fiscal year 2007, and for other purposes. Corresponding tables are attached.

Under section 211 of S. Con. Res. 21, this adjustment to the budget allocations and aggregates of the Committees on Energy and Commerce, Ways and Means, and Education and Labor applies while the measure—S. 1701—is under consideration. The adjustments will take effect upon enactment of the measure—S. 1701. For purposes of the Congressional Budget Act of 1974, as amended, a revised allocation made under section 211 of S. Con. Res. 21 is to be considered as an allocation included in the resolution.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal years, in millions of dollars]

House committee	2007		2008		2008–2012 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Current allocation:						
Education and Labor	\$0	\$0	\$-150	\$-150	\$-750	\$-750
Energy and Commerce	0	0	0	0	0	0
Ways and Means	0	0	0	0	0	0
Change in TMA extension bill (S. 1701):						
Education and Labor	13	4	0	5	0	8
Energy and Commerce	-1	-1	134	132	89	87
Ways and Means	0	0	-38	-38	-98	-98
Total	12	3	96	99	-9	-3
Revised allocation:						
Education and Labor	13	4	-150	-145	-750	-742
Energy and Commerce	-1	-1	134	132	89	87
Ways and Means	0	0	-38	-38	-98	-98

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal year 2007	Fiscal year 2008 ¹	Fiscal years 2008–2012
Current Aggregates: ²			
Budget Authority	\$2,255,558	\$2,350,261	n.a.
Outlays	2,268,646	2,353,893	n.a.
Revenues	1,900,340	2,015,841	\$11,137,671
Change in TMA extension bill (S. 1701):			
Budget Authority	12	96	n.a.
Outlays	3	99	n.a.
Revenues	0	0	0
Revised Aggregates:			
Budget Authority	2,255,570	2,350,357	n.a.
Outlays	2,268,649	2,353,992	n.a.
Revenues	1,900,340	2,015,841	11,137,671

¹ Pending action by the House Appropriations Committee on spending covered by section 207(d)(1)(E) (overseas deployments and related activities), resolution assumptions are not included in the current aggregates.

² Excludes emergency amounts exempt from enforcement in the budget resolution.

Note.—n.a. = Not applicable because annual appropriations Acts for fiscal years 2009 through 2012 will not be considered until future sessions of Congress.

HEALTH CARE IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes as the designee of the minority leader.

Mr. BURGESS. Mr. Speaker, this evening, I wanted to come to the floor of the House to talk once again a little bit about health care. Health care in this country is going to be something that is on the front pages during the next 18 months until the next Presidential election, I suspect, and something we're going to devote a great deal of time and energy to on the floor of this House, perhaps even this month.

As we debate the future of medical care in this country over the next 18 months and through the Presidential election that will follow in 2008 and the Congress that convenes in 2009, we've got to decide on the avenues through which our health care system will be based. And essentially, Mr. Speaker, right now we have a system that is based part on the government, part on the public sector, and partly on the private sector.

The issue before us is, do we expand the public sector? Do we expand the government's involvement in health care? Do we expand the government's involvement in the delivery of health services, as popularly referred to as universal health care, and back in the 1990s, it was termed "Hillary care," or do we encourage and continue the private sector involvement in the delivery of health care? The two options bring about a significant number of questions and a significant number of concerns addressed on both sides of the aisle. But I'm hopeful that as we con-

tinue to study this problem and debate this problem in this body, we will shed some light on the direction that we should be taking.

And Mr. Speaker, I don't think there is any question that the United States has developed one of the best health care systems in the world. Access can be an issue, but the quality of health care practiced in this country is second to none. You have people coming from all over the world. When I was a medical student at the Texas Medical Center down in Houston, Texas, you would have people coming from all over the world to avail themselves of the medical care that was available at Texas Medical Center. And close to my district in north Texas, you have Southwestern Medical School in Dallas, a number of Nobel Laureates on the clinical faculty there. Unbelievable sources of talent and knowledge that are available to training the young physicians of tomorrow. So these are the types of things we've got to be certain that we preserve, protect and defend as we do things that will perhaps alter the way medicine is practiced in this country.

Now, there are a lot of people who take issue with the fact that I maintain that the United States has the best health care system in the world. Plenty of people here in this body would say that's an overstatement. They would say, you've got a large number of uninsured people in this country, or prescription drugs cost way too much. The issues are there, but you know what, Mr. Speaker? The old saying is that numbers don't lie, but if you torture them long enough, they'll admit to almost anything.

We've got to dispense with a lot of the platitudes and the soundbites and try to get to really what is causing the

problems that we have here, and how can we best go about correcting those problems? Well, how about applying some American ingenuity to getting those problems solved.

So, tonight, in talking about the different principles that guide the debate about public versus private in the delivery of health care services, it's important to concentrate a little bit on the background on how we got to the system that we have today.

The idea that we have a problem to solve is not new. Secretary Leavitt, I certainly agree with him when he made the remarks in a speech not too long ago that tackling the division between the two philosophies, public versus private, recently the Secretary said in a speech and in an op-ed piece, he posed the question, should the government own the system, or should the government be responsible for some organization in the system and leave the proprietary standpoint to someone else?

Mr. Speaker, during World War II, this country was faced with some significant problems, and one of the problems was the specter of inflation. So Franklin Roosevelt said, look, we're going to have wage and price controls in this country so that inflation doesn't get out of control. Employees found themselves highly sought after because a lot of the workforce was overseas fighting the war. Employers wanted to keep their employees happy. They wanted to keep them employed. They wanted to keep them loyal to their respective companies, but they were unable to raise wages because there was a Presidential decree that we were under wage and price controls. So the Supreme Court rendered a decision that benefits, things we talk about now

as a benefits package, health care, retirement, these things could be available and would not violate the spirit of President Roosevelt's wage and price controls. Thus, the era of health insurance benefits or employer-derived health insurance was born. And Mr. Speaker, it worked tremendously well, so well that it persisted well after the end of the Second World War.

Now, a lot of people will look at Western Europe and say, they've got a government-run system. Why don't we do what Europe did? How did Europe develop a system, a single-payer, government-run system? Even though some of the countries in Western Europe were victorious at the end of the Second World War, the war was fought in their back yard; their economies were devastated. It was important for their governments to stand up a medical care system quickly to avert a humanitarian crisis. That is what led to the institution of single-payer systems that you see in many countries in Europe today.

But America, by contrast, came through the war with a benefits package, if you will, that was available to employees. Employees like it. Employers liked it because the employees were happy. The employees stayed, to some degree, healthier and were able to work more effectively and less time off for sick leave. So the American system persisted and did very well for a number of years.

Now, fast forward some 20 years from the end of the war to the middle of the administration of Lyndon Johnson, fellow Texan, fellow House Member, albeit on the other side of the aisle, but during the tenure of President Johnson, he signed both the Medicare and the Medicaid programs into law. This was a large government program and represented a fundamental shift. It was the first time that the government got involved in a big way in running the practice of medicine. But it was created to focus on the elderly, to focus on their hospital care and their doctor care, and certainly make sure that persons who were then to be covered by Medicare weren't left in poverty in old age because of mounting medical bills.

But then fast forward another 40 years to the 108th Congress, and we had the Medicare system that was big and expensive and was very, very slow at change. It was like trying to turn a battleship. In 2003, in this House of Representatives, the President came to us, in the very first State of the Union message that I attended as a Member of Congress in my first term, and the President said he was going to, or this Congress was going to bring a Medicare prescription drug benefit to Medicare, that people had waited too long for this; it was too important to wait for another President or another Congress. And indeed, Congress set about the work of providing what we now know as the Part D benefit. And within the year, we voted on that package, and within the next year, it was, indeed,

starting to be run. But the government system needed to address some of the inefficiencies that were built into the system.

Now, the Medicare prescription drug plan has given seniors access to medications that, quite frankly, they just didn't have available before. And when you look at how medicine has changed from 1965 to 2005, when the Medicare drug plan took effect, the changes that had been brought about by the advances in medical research, my dad was a doctor as well, and I used to tease him that, back in 1965, doctors only had two pharmaceutical choices, penicillin and cortisone, and they were regarded as interchangeable. My dad didn't think that was very funny. But the fact is, you come to 2005, look at the lives that have been saved by the introduction of a medicine like statin, medicines that are used for reduction of cholesterol. Dr. Elias Zerhouni of the National Institutes of Health estimates that 800,000 premature deaths have been prevented between 1965 and 2005 with the introduction of medicines to manage cholesterol and lipid levels in patient's blood. That's a tremendous change. In 1965, some people simply had the heart attack and died. In 2005, 2007, that no longer happens. But they are required, in order to maintain that state of health, to be maintained on a medication. Well, if the medicine is too expensive for the patient to buy, they don't take it, and they suffer the health consequences. And as a consequence, the system becomes more expensive because people end up utilizing the system more frequently and the outcomes for disease management become much worse.

The Medicare Prescription Drug Program has been successful. There have been a certain number of people who have been critical, but it has been a great benefit for seniors. And the fact that it is up and running now well into its second year, there is a great deal of satisfaction, and the penetration into the number of people who have had prescription drug benefits who are covered by Medicare is now at an all-time high.

Now, in this country, as I mentioned earlier, the government pays for about half of our health care expenditures. We have a GDP of roughly \$11 trillion in this country. The U.S. Department of Health and Human Services states that Medicare and Medicaid services alone, in fact when we vote on our Labor-HHS appropriations bill this year, it will be significantly north of \$600 billion.

□ 1900

So that is about a half of what we spend in health care.

The way the other half is broken down, primarily the weight is borne by commercial insurance, by private insurance. There is a significant number of dollars that are contributed as charity care or uncompensated care. Certainly there are some individuals who do still simply just pay for their med-

ical care out of pocket, but about half are from the Government source and half from private sources or the goodwill of America's physicians.

The numbers are going to increase because the overall dollar expenditure in health care is going to increase. The baby boomers are aging. There are more and more advances discovered with every passing month. The Federal Government is going to continue to funnel taxpayer dollars into Medicare. We have to ask ourselves, are we getting value for the dollar? Are we doing the best that we possibly can do with that money? Is the government doing an excellent job of managing our health care dollars? Do we think that the government is better suited to be the arbiter of a person's health care needs, or are those decisions better left up to an individual and their family? And who, at the fundamental end of it all, who is better able, who is going to be able to handle the growing health care needs in this country?

I would argue that if you have a public only, a government-run system, a universal, single-payer system, that in America it is going to be a significant problem. In fact, it will have the perverse incentive of hampering our innovation and perhaps even hampering the delivery of the most modern health care services available.

As an example, I would suggest that we have a model that we can examine, and that is our neighbor to the north in Canada. Canada has a completely government-run system. The Supreme Court in Canada in 2005, however, said that the waiting times in Canada were unconscionable and access to a waiting list did not equate to the same thing as access to care.

Now, in Canada they actually have a safety valve, because if somebody needs a medical procedure or needs a medical test done, they actually do have an area where there is a surplus of medical care available, and that would be on their southern border, the United States of America. So if somebody has the ability to pay and wants to come from Canada and cross the border to Henry Ford Hospital in Detroit, they are very capable of doing that. I am certain that the good folks at Henry Ford Hospital welcome their neighbors from Toronto all the time to sell essentially excess capacity that they have, whether it be an MRI or a CT scan or even a mammogram, heart surgery, or an artificial hip. The things that are on the waiting list in Canada that might take months or even years can be accessed relatively quickly simply by crossing the border. The waiting list is significantly long for some procedures.

If we look across the ocean to the country of Great Britain, the National Health Service, of course, has long been established in Britain. The citizens of that country regard their health system with a good deal of affection. But there is, in fact, a two-tier system in England. If someone is on a list for a hip replacement and has the

money to pay for it, they can go outside the system to a private orthopedic physician and have that surgery performed. Obviously, someone who doesn't have the means to provide that for themselves will simply have to stay on the waiting list. You get into a little trouble with the fact that when it takes so long, if someone is of a certain age, another year or two wait is a significant percentage of their remaining expected life years. In many ways that is not fair either. A sad reality that exists, but it is true.

So, in both instances, you can see that where the single-payer, government-run system has been oversubscribed, where they have a private system, either here in the United States for the country of Canada or a two-tiered system in the country of Great Britain, they have a private system to act as a backstop.

So, the question that I would ask is, if the private sector is more nimble and more able to provide care on a timely basis, why in the world would we do anything that would interfere with that system? It is a complex relationship.

How Congress does its job and how we react to the situation can, in fact, have a significant impact on making sure that we have the best health care possible. Certainly I think it is incumbent upon Congress to promote policies that keep the private sector involved in the delivery of health care in this country.

Now, you almost can't talk about health care in this country without talking about the problem of the uninsured. Regardless of the number you use, whether it is 42, 45 or 46 million, it does become a question of access for people without insurance.

But I would also point out that health care is rendered all the time in this country to people who don't have insurance or don't have the means to pay for it. It is not always rendered in the time frame that would be most propitious for the best health outcome, and certainly it is not always administered in the time frame where it is the least expensive type of care, but access to care in this country is, in fact, something that is generally available. But it can become very expensive and the time involved can be significant.

Now, we have a program in this country. It is about to turn 10 years old. In fact, it is a program that we have to reauthorize this year or it will expire at the end of September. This is a program that provides health insurance for children whose parents earn too much money for them to qualify for Medicaid and not enough money to purchase health insurance. So we have the SCHIP program that operates as a joint Federal-State partnership. It does provide some flexibility to States to determine the standards for providing health care funding for those children, again, who are not eligible for Medicaid and whose parents have not been able to get private insurance. The program has been very well thought of. It

has been very successful across the board.

This year, in fact, before September 30, we have to reauthorize the State Children's Health Insurance Program. There is going to be a lot of debate. I suspect there will be a lot of debate this month. Certainly, in my Committee on Energy and Commerce and the Committee on Ways and Means, there will be a lot of debate on the best way to go forward with that.

One of the things I have had a problem with since coming to Congress and examining the SCHIP system is the fact that it is a program that was designed to cover children, but, in fact, we have some States that cover adults. Pregnant women, okay, it is reasonable to have them covered under the SCHIP system. But nonpregnant adults, it strains credulity to have a system that is there to provide health care for children, and in four States in this country we actually have more adults covered under the SCHIP program than we do children.

Certainly, where you have a State where all of the uninsured children have been covered by the SCHIP program, it may be appropriate to cover some adults. But until that trigger point is met, until that condition is met, to me it makes less sense to cover adults, when there are children who would benefit from having the coverage from the State Children's Health Insurance Program, to have them remain uncovered while we cover a population where the money was never intended to be used for that purpose.

A bill that I introduced, H.R. 1013, would make certain that SCHIP funds are spent exclusively on children and pregnant women and not on any other group. I hope to be able to have that concept considered when we go through the reauthorization of the SCHIP program.

Last year in Congress we also debated and got through the committee process the reauthorization for Federally Qualified Health Centers. We did not finish the work on that legislation, so we are likely to have to take that up again this year.

But about someone who is not a child, not a pregnant woman, who doesn't have access to health insurance, there are many places in the country where Federally Qualified Health Centers exist that give the patients access to health care without insurance; gives them a medical home, gives them continuity of care, a place they can go and see the same health care providers, whether it be a physician or nurse practitioner, can see that person over and over again; provides primary health, oral and mental health and substance abuse services to persons at all stages in the life cycle.

Federally Qualified Health Centers take care of 15 million people in this country every year, typically someone who does not have insurance and so would be counted as one of the uninsured, but the reality is that they do

have access to the continuity of care, just as someone who has insurance. Both the SCHIP program and the Federal Qualified Health Centers are designed to help the poorest, youngest and neediest in our communities.

But what about for individuals who can afford to pay some for their health services but just choose not to? We need to get past that point, and certainly there are two things that would improve the access to health insurance for people who do have the ability to pay something for their health care, health savings accounts and health association plans.

Health savings accounts are a tax-advantaged medical savings account available to taxpayers who are enrolled in a high-deductible health plan, a health insurance plan with lower premiums and a higher deductible than a traditional health plan. In the old days we used to refer to this as a catastrophic health plan.

Now, about 1996 or 1997, long before I ever thought about running for Congress, I was a physician in practice back in Texas. The Kennedy-Kassebaum bill was passed by the House and Senate and signed into law. It had in it what was called a demonstration project that would allow 750,000 people in the United States to sign up for at that time what were called medical savings accounts.

I subscribed to one of those. I purchased one of those for my family. The primary reason I did it was not even so much cost considerations but because it kept me in control of making health-care decisions. Those were the days when HMOs and 1-800 numbers were the order of the day, and I wanted to be certain that the health care decisions made in my family were made by my family and not by a bureaucrat or an insurance executive at the end of a 1-800 number.

The medical savings account proved to have a lot of restrictions on them. For that reason, a lot of people shied away from them. So I don't know that they ever got to their full enrollment of 750,000, but to me it was another very viable form of insurance.

Again, the premiums were lower because the deductible was higher, and you were able to put money into an account like an IRA, called a medical IRA, that would grow tax-free. The interest in it would grow tax-free year over year. This money could be used only for legitimate medical expenses, but if you found yourself in a situation where you needed to pay for medical care, yes, you had a high deductible, but now you have saved some money that can offset the high deductible.

When the Medicare Modernization Act passed in 2003, we also did away with a lot of the regulations and restrictions on medical savings accounts, and the follow-on for that are what are called health savings accounts or HSAs.

For an HSA, the funds contributed to the account are not subject to the income tax and can only be used to pay

for medical expenses. But one of the best parts about having an HSA is that all deposits stay the property of the policyholder. They don't go to the insurance company. They don't go to the government. They stay under the control and ownership of the person who has put those funds, regardless of the source of the deposit. So even if an employer makes a contribution to that, the funds belong to the person who owns the insurance policy. Additionally, any funds deposited that are not used that year will stay in the fund and grow year over year, different from the old use-it-or-lose-it programs that were so prevalent and popular during the 1990s.

The popularity of health savings accounts has grown considerably since its inception. The latest numbers I have are, unfortunately, a couple of years old. They are from 2005. But by December of that year, 3.5 million people had insurance coverage through an HSA. Of that number, 42 percent of the individuals are families who had income levels below \$50,000 a year and were purchasing an HSA type of insurance. Additionally, about another 40 percent were individuals who previously had not been insured. So this allowed a way for people who were previously uninsured to access insurance. A good number of those folks were between the ages of 50 and 60, taking away some credence to the myth that HSAs are only for the healthy and wealthy.

These programs have been well-subscribed. Again, the numbers that I have are from 2005. I suspect they are much more robust at this point.

Well, when you consider a young person just getting out of college, round-about age 25, if they don't want to go to work for a major corporation and therefore have employer-derived insurance, what are their options? I will tell you, 10 years ago, you didn't have many options. In fact, I tried to purchase a health insurance policy for an adult child just in that situation. You almost couldn't get an insurance policy for a single individual, regardless of the price you were willing to pay.

Fast forward to 2005 or 2007. You can go on the Internet, type "health savings account" into the search engine of your choice, and very quickly you will be given a plethora of choices from a variety of different health plans. In my home State of Texas, a male age 25 looking for health insurance can find a high-deductible PPO plan from a reputable insurance provider for between \$60 and \$70 a month. So that is eminently affordable.

Sure, there is a high deductible involved with that. That means every fall, if you go get a flu shot, you are probably going to pay for that flu shot out-of-pocket, or if you have money in your health savings account, you can make a draw on that.

□ 1915

So that type of expense is not going to be covered, but if that individual is

in an accident and ends up spending 3 or 4 hours in the emergency room and a day in the intensive care unit, they will be covered because those expenses will rapidly exceed their deductible. That individual will be covered with health insurance. That is a concept that we need to make people aware of, that there are options. Even though you may work for a company that doesn't provide insurance or you are self-employed and are a small group and otherwise would not have access to employer-derived health insurance, the concept of a health savings account is available and marketed over the Internet, and there is a lot of competition for those products. As a consequence of that competition, the price on those has come down in the years since they were introduced.

Mr. Speaker, another concept that we have debated in this House at least every year I have been here is the concept of association health plans. Association health plans allow small employers to band together to get the purchasing power of a larger corporation when they go out and price insurance on the open market.

To date, we have passed that legislation four times that I can recall in the House of Representatives. It never passed in the Senate. I would like to see us take up and at least discuss that as a possibility this year. I don't know in fact if that will happen. But association health plans may not bring down the number of uninsured directly, but it certainly would help bend the growth curve that is going upward of the number of people not covered by insurance because it allows for small employers to get access to much more economic leverage in the market for buying insurance policies and allows them to be able to offer that insurance policy to their employees in the small group market.

It means that a group of perhaps Chambers of Commerce or a group of realtors could band together and offer health insurance to their employees where otherwise it might not have been available. All of these things are important.

Another factor to consider, and we have to be careful here, about a year and a half ago, Alan Greenspan was talking to us just before he left his position at the Federal Reserve. Someone brought up the topic of Medicare, and where is the funding going to come from? Mr. Greenspan said he was confident at some point in the future Congress will come to grips with this problem and will solve this problem.

But he went on to say what concerns me more is, will there be anyone there to provide the service when you require it? Those words really struck me. What he is talking about, are there going to be doctors there in the future? Are there going to be nurses in the future to provide for us when we are the ones who are relying on Medicare for our health services?

Back in my home State of Texas, the Texas Medical Association puts out a

journal called Texas Medicine, and last March they had a special issue called, "Running Out of Doctors."

Our country faces a potential crisis with a health care provider shortage or a physician shortage in the future. So when we work on health care issues in this body and on both sides of the aisle, this is going to be important; when we work on health care issues in Congress, we have to be certain that we retain the doctors of today, that we encourage the doctors who are in training today, and that we encourage those young people who might consider a career in health care, that we encourage them to pursue that dream and realize that dream.

Certainly the doctors of today, those at the peak of their clinical abilities, it is incumbent upon us to make certain that they remain in practice and they continue to provide services, services to our Medicare patients and services to patients who typically have one, two, three or more medical problems. Some of the most complex medical issues that can face a practitioner today will occur in the Medicare population.

Well, what steps do we need to take to make certain that we have doctors in practice, that we have people there able to deliver those services that Alan Greenspan was talking about a year and a half ago? Well, Mr. Speaker, you almost can't have this discussion without talking a little bit about medical liability. Now, in the 4 years prior to this Congress, every year, again, we passed some type of medical liability reform bill in the House of Representatives. It never got enough votes in the Senate to cut off debate and come to a vote. I feel certain it would have passed had it come to an up-or-down vote, but they were never to muster the 60 votes.

We need commonsense medical liability reform to protect patients, to protect patients' access to physicians, to stop the continuous escalation of costs associated with medical liability in this country. And in turn, this makes health care more affordable and more accessible for more Americans because we keep the services available in the communities as they are needed, when they are needed.

Mr. Speaker, I believe we need a national solution. Our State-to-State responses to this problem, some areas, like my State of Texas, have gone a long way towards solving the problem, but there are many areas in the country where the problem persists, and it does remain a national problem.

We have an example, I think a good example, in my home State of Texas of exactly the type of legislation that we should be considering in the House of Representatives. Texas, in 2003, brought together the major stakeholders in the discussion, included the doctors, patients, hospitals, nursing homes, and crafted legislation that was modeled after the Medical Injury Compensation Reform Act of 1975 that was passed in California in 1975. There were

some differences with the California law, but basically it is a cap on noneconomic damages. In Texas, we had a significant problem as far as medical liability was concerned. We had medical liability insurers that were leaving the State. They were simply not going to write any more policies. They closed up shop and left town because they couldn't see a future in providing medical liability coverage in Texas. We went from 17 insurers down to two at the end of 2002, the year I first ran for Congress. The rates were increasing year over year. Running my own practice in 2002, my rates were increasing by 30 to 50 percent a year.

In 2003, the State legislature passed medical liability reform, again based on the California law of 1975. The California law in 1975 was also a cap on noneconomic damages. They had a single cap of \$250,000 on all noneconomic damages.

In Texas, the cap was trifurcated. There was a \$250,000 cap on noneconomic damages as it pertains to a physician, a \$250,000 cap on noneconomic damages as it pertains to the hospital and a \$250,000 cap on noneconomic damages as it pertains to a nursing home or a second hospital; so an aggregate cap of \$750,000 on noneconomic damages.

How has the Texas plan fared? Remember, we had gone from 17 insurers down to two because of the medical liability crisis in the State. Now we are back up to 14 or 15 carriers. And most importantly, those carriers have returned to the State without a premium increase.

In 2006, 3 years after the passage of the medical liability reform, an insurance company called Medical Protective, I had a policy with them for years and years, Medical Protective company cut their rates 10 percent, which was the fourth reduction since April of 2005.

Texas Medical Liability Trust, my last insurer of record when I left practice in Texas, has had an aggregate cut of 22 percent since the law was passed.

Advocate MD, another insurance company, has filed a 19.9 percent rate decrease. Another company called Doctor's Company has announced a 13 percent rate cut. These are real numbers, and they affect real people in real practice situations in Texas. It is a significant reversal.

The year when I first came to Congress, we lost one-half of the neurosurgeons in the metroplex because of the medical liability expense problem. The doctor looked at the renewal bill and said, I cannot work enough to pay for this and pay for my practice and support my family, so I will go elsewhere. The net effect is it put the whole trauma system in north Texas at risk because one neurosurgeon was going to have to do the work of two, and you cannot physically work 24 hours a day, 7 days a week, delivering that type of care. So the whole trauma system was put at risk before this law went into effect in Texas.

A young perinatologist whom I met during my first year in office, had gone on and gotten specialized training to care for those high-risk pregnancies, well, you can imagine what his medical liability premiums were. Mine were high as an obstetrician. His were even higher as a perinatologist who specialized only in high-risk cases. And, in fact, at a lecture in Texas, he came to me and said, you know, I am going to have to leave the practice of medicine altogether because I simply cannot get insurance.

Well, how are we furthering the cause of patient care if we take a young person who is very dedicated to taking care of the highest-risk pregnancies in the metroplex and we say, sorry, you can't practice because we can't get you insurance anywhere. Happily, in Texas, that situation reversed, and that doctor, I know, is in practice.

The problem with the neurosurgeon, because of the straightening out of the insurance in Texas, has been reversed. Our trauma system is protected, as is the young man who is practicing high-risk obstetrics and saving babies even as we speak.

One of the unintended beneficiaries of the legislation was the benefit for community, small, mid-sized community not-for-profit hospitals who were self insured as far as medical liability was concerned. They had to put so much money in escrow to cover potential bad outcomes that that money was just tied up, and it was not available to them. Now they have been able to back some of that money out of escrow because of putting stability into the system with the cap on noneconomic damages, and now they are able to use that money for capital expansion, nurses' salaries, exactly what you want your small community not-for-profit hospitals to be engaged in. They can, once again, participate in those activities because of the benefits from the medical liability plan that was passed in Texas.

So, Mr. Speaker, I took the language of the Texas medical liability plan, worked with legislative counsel and made it so it would conform with all of our constructs here in the House of Representatives. And although I didn't introduce that legislation, I offered it to the ranking member on our Budget Committee last spring when we offered our Republican budget here on the floor of the House.

Mr. RYAN, the ranking member, had that scored by the Congressional Budget Office, and the Texas plan as applied by the House of Representatives legislative counsel and applied to the entire 50 States would yield a savings of \$3.8 billion scored over a 5-year time span. That is not a mammoth amount of money when we talk about the types of dollars we talk about in our Federal budget, some \$2.999 trillion, but \$3.8 billion over 5 years is not insignificant. And it is basically money that we left on the table because we did not include the language of that medical liability

reform in the budget that was passed this year.

Now, when I say the problem, although the problem in Texas is measurably better than it was when I took office here, consider a 1996 study done at Stanford University that revealed within the Medicare system alone the cost of defensive medicine, that is medicine that you practice so that you tone the chart and you look good if something goes wrong and the case is brought to trial; if you have practiced satisfactory defensive medicine, you will be able to defend yourself in the case of a medical liability suit. A couple of doctors and economists at Stanford got together and said, what does this cost Medicare? What does it cost for doctors to practice this type of defensive medicine? And it cost about \$28 billion a year back in 1996. I would submit that the number is probably higher today if they were to revise and redo that study.

□ 1930

So that is a significant amount of money, and the Medicare system is the one that pays for that. Remember, Medicare runs about \$300 billion a year. That's almost 10 percent of its budget that is being spent on defensive medicine because of the broken medical liability system we have here in this country. We can scarcely afford to continue on that trajectory that we're on with the medical liability system in this country.

Another consideration, Mr. Speaker, I talked a little bit about young people who are perhaps considering a career in medicine or nursing, and the current medical liability system is a deterrent for going into the practice of health care because they look at the burden that's placed on young doctors and nurses for the payment for medical liability insurance, and we keep people out of the system and it's something we have to consider because, again, remember, we're talking about physician workforce issues and how we keep the doctors of today in practice, but how do we encourage that young person who's in middle school or high school today who's thinking about a career in one of the health professions, and we want them to be able to pursue that dream.

But currently, they get to the end of college and they look at the expense for getting medical training, they look at the money they will have to put up front to purchase their medical liability policy when they get out, and they say maybe it's not worth it.

And the problem, Mr. Speaker, with that is these are our children's doctors and our children's children's doctors who perhaps are not going to go into the healing professions because of problems within the medical liability system. I could talk about that a great deal longer, but let me get to three specific pieces of legislation that really get to the core of dealing with the physician workforce issues and I think the

problems that we're going to face in the future if we don't get our arms around this problem.

A recent piece of legislation that I introduced is H.R. 2584, the so-called Physician Workforce and Graduate Medical Education Enhancement Act of 2007. Part of this legislation is to ensure this workforce in the future by helping young doctors with the availability of residency programs.

One thing about physicians is we tend to have a lot of inertia. We tend to go into practice where we did our residency. We tend to not go too far from home when it comes to setting up a medical practice.

So with that in mind, and in fact, that was one of the main thrusts of the article that was included in Texas Medicine, is to develop more residency programs in the communities where the medical need is greatest and develop those residency programs with the type of physician that's needed in those medical communities: primary care to be certain; obstetrics to be certain; general surgery; again, the types of physicians that we want to be on the front lines practicing in our medium-sized communities. We need to get young doctors in training in locations where they're actually needed.

This bill, the physician workforce bill, would develop a program that would permit hospitals that do not traditionally operate a residency training program the opportunity to start a residency training program and build a physician workforce of the future and build it from the ground up, start at home, start right where it's going to be needed.

On average, it costs \$100,000 a year to train a resident, and that cost for a smaller hospital obviously can be prohibitive. Because of the cost consideration, my bill would create a loan fund available to hospitals to create residency training programs where none has operated in the past. The program would require full accreditation and be generally focused in rural suburban inner community hospitals and focus on those specialties that are in the greatest need, and that will, of necessity, be some of the primary care specialties that I just mentioned.

Well, what about those people who may not yet be in medical school but may be contemplating a career in health care? Locating young doctors where they're needed is just part of solving the impending physician shortage crisis that I think will affect the entire health care system nationally. Another aspect that must be considered is training doctors for high-need specialties.

The second bill, H.R. 2583, the High Need Physician Specialty Workforce Incentive Act of 2007, will establish a mix of scholarship, loan repayment funds and tax incentives to entice more students to medical school and create incentives for those students and newly minted doctors to stay in those communities.

This program will have an established repayment program for students who agree to go into family practice, internal medicine, emergency medicine, general surgery or OB/GYN and practice in a designated underserved area. It will be a 5-year authorization at \$5 million per year. It will provide additional educational scholarships in exchange for a commitment, a commitment to serve in a public or private non-profit health facility determined where there's a critical shortage of primary care physicians.

Well, in addressing the physician workforce crisis, looking a little bit at residency programs, looking a little bit at medical students and, of course, medical liability but the placement of doctors in locations of greatest need and the financial concerns of encouraging doctors to remain in high-need specialties, the next bill, H.R. 2585, will address perhaps what is the largest group of doctors in this country, what I like to call the mature physician, and certainly the largest and still growing group of patients, our baby boomers, those who are just on Medicare and those soon to be on Medicare.

Now, before I get too far into this, I'm joined by my friend from Pennsylvania. Did you wish to weigh in on this subject this evening?

Mr. DENT. I would very much like to.

Mr. BURGESS. I'm happy to yield to my friend from Pennsylvania for a few minutes and give him time to talk.

Mr. DENT. Mr. Speaker, I first want to applaud you for your leadership on this issue. As an OB/GYN physician, you know this issue probably better than anyone in this institution.

But I just wanted to share with you a perspective from the Commonwealth of Pennsylvania, where we were a crisis State. And you're right on on some of these issues you just discussed, but the bad policy on medical liability reform was far too common in the Commonwealth of Pennsylvania for a very long time.

Our crisis actually originated back in the 1970s when no one would write medical liability insurance. So we created a State fund, and it was supposed to be a stopgap measure. We addressed that stopgap measure almost 30 years later in 2002, 2003.

But the point of the whole issue is you had to buy insurance from the State fund, we call it the MCAT fund, and it's been renamed the MCARE fund, and then you would buy additional insurance from the private sector.

The problem with the program was, though, you would buy your insurance basically today, if you're a young doctor you buy into the MCARE fund, and you're really paying for past claims, unlike a traditional insurance product where you pay your premium today to pay against a future claim, and so this has created an enormous retention problem for us because over the years there are so many unsettled cases in

this MCAT fund that what would happen is these claims all collected and we started settling these cases rather aggressively in the late 1990s and 2001 and 2002. And so today's physicians were being assessed with an emergency surcharge to pay for previous medical liability incidents. A major, major problem.

And also, in a city like Philadelphia, where the average jury verdict was more than double that of anywhere else in the Commonwealth of Pennsylvania, where jury verdicts were in excess of \$1 million on average, as reported by a jury verdict research, and the rest of the Commonwealth, the verdicts were less than half that.

But my point again is this: we created this State fund, an unfunded liability accumulates, today's doctors are paying for the liability situation of their predecessors, creates an enormous physician recruitment problem. Of course, there's always a retention problem, but the recruitment problem was enormously pronounced because of that policy change.

And so what ultimately happened, because the premiums became so high through this State fund, the people who ultimately had to solve this problem for the physicians were the taxpayers. And so cigarette taxes were used to pay for physicians' premiums, particularly in the high-risk areas, the OBs, the neurosurgeons and many other trauma surgeons and orthopods.

That's what happened in Pennsylvania, and I think many of the remedies you've discussed here, such as caps on noneconomic damages or collateral sources, structured payments, some of the things that you've done in Texas, I'm not as familiar with all those changes, but it certainly had an impact.

I just wanted to applaud you for this. You know, of course, that there's legislation pending in this Congress from some of the legislation last session, and I just want to thank you for yielding, but I just again want to applaud you for your leadership on this issue. I'm glad you're bringing this issue, once again, to the attention of the American people.

Mr. BURGESS. I thank the gentleman for his input. Certainly, the ability to recruit doctors to Texas from Pennsylvania has been greatly enhanced by the passage of the Texas medical liability bill, but you point up a very real problem that the physicians in Pennsylvania face. And, again, it points up the need for a national solution to wait and have the process work its way through every State legislature, State by State. It costs an enormous amount of money, costs an enormous amount of time, and just the effort, the efficiency of those doctors affected is going to be diminished.

So I really appreciate the gentleman taking the time to come down here and add his thoughts about what is happening in his home State of Pennsylvania.

Mr. Speaker, let me go on and talk just a little bit about H.R. 2585. That will address some of the problems that are faced by the physicians who are in practice now, the physicians who are the primary source of care for our Medicare patients. As baby boomers retire, the demand for services is going to go nowhere but up, and if the physician workforce trends of today continue, we may not be talking about a Medicare funding problem. We may be talking about why there is no one there to take care of our seniors.

Year after year, there's a reduction in the reimbursement payments from the Center of Medicare and Medicaid Services to physicians for the services they provide for Medicare patients. It's not a question of doctors just simply wanting to make more money. It's about a stabilized repayment for services that have already been rendered, and it isn't just affecting doctors. The problem also affects patients. It becomes a real crisis of access.

Not a week goes by that I don't get a letter from a physician from somewhere in the country or a fax that says, you know what, I've just had it up to here, and I'm going to stop seeing Medicare patients. I'm going to retire early. I'm no longer going to accept new Medicare patients in my practice, or I'm going to restrict those procedures that I offer to Medicare patients.

And, unfortunately, I know this is happening because I saw it in the hospital environment before I left practice 5 years ago to come to Congress, and I hear it in virtually every town hall that I have in my district. Someone will raise their hand and say how come on Medicare, you turn 65 and you've got to change doctors. And the answer is, because their doctor found it no longer economically viability to continue to see Medicare patients because they weren't able to pay for the cost of delivering the care. They weren't able to cover the cost of delivering the care.

Now, Medicare payments to physicians are modified annually under a formula that is known as the "sustainable growth rate." Because of flaws in the process and flaws built into the formula, the SGR-mandated physician fee cuts in recent years have only been moderately averted at the last minute; and if long-term congressional action is not implemented, the SGR will continue to mandate physician cuts.

Now, unlike hospital reimbursement rates which closely follow the consumer price index that measures the cost of providing care, physician reimbursements do not. I have a graph here, again from the Texas Medical Association, that shows based on various calendar years what the cuts in the SGR formula have amounted to as far as physician reimbursement versus what the cost-of-living adjustment has been for Medicare Advantage, the Medicare HMOs, for hospitals, for nursing homes, for pharmaceuticals now would be the same type of formula.

Only physicians are asked to live under this formula. In fact, ordinarily

Medicare payments do not cover or only cover about 65 percent of the actual cost of providing the patient services. Can you imagine going to any industry or company and ask them to continue in business when you're only paying them 65 percent of what it costs them to stay in business?

The SGR links physician payments updates to the gross domestic product and the reality is that has no relationship to the cost of providing patient services. But simply the repeal of the SGR has been difficult because it costs a lot of money; but perhaps if we do it over time, perhaps we can bring that down to a level that's manageable.

Paying physicians fairly will extend the career of practicing physicians who would otherwise opt out of the Medicare program, seek early retirement or severely restrict those procedures that they offer to their Medicare patients. It also has the effect of ensuring an adequate network of doctors available to older Americans as this country makes a transition to the physician workforce of the future.

In the new physician payment stabilization bill, the SGR formula would be repealed in the year 2010, 2 years from now, but would also provide incentive payments based on quality reporting and technology improvements. These incentive payments would be installed to protect the practicing physician against that 5 percent cut that is estimated to occur in 2008 and 2009.

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Note that this would be voluntary. No one would be required to participate in either program that dealt with quality improvement or technology improvement, but it would be available to doctors or practices who wanted to offset the proposed cuts that would occur in physician reimbursement until the 2 years time the physician repayment formally can be repealed.

Now I know that a lot of the doctors don't like the concept of postponing the SGR by 2 years. In fact, in the bill 2585, by resetting the baseline of the SGR formula, a technique that we used in this Congress back in 2003, by resetting the baseline, the amount of cuts contemplated for 2008 and 2009 are actually modified significantly, and, in fact, there may not be a cut at all in 2008 or 2009. This could translate into an actual positive update for physicians in those 2 years.

But the critical thing, in my mind, is that we have to be, regardless of what we decide to do over the next 2 years, we have got to be working on a long-term solution to get out from under the tyranny of the SGR formula.

Now, why do it this way? Why not just bite the bullet and get the SGR out of the way and get it repealed once and for all? The problem is, it costs a tremendous amount of money to do that. The problem we have in Congress is, if we are required to submit all legislation that we propose to the Congressional Budget Office to find out

how much something costs, we are going to be spending the taxpayers' money, we have got to know how much we are going to spend, over what time will we spend it.

Because of the constraints in the Congressional Budget Office, we are not allowed to do what's called dynamic scoring. We can't look ahead and say, you know, if we do this, we are going to save money. The Congressional Budget Office doesn't work that way.

That's why postponing the renewal of the SGR by 2 years, take that savings that is going to occur over those 2 years, sequester it and aggregate that savings and put it towards paying for the repeal of the SGR and replacing it with a cost of living index, the Medicare, economic index that would be fundamentally much fairer.

One of the main thrusts of the bill is to require the Centers for Medicaid and Medicare Services to do just exactly that and to look at the 10 diagnostic codes for which most of the monetary expenditures are rendered. You know the old bank robber, Willie Sutton, when he was asked why he would rob the bank, he said, that's where the money is. Let's go to where the money is. Let's go to those top 10 procedures and diagnoses that spend the greatest amount of Medicare and look for where the greatest amount of savings can be found within that.

The same considerations actually apply to the Medicaid program as well, so it will be useful to go through this process in identifying those top 10 conditions and trying to modify things so that the delivery of care for those top 10 conditions actually ends up costing us less.

With the time that remains, I know I have talked about a lot of stuff tonight, a lot of it is technically very complex. I will admit it, a lot of it is actually very boring to listen to. But it is an incredibly important subject, and it is an incredibly important story that we have to tell here in Congress. It's a story of how the most advanced, most innovative and most appreciated health care system in the world actually needs a little help itself.

The end of the story should read, "happily ever after," but how are we going to get to that conclusion? In fact, the last chapter may well read, "private industry leads to a healthy ending."

At the beginning of this hour, we talked about the debate that will forever change the face of health care in this country. Again, I think it's important to understand, that we understand here in Congress, that we understand what's working in our system and what is not. We can't delay making the changes and bringing health care into the 21st century.

I believe the only way we can make this work is if we allow the private sector to be involved, to stay involved and, in fact, lay the foundation for the improvements that we all want.

The pillars of this system are that we are going to have, be rooted in, the bedrock of a thriving private sector, not the tenuous ground of a public system that has proven costly and inefficient in other countries.

I believe we need to devote our working Congress to building a stronger system and involving the private sector within that system. History has proven this to be a tried and true method. We can bring down the number of insured. We can increase patient access. We can stabilize the physician workforce, and we can modernize through technology, and we can bring transparency into the system. Each of these goals is within our grasp if we only have the foresight and the determination, the political courage to achieve each goal.

Again, I referenced when I was a medical student in Houston, people would come from around the world to come to the Texas Medical Center for their care. There is a reason that people come from around the world to the United States for their health care and for their treatment. We are the best, but we must make adjustments to remain at the top of the game.

POTENTIAL LOSS OF INTERNET RADIO

The SPEAKER pro tempore (Mr. WILSON of Ohio). Under the Speaker's announced policy of January 18, 2007, the gentleman from Washington (Mr. INSLEE) is recognized for 60 minutes as the designee of the majority leader.

Mr. INSLEE. Mr. Speaker, I come to the floor of the House this evening to discuss the potential loss of Internet radio by Americans, a tremendous service that, because of Internet software and musical geniuses, 70 million Americans now enjoy the ability to listen to music by Web broadcasters over the Internet.

It is a tremendous service. It is as ingrained in a lot of Americans' daily lives as a cup of coffee and the morning newspaper.

Unfortunately, I have to inform the House that that service may be gone in a matter of a few weeks if we don't reach a resolution of a, frankly, wrong decision decided by the Copyright Royalty Board. What I am disturbed to report to my colleagues is that some time ago, March 2, 2007, we had a decision by a Federal agency, the ramifications of which would be to shut down the ability of Americans, on a realistic basis, to continue to enjoy Internet-based radio.

The reason this happened is that this board was given the authority to set the royalty that should be paid by Webcasters who stream out this great music, by the way, tremendously diverse music. One of the great things Americans love about Internet radio is you have such eclectic, different types of music, not just top 40. You know, I haven't progressed past the Beach Boys in the 1960s, but there are a lot of kinds of other music. Internet radio has been

tremendous by allowing people to enjoy thousands of different genres and types of music.

But now this Copyright Royalty Board has issued a decision which will explode the royalty that these Webcasters are forced to pay to those who generated the music, to the extent that it will make it totally economically impossible for these businesses and these Webcasters to continue to stream music to the 70 million Americans who now enjoy it.

We need to fix this problem. We need to fix it urgently, because the decision will, this guillotine will come down on July 15 if either Congress doesn't act or an agreement is not reached between the parties to adjust this copyright fee that will have to be paid by the Webcasters.

So we need to fix this problem, and, in doing so, we need to do it in a way that is fair to the musicians and artists who create the music that 70 million Americans enjoy over the Internet. These artists work hard in producing this music. They share their genius. It's an artistic gift they have, and they share it with Americans. They need to be compensated fairly to allow them to maintain their business model as well.

Unfortunately, this was a wildly disproportionate decision by this board that is grossly unfair to the distributors of music and simply will allow them not to continue in business. And to give folks a feeling of how distorted this decision will be, I would like to refer to this graph which shows Internet radio per-song royalty rates under preexisting law starting in 2005, that started at \$.00008 dollars in 2005, and by 2010, we will have foisted on us 149 percent increase in these royalty rates.

I am not sure any business model can tolerate a three-fold increase just in the per-song royalty rates that these folks are having to undergo. Unfortunately, this royalty rate means about a 300 percent increase for big Webcasters. But because of the particular rules here, it's a 1,200 percent increase for small Webcasters, so the small Webcasters, which are the vast majority of Webcasters will be hit potentially by 1,200 percent increases.

Now, this board, this Copyright Royalty Board has refused to reconsider their decision. What it means in the real world is the Internet going silent. Many of the stations a few days ago went silent to demonstrate and to protest its decision. I know Americans are disturbed by this, and they are now talking to my colleagues. I know thousands of them have communicated with my colleagues as a result of this, so we need to fix this problem.

I know in my district, I am from an area just north of Seattle, First District in the State of Washington, we have a Webcaster called Big R Radio. They stream to over 15,000 listeners who enjoy their product. But because of this decision, their rates are going to go up to a level, and you have got to understand how bad this is, the rates

they would have to pay just for their royalties, not for their overhead, their rent, their salaries, the royalties they would have to pay for this exceed by 150 percent the revenues that this business is getting in.

Well, obviously, that's untenable, and this company will have to either go offshore or simply shut down if some change is not made. That is bad for Big R Radio, the company, and it's bad for the 15,000 people that enjoy their music right now. We need to fix this problem.

So the first damage that was done is this per-song radio royalty, but there was another, perhaps even more odious thing that this board did, the pre-existing rule required a \$500 charge, or, excuse me, a per-station minimum fee. This new ruling required a \$500 charge for each streaming station that they offered. Webcasters, of course, stream under certain channels. But under this decision, there was no limit on the amount total in this per streaming channel that would be placed. Many, if not most Webcasters, have multiple channels.

So, if you look at what it will cost, just three of these Webcasters, Pandora, RealNetworks and Yahoo, because they are getting socked with this \$500 per channel, and they broadcast literally thousands of channels with no limit, just those three Webcasters would have to pay \$1.15 billion, with a B. These rates will dwarf the radio-related revenues by substantially more than \$1 billion.

In other words, it will charge these businesses more than \$1 billion more than the revenues they generate from this business. That's absurd. It's ridiculous. It has no relationship to economic reality, and it is a government glitch, a foul-up of the highest order that needs to get repaired.

This would result in 64 times more the total royalties collected by the group called SoundExchange that collects these royalties in 2006, an increase of more than, this is a pretty amazing number to me, 10 million percent over the minimum fee of \$2,500 per licensee. Clearly, this is beyond the realm of economic reality.

Finally, this royalty board, the third thing that they did, they eliminated the percentage of revenue fees that many small Webcasters use to determine their performance royalty, which would be severely damaging to small Webcasters. So, to put this in perspective, in a global sense, I want to refer to what this will mean in total royalties.

If you look at this chart, you show total royalties in 2004 of \$10 million. The estimated fee under the old royalty rule in 2006 would be \$18 million. But under this decision, this flawed decision, it will actually be \$1.150 million. So if you want to see the difference graphically of what the old royalty would be in 2006, this bubble would go to this supernova, I would call it, in 2006. This is untenable. It needs to be fixed.

Now, in order to fix this, Representative MANZULLO and myself have introduced the Internet Radio Equality Act, it's H.R. 2060, and this bill would fix this problem by doing something that appears eminently fair to me, which would simply have the same rate to be paid by Internet-based Webcasters as broadcasters now pay over satellite radio, over cable radio and over juke boxes.

□ 2000

What we are simply saying is that we ought to have equality, fairness, that is why we named it the Radio Equality Act, by having parity, the same level, which is 7.5 percent of revenue, a transition rate, in 2010. This is something that is fair, equal, and economically realistic to allow 70 million Americans to continue to enjoy their radio over the Internet. And now, 128 Members of the U.S. House of Representatives have cosponsored this bill just in a matter of a month or two; and the reason they have done so is I think they have heard from their constituents who want to keep their service going and realize how ridiculously out of whack this particular decision was.

Now, I know it may surprise some Americans to know that government agencies can make mistakes, but certainly one was made here and we need to fix it, and we need to fix it quickly. On July 15, this decision will go into effect. I encourage my colleagues to look at this bill, H.R. 2060, the Internet Radio Internet Equality Act, and cosponsor it to add their voices to the choir to demand action by the legislature to fix this bureaucratic foul-up.

Obviously, this is supported by a large number of people, not just broadcasters. National Public Radio certainly has an interest in this. I know that many of my constituents enjoy it, and it is in great jeopardy tonight if we don't act. I know one station has already gone off the air because of this bureaucratic snafu. The NPR affiliate Rock Island Illinois-based WVIK served hundreds of thousands of citizens. They have switched off their Web stream because this is an economically untenable situation for them if it is not fixed. So what their constituents and their customers are now hearing over the Internet is silence. Silence may be better than some of the music my kids have listened to over the years, but it is not better than the thousands of stations and access that people have over the Internet. We want to keep that available for Americans.

I also want to say that why I think this is so important is diversity. One of the best things about the Internet is it gives you what you want, not what the broadcaster wants you to listen to. And, frankly, because of the consolidation of the industry and the radio over-the-air industry, we are hearing a lot more of the same thing over and over and over again. And some of it is great music. We are still stuck in the 1960s, many of us, and we enjoy it, but diver-

sity and having access to Appalachian bluegrass or music from the subcontinent of India; I heard of a genre, it was basically heavy metal, hip-hop, country at the same time, and that is quite a genre. But this provides diversity for people, and they ought to have their multiple tastes enjoyed and that is really in jeopardy tonight.

Now, the other thing I want to say is that this decision will go into effect July 15, and these stations will be in great economic jeopardy beginning just in a week or so; and, unfortunately, some of them as of July 15 might shut off their streaming. Others are going to start to consider what to do. Some may consider going offshore, which is not a healthy situation for us for a variety of reasons.

But I want to assure the parties who might be involved in discussions in this that after July 15 it will not be the end of this discussion. If Congress is unable to act before July 15 and if the parties don't reach some resolution of this, July 15 will not be the end of this effort. It will not be the beginning of the end of this effort; it might be the end of the beginning of this effort, because as these stations start to shut down, Congress will be deluged more than they have already been deluged with voices of protestation exercising their right to petition their government for redress of grievances, and one of the biggest grievances people are going to have is they can't hear their radios over the Internet anymore. The 128 cosponsors we have today even before the sword of Damocles has fallen on the music is going to grow, and we are going to be back here to continue to grow this until we get relief.

So I am hopeful that the parties are talking to one another to try to reach an economically viable and fair resolution of this so that artists, performers, songwriters can continue to have a meaningful economic model, so they can continue to do their work and they will be compensated for it; that Webcasters can have an economic model to allow them to stream it over the Web, and 70 million Americans can continue to enjoy the pursuit of happiness over the Internet listening to this great music. If that does not happen by July 15, we are going to be back here until it gets resolved and this chorus, this drumbeat will continue. We do not intend to let, in the words of Don McLean's song, not allow the music to die. It is, too, a part of the American culture, and I will encourage my colleagues to help out by cosponsoring this bill.

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

STEAL AMERICAN TECHNOLOGIES ACT, THE SEQUEL

The SPEAKER pro tempore (Mr. WILSON of Ohio). Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. ROHRBACHER) is recognized for 60 minutes.

Mr. ROHRBACHER. Mr. Speaker, today I would like to discuss with the Members here assembled and those listening on C-SPAN and those who will be reading the CONGRESSIONAL RECORD an issue that may well be determined here on the House floor in the next few weeks, at least perhaps in this session if not in the next few weeks. It is an issue that will fundamentally alter and I would say dramatically diminish a constitutionally protected right and will have tremendous long-term consequences for our country; yet, very few people in this country know that this issue is coming before us. Very few of our Members even understand that an issue of this significance will be discussed here. But there will be a fight, and there is an issue of great importance that will emerge here in the not-too-distant future.

The fight over this issue of course is not a new fight. In the late 1990s, similar attempts were made at what will be attempted in the next few weeks. Those attempts were made, but they were defeated. They were defeated after the public was mobilized, and powerful forces that were at play here in our Nation's Capital were defeated. Without the public mobilizing against this particular change that was being proposed by the corporate elite here in Washington, our system of technology in the United States would have been dramatically impacted and the well-being of our people in the long run would be condemned.

The battle, which took place in the 1990s, lasted for years. Corporate pressure was brought to bear, and every attempt was made to accomplish what I consider to be an insidious goal through stealth, and it was being done in a way that would keep as low a profile as possible. We see that happening today. Very few of our Members know that there is an issue of this magnitude coming before us, but special interests are already at play. We see people, we see organizations being well financed to come here and talk to us about technology issues, not realizing the real purpose of these organizations and the financing behind them is to push forward a change that will dramatically impact America's ability to be the technological leader of the world and dramatically implicate our innovators and our inventors.

The American people, however, back in the 1990s, once alerted and made aware of the significance to our country of the changes that were being proposed, stood up and fought the good fight and beat back this attempt for fundamental change in a stealth manner. They in fact beat back the onslaught, but just barely. However, once the American people were made aware of the significance of what was going on, they won the day.

Does it sound familiar? Yes, it sounds tremendously familiar if you look at what just happened with the immigration bill in which the elites of this country were trying to foist upon us a

bill which would legalize the status of tens of millions of illegals that are in this country, only bringing tens of millions of more illegals into this country, an attempt to foist this off on the American people, to cover it up with clouds of smoke talking about a comprehensive bill whose only purpose was really to legalize the status, to give amnesty to those who are already here. And once the American people understood that, that bill was defeated.

We need that same type of mobilization if America's future generations are to be protected from the greatest theft of American technology and innovation that could ever be imagined by our people today.

Today, we face this onslaught that is very similar to that of the 1990s because the same goals are in mind by the same interest groups who would have fundamentally changed the American patent system, but they were defeated. Luckily, they were defeated because the American people, as I say, were mobilized. What we have here, as we had in the case of the fight on immigration, was that the issue itself, whether it is immigration or the fundamental changes being proposed to our patent system, are part of a greater threat. That threat which would manifest itself every now and then, perhaps four or five times a year we see this emerging, is part of a strategic maneuver by those who we would call globalists.

The fundamental threat is the globalism, which is being advocated and sometimes touted on television, et cetera, is something that, if we don't watch out, will be experienced at the expense of the American people. Globalism as it is being foisted on us as the immigration bill was will come at the expense of the American people of their freedom and their prosperity and, yes, even the safety of our country.

The battle at hand is the globalist strategy to deprive us, the American people, of the greatest source of our Nation's progress and strength: the creative genius of our own people; the innovation and technological leadership that has provided us with a decent standard of living for ordinary people and more freedom than any other country on the planet.

The globalists are at it again, seeking to change our laws in a way which would facilitate their power, would facilitate in this case the theft and transfer of American technology, the theft of the genius of our inventors, which has been one of our country's greatest assets.

People say, how could this possibly be? Well, how could it be that this Congress almost passed, there was a steam engine and a steamroller coming down the path at us that almost passed an immigration bill that would have brought millions, tens of millions, perhaps as many as 50 million more illegals into our country because we would have been legalizing the status of 10 million to 20 million illegals who

are here already. How did that almost happen? Well, it almost happened because there are forces at work in a democratic society.

In this case, the globalist forces, the same ones who were at play on immigration, the ones who thought it would be better for everybody if we just had an open border with Mexico, because that is what really was the goal by the immigration fight. The whole fight was all about big businessmen who thought it would be really good to have an open border so we could keep down wages, and of course the liberal left of the Democratic Party who felt that as many immigrants that we have swarming into our country gives them a political base. Well, those same people who are pushing that are now working to push through wholesale changes in our patent laws, changes that will undermine our independent inventors and allow our competitors to steal our technology, American technology, and seriously weaken our country and its competitiveness.

The legislative vehicle for this legalized larceny is H.R. 1908, which I call the Steal American Technologies Act. In this case, because it reflects a very similar bill that was attempted a few years ago, we will call it the Steal American Technologies Act, the Sequel.

□ 2015

It is a dramatic altering of our patent laws, and our patent laws that they're trying to change have been in place since our country's founding. Patent law, of course, is an issue that is somewhat obscure, and it is an issue that is very difficult to understand in that it is related directly to new and unknown technologies and science, and deals with complicated parts of American law.

The globalists have hoped that this issue will seem so perplexing that it will be ignored by much of the public and perhaps not even understood by most Members of Congress. Yet, how Congress resolves this issue, once it's brought before us in legislative form, will determine the future well-being of our people and the security of our country. It is just that important. Just as the immigration bill was important and important for the American people to get involved, this issue is of equal importance to that in terms of our future.

This Congress will determine the fundamental patent law, the legal protections, the organizational structure in which we deal with technology commercialization. All of this will determine what our country is going to be like in the next 50 years and who and what kind of power we will have as a people on this planet. We will be making a determination of what the patent law of the United States of America will be for this generation and future generations of Americans.

Of course, in the past, our Founding Fathers were in the same position;

they made the right decision. They put in place patent law, which now we are seeing the elite of this society and the globalists throughout the world trying to bring down this fundamental law that was put into place by our Founding Fathers.

Patent law is part of the American legal system and, as I said, it is something that perhaps has been taken for granted by the American people. Who pays attention to patent law? As I say, it's complicated, hard to understand.

However, every time we turn around, we can see that it is America's technological edge that has permitted the American people to have the highest standard of living in the world and permitted our country to sail safely through the troubled waters of economic crisis, of world wars and of international threats. It is American technology and our genius that has made all the difference when it counted. And it is the American patent law that has determined what technology and at what level of technological development that America has had.

This is not an obscure issue. This is an issue that will change our way of life. This is an issue of vital importance to every American, and it will determine the future standard of living of our people and the safety of our country.

We Americans came to this continent, by and large, as poor immigrants, millions of us. We faced the most undeveloped land imaginable. There was no land anywhere in the world at that time that was more undeveloped than the United States of America. When our Founding Fathers and mothers came here, they suffered deprivation. They were not safe. They were not prosperous. They died of hunger, and they worked very hard. And yes, we had space. Yes, we had lots of space and resources. But it wasn't the space and the resources that changed this group of huddled masses that came here, these poor souls that came here over those hundreds of years. It wasn't the resources and the space that changed their way of life and made them a prosperous and free people.

The secret of America's success is found not in our wide expansions or the deposit of minerals. Instead, the secret to our success can be found in the fact that our people had the freedom that our Founding Fathers fought for, and they had guaranteed rights, and also, of course, we, as a people, had a dream. We had a dream of a country where average people, yes, even people who are below average, can come and can prosper and can live at peace, a country made up of people from every part of the world, every race, every religion, every creed, every ethnic background, who could come and could live together in dignity and with liberty, and, of course, they could live free from fear. They could live with the understanding that everyone's child would have an opportunity to improve him or herself, to enjoy a rising standard of living that

was based on their hard work and, yes, as Martin Luther King said, on the content of their character.

We believed, as a people, in rights and believed these rights to be given by God and that the purpose of government was protecting these rights.

Well, most people, when they think of that, think of religion and think of speech and the right of assembly. But patent rights are a right of property. It's a right that is written into our Constitution. The United States of America is one of the only countries of the world to have written into its founding document, the Constitution, a section dealing with patent rights.

Let us note that in the body of the Constitution, before the Bill of Rights, the word right is only used once, and that is the right of an author or an inventor to own and control the product of his labor, his or her labor, for a given period of time.

In fact, Benjamin Franklin was a great inventor as well as one of our Founding Fathers and one of the great champions of liberty in the history of humankind, as was Thomas Jefferson, as was Washington.

It was George Washington who requested of the First Continental Congress that they pass, as one of their first laws, a patent law, the Patent Act of 1790, which became the foundation of America's technological progress from that point till today.

Others of our Founding Fathers were people who believed in freedom, but they also believed in technology. Visit Monticello and see what Thomas Jefferson did with his time after he penned the words of the Declaration of Independence and had served as President of United States. He went back to Monticello and spent his time inventing things, things that would lift the burden from the shoulders of labor. Yes, he, in fact, signed his name as the first Patent Commissioner of the United States, which was invested in the Office of the Secretary of State at that time.

Benjamin Franklin, the inventor of the bifocal and the stove, the pot-bellied stove, which made a huge difference in the well-being of people for hundreds of years thereafter.

These Founding Fathers were our Founding Fathers, and they knew that with freedom and technology, we could increase the standard of living of our people, all our people, not just the elite, but the average person could come here and live with a modicum of dignity and decency and prosperity in their lives.

Our people were not just the Americans who were here, our Founding Fathers knew that, but were the tens of millions of Americans who would come here in the future on such a grand scale. And we would know, and they knew that if the people were going to come here and occupy this land from one part of the continent to the other, that wealth would have been to be produced on a grand scale as well. It

couldn't be relied on just on brute muscle strength and the strength of animals.

Instead, our Founding Fathers knew that machines and technology would produce the wealth necessary to have a free and prosperous society. That's why they built into our Constitution the strongest patent protection of anywhere in the world, and that is why, in the history of mankind there has never been a more innovative nor creative people.

It's not just the diversity of our people that's given us this creativity. It's been the innovation and progress that was inherent in the way we structured our law, our patent law.

Recently I sat next to a Japanese minister over lunch, and he was telling me how Americans are always the ones who are coming up with the creative new ideas; what we do is just improve on those ideas, but we're trying to make our people more creative. And he was discussing different ways. And I said, it's real easy. All you have to do is make sure you change your patent system. You have a fundamentally different patent system than we do. He was shocked. He'd never thought of that.

And, in fact, the patent system in Japan was designed to help corporate interests utilize technology rather than protect the rights of the creators of new ideas. And of course, if the creators are being bullied and robbed, they're not going to come up with much. And guess what? In Japan, they don't, because your Shogun system of elitists in Japan steal the technology from their own creative people, and thus, their people don't create.

Americans have known that they have rights to own their own creations since the founding of our country. That has become part of our character, although most people don't relate it back to the law. Most people don't relate the character of our people back to the law when it comes to freedom of speech and those things in our Constitution as well, freedom of religion. But they are so important to the development of our national character. We would have had a different national character without those rights and without the rights that were granted to our inventors and our technologists in our Constitution by our Founding Fathers.

Everyone has heard about Thomas Fulton's steamboat. Well, let me note that Thomas Fulton didn't invent the steam engine. He invented the steamboat. Because in Europe and elsewhere, they didn't see technology necessarily as something that was very good. The average person thought technology was going to replace me as a job, and the steam engine was not permitted to be used there.

In the United States, the American people always understood machines will help produce more wealth. It will magnify the production and the by-product of our labor, and it's good for people to have a society which has more wealth rather than less.

So Mr. Fulton put that steam engine on a boat and put it to work because we knew, and the American people as well as our leaders knew, that machines, good technology will help all the people of a country.

Cyrus McCormick invented a reaper that helped produce more food so people were well fed in this country, as compared to other societies which have had so many famines.

Samuel Morse invented the telegraph, which led to the telephone, et cetera. Thomas Edison, the light bulb, and so many other inventions.

Black Americans, here's something that is never recognized too much out of the Black community, but Black Americans have been prolific inventors. Even at times of mass discrimination against our Black fellow citizens, the patent office and rights, property rights for inventions were respected, and the Black community succeeded in, perhaps more than any other community compared to their numbers, in offering inventions and innovations.

Jan Metzlinger was a Black, former Black slave who invented a machine that was used in the manufacturing of shoes which dramatically changed the shoe industry. And before then, Americans had one pair of shoes. They could expect to have one pair of shoes in their life. And it was a Black man who invented the machine that made the production of shoes so effective and efficient that people could have different shoes. And when they wore out, they didn't have to wear shoes that had holes in the bottom of them.

George Washington Carver, one of the great renowned American inventors, respected by scientists, respected throughout the world; there are so many examples of Black inventors, because their rights in that area, that one little area of the Constitution, while they were being suppressed in other areas, their rights for ownership of patents was respected and thus, in that area, they prevailed and they flowered. And they invented things that did wonderful things for our country and the rest of our population. It's too bad it took so long for us to catch up in the other areas of protecting the rights of Black Americans. But they can be proud that, even during the time when they were under suppression, that they were able to succeed in developing new creative ideas that helped this entire country.

We are proud of our history of technologies, because we know, as Americans, as we have always known, that these inventions, no matter who invented them, would produce more wealth with less labor and thus increase the standard of living of all of our people and the opportunity of all of our people. And thus, it built a society which we have become very proud of and that we should be proud of.

But I suggest today that if we change those fundamental laws, which this bill is attempting to do, we will obliterate, in one or two generations, the great

progress that we've experienced in the standing of the American people among the nations.

Yes, we look back at the Wright brothers; we remember them. The Wright brothers, who were they? They were men with little education, probably like Mr. Metzlinger. I just mentioned he worked in a shoe factory. These men worked in a bicycle shop, and they ended up inventing something about 100 years ago that they were told was absolutely impossible by the experts.

□ 2030

Yet they went ahead and they received a patent. They received a patent on how to shape the wing of their airplane, and they changed the future of mankind forever as we uplifted humankind off the ground and put us on a road to the heavens. Two Americans, ordinary Americans, not rich people, not educated greatly. Two people who ran a bicycle shop. These are the people we are proud of because we understand that is what America is all about that these people have their rights and freedom.

Innovation, a great creative genius, is the miracle that produced our wealth. Not just the muscle. It was the genius of our people. It was the tenacity of the Wright brothers and Cyrus McCormick and others and their genius that produced the wealth and produced these technologies that have changed all humankind and all Americans. And this creativity that we are talking about was protected by law.

We have treated the intellectual property rights in this country and the creation of new technology just as we have treated other rights. They are property rights and they are respected. They have been part of our country, part of our law, that individuals have a right, as determined by our Constitution and as outlined in our first fundamental laws since 1790, that these property protections would be afforded to American inventors. And that is what America is all about. Every one of us has that kind of opportunity.

Does anyone think that in World War II and in the Cold War that it wasn't our technological genius as well as our commitment to freedom that carried the day? We didn't fight the Germans and the Japanese man to man, just as in the Cold War, we didn't fight the Russians and the Chinese man to man in great battles. No. What happened is, if we would have tried to match them in pure muscle power, we would have lost. Instead, our aerospace workers, our scientists, our inventors, our computer specialists, our missile technicians, our rocket builders, and, yes, those scientists who came up with and are currently about to deploy a strategic missile defense system for the United States, all of these technological workers helped make the difference in those challenges to our national security, whether against the Nazis and the Japanese militarists or

the communists. And, yes, perhaps even against radical Islam, should some regime there or in North Korea send a missile in our direction, our technologists may well be providing us a defense. Yes, we won the Cold War without having to suffer a massive conflagration because we relied not only just on the courage and the faith and the freedom but also in the superior technology that was flowing from our people. And that was because our American inventors were matched by no one in the world.

Today it is my sad duty to inform my fellow colleagues and the American people that we face a great historic threat. This threat comes at exactly the time when our country faces economic challenges from abroad as never before. We must prevail over our economic competitors because they are at war with the well-being of the American people. We must win or our country's people will lose. If we lose this battle, our people will suffer, their standard of living will suffer, their freedom will suffer. Future generations will see their standard of living decline as well as the safety and strength of our country. If we do not remain the technologically superior power on this planet, we will face new challenges and we will be defeated and our people will no longer have the prosperity and the rights that were the dream of those founders who came here 300 years ago to inaugurate this wonderful country, the United States of America.

Our adversaries have identified technology as our strong point. They see it right away. Americans are innovative, just like that Japanese minister that I was talking about. Americans are innovative. We have the new ideas, the new concepts. We have the ways of coming up with a different twist. We have the can-do spirit. There is nothing that can't be done with freedom and technology.

Well, they have identified this as our strong point. But it is also a weak point in that many Americans have no idea what legal structure was established that has protected this part of the American character, this legal establishment, this legal foundation that has permitted us to have creative people and build this type of genius within our society.

What I have been talking about is the fundamental patent law of our country. Our economic adversaries and their allies are engaged in a systematic attack on the patent rights of the American people. These adversaries, of course, among them are the leaders of multinational corporations, some of whom are based right here in the United States. These multinational corporations are run by an elite whose allegiance is to no country. Most significantly, we do not know if their allegiance is to the United States of America.

These are the same people who will take the product of research and development grants provided by the tax-

payers of the United States and build factories in China based on those technologies. These are the same people who would eliminate jobs in the United States and create factories in China in order to make a 15- to 20-percent profit as compared to a 5- or 10-percent profit here. But over here they would be dealing with American citizens; over there they are dealing with slaves. The corporate elite that does this is behind and is pushing for the changes in our patent law that I am talking about today. And these multinationals and the elite that run them are not watching out for us.

If the globalists are successful, 20 years from now our citizens will wonder what hit them. Pearl Harbor happened in one moment. Our people woke up to the threat and mobilized. Today it is happening slowly. The attack is less evident, but our rights are being robbed and eroded, and changes in our law are being made that will decrease our standard of living and damage our way of life and will be devastating to the American people, and they will not know what hit them. This attack is being conducted not by the bombers on Pearl Harbor, but the bombs that are being planted are being planted by lobbyists in our nation's capital who are working for multinational corporations, who believe, perhaps, that we can make everything better with a globalist strategy. But they are willing to pillage the wealth of our country and transfer that wealth and transfer power overseas in order to succeed in building a new global strategy, a new global concept.

One of the steps necessary for this great global vision to succeed is the destruction of the American patent system. As I say, lobbyists have been hired by well-heeled multinational corporations and by companies who no longer have any desire to pay for the use of technology that has been developed by American citizens. They, of course, are not saying, well, we are going to destroy the patent system. Nobody is just coming up and saying we want to destroy the patent system. We want to steal all of America's technology. They are not saying that because we might be a little upset because we would notice that they are the same people who are setting up factories in China using slave labor and putting our people out of work. They wouldn't be that upfront.

Instead, they are suggesting our patent system is broken and needs to be fixed. We have heard it before: The immigration system is broken. We need a comprehensive bill. And in the end, the comprehensive bill that was coming over here that was being voted on would have made the situation a lot worse. This is exactly what this elite is trying to do right now in terms of American technology and the patent system. They are using a system that needs to be fixed, the patent system, which has some flaws, organizational flaws, and they are saying we are going

to fix it; yet the fixes they are proposing would destroy the system as we know it.

No. Instead, we need to correct the flaws in the system. And, again, if it sounds like a replay of immigration, it is exactly right. It is the same strategy. But they failed then, and if the American people are mobilized, they will fail again.

We hear about widespread problems in terms of the Patent Office. This is what we are going to hear from the elite, from the people involved in this globalist attempt to destroy America's patent protections. We are going to hear about patent lawsuits, about horror stories concerning companies that are tied up for years in court and then eventually have to give up and relent to trial laws because there are so many delays inside the patent system. And we are going to hear about examiners who are overworked, underpaid, and without proper education and training.

Well, in reality the patent lawsuits are no more of a major problem than they ever were. Between 1993 and the year 2005, the number of patent lawsuits versus the number of patents granted has held steady at about 1.5 percent. In fact, in 2006 there were only 102 patent cases that actually went to trial.

But there are some very real changes that are needed and problems that need to be solved in the patent system. Unfortunately, the legislation making its way through the system does not correct these problems. The problems are being used as an excuse to act, but the proposed changes are aimed at other than the more significant goals.

So let's understand that we need patent legislation. We need patent legislation that speeds up the patent process and provides training and compensation for patent examiners and helps us protect our inventors against foreign theft. We need to make sure that the people who are the inventors of our country can use this system. But the bill that is being presented to us and these maladies that are being used to justify this new bill do not correlate.

The fact is the bill will not solve the problems but will obliterate the fundamental rights that have been granted since our country's founding. Just like the immigration bill, as I say. The problems created by our current policymakers, of course, they could have corrected any of these problems with the patent system over the past 10 years, but those problems that are still around are being used as an excuse to destroy the system within a cloud of smoke.

Well, the people have been trying to do this, as I said, for over a decade, the power elite in this country, and they were thwarted. Now they are back. We can all understand what this is all about when we just remember the word "comprehensive." That was being used as a cover not to reform and strengthen our control and management of immigration but to destroy our ability to

stop the massive flow of illegal immigration into our country. That is the same thing that is happening in terms of patent legislation.

There are some problems with the way our patent system is operating. It can be much more effective. But instead of correcting those problems, it is being used as a smokescreen. H.R. 1908 is designed not to correct the problems but to destroy the patent protections our people have enjoyed.

So, first, H.R. 1908 creates a post-grant review process. What does it do? The first thing is a post-grant review process, which means that after someone is granted their patent, people can still come back and challenge them after the patent has been granted. For the little guy, this is a disaster because the little guy doesn't have the money for all the lawyers. Once the patent is granted, that should be a situation when the patent is granted. Instead, H.R. 1908 attempts to create an endless process of challenges to a small inventor.

Second, H.R. 1908 changes our patent system to award patents based on first-to-file rather than first-to-invent. This is a little hard to understand, but since our country's founding, if an inventor could prove that he has invented something, he would then be protected. His rights to own that would be protected. In other countries, if big corporations immediately just file patent after patent after patent every time they come to a small step forward, they can protect themselves, but the small inventor will never be able to do so.

Third, the most egregious of all the items in H.R. 1908, and people should pay attention to what I am saying here because this is fundamentally different than every patent system in the world, up until now the American citizen, if he has filed for a patent, until that patent is granted, the patent is kept totally secret.

□ 2045

In fact, patent examiners can go to jail for felonies if they disclose that information. And then, when the patent is granted, no matter how long it takes, even if it takes 10 years to do so, the inventor gets to have 17 years of patent protection where he owns that technology. That has been our tradition. What do we want to do? This bill, H.R. 1908, the "Steal American Technologies Act," the sequel, what does it do? It wants to make sure that anybody who files for a patent, any inventor, if he has not been granted his patent within 18 months, perhaps because of bureaucratic snafus or whatever, that patent is going to be put on the Internet, that patent is going to be published for every thief in the world, every Chinese manufacturer, every Japanese manufacturer, every Korean manufacturer, anybody in the world who wants to steal it will be able to have it and be in production before our inventors get their patents even granted to them.

So, let's take a look at these three proposals of this H.R. 1908. The proposed grant review process is a gift to the large corporations and the powerful elites, which they wish to destroy the small inventor. As I say, they are going to be able to grind the small inventor down. For the invalidation of a patent, a company, if they can show they've been economically disadvantaged by the patent, they can force a review of the Patent Office of that patent. So if somebody invents something that's going to be wonderful for a lot of people in the country but will put another business out of work because they don't need buggy whips anymore, then the buggy whip manufacturer, who now has a lot of money because over the years, under the old system, everybody needed a buggy whip, they're going to use that wealth to tie up and destroy those innovators who would bring us forward. Because now, even once the patent is issued, they can keep filing complaint after complaint, challenge after challenge. The little guys will never be able to cope with that.

Second of all, this legislation doesn't stop just there. As I said, it lowers the bar for providing a patent's invalidity to current standards of clear and convincing evidence. It basically lowers, for some of the standards that we have operated on, from clear and convincing evidence to the preponderance of evidence, which of course erodes the confidence an inventor has that his patent won't later be just revoked by the Patent Office. So it's changing the standards and allowing them to have future challenges. The small inventor is going to be ground down.

But, of course, the worst part, what's this? H.R. 1908 also, of course, does not limit the number of times that a patent can be challenged, so time after time grounds these down. So it's not just one challenge after a patent has been granted, but a continual challenge to the small inventor.

This proposed change from first-to-invent to first-to-file is yet another attack on the small inventor. The United States is unique in using the first-to-invent system. All the rest of the countries have first-to-file. And this has ensured that the true inventors will receive the benefit of their invention instead of a thief who happens on some information.

Changing it to first-to-file will create a massive problem for the small inventor. Inventors will have to rush to the Patent Office, hurriedly scrambling to file the necessary documents every time they've made one small step forward. This will cause less thorough applications. So we're going to have people who are applying, because they have to apply for so many, the applications will not be as well thought out and not as thorough. And this will add to the burden of the Patent Office, which will mean there will be even more work for the Patent Office and even more delays.

So this will benefit, yes, large corporations who can afford patent after

patent after patent after patent application, but for the small inventor who only has a little bit of money, he will be totally rolled over.

Now, the thieves in China and elsewhere are waiting for the day when we change this patent law to what this last suggestion is under H.R. 1908. Because this is very similar to the immigration bill. The only purpose of the immigration bill was to give amnesty, was to grant legal status to those people who are here legally. The only reason for the patent bill is this particular provision, and that is, American inventors have had a protection that their applications will be secret, if they file in the United States, that their patent will be secret up until that patent is granted to them, but this bill changes it. After 18 months, all patent applications will be made public. Now get into that: Under this bill, after 18 months, even if a patent hasn't been granted, everybody in the world is going to be able to know all of the secrets in the patent application. Thieves around the world will be counting down the days until America's best ideas are put on display and in great detail for everyone to examine, even though the inventor has no protection at that point.

How do we know that this piracy will happen? We know because Japan, which I have mentioned has a different patent system, already publishes patent applications, and it is suffering from a withering attack from China and elsewhere. The Japanese actually take their patent applications and, after 18 months, put them on the Web. Well, what happens? The Japanese patent applications on the Web, that Web site receives 17,000 hits a day from China, and 55,000 hits a day from Korea. The people viewing the Web site are not simply curious about some gizmo or gadget; they're interested in one thing: They want to steal someone else's creative ideas.

H.R. 1908 would give every thief in the world an opportunity to take America's technology and use it even before our people are granted a patent. Why would anybody want to do this? Well, the same people who want to do this are the same people who are building factories in China and use slave labor. I can tell you that right now.

This is basically coming out of the high electronics industry. You know what some of those people are doing right now? Some of those people are over there helping the Chinese Government track down religious dissidents, people who want democracy or believe in God, but want to use the Internet, our technology companies are over there helping them track these people down and throwing them in jail. And you know what they want to do here? They want to steal all the technology from every American inventor and not pay them a royalty. That's what's going on here. And of course, they're in alliance with the other global elitists from other countries.

This is not the type of force in our society that we should permit to make

the rules on how this country functions. We would be giving, if this bill passes, our economic competitors, even our enemies, access to our Nation's technological breakthroughs and scientific achievements. H.R. 1908 does that by demanding that all patent applications be put on the Internet to view and to steal even before the patent is issued.

If it's hard to believe, people need to hear it again: We have an elite in the electronics industry that is so intent on taking the technologies that are being developed by our inventors and not giving them royalties, that they want to change this fundamental part of our patent law that has protected our individual inventors, protected them by saying, what you invent is yours for 17 years and that no one will know about your patent application until your patent is issued; they want to change this fundamental nature of our system.

This provision is not only a bad idea and not only will it harm the American inventor, it will hurt the American people by putting us at risk to our enemies. Already we are seeing a flow of technology and of capital assets to China, which is a major adversary, maybe not an enemy now, but perhaps someday an enemy. Our schools are filled with graduate students from China and elsewhere, and they are learning the secrets that cost us billions of dollars of research to come up with. We are not watching out for the American people. And H.R. 1908 would, again, be a dagger in the heart of the American standard of living and our ability to secure our country.

What is really going on here is an effort. Of course, they will claim that we have to do this because Japan does it, and Europe does it. They want to harmonize America's laws, our patent laws, with the rest of the world. Well, why don't they try that with the rest of the Constitution? If we wanted to harmonize the freedom of speech and religion with everybody else in the world, would the American people stand for that? We have the strongest patent protection of any country in this planet, just like we have the protection for other rights. If people want to harmonize with American law, we want a globalist approach to patents or to technology and to freedoms and rights, people can harmonize with us. Let them come up to our standards.

If the American people were out to harmonize the law, that's one thing, but we wouldn't even dream of doing that. The American people would never go along with having our religious freedom or freedom of speech and other freedoms that we have that are guaranteed by our Constitution; we would never permit them to say, well, we have to have the same level of freedom as they have in Singapore or Vietnam or, let's say, Ukraine or Belarus. No. The fact is, the American people are proud that we have guaranteed rights and that our Constitution protects these rights.

And I know that many people do not understand the part that has been played by the rights that were granted in our Constitution to our inventors specifically, but they are vitally important to America's safety and well-being. If we move to harmonize patent law, no, things will not go more smoothly for our country and for the world, what will emerge is a global elite which wants to mandate upon the American people the same things they mandate on the surfs and the servants and the people of other countries who they feel that they are naturally endowed with the right to tell them what to do.

No, no. We believe that every individual has rights in this country, and we are not going to harmonize our laws, whether they're patent laws, and we are proud that we have a standard of living that has flowed from our patent laws and our technology laws. We are proud of that, and we are not going to bring down our standard of living in order to harmonize it with the rest of the world.

And yes, those businesses that are flowing over to China to use slave labor, yes, we do not want the elite of those companies making policy in the United States, especially if it's policy that would allow them to steal innovative and creative technology ideas from America's inventors, from the little guy. The fact is, we have had the strongest protection of patent rights of any place in the world, and thus we have had more innovation and a higher standard of living than the other people of the world. The common man here has the opportunity that common people in other parts of the world do not have because America has had technological superiority. And if our rights to our patent protection are diminished in order to harmonize those rights with the rest of the world, it should be no great surprise when we will end up with the same type of country that they have in those countries, that our people will have the same type of opportunity and standard of living and freedom that they have in third world countries. Is that what we want? Well, the corporate elite doesn't care what we want because they don't care about us. They were the ones that wanted to bring in tens of millions of more immigrants into our society illegally because they knew that if we legalized the status of those 15 to 20 illegals that are already here, that would bring in 50 million more. They don't care enough about us to want to stop that, and they don't care enough about us to want us to have a high standard of living.

This is another inherent conflict between the globalists and the patriots. If we do not win this battle, if we are not vigilant, America will lose and future Americans will not enjoy the freedom and prosperity and safety that we Americans enjoy today.

This destruction of our fundamental patent system is an abomination, a long-term threat to the well-being of

the American people, and it will benefit basically wealthy and powerful interests, an elite that has no loyalty to the United States or to our people. Our people have got to know that this is a threat to all of us. Our people need to unite, as we did on the fight against this immigration bill that would have been a disaster for our country and a disaster for ordinary Americans, we need to unite and we need to organize and we need to make sure that people in this body, in the House of Representatives, know that H.R. 1908 is something that is contrary to the interests of our country and is contrary to the interests of working people. And anyone voting for it, it won't be tolerated if that's the way people feel about it. Those advocating the "sledge hammer" approach to patent reform, allegedly addressing just small problems, but using a sledge hammer to fix those small problems, are, in reality, advocating a complete reconstruction, and I would suggest destruction, of our patent laws. If they really want to address specific problems, just like it was in the bill with the immigration, let them target those solutions instead of using a bulldozer in the name of knocking down a mole hill.

□ 2100

Yes, we can make our patent system more efficient. We can make sure that those patent examiners are trained and well educated and that they know the system and that the system works faster and more efficiently.

One thing we could do is make sure everyone who pays for a patent that that money stays in the patent system. Another thing is we can make sure that there are plenty of scholarships available for people who can get their PhDs in their scientific endeavors in these areas so they can come back and work in the patent office. We can correct our problem. But destroying and rearranging the rights of our inventors would be a catastrophe. Think about it. If you have a hangnail, and it is painful, and you go to a doctor, and the doctor goes to great lengths and says, oh, what a horrible hangnail you have there, you must be in pain, and, look, it has a little bit of infection, well, you might listen to your doctor. But what happens when the doctor says, well, I think we are going to get rid of that hangnail problem. We are going to amputate your leg.

This is what this is about. Those people are trying to amputate our legs in the name of getting rid of a hangnail because the Patent Office isn't working efficiently. Well, I would suggest that that doctor, if he suggests to you that he is going to amputate your leg, either he isn't incompetent or he doesn't like you. And you better check and find out. But either way, you don't want to follow his advice.

We are told by those people who want to totally change the patent system that these evil inventors, people like Thomas Edison and Cyrus McCormick,

all of these inventors, the people who invented the drugs that have cured polio, these evil inventors, they actually abuse the system because they own it for 17 years. No. It has been that profitability, it has been that spur, that incentive to create that has come up with these miracle cures, that has come up with these machines that have made us more competitive. Our workers cannot be more competitive with the Chinese or the Indians unless we have the technology. If our technologists are going to have all of the product of their genius stolen by the Chinese and Indians even before the patent is issued, how are we going to compete in the future against China and India? No. These people who are inventors, they are not abusing our law. They are the heroes. They are American heroes, just like the Wright brothers were American heroes. They lead to a better way of life.

These large corporations who exploit people and have no loyalty to us, who have armies of lawyers who will steal anything and smash anyone who gets in their way, those are the people we have to watch out for. Those are the people who are behind this proposed change in our patent law. Property rights for the little guy is a good thing. And I don't care if the guys in the corporate board rooms don't agree with me on that. I know that as a Republican people think, oh, well, he must be for business. No, I am for Americans. And I know that today the American people are being abused. If it weren't for the American people, there wouldn't be any freedom anywhere in the world. Any hope for anyone, for mankind and humankind is tied to the willingness of the American people, because we care about them.

Why should we harmonize our laws with the rest of the world off of some global vision that some egghead in some university thought up and taught to his students 20 years ago who now are out trying to implement this global vision?

Our people are not fighting for a new world order. Our people, when they defend this country, are defending our rights and our liberties. If we ever lose that, if we ever lose the allegiance of the little guy to our country, we have lost everything. Because what it seems like here is what we have got going in this country, whether it is patent law or whether it is immigration law, is that the elite no longer have the allegiance to America's little guys.

You know, there is a story that goes with this whole issue. It deals with a little guy who invented the picture tube, Philo Farnsworth. There is a statue to him right down the hallway, a statue here in our Nation's Capital to a country hick named Philo Farnsworth. It shows him there holding a TV picture tube. You know what? Philo Farnsworth was a hick. He had a little training in engineering. He actually figured it out.

RCA, the most powerful company in the United States at that time, spent

what is the equivalent of hundreds of millions of dollars to try to find the secret of a picture wave that you could have so you can have a television set and a tube that would capture that. Philo Farnsworth figured it out. He wrote RCA. He said, hey, I figured it out. Come on over and we will discuss it.

Sure enough, the head researcher from the labs at RCA showed up at Philo Farnsworth's home. Philo Farnsworth went out to the barn and showed him everything and how he had done it and how he figured it out. He had his notes. The guy took extensive notes and said, We will get back to you. Do you know what? RCA spent 20 years trying to steal Philo Farnsworth's invention. It went all the way to the Supreme Court. Thank God for the United States of America, the little guy, Farnsworth, beat RCA, the big corporation. That is why we have a statue to him here. That is what America is all about, protecting the rights of the little guy to make this a better world.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SESTAK, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. BURGESS) to revise and extend their remarks and include extraneous material:)

Mr. MCCOTTER, for 5 minutes, today.

Mr. POE, for 5 minutes, today and July 11, 12, and 16.

Mr. JONES of North Carolina, for 5 minutes, today and July 11, 12, 13, and 16.

Mr. WOLF, for 5 minutes, July 12 and 13.

Mr. MORAN of Kansas, for 5 minutes, July 11.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 966. An act to enable the Department of State to respond to a critical shortage of passport processing personnel, and for other purposes; to the Committee on Foreign Affairs.

S. 1612. An act to amend the penalty provisions in the International Emergency Economic Powers Act, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1830. An act to extend the authorities of the Andean Trade Preference Act until February 29, 2008.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced her signature to enrolled bills of the Senate of the following titles:

S. 277. An act to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Subdivision, and for other purposes.

S. 1704. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

A BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House, reports that on June 29, 2007, she presented to the President of the United States, for his approval, the following bill.

H.R. 1830. To extend the authorities of the Andean Trade Preference Act until February 29, 2008.

ADJOURNMENT

Mr. ROHRBACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 11, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2348. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Wage Determinations [DFARS Case 2006-D043] (RIN: 0750-AF59) received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2349. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Military Construction on Guam [DFARS Case 2006-D065] (RIN: 0750-AF65) received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2350. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Deletion of Obsolete Acquisition Procedures [DFARS Case 2006-D046] (RIN: 0750-AF62) received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2351. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Ac-

quisition Regulation Supplement; Excessive Pass-Through Charges [DFARS Case 2006-D057] (RIN: 0750-AF67) received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2352. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Acquisition Integrity [DFARS Case 2006-D044] (RIN: 0750-AF60) received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2353. A letter from the Secretary, Securities and Exchange Commission, transmitting the Department's "Major" final rule — Amendments to Rules Regarding Management's Report on Internal Control Over Financial Reporting (RIN: 3235-AJ58) received June 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2354. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Obstetrical and Gynecological Devices; Classification of Computerized Labor Monitoring System [Docket No. 2007N-0120] received May 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2355. A letter from the Regulations Coordinator, FDA, Department of Health and Human Services, transmitting the Department's "Major" final rule — Current Good Manufacturing Practice in Manufacturing, Packaging, Labeling, or Holding Operations for Dietary Supplements [Docket No. 1996N-0417] (RIN: 0910-AB88) received June 22, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2356. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's "Major" final rule — Import and Production Quotas for Certain List I Chemicals [Docket No. DEA-2391] (RIN: 1117-AB08) received July 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2357. A letter from the Chief of Staff to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Milano, Texas) [MB Docket No. 05-97 RM-11186 RM-11251] received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2358. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as amended by the Cable Television Consumer Protection and Competition Act of 1992 [MB Docket No. 05-311] received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2359. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions and Clarification of Export and Reexport Controls for the People's Republic of China (PRC); New Authorization Validated End-User; Revision of Import Certificate and PRC End-User Statement Requirements [Docket No. 061205125-7125-01] (RIN: 0694-AD75) received June 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2360. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report enti-

tled, "Policy Objectives and U.S. Policy Regarding Iran," pursuant to Public Law 109-364, section 1213(b); to the Committee on Foreign Affairs.

2361. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Determination and Memorandum of Justification pursuant to Section 563 of the Foreign Operations, Export Financing and Related Program Appropriations Act of 2006, Pub. L. 109-102; to the Committee on Foreign Affairs.

2362. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-63, "Fiscal Year 2008 Budget Support Act of 2007," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2363. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2364. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

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2378. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2379. A letter from the Deputy White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2380. A letter from the Deputy White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2381. A letter from the Deputy White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

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2389. A letter from the Deputy White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2390. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2391. 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; Tilefish Fishery; Quota Harvested for Full-time Tier 2 Category [Docket No. 010319075-1217-02] (RIN: 0648-XA54) received June 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2392. A letter from the Assistant Administrator, Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species (HMS); U.S. Atlantic Swordfish Fishery Management Measures [Docket No. 061121306-7105-02; I.D. 110206A] (RIN: 0648-AU86) received June 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2393. A letter from the Acting 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; Northeast (NE) Multispecies Fishery; Closure of the Eastern U.S./Canada Area [Docket No. 04011-2010-4114-02; I.D. 042407B] (RIN: 0648-AN17) received May 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2394. A letter from the Rules Administrator, Department of Justice, transmitting the Department's final rule — Searching and Detaining or Arresting Non-Inmates [BOP-1128] (RIN: 1120-AB28) received June 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2395. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Nucla, CO [Docket No. FAA-2006-24826; Airspace Docket No. 06-ANM-3] received May 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2396. A communication from the President of the United States, transmitting notification of his determination that a waiver for Turkmenistan will substantially promote the objectives of section 402, of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c)(2) and (d); (H. Doc. No. 110-44); to the Committee on Ways and Means and ordered to be printed.

2397. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — HAITIAN HEMISPHERIC OPPORTUNITY THROUGH PARTNERSHIP ENCOURAGEMENT ACT OF 2006 [USCBP-2007-0062 CBP Dec. 07-43] (RIN: 1505-AB82) received June 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2398. A letter from the Chief Counsel, Bureau of Public Debt, Department of the Treasury, transmitting the Department's final rule — Regulations Governing Securities Held in TreasuryDirect — received May 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2399. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Application of Section 6404(g) of the Internal Revenue Code Suspension Provisions [TD 9333] (RIN: 1545-BG64) received June 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on the Judiciary. H.R. 660. A bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes; with an amendment (Rept. 110-218, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 713. A bill to establish the Niagara Falls National Heritage Area in the State of New York, and for other purposes; with an amendment (Rept. 110-219). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 986. A bill 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, and for other purposes; with an amendment (Rept. 110-220). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1337. A bill to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District; with an amendment (Rept. 110-221). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1725. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water District Southern Riverside County Recycled/Non-Potable Distribution Facilities and Demineralization/Desalination Recycled Water Treatment and Reclamation Facility Project (Rept. 110-222). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 359. A bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estarada Chavez and the farm labor movement; with an amendment (Rept. 110-223). Referred to the Committee of the Whole House on the State of the Union.

Ms. SUTTON: Committee on Rules. House Resolution 531. Resolution providing for consideration of the bill (H.R. 2669) to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008 (Rept. 110-224). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII, the Committees on Ways and Means and Oversight and Government Reform discharged from further consideration. H.R. 660 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on June 29, 2007]

H.R. 957. Referral to the Committees on Financial Services and Ways and Means extended for a period ending not later than July 13, 2007.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KILDEE (for himself and Mr. CAMP of Michigan):

H.R. 2952. A bill to authorize the Saginaw Chippewa Tribe of Indians of the State of Michigan to convey land and interests in land owned by the Tribe; to the Committee on Natural Resources.

By Mr. SPACE:

H.R. 2953. A bill to amend the Rural Electrification Act of 1936 to improve the application process for the rural broadband program of the Department of Agriculture; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. SMITH of Texas, Mr. MCCAUL of Texas, Mr. DANIEL E. LUNGREN of California, Mr. DAVID DAVIS of Tennessee, Mr. BILBRAY, Mr. GALLEGLY, Mr. YOUNG of Florida, Mr. GINGREY, Mrs. MYRICK, Mr. POE, Mr. DEAL of Georgia, Mrs. CUBIN, Mrs. EMERSON, Mr. MARCHANT, Mr. NEUGEBAUER, Mr. BARTLETT of Maryland, Mr. MCCOTTER, Mr. CARTER, Mr. CANTOR, Mr. FORBES, Mr. MILLER of Florida, Mr. FRANKS of Arizona, Mr. KLINE of Minnesota, Mr. CAMPBELL of California, Mr. SHAYS, Mr. DREIER, Mr. WILSON of South Carolina, Mr. GARY G. MILLER of California, and Mr. BLUNT):

H.R. 2954. A bill to strengthen enforcement of immigration laws, and gain operational control over the borders of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Ways and Means, Education and Labor, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself, Mr. HINOJOSA, Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Ms. CORRINE BROWN of Florida, Mr. CUMMINGS, Mr. FATTAH, Mr. JEFFERSON, Mr. GRIJALVA, Ms. LINDA T. SANCHEZ of California, Ms. LEE, Ms. CARSON, Mr. AL GREEN of Texas, Ms. LORETTA SANCHEZ of California, Mr. TOWNS, Mr. ELLISON, Mr. HARE, and Ms. KILPATRICK):

H.R. 2955. A bill to improve calculation, reporting, and accountability for graduation rates; to the Committee on Education and Labor.

By Mr. SKELTON:

H.R. 2956. A bill to require the Secretary of Defense to commence the reduction of the number of United States Armed Forces in Iraq to a limited presence by April 1, 2008, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 2957. A bill to amend the Elementary and Secondary Education Act of 1965 to improve educational practices for limited English proficient students and immigrant students; to the Committee on Education and Labor.

By Mr. BACA (for himself, Mr. BURTON of Indiana, Mrs. BOYDA of Kansas, and Mr. CHANDLER):

H.R. 2958. A bill to direct the Federal Trade Commission to review the video game ratings of the Entertainment Software Rat-

ings Board and to direct the Government Accountability Office to study the impact of video games on children and young adults; to the Committee on Energy and Commerce.

By Mr. BISHOP of Utah (for himself and Mr. YOUNG of Alaska) (both by request):

H.R. 2959. A bill to establish a fund for the National Park Centennial Challenge, and for other purposes; to the Committee on Natural Resources.

By Mr. CAPUANO (for himself, Ms. SLAUGHTER, Mr. HINOJOSA, Mr. POE, Mr. AL GREEN of Texas, Mr. THORNBERRY, Mr. GONZALEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BERKLEY, Mr. CUELLAR, Ms. SHEA-PORTER, Mr. MCNERNEY, and Mr. WELCH of Vermont):

H.R. 2960. A bill to amend the State Department Basic Authorities Act of 1956 and the Foreign Service Act of 1980 to enable the Department of State to respond to a critical shortage of passport processing personnel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GARRETT of New Jersey:

H.R. 2961. A bill to expand the boundaries of the Walkkill National Wildlife Refuge located in Sussex county, New Jersey, and to authorize appropriations for the acquisition of lands and waters located within such expanded boundaries; to the Committee on Natural Resources.

By Mr. AL GREEN of Texas (for himself, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. HONDA, Ms. KILPATRICK, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2962. A bill to designate Pakistan under section 244 of the Immigration and Nationality Act to permit nationals of Pakistan to be eligible for temporary protected status under such sections; to the Committee on the Judiciary.

By Mr. ISSA:

H.R. 2963. A bill to transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, and for other purposes; to the Committee on Natural Resources.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. KIRK, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Mr. BOSWELL):

H.R. 2964. A bill to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY (for herself and Ms. ROS-LEHTINEN):

H.R. 2965. A bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries; to the Committee on Foreign Affairs.

By Mr. MARKEY (for himself, Mr. MORAN of Virginia, Mr. BLUMENAUER, and Mr. INSLEE):

H.R. 2966. A bill to amend the Internal Revenue Code of 1986 to provide a credit for the conversion of hybrid motor vehicles to plug-in hybrid motor vehicles; to the Committee on Ways and Means.

By Mr. MARSHALL:

H.R. 2967. A bill to prohibit the use of Federal funds in support of any travel undertaken by the President, Vice President, or certain other executive branch officials which includes the attendance by the official at any political campaign or fundraising event unless the sponsor of the event reim-

burses the Federal government for the actual costs incurred in support of the travel, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS:

H.R. 2968. A bill to amend the Richard B. Russell National School Lunch Act to make permanent the summer food service pilot project for rural areas of Pennsylvania and apply it to rural areas of every State; to the Committee on Education and Labor.

By Mr. WEINER:

H.R. 2969. A bill to establish the GothamCorps program; to the Committee on Education and Labor.

By Mr. WEINER:

H.R. 2970. A bill to ensure integrity in the operation of pharmacy benefit managers; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 2971. A bill to amend title XIX of the Social Security Act to require States to report data on Medicaid beneficiaries who are employed; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 2972. A bill to require providers of wireless telephone services to provide access to the universal emergency telephone number in subterranean subway stations located within their area of coverage; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 2973. A bill to amend the Truth in Lending Act to require a store in which a consumer may apply to open a credit or charge card account to display a sign, at each location where the application may be made, containing the same information required by such Act to be prominently placed in a tabular format on the application; to the Committee on Financial Services.

By Mr. WEINER:

H.R. 2974. A bill to protect innocent parties from certain fees imposed by depository institutions for dishonored checks, and for other purposes; to the Committee on Financial Services.

By Mr. WEINER:

H.R. 2975. A bill to make unlawful the establishment or maintenance within the United States of an office of the Palestine Liberation Organization (PLO); to the Committee on Foreign Affairs.

By Mr. WEINER:

H.R. 2976. A bill to halt Saudi support for institutions that fund, train, incite, encourage, or in any other way aid and abet terrorism, and to secure full Saudi cooperation in the investigation of terrorist incidents, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WEINER:

H.R. 2977. A bill to prohibit United States military assistance for Egypt and to express the sense of Congress that the amount of military assistance that would have been provided for Egypt for a fiscal year should be provided in the form of economic support fund assistance; to the Committee on Foreign Affairs.

By Mr. WEINER:

H.R. 2978. A bill to prohibit United States assistance for the Palestinian Authority and for programs, projects, and activities in the West Bank and Gaza, unless certain conditions are met; to the Committee on Foreign Affairs.

By Mr. WEINER:

H.R. 2979. A bill to prohibit the Department of Homeland Security from limiting the amount of Urban Area Security Initiative or State Homeland Security Grant Program grant funds that may be used to pay

salaries or overtime pay of law enforcement officials engaged in antiterrorism activities, and for other purposes; to the Committee on Homeland Security.

By Mr. WEINER:

H.R. 2980. A bill to amend title 18, United States Code, to protect individuals performing certain Federal and federally assisted functions, and for other purposes; to the Committee on the Judiciary.

By Mr. WEINER:

H.R. 2981. A bill to halt the issuance of visas to citizens of Saudi Arabia until the President certifies that the Kingdom of Saudi Arabia does not discriminate in the issuance of visas on the basis of religious affiliation or heritage; to the Committee on the Judiciary.

By Mr. WEINER:

H.R. 2982. A bill to require the National Park Service to make necessary safety improvements to the Statue of Liberty and to fully reopen the Statue to the public; to the Committee on Natural Resources.

By Mr. WEINER:

H.R. 2983. A bill to amend the Internal Revenue Code of 1986 to provide middle class tax relief, impose a surtax for families with incomes over \$1,000,000, and for other purposes; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 2984. A bill to amend the Low-Income Home Energy Assistance Act of 1981 to extend energy assistance to households headed by certain senior citizens; 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. WEINER:

H.R. 2985. A bill to require the Secretary of the Treasury to take certain actions with regard to the Arab Bank, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER:

H.R. 2986. A bill to prohibit assistance to Saudi Arabia; to the Committee on Foreign Affairs, and in addition to the Committee on 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. WEINER:

H.R. 2987. A bill to require the establishment of regional consumer price indices to compute cost-of-living increases under the programs for Social Security and Medicare and other medical benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WYNN:

H.R. 2988. A bill to amend title II of the Social Security Act to provide that the reductions in Social Security benefits which are required in the case of spouses and surviving spouses who are also receiving certain government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation; to the Committee on Ways and Means.

By Mr. WEXLER (for himself, Mr. BLUMENAUER, Mr. BRADY of Pennsyl-

vania, Mr. CAPUANO, Mr. CLAY, Mr. COHEN, Mr. DEFAZIO, Mr. FARR, Mr. HALL of New York, Ms. HOOLEY, Ms. JACKSON-LEE of Texas, Mrs. MALONEY of New York, Mr. MICHAUD, Mr. WELCH of Vermont, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H. Res. 530. A resolution censuring George W. Bush; to the Committee on the Judiciary.

By Mr. GOHMERT:

H. Res. 532. A resolution recognizing the energy and economic partnership between the United States and Honduras; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. GRIJALVA.
 H.R. 21: Mr. UDALL of New Mexico, Mr. DELAHUNT, Mr. SMITH of New Jersey, and Mr. SHULER.
 H.R. 60: Mr. LAMPSON.
 H.R. 73: Mr. WALBERG.
 H.R. 224: Mr. MCCOTTER.
 H.R. 303: Mr. SHAYS.
 H.R. 406: Mr. HIGGINS.
 H.R. 473: Mr. WAMP.
 H.R. 500: Mr. BILBRAY and Mrs. EMERSON.
 H.R. 538: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 661: Mr. CAPUANO and Mr. FERGUSON.
 H.R. 693: Mr. DAVIS of Illinois, Mr. BISHOP of Georgia, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Ms. NORTON, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Ms. WATSON, Mr. WATT, Mr. WEINER, Mr. NADLER, Mr. GENE GREEN of Texas, Mrs. CUBIN, Ms. SCHAKOWSKY, Mrs. MALONEY of New York, Ms. WASSERMAN SCHULTZ, Mr. KUCINICH, Mr. BERMAN, Ms. HARMAN, Ms. ZOE LOFGREN of California, and Mr. RANGEL.
 H.R. 695: Mr. RYAN of Ohio and Mr. WELCH of Vermont.
 H.R. 711: Mr. SCOTT of Virginia.
 H.R. 725: Mrs. McMORRIS RODGERS and Mr. BROWN of South Carolina.
 H.R. 728: Ms. WOOLSEY.
 H.R. 743: Mr. ROYCE, Mr. CULBERSON, Mrs. BOYDA of Kansas, Mr. AL GREEN of Texas, Mr. SHULER, Mr. TIM MURPHY of Pennsylvania, Mr. MAHONEY of Florida, Mr. MURPHY of Connecticut, Mrs. CAPPs, Mr. NUNES, and Ms. CARSON.
 H.R. 854: Ms. CARSON.
 H.R. 861: Mr. GOODLATTE and Mr. WILSON of Ohio.
 H.R. 864: Mr. WAXMAN.
 H.R. 895: Mrs. MCCARTHY of New York.
 H.R. 969: Mr. KILDEE, Mr. SARBANES, Mr. HARE, Ms. WATSON, and Ms. NORTON.
 H.R. 971: Ms. MCCOLLUM of Minnesota and Mr. PATRICK MURPHY of Pennsylvania.
 H.R. 980: Mr. COLE of Oklahoma and Mr. LAMPSON.
 H.R. 992: Mr. DEFAZIO.
 H.R. 1029: Mr. MARSHALL, Mr. BISHOP of Utah, and Mr. WESTMORELAND.
 H.R. 1070: Ms. CORRINE BROWN of Florida.
 H.R. 1072: Mr. JINDAL.
 H.R. 1076: Mrs. MILLER of Michigan, Mr. GILCHREST, Mr. HAYES, Mr. BARTLETT of Maryland, Mr. BAIRD, Mr. RYAN of Ohio, Mr. HOLDEN, and Mr. PUTNAM.
 H.R. 1084: Ms. ZOE LOFGREN of California.
 H.R. 1092: Mr. COHEN.
 H.R. 1108: Ms. ROYBAL-ALLARD, Mr. LANGEVIN, and Mr. HASTINGS of Florida.
 H.R. 1110: Mrs. DAVIS of California and Mr. HASTINGS of Washington.

H.R. 1152: Mr. GARRETT of New Jersey.
 H.R. 1185: Mr. FARR.
 H.R. 1188: Mr. HINOJOSA.
 H.R. 1211: Mr. DAVIS of Illinois.
 H.R. 1222: Mr. LINCOLN DIAZ-BALART of Florida.
 H.R. 1224: Mr. HARE.
 H.R. 1225: Mr. MARKEY.
 H.R. 1228: Mr. EHLERS.
 H.R. 1245: Mr. ALTMIRE and Mr. HINOJOSA.
 H.R. 1275: Ms. CORRINE BROWN of Florida.
 H.R. 1280: Mr. NEAL of Massachusetts.
 H.R. 1283: Ms. SOLIS.
 H.R. 1306: Mr. ISSA and Mr. PALLONE.
 H.R. 1308: Ms. ESHOO.
 H.R. 1324: Mr. FRANKS of Arizona.
 H.R. 1328: Mr. HINOJOSA and Mr. MICHAUD.
 H.R. 1338: Mr. UDALL of Colorado and Mr. MARSHALL.
 H.R. 1391: Mr. CAPUANO.
 H.R. 1400: Mrs. MYRICK, Mr. GUTIERREZ, Mr. HOEKSTRA, and Mr. SMITH of Washington.
 H.R. 1428: Mr. SPRATT and Mr. JINDAL.
 H.R. 1440: Mr. GOODE.
 H.R. 1448: Mr. YOUNG of Florida and Ms. SHEA-PORTER.
 H.R. 1464: Mr. KUCINICH and Mr. BISHOP of New York.
 H.R. 1514: Mrs. MYRICK.
 H.R. 1518: Mr. THOMPSON of Mississippi.
 H.R. 1542: Mr. ELLISON and Ms. SUTTON.
 H.R. 1551: Mr. FATTAH.
 H.R. 1621: Mrs. BOYDA of Kansas.
 H.R. 1650: Mr. GARRETT of New Jersey.
 H.R. 1671: Mr. HASTINGS of Florida, Mrs. NAPOLITANO, and Mr. STARK.
 H.R. 1674: Mr. BARRETT of South Carolina.
 H.R. 1687: Mrs. MCCARTHY of New York, Mr. GUTIERREZ, Mr. RUSH, and Mr. DAVIS of Alabama.
 H.R. 1713: Ms. GIFFORDS and Mr. CLAY.
 H.R. 1742: Mr. HOLT, Mr. SIREs, and Mr. HOLDEN.
 H.R. 1748: Mr. BOREN and Mr. CUMMINGS.
 H.R. 1778: Mr. DAVIS of Alabama.
 H.R. 1801: Mr. UDALL of Colorado and Ms. BERKLEY.
 H.R. 1819: Mrs. MALONEY of New York, Ms. ZOE LOFGREN of California, and Mr. HINOJOSA.
 H.R. 1927: Mr. SMITH of Washington.
 H.R. 1948: Mr. GRIJALVA.
 H.R. 1971: Ms. SCHAKOWSKY and Mr. MICHAUD.
 H.R. 1974: Mr. MCHUGH.
 H.R. 1981: Ms. SUTTON.
 H.R. 1992: Mr. OBEY, Mr. HOLDEN, and Mr. SHULER.
 H.R. 2003: Ms. KILPATRICK, Ms. MATSUI, Mr. STARK, Mr. LEWIS of Georgia, Mr. FATTAH, Mr. RUSH, and Mr. RANGEL.
 H.R. 2016: Mr. GORDON, Ms. MCCOLLUM of Minnesota, Mr. LIPINSKI, and Mr. CHANDLER.
 H.R. 2033: Mr. ISSA.
 H.R. 2035: Mr. KUHl of New York.
 H.R. 2036: Ms. HIRONO.
 H.R. 2046: Mr. WEINER and Mr. THOMPSON of Mississippi.
 H.R. 2060: Ms. CLARKE, Mrs. NAPOLITANO, and Mr. REYES.
 H.R. 2066: Mr. ABERCROMBIE.
 H.R. 2108: Ms. MCCOLLUM of Minnesota.
 H.R. 2111: Mr. ENGLISH of Pennsylvania.
 H.R. 2126: Mrs. BOYDA of Kansas.
 H.R. 2154: Mr. KUHl of New York.
 H.R. 2164: Mr. HIGGINS and Mr. MITCHELL.
 H.R. 2169: Mr. EMANUEL and Mr. WATT.
 H.R. 2183: Mr. BOOZMAN and Mr. KLINE of Minnesota.
 H.R. 2188: Mr. GRIJALVA.
 H.R. 2189: Mr. GUTIERREZ.
 H.R. 2204: Mr. WALZ of Minnesota, Mr. ALTMIRE, and Ms. CARSON.
 H.R. 2212: Mrs. MALONEY of New York, Mr. OLVER, Mr. BOSWELL, and Mr. KUCINICH.
 H.R. 2234: Mr. ROSS, Ms. MCCOLLUM of Minnesota, Mr. WOLF, Mr. PETERSON of Minnesota, Mr. HALL of New York, Mr. HONDA,

Mr. GUTIERREZ, Mr. BACA, Mr. ABERCROMBIE, Mr. BOSWELL, and Mr. HOLDEN.
 H.R. 2247: Mr. GORDON.
 H.R. 2266: Mr. COHEN, Mr. DOYLE, Mr. HINOJOSA, and Mrs. GILLIBRAND.
 H.R. 2287: Mr. BARROW and Mrs. MYRICK.
 H.R. 2303: Mr. HELLER, Mr. CARNEY, and Mr. FORTUÑO.
 H.R. 2327: Mr. HOLT, Mr. KENNEDY, Mr. FRELINGHUYSEN, Mrs. DAVIS of California, Mr. ARCURI, and Mr. GRIJALVA.
 H.R. 2343: Ms. LINDA T. SÁNCHEZ of California.
 H.R. 2373: Mr. NEAL of Massachusetts and Mr. GUTIERREZ.
 H.R. 2380: Mr. HINOJOSA.
 H.R. 2390: Mr. TORN DAVIS of Virginia, Mr. SHAYS, Mr. HINCHEY, and Mr. BURTON of Indiana.
 H.R. 2405: Ms. MCCOLLUM of Minnesota, Mr. VAN HOLLEN, Ms. LEE, Mr. LEWIS of Georgia, and Mr. WEXLER.
 H.R. 2416: Mr. GARRETT of New Jersey.
 H.R. 2443: Mr. AL GREEN of Texas, Ms. SLAUGHTER, Mr. BARROW, Mr. FORTUÑO, Ms. HIRONO, Mr. ELLSWORTH, Ms. CARSON, and Mr. BRALEY of Iowa.
 H.R. 2458: Mrs. MCCARTHY of New York and Mr. ELLISON.
 H.R. 2464: Ms. HERSETH SANDLIN, Mr. TIM MURPHY of Pennsylvania, and Ms. CORRINE BROWN of Florida.
 H.R. 2478: Mr. PRICE of North Carolina and Mr. ABERCROMBIE.
 H.R. 2495: Mr. DOYLE and Mr. FRANK of Massachusetts.
 H.R. 2512: Mr. HINOJOSA.
 H.R. 2516: Ms. SLAUGHTER.
 H.R. 2526: Mr. CAPUANO.
 H.R. 2566: Mr. PETERSON of Minnesota and Mr. BLUMENAUER.
 H.R. 2580: Mr. INGLIS of South Carolina, Mrs. MUSGRAVE, and Mr. GILCHREST.
 H.R. 2583: Mr. GORDON.
 H.R. 2596: Mr. KIRK, Mr. PRICE of North Carolina, Mr. EMANUEL, and Mrs. NAPOLITANO.
 H.R. 2599: Mr. WU and Ms. SUTTON.
 H.R. 2608: Mr. GRIJALVA, Ms. MCCOLLUM of Minnesota, and Mr. ELLISON.
 H.R. 2610: Mr. HASTINGS of Florida and Ms. BERKLEY.
 H.R. 2611: Mr. WELCH of Vermont.
 H.R. 2627: Mr. SAXTON.
 H.R. 2630: Mr. UDALL of Colorado.
 H.R. 2668: Mr. THOMPSON of Mississippi, Mr. MARSHALL, Ms. MATSUI, and Mr. PAYNE.
 H.R. 2691: Mr. RAMSTAD.
 H.R. 2694: Mr. DAVIS of Illinois, Ms. CARSON, Ms. LEE, Mr. MCINTYRE, Mr. ETHERIDGE, and Mr. WHITFIELD.
 H.R. 2701: Mr. LOESACK.
 H.R. 2702: Ms. JACKSON-LEE of Texas, Mr. ELLISON, Mr. WU, Ms. KILPATRICK, and Mr. PAYNE.
 H.R. 2713: Mr. ARCURI.
 H.R. 2714: Mr. BERRY.
 H.R. 2715: Ms. SCHAKOWSKY.
 H.R. 2720: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON-LEE of Texas, and Mr. WEINER.
 H.R. 2745: Mr. SPACE and Mr. HINOJOSA.
 H.R. 2814: Ms. GINNY BROWN-WAITE of Florida and Mrs. MYRICK.
 H.R. 2818: Mr. BRADY of Pennsylvania, Mr. ENGLISH of Pennsylvania, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Mr. ABERCROMBIE, and Mr. RUPPERSBERGER.

H.R. 2827: Mr. WELCH of Vermont.
 H.R. 2831: Mr. KILDEE, Mr. PAYNE, Mr. BISHOP of New York, Mr. HARE, Ms. JACKSON-LEE of Texas, Mr. DEFazio, Ms. SUTTON, Mr. MARSHALL, Mr. OBERSTAR, Mr. GRIJALVA, Mr. AL GREEN of Texas, and Mr. ACKERMAN.
 H.R. 2833: Mr. EMANUEL and Mr. CLAY.
 H.R. 2843: Ms. ROS-LEHTINEN.
 H.R. 2850: Mr. HASTINGS of Washington, Mr. REICHERT, Mr. BARTLETT of Maryland, and Mr. CAPUANO.
 H.R. 2854: Mr. SMITH of New Jersey and Mr. PAYNE.
 H.R. 2870: Mr. SERRANO, Mr. RANGEL, and Mr. PAYNE.
 H.R. 2899: Mr. LINDER.
 H.R. 2900: Mr. WYNN and Mr. HILL.
 H.R. 2910: Ms. CARSON, Mr. FILNER, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Mr. CARTER, Mr. RUSH, Mr. RYAN of Ohio, Mr. RUPPERSBERGER, Mr. BOSWELL, and Mrs. NAPOLITANO.
 H.R. 2911: Mr. GUTIERREZ.
 H.R. 2915: Mr. WELCH of Vermont.
 H.R. 2916: Mr. GOODE.
 H.R. 2923: Mr. ALEXANDER.
 H.R. 2926: Ms. WATSON, Ms. CLARKE, and Mrs. JONES of Ohio.
 H.R. 2929: Mr. MORAN of Virginia, Mr. GUTIERREZ, Ms. JACKSON-LEE of Texas, Mr. ROTHMAN, Mr. FARR, Mrs. MALONEY of New York, Ms. MATSUI, Mr. GRIJALVA, Mr. DEFazio, Mr. KUCINICH, Mr. HONDA, Mr. FATTAH, and Mr. CLAY.
 H.R. 2934: Mrs. BOYDA of Kansas, Mr. HALL of New York, Mr. SHULER, Mr. SPACE, Mrs. GILLIBRAND, Mr. PATRICK MURPHY of Pennsylvania, Mr. MARSHALL, and Mr. KIND.
 H.R. 2941: Mr. LANGEVIN, Ms. SLAUGHTER, Mr. HODES, Mr. HIGGINS, Mr. ENGLISH of Pennsylvania, Mr. COHEN, Mrs. BOYDA of Kansas, and Ms. HIRONO.
 H.R. 2942: Mr. BURTON of Indiana, Mrs. MCCARTHY of New York, Mr. MURPHY of Connecticut, Mr. SHULER, Mr. ALTMIRE, Mr. MICHAUD, Mr. WILSON of Ohio, Mr. MCGOVERN, Ms. DELAURO, Mr. KILDEE, and Ms. SUTTON.
 H.J. Res. 6: Mr. GRAVES.
 H.J. Res. 9: Mr. MCHUGH and Mr. PRICE of Georgia.
 H.J. Res. 44: Mr. GUTIERREZ, Mr. CROWLEY, Mrs. MALONEY of New York, Mr. SNYDER, Mr. COHEN, Mr. PAYNE, Mr. BURTON of Indiana, and Mr. DEFazio.
 H. Con. Res. 10: Mrs. CHRISTENSEN, Mr. FATTAH, Mr. JEFFERSON, and Mr. PAYNE.
 H. Con. Res. 87: Mr. ANDREWS.
 H. Con. Res. 120: Mr. BOOZMAN.
 H. Con. Res. 122: Mrs. MALONEY of New York and Mr. CHANDLER.
 H. Con. Res. 136: Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Mr. JEFFERSON, Mr. ROYCE, and Mrs. NAPOLITANO.
 H. Con. Res. 160: Mr. SHULER, Mr. ROHR-ABACHER, and Mr. WAMP.
 H. Con. Res. 162: Mr. BRALEY of Iowa, and Mr. KANJORSKI.
 H. Con. Res. 163: Mr. DAVIS of Illinois and Mr. ROGERS of Michigan.
 H. Con. Res. 169: Mr. BERMAN.
 H. Con. Res. 181: Ms. LINDA T. SÁNCHEZ of California, Mr. MCGOVERN, Mr. BOSWELL, Ms. JACKSON-LEE of Texas, and Mr. WALZ of Minnesota.
 H. Res. 106: Mrs. CHRISTENSEN and Mr. YARMUTH.

H. Res. 111: Mr. FRANKS of Arizona, Mr. ALLEN, Ms. ESHOO, Mr. TIM MURPHY of Pennsylvania, Mr. DAVIS of Kentucky, Mr. WHITFIELD, Mr. ELLISON, Mr. GARRETT of New Jersey, Mr. ACKERMAN, and Mr. KLINE of Minnesota.
 H. Res. 121: Mr. PERLMUTTER and Mr. SARBANES.
 H. Res. 143: Mr. MCGOVERN and Mr. YARMUTH.
 H. Res. 146, Mrs. MCCARTHY of New York, Mr. RUPPERSBERGER, and Mr. LEWIS of Georgia.
 H. Res. 148: Mr. WEXLER.
 H. Res. 169: Ms. BEAN.
 H. Res. 208: Mrs. MYRICK.
 H. Res. 231: Mr. DAVIS of Kentucky.
 H. Res. 282: Mr. STUPAK.
 H. Res. 333: Mr. MCDERMOTT and Mr. MORAN of Virginia.
 H. Res. 345: Mr. MARKEY, Mr. WALSH of New York, and Ms. KAPTUR.
 H. Res. 356: Mr. DAVIS of Illinois, Ms. SOLIS, Mr. SCHIFF, Mr. SHAYS, Mr. WEINER, Mr. SCOTT of Virginia, and Ms. BORDALLO.
 H. Res. 373: Ms. LEE and Mr. HINOJOSA.
 H. Res. 282: Mr. WAXMAN.
 H. Res. 467: Ms. ROS-LEHTINEN, Mr. ENGLISH of Pennsylvania, Ms. FOXX, Mr. TIM MURPHY of Pennsylvania, and Mr. SOUDER.
 H. Res. 482: Mr. COURTNEY, Mrs. MCCARTHY of New York, and Mr. TIM MURPHY of Pennsylvania.
 H. Res. 489: Mr. STARK, Mr. VAN HOLLEN, and Ms. SCHAKOWSKY.
 H. Res. 500: Mr. SOUDER, Mr. WEXLER, Ms. BERKLEY, and Mr. TIM MURPHY of Pennsylvania.
 H. Res. 503: Mr. VAN HOLLEN.
 H. Res. 504: Mr. CHABOT, Mr. WALDEN of Oregon, and Mr. FORTENBERRY.
 H. Res. 509: Ms. MCCOLLUM of Minnesota, Mr. BOSWELL, and Mr. WALSH of New York.
 H. Res. 511: Ms. LINDA T. SÁNCHEZ of California and Ms. HARMAN.
 H. Res. 519: Mr. CARTER, Mrs. DAVIS of California, Mr. HARE, Mr. BARTON of Texas, Mr. SAXTON, Mr. EVERETT, Mrs. JO ANN DAVIS of Virginia, and Mr. CONAWAY.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative George Miller or a designee to H.R. 2669, the College Cost Reduction Act of 2007 (to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008), does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendment to be offered by Representative McKeon of California or a designee to H.R. 2669, the College Cost Reduction Act of 2007, or a designee, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.